

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, February 29, 2016, and was called to order at 7:00pm with Honorable Mayor Joseph R. Peterson presiding.

The meeting began with the Pledge of Allegiance, followed by roll call.

Present: Councilpersons Galeski, Miciura, Sabuda, Schultz, and VanBoxell (7:47p.m.)

Absent: Councilperson Fricke; Todd Browning, City Treasurer

Also Present: Thomas Woodruff, City Assessor; William Look, City Attorney; Mark Kowalewski, City Engineer; and Lawrence Stec, City Clerk

UNFINISHED BUSINESS

AGENDA ITEM #1 (2016-69)

Communication from City Administrator, Todd A. Drysdale, regarding the Lease agreement between the City of Wyandotte and the DCA for the Wyandotte Art Center at 81 Chestnut. Item held in abeyance for one week at the February 1, 2016 City Council meeting.

COMMUNICATIONS MISCELLANEOUS

AGENDA ITEM #2 (2016-70)

Communication from Second Chance Network requesting permission to hold intersection drives in Wyandotte from March 23-26, 2016.

PERSONS IN THE AUDIENCE

Corki Benson, 404 Vinewood, regarding Wyandotte Water System.

NEW BUSINESS (ELECTED OFFICIALS)

Councilperson Miciura – Read letter from Councilperson Fricke regarding extended leave from council meetings until further notice.

Councilperson Galeski – Blessings in a Backpack updates and request for mayor to set up fundraiser for the same.

COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

AGENDA ITEM #3 (2016-71)

Communication from Chief of Police, Daniel J. Grant, requesting approval to purchase one Chevrolet Tahoe police package patrol vehicle.

AGENDA ITEM #4 (2016-72)

Communication from Chief of Police, Daniel J. Grant, requesting approval to purchase two radar speed measurement devices.

AGENDA ITEM #5 (2016-73)

Communication from Chief of Police, Daniel J. Grant, requesting concurrence with the Police Department to promote Officer Brian Zalewski to the position of Police Inspector.

AGENDA ITEM #6A (2016-74)

Communication from City Engineer, Mark Kowalewski, regarding the first reading of the ordinance related to front porch extension clarification.

AGENDA ITEM #6B (2016-75)

Communication from City Engineer, Mark Kowalewski, regarding the first reading of the ordinance amendments related to automobile, truck, RV, mobile home, and boat sales.

AGENDA ITEM #7 (2016-76)

Communication from Planning Commission Chairperson, Elizabeth A. Krimmel, referring resolution for approval of the application for additional uses at 646 Biddle, Bentley Banquet Center.

AGENDA ITEM #8 (2016-77)

Communication from Planning Commission Chairperson, Elizabeth A. Krimmel, requesting adoption of proposed resolution in opposition of Senate Bill No. 720 and House Bill No. 5232.

AGENDA ITEM #9 (2016-78)

Communication from City Engineer, Mark Kowalewski, requesting concurrence with the recommendation to increase the subscription yard waste collection fee in the 2016 season.

AGENDA ITEM #10 (2016-79)

Communication from City Engineer, Mark Kowlewski, requesting an increase in the license fee for Yard Waste Collection Businesses by adopting an ordinance amendment.

LATE ITEM (2016-80)

Communication from City Clerk, Lawrence S. Stec, recommending the application for a New Club License at 822 Oak Street be considered for approval by the Michigan Liquor Control Commission.

REPORTS & MINUTES

City Council	February 22, 2016
Daily Cash Receipts	February 23 & 24, 2016
Fire Commission	February 9, 2016
Planning Commission	January 21, 2016
Police Commission	February 9, 2016 & February 23, 2016
Recreation Commission	February 15, 2016

CITIZENS PARTICIPATION

State Representative, Paul Clemente, spoke in regards to:

- House and Senate Bills related to historic districts
- Railroad crossing and viaduct reviews to be conducted by state
- Fort Street crosswalks and signage
- Fireworks legislation questions brought up by Councilperson Galeski

RECESS**RECONVENE**

Present: Councilpersons Galeski, Miciura, Sabuda, Schultz, and VanBoxell, and Mayor Joseph R. Peterson

Absent: Councilpersons Fricke; Todd Browning, City Treasurer

Also Present: Thomas Woodruff, City Assessor; William Look, City Attorney; Mark Kowalewski, City Engineer; and Lawrence Stec, City Clerk

FIRST READING OF ORDINANCES

- Article XXV –General Exceptions, Section 2500 Area, Height, & Use Exceptions, Sec. F
- Article XIV. – B-2 General Business District, Section 1401 Special Uses, Section H
- Article XXII. – Section 2200 Special Land Uses, Section V
- Chapter 14, Art. I, §14-14 and §14-14(2)c regarding annual yard waste licenses

RESOLUTIONS**2016-68 MINUTES**

By Councilperson Sabuda, supported by Councilperson Miciura

RESOLVED that the minutes of the meeting held under the date of February 22, 2016, be approved as recorded, without objection.

Motion unanimously carried.

2016-69 81 CHESTNUT LEASE AGREEMENT

By Councilperson Sabuda, supported by Councilperson Miciura

WHEREAS the original lease between the Downriver Council of the Arts (DCA) and Wyandotte Art Center, LLC (LLC), has expired and the LLC has been dissolved.

WHEREAS the Downtown Development Authority has included an operating grant of \$25,000 to the DCA for the 2016FY and, therefore, it is necessary to enter into a lease agreement until the end of the fiscal year.

BE IT RESOLVED that the Council acknowledges the receipt of the communication from the City Administrator relative to the lease agreement with the Downriver Council of the Arts for 81 Chestnut; AND

BE IT FURTHER RESOLVED that Council authorizes the Mayor and City Clerk to sign the agreement with a term to expire on September 30, 2016.

Motion unanimously carried.

7:47 p.m.: Councilperson VanBoxell arrived at the meeting.

2016-70 SECOND CHANCE NETWORK INTERSECTION DRIVE (DENIED)

By Councilperson Sabuda, supported by Councilperson Miciura

BE IT RESOLVED that the Council has received the communication and approves the request from 2nd Chance Network to hold an intersection drive from March 23 – March 26, 2016, at the following intersections:

Fort & Ford Ave.

Biddle & Ford Ave.

Fort & Eureka

Biddle & Eureka

Goddard & Fort

Biddle & Oak

Fort & Oak

BE IT FURTHER RESOLVED that the 2nd Chance Network is required to complete and file a Hold Harmless Agreement with the City Clerk, as prepared by the Department of Legal Affairs, prior to the start date of the drive.

Motion denied.

NAYS: Galeski, Miciura, Sabuda, Schultz, VanBoxell

2016-71 POLICE DEPARTMENT VEHICLE PURCHASE

By Councilperson Sabuda, supported by Councilperson Miciura

BE IT RESOLVED that the Council concurs with the Chief of Police to purchase one (1) Chevrolet Tahoe police package patrol vehicle from Berger Chevrolet Inc., which is the dealership awarded the contract for the State of Michigan and Oakland County.

BE IT FURTHER RESOLVED that the amount of \$34,259.00 will be paid from the Wyandotte Police Department Vehicle account (101-301-850-530).

Motion unanimously carried.

2016-72 POLICE DEPARTMENT KUSTOM SIGNAL DEVICE PURCHASE

By Councilperson Sabuda, supported by Councilperson Miciura

BE IT RESOLVED BY THE CITY COUNCIL that the Council concurs with the Chief of Police to purchase two Kustom Signals, Inc. Eagle IIX Golden radar speed measurement devices at a price set by the State of Michigan contract of \$3,078.00.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL that the amount of \$3,078.00 will be paid from the Wyandotte Police Department Other Equipment account (101-301-850-540).

Motion unanimously carried.

2016-73 ZALEWSKI PROMOTION TO POLICE INSPECTOR

By Councilperson Sabuda, supported by Councilperson Miciura

BE IT RESOLVED that the Council concurs with the determination that the promotion of Brian Zalewski to fill the vacant Inspector's position will assist with the current Command Structure of the Police Department and the City Council authorizes the filling of such position; AND

BE IT FURTHER RESOLVED that subsequent to an interview panel which was conducted on February 19th, the Inspector promotion shall be awarded to Officer Brian Zalewski, authorization is granted to make said promotion.

Motion unanimously carried.

2016-74 FRONT PORCH ORDINANCE AMENDMENT

By Councilperson Sabuda, supported by Councilperson Miciura

BE IT RESOLVED that the communication from the Planning Commission regarding changes to Article XXV – General Exceptions, Section 2500-Area, height and use exceptions, Section F projections into required open spaces is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that said 1st reading be held at the Council meeting held on February 29, 2016.

Motion unanimously carried.

2016-75 CAR SALE ORDINANCE AMENDMENT

By Councilperson Sabuda, supported by Councilperson Miciura

RESOLVED BY THE MAYOR AND CITY COUNCIL that the communication from the Planning Commission, regarding changes to Article XIV. – B-2 General Business District, Section 1401 Special Uses, Section H – Outdoor sales space for new or used automobiles, trucks, recreational vehicles, mobile homes and boats and Article XXII. – Section 2200 Special Land Uses, Section V – Outdoor sales space for new or used automobiles, recreational vehicles, mobile homes and boats and is hereby received; AND

BE IT FURTHER RESOLVED that said 1st reading be held at the Council meeting held on February 29, 2016.

Motion unanimously carried.

2016-76 646 BIDDLE ADDITIONAL USES APPLICATION

By Councilperson Sabuda, supported by Councilperson Miciura

WHEREAS on February 18, 2016, the Planning Commission held the public hearing and notice was placed in the New Herald. Comments were received including a letter from the City Engineer, Police Chief and Fire Chief; AND

WHEREAS the Planning Commission approved the Stage I and Stage II Final Site Plan and architectural renders for the property located at 646 Biddle Avenue, Wyandotte; AND

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE that the City Council approves the Michigan in accordance with Section 2004.D. of PD Planned Development District as submitted by Zaid Nakad, Bentley Banquet Center, Owner, of the property at 646 Biddle Avenue to be used as banquet facility with an outdoor wedding area, outdoor gathering space for photos, outdoor café, expanded parking lot and approval of the exterior materials for the addition to the building with the requirements set forth in the Zoning Ordinance Section 2000 and the following conditions:

1. The outdoor café is subject to all conditions applicable to an outdoor café on private property in accordance with 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, City Engineer and Planning Commission requirements
4. Use of the outdoor café shall be allowed from 10 a.m. to 12 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. Decorative fencing 6 feet in height and to be white vinyl. Sun Screen and Gazebo to be as indicated on architectural rendering dated February 16, 2016.
8. Wall along Bennett to be stone or tile as indicated on architectural renderings.
9. No outdoor music after 10:00 p.m.

Motion unanimously carried.

2016-77 SENATE BILL/HOUSE BILL OPPOSITION – HISTORIC DISTRICTS

By Councilperson Sabuda, supported by Councilperson Miciura

WHEREAS, Senate Bill No.720 and House Bill No. 5232 proposes to eliminate historic districts in Michigan by effectively Empower large landowners to determine the fate of a neighborhood at the expense of all other property owners; Disempower neighborhoods from self-determination as a majority vote of electors in the local unit would be required for designation; Politicize the appeal process for a non-partisan state board of experts to local elected officials; Establish ambiguous standards that may deviate from the Secretary of Interior Standard for historic resources; and require that all (current and future) historic districts would be dissolved 10 years after the bill is enacted, unless a popular vote at the election immediately preceding the district's dissolution is approved as a renewal; AND

NOW, THEREFORE, BE IT RESOLVED, that governing body of the City of Wyandotte does hereby oppose Senate Bill No. 720 and House Bill No 5232; AND

BE IT FURTHER RESOLVED, the governing body of the City of Wyandotte does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; AND

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the Office of Governor Snyder, State Representative Clemente, Senator Young, sponsors of SB5232 and HB720, the Downriver Community Conference, and the Michigan Association of Planning.

Motion unanimously carried.

2016-78 SUBSCRIPTION YARD WASTE COLLECTION 2016

By Councilperson Sabuda, supported by Councilperson Miciura

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer regarding the Curbside Yard Waste Subscription and approves the Department of Public Service to provide Subscription Yard Waste Collection for 2016 at a cost of \$70.00 for the 2016 Season; AND

BE IT RESOLVED that the Engineering Department will place a notice on cable and the City website to inform residents of open enrollment; AND

BE IT FURTHER RESOLVED that residents interested in this program should complete a Curbside Yard Waste Application available at www.wyandotte.net under the Department of Public Service tab.

Motion unanimously carried.

2016-79 ANNUAL LICENSE FEES - YARD WASTE COLLECTION BUSINESS

By Councilperson Sabuda, supported by Councilperson Miciura
BE IT RESOLVED by the City Council that the Ordinance changes to Chapter 14 Garbage, Trash and Weeds regarding Annual License Fees for Yard Waste Collection Business will be a First Reading at the Council meeting held on February 29, 2016; AND
BE IT FURTHER RESOLVED that the fees will be as follows:
 \$200 per pick-up truck for Wyandotte Businesses
 \$800 per pick-up truck for non-Wyandotte Businesses
Motion unanimously carried.

2016-80 NEW CLUB LICENSE – 822 OAK STREET, FOP

By Councilperson Sabuda, supported by Councilperson Miciura
WHEREAS the Fraternal Order of Police Wyandotte Lodge 111 at 822 Oak Street has applied for a New Club License with the Michigan Liquor Control Commission and the Commission has requested the review and recommendation of the Mayor and Council of the City of Wyandotte
BE IT RESOLVED that the Council recommends that the application from Fraternal Order of Police Wyandotte Lodge 111 for a New Club License to be located at 822 Oak Street be considered for approval by the Michigan Liquor Control Commission
BE IT FURTHER RESOLVED that, under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.
Motion unanimously carried.

2016-81 BILLS & ACCOUNTS

By By Councilperson Sabuda, supported by Councilperson Miciura
RESOLVED that the total bills and accounts of \$2,608,710.52 as presented by the Mayor and City Clerk are hereby APPROVED for payment.
Motion unanimously carried.

2016-82 ADJOURNMENT

By Councilperson Sabuda, supported by Councilperson Miciura
RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:12 p.m.
Motion unanimously carried.



Lawrence S. Stec, City Clerk