

REGULAR MEETING

Regular session of the City Council of the City of Wyandotte, the meeting was called to order at 7pm, Honorable Joseph R. Peterson presiding.

PRESENT: Councilpersons Fricke, Galeski, Miciura, Sabuda and VanBoxell
ABSENT: Councilperson Schultz

PRESENTATION by Dr. David Wolf and Susan LaCroix RN from Henry Ford Wyandotte Hospital regarding Safe Sleep Program

PROCLAIM September as Safe Sleep Awareness Month

COMMUNICATIONS MISCELLANEOUS

*Late Item

August 17, 2015

Honorable Joseph R. Peterson and Council,

Our Lady of the Scapular is once again asking to use the lot on South East corner and the North West corner of 9th and Vinewood for Parking on Friday, August 28, Saturday, August 29, and Sunday, August 30, 2015.

As in the past, we will fence it off and clean the area after the Festival.

Please let me know if you will permit us this privilege once again this year.

Sincerely,

Rev. Mark A. Borkowski

Pastor

PERSONS IN THE AUDIENCE

Chris Calvin, 466 Sycamore addressed Mayor and Council regarding professionalism during Council meetings.

John Cook, 3551 17th St., addressed Mayor and Council regarding absentee landlords, trash and rodents. Large totes are a help. 3530 17th 1st St. is a problem.

William Jarosz, 2104 Baummy, addressed Mayor and Council regarding a fire at a house down the street.

NEW BUSINESS (ELECTED OFFICIALS)

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS**REQUEST FOR COUNCIL ACTION**

AGENDA ITEM #1

ITEM: Assignment and Assumption Agreement - 81 Chestnut

PRESENTER: Todd A. Drysdale, City Administrator

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: In December of 2009, the City of Wyandotte entered into an Operating Agreement with DV Historic Tax Credit Fund V, LLC ("Investor"), for the development and management of a community fine and performing arts center at the historic 1911 Masonic Temple located at 81 Chestnut. At this time, the ownership of the property was transferred to Wyandotte Art Center, LLC, an entity comprised of the aforementioned two entities. The primary purpose of this transaction was to benefit from historical tax credits which could not be realized by the City due to the fact that we do not pay income taxes. The Wyandotte Art Center, LLC, received \$187,578 from the Investor as a result of this partnership.

Attached you will find notice that the Investor exercised the Put Option pursuant to Section 10.2 of the Operating Agreement. This exercise requires the City to purchase the Investor Member's interest in the Wyandotte Art Center, LLC. The Put Price to be paid by the City is \$28,742 based on the Assignment and Assumption Agreement being executed on August 18, 2015. Note that the letter of exercise indicated a slightly lower Put Price based on an earlier anticipated date of execution.

STRATEGIC PLAN/GOALS: To be financially responsible and to provide the finest services and quality of life.

ACTION REQUESTED: Authorize the Mayor and City Clerk to sign the Assignment and Assumption Agreement on behalf of the City and the City Administrator to sign the same agreement on behalf of the Wyandotte Art Center, LLC.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Payment of \$28,742 from the Wyandotte Art Center, LLC, whose cash balance was derived from tax credits, investor contribution, and rent paid by the Downriver Council of the Arts for 81 Chestnut.

IMPLEMENTATION PLAN: Payment will be wired to Investor on August 18, 2015.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: Approved to Form (Signature on File)

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

1. Letter dated July 30, 2015 from Dudley Ventures
2. Assignment and Assumption Agreement

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #2

ITEM: Sale of City Owned Property former 1170 22nd Street (22.06'x150.02')

PRESENTER: Mark A. Kowalewski, City Engineer

INDIVIDUALS IN ATTENDANCE: Mark A. Kowalewski

BACKGROUND: This property was purchased with UDAG Funds. Recommendation is to sell the 22.06 feet of the Former 1170 22nd Street to the adjacent property owners at 1162 22nd Street, for the amount of \$1,103.00 which is based on \$50 per front footage price. The combination of the two (2) parcels will result in one (1) parcel measuring 66.17' x 149.95'.

STRATEGIC PLAN/GOALS: This is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in insuring that development will have a positive impact on maintaining and developing excellent neighborhoods.

ACTION REQUESTED: Approve Purchase Agreements to sell property to the adjacent property owners.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Once approved a closing will be scheduled.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Sales Agreement, Map, and Resolution for the Policy for the Sale of Non-Buildable Lots.

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #3

ITEM: Assessing 2015 Fiscal Year Budget Amendment

PRESENTER: Thomas R. Woodruff, City Assessor

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: The DCA (Downriver Consolidated Assessing) Board of Directors has agreed to purchase the services of CoStar to assist in the assessing of commercial and industrial properties. This is to be a shared expense of our three members as well as Lincoln Park, Melvindale and Woodhaven. The cost to Wyandotte is approximately \$1,200 per year. Wyandotte will pay the contract fee of \$574.00 per month and bill the other five Cities. We need a budget amendment to the Expenditure Account of line item 101-209-825-370 of an additional \$4,000.00 to cover this expense. Also I am requesting a budget amendment to the Revenue Account showing income from the following Cities:

<u>Amount</u>	<u>City</u>	<u>Revenue Account</u>
\$1,200.00	Riverview	101-000-630-052
\$1,200.00	Southgate	101-000-630-052
\$1,200.00	Woodhaven	101-000-630-052
\$1,200.00	Lincoln Park	101-000-630-052
\$1,200.00	Melvindale	101-000-630-052

STRATEGIC PLAN/GOALS: All commercial and industrial properties in Wyandotte will be substantiated and concise.

ACTION REQUESTED: Adopt the resolution concurring with the Assessor's recommendation of a 2015 Fiscal Year Assessing expenditure budget amendment in the amount of \$4,000.00 and revenue amendment in the amount of \$6,000.00.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:
 Expenditure Account # 101-209-825-370 for \$4,000.00
 Revenue Account # 101-000-630-052 for \$6,000.00
 IMPLEMENTATION PLAN:
 COMMISSION RECOMMENDATION:
 CITY ADMINISTRATOR'S RECOMMENDATION:
 LEGAL COUNSEL'S RECOMMENDATION

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #4

ITEM: Special Event Application - City Property Use

PRESENTER: Heather A. Thiede, Special Events Coordinator

INDIVIDUALS IN ATTENDANCE: Heather A. Thiede, Special Events Coordinator

BACKGROUND: Below please find the requested dates for streets/property downtown Wyandotte Businesses would like to utilize for their events or daily business. The WBA is asking permission for the following items: (see attached Special Event applications for details)

Rivers Edge Gallery

- Permission to utilize city sidewalks/property on August 21st 2015 for an artist demonstration from 5 to 10 pm

Yogurt Town

- Permission to utilize city sidewalks/property on August 21st 2015 for a tent to promote their business
- Permission to utilize city property/sidewalks from August 17th to December 31st 2015 for tables and chairs

Willow Tree and Chelsea

- Permission to utilize city property/sidewalks from August 17th to December 31st 2015 for merchandise/tents

Tongues Coffee

- Permission to utilize city property/sidewalks from August 13th to December 31st 2015 for tables and chairs

If there are any costs for any city staff/material/property for said event, the businesses will be responsible for those fees no later than 30 days after said event date. Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse. Clean up before/during and after the event must be done by the businesses. This means any glass, spills; broken items will need to be cleaned during the event. The businesses must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement provided by our City Attorney. (Please see the attached applications).

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: It is requested the City Council concur with the support of the Special Event Coordinator, Police Chief, Recreation Superintendent, Fire Chief and Department of Public Service Superintendent and support the use of city streets, sidewalks and property for their activities held on the above dates.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: The resolutions and all necessary documents will be forwarded to the Chief of Police, Department of Public Service, Recreation, Fire Department and Special Event Coordinator.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Information sheet

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #5

ITEM: Special Event Application - Entertainment Contract

PRESENTER: Heather A. Thiede, Special Events Coordinator

INDIVIDUALS IN ATTENDANCE: Heather A. Thiede, Special Events Coordinator

BACKGROUND: Herewith, please find the entertainment contract assembled and recommended by my office for the Music in the Park Event. *For details please see the below listing.*

The Wanderers Trio - \$350

STRATEGIC PLAN/GOALS: The City of Wyandotte hosts several quality of life events throughout the year. These events serve to purpose the goals of the City of Wyandotte by bringing our community together with citizen participation and supporting the local businesses and non-profit organizations.

ACTION REQUESTED: Adopt a resolution to concur with the above recommendation and authorize Mayor Peterson or William Griggs, City Clerk to sign the attached contracts.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

285.225.925.730.812 - \$350

IMPLEMENTATION PLAN: Contract to be signed by Mayor Joseph R. Peterson and William Griggs, City Clerk to be returned to Heather A. Thiede for implementation.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: Concurs with recommendation, signature on file.

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Contract

CITIZEN PARTICIPATION

Chris Calvin, 466 Sycamore addressed Mayor and Council regarding Agenda Item #4/Special Event Permits - City Property Use.

HEARING

SHOW CAUSE HEARING
OPPORTUNITY TO SHOW CAUSE
WHY THE FOUNDATION AT OAK AND 2ND STREETS
(S.W. CORNER) SHOULD NOT BE REMOVED
IN ACCORDANCE WITH THE CITY'S
PROPERTY MAINTENANCE ORDINANCE

Held in abeyance for two months

FIRST READING OF ORDINANCES

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE ZONING ORDINANCE TO
REZONE THE PROPERTY FORMERLY KNOWN AS 600-604 POPLAR FROM TWO
FAMILY RESIDENTIAL DISTRICT (RT) TO ONE FAMILY RESIDENTIAL DISTRICT
(RA)

REPORTS AND MINUTES

Daily Cash Receipts	July 27-August 11, 2015
Zoning Board of Appeals	August 5, 2015
Planning Commission	July 16, 2015

RECESS

RECONVENE

PRESENT: Councilpersons Fricke, Galeski, Miciura, Sabuda and VanBoxell

ABSENT: Councilperson Schultz

RESOLUTIONS

By Councilperson Sabuda, supported by Councilperson Fricke

RESOLVED by the City Council that the reading of the minutes of the previous meeting be dispensed with and the same stand APPROVED as recorded without objection.

ROLL ATTACHED

By Councilperson Sabuda, supported by Councilperson Fricke
 RESOLVED BY THE CITY COUNCIL that Council acknowledges receipt of the communication from the City Administrator regarding the Assignment and Assumption Agreement with DV Historic Tax Credit Fund V, LLC, (Investor) and CONCURS with the recommendation to execute said agreement with acquires the membership interest of the Investor for \$28,742 and FURTHER, RESOLVED BY THE CITY COUNCIL that the Council authorizes the Mayor and City Clerk to sign the Assignment and Assumption Agreement on behalf of the City and the City Administrator to sign the same agreement on behalf of the Wyandotte Art Center, LLC.
 Motion carried.
 NAY: Councilperson Galeski

By Councilperson Sabuda, supported by Councilperson Fricke
 BE IT RESOLVED BY THE CITY COUNCIL that Council approves the Purchase Agreement to sell 22.06 feet of the former 1170 22nd Street to the adjacent property owners at 1162 22nd Street for the amount of \$1,103.00; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and Clerk are hereby authorized to sign said documents.
 Motion unanimously carried.

By Councilperson Sabuda, supported by Councilperson Fricke
 RESOLVED by City Council that Council hereby concurs with the recommendations of the City Assessor and approves the necessary 2015 Fiscal Year Budget amendments as submitted.
 Motion unanimously carried.

By Councilperson Sabuda, supported by Councilperson Fricke
 RESOLVED by City Council that permission is granted to Rivers Edge Gallery, Yogurt Town, Willow Tree, Tongues Coffee and Chelsea to utilize the City sidewalk for the Third Friday Event schedule for August 21, 2015 provided they submit the required Hold Harmless and provide proof of the required insurance designating the City as an additional insured party.
 BE IT FURTHER RESOLVED THAT the Special Event Coordinator (with assistance of the Police and Engineer's office) notify any known businesses that may be utilizing the City property or City sidewalk without prior City approval be directed to cease said use until permission is received.
 Motion unanimously carried.

By Councilperson Sabuda, supported by Councilperson Fricke
 BE IT RESOLVED by the City Council that the Council concurs with the Special Event Coordinator to approve the entertainment contract for the band, The Wanderers, in the amount of \$350 for the 2015 Music in the Parks as outlined in the provided communication dated August 17, 2015.
 BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby directed to execute said contract on behalf of the City of Wyandotte.
 Motion unanimously carried.

By Councilperson Sabuda, supported by Councilperson Fricke
 RESOLVED by the City Council that a hearing was held on June 15, 2015 where all parties were given an opportunity to appear to have their attitude expressed in support of or in opposition of the removal of foundation structures at Oak Street and 2nd Street, Wyandotte, Michigan, or why said structure should not be demolished, removed or otherwise made safe; said hearing was held in abeyance for thirty (30) days; (July 20, 2015); three weeks (August 10, 2015) AND BE IT FURTHER RESOLVED, that said hearing be held in abeyance for one week (August 17, 2015), and FURTHER BE IT RESOLVED, that said hearing be held in abeyance for two months (October 19, 2015).
 Motion unanimously carried.

By Councilperson Sabuda, supported by Councilperson Fricke
RESOLVED, by the City Council that the total bills and accounts of \$4,092,987.50 as
presented by the Mayor and City Clerk are hereby APPROVED for payment.
Motion unanimously carried.

Council Councilperson Sabuda, supported by Councilperson Fricke
RESOLVED, that the meeting be adjourned at 8:27 p.m.
Motion unanimously carried.

Lawrence S. Stec, City Clerk