

**AGENDA
REGULAR SESSION
MONDAY, AUGUST 17, 2015 7: 00 PM
PRESIDING: THE HONORABLE MAYOR JOSEPH R. PETERSON
CHAIRPERSON OF THE EVENING: THE HONORABLE LEONARD T. SABUDA**

ROLL CALL: FRICKE, GALESKI, MICIURA, SABUDA, SCHULTZ, VANBOXELL

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:

None

PERSONS IN THE AUDIENCE

NEW BUSINESS (ELECTED OFFICIALS)

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

1. Communication from City Administrator regarding Assignment and Assumption Agreement - 81 Chestnut
2. Communication from City Engineer regarding sale of the City owned property/former 1170 22nd
3. Communication from City Assessor regarding Assessing 2015 FY Budget Amendment
4. Communication from Special Event Coordinator regarding City property use
5. Communication from Special Event Coordinator regarding Entertainment Contract

CITIZENS PARTICIPATION

HEARINGS:

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

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
Zoning Board of Appeals
Planning Commission

July 27-August 11, 2015
August 5, 2015
July 16, 2015

Regular session of the City Council of the City of Wyandotte, the Honorable Joseph R. Peterson presiding.

ROLL CALL

PRESENT: Councilpersons Fricke, Miciura, Sabuda, Schultz

ABSENT: Councilperson Galeski

COMMUNICATIONS MISCELLANEOUS

August 5, 2015

To Mayor Peterson and the Wyandotte City Council,

After the action taken at last Monday night's Council meeting, I still have some concerns regarding the outdoor café issue(s) and Ord. 2200-Special Land Uses.

1. This new plan for Captain's Bar is very similar to the plan they requested when they first came before the Planning Commission and the Mayor and City Council a couple years ago. Why was the first plan denied and what happened to change your decision to now approve this very similar new plan?

2. Captain's has not been totally in compliance since opening about two years ago. Many feel the bar is being "rewarded" for this by having this new design approved. If they were not in compliance, and are not currently in compliance since this new design came up over 3 months ago, they have in fact been doing business in violation of the Ord. in one form or another since they opened. What guarantee is there that they will all of a sudden be in compliance because they've been allowed to move a few pieces of fencing around? It is very difficult to defend any new design when the old ones do not comply with the Ord.

3. If the Dotte were to agree to move their outdoor café up against the front of their building the entrance to their inside bar would be blocked by the fencing required around an outdoor café. The ord. states that "the entrance to an outdoor cafe is required to be from the inside of the building not thru a gate outside the building (if in fact they ever put up the gate they still do not have, - but was required). If that outdoor café was to close at midnight it would still actually be open until 2 am when the inside bar closes if it is the only way in and out of the bar. I believe any new design for an outdoor café serving liquor has to be submitted to the Liquor Commission as well as comply with the ord. Please not those other outdoor cafes that will now want to take advantage of this new outdoor café design may also have their only entrances blocked by the fencing required and be in violation of the Ord.

4. Regarding Captain's and their occupancy numbers: If the back outdoor café can hold a maximum of 70 people and the front outdoor café can hold a maximum of 30 people and both outdoor cafes close at midnight, where will the 100 people from the 2 outside cafes drink without being in violation of exceeding the number maximum for the inside bar? Good luck to any outdoor café turning away those who are drinking at

midnight because their patronage may now over-populate their inside bars. How and who will monitor the number?

5. If you decide to further make a change and allow Captain's and other outdoor cafes to be open until 2 am for those 30 days a year, this gives patron an extra two hours to inflict bar attributes (noise, smoking, parking issues, etc.) on the surrounding neighborhoods including potential new residents of new condos, lofts, and apartments you are strongly encouraging in the downtown area. How would you justify the loss of possible new residents moving in or the loss of current residents moving out against the cost of being "Business Friendly" until 2 am?

6. I assume the amount of insurance required by the City for an outdoor café is enough insurance to cover being open until midnight but does that insurance increase when and if the outdoor café is open until 2 am and who would be responsible for monitoring that issue?

7. My last question is based on this example: Many of the current outdoor cafes in Wyandotte did not remove their fencing during the winter and Captain's even put up an outdoor heater in their front outdoor café. Would Mayor and Council approve and add to the Ord. an inspection process prior to opening and closing of all outdoor cafes on a yearly basis and agree to remove Belicoso's name from the Ord. substituting detailed descriptions of furnishings, fencing, ages, etc. as requirements of the Ord.?

I thank you for your attention to my concerns as they are not just my concerns but also the concerns of many residents who have talked to me regarding this outdoor café issue in the past few months. We look forward to your answers to these questions.

Sincerely,

Corki Benson

404 Vinewood, Wyandotte, Mi

PERSONS IN THE AUDIENCE

Corki Benson, 404 Vinewood, asked to read her communication to Mayor and Council regarding Captain's, 126 Oak (see above)

Teri & Jim Skolozinski, 219 Superior - noticed blue marks on lawn, they have a split line with 225 Superior, does not want Water Dept. doing things to their property without their knowledge. Mayor's Office to coordinate meeting with Municipal Services and Mayor.

Jan Murphy, 233 Elm against extended outdoor café hours.

NEW BUSINESS (ELECTED OFFICIALS)

None

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

July 27, 2015

AGENDA ITEM #2

Dear Honorable Mayor and City Council Members:

SUBJECT: Traffic Control Order #2015-03

After review, the Traffic Bureau and Officer Zalewski recommend the installation of "Handicap Parking Signs" in front of 2306 8th St., Wyandotte, MI 48192. This request met all the qualifications set forth by the Commission; therefore, in concurrence with Officer Zalewski, this letter serves as a recommendation for Council support of Traffic Control Order 2015-03 as specified on said order.

If they are any additional questions, please feel free to contact my office at extension 4424.

Sincerely,

Daniel J. Grant

Chief of Police

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #3

ITEM: Hiring - Probation Officer (27th District Court)

PRESENTER: Todd A. Drysdale, City Administrator

INDIVIDUALS IN ATTENDANCE: N/A

BACKGROUND: A clerical employee of the 27th District Court retired earlier this fiscal year. Based on a review of the City's current resources, organizational structure, and staffing expectations, the filling of a full-time probation officer was identified as a greater need for the Court in order to provide effective services. As such, Randy L. Kalmbach, 27th District Court Chief Judge, has recommended the hiring of Julissa Gutierrez for this position. Previously, the probation department was staffed by the Probation Director and additional part-time probation officers.

STRATEGIC PLAN/GOALS: To provide the finest services and quality of life.

ACTION REQUESTED: The 27th District Court Chief Judge recommends approval of the hiring.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Projected savings of approximately \$29,000 based on the difference in salary between the former clerical employee and part-time wages and the newly created full-time position.

IMPLEMENTATION PLAN: The City's Administrative Office will coordinate the hiring.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION: Concur

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

1. Letter dated July 24, 2015 – Randy L. Kalmbach
2. Resume & Letter of Interest – Julissa Gutierrez
3. Application for Employment

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #4

ITEMS: Pifer Inc. Golf Cart Lease Extension

PRESENTER: Justin N. Lanagan, Superintendent of Recreation

INDIVIDUALS IN ATTENDANCE:

BACKGROUND: Currently, Wyandotte Shores leases our fleet of 38 golf carts and one beverage cart from Pifer Inc. of Holly, MI. We currently pay \$24,699.96 per golf season. In our lease, we receive weekly maintenance visits, where Pifer's certified mechanic makes any necessary repairs to any carts that are in need of repair.

Recently, the Recreation Commission asked myself to look into other golf cart providers to see if there was a better deal. I contacted three separate golf cart dealers in Michigan. Golf Cars Plus of Mt. Clemens didn't respond to several voicemails and an email that I left, Michigan Golf Cart of Warren said that our fleet request was too large and they couldn't handle us (but they referred us to Michigan Tournament Fleet of Commerce Township), and Michigan Tournament Fleet came in with a quote of over \$41,000 for 38 carts and a beverage cart.

After relaying this information to the Recreation Commission, they agreed that we should stay with Pifer Inc. At the end of this season, our lease agreement with Pifer Inc. will expire. I have spoke with Scott Pifer and he is interested in signing a four year lease extension through the 2019 season at the current rate of \$24,699.96 per year.

STRATEGIC PLAN/GOALS: To continue to provide the finest services while being financially responsible

ACTION REQUESTED: Adopt a resolution concurring with the Superintendent of Recreation's recommendation to have the Mayor and City Clerk sign the Golf Cart Lease Extension with Pifer Inc.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Lease payments will continue to be paid from Account #525-750-825-550

IMPLEMENTATION PLAN:

COMMISSION RECOMMENDATION: At the regular scheduled Commission meeting on June 16th, 2015 the Recreation Commission discussed and agreed to sign a lease extension with Pifer Inc.

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: Contract was forwarded to Bill Look

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: Contract with Pifer Inc.

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #5

ITEMS: Special Event Budget Amendments

PRESENTER: Heather A. Thiede, Special Event Coordinator

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

BACKGROUND: As you are aware, The Special Event Office is currently organizing the 2015 City of Wyandotte Special Events. This year, Leo Stevenson and Merrill Lynch

have finally supported the events with a donation of \$7000. Please see the below breakdown for the donations.

<u>Amount</u>	<u>Event</u>	<u>Revenue Account</u>	<u>Expenditure Account</u>
\$2,000	Music in the Park	285-000-655-039	285-225-925-812
\$3,000	WSAF	285-000-655-010	285-225-925-860
\$700	Christmas Parade	285-000-655-029	285-225-925-825
\$1,000	4 th of July	285-000-655-031	285-225-925-826
\$300	Fishing Derby	285-000-655-039	285-225-925-814

I am requesting that a budget amendment be approved that acknowledges the receipt of this donation as revenue and the necessary expenditure accounts to be used for the 2015 event season.

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: Please forward approval for the above to the finance department.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

See above – revenues equal expenditures.

IMPLEMENTATION PLAN: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS:

REQUEST FOR COUNCIL ACTION

AGENDA ITEM #6

ITEM: Special Event Office - 2015 Wyandotte Street Art Fair Financial Report

PRESENTER: Heather A. Thiede, Special Event Coordinator

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

BACKGROUND: Herewith, please find a financial report on the 2015 Wyandotte Street Art Fair compiled by the Special Event Coordinator. This is a detailed breakdown of the financial information from this year's fair as well as over the past eleven years. I submit this report for your collective review. Should you have any questions, please do not hesitate to contact me.

STRATEGIC PLAN/GOALS: In accordance with the strategic plan; quality of life.

ACTION REQUESTED: Adopt a resolution to receive and place on file.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Receive and place on file.

COMMISSION RECOMMENDATION: N/A

CITY ADMINISTRATOR'S RECOMMENDATION:

LEGAL COUNSEL'S RECOMMENDATION: N/A

MAYOR'S RECOMMENDATION:

LIST OF ATTACHMENTS: 2015 WSAF Financial Report

CITIZEN PARTICIPTION

Dave Shalda, 725 Hudson is upset over the behavior of the City Council. He wants Council to get along.

HEARINGS:

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 ORDINANCES

Paul Zulewski presented construction drawings, explained status and funding investors.

Hold in abeyance for one week.

FINAL READING OF ORDINANCES:

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE XII – B-1 NEIGHBORHOOD BUSINESS DISTRICT, Section 1200 Principal Uses
Permitted,

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article XII – B-1 Neighborhood Business District, Section 1200 Principal Uses Permitted, Subsection E, F, and G shall be amended to read:

1200 Principal Uses Permitted

- E. Business schools, or private schools operated for profit. Examples of private schools permitted herein include, but are not limited to, the following: dance studios, music and voice schools, and art studios.
- F. Other uses which are similar to the above uses.
- G. Accessory structures and uses customarily incidental to the above permitted uses, provided such buildings and uses are located on the same zoning lot with a permitted uses.

Section 2. Severability.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent to give this Ordinance full force and effect.

Section 3. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
ARTICLE VIII – RM-2 TOWNHOUSE RESIDENTIAL DISTRICTS – Section 801 and Section
802

CITY OF WYANDOTTE ORDAINS:

Section 1. Amendment.

The following Section of the City of Wyandotte Zoning Ordinance entitled Article VIII – amending Section 801– Special Uses and adding Section 802 – Required Conditions shall read:

801. Special Uses

The following uses may permitted by the Planning Commission subject to conditions hereinafter imposed in Article XXII for each use and subject to the review and approval of a site plan and in accord with Section 2607 and after a public hearing in accord with Section 2608 by the Planning Commission.

A. Uses permitted as special uses and as regulated in the RM-1A Districts.

802 – Required Conditions

The following conditions shall be required in all RM-2 Districts.

A. All required conditions of the RM-1A District shall apply to the RM-2 District.

Section 2. Severability.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent to give this Ordinance full force and effect.

Section 3. Effective Date.

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REPORTS AND MINUTES

Downtown Development Authority

July 14 2015

Police Commission

July 28, 2015

RESOLUTIONS

By Councilperson Schultz, supported by Councilperson Van Boxell
RESOLVED by the City Council that Leonard Sabuda be appointed the MAYOR PRO
TEMPORE for the remainder of the term.

Motion carried.

NAY: Councilperson Fricke

ABSTAIN: Councilperson Miciura

By Councilperson Miciura, 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 Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that the communication from Cori Benson regarding
Captain's, 126 Oak, is hereby received and placed on file with a copy of said
communication forwarded to the Engineering Dept. and Planning Commission.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that Council CONCURS with the recommendation of
the Chief of Police and Traffic Bureau as set forth in Traffic Control Order 2015-03 for
the installation of "Handicap Parking Signs" in front of 2306 8th St., Wyandotte, MI.
48192. AND BE IT FURTHER RESOLVED that the Department of Public Service be
directed to install same.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED BY THE CITY COUNCIL that Council acknowledges receipt of the
communication from the City Administrator regarding the Full-Time Probation Officer
position at the 27th District Court and CONCURS with the recommendation of the 27th
District Court Chief Judge and hereby declares authorizes the filling of such vacancy
and
FURTHER, RESOLVED BY THE CITY COUNCIL that the Council approves the hiring
of Julissa Gutierrez as Probation Officer at Level 32A.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
Resolved by the City Council that Council hereby authorizes the Mayor and City Clerk to
sign the four year contract extension with Pifer Inc. through the year 2019 in the amount
of \$24,699.96 per year as submitted by the Superintendent of Recreation.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
Resolved by City Council to approve the request of the Special Event Coordinator to
approve of the budget amendments for the 2015 Special Event year.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
BE IT RESOLVED by the City Council that Council receive and place on file the
attached 2015 WSAF Financial Report. Per the recommendation of the Special Event
Coordinator.
Motion unanimously carried.

By Councilperson Miciura, 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).
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
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Motion unanimously carried.

CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON, Mayor and LAWRENCE S. STEC, City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a Regular Session thereof on Monday, the 10th day of August 2015.

JOSEPH R. PETERSON, Mayor
LAWRENCE S. STEC, City Clerk

By Councilperson Miciura, supported by Councilperson Fricke

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE
ZONING ORDINANCE BY AMENDING
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The following conditions shall be required in all RM-2 Districts.

A. All required conditions of the RM-1A District shall apply to the RM-2 District.

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Motion unanimously carried.

CERTIFICATE

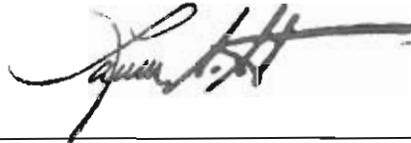
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JOSEPH R. PETERSON, Mayor

LAWRENCE S. STEC, City Clerk

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED by the City Council that the total bills and accounts of \$693,564.05 as presented by the Mayor and City Clerk are hereby APPROVED for payment.
Motion unanimously carried.

By Councilperson Miciura, supported by Councilperson Fricke
RESOLVED that the meeting be adjourned at 8:14 p.m.
Motion unanimously carried.



Lawrence S. Stec, City Clerk

PRESENTATION

By Dr. David Wolf and Susan LaCroix, RN from Henry Ford Wyandotte Hospital
regarding the Safe Sleep Program

PROCLAIM September Safe Sleep Awareness Month

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: August 17, 2015

AGENDA ITEM # 1

ITEM: Assignment and Assumption Agreement – 81 Chestnut

PRESENTER: Todd A. Drysdale, City Administrator *T. Drysdale*

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

MODEL RESOLUTION:

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.

DudleyVentures

VIA E-Mail and
Certified Mail – Return Receipt Requested

July 30, 2015

City of Wyandotte
3131 Biddle Avenue
Wyandotte, MI 48192
Attn: Todd Drysdale

Re: Wyandotte Art Center LLC

Dear Mr. Drysdale,

This is to inform you that the Investor Member hereby provides written notice exercising its Investor Member's Put Option pursuant to Section 10.2 of the Operating Agreement of Wyandotte Art Center LLC.

This letter serves as the Investor Member's Put Notice and will require the Company to purchase the Investor Member's interest in the Company. The Put Price for the Investor Member is equal to \$28,705.

If you have any questions please do not hesitate to contact me.

Sincerely,



James D. Howard, Jr.

JDH/ymp

ASSIGNMENT AND ASSUMPTION AGREEMENT

This Assignment and Assumption Agreement (the "Agreement") is made and entered into effective as of August 18, 2015, by and among DV Historic Tax Credit Fund V, LLC, a Delaware limited liability company ("DVHTCFV") (the "Transferor") and The City of Wyandotte, a Michigan municipal corporation (the "Transferee"). Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Wyandotte Art Center, LLC, a Michigan limited liability company, Operating Agreement dated effective as of December 30, 2009 ("Operating Agreement").

RECITALS

WHEREAS, DVHTCFV owns a ninety nine (99%) percent membership interest under the Operating Agreement (the "Membership Interest");

WHEREAS, Transferee wishes to purchase all of Transferor's Membership Interest and assume all of Transferor's rights, duties and obligations under the Operating Agreement;

WHEREAS, Transferor desires to transfer and assign all of its right, title and interest in and to its Membership Interest, to Transferee, and Transferor and Transferee desire that Transferee be assigned the Membership Interest pursuant to the provisions of the Operating Agreement (collectively, the "Transfer"); and

WHEREAS, Transferee has agreed to accept the Transfer and to release the Transferor from certain of its obligations on the terms set forth herein.

NOW, THEREFORE, in consideration of the premises hereof and other good and valuable consideration, the parties hereto hereby agree as follows:

AGREEMENT

§1. **Recitals.** The Recitals are hereby incorporated in and made a part of this Agreement by this reference.

§2. **Transfer, Assignment and Assumption and Release.**

(a) For a payment in the amount of \$28,742 to be made contemporaneously with the execution of this Agreement, the receipt and sufficiency of which is acknowledged, Transferor shall, as of the date hereof transfer, sell, bargain, assign and convey to Transferee one hundred percent (100%) of its Membership Interest and all of its right, title and interest in and to the Operating Agreement and its property and under the Operating Agreement. Transferee hereby accepts the Transfer and agrees to be bound by all of the terms and conditions of the Operating Agreement and assume the obligations of Transferor.

The payment is to be wired as follows:

DV Historic Tax Credit Fund V, LLC
Wells Fargo Bank, N.A.
ABA #: 121000248
Account #: 1507431227

(b) Parties hereby acknowledge that the transfer of Membership Interest is made in accordance with Article 10 of the Operating Agreement.

(c) By execution of this Agreement, Transferee shall release Transferor from any and all obligations and liabilities under the Operating Agreement.

§3. **Representations and Warranties of the Transferor.** As of the Effective Date, the Transferor represents and warrants to the Transferee as follows:

(a) Ownership. Transferor is the legal and beneficial owner of the Membership Interest.

(b) Title to Membership Interest. There is outstanding no option, warrant, contract, agreement or other obligations (whether by law or contract) on the party of the Transferor to issue or sell any Membership Interest to any other person. The Transferor owns the Membership Interest free and clear of any lien, charge, encumbrance, right of first refusal, option or other claim. This Agreement and the other instruments to be executed and delivered by the Transferor are sufficient to transfer to the Transferee complete ownership of, and title to, the Membership Interest.

(c) Authority. Transferor has all requisite power and authority to execute, deliver and perform its obligations under this Agreement.

(d) Due Authorization, Execution, etc. This Agreement, when executed and delivered by the Transferee, will constitute the legal, valid and binding obligation of the Transferor, enforceable against the Transferor in accordance with its terms, except as enforcement may be limited by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally and by general principles of equity (regardless of whether considered in a proceeding in equity or at law).

(e) Litigation, Proceedings, etc. There is no lawsuit, proceeding, investigation or complaint before any governmental authority, mediator or arbitrator pending or, to its knowledge, contemplated or threatened in writing against or affecting the Transferor, which relates to or challenges the legality, validity or enforceability of this Agreement or which (individually or in the aggregate) reasonably could be expected to impair the ability or obligation of the representing party to perform fully on a timely basis any obligation which it has or will have under this Agreement.

(f) Compliance with Legal Requirements. To its knowledge, it has at all times complied with and is not in material violation of any legal requirements or orders of any

governmental authority applicable to it or to the Membership Interest, in each case, that would materially affect the value of the Membership Interest.

§4. Representations and Warranties of the Transferee. As of the Effective Date, the Transferee represents and warrants to the Transferor as follows:

(a) Authority. Transferee has all requisite power and authority to execute, deliver and perform its obligations under this Agreement. The execution and delivery of this Agreement has been duly authorized by Transferee and no other proceedings on the part of Transferee are necessary to authorize this Agreement.

(b) Due Authorization, Execution, etc. This Agreement, when executed and delivered by the Transferee, will constitute a legal, valid and binding obligation, enforceable against the Transferee in accordance with its terms, except as enforcement may be limited by applicable bankruptcy, insolvency, reorganization, moratorium or similar laws affecting creditors' rights generally and by general principles of equity (regardless of whether considered in a proceeding in equity or at law).

(c) Litigation, Proceedings, etc. There is no lawsuit, proceeding, investigation or complaint before any governmental authority, mediator or arbitrator pending or, to its knowledge, contemplated or threatened in writing against or affecting the Transferee, which relates to or challenges the legality, validity or enforceability of this Agreement or which (individually or in the aggregate) reasonably could be expected to impair the ability or obligation of the representing party to perform fully on a timely basis any obligation which it has or will have under this Agreement.

§5. No Violation. The execution and delivery of this Agreement and the consummation of the transactions contemplated hereby will not violate, conflict with or constitute a default under (a) the articles of organization, Operating Agreement or other governing documents of the Company, or (b) any law, regulation or order of any governmental authority binding on the Transferee.

§6. Counterparts. This Agreement may be executed in several counterparts all of which shall constitute one agreement, binding on all parties hereto, notwithstanding that all the parties are not signatories to the same counterpart.

§7. Applicable Law. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Michigan.

§8. Successors. This Agreement shall inure to the benefit of, be binding upon, and be enforceable by and against the parties hereto, their heirs, executors, administrators, successors, and assigns.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto subscribed their names effective as of the day and year first aforesaid.

TRANSFEROR:

DV Historic Tax Credit Fund V, LLC,
a Delaware limited liability company

By: Dudley Ventures, L.L.C.,
an Arizona limited liability company
Its: Managing Member

By: _____
James D. Howard, Jr.
Its: Authorized Representative

TRANSFeree:

The City of Wyandotte
a Michigan municipal corporation

By: _____
Name: _____
Its: _____

[Signatures continue on next page]

CONSENTED TO:

Wyandotte Art Center, LLC
a Michigan limited liability company

By: The City of Wyandotte
a Michigan municipal corporation

By: _____
Name: _____
Its: _____

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: August 17, 2015

AGENDA ITEM # 2

ITEM: Sale of the City Owned Property Former 1170 22nd Street (22.06' x 150.02')

PRESENTER: Mark A. Kowalewski, City Engineer

Mark Kowalewski 8-10-15

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: *Shrydalo*

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: *OK*

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

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: August 17, 2015

RESOLUTION by Councilperson _____

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

I move the adoption of the foregoing resolution.

MOTION by Councilperson _____

Supported by Councilperson _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	VanBoxell	_____

LOOK, MAKOWSKI and LOOK
 ATTORNEYS AND COUNSELORS AT LAW
 PROFESSIONAL CORPORATION
 2241 OAK STREET
 WYANDOTTE, MICHIGAN 48192-5390

William R. Look
 Steven R. Makowski

(734) 285-6500
 FAX (734) 285-4160

Richard W. Look
 (1912-1993)

PURCHASE AGREEMENT

1. **THE UNDERSIGNED** hereby offers and agrees to purchase the following land situated in the City of

North 22.06 Feet of Lot 15, Kopacka's Subdivision as recorded in Liber 70 Page 92 of Plats, Wayne County Records being known as part of the former 1170 22nd Street, and to pay therefore the sum of One Thousand One Hundred Three Dollars & 00/100 (\$1,103.00) Dollars, subject to the existing building and use restrictions, easements, and zoning ordinances, if any, upon the following conditions;

**THE SALE TO BE CONSUMMATED BY
 PROMISSORY NOTE/MORTGAGE SALE**

PROMISSORY/ MORTGAGE SALE	1. The Purchase Price of <u>\$1103.00 plus closing costs to be determined at closing</u> shall be paid to the Seller when the above described property is sold, refinanced, transferred in any manner, conveyed or otherwise disposed of by the Purchaser as evidence by a Promissory Note. A mortgage will be executed and recorded at the time of closing to secure repayment. The mortgage will include the above described property and the adjacent property currently owned by Purchaser. Purchaser is responsible to pay for the recording costs of the mortgage and discharge of mortgage and said amounts will be added to the purchase price at the time of closing. In the event the Purchaser fails to pay the purchase price when due, the Seller may foreclose by advertisement on the mortgaged premises and Purchaser agrees to pay Seller's reasonable attorney fees and all costs associated with said foreclosure. Should this property or the property at <u>1170 22nd Street, Wyandotte, MI</u> be foreclosed on by any Financial or County Entity this property shall be returned to the Seller.
Evidence of Title	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a Policy of Title Insurance in an amount not less than the purchase price, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement, will be accepted. Purchaser is responsible to pay for the Title Insurance premium.
Time of Closing	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Seller is ready to close.
Purchaser's Default	4. In the event of default by the Seller hereunder, the purchaser may, at his option, elect to enforce the terms hereof or demand, and be entitled to, an immediate refund of his entire deposit in full termination of this agreement.
Seller's Default	5. If objection to the title is made, based upon a written opinion of Purchaser's attorney that the title is not in the condition required for performance hereunder, the Seller shall have 30 days from the date, is notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) to obtain title insurance as required above, or (3) to refund the deposit in full termination of this agreement if unable to remedy the title the Purchaser agrees to complete the sale within 10 days of written notification thereof. If the Seller is unable to remedy the title or obtain title insurance within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
Title Objections	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: _____ _____ If the Seller occupies the property, it shall be vacated on or before _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY she sum of \$____ _____ per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$____ _____ as security for said occupancy charge, paying to the Purchaser the amount due him and returning to the Seller the unused portion as determined by date property is vacated and keys surrendered to Broker.
Taxes and Prorated Items	7. All taxes and assessments which have become a lien upon the land at the date of this agreement shall be paid by the Seller. Current taxes, if any, shall be prorated and adjusted as of the date of closing in accordance with <u>due date</u> (Insert one: "Fiscal Year" "Due Date." If left blank, Fiscal Year applies) basis of the municipality or taxing unit in which the property is located. Interest, rents and water bills shall be prorated and adjusted as of the date of closing. Due dates are August 1 and December 1.
Broker's Authorization	8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3.

9. The Broker is hereby authorized to make this offer and the deposit of N/A Dollars may be held by him under Act No. 112. P.A. of 1960 Sect. 13, (j) and applied on the purchase price if the sale is consummated.

11. The covenants herein shall bind and inure to the benefit of the executors, administrators, successors and assigns of the respective parties.

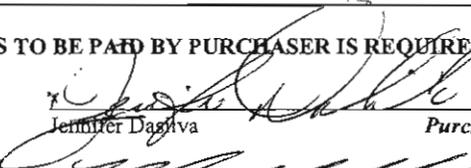
By the execution of this instrument the Purchaser acknowledges THAT HE HAS EXAMINED THE ABOVE described premises and is satisfied with the physical condition of structures thereon and acknowledges the receipt of a copy of this offer.

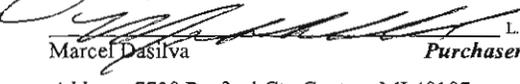
The closing of this sale shall take place at the office of _____

However, if a new mortgage is being applied for, Purchasers will execute said mortgage at the bank or mortgage company from which the mortgage is being obtained. Additional conditions, if any: **Contingent upon the following: 1. City Council approval, 2. Seller agrees, at closing, to combine this property with property currently owned by Purchaser known as 1170 22nd Street. 3. Purchaser will be responsible for closing fees including, but not limited, to engineering & tax mapping services of Wayne County in the amount of \$150.00, title premium and recording fees. Closing fees will be included into the Promissory Note/Mortgage amount. Further, a deed restriction will be placed on the deed which will indicate that if the property at 1170 22nd Street is foreclosed on by any entity the property being purchased under this Agreement will revert back to the City of Wyandotte. 4. Property is being purchased in an "as is" condition.**

CHECK BOX IF CLOSING FEE OF \$200.00 IS TO BE PAID BY PURCHASER IS REQUIRED.

IN PRESENCE OF:

 L.S.
Jennifer Dasilva Purchaser

 L.S.
Marcel Dasilva Purchaser

Address 7738 Rutford Ct., Canton, MI 48187

Phone: 313-350-0869

Dated 4/14/15

BROKER'S ACKNOWLEDGMENT OF DEPOSIT

Received from the above named Purchaser the deposit money above mentioned, which will be applied as indicated in Paragraphs 8 and 9 above, or will be returned forthwith after tender if the foregoing offer and deposit is declined.

Address _____
By: _____ Broker

Phone _____
This is a co-operative sale on a _____ basis with _____

ACCEPTANCE OF OFFER

TO THE ABOVE NAMED PURCHASER AND BROKER:

The foregoing offer is accepted in accordance with the terms stated, and upon consummation Seller hereby agrees to pay the Broker for services rendered a commission of (_____ Dollars) (_____ per cent of the sale price), which shall be due and payable at the time set in said offer for the consummation of the sale, or if unconsummated, at the time of Seller's election to refund the deposit, or of Seller's or Purchaser's failure, inability or refusal to perform the conditions of this offer; provided, however, that if the deposit is forfeited under the terms of said offer, the Seller agrees that one-half of such deposit (but not in excess of the amount of the full commission) shall be paid to or retained by the Broker in full payment for services rendered.

By the execution of this instrument, the Seller acknowledges the receipt of a copy of this agreement.

CITY OF WYANDOTTE:

IN PRESENCE OF:

Joseph R. Peterson, Mayor Seller L.S.

William R. Griggs, City Clerk Seller L.S.
Address 3200 Biddle Ave., Wyandotte

Dated: _____

Phone 734-324-4555

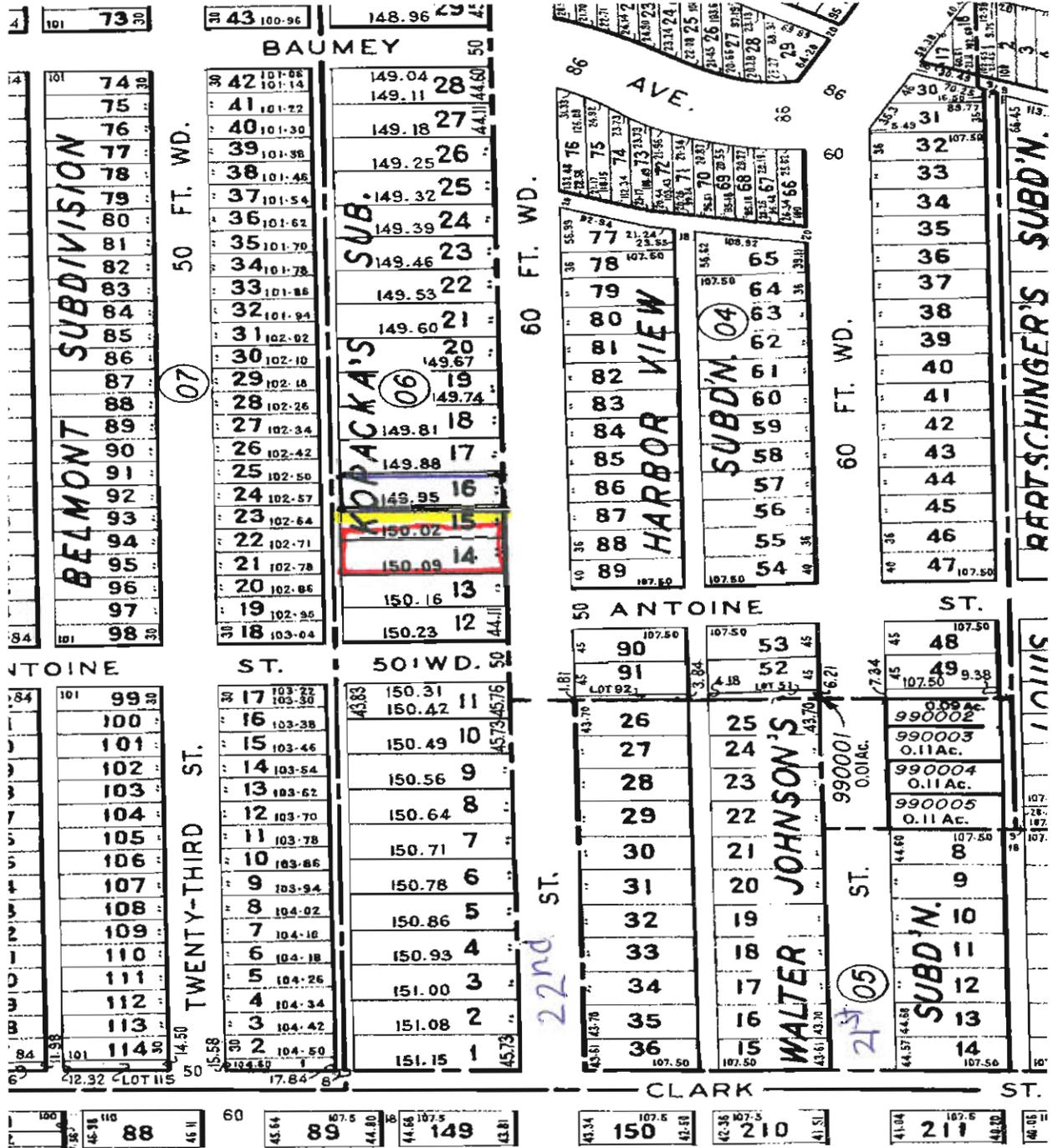
PURCHASER'S RECEIPT OF ACCEPTED OFFER

The undersigned Purchaser hereby acknowledges the receipt of the Seller's signed acceptance of the foregoing Offer to Purchase.

Dated 4/14/15

 L.S.
Purchaser

THIS IS A LEGAL BINDING CONTRACT, IF NOT UNDERSTOOD SEEK COMPETENT HELP



1162 22nd Street LOT 16 KOPACKA'S SUB T3S R11E L70 P92 WCR

Former 1170 22nd - THE N 22.06FT OF LOT 15 [KOPACKA'S SUB T3S R11E L70 P92 WCR]

1178 22nd Street LOT 14 ALSO LOT 15 EXC THE N 22.06FT THEREOF [KOPACKA'S SUB T3S R11E L70 P92 WCR]

POLICY FOR THE SALE OF NON-BUILDABLE LOTS

OFFICIALS

William R. Griggs
CITY CLERK

Andrew A. Swiecki
CITY TREASURER

Colleen A. Keehn
CITY ASSESSOR



COUNCIL

Todd M. Browning
James R. DeSana
Sheri M. Sutherby-Fricke
Daniel E. Galeski
Leonard T. Sabuda
Lawrence S. Stec

September 11, 2012.

JOSEPH R. PETERSON
MAYOR
RESOLUTION

Marjorie Griggs
2442-9th Street
Wyandotte, Michigan 48192

By Councilman Leonard Sabuda
Supported by Councilman Todd M. Browning

RESOLVED by the City Council that the communication from Marjorie Griggs, 2442-9th Street, Wyandotte relative to the purchase of adjacent property is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the City Engineer's office is directed to offer for sale all non-buildable lots at the cost of \$50.00 per front foot and to permit the purchase to be made by deferred payment. This resolution applies to any pending sales that have not yet closed.

YEAS: Councilmembers Browning DeSana Fricke Galeski Sabuda Stec
NAYS: None

RESOLUTION DECLARED ADOPTED

I, William R. Griggs, City Clerk for the City of Wyandotte, do hereby certify that the foregoing is a true and exact copy of a resolution adopted by the Mayor and Council of the City of Wyandotte, at the regular meeting held on September 10, 2012.

William R. Griggs
William R. Griggs
City Clerk

CC: City Engineer, City Assessor

LOOK, MAKOWSKI and LOOK
 ATTORNEYS AND COUNSELORS AT LAW
 PROFESSIONAL CORPORATION
 2241 OAK STREET
 WYANDOTTE, MICHIGAN 48192-5390

William R. Look
 Steven R. Makowski

(734) 285-6500
 FAX (734) 285-4160

Richard W. Look
 (1912-1993)

PURCHASE AGREEMENT

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the City of

North 22.06 Feet of Lot 15, Kopacka's Subdivision as recorded in Liber 70 Page 92 of Plats, Wayne County Records being known as part of the former 1170 22nd Street, and to pay therefor the sum of One Thousand One Hundred Three Dollars & 00/100 (\$1,103.00) Dollars, subject to the existing building and use restrictions, easements, and zoning ordinances, if any, upon the following conditions;

**THE SALE TO BE CONSUMMATED BY
 PROMISSORY NOTE/MORTGAGE SALE**

PROMISSORY/ MORTGAGE SALE	1. The Purchase Price of <u>\$1103.00 plus closing costs to be determined at closing</u> shall be paid to the Seller when the above described property is sold, refinanced, transferred in any manner, conveyed or otherwise disposed of by the Purchaser as evidence by a Promissory Note. A mortgage will be executed and recorded at the time of closing to secure repayment. The mortgage will include the above described property and the adjacent property currently owned by Purchaser. Purchaser is responsible to pay for the recording costs of the mortgage and discharge of mortgage and said amounts will be added to the purchase price at the time of closing. In the event the Purchaser fails to pay the purchase price when due, the Seller may foreclose by advertisement on the mortgaged premises and Purchaser agrees to pay Seller's reasonable attorney fees and all costs associated with said foreclosure. Should this property or the property at <u>1170 22nd Street, Wyandotte, MI</u> be foreclosed on by any Financial or County Entity this property shall be returned to the Seller.
Evidence of Title	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a Policy of Title Insurance in an amount not less than the purchase price, bearing date later than the acceptance hereof and guaranteeing the title in the condition required for performance of this agreement, will be accepted. Purchaser is responsible to pay for the Title Insurance premium.
Time of Closing	3. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the parties agree to complete the sale upon notification that Seller is ready to close. 4. In the event of default by the Seller hereunder, the purchaser may, at his option, elect to enforce the terms hereof or demand, and be entitled to, an immediate refund of his entire deposit in full termination of this agreement.
Purchaser's Default	5. If objection to the title is made, based upon a written opinion of Purchaser's attorney that the title is not in the condition required for performance hereunder, the Seller shall have 30 days from the date, is notified in writing of the particular defects claimed, either (1) to remedy the title, or (2) to obtain title insurance as required above, or (3) to refund the deposit in full termination of this agreement if unable to remedy the title the Purchaser agrees to complete the sale within 10 days of written notification thereof. If the Seller is unable to remedy the title or obtain title insurance within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
Seller's Default	
Title Objections	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: _____ If the Seller occupies the property, it shall be vacated on or before _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$_____ per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$_____ as security for said occupancy charge, paying to the Purchaser the amount due him and returning to the Seller the unused portion as determined by date property is vacated and keys surrendered to Broker.
Taxes and Prorated Items	7. All taxes and assessments which have become a lien upon the land at the date of this agreement shall be paid by the Seller. Current taxes, if any, shall be prorated and adjusted as of the date of closing in accordance with <u>due date</u> (Insert one: "Fiscal Year" "Due Date." If left blank, Fiscal Year applies) basis of the municipality or taxing unit in which the property is located. Interest, rents and water bills shall be prorated and adjusted as of the date of closing. Due dates are August 1 and December 1.
Broker's Authorization	8. It is understood that this offer is irrevocable for fifteen (15) days from the date hereof, and if not accepted by the Seller within that time, the deposit shall be returned forthwith to the Purchaser. If the offer is accepted by the Seller, the Purchaser agrees to complete the purchase of said property within the time indicated in Paragraph 3.

9. The Broker is hereby authorized to make this offer and the deposit of N/A Dollars may be held by him under Act No. 112. P.A. of 1960 Sect. 13, (j) and applied on the purchase price if the sale is consummated.

11. The covenants herein shall bind and inure to the benefit of the executors, administrators, successors and assigns of the respective parties.

By the execution of this instrument the Purchaser acknowledges THAT HE HAS EXAMINED THE ABOVE described premises and is satisfied with the physical condition of structures thereon and acknowledges the receipt of a copy of this offer.

The closing of this sale shall take place at the office of _____

However, if a new mortgage is being applied for, Purchasers will execute said mortgage at the bank or mortgage company from which the mortgage is being obtained. Additional conditions, if any: Contingent upon the following: 1. City Council approval, 2. Seller agrees, at closing, to combine this property with property currently owned by Purchaser known as 1170 22nd Street. 3. Purchaser will be responsible for closing fees including, but not limited, to engineering & tax mapping services of Wayne County in the amount of \$150.00, title premium and recording fees. Closing fees will be included into the Promissory Note/Mortgage amount. Further, a deed restriction will be placed on the deed which will indicate that if the property at 1170 22nd Street is foreclosed on by any entity the property being purchased under this Agreement will revert back to the City of Wyandotte. 4. Property is being purchased in an "as is" condition.

CHECK BOX IF CLOSING FEE OF \$200.00 IS TO BE PAID BY PURCHASER IS REQUIRED.

IN PRESENCE OF:

Jennifer Dasilva L.S.
Jennifer Dasilva Purchaser

Marcel Dasilva L.S.
Marcel Dasilva Purchaser

Address 7738 Rutford Ct., Canton, MI 48187

Phone: 313-350-0869

Dated 4/14/15

BROKER'S ACKNOWLEDGMENT OF DEPOSIT

Received from the above named Purchaser the deposit money above mentioned, which will be applied as indicated in Paragraphs 8 and 9 above, or will be returned forthwith after tender if the foregoing offer and deposit is declined.

Address _____
Broker

Phone _____ By: _____
This is a co-operative sale on a _____ basis with _____

ACCEPTANCE OF OFFER

TO THE ABOVE NAMED PURCHASER AND BROKER:

The foregoing offer is accepted in accordance with the terms stated, and upon consummation Seller hereby agrees to pay the Broker for services rendered a commission of (_____ Dollars) (_____ per cent of the sale price), which shall be due and payable at the time set in said offer for the consummation of the sale, or if unconsummated, at the time of Seller's election to refund the deposit, or of Seller's or Purchaser's failure, inability or refusal to perform the conditions of this offer; provided, however, that if the deposit is forfeited under the terms of said offer, the Seller agrees that one-half of such deposit (but not in excess of the amount of the full commission) shall be paid to or retained by the Broker in full payment for services rendered.

By the execution of this instrument, the Seller acknowledges the receipt of a copy of this agreement.

CITY OF WYANDOTTE:

IN PRESENCE OF: _____ L.S.
Joseph R. Peterson, Mayor Seller

Lawrence S. ~~William R. Griggs~~, City Clerk Seller
Sec Address 3200 Biddle Ave., Wyandotte

Dated: _____ Phone 734-324-4555

PURCHASER'S RECEIPT OF ACCEPTED OFFER

The undersigned Purchaser hereby acknowledges the receipt of the Seller's signed acceptance of the foregoing Offer to Purchase.

Dated 4/14/15 _____ L.S.
Purchaser

THIS IS A LEGAL BINDING CONTRACT, IF NOT UNDERSTOOD SEEK COMPETENT HELP

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: August 17, 2015

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:

Can not understand financial changes being proposed. Melvindale

LEGAL COUNSEL'S RECOMMENDATION:

MAYOR'S RECOMMENDATION: *OK gms*

- LIST OF ATTACHMENTS:**
1. Minuets from DCA meeting of July 21st 2015
 2. Copy of 2015 Budget to Actual report

MODEL RESOLUTION: RESOLVED BY CITY COUNCIL that Council hereby concurs in the recommendations of the City Assessor and approves the necessary 2015 Fiscal Year Budget amendments as outlined in this communication.

Wyandotte, Michigan
_____, 2015

RESOLUTION by Councilmember _____

RESOLVED BY THE CITY COUNCIL THAT:

I move the adoption of the foregoing resolution.

MOTION by Councilmember _____

SUPPORTED by Councilmember _____

<u>YEAS</u>	<u>COUNCIL</u>	<u>NAYS</u>
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Van Boxell	_____
	ABSENT _____	

Minutes of the Special Meeting of the
Downriver Assessing Group
Tuesday, July 21, 2015 at 9:00 a.m.
At the Wyandotte Assessor's Office
3200 Biddle Ave., 2nd Floor
Wyandotte, MI 48192
Minutes

1. Roll Call and Introductions
 - a. The Chair called the meeting to order at 9:03 a.m.
 - b. Members present; Chair: Douglas Drysdale, City of Riverview; Vice-Chair; Thomas Woodruff; City of Wyandotte; Bryce Kelley, City of Southgate; no one in the audience
2. Approval of Agenda
 - a. **Moved Kelley, Support Woodruff to approve the agenda as presented.**
 - b. **Motion Carried unanimously.**
3. Approval of Minutes
 - a. Kelley requested this item be tabled until a future date
4. Public Comment
 - a. None
5. Appointment of Bryce Kelley as Secretary
 - a. **Moved Drysdale, Support Woodruff to elect Kelley as Secretary**
 - b. **Motion Carried unanimously.**
6. **Budget amendment for CoStar contract**
 - a. Some discussion on the amount, total of \$7,288.00, includes a \$400.00 initiation fee by CoStar, does not include cost of the CoStar access key.
 - b. Contractor was invited but he had a scheduling conflict and was unable to attend.
 - c. **Motion Drysdale, Support Woodruff to approve the budget amendment in the amount of \$7,288 for contracted services to fund the CoStar annual fee.**
 - d. **Motion Carried unanimously.**
7. Preparation for upcoming Vendor contract for assessing and equalization services
 - a. Not an action item.
 - b. Member discussed preparation and advertisement of an RFP for Assessing Services
 - c. Current contract expires at the end of September, 2015.
 - d. Members will require CoStar services to be included in the bids, with a breakdown of how much DAG will be responsible for.
 - e. RFP will be drafted and sent out to members for comments and edits, expect to issue it near the beginning of September 2015 with a bidder selection and contract execution to be completed by the end of September.

Minutes of the Special Meeting of the
Downriver Assessing Group
Tuesday, July 21, 2015 at 9:00 a.m.
At the Wyandotte Assessor's Office
3200 Biddle Ave., 2nd Floor
Wyandotte, MI 48192

- f. Will use MITN, the Treasurer's List Serve and send to preferred vendors

- 8. Treasurer's Report: Financial Status Report
 - a. None at this time

- 9. Other Business:
 - a. None

- 10. Next Meeting Date
 - a. August 14, 2015, 9:00 a.m., Wyandotte Assessor's Office; 3200 Biddle Ave., 2nd Floor
 - b. Wyandotte, MI 48192

- 11. Adjournment
 - a. Motion Drysdale, Support Woodruff to adjourn at 9:20 a.m.

Respectfully submitted,

Bryce Kelley
Secretary

101-200-825-930	Heat (Gas)	1,800.00	1,800.00	1,047.77	752.23	58.21
101-200-825-940	Telephone	30,000.00	30,000.00	168,735.66	138,735.66	562.45
101-200-925-780	MISC-Unemployment Expense	10,000.00	10,000.00	2,002.06	7,997.94	20.02
101-200-925-785	MI Claims Tax Assessment - RCSS	60,000.00	60,000.00	48,535.24	11,464.76	80.89
101-200-925-786	MI Claims Tax Assessment-Medpayer	3,000.00	3,000.00	1,702.39	1,297.61	56.75
101-200-925-790	Miscellaneous	15,000.00	15,000.00	9,288.35	5,711.65	61.92
Total Dept 200-General Government Administration		1,329,200.00	1,329,200.00	1,111,560.96	177,739.04	91.14

Dept 209-Assessor						
101-209-725-110	Salary	47,021.00	48,021.00	40,507.74	7,513.26	84.35
101-209-725-120	Overtime	400.00	400.00	0.00	400.00	0.00
101-209-725-140	Retirement Contribution-DC	1,200.00	1,200.00	1,015.30	184.70	84.61
101-209-725-145	Retirement Contribution-DB	26,480.00	26,480.00	18,048.48	8,431.52	68.16
101-209-725-150	F.I.C.A.	3,628.00	3,704.50	2,999.65	704.85	80.97
101-209-725-160	Medical Insurance	16,546.00	16,546.00	3,861.38	12,684.62	23.34
101-209-725-165	Prescription Drug Coverage	1,806.00	1,806.00	4,029.05	2,200.00	223.09
101-209-725-167	Retiree Health Care (RHS)	1,300.00	1,300.00	1,100.00	200.00	84.62
101-209-725-170	Life Insurance	273.00	273.00	188.00	85.00	68.86
101-209-725-175	LTD	136.00	136.00	84.81	51.19	62.36
101-209-750-210	Office Supplies	2,500.00	2,500.00	515.01	1,984.99	20.60
101-209-750-222	Memberships & Dues	2,200.00	2,200.00	700.00	2,000.00	9.09
101-209-750-230	Postage	11,200.00	11,200.00	4,850.50	6,349.50	43.31
101-209-825-341	Equalizer Assessment Package	6,210.00	6,210.00	0.00	6,210.00	0.00
101-209-825-345	DCA-Contractual Services	264,000.00	264,000.00	226,732.21	37,267.79	85.88
101-209-825-346	DCA-Certifications	2,000.00	2,000.00	2,000.00	0.00	100.00
101-209-825-350	Printing	2,800.00	2,800.00	1,516.54	1,283.46	54.16
101-209-825-375	Computer Services	2,500.00	2,500.00	2,444.13	55.87	97.77
101-209-850-310	Computer Services-DMS	1,271.00	1,271.00	1,271.00	0.00	100.00
101-209-925-370	Office Equipment/Equip Replacement	2,500.00	2,500.00	1,368.45	1,131.55	54.74
101-209-925-380	Education/Training	2,500.00	2,500.00	0.00	2,500.00	0.00
101-209-925-790	Automobile	500.00	500.00	0.00	500.00	0.00
	Miscellaneous	600.00	600.00	64.00	536.00	10.67
Total Dept 209-Assessor		399,571.00	400,647.50	312,796.25	87,851.25	76.07

Dept 215-City Clerk						
101-215-725-110	Salary	144,726.00	146,726.00	125,048.96	21,677.04	85.23
101-215-725-120	Overtime	500.00	500.00	96.50	403.50	19.30
101-215-725-140	Retirement Contribution-DC	7,012.00	7,012.00	5,991.78	1,020.22	85.45
101-215-725-145	Retirement Contribution-DB	56,412.00	56,412.00	38,868.72	17,543.28	68.90
101-215-725-150	F.I.C.A.	11,110.00	11,263.00	9,323.15	1,939.85	82.78
101-215-725-160	Medical Insurance	21,821.00	21,821.00	13,587.08	8,233.92	62.27
101-215-725-165	Prescription Drug Coverage	3,411.00	3,411.00	6,307.50	2,806.50	184.92
101-215-725-167	Retiree Health Care (RHS Plan)	0.00	0.00	50.00	150.00	100.00
101-215-725-170	Life Insurance	409.00	409.00	282.00	127.00	68.95
101-215-725-175	LTD	420.00	420.00	263.34	156.66	62.70
101-215-750-210	Office Supplies	7,500.00	7,500.00	932.48	6,567.52	12.43
101-215-825-360	Legal Notice	12,000.00	12,000.00	10,307.87	1,692.13	85.90
101-215-825-370	Copy Agreement	7,600.00	7,600.00	6,575.36	605.60	112.83
101-215-825-375	Computer Services-OHS	500.00	500.00	0.00	500.00	100.00
101-215-925-390	Automobile	500.00	500.00	0.00	500.00	0.00
Total Dept 215-City Clerk		273,921.00	276,074.00	220,551.34	55,522.66	83.32

Dept 253-Treasurer						
101-253-725-110	Salary	53,830.00	54,780.03	43,474.49	11,305.54	79.36

GL NUMBER	DESCRIPTION	2014-15		2014-15		YTD BALANCE 07/31/2015	AVAILABLE BALANCE	% BDGT USED
		ORIGINAL BUDGET	AMENDED BUDGET	ORIGINAL BUDGET	AMENDED BUDGET			
Fund 101 - General Fund								
Dept 100-Mayor and Council								
101-100-725-110	Salary	58,230.00	59,230.00	50,253.04	8,976.96	84.84		
101-100-725-140	Retirement Contribution-DC	3,823.00	3,823.00	3,233.04	589.96	84.57		
101-100-725-150	F.I.C.A.	4,455.00	4,531.50	3,574.78	956.72	78.89		
101-100-725-160	Medical Insurance	15,184.00	15,184.00	9,799.60	5,384.40	64.54		
101-100-725-165	Prescription Drug Coverage	2,134.00	2,134.00	1,500.77	633.23	70.33		
101-100-725-167	Retiree Health Care (RHS Plan)	1,300.00	1,300.00	1,100.00	200.00	84.62		
101-100-725-170	Life Insurance	136.00	136.00	94.00	42.00	69.12		
101-100-725-175	LTD	111.00	111.00	69.52	41.48	62.63		
101-100-750-210	Office Supplies	1,515.00	1,515.00	453.13	1,061.87	29.91		
101-100-750-222	Memberships & Dues	19,810.00	19,810.00	19,070.00	740.00	96.26		
101-100-750-230	Postage	147.00	147.00	0.00	147.00	0.00		
101-100-825-375	Computer Services-DMS	200.00	200.00	200.00	0.00	100.00		
101-100-925-710	Travel	200.00	200.00	0.00	200.00	0.00		
101-100-925-720	Education/Training	2,000.00	2,000.00	75.00	1,925.00	3.75		
101-100-925-730	Automobile	250.00	250.00	0.00	250.00	0.00		
101-100-925-790	Miscellaneous	2,500.00	2,500.00	1,179.59	1,320.41	47.18		
Total Dept 100-Mayor and Council		111,995.00	113,071.50	90,602.47	22,469.03	80.13		

CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION

MEETING DATE: August 17th 2015

AGENDA ITEM # 4

ITEM: Special Event Applications - 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.

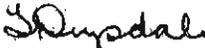
ACTION REQUESTED: It is requested the City Council concur with the support of the Special Event Coordinator, Police Chief, Recreation Superintendent, Fire Chief and Department of Public Service Superintendent and support the use of city streets, sidewalks and property for their activities held

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

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: August 17th 2015

RESOLUTION by Councilman _____

BE IT RESOLVED by the City Council that Council Concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets and property for the events held:

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

I move the adoption of the foregoing resolution.

MOTION by Councilmen _____

Supported by Councilman _____

Application for Special Event

Special Events Office, City of Wyandotte
2624 Biddle Avenue Wyandotte, Michigan 48192
P: 734-324-4502 F: 734-324-7283

hthiede@wyan.org www.wyandottestreetartfair.org

Date(s) of proposed event: (Please list all event dates for the 2015 season you plan on having items outside of your business)

August 21st 2015

Times:

5 - 10 pm

Name of Applicant:

Name of Business or Organization:

Type of legal entity of your business/organization:

Name of individual authorized to sign documents on behalf of your business/organization:

Address:

JEREMY.HANSEN@artatthe
edge.com Cell Phone:

Site of proposed event:

Estimated maximum number of persons expected at the event for each day:

Is Alcohol going to be served or provided at this event: wine crawl Do you have a license:

Do you need water hook up for this event?

If you will need water hook up, please list where and what the water will be for:

Electrical needs: Please list on the attached electrical sheet your electrical needs for your event. This document must be returned to the Special Event Office along with this application if you require power at your event.

If you have any questions regarding this application and its details feel free to contact the Special Events Office at hthiede@wyan.org or 734.324.4502.

WYANDOTTE MUNICIPAL SERVICE-SPECIAL EVENT ELECTRICAL APPLICATION FORM

SERVICES OFFERED:

- 120 Volt Standard receptacle - 3 Prong grounded only - Fuse Protected.
- 240 Volt Standard stove type receptacle - 3 Prong grounded only - Fuse protected. Oak St parking only
- 240 Volt - 3 Prong twist lock - 50 Amp receptacle - (Female)

All electrical power shall be turned on 2 hours prior to the start of the event. Early turn-on requests will require 2 days notice prior to the start of the event. Early turn-on's will be 24 hours prior to the event.

RATES:

Early turn-on's - <u>welding tool</u>	\$35.00
Electrical service requiring 1 - 2 Plugs - (120 Volts)	\$25.00
Electrical service requiring 3 - 4 Plugs - (120 Volts)	\$75.00
Electrical service requiring 5 - 6 Plugs - (120 Volts)	\$105.00
Electrical service requiring over 6 Plugs - (120 Volts)	\$140.00
Electrical service requiring (240 Volts) at 50 Amps or less (Range Plug) Oak St parking only	\$150.00
Electrical service requiring (240 Volts) at 50 Amps maximum - (Self Connected)	\$150.00

All service calls outside of normal working hours for 120 Volt Plugs (Master Bolt Receptacles) - 1st service call is free - 2nd service call is \$25 plus overtime cost - 3rd service call is \$50 plus overtime cost.

All service calls outside of normal working hours for Self Connected service plugs - 1st service call is free - 2nd service call is \$50 plus overtime - 3rd service call is \$100 plus service cost.

EQUIPMENT TO BE USED. Please be specific!

<u>TYPE</u>	<u>VOLTAGE</u>	<u>NUMBER OF PLUGS</u>
<u>welding tool</u>	<u>120</u>	<u>2</u>
_____	_____	_____

It shall be the users responsibility to ensure that equipment used is properly maintained and grounded with cords that are equipped with (3 Prongs) to work with extension cords and receptacles so designed that the Ground connection is made. It is hereby expressed and understood that the Department of Municipal Services does not undertake to furnish continuous service, nor shall DMS be liable for damages resulting from the use of its Electrical Service.

Application for Special Event

Special Events Office, City of Wyandotte
2624 Biddle Avenue Wyandotte, Michigan 48192
P: 734-324-4502 F: 734-324-7283

hthiede@wyan.org www.wyandottestreetartfair.org

Date(s) of proposed event: (Please list all event dates for the 2015 season you plan on having items outside of your business)

8-26-15 until december 31, 2015
tables

8-21-15 From 4pm - 12am tent outside

Times: 10 am - 10 pm

Name of Applicant: ~~Ali Zein~~ Mitey Nasser

Name of Business or Organization: Yogurtown

Type of legal entity of your business/organization:

Name of individual authorized to sign documents on behalf of your business/organization: Ali Zein

Address: 2913 Biddle ave

Email: azein85@hotmail.com Cell Phone: (313) 213-0590

Site of proposed event:

Estimated maximum number of persons expected at the event for each day:

Is Alcohol going to be served or provided at this event: NO Do you have a license:

Do you need water hook up for this event? NO

If you will need water hook up, please list where and what the water will be for:

Electrical needs: Please list on the attached electrical sheet your electrical needs for your event. This document must be returned to the Special Event Office along with this application if you require power at your event. If you have any questions regarding this application and its details feel free to contact the Special Events Office at hthiede@wyan.org or 734.324.4502.

WYANDOTTE MUNICIPAL SERVICE-SPECIAL EVENT ELECTRICAL APPLICATION FORM

SERVICES OFFERED:

120 Volt Standard receptacle - 3 Prong grounded only - Fuse Protected.

240 Volt Standard screw type receptacle - 3 Prong grounded only - Fuse protected. Oak St parking only.

240 Volt - 3 Prong twist lock - 50 Amp receptacle - (Female).

All electrical power shall be turned on 2 hours prior to the start of the event. Early turn-on requests will require 2 days notice prior to the start of the event. Early turn-on's will be 24 hours prior to the event.

RATES:

Early turn-on's	\$35.00
Electrical service requiring 1 - 2 Plugs - (120 Volts)	\$35.00
Electrical service requiring 3 - 4 Plugs - (120 Volts)	\$70.00
Electrical service requiring 5 - 6 Plugs - (120 Volts)	\$105.00
Electrical service requiring over 6 Plugs - (120 Volts)	\$140.00
Electrical service requiring (240 Volts) at 50 Amps or less (Range Plug) Oak St parking only	\$150.00
Electrical service requiring (240 Volts) at 50 Amps maximum - (Self Contained)	\$150.00

All service calls outside of normal working hours for 120 Volt Plugs (Polaris Box Receptacles) - 1st service call is free - 2nd service call is \$25 plus overtime cost - 3rd service call is \$50 plus overtime cost.

All service calls outside of normal working hours for Self Contained service plugs - 1st service call is free - 2nd service call is \$50 plus overtime - 3rd service call is \$100 plus service cost.

EQUIPMENT TO BE USED: Please be specific!

<u>TYPE</u>	<u>VOLTAGE</u>	<u>NUMBER OF PLUGS</u>
Taylor	_____	_____
_____	_____	_____
_____	_____	_____

It shall be the users responsibility to ensure that equipment used is properly maintained and grounded, with cords that are equipped with (3 Prongs) to mate with extension cords and receptacles so designed that the Ground connection is made. It is hereby expressed and understood that the Department of Municipal Services does not undertake to furnish continuous service, nor shall DMS be liable for damages resulting from the use of it's Electrical Service.

Application for Special Event

Special Events Office, City of Wyandotte
2624 Biddle Avenue Wyandotte, Michigan 48192
P: 734-324-4502 F: 734-324-7283

hthiede@wyan.org www.wyandottestreetartfair.org

Date(s) of proposed event: (Please list all event dates for the 2015 season you plan on having items outside of your business)

January 1 - December 31st

Times: 10:00A - close (9pm)

Name of Applicant: PETER ROSE

Name of Business or Organization: Willow Tree

Type of legal entity of your business/organization: LLC

Name of individual authorized to sign documents on behalf of your business/organization: Peter Rose

Address: 3000 Biddle

Email: Chelsea@wyan.org Cell Phone:

Site of proposed event: in front of store under and extending from awning

Estimated maximum number of persons expected at the event for each day: ?

Is Alcohol going to be served or provided at this event: August 21st September 18th Do you have a license: NO

Do you need water hook up for this event? NO

If you will need water hook up, please list where and what the water will be for:

Electrical needs: Please list on the attached electrical sheet your electrical needs for your event. This document must be returned to the Special Event Office along with this application if you require power at your event. If you have any questions regarding this application and its details feel free to contact the Special Events Office at hthiede@wyan.org or 734.324.4502.

Application for Special Event

Special Events Office, City of Wyandotte
2624 Biddle Avenue Wyandotte, Michigan 48192
P: 734-324-4502 F: 734-324-7283

hthiede@wyan.org www.wyandottestreetartfair.org

Date(s) of proposed event: (Please list all event dates for the 2015 season you plan on having items outside of your business)

January 1st - December 31st

Times: 10A - 9P

Name of Applicant: PETER ROSE

Name of Business or Organization: CHELSEA

Type of legal entity of your business/organization: LLC

Name of individual authorized to sign documents on behalf of your business/organization: Peter Rose

Address: 2944 Biddle

Email: chelsea@wyan.org Cell Phone: 734-837-6602

Site of proposed event: IN FRONT OF STORE

Estimated maximum number of persons expected at the event for each day: ?

Is Alcohol going to be served or provided at this event: August 21st September 18th Do you have a license: NO

Do you need water hook up for this event? NO

If you will need water hook up, please list where and what the water will be for:

Electrical needs: Please list on the attached electrical sheet your electrical needs for your event. This document must be returned to the Special Event Office along with this application if you require power at your event. If you have any questions regarding this application and its details feel free to contact the Special Events Office at hthiede@wyan.org or 734.324.4502.

Application for Special Event

Special Events Office, City of Wyandotte
2624 Biddle Avenue Wyandotte, Michigan 48192
P: 734-324-4502 F: 734-324-7283

hthiede@wyan.org www.wyandottestreetartfair.org

Date(s) of proposed event: (Please list all event dates for the 2015 season you plan on having items outside of your business)

Every Day (But most likely not)

Aug 13 2015 - Dec 31 2015

Times:

Name of Applicant:

Tim Tongue

Name of Business or Organization:

Tongue's Coffee

Type of legal entity of your business/organization:

Coffee

Name of individual authorized to sign documents on behalf of your business/organization:

Tim

Address:

2958 Biddle

Email:

Cell Phone: 734-720-1897

Site of proposed event:

Store Front

Estimated maximum number of persons expected at the event for each day:

2-8

Is Alcohol going to be served or provided at this event:

NO (I wish)

Do you have a license: NOPE

Do you need water hook up for this event?

NOPE

If you will need water hook up, please list where and what the water will be for:

N/A

Electrical needs: Please list on the attached electrical sheet your electrical needs for your event. This document must be returned to the Special Event Office along with this application if you require power at your event. If you have any questions regarding this application and its details feel free to contact the Special Events Office at hthiede@wyan.org or 734.324.4502.

**CITY OF WYANDOTTE
REQUEST FOR COUNCIL ACTION**

MEETING DATE: August 17th 2015

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: *J. Dunsdale*

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

MAYOR'S RECOMMENDATION: *J.R.P.*

LIST OF ATTACHMENTS

Contract

MODEL RESOLUTION:

RESOLUTION

Wyandotte, Michigan
Date: August 17th 2015

RESOLUTION by Councilman _____

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 17th, 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.

I move the adoption of the foregoing resolution.

MOTION by
Councilmen _____

Supported by Councilman _____

YEAS

COUNCIL

NAYS

Fricke
Galeski
Miciura
Sabuda
Schultz
VanBoxell

Entertainment Agreement

An agreement made this 30th day of July, 2015 between the City of Wyandotte and THE WANDERS TRIO

Name of Musical Group:

THE WANDERS TRIO

Name of Contact Person:

GARY BUSLOW

Contact Address:

8732 Birchwood Dr - Newport MI
48166

Phone Number:

734 6527630 - 734 5863547

Business ID Number:

List type of entity (LLC, Corporation, DBA, Partnership, etc.) and provide documentation creating entity: _____

Music Style:

DECADES OF MUSIC 50s - 80s

Number of Entertainers:

3

It is mutually agreed between the parties that _____
(name of contact on the w-9 receiving the check) will furnish

PAUL KNAPP / GARY RUSALOW
GLENDA CAIRNS

for the Wyandotte Music in the Parks on:

AUGUST 27th 2015 FROM 6 PM - 7:30 PM

The price for this engagement is

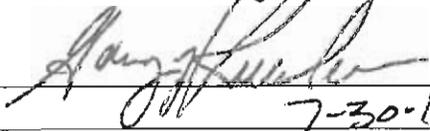
350.00

Deposit: City agrees to reserve date with a — 0 —. If no
deposit is required, please specify here if not required WAIVED.

If performers fail to appear and perform as agreed upon, performance fee will not be paid and deposit fee (if any) shall be returned to the City of Wyandotte. If the City of Wyandotte must file legal proceedings to enforce any provision of this agreement, the undersigned shall be responsible to reimburse the City of Wyandotte's costs and reasonable attorney fees.

This engagement will be held outside. The City of Wyandotte agrees to allow the vendor to market CD's during the performance within the entertainment area with 20 feet of the stage.

The undersigned agrees to abide by the City of Wyandotte Ordinance and holds the City of Wyandotte harmless for any and all claims of liability or injury or property damage that may result from activities or actions by performers or staff for _____ and agrees to indemnify the City of Wyandotte from all liabilities and claims whatever for injury (including death) to persons and damage to property resulting from performers routine while at the event or resulting from setup and take-down of musical equipment while at the location of the event. The undersigned represents that he/she has the legal authority to sign this agreement on behalf of the above group.


7-30-15

Signature of Entertainment Representative

Signature of City Representative

Date _____

Date _____

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

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)

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)

THE CITY OF WYANDOTTE ORDAINS:

Section 1. Rezoning of Property:

The following described property located in the City of Wyandotte, County of Wayne, State of Michigan, and described as follows:

West 15 feet of Lot 6 Wyandotte Land Co. Subdivision, as recorded in Liber 37, Page 38 Wayne County Records

Known as: Former 600-604 Poplar, Wyandotte, Michigan

be and is hereby rezoned from Two Family Residential District (RT) to One Family Residential District (RA).

Section 2. Amendment of Zoning Map.

The zoning Map of the City of Wyandotte be and is hereby amended in accordance with the provisions of this Ordinance as set forth in Zoning Map. No. 285

Section 3. Severability.

All Ordinances or parts of Ordinances in conflict herein are hereby repealed, only to the extent to give this Ordinance full force and effect.

Section 4. Effective Date.

This ordinance shall be published along with the notice of adoption in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption and shall take effect fifteen (15) days after its adoption or seven (7) days after publication whichever is later. The notice of adoption shall include the text of the amendment, the effective date of the Ordinance, and the place and time where a copy of the Ordinance may be purchased or inspected.

On the question, "SHALL THIS ORDINANCE NOW PASS?", the following vote was recorded:

YEAS	COUNCILMEN	NAYS
_____	Fricke	_____
_____	Galeski	_____
_____	Miciura	_____
_____	Sabuda	_____
_____	Schultz	_____
_____	Van Boxell	_____

Absent: _____

I hereby approve the adoption of the foregoing ordinance this _____ day of August, 2015.

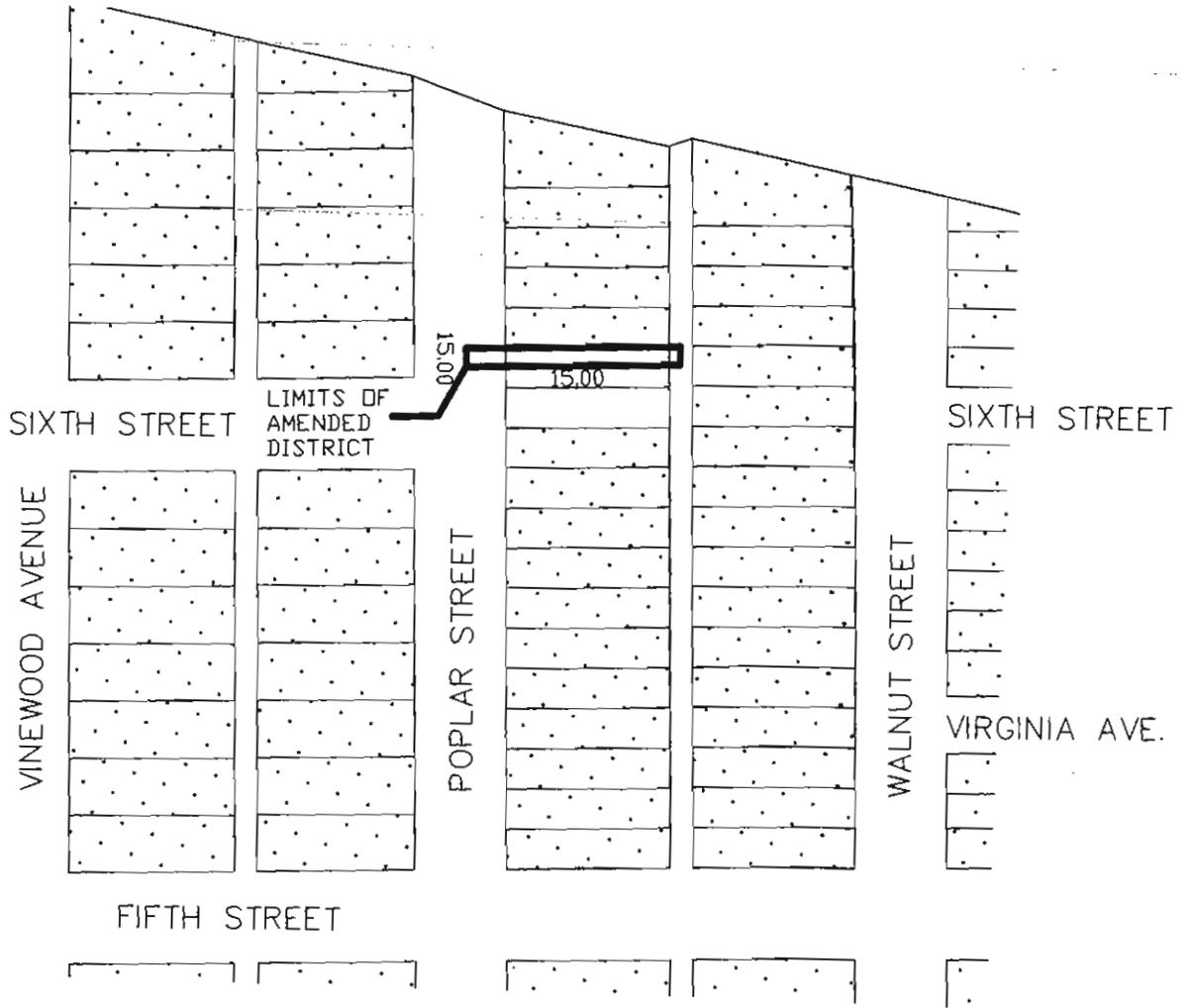
CERTIFICATE

We, the undersigned, JOSEPH R. PETERSON and WILLIAM R. GRIGGS, respectively the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the Council of the City of Wyandotte, at a regular session thereof on Monday, the ____ day of August, 2015.

Dated August _____, 2015

JOSEPH R. PETERSON, Mayor

WILLIAM R. GRIGGS, City Clerk



-  RA ONE FAMILY RESIDENTIAL DISTRICT
-  RT TWO FAMILY RESIDENTIAL DISTRICT

CITY OF WYANDOTTE, MICHIGAN
 AMENDED ZONING MAP NO. 285

ORDINANCE NO.
 DATED

MAYOR: _____
 JOSEPH R. PETERSON

CLERK: _____
 Lawrence S. Stec

 NORTH
 NOT TO SCALE

City of Wyandotte
 Department Of Public Service
 4201 13th Street
 Wyandotte, MI 48192
 734.324.4590

William R. Griggs, City Clerk:

The following report is made of monies received from the receipts issued for the date(s) of 7-27 to 7-31-15 which have been turned over to the City Treasurer.

<u>Type</u>	<u>Total</u>	<u>Payment Type</u>	<u>Amount</u>
Dumping and Dumpster fees _____		: FE: \$	<u>1314.00</u>
Refuse Stickers _____		: FD: \$	<u>6.00</u>
Solid Waste Toter _____		: FG: \$	<u>288.00</u>
Miscellaneous _____		: MZ: \$	_____
WBA _____		: XI: \$	_____
Yard Waste Subscription _____		: YW: \$	_____
		Total fees: \$	<u>1608.00</u>

Leanne Daniels
 DPS Office Manager

WYANDOTTE CITY CLERK
 2015 AUG - 5 P 12: 21

City of Wyandotte
 Department Of Public Service
 4201 13th Street
 Wyandotte, MI 48192
 734.324.4590

William R. Griggs, City Clerk:

The following report is made of monies received from the receipts issued for the date(s) of 8.4 to 8.10.15 which have been turned over to the City Treasurer.

<u>Type</u>	<u>Total</u>	<u>Payment Type</u>	<u>Amount</u>
Dumping and Dumpster fees		: FE: \$	<u>1556.00</u>
Refuse Stickers		: FD: \$	
Solid Waste Toter		: FG: \$	<u>288.00</u>
Miscellaneous		: MZ: \$	
WBA		: XI: \$	
Yard Waste Subscription		: YW: \$	<u>88.58</u>
Total fees: \$			<u>1932.58</u>

Wyandotte City Clerk
 2015 AUG 11 PM 3:30
 Shanne Daniels
 DPS Office Manager

User: Krudell Post Date From 08/11/2015 - 08/11/2015 Open Receipts

DB: Wyandotte Receipt # Description Received Of Distribution Amount

*** TOTAL OF CREDIT ACCOUNTS ***

Description	Date	Cashier	Wkstn	Amount
101-000-068-011 D/T/F Municipal Service (PEG Fees)				14,009.92
101-000-068-013 DWNRIVR CENTRAL DISPATCH				90,990.58
101-000-068-015 DR CENTRAL ANIMAL CONTROL				17,692.25
101-000-257-078 Reserve-Animal Care				1,440.00
101-000-655-047 Misc Receipts-Cable Franchises				35,024.80
101-303-925-998 DCACA SHELTER REVENUE				75.00
TOTAL - ALL CREDIT ACCOUNT				159,232.55

*** TOTAL OF DEBIT ACCOUNTS ***

Description	Date	Cashier	Wkstn	Amount
101-000-001-000 Cash				159,232.55
TOTAL - ALL DEBIT ACCOUNTS				159,232.55

*** TOTAL BY FUND ***

Fund	Amount
101 General Fund	159,232.55
TOTAL - ALL FUNDS:	159,232.55

*** TOTAL BY BANK ***

Tender Code/Desc	Amount
(CCA) CITY CASH	1,515.00
(CCK) CITY CHECK	157,717.55
TOTAL:	159,232.55

*** TOTAL OF ITEMS TENDERED ***

Tender Code/Desc	Amount
(CCA) CITY CASH	1,515.00
(CCK) CITY CHECK	157,717.55
TOTAL:	159,232.55

*** TOTAL BY RECEIPT ITEMS ***

Receipt Code	Amount
(17) AC: RESERVE-ANIMAL CARE/POUND	1,440.00
(2) DA:	17,692.25
(2) DI: DWNRIVR CENTRAL DISPATCH	90,990.58
(2) MZ: MISC CASH/VARIOUS	49,034.72
(3) SH: DCACA SHELTER REVENUE	75.00
TOTAL - ALL RECEIPT ITEMS:	159,232.55

08/11/2015 02:23 PM

User: Ktrudell1

Post Date from 08/11/2015 - 08/11/2015 Open Receipts

Page: 1/4

DB: Wyandotte
Receipt #

Description

Cashier

Wkstn

Received Of
Distribution

Amount

O	AC	310973	08/11/2015	Ktrudell1	F2	101-000-001-000	PENNY VICTORY	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOPT CAT											
REC# 16329											
O	AC	310975	08/11/2015	Ktrudell1	F2	101-000-001-000	DAWN BENDER	101-000-257-078	Reserve-Animal Care	130.00	CITY CASH
ADOPT 2 CATS											
REC# 16331											
O	AC	310976	08/11/2015	Ktrudell1	F2	101-000-001-000	ALESANDRA FEDON	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOPT CAT											
REC# 16333											
O	AC	310980	08/11/2015	Ktrudell1	F2	101-000-001-000	LESLIE TONON	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOPT DOG											
REC# 16335											
O	AC	310983	08/11/2015	Ktrudell1	F2	101-000-001-000	SCOTT BEACH	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOPT CAT											
REC# 16336											
O	AC	310985	08/11/2015	Ktrudell1	F2	101-000-001-000	ASHLEY CLINTON	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOPT DOG											
REC# 16340											
O	AC	310987	08/11/2015	Ktrudell1	F2	101-000-001-000	MELISSA HARDIN	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOPT DOG											
REC# 16341											
O	AC	310989	08/11/2015	Ktrudell1	F2	101-000-001-000	CHERYL BOWLES	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOPT CAT											
REC# 16342											
O	AC	310990	08/11/2015	Ktrudell1	F2	101-000-001-000	EMILY PHEE	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOPT CAT											
REC# 16345											
O	AC	310991	08/11/2015	Ktrudell1	F2	101-000-001-000	TOMAS HIERLIHY	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOPT DOG											
REC# 16346											
O	AC	310994	08/11/2015	Ktrudell1	F2	101-000-001-000	BRETT PALKA	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH

RECEIPT REGISTER FOR CITY OF WYANDOTTE
 Received Of Distribution
 Description Date Cashier Wkstn

ADOP#	DOG	REC#	16347	08/11/2015	Ktrudell	F2	DOUG GIBBONS	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
O	AC	310995		08/11/2015	Ktrudell	F2	DOUG GIBBONS	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOP#	DOG	REC#	16348	08/11/2015	Ktrudell	F2	STEPHANIE ZAPINSKI	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
O	AC	311000		08/11/2015	Ktrudell	F2	STEPHANIE ZAPINSKI	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOP#	CAT	REC#	16301	08/11/2015	Ktrudell	F2	KATHY KING	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
O	AC	311001		08/11/2015	Ktrudell	F2	KATHY KING	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOP#	DOG	REC#	16852	08/11/2015	Ktrudell	F2	JESSICA MAC	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
O	AC	311002		08/11/2015	Ktrudell	F2	JESSICA MAC	101-000-257-078	Reserve-Animal Care	65.00	CITY CASH
ADOP#	CAT	REC#	16853	08/11/2015	Ktrudell	F2	CHRISTINE LESTRADA	101-303-925-998	DCACA SHELTER REVENUE	25.00	CITY CASH
O	SH	311005		08/11/2015	Ktrudell	F2	CHRISTINE LESTRADA	101-303-925-998	DCACA SHELTER REVENUE	25.00	CITY CASH
EUTHANIZE	DOG	REC#	16344	08/11/2015	Ktrudell	F2	MICHAEL RIORDAN	101-303-925-998	DCACA SHELTER REVENUE	25.00	CITY CASH
O	SH	311007		08/11/2015	Ktrudell	F2	MICHAEL RIORDAN	101-303-925-998	DCACA SHELTER REVENUE	25.00	CITY CASH
EUTHANIZE	CAT	REC#	16339	08/11/2015	Ktrudell	F2	ERIC DOTSON	101-303-925-998	DCACA SHELTER REVENUE	25.00	CITY CASH
O	SH	311009		08/11/2015	Ktrudell	F2	ERIC DOTSON	101-303-925-998	DCACA SHELTER REVENUE	25.00	CITY CASH
EUTHANIZE	DOG	REC#	16343	08/11/2015	Ktrudell	F2	TONYA HAMMOND	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
O	AC	311033		08/11/2015	Ktrudell	F2	TONYA HAMMOND	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOP#	DOG	REC#	16349	08/11/2015	Ktrudell	F2	STEVEN PICKENS	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
O	AC	311036		08/11/2015	Ktrudell	F2	STEVEN PICKENS	101-000-257-078	Reserve-Animal Care	95.00	CITY CASH
ADOP#	DOG	REC#	16851	08/11/2015	Ktrudell	F2	CITY OF LINCOLN PARK	101-000-068-013	DWNRTRV CENTRAL DISPATCH	58,178.52	
O	DI	311129		08/11/2015	Ktrudell	F2	CITY OF LINCOLN PARK	101-000-068-013	DWNRTRV CENTRAL DISPATCH	58,178.52	
DA					Ktrudell	F2	CITY OF LINCOLN PARK	101-000-068-015	DR CENTRAL ANIMAL CONTROL	6,250.00	

User: Ktrudell Post Date from 08/11/2015 - 08/11/2015 Open Receipts

DB: Wyandotte Receipt # Description Date Cashier Wkstn Received Of Distribution Amount

CENTRAL DISPATCH/CENTRAL ANIMAL CONTROL

REC# 557904
 O 311133 08/11/2015 ktrudell F2 CITY OF ALLEN PARK 11,442.25 CITY CHECK 91646
 DA 101-000-001-000 DR CENTRAL ANIMAL CONTROL

CENTRAL ANIMAL CONTROL

REC# 557905
 O 311137 08/11/2015 ktrudell F2 CITY OF ALLEN PARK 32,812.06 CITY CHECK 91647
 DI 101-000-001-000 DWNRRIVR CENTRAL DISPATCH

DR CENTRAL DISPATCH

REC# 557906
 O 311138 08/11/2015 ktrudell F2 MICH BELL/AT&T 35,024.80
 M2 101-000-001-000 101-000-655-047 Misc Receipts--Cable Franch 14,009.92
 M2 101-000-001-000 101-000-068-011 D/T/F Municipal Service (P) 49,034.72 CITY CHECK 1379971

CABLE FRANCHISE FEES/TN KIND FEES

REC# 557907

Total of 24 Receipts 159,232.55

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF August 5, 2015
ZONING BOARD OF APPEALS AND ADJUSTMENT**

A meeting of the Zoning Board of Appeals and Adjustment of the City of Wyandotte was called to order by Chairperson Duran at 6:30 p.m., in the Council Chambers of the City Hall, 3200 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: Duran
Flachsmann
Gillon
Olsen
Nevin
Trupiano
Wienclaw

MEMBERS ABSENT: DiSanto, Szymczuk

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Flachsmann, supported by Member Nevin to approve the minutes of the July 15, 2015, meeting as recorded.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Trupiano, Wienclaw

No: none

Abstain: none

Absent: DiSanto, Szymczuk

Motion passed.

APPEAL #3203 - DENIED

Ronald Mendenhall, Jr., 649 Poplar, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy for auto detailing at 1777 Oak (Lots 187 & 188, Baisley Park Sub.) RM-1A zoning district, where the proposed conflicts with Section 700 of the Wyandotte Zoning Ordinance.

SECTION 700:

Auto detailing is not an allowable use or a use allowed on Special Approval in a RM-1A zoning district.

Number of required votes needed to grant appeal was not received.

A motion was made by Member Trupiano supported by Member Gillon to grant auto detailing with window tinting..

Yes: Duran, Gillon, Trupiano

No: Flachsmann, Nevin, Olsen, Wienclaw

Abstain: none
Absent: DiSanto, Szymczuk
Motion failed to pass

APPEAL #3204 - GRANTED

William Wilson, 2066 – 2nd Street, Wyandotte (owner & appellant)

for a variance **to obtain a building permit for 2 bedroom second floor apartment above 3 car garage at 190 Ford** (see file for legal description) RM-1 zoning district, where the proposed conflicts with Section 2100.h of the Wyandotte Zoning Ordinance.

SECTION 2100.h:

In all RM-1 and RM-2 multiple residence, the minimum distance between any two buildings, excluding buildings where the sideyards of each building is directly opposite one another, shall be regulated according to the length and height of such buildings. Therefore, a minimum of 27.62 feet is required between 190 Ford and proposed one unit apartment with garage below whereas 24' is provided.

Proposed apartment above 3 car garage does not hinder or discourage the development and use of adjacent land and buildings, and does not impair the value of the ordinance

A motion was made by Member Gillon supported by Member Wienclaw to grant this appeal.

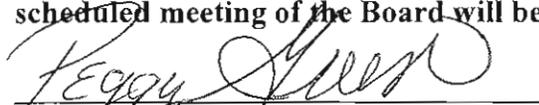
Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Trupiano, Wienclaw
No: none
Abstain: none
Absent: DiSanto, Szymczuk
Motion passed.

COMMUNICATIONS:

Motion was made by Member Trupiano, supported by Member Weinclaw to place all communications on file. Motion carried.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 6:15 p.m. **The next scheduled meeting of the Board will be held on September 2, 2015.**



Peggy Green, Secretary

Appeal #3203

Chairperson Duran read the appeal and asked that it be explained.

Ronald Mendenhall (owner) and Jay Cucinella (prospective buyer), present.

Mr. Cucinella explained that he owns Downriver Auto Detailing in Southgate, and he wants to purchase the building for window tinting. There will be no car detailing done in the building, that will be done at the Southgate location.

Chairperson Duran asked if there would be any washing or polishing done. Mr. Cucinella replied no. Mr. Cucinella added that there will be no signs on the building. Mr. Cucinella continued that a clean environment is needed for window tinting.

Member Gillon asked if customers would be coming to the building. Mr. Cucinella replied no, employees would be bringing the cars over, and the doors would be locked at all times.

Member Olsen asked the hours of operation. Mr. Cucinella replied 9-6, Monday through Friday, and 9-3, Saturdays. Mr. Cucinella added that they only do window tinting by appointment, and average 5 a week. Member Olsen confirmed that employees will be driving the cars over from Southgate, and entering through the alley. Mr. Cucinella stated that was correct.

Member Flachsmann commented that the appeal is asking for auto detailing. Mr. Cucinella stated that detailing of cars is washing, polishing and cleaning of cars. Member Flachsmann stated that if the appeal is approved for auto detailing, and something happens, and the building is not vacant for 6 months, someone else could use the building for auto detailing.

Mr. Mendenhall stated that he was told that the use would only be for Mr. Cucinella.

Member Flachsmann stated that others appellants have told the Board things, and never went through with it. A business at this location would affect the surrounding neighborhood.

There was discussion regarding the rezoning of the property that had been requested at the Planning Commission.

Mr. Mendenhall stated that he was told to write down auto detailing.

Member Flachsmann commented that he felt there would be too much leeway if the appeal were granted.

Mr. Mendenhall stated that he was told that the approval would only be for Mr. Cucinella.

There was more discussion regarding rezoning.

Member Flachsmann stated that they are asking for something that is **not** allowed, if the appeal were to be granted, then it will be an auto detailing place. Member Flachsmann commented that Mr. Mendenhall get with the Engineering Department and the appeal could be written up specifically for window tinting.

Mr. Mendenhall commented that Oak Street is more commercial than residential.

John Filkins, 1793 Oak, present.

Mr. Filkins stated that he has lived in his home since 1996, and Mr. Mendenhall is a terrific neighbor.

Mr. Filkins asked Mr. Cucinella does window tinting produce fumes. Mr. Cucinella replied no. Mr. Filkins asked if window tinting produces noise. Mr. Cucinella replied no.

Appeal #3204

Chairperson Duran read the appeal and asked that it be explained.

William Wilson, owner, present.

Mark Dawdy, Dawdy Design and Construction, 601 North Highland, Dearborn, present.

Mr. Wilson explained that he bought the extra lot for parking and a garage, now he would like to build a 3 car garage with an apartment above it. Mr. Wilson continued that the garage will mimic the present building, and it will look like a house. The garage will relieve parking and compliment the neighborhood.

There was discussion regarding the traffic coming and going from the building. Mr. Dawdy stated that they did obtain a permit from Wayne County for a driveway.

Mr. Wilson commented that the present building is brick.

Member Nevin commented that it will be a beautiful project.

Member Flachsmann commented that it will be a very good addition.

Member Olsen asked how they will prevent driving through. Mr. Wilson replied that there will be carports by the alley, and fencing by the handicap parking, and there will be dumpster boxes.

Mr. Wilson added that the would like to install a sliding gate to stop people from using his dumpster.

There was discussion regarding the measurements.

Member Gillon commented that it is a beautifully maintained property. Mr. Wilson stated that he takes pride in this property.

Member Wienclaw stated that it was a very nice property.

Member Trupiano asked if the carport were going to be a solid structure. Mr. Dawdy stated there will be a sloped roof over the carport, plus there will be bumpers. Member Trupiano asked about headlights. Mr. Wilson stated that the metal will block the lights.

One communication from DTE was received.

U

PAGE 6 OF 6

DTE Energy - Gas
Data Integrity and Technology
1 Energy Plaza
WCB 1836
Detroit, MI, 48226

CB
8-5-15

DTE Energy



July 23, 2015

City of Wyandotte
Zoning Board of Appeals and Adjustments
3200 Biddle Ave., Suite 200
Wyandotte, MI 48192

RECEIVED
7-27-15

APPEAL # 3204

RE: Notice of Public Hearing:

To obtain building permit for 2 bedroom apartment above 3 car garage at 190 Ford Street, Wyandotte, MI.

Not Involved. See Remarks

Involved: but asking you to hold action on this petition until further notice.

Involved: but no objections to the property change - - provided an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.

Involved: the nature of our services, and the estimated costs of abandonment of such all gas mains & services

REMARKS:

DTE Energy- Gas Company has no involvement, nor objection to this appeal.

Please abide by Public Act 174. Three (3) working days before you dig call MISS DIG at: 1-800-482-7171 or 811

DTE Energy's Gas Leak Emergency Phone Number 1-800-947-5000.

Sincerely,

Mike Harrison

Drafter DTE Energy

City of Wyandotte
PLANNING COMMISSION
Minutes of the Thursday, July 16, 2015, Meeting
MINUTES AS RECORDED

The meeting was called to order by Chairperson Elizabeth A. Krimmel at 6:30 p.m.

COMMISSIONERS PRESENT: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

COMMISSIONERS EXCUSED: Adamczyk

ALSO PRESENT: Ben Tallerico
Mark A. Kowalewski, City Engineer
Kelly Roberts, Recording Secretary

COMMUNICATIONS:

- MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Pasko to receive and place on file all communications.
YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None
ABSENT: Adamczyk
MOTION PASSED

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

MOTION BY COMMISSIONER BENSON, supported by Commissioner Lupo to approve the minutes of the Meeting of June 18, 2015. MOTION PASSED.

NEW BUSINESS:

1. PUBLIC HEARING #060215 – Request from the City Engineer to consider an amendment of the Zoning Ordinance Map to rezone the following described land in the City of Wyandotte, County of Wayne, and State of Michigan as follows:

West 15 feet of Lot 6 Wyandotte Land Co. Subdivision, as recorded in Liber 37, Page 38 Wayne County Records

Known as the Former 600-604 Poplar, Wyandotte, Michigan 48192

It is proposed that said land be rezoned from Two Family Residential District (RT) to Single Family District (RA).

MOTION BY COMMISSIONER BENSON, supported by Commissioner Parker to recommend to the Mayor and City Council that the property known as former 600-604 Poplar, (West 15 feet of Lot 6 Wyandotte Land Co. Subdivision, as recorded in Liber 37, Page 38 Wayne County Records), Wyandotte be rezoned to RA (Single Family Residential District).

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

2. PUBLIC HEARING #505 – Request from Mike Mazloun, (Owner and Appellant) of Sushi Bar, for a Certificate of Occupancy for an Outdoor Cafe at 130 Maple, Wyandotte, Michigan in CBD Zoning District where the proposed conflicts with Section 2202.S.1 of the City of Wyandotte Zoning Ordinance which states; Section 2202.S.1: Outdoor Café maybe permitted by the Planning Commission subject to Article XXII and approval of a site plan in accord with Section 2607 and after a public hearing.

MOTION BY COMISSIONER TAVERNIER, supported by Commissioner Pasko, that Special Approval #505 – requested by Mike Mazoum/Sushi Bar (Appellant and Owner) for a Certificate of Occupancy for an Outdoor Café at 130 Maple, be hereby approved on the basis of the following reasons:

The proposed outdoor café complies with all ordinance requirements or will comply with said requirements and the conditions below prior to use as an outdoor café. Further, during the public hearing for this application, there were NO objections to the proposed project.

Said approval is subject to the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café on private property in the Central Business District (CBD) Zoning District, Section 2200.S.1 of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
3. Compliance with all Police, Fire and City Engineer requirements attached.
4. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight from March 15 through October 31.
5. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
6. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
7. Approval by City Council for use of the public property is required. If approved by City Council liability insurance and property damage coverage naming the City of Wyandotte an insured party in an amount approved by the City's Financial Director is required.
8. Decorative fencing and gate to be black aluminum similar design, material and height to Belicose Café at 3030 Biddle Avenue.
9. Approval by Wyandotte City Council.
10. The fencing shall be removed from November 1st to March 14th of each year.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

3. PUBLIC HEARING #506 – Request from Rick DeSana and Les Salliotte (Owners and Appellants) of Captain's, for Certificate of Occupancy to revise their Outdoor Cafes site plans at 126 Oak, Wyandotte, Michigan in CBD Zoning District where the proposed conflicts with Section 2202.S.1 of the City of Wyandotte Zoning Ordinance which states; Section 2202.S.1: Outdoor Café maybe permitted by the Planning Commission subject to Article XXII and approval of a site plan in accord with Section 2607 and after a public hearing.

MOTION BY COMMISSIONER PARKER, supported by Commissioner Rutkowski, that Special Approval #506 – requested by Captains (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Café in the **front** of 126 Oak, be hereby approved contingent upon City Council approval on the basis of the following reasons:

The proposed outdoor café complies with all ordinance requirements or will comply with said requirements and the conditions below prior to use as an outdoor café. Further, during the public hearing for this application, there were objections to the proposed project.

Said approval is subject to the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café in the Central Business District (CBD) Zoning District, Special Land Uses, Section 2202.S of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. Outdoor café to be constructed in accordance with the site plan submitted by Owner indicated as drawing Sheet 1, dated June 16, 2015.
3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
4. Compliance with all Police, Fire and City Engineer requirements attached.
5. Use of the outdoor café shall be allowed from 7:00 a.m. to Midnight from March 15 through October 31.
6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
8. Fence detail to be the same as Belicoso Café, 3030 Biddle Avenue, Wyandotte.
9. Table detail to be the same as Belicoso Café, 3030 Biddle Avenue, Wyandotte.
10. Approval by City Council for removal of the planter box and use of the public property is required.
11. The owner has agreed to reimburse the City to modify the base of a light pole to a clear space of three (3) feet to provide clearance for a wheelchair.
12. Dotte Pub is required submit plans for approval to move their outdoor café, prior to construction of this Outdoor Café.

YES: Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier

NO: Benson

ABSENT: Adamczyk

MOTION PASSED

MOTION BY COMMISSIONER DURAN, Supported by Commissioner Pasko, that Special Approval #506 – requested by Captains (Owner and Appellant) for a Certificate of Occupancy for an Outdoor Café in the **rear** of 126 Oak, be hereby approved basis of the following reasons:

The proposed outdoor café complies with all ordinance requirements or will comply with said requirements and the conditions below prior to use as an outdoor café. Further, during the public hearing for this application, there were objections to the proposed project.

Said approval is subject to the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café on private property in the Central Business District (CBD) Zoning District, Special Land Uses, Section

- 2202.S of the City of Wyandotte's Zoning Ordinance. The applicant is responsible for carefully reviewing, understanding and complying with the requirements of the ordinance.
2. Outdoor café to be constructed in accordance with the site plan submitted by Owner indicated as drawing Sheet 1, dated May 22, 2014.
 3. If alcoholic beverages are served, the current Michigan Liquor Control Commission rules and regulations shall apply, and the applicant shall obtain all necessary approvals.
 4. Compliance with all Police, Fire and City Engineer requirements attached.
 5. Use of the outdoor café shall be allowed from 7:00 a.m. to midnight from March 15 through October 31.
 6. The outdoor café shall comply with all applicable laws and regulations of the City, County, and the State.
 7. Umbrellas to have name of establishment on the drip-tee only, no logo's for products.
 8. Fence to be 6 feet in height and of a material to be maintenance free.
 9. Table layout to be as indicated on Sheet 1, dated May 22, 2014.
 10. Areas indicated on drawing Sheet 1, identified as "future building" are not to be occupied as part of approved outdoor café.
 11. Use of porta potties is permitted during special events only, and not to be stored on property.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

4. PUBLIC HEARING #507 – Request from Leonard Mazzola (Owner and Appellant) for a Certificate of Occupancy for outdoor sales of new or used automobiles at 1460 Eureka, Wyandotte, Michigan, in a B-2 Zoning District where the proposed conflicts with Section 1401.H of the City of Wyandotte Zoning Ordinance which states; 1401.H: Outdoor sales space for new or used automobiles, trucks, recreational vehicles, mobile homes and boats maybe permitted by the Planning Commission subject to Article XXII and approval of a site plan in accord with Section 2607 and after a public hearing.

MOTION BY COMMISSIONER LUPO, supported by Commissioner Benson, to approve the Certificate of Occupancy for outdoor sales of new or used automobiles and auto detailing only at 1460 Eureka, Wyandotte, Michigan.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

5. PUBLIC HEARING #508 – Request from Steven Wojcik (Owner and Appellant) for a Certificate of Occupancy for beekeeping at 803 Riverbank, Wyandotte, Michigan, in a RA Zoning District where the proposed conflicts with Section 401 of the City of Wyandotte Zoning Ordinance which states; 401: Home Occupation is allowed in a RA Zoning District has a Special Land Use. Beekeeping is not listed as an allowable use as a home occupation.

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Benson, to approve the Certificate of Occupancy for beekeeping at 803 Riverbank, Wyandotte, Michigan.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

6. PUBLIC HEARING #509 – Request from Arthur L. Vince (Owner and Appellant) for relief of installing the required four (4) foot decorative block, brick or decorative poured concrete wall at the east side of the property adjacent to the alley at 3523 Fort Street, Wyandotte, Michigan.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Rutkowski to deny the request of Mr. Vince for relief of the installation of a four (4) foot decorative block, brick or decorative poured concrete wall at 3523 Fort Street, Wyandotte.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

7. PUBLIC HEARING to consider amendments to the City of Wyandotte Zoning Ordinance Article VIII - amending Section 801- Special Uses and adding Section 802 - Required Conditions.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Parker to recommend to the Mayor and City Council that the proposed amendment to the City of Wyandotte Zoning Ordinance, Article VIII - amending Section 801- Special Uses and adding Section 802 - Required Conditions be approved.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

8. PUBLIC HEARING to consider amendments to the City of Wyandotte Zoning Ordinance Article XII – B-1 Neighborhood Business District, Section 1200 Principal Uses Permitted, Subsection E, F, and G.

MOTION BY COMMISSIONER BENSON, supported by Commissioner Parker to recommend to the Mayor and City Council that the proposed amendment to the City of Wyandotte Zoning Ordinance, Article XII – B-1 Neighborhood Business District, Section 1200 Principal Uses Permitted, Subsection E, F, and G be approved.

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

PERSONS IN THE AUDIENCE:

No persons in audience.

SPECIAL ORDER:

None

BILLS AND ACCOUNT:

MOTION BY COMMISSIONER DURAN, supported by Commissioner Pasko to:
Pay Beckett & Raeder for Planning Consultant fee for June 2015 in the amount of \$700.00
Hours for Secretarial Services: 06/08/15-06/26/15 9 total hours

YES: Benson, Duran, Krimmel, Lupo, Parker, Pasko, Rutkowski, Tavernier
NO: None ABSENT: Adamczyk MOTION PASSED

MOTION TO ADJOURN:

MOTION BY COMMISSIONER TAVERNIER, supported by Commissioner Lupo to adjourn the meeting at 10:15 p.m.

PUBLIC HEARING #060215 – Request from the City Engineer to consider an amendment of the Zoning Ordinance Map to rezone the following described land in the City of Wyandotte, County of Wayne, and State of Michigan known as the Former 600-604 Poplar, Wyandotte, Michigan 48192.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Chairperson Krimmel indicated that she was happy to see that properties in this area are being rezoned to Single Family.

There being no further discussion the hearing was closed. No communications were received regarding this hearing.

PUBLIC HEARING #505 – Request from Mike Mazloun, (Owner and Appellant) of Sushi Bar, for a Certificate of Occupancy for an Outdoor Cafe at 130 Maple, Wyandotte, Michigan in CBD Zoning District.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Mike Mazloun owner and appellant present.

Mr. Mazloun indicated that he applied for the outdoor café to add to his restaurant and to allow customers to be outside.

Chairperson Krimmel asked if the café would be in front of the sushi bar.

Mr. Mazloun stated yes.

Mr. Mazloun continued that he owns both buildings and is making them into one building.

Commissioner Benson asked of the fence currently there would stay and the other restaurant would not have a café.

Mr. Mazloun replied that was correct.

Chairperson Krimmel asked Mr. Mazloun if he had a copy of the ordinance and read it.

Mr. Mazloun indicated that he has a copy.

Chairperson Krimmel indicated that the application stated only 10 seats inside the café.

Mr. Mazloun stated that was correct.

Commissioner Pasko confirmed that the hours would be from 11 a.m. to midnight.

Mr. Mazloun indicated that was correct.

Commissioner Pasko confirmed that the outdoor café is from April to October.

Mr. Mazloun indicated that was correct.

Chairperson Krimmel indicated that this request would have to be approved by the City Council since the café is located in the City right of way.

There being no further discussion the hearing was closed. No communications were received regarding this hearing.

PUBLIC HEARING #506 – Request from Rick DeSana and Les Salliotte (Owners and Appellants) of Captain's, for Certificate of Occupancy to revise their Outdoor Cafes site plans at 126 Oak, Wyandotte, Michigan in CBD Zoning District.

PUBLIC HEARING – FRONT OUTDOOR CAFÉ

Chairperson Krimmel read the appeal and indicated that the Commission would hear the front outdoor café first and then the rear café would be after. Chairperson Krimmel asked if there was anyone present who wished to speak regarding this hearing.

Dean Robinette Attorney for Rickle's Entertainment LLC., representing the owners of the property, present.

Mr. Robinette indicated that he is here to answer any questions the Commissioners might have and the owners are also present. Mr. Robinette indicated that they would like special approval to have the café opened past midnight and understands that they would need both the Commission and the Council approval for this.

Mr. Robinette indicated that the current locations of the café does not allow for free passage of pedestrians on the sidewalk. Mr. Robinette indicated that they would like to attach the café to the front of the building that way they can control the serving of alcohol by the waiter staff.

Mr. Robinette referred the Commission to the plan that was submitted and indicated that his clients would pay to have the light pole removed so that they meet the requirements for passage by the café.

Commissioner Pasko asked if the only way to get into the café would be thru the building.

Mr. Robinette indicated that is correct.

Mr. Salliotte, owner, stated that there is a man door on the west side and that is the door to the restaurant.

Commissioner Benson indicated that traditionally the Commission has not extended the hours of outdoor cafes past midnight. Commissioner Benson asked if the bar is open and the café is required to be closed, how would you control closing the café.

Mr. Robinette indicated that is one of the reasons they would like the café open until 2:00 a.m. and they would work with the other departments and City Council.

Mr. Robinette indicated further that he has a list of outdoor cafes that are open past midnight and he indicated that they have gone to City Council for approval.

Chairperson Krimmel indicated that to her knowledge, the Commission has not approved any outdoor café past midnight.

Commissioner Duran indicated that the cafes probably don't have approval to be opened past midnight.

Commissioner Tavernier asked about the planter box and if the DDA was informed since they would be modifying the streetscape.

Mr. Robinette indicated that he thought this was the first step and if the planter box can stay they will keep it there.

Chairperson Krimmel indicated that she has no issue with removing the planter box, it will make it safer to move around the café.

Mr. Robinette indicated that they did not consult the DDA.

Commissioner Tavernier asked if they talked to the Dotte Pub since this will affect them.

Ben Tallerico indicated that the Dotte Pub would need to move their café for this to work.

Mr. Robinette indicated that they are not in partnership with them and not sure what their plans are.

Commissioner Tavernier indicated that it should be coordinated with them for this to work.

Commissioner Rutkowski asked if this could be approved without knowing what the Dotte Pub is doing.

Mr. Tallerico indicated that the Commission could approve the café with conditions.

Maratha, occupant at the Edinger Apartments, 114 Oak Street, Wyandotte, present.

Maratha indicated that she has issues with the bar, there is consistent bad language, screaming, people all over the place and smoking in their lobby. Maratha continued that she is always calling the police with issues at this bar and does not understand how the Commission can consider approving the extended hours because there are residents upstairs that were there before the bar was there.

Maratha further indicated that it is bad every night and it does not close at midnight.

Chairperson Krimmel indicated that her issues are police issues and the Commission is not the enforcement agency.

Maratha indicated that no one is requiring them to hold up the Ordinance.

James, Manager of the Edinger Apartments, 114 Oak Street and also an occupant. James indicated that he is not representing the Owner, Mr. Howey.

James indicated that there are people all over the place screaming and causing traffic issues. James continued that he calls the Police and nothing seems to be done, because of who owns the bar. James continued that this location should be required to meet the requirements of the ordinance and something needs to be done. James indicated that he has gone to City Council with his issues.

Corki Benson read a letter into the record and it is attached as a communication.

Martha indicated that when the Police come they don't do anything. It is really getting bad for the residents that live in the adjacent apartment building.

Chairperson Krimmel indicated that her complaints are law enforcement issues.

Salvatore Renzon, who helps Maratha out, present. Mr. Renzon indicated that a lot of the problem is that the cafes merge together (Captains and Dotte) and there are always issues with trying to walk down the sidewalk and the police are always being called out. Mr. Renzon further indicated that they are smoking wacky tobacco in their lobby even the Police noticed it, but no action is taken by the Police.

Mr. Robinette indicated that Captains is concerned with the traffic on Oak Street and they feel that the change to the location would help with that.

Commissioner Pasko stated that the Dotte Pub's outdoor cafe would need to be changed for this to work.

Mr. Tallerico indicated that the Commission should consider setting a design standard for outdoor cafes in the CBD. Mr. Tallerico continued that most of the cafes are located adjacent to the street and not attached to the building.

Chairperson Krimmel asked if the occupancy allowed for the café is 16 people.

There was a discussion on the how the occupancy load is determined by the Commission, Mr. Robinette and the City Engineer.

There being no further discussion the hearing for the front outdoor café was closed.

PUBLIC HEARING – REAR OUTDOOR CAFÉ

Mr. Robinette stated that they understand the concerns and they have reduced the occupancy of the rear outdoor café. Mr. Robinette continued that they will not occupy the area that states future building. The Commission and Mr. Robinette discussed the plan that was submitted.

Mr. Robinette continued that they will still request that the hours of the café be until 2:00 a.m. to City Council and they would turn off the music at midnight.

Mr. Tallerico indicated that there are no porta potties on the plan.

Mr. Robinette indicated that they are used for special occasions and 3rd Friday events, maybe they are used 12 or 15 days a year.

Chairperson Krimmel asked if they are ever removed from the site.

Mr. Robinette indicated no, they are kept on the site.

Mr. Tallerico asked how many speakers they had on the outside.

Mr. Salliotte indicated one (1) speaker on the bar facing away from the Edinger Apartments and added there is no live music.

Commissioner Rutkowski stated that even if the music is off outside, the music from the inside would go out.

Commissioner Pasko asked about the height of the fence.

Mr. Robinette indicated that the fence is 72 inches in height from the ground.

Chairperson Krimmel asked what is the plan for the future building on the plan.

Mr. Salliotte indicated that they would be constructing restrooms, future bar and handicap access to the bar when they have funds.

Commissioner Benson asked if the gate on the plan was for the entrance to the rear outdoor café.

Mr. Salliotte stated no it is used just for deliveries to the kitchen, it is usually locked.

James Manager of the Edinger Apartments.

James indicated that the rear outdoor café is not being enforced. The design leads to non-compliance, the music is always loud and the porta potties are never removed from the site and are used daily.

Scott Hossack, 114 Oak Street, tenant at the Edinger Apartments.

Mr. Hossack stated that shutting the music off will not help with the noise it is over whelming and his apartment faces the Post Office and he cannot open his windows from 8 p.m. to 3 a.m.

Mr. Hossack stated that they have over 100 people just in the rear café and that building can't hold that many people. Mr. Hossack further stated that the noise is so bad and he is total frustrated.

Chairperson Krimmel stated that the occupancy load is 74.

Mr. Bruce Yinger, 117 Chestnut, Wyandotte

Mr. Yinger stated that he sees people lined up in the parking lot of the post office and he feels the owners are pushing the rules since they opened in 2013. Mr. Yinger continued that there is noise until well after midnight, and that he understands that during the Art Fair, but it is every weekend. Mr. Yinger stated that he sees alcohol being passed outside of the cafes.

Mr. Yinger added that he has lived on Chestnut for 20 years and there is no enforcement for this bar.

Commissioner Lupo stated that the effected apartments are on the west, front and rear of the building.

James indicated that the noise affects those apartments, but every resident is affected by this bar.

Commissioner Lupo asked if the music was off would that help.

James replied no, that is only one (1) problem the capacity load and shouting/loud talking are problems.

Mr. Robinette indicated that the photos attached to the communication that the Commission received from the owner of the Edinger Apartments is over a year old and not the current look of the rear café. Mr. Robinette indicated that there were no issues during the Art Fair at this location.

James indicated that they were on good behavior during the Art Fair, because this hearing was coming up.

Mr. Joe Hirsch, 144 Chestnut, Wyandotte.

Mr. Hirsch indicated that this bar is backed-up to residential properties and that the noise is always going past 1 am and that Mr. Hirsch is afraid that this bar is affecting their property values. Mr. Hirsch continued that during the summer he can't open his windows due to the noise of this bar.

The Commission reviewed the site plan with the Owners and the City Engineer.

There being no further discussion the hearing was closed. Two (2) communications were received regarding this hearing. Also a communication was read by Corki Benson, at the hearing and made part of the file. Further communications were received from the Police and Engineering Department which were read into the file. All are made part of the file.

PUBLIC HEARING #507 – Request from Leonard Mazzola (Owner and Appellant) for a Certificate of Occupancy for outdoor sales of new or used automobiles at 1460 Eureka, Wyandotte, Michigan, in a B-2 Zoning District.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Mr. Mazzola, Owner present.

Mr. Tallerico indicated that he reviewed the drawing submitted and the landscaping looks good.

Commissioner Lupo asked Mr. Mazzola if he is going to use the property for detailing and not bump and paint.

Mr. Mazzola stated he is just detailing and selling used cars.

Commissioner Lupo asked when all the work will be completed.

Mr. Mazzola stated that he will start getting quotes if the Commission approves the use. Mr. Mazzola stated he will start right away.

There being no further discussion the hearing was closed. No communications were received regarding this hearing.

PUBLIC HEARING #508 – Request from Steven Wojcik (Owner and Appellant) for a Certificate of Occupancy for beekeeping at 803 Riverbank, Wyandotte, Michigan, in a RA Zoning District.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Steven Wojcik, Owner, 803 Riverbank, present.

Mr. Wojcik stated that he has been doing beekeeping for eight (8) years he has four (4) hives and two (2) hives are running well. Mr. Wojcik stated further that he has the hives on the driveway and has had no issues. Mr. Wojcik stated that beekeeping is his passion. Mr. Wojcik continued that he does not use any chemicals and has had no problem with the neighbors.

Commissioner Rutkowski asked why was Mr. Wojcik at the Commission meeting.

Mr. Wojcik stated he wants to keep the hives on his driveway and was told by the City that they received a complaint and that there is no ordinance for beekeeping or one that prohibits beekeeping.

Commissioner Rutkowski asked if this is just a hobby or does Mr. Wojcik sell the honey.

Mr. Wojcik stated it is just hobby.

Chairperson Krimmel stated that this is not a zoning variance.

Commissioner Rutkowski stated that he did stop by Mr. Wojcik's home and talked to him and he had no problem being next to the bee hives and that he is doing a service to Wyandotte.

Mr. Tallerico asked if it is just him that is running the beekeeping.

Mr. Wojcik stated yes.

Mr. Kowalewski stated that the City did receive a complaint and the ordinance does not allow or prohibit beekeeping.

Mr. Kowalewski further stated that he would recommend that the Commission set up a sub-committee to come up with rules and regulations for future beekeeping.

Mr. Abercrombie, 752 Clinton, Wyandotte.

Mr. Abercrombie stated that he has no problem with the beekeeping and Mr. Wojcik keeps his yard nice and he can see the operations from his porch and he has never been hit by a bee.

Mrs. Roach, 1420 13th Street, Wyandotte.

Mrs. Roach indicated that she was a neighbor of Mr. Wojcik and her parents currently are Mr. Wojcik neighbors and Mrs. Roach indicated that her kids play in the yard and they have never been stung. Mrs. Roach continued that Mr. Wojcik is doing a service to the community.

Mr. Carl Patten, 815 Riverbank, indicated that he wrote a letter but he is also here to state that he has no problem with the hives.

There being no further discussion the hearing was closed. Two (2) communications were received regarding this hearing.

PUBLIC HEARING #509 – Request from Arthur L. Vince (Owner and Appellant) for relief of installing the required for (4) foot decorative block, brick or decorative poured concrete wall at the east side of the property adjacent to the alley at 3523 Fort Street, Wyandotte, Michigan.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Dan Davis, present, son in law of the owner, representing the owner.

Mr. Davis stated that his family has owned the property since 1975 and it has been a car lot since 1983. Mr. Davis indicated that putting up a fence will hinder parking for the customers and snow removal. Mr. Davis submitted pictures to the Commission of what the site currently looks like.

Mr. Tallerico stated this site plan was reviewed and approved by the Planning Commission 10 years ago and it was never constructed in accordance with plan.

Mr. Davis stated that is corrected.

Mr. Tallerico asked what has changed that you cannot put in the fence/wall.

Mr. Davis stated that they should have asked 10 years ago for the fence not to be installed, it is just going to cause a problem with parking.

Chairperson Krimmel stated that the ordinance requires wall/fence and was approved in 2006 and the applicant accepted those requirements.

Commissioner Parker asked if the fence will go where the current cement posts are.

Mr. Davis stated that is correct, there are posts there and a rope that buffers the parking from the alley.

Mr. Tallerico stated that the cement posts are not what is allowed.

Mr. Davis stated that they would like to use the posts and chain instead of a fence.

There being no further discussion the hearing was closed. No communications were received regarding this hearing.

PUBLIC HEARING to consider amendments to the City of Wyandotte Zoning Ordinance Article VIII - amending Section 801- Special Uses and adding Section 802 - Required Conditions.

PUBLIC HEARING to consider amendments to the City of Wyandotte Zoning Ordinance Article XII - B-1 Neighborhood Business District, Section 1200 Principal Uses Permitted, Subsection E, F, and G.

Chairperson Krimmel read the appeal and asked if there was anyone present who wished to speak regarding this hearing.

Mr. Kowalewski explained that there has been a demand for schools in a B-1 District which is not allowed currently and he feels this is the right district for this type of use.

Mr. Tallerico agreed with the City Engineers recommendation.

There being no further discussion, the hearing was closed. No communications were received regarding this hearing.

MAYOR
Joseph R. Peterson

CITY CLERK
William R. Griggs

TREASURER
Todd M. Browning

CITY ASSESSOR
Thomas R. Woodruff



DANIEL J. GRANT
CHIEF OF POLICE

#505
CITY COUN

Sheri Sutherby Fr
Daniel E. Gal
Ted Miclura
Leonard T. Sabi
Donald C. Schi
Lawrence S. S

TO: Kelly Roberts, Development Coordinator

DATE: June 26, 2015

FROM: Daniel J. Grant, Chief of Police

SUBJECT: NEW OUTDOOR SERVICE – 130 MAPLE STREET

CC: Clerks Office

This correspondence is in response to your e-mail dated Wednesday June 24, 2015 relative to the Outdoor Service application at the Sushi Bar, 130 Maple Street, Wyandotte, Michigan. I have no objections if the proposal for the front outdoor service area is approved as illustrated on the drawings submitted by the applicant, with the following conditions:

- The applicant meets all laws and ordinances as required by the Fire and Engineering Departments.
- Engineering approves the Sushi Bar for use of the intervening property at the front of the building which is 47.5' long which is the width of the building front and 6' 8" wide which is proposed for the front sidewalk area.
- Approval is received from the Liquor Control Commission for an Outdoor Café.

Further, the police department recommends that the Sushi Bar owners be reminded that an outdoor service permit allows the sale, service, and consumption of alcoholic beverages in a well-defined and clearly marked area outside of the licensed premises¹. Compliance with this provision is the responsibility of the licensed establishment, and failure to comply can result in the issuance of a violation.

¹ R 436.1419 - Outdoor Service

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

#505

MAY
Joseph R. Peter

COUNCIL
Sheri Sutherby Fri
Daniel E. Gale
Ted Micura,
Leonard T. Sabu
Donald C. Schu
Lawrence S. S

July 8, 2015

Elizabeth A. Krimmel, Chairperson
Wyandotte Planning Commission
3200 Biddle Avenue
Wyandotte, Michigan 48192

RE: Outdoor Café 130 Maple

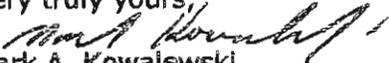
Dear Ms. Krimmel:

The undersigned has reviewed the application and plans submitted for the outdoor café at the above captioned property and the following applies.

1. On the outdoor café application the hours of operation are from 11 am to 2 pm.. As per Section 2202.S.1 of the Ordinance, the hours permitted are from 7 am to 12 midnight in the CBD District unless longer hours are specifically approved by the Planning Commission and City Council. Also, the outdoor café may be set up from March 15 through October 15 and removed to facilitate snow removal.
2. Section 2202.S.3 states if alcohol is served, entrance to the outdoor café is required from the inside of the building. The owner of the establishment shall provide a copy of the Michigan Liquor Control Commission Inspection to the Engineering and Police Department indicating that the outdoor café is not required to be connected to the building.
3. The currently installed unapproved fencing for the current outdoor café is located right up to the edge of the curb. In this area, the cars park at a 45 degree angle to the face of the curb. A field meeting with the owner, Building Inspector, and Fire Chief, recommend pulling the fence back 18" after measuring the projection from the front bumpers of several cars and trucks parked in the area. The site plan indicates this 18" setback.
4. Since, the outdoor cafes is on public property, liability insurance and property damage coverage naming the City of Wyandotte as an insured party, in an amount approved by the City of Wyandotte's Financial Director, must be provided before an outdoor café may be set up. Please provide a copy of this updated policy.
5. City Council approval is required since the outdoor café is located in the City right-of-way.

If you have any questions, feel free to contact the undersigned.

Very truly yours,


Mark A. Kowalewski
City Engineer

MAK:kr

#506

Corki Benson- 404 Vinewood - Secretary of Garfield Neighbors United.

The issue of outdoor cafes is of concern to Garfield Neighbors United because most of them are located within the established boundaries of Garfield Neighbors United.

A bit of history: Bar issues like parking, late night noise, broken bottles and cans on residential lawns and private property, fights, and even public urination on Biddle Avenue affected our Garfield neighborhood for 2 summers. After several efforts to stop the invasion of the bar's patrons coming into our neighborhood members of Garfield Neighbors United and the residents in the area of the South Shore persuaded some City Council members to show up at last call and witness these problems first hand.

The police and city began to work together to put up No Parking signs in the area. They added volunteer police foot patrols along Biddle and strongly enforced any and all ord. that applied to get the problems under control.

I am not saying all these things are associated with current outdoor cafes but issues involving an outdoor café is not the first rodeo for the Garfield neighborhood.

I personally don't have much interest in any new plan for Captain's outdoor cafes. For some reason it does not seem logical to me that a new plan for Captains would be in the works when the old plan was never complied with in several areas and especially since this new plan is very similar to one denied by the Planning Commission and Mayor and Council over 18 months ago.

But I do think many of the other outdoor cafes serving alcohol will be very interested in this new plan for Captain's as I assume it will be an option for their cafes in the name of Business Friendly. You set the precedence and they will take advantage of it!

I do believe the closing time for Captain's outdoor rear café should be 12AM for all 7 days a week because it backs a residential neighborhood and even a 10' fence would not change my opinion of a 12am closing all 7 days in a week.

The most important thing about ALL outdoor cafes is that they comply with the ord.s that apply to them and that has not been the case in the past. Currently most every Wyandotte outdoor café serving alcohol is non-compliant with one or more of the rules, regulations, or ord. requirements. For example no gate vs two gates, not removing fencing during Nov. 1 thru Mar 14 and having patrons use their outdoor café space all last winter, open beyond approved closing hours, occupancy overload, alcohol in areas outside approved fenced areas, or even open 2 years without going thru the legal application process, etc.

First and foremost: Any ord. that can't be enforced, is not enforced, or the city won't enforce leads to a lack of compliance and credibility of purpose. In my opinion City ord. 2200-S Special Land Uses has become such an ord.

The City ord. 2200-S is flawed in several areas. I believe Natalie Rankin came before this Planning Commission a few years ago suggesting a revision of this ord. With this new plan for Captains maybe a revision is now possible. A few changes I would suggest:

1. I have been told numerous times the Planning Commission recommends but Mayor and Council approves this City ord. 2200-S clearly states extended hours must be specifically approved by the Planning Commission and the City Council. Right or Wrong?
2. I have also been told by some city officials that a gate is not required for an outside café serving alcohol. But in the case of most outdoor cafes it states decorative fencing and gate to be of exact same design, material, and height so as to match Belicoso Café. For example:
 - Lions, Tigers, and Beers- Decorative fencing and gate to be of exact same design, material, and height so as to match Belicoso Café.
 - Gizzmos- Decorative fencing and gate to be exact same design, material, and height so as to match Belicoso Café.

Dotte Pub- Fence detail to be the same as Belicoso Café and table to be the same as Belicoso Café.

As late as June 18, of this year VFW 136 was granted a Certificate of Occupancy for an outside café by the Planning Commission. This was subject to a condition requiring decorative fencing and a gate.

I believe I saw in tonight's conditions for the Susi Bar Belicoso like furnishings and a gate were required again .

My question is why keep listing the gate as a condition if it is not required and if required why not enforce it?

3. Much of the info in resolutions and conditions and rules implies Belicoso Café, the first Wyandotte outdoor café serving alcohol, is a sort of "standard" for outdoor cafés in several areas as heard in info I just read. I would personally like to suggest that the City's Ord be revised deleting the name Belicoso Café from the ord. and instead include specific detailed info such as sizes, colors, materials, etc. It is difficult for Planning, Mayor and Council, bar owners, and the general public to support the City's ord., rules and conditions without seeming preferential to Belicoso.
4. I think some revised details of this ord. could perhaps be in the form of a check list that could be used for city inspections of all outside cafes serving alcohol prior to opening and closing each year to see that everyone is in compliance and on the same page as to the details of the ord. This check list might also make the ord. more effective and eliminate a place like the Susi Bar from having an open outside café NOT APPROVED officially by Planning or City Council for the past two summers - just another problem that might have been cleared up with that yearly check list.

All my research was interesting and the conclusions are all mine. I was very surprised with how sometimes even small differences between the Cities outdoor café ord. and the inconsistencies of the numerous required conditions seem to reinforce non-compliance among the current approved outside cafes. Before any more decisions regarding outdoor cafes serving alcohol are made I'd like to see changes made in a revised ord. that can be clearly understood, fairly written, specific in details, and most of all enforceable.

I'd like to go on record as saying that the City of Wyandotte needs more ord. officers or more hours for the current officers. It's difficult to enforce ANY ord. including 2200-S with a lack of personal and hours...and I know that's not just my opinion!

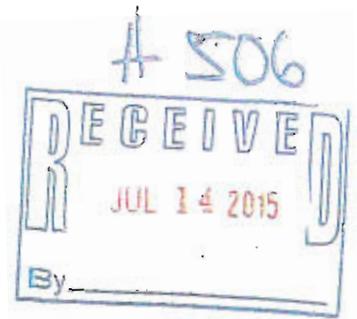
In closing: Any ord. that can't be enforced, is not enforced, or the city won't enforce leads to a lack of compliance and credibility of purpose.

Thank you for your time and consideration of my comments and suggestions.

July 10, 2015

VIA HAND DELIVERY

City of Wyandotte Planning Commission
Attn: Kelly Roberts, Secretary
3200 Biddle Avenue
Suite 200
Wyandotte, MI 48192



RE: Public Hearing - Special Approval # PC506 – Outdoor Cafe
Rick DeSana and Les Salliotte (Owners and Appellants) Captain's Pub

Dear Commissioners:

This letter is in response to your notice dated July 1, 2015 regarding the above referenced Public Hearing. D&C Development Company is the adjacent land owner consisting of 36 residential apartments, which is the neighboring property owner of the Owners and Appellants listed above. Please be advised, we object to any new development to this location and more specifically any rear outdoor Café/Bar. This is clearly an expansion to the existing bar, which they now have two taps for kegs in the patio area. We object for the following reasons:

1. There is no buffer area for our Tenants (please see the attached Exhibit A).
 - a. The noise: The noise from the radio/DJ along with the patrons trying to talk over the music goes directly into our Tenant's apartments. These are studio apartments, where the Tenants sleep and live in the same space. They can't get away from the noise and several Tenants have even bought window air conditioner units to try and drown out the noise. Last year the Appellants had live bands and karaoke, which they have now agreed to prohibit.
 - b. The smoke: The smoke from the bar a patron rises and flows into our Tenant's apartments. Most City and Federal building now prohibit smoking anywhere in immediate vicinity of doors and windows to prevent innocent victims from being in contact with second hand smoke.
 - c. The smell/eye sore: The smell coming from the Porta-Potties goes up directly to the Tenants. With that said, the Porta-Potties have now been moved to the opposite side, which has helped diminish the foul order. These Porta-Potties are an eye soar. How would you like to look at them on a daily basis from your home? Why are they permitted to have/use Porta-Potties? Is this a good image for our City?

Keep in mind, typically in a downtown area, there would at least be a buffer of an alley, garage or even a yard before the house. However, this proposed Outdoor Café/Bar is directly below our Tenants windows. It is not reasonable that our Tenants have to purchase air conditioner units just to drown out the noise, or close their windows to prevent the smell of second hand smoke, or the foul smell of waste and chemicals from a Porta-Potti. Unfortunately our Tenants can't apply the commons phrase "nice sleeping weather" and just keep their windows open for the night because of these nuisances from the new bar patio.

2. **Noise ordinances** – The noise ordinances are not being enforced. The police are called and don't show up in a timely manner or no action is taken. Everyone understands the "Big Name" parties involved, but this is unacceptable to our 36 Tenants who are Wyandotte Residents too. The current patio bar area has two running taps (See attached Exhibit B) and does not shut down when they are supposed to. There have been numerous police reports regarding the current back yard patio/bar relating to noise. It is my understanding there are even complaints from the houses on Chestnut from the noise level. Fortunately, there have not been any bands or karaoke this summer; however, the music along with patrons trying to talk over the music is still unacceptable and not fair for our Tenants. The following is the City's noise ordinance for your convenience. Section 25-85 states: **Sec. 25-85. - Unreasonable noise prohibited.**

A person is guilty of a misdemeanor if he or she operates or permits the operation of an amplified or un-amplified radio, tape, cassette, stereo, television, phonograph, musical instrument, boom box, loud speaker, other electronic sound producing device, or similar device, which causes total noise exceeding 82 DBA. or which may be heard more than one hundred feet away from the source of the noise. As used in this section, "DBA" means decibels measured on the A-weighted network of a sound level meter, as specified in American National Standards Institute standard S1.4. If it is shown that the noise level is in excess of the DBA level established in this section or may be heard more than one hundred feet from the source of the noise, that evidence shall be prima facie evidence that the person is producing unreasonable noise as prohibited by this section.

Any police officer may issue a citation to the offender for any violation committed in his or her presence without the necessity of a prior complaint from any other person. The provisions of this section shall not apply to city approved special events such as the Annual Wyandotte Street Art Fair, concerts, festivals or other similar events.

How can this be fair to the Tenants who are within the 100 foot source?

(Ord. No. 1078, § 1, 9-20-99)

In conclusion, the results have been the loss too many tenants over the past year. At least – Eight (8) or Twenty-two percent (22%) have left specifically because of the rear patio noise from Captain's Pub. One Tenant left after she saw a man looking into her second floor window. He gained access from the fire escape and must have jumped to the roof ledge (Please see attached Exhibit A). Ironically, she had just testified in court earlier relating to a drunken guy who drove into the back wall of the bar (this was prior to their permanent fence being erected). A roofed-in area would only generate more space to allow more people, which would just increase the problems we already have at that location. We did not have these issues prior to Captain's opening up for business in the rear patio area. The crowd is a younger, more aggressive crowd, which is NOT conducive to an Outdoor Café /Bar IMMEDIATELY ADJACENT to an apartment complex with 36 Residents of the City of Wyandotte. How would you like to live next to this nuisance? The City of Wyandotte is better than this! Many of Tenants work, support and worship within the City. These are not transient people; it's a home to 36 Tenants who call the City of Wyandotte home, just as you do. They should not be affected as they are

from this Fraternity style bar with picnic tables and Porta-Potties. Overextending the current property has created problems with noise, smoke, smell/eye sore and parking for the surrounding area of the Bar. These are health, safety and welfare issues. Captain's has already been closed down by the Fire Department for exceeding their capacity. We again ask the Planning Commission to respect our Tenants and Residents of the City of Wyandotte and deny the Appellants application. Please contact me with any questions or concerns at my office at 23933 Vreeland Road, Flat Rock, MI 48134 or via telephone at 734.671.1600.

Sincerely,
D&C Development, Co

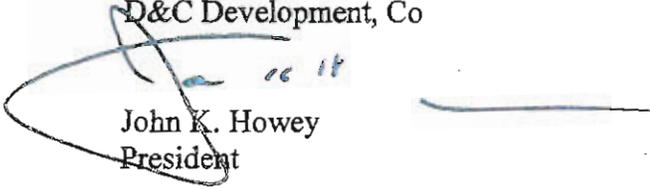
 cc it
John K. Howey
President

EXHIBIT A

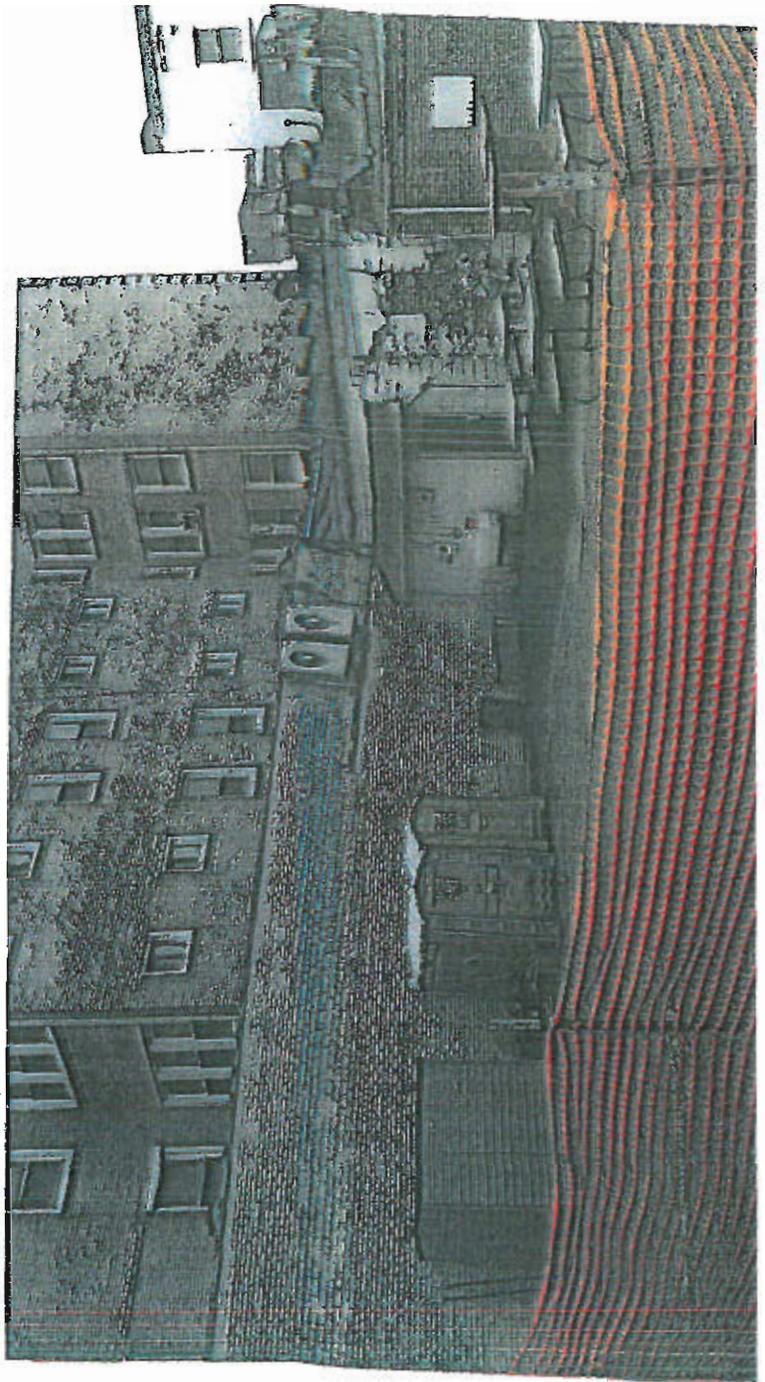
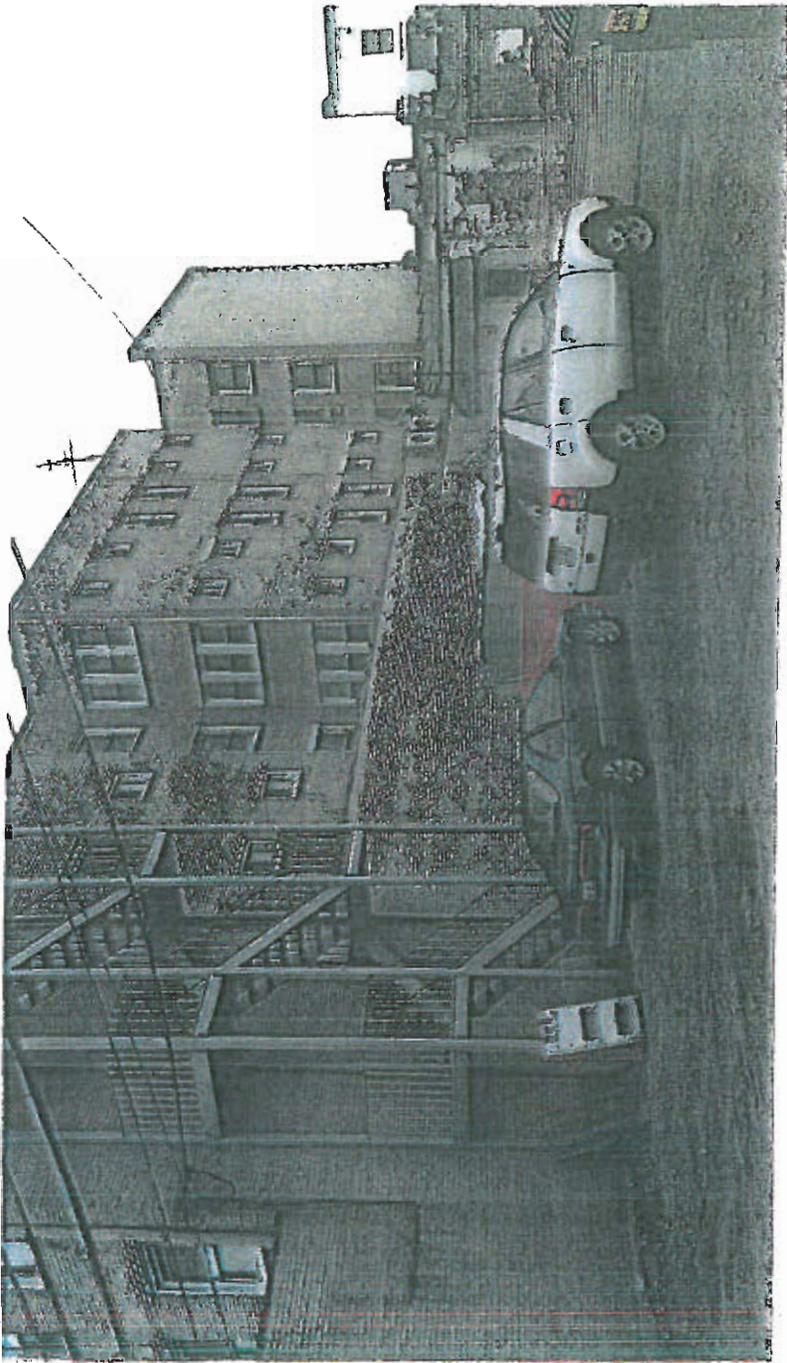
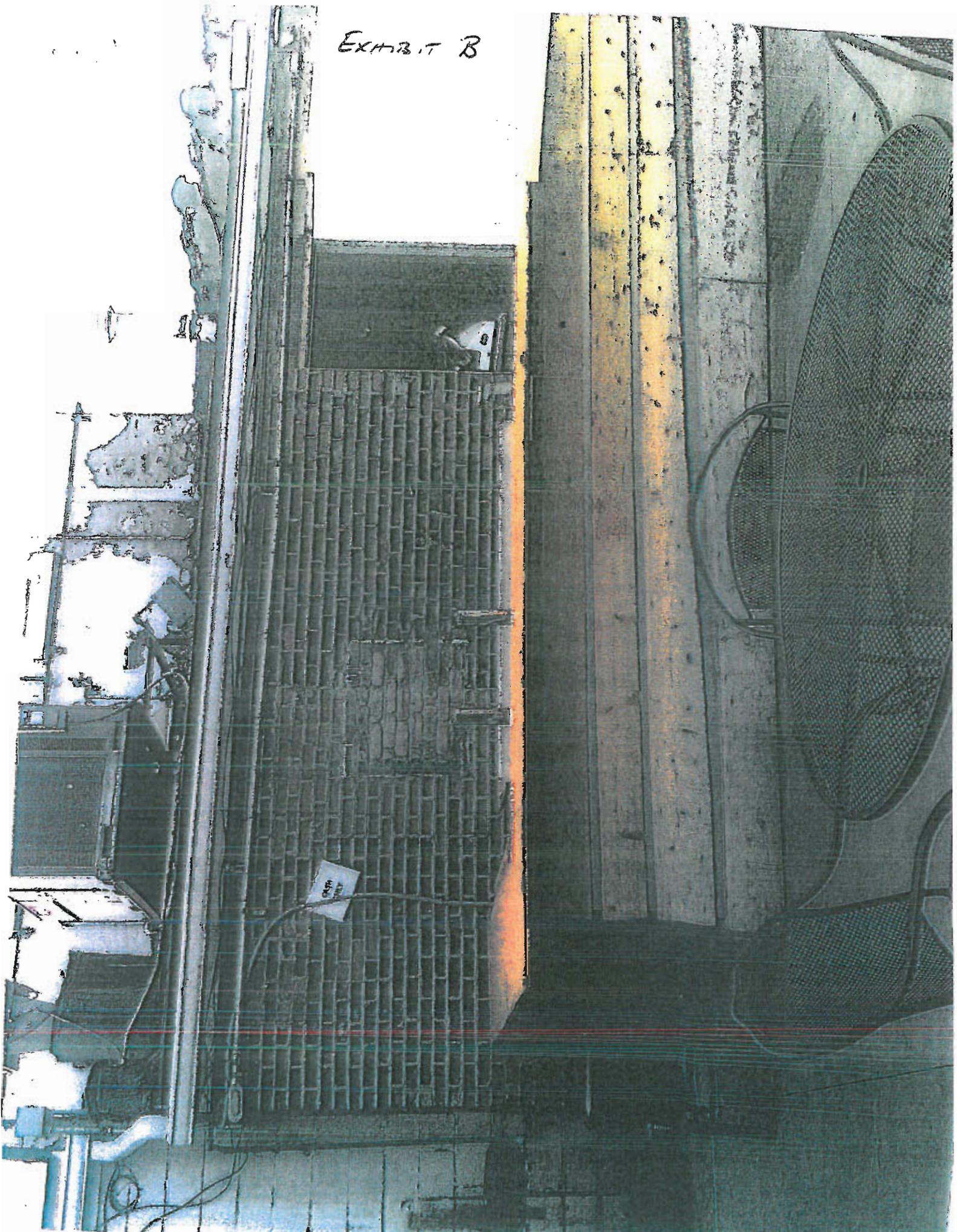


EXHIBIT B



MAYOR
Joseph R. Peterson

CITY CLERK
William R. Griggs

TREASURER
Todd M. Browning

CITY ASSESSOR
Thomas R. Woodruff



DANIEL J. GRANT
CHIEF OF POLICE

506 CITY COUNCIL
Sheri Sutherby Fi
Daniel E. Gal
Ted Miciura
Leonard T. Sab
Donald C. Sch
Lawrence S. S

TO: Kelly Roberts, Development Coordinator

DATE: June 26, 2015

FROM: Daniel J. Grant, Chief of Police

SUBJECT: MODIFICATIONS TO OUTDOOR SERVICE - 126 OAK STREET

CC: Clerks Office

This correspondence is in response to your e-mail dated Wednesday June 24, 2015 relative to the Outdoor Service application at Captain's, 126 Oak Street, Wyandotte, Michigan. In regards to the proposed rear service area on the north side of the building, there is an existing outdoor service area which has been approved by the City and I have no objections if the modifications as noted on the plans are approved. I have also reviewed the two proposed plans for the outdoor service area at the front of the building and have no objections if the proposal for front and rear outdoor service areas are approved as illustrated on the engineering drawings submitted by the applicant, with the following conditions:

- The applicant meets all laws and ordinances as required by the Fire and Engineering Departments.
- Since the proposed outdoor service area is adjacent to the Dotte Pub, the license holder must assure that the fencing/barrier between the two areas is maintained so there will be no movement of patrons between the two licensed areas while in possession of alcoholic beverages.
- The modification to the plans are also approved for the Dotte Pub, which will also be required to make the modifications as noted.
- Approval is received from the Liquor Control Commission for the modifications to their outdoor service areas.

Further, the police department recommends that Captain's be reminded that an outdoor service permit allows the sale, service, and consumption of alcoholic beverages in a well-defined and clearly marked area outside of the licensed premises¹. Compliance with this provision is the responsibility of the licensed establishment, and failure to comply can result in the issuance of a violation.

¹ R 436.1419 - Outdoor Service

#506
MAY
Joseph R. Peter
COUNCIL
Sheri Sutherby Fric
Daniel E. Gale
Ted Micura,
Leonard T. Sabu
Donald C. Schul
Lawrence S. St

OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

July 10, 2015

Elizabeth A. Krimmel, Chairperson
Wyandotte Planning Commission
City of Wyandotte

RE: Outdoor Cafes at 126 Oak Street
Wyandotte, Michigan

Dear Ms. Krimmel:

The undersigned has reviewed the plans submitted for the front and rear outdoor cafes at the above captioned property and the following applies:

Front Outdoor Café:

1. Sheet #1 - On the outdoor café application the hours of operation is not filed out. As per Section 2202.S.1 of the Ordinance the hours permitted are from 7 am to 12 midnight in the CBD District, unless longer hours are specifically approved by the Planning Commission and City Council. Also, the outdoor café may be set up from March 15 through October 15 and removed to facilitate snow removal.
2. Sheet #1 - The existing light pole creates a encroachment of (2'-1 1/2") into required 5' minimum sidewalk width, Section 2201.S.2. A minimum of a 3' clear width is required for a wheel chair. The encroachment leaves 2'-10 1/2" remaining which is a violation of the Barrier Free Code. The owner has agreed to reimburse the City to modify the base of this light pole to clear a space of three (3) feet.
3. Approval of the Mayor and City Council will be required for proposed outdoor café and work in the right-of-way.

Rear Outdoor Café:

1. On the outdoor café application the hours of operation is not filed out. As per Section 2202.S.1 of the Ordinance the hours permitted are from 7 am to 12 midnight in the CBD District, unless longer hours are specifically approved by the Planning Commission and City Council.

If you have any questions, feel free to contact the undersigned.

Very truly yours,


Mark A. Kowalewski
City Engineer

MAK:kr

#508

July 6, 2015

City of Wyandotte, MI
Planning Commission
Kelly Roberts, Secretary
3200 Biddle Ave., Suite 200
Wyandotte, MI 48192

RE: Special Approval # PC508 - Steven Wojcik
Section 401 City Zoning Ordinance

We have been neighbors of Steven Wojcik for 38 years and live directly next to his property. We approve of the bee hives he has on his property and have never been afraid of nor attacked by his bees.

Bees are essential for the worlds' well being and for maintaining pollination for it's crops, flowers, and our food. Unfortunately, bees are dying at an alarming rate.

We feel Mr. Wojcik is actually contributing to the well being of our planet and is doing a great service to this community by keeping his hives and ensuring that Wyandotte has a healthy bee community.

I myself (Carl) have many allergies and using locally produced honey has been proven to help lessen the side effects of allergies. Mr. Wojcik has been very generous in sharing his honey with me. I have not known him to charge for his honey, nor to run a honey/bee business from his home.

We are very much in favor of the Wyandotte Planning Commission approving the continued use of bee hives on Mr. Wojcik's property.



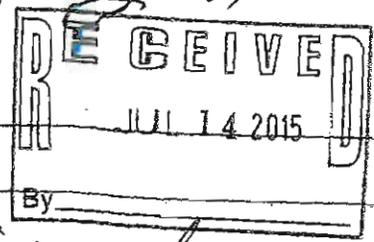
Carl & Margaret Patton
815 Riverbank Street
Wyandotte, MI 48192

July 14, 2015

#508

#9

Planning Commission



I object to beekeeping because I have been fighting bees for a few years now.

It started when bees made a nest under the faux stones on the front of my house. They even managed to find a way into my house. The little girl next door got stung when she knocked on my front door. I had to hire someone to get rid of them for me. I also had to have my son in law fill in some gaps with spray foam where I was told they were getting into the house.

Then 6 year or so later, my daughter, granddaughter and I were outside talking when we started hearing a buzzing sound that kept getting louder and louder. We looked around and saw above our heads a huge swarm of bees go into a hollow of a tree.

The tree is a spot where several

children play. A man of three of those kids shows a beekeeper who agreed to remove those bees. It took several days.

Then a year later, carpenter bees decided to move into the sunder on my garage door. No beekeeper would touch them. Finally, after three years, I found a spray that my nephew from Tennessee was able to spray fill the holes and fill them also with caulk. He had to borrow a step ladder to do this. He has gone back to Tennessee of course.

So far I don't see any bees, but who knows what the next year or so holds.

So no I do not want more bees brought into my area.

Nancy Rose
866 Clinton St.