



# **AGENDA**

REGULAR SESSION

MONDAY, OCTOBER 10, 2016 7: 00 PM

PRESIDING: THE HONORABLE MAYOR JOSEPH R. PETERSON

CHAIRPERSON OF THE EVENING: THE HONORABLE LEONARD SABUDA

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE**

## **ROLL CALL**

## **MINUTES**

## **COMMUNICATIONS MISCELLANEOUS**

1. Marine Corps League Downriver Detachment – Use of City Property Request
2. 13<sup>th</sup> Street/School Congestion – D. Paciorka

## **PERSONS IN THE AUDIENCE**

## **NEW BUSINESS (ELECTED OFFICIALS)**

## **COMMUNICATION FROM CITY AND OTHER OFFICIALS**

3. Special Event Application – DCA Moonfest
4. Purchase Agreement – 668 Orange
5. NEZ Application – 668 Orange
6. Purchase Agreement – 364 Cherry
7. NEZ Application – 364 Cherry
8. Property Acquisition – 116 Clinton
9. Alley Vacation Proposal – 7<sup>th</sup> Street & Hillsdale
10. Former McKinley School Site – 640 Plum

## **REPORTS & MINUTES**

City Council	October 3, 2016
Daily Cash Receipts	October 4, 2016
Election Commission	October 3, 2016

## **BILLS & ACCOUNTS**

## **CITIZENS PARTICIPATION**

## **RECESS & RECONVENE**

## **FINAL READING OF ORDINANCES**

- #1433: Article XXII Special Land Uses, Section 2201 – General Provisions, Section H – Revoke Special Land Use
- #1434: Article XXII Special Land Uses, Section 2202 – Special Land Use Designated, Section S – Outdoor Café

## **RESOLUTIONS**

## **ADJOURNMENT**

INCORPORATED BY ACT OF CONGRESS AUGUST 4, 1937

**"Once A Marine**



**Always A Marine"**

**DOWNRIVER DETACHMENT • MARINE CORPS LEAGUE**

Chartered May 25, 1941

**"UNITED STATES MARINE CORPS VETERANS OUTFIT"**

1323 EUREKA ROAD • WYANDOTTE, MI 48192  
(734) 282-0233

The Honorable Joseph R. Peterson, Mayor  
3200 Biddle Avenue  
Suite 100  
Wyandotte, Michigan

Thursday September 29, 2016

Dear Mayor Peterson & Members of the City Council,

The United States Marine Corps will be celebrating its 241<sup>st</sup> Birthday on Thursday, November 10, 2016. To recognize this hallowed tradition on a local level, the Marine Corps League Downriver Detachment will be open to the public that day from 7am until 12 Midnight. There will be plenty of food and refreshments on hand with various activities taking place throughout the day.

As in past years prior to our Birthday, we are respectfully requesting usage of the city owned vacant lot located at the corner of Eureka Road and 14<sup>th</sup> Street. Having use of the lot on November 10 & 11 addresses our ever present dilemma of minimal parking spots being available and allows older and/or disabled attendees to park closer to the Hall entrance, rather than down a side street or across Eureka Road.

Thank you in advance for any consideration given this request. If any additional information is required for this request to be approved, please do not hesitate to contact me and I will ensure it is furnished to your office without delay.

In closing, we look forward to welcoming all Wyandotte residents who join us on Thursday, November 10. There will be plenty of Marine Corps Veterans present who would enjoy sharing about the rich traditions of the Marine Corps with anyone interested in learning about our storied and colorful history. On behalf of the Commandant, we would like to welcome you and your staff.

Kindly email me with your decision at [dobiegillies2@yahoo.com](mailto:dobiegillies2@yahoo.com).

Respectfully Yours and Semper Fidelis,

Jeffrey Gillies

Jr. Vice Commandant

**RESOLUTION**

DATE: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

WHEREAS, the United States Marine Corp will be celebrating its 241<sup>st</sup> birthday on Thursday, November 10, 2016 and will be open to the public from 7 am until 12 Midnight with various activities taking place throughout the day creating a need for additional parking space.

BE IT RESOLVED that City Council grants permission to the Marine Corps League Downriver Detachment to use the city-owned vacant lot located at the corner of Eureka Rd. and 14th St. on November 10 & 11, 2016 for the purpose of providing ample parking space for the event, provided a Hold Harmless Agreement is executed as prepared by the Department of Legal Affairs.

I Move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

SUPPORTED by Councilperson \_\_\_\_\_

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

OCT 4 2016

Mayor Peterson & City Council.

I LIVE ON 13<sup>th</sup> & ANTOINE. I am VERY CONCERNED about the students at Wilson Jr. High and Jefferson Schools. First, the parents park on 13<sup>th</sup>. up and down the street waiting for their children to be picked up while EACH of the sides are full with parked cars. There is a parade of cars coming up and down the street.

Today AS I WAS coming home I had to turn down ANTOINE because it was so congested - I could not get down 13<sup>th</sup> to my house. As I turned the traffic was EVERYWHERE. ONE car was sitting, parked waiting for a child on ANTOINE - AS I turned the child RAN across the street to his ride. I was going slowly and STOPPED for the child - IF A CAR was going too fast - I hate to think!

then on Goddard we have ALL the additional TRAFFIC since the bridge comes straight across down 13<sup>th</sup> Street.

I know this is a puzzle to solve but AN ACCIDENT is waiting to happen. WE HAVE to protect the kids.

11

One day there was a fight in front of the House. Two people were Arguing (from their Car & Truck) about who goes first on the road- The TRUCK SPED up and flew around the CORNER on Antoine- If Childred were there, SCARY To think About! We don't want ROAD RAGE ON OUR City Streets.

I HAVE LIVED ON 13<sup>th</sup> for 40 years -  
Never had any Trouble with Students -  
Says A lot about our Children

A Very Concerned C.itized

Dorothy Paciorka  
1294 13<sup>th</sup>

RECEIVED

OCT 6 2016

CITY CLERK  
CITY OF WYANDOTTE

**RESOLUTION**

DATE: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

BE IT RESOLVED that the letter received from Ms. Dorothy Paciorka, 1294 13<sup>th</sup> Street, regarding the congestion of city streets in the Wilson Middle School/Jefferson Elementary School area during peak student drop-off and pick-up times is hereby referred to the Wyandotte Police Department Traffic Bureau to evaluate the issues as described by Ms. Paciorka and report back to Council in 2 weeks (10/24/31).

I Move the adoption of the foregoing resolution.

MOTION by Councilperson \_\_\_\_\_

SUPPORTED by Councilperson \_\_\_\_\_

**YEAS**

**COUNCIL**

**NAYS**

\_\_\_\_\_  
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**Fricke**  
**Galeski**  
**Miciura**  
**Sabuda**  
**Schultz**  
**VanBoxell**

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**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

**MEETING DATE:** October 10<sup>th</sup> 2016

**AGENDA ITEM # 3**

**ITEM: Special Event Applications – Downriver Council for the Arts**

**PRESENTER:** Heather A. Thiede, Special Events Coordinator 

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

**BACKGROUND:** Below please find the requested dates for property the Downriver Council for the Arts (DCA) would like to utilize for their special event. The DCA is asking permission for the following items: (see attached Special Event applications for details)

October 15<sup>th</sup> 2016 – 3 pm to 10 pm

- The DCA would like to close off the alley near the DCA building. (see site map)

If there are any costs for any city staff/material/property for said event, the DCA will be responsible for those fees no later than 14 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 DCA. This means any glass, spills; broken items will need to be cleaned during the event. The DCA must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement prepared by the Department of Legal Affairs. The DCA will only be allowed to distribute alcohol at the event if they have all the needed permits and license. Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial (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 events held: October 15<sup>th</sup> 2016

**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 Events Coordinator.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** 

**LEGAL COUNSEL'S RECOMMENDATION:** 

**MAYOR'S RECOMMENDATION:** 

**LIST OF ATTACHMENTS**

Information sheet

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: October 10<sup>th</sup> 2016

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, October 15<sup>th</sup> 2016.

October 15<sup>th</sup> 2016 – 3 pm to 10 pm

- The DCA would like to close off the alley near the DCA building. (see site map)

If there are any costs for any city staff/material/property for said event, the DCA will be responsible for those fees no later than 14 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 DCA. This means any glass, spills; broken items will need to be cleaned during the event. The DCA must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement prepared by the Department of Legal Affairs. The DCA will only be allowed to distribute alcohol at the event if they have all the needed permits and license. Any requests made after this letter is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for approval/denial (Please see the attached applications).

I move the adoption of the foregoing resolution.

MOTION by Councilmen \_\_\_\_\_

Supported by Councilman \_\_\_\_\_

YEAS

COUNCIL

NAYS

- Fricke
- Galeski
- Miciura
- Sabuda
- Schultz
- VanBoxell

# 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 of proposed event: October 15, 2016 Times: 3pm-10pm (event is 6pm-9pm)

Name of Applicant: Erin Suess

Name of Business or Organization: Downriver Council for the Arts

Type of legal entity of your business/organization: Non-profit

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

Address: 81 Chestnut, Wyandotte, MI 48192

Email: esuess@downriverarts.org Cell Phone: office: 734-720-0671 / cell: 313-802-0335

Please attach a detailed description and site map (please see details for proper site map on page 3 of this document) of the proposed event to this application for review by the Special Event Office.

Site of proposed event: DCA building, alley and yard of Downriver Stone Designs

Estimated maximum number of persons expected at the event for each day: 100-300

Is Alcohol going to be served or provided at this event: Minimal\* Do you have a license: No

Do you need water hook up for this event? No

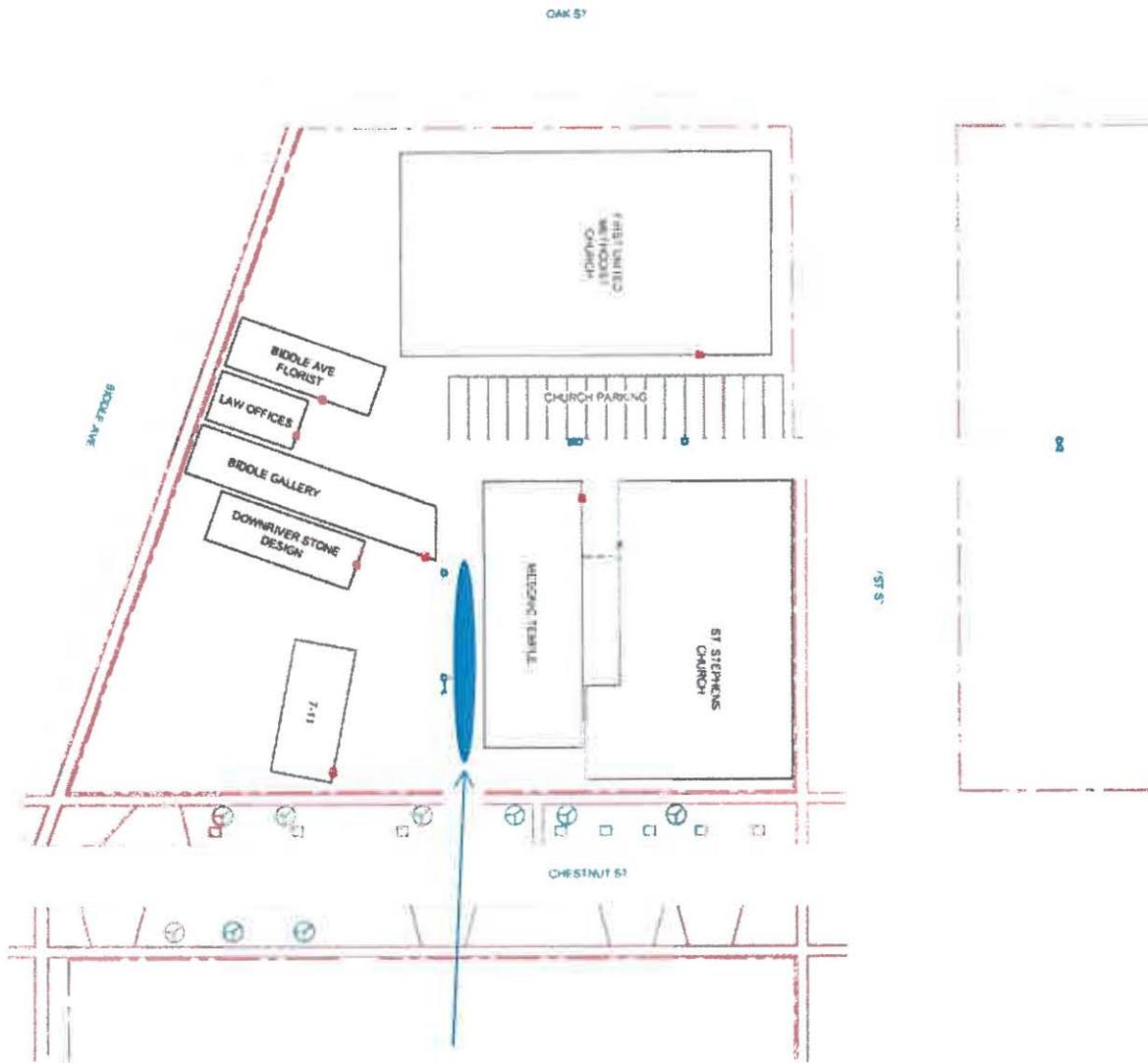
If you will need water hook up, please list where and what the water will be for: \_\_\_\_\_

**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.

**Application fee:** \$50 Please make checks or money orders payable to the City of Wyandotte.

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

\* Wine and beer to be provided like we usually do for art openings.



# Moonfest



- We would like to utilize the alley between the Masonic Temple building and Downriver Stone Design.
- 3-10 Vendors in alley – supplying their own 10'x10' tents.
- 1 – 10'x10' tent at the entrance of the alley to collect tickets.
- Patrons will be walking from the Downriver Stone Design yard to the Masonic Temple building.

<p><b>WYANDOTTE MUNICIPAL SERVICES T&amp;D DEPARTMENT</b></p> <p>2005 BIDDLE AVENUE WYANDOTTE MI 48182</p> <p>PHONE (734) 324-7153 FAX (734) 284-8884</p>	<p><b>OVERHEAD TO UNDERGROUND CONVERSION</b></p> <p><b>BIDDLE AVE TO 1ST ST.</b></p> <p><b>OAK ST. TO CHESTNUT ST.</b></p>	<p>DATE 2009 DRAWN BY JOE MAYHEW CK BY PROJECT NO.</p>	<p>REVISIONS</p>
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**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: October 10, 2016

AGENDA ITEM # 4

**ITEM:** Purchase Agreement to sell City owned property known as former 664 Orange now known as 668 Orange

**PRESENTER:** Mark A. Kowalewski, City Engineer and Thomas Woodruff, City Assessor

**BACKGROUND:** The former 664 Orange was offered for sale in accordance with the attached Build a Future in Wyandotte Specifications for Acquisition of Vacant Parcels for the Construction of a New Single Family Home. It was placed on the MLS and "for sale" sign was placed on the property. The recommendation is to sell said lot to Arcadia Holding Company, LLC for the construction of a single family home consisting of approximately 1,512 square feet, 3 bedrooms, 2 ½ baths, wrap around porch, full basement and the exterior will be vinyl with aluminum trim. The home will have a detached garage.

**STRATEGIC PLAN/GOALS:** This recommendation is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in continuing effects to enhancing the community's quality of life by: fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas; ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods; fostering the maintenance and development of stable and vibrant neighborhoods.

**ACTION REQUESTED:** Adopt a resolution concurring with recommendation

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** Execute Purchase Agreements and close on property

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *S. Dunsdale*

**LEGAL COUNSEL'S RECOMMENDATION:** Purchase Agreement Approved by Legal.

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

**LIST OF ATTACHMENTS:** Purchase Agreements; Build a Future in Wyandotte Specifications for Acquisition of Vacant Parcels for the Construction of a New Single Family Home; and Maps

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

RESOLVED BY THE MAYOR AND COUNCIL that the communication from the City Engineer and City Assessor regarding the City owned property located at former 664 Orange now known as 668Orange is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the Council concurs with the recommendation to sell the property known as former 664 Orange now known as 668 Orange to Arcadia Holding Company, LLC for the amount of \$10,000.00; AND

BE IT FURTHER RESOVLED that if the Purchasers, Arcadia Holding Company, LLC, do not undertake development within six (6) months from time of closing and complete construction within one (1) year will results in Seller's right to repurchase property including any improvements for One (\$1.00) Dollar. A condition will be placed on the Deed that will include this contingency; NOW THEREFORE,

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as former 664 Orange now known as 668 Orange, between Arcadia Holding Company, LLC and the City of Wyandotte for \$10,000 as presented to Council on October 10, 2016.

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  
 (734) 285-6500  
 FAX (734) 285-4160  
OFFER TO PURCHASE REAL ESTATE

William R. Look  
 Steven R. Makowski

Richard W. Look  
 (1912-1993)

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the { City  
 XXXXXXX of  
 XXXXXXX  
Wyandotte Wayne County, Michigan, described as follows:  
Lot 14 Block 176 Plat of part of Wyandotte as recited in Liber 1, Page 142 of Plats, WCR being known as Former 664 Orange  
now known as 668 Orange Street, together with all improvements and appurtenances, including all lighting fixtures, shades,  
 Venetian blinds, curtain rods, storm windows and storm doors, screens, awnings, TV antenna, gas conversion unit and permit  
 \_\_\_\_\_ if any, now on the premises, and to pay therefore the sum of Ten Thousand Dollars and 00/100 (\$10,000.00)  
 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:  
 CASH AND DEFERRED PAYMENT SALE**

<i>CASH/DEFERRED PAYMENT SALE</i>	1. A. Delivery of the usual Warranty Deed conveying a marketable title. Payment of purchase money is to be made in cash or certified check in the amount of Five Thousand Dollars and 00/100 (\$5,000.00) at the time of closing and the remainder of the purchase money will be due upon sale or transfer of this property by Purchaser.
<i>Evidence of Title</i>	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a complete Abstract of Title and Tax History, certified to a date later than the acceptance hereof. In lieu, thereof, 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 to pay premium for title insurance policy and closing cost of \$200.00 at time of closing.
<i>Time of Closing</i>	3. If this offer is accepted by the Seller and Purchaser 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; however, if the sale is to be consummated in accordance with paragraph B, then the closing will be governed by the time there specified for obtaining a mortgage. In the event of default by the Purchaser hereunder, the Seller may, at his option, elect to enforce the terms hereof or declare a forfeiture hereunder and retain the deposit as liquidated damages.
<i>Purchaser's Default</i>	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.
<i>Seller's Default</i>	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.
<i>Title Objections</i>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: <u>None</u>
<i>Possession</i>	If the Seller occupies the property, it shall be vacated on or before <u>closing</u> From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ <u>NA</u> per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ <u>NA</u> 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.
<i>Taxes and Prorated Items</i>	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. <b>Due dates are August 1 and December 1.</b>
<i>Broker's Author- ization</i>	8. In Consideration of the Broker's effort to obtain the Seller's approval, it is understood that this offer is irrevocable for five (5) 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 _____ 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.

**10. APPLICABLE TO F. H. A. SALES ONLY:**

It is expressly agreed that, notwithstanding any other provisions of this contract, the Purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Seller has delivered in the purchaser a written statement issued by the Federal Housing Commissioner

setting forth the appraised value of the property for mortgage insurance purpose of not less than \$ \_\_\_\_\_ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and the option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner.

It is further understood between Purchaser and Seller that the additional personal property listed herein has a value of \$ \_\_\_\_\_.

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

ADDENDUM TO  
OFFER TO PURCHASE REAL ESTATE

This Agreement is contingent upon the following:

12. The closing for this Agreement is contingent upon the Purchaser, within 120 days of Seller's signed acceptance, obtaining a building permit, issued by the Engineering and Building Department for the construction of a single family home, consisting the following features:
  - Approximately 1512 square feet as indicated on Attachment A
  - Full Basement to be in accordance with Section R310-Emergency Escape and Rescue Openings in accordance with the 2006 Michigan Residential Code. Emergency Escape and Rescue Opening must have an approved cover. The basement is also required to have a Backflow Valve and Sump Pump.
  - Exterior to have vinyl or aluminum trim and stone as indicated on Attachment A
  - Detached garage.
  - Wrap around porch \_\_\_\_\_
13. The Purchasers will be purchasing this property for \$10,000. \$5,000 will be due at closing along with any closing cost the remaining \$5,000 will be due when property is sold or transferred and a mortgage and promissory note will be executed at time of closing.
14. If plans and unit installed with energy savings systems such as solar systems capable of supplying 1kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water then the City will reduce the balance of the promissory note by \$2,000.
15. This Agreement is further contingent upon the Purchaser undertaking development within six (6) months from time of closing and complete construction within one (1) year. "Undertaking development" is defined as: the commencement of the building construction. Failure to undertake development or complete construction within the above time period will result in Seller's right to repurchase property including any improvements for \$1.00. A Deed Restriction will be placed on the property which will include this contingency.
16. All utilities are required to be underground. Purchaser will provide three (3) ducts; electrical, cable and telephone to a central location. If reusing existing sewer tap, line must be inspected or cameraed and documents submitted to the Engineering Department for approved use. If use is not approved, you must re-tap the main.
17. The Purchaser is responsible for the cost of the Title Insurance Policy Premium, Closing Fee of \$200.00 and Wayne County Mapping Fee which will be added to the mortgage at time of closing. These costs will be due at time of closing.
18. Dirt shall be removed from the site at the Purchaser's expense.
19. The property is being sold in "As Is" condition, without express or implied warranty. Purchaser understands that buildings were removed from the site and the City of Wyandotte accepts no responsibility for underground conditions or environmental conditions of the property.
20. This Agreement is subject to the approval of the Wyandotte City Council.

ARCADIA HOLDING COMPANY, LLC, PURCHASER

  
Robert J. McTavish, Jr. Agent

Dated: 9/26/16

CITY OF WYANDOTTE, Seller

\_\_\_\_\_  
Joseph R. Peterson, Mayor

\_\_\_\_\_  
Lawrence S. Stec, City Clerk  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

Dated: \_\_\_\_\_

Legal Department Approval \_\_\_\_\_

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 the City Engineer, 3200 Biddle Avenue, Wyandotte, MI \_\_\_\_\_ . 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: See Addendum for Paragraphs 12 thru 20 and Signatures

IN PRESENCE OF: \_\_\_\_\_ L. S.  
Purchaser  
\_\_\_\_\_  
L. S.  
Purchaser  
\_\_\_\_\_  
Address \_\_\_\_\_  
Dated \_\_\_\_\_ Phone: \_\_\_\_\_

**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 \_\_\_\_\_  
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.  
Seller  
\_\_\_\_\_  
L. S.  
Seller  
\_\_\_\_\_  
Address \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone \_\_\_\_\_

**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 \_\_\_\_\_ L. S.  
Purchaser

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

# Attachment A



8/29/2016  
Plan #HOMEPW75253

Saved Plans

Level 1 Floor Plan



Keywords: Bungalow Home Plans , Three Bedroom Home Plans , 2 Story Home Plans

Making tremendous use of space, this 1,512-square-foot design presents an open living and dining area served by the kitchen's handy snack bar. Thoughtful planning allows for a full master suite downstairs, in addition to two bedrooms, another bath, and lots of storage space upstairs.

PRIMARY STYLE	Bungalow Home Plans
FIRST FLOOR	1015 sq ft
LIVING AREA	1512 sq ft
BONUS SPACE	0 sq ft
FOUNDATION	Crawlspace
BEDROOMS	3
BATHS	2
HALF BATHS	1
WIDTH	30
DEPTH	49
STORIES	2
GARAGE BAYS	0

8/29/2016 11:00 AM

CUSTOMIZE THIS PLAN

SHARE PLAN

**Build a FUTURE**  
*in Wyandotte*

**SPECIFICATION FOR ACQUISITION OF  
VACANT PARCELS  
FOR THE CONSTRUCTION OF A  
NEW SINGLE FAMILY HOME  
ON PROPERTY OWNED BY  
THE CITY OF WYANDOTTE**

Department of Engineering and Building  
City of Wyandotte, Michigan

Mark A. Kowalewski,  
City Engineer

## INSTRUCTIONS AND CONDITIONS

### Delivery

Proposals with deposits shall be delivered to the City Engineer at Wyandotte City Hall, 3200 Biddle Avenue, Michigan, 48192 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

### Separate Proposals

A separate proposal must be submitted for each parcel. Proposals will become the property of the City of Wyandotte.

### Expeditious Agreement

The maker of the best proposal, as recommended by the Committee, shall expeditiously enter into a purchase agreement, subject to the terms set forth in these Specifications for submission to the City Council.

### Terms of Sale

These lots are available for \$10,000. The City is discouraging any bids under \$10,000. The City offers terms for the sale of these lots which are as follows:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. \$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and providing hot water.

### As Is Condition

This property is being sold, in an "as is" condition without expressed or implied warranty. The City of Wyandotte assumes no responsibility for the environmental conditions of the properties.

Prospective purchaser understand that, whether buildings were removed or not, the City of Wyandotte accepts no responsibility for underground conditions in cases where there were previous structures, with or without a basement.

### Title Insurance

The City of Wyandotte will furnish a warranty deed. Title insurance must be obtained at the purchaser's expense. The City will provide its policy, if available, to the successful proposal maker as credit on a new policy.

Taxes and Prorated Items

All taxes and assessments which have become a lien upon the land as of the date of the Purchase Agreement shall be paid by the City as Seller. Current taxes, if any, INCLUDING CURRENT TAXES ON HOMES ALREADY DEMOLISHED, shall be prorated and adjusted as of the date of closing in accordance with the "Due Date" basis of the taxing unit in which the property is located.

Neighborhood Enterprise Zones (NEZ)

Properties which are located in an NEZ are eligible to receive a twelve (12) year tax abatement, which will reduce the taxes paid by homeowners. Proposals will be accepted by Developers and/or Builders and/or Owner Occupied Persons. The City may show preference towards an owner occupant's proposal depending on the quality of the proposal received. Example of the tax saving is as follows:

Home valued at \$200,000 without the tax abatement using 2006 Homestead Tax Rate:  
Taxable Value for land and house \$100,000 x 48 mills = \$4,800.00

Home valued at \$200,000 with the tax abatement using 2006 Homestead Tax Rate:  
Taxable Value for land \$10,000 x 48 mills = \$480.00  
Taxable Value for home \$90,000 x 16.86 mills = \$1,500.00

This is a yearly savings of \$2,820.00

CONTACT THE ENGINEERING DEPARTMENT TO SEE IF LOT IS ELIGIBLE FOR THIS TAX INCENTIVE.

Closing Fee

Purchaser is responsible for the payment of the TWO HUNDRED (\$200.00) DOLLAR closing fee. The closing fee will be paid at time of closing.

Subdivision Precluded

The properties are being offered as one single parcel each and shall not be subdivided.

Dirt Removal

Said Agreement will provide that dirt shall be removed from the site at Purchaser's expense.

Subject to Easement

The City will require the granting of a five (5) foot easement as part of the condition of sale. This Easement will be for future underground access for decorative 14' LED Lamp Post fixtures.

### Building Permit Prior to Closing

The Purchase Agreement will require that a building permit be obtained prior to closing. Permits will only be issued to licensed residential builders.

Exception - A homeowner who meets the following requirements: A bona fide owner of a single family residence which is or will be on completion, for a minimum of two (2) years his or her place of residence, and no part of which is used for rental or commercial purposes, nor is contemplated for such purpose, may do his or her own work, providing he or she applies for and secures a permit, pays the fee, does the work himself or herself in accordance with the provisions hereof, applies for inspections and receives approval of the work by the code official. Failure to comply with these requirements will subject the owner's permit to cancellation. Owners building their own homes, will be required to sign an affidavit that they understand and agree to these conditions. Any violation of the two (2) year occupancy requirement will result in prosecution by the City.

Purchaser will have 120 days to obtain a building permit from the date of the Agreement. One (1) thirty (30) day extension may be granted by the City Engineer if there is a good reason.

### Timely Development

Purchaser agrees to undertake development for the construction of a Single Family Dwelling no later than six (6) months from the date of the closing. Purchaser's failure to undertake development results in the City's right to repurchase the property at 80% of the purchase price as evidenced and enforced by a recordable document.

### Guideline Price Not Binding

These lots are available for \$10,000. The City is discouraging any bids under \$10,000. The City offers terms for the sale of these lots which are as follows:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### Reservation

The City reserves the right to reject any or all proposals and the right to waive any formal defects in proposals when deemed in the best interest of the City.

## REQUIREMENTS

### Sales Price

The proposed price must be written in both words and numerals. These lots are offered for \$10,000 per buildable lot. The following are the options available for purchase:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. \$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This Lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### Disclosure and Anti-Collusion

Proposal makers must complete the sworn affidavit included in this RFP, listing all persons, firms or corporations having any interest in the Agreement that would result from acceptance of the proposal, and stating whether any member of the City Council, or Officer, or Employee of the City is directly interested in said proposal.

### Deposit

The proposal maker must accompany the proposal with a deposit in the form of a cashier's check, bank money order, or certified check payable to the City of Wyandotte for ten (10%) percent of the amount offered for the parcel. This earnest money deposit shall be applied to the purchase price at the time of closing.

In order to protect the integrity of this solicitation and review process, deposits may be forfeited in cases where acceptable proposals are withdrawn prior to execution of any Agreement. All other deposits shall be returned at the direction of the City Council.

Once the City determines to enter into an Agreement and the proposal maker fails to consummate the sale, the Deposit will be forfeited to the City of Wyandotte.

### Evaluation

In order to best serve the City's interest, proposals will be evaluated for: highest and best use of the property; quality of development as measured by meeting or exceeding the suggested minimum features; and the demonstrated experience, qualifications, and readiness of the prospective purchaser. The highest dollar amount does not necessarily determine the best proposal.

### Equalization Factor

Any current Wyandotte Resident submitting a proposal on lots included in these specifications will receive a five (5%) percent Equalization Factor Credit on their proposal price for the property should their proposal be considered equivalent in quality to the high dollar bid proposal.

Equivalent in quality shall mean similar size square footage, exterior, amenities, such as but not limited to; fireplaces, tile floors, bay windows, counter tops, bedrooms, bathrooms, fixtures, etc.

Proof of residency will be required upon request.

## BUILDING REQUIREMENTS

### Harmony with Adjoining Residential Properties

Proposed building should respect the existing character of the immediate neighborhood. McKinley Neighbors United Picture Portfolio applies on lots located in the Neighborhood Enterprise Zone (NEZ) located between Eureka and Grove. This Portfolio is for reference only. The City does not have any of these plans available.

### Building Features

Proposals must be attached to Signature Sheet and describe the proposed new single family dwelling by specifying the following features:

- a. Number of stories.
- b. Estimated amount of square feet.
- c. Provisions for a garage. *GARAGES PLACED IN FRONT OF THE LIVING QUARTERS, BECOMING THE PREDOMINANT FEATURE (more than 3 feet) IN THE FRONT YARD ARE UNDESIRABLE.*
- d. Number of bathrooms.
- e. Provisions for underground utilities. Contact Wyandotte Municipal Service and Ameritech for information.
- f. Other desirable architectural features such as covered porches, extended soffits, picture windows, bay windows, doorwalls, fireplaces, vaulted ceilings.
- g. Trim on house (vinyl, aluminum or painted wood).
- h. Decks or patios

### Suggested Minimum Features

#### One Story Building Minimum Features:

- a. Consist of a minimum of 1,200 square feet of living area. This does not include basement or garage square footage.
- b. Full brick exterior. (Vinyl or aluminum would be considered as an alternative depending on the neighborhood)
- c. Full basement.
- d. All utilities underground (Electric, Cable and Telephone).

#### Two Story Building Minimum Features:

- a. Consist of a minimum of 1,500 square feet of living area. This does not include basement or garage square footage.
- b. Brick exterior on the entire first floor. (Vinyl or aluminum would be considered as an alternative depending on the neighborhood)
- c. Full Basement.
- d. All utilities underground (Electric, Cable and Telephone).

#### Corner Lots:

- a. Wrap around porches

## BUILDING REQUIREMENTS

### Required Feature

1. All basements shall have backflow prevention system, which shall include back water valves and sump pump.
2. All basements shall comply with Section R310 – Emergency Escape and Rescue Openings in accordance with the 2003 Michigan Residential Code. Also a cover over the opening will be required in accordance with Section R310.4 - Bars, grills, covers and screens of the 2003 Michigan Residential Code.

### Standards

Purchaser understands that development of the property is subject to all the current codes and ordinances of the City of Wyandotte applicable for construction and use, such as the following:

Maximum Height:	Two (2) stories or thirty (30) feet.
Maximum Lot Coverage:	All structures can only cover thirty-five (35%) percent of property.
Yard Requirements:	Front: Minimum of twenty (20) feet. Side: Minimum of four (4) feet, except corner lots require minimum of five (5) feet on side abutting street. Total Side: Twelve (12) feet. Rear: Minimum of twenty-five (25) feet.

**NOTE:** Submittals which exceed these minimums requirements should be clearly stated on the proposal. More specific information of the proposed project will aid the Land Sale Committee in making its recommendation for acceptance to the Mayor and City Council.

The City reserves the right to reject any proposal wherein the square footage of the house does not meeting with the character of the neighborhood or size of the lot.



**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: October 10, 2016

AGENDA ITEM # 5

**ITEM:** Neighborhood Enterprise Zone (NEZ) for former 664 Orange now known as 668 Orange, Wyandotte

**PRESENTER:** Mark A. Kowalewski, City Engineer



**BACKGROUND:** This property was listed for sale in accordance with the City's specifications for Build a Future in Wyandotte. The Purchaser, Arcadia Holding Company, LLC is requesting Your Honorable Body support issuing a Neighborhood Enterprise Zone (NEZ) exemption certificate for the home being constructed on the property known as former 664 Orange now known as 668 Orange. This request is consistent with the Resolution adopted December 7, 1992.

**STRATEGIC PLAN/GOALS:** This recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the efforts to enhancing the community's quality of life by fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas; ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods; fostering the maintenance and development of stable and vibrant neighborhood.

**ACTION REQUESTED:** Adopt a resolution concurring with recommendation to approve the NEZ application subject to the proper application materials being submitted to the City and the project's compliance with the NEZ Act, Act 147 of 1992, as amended.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** Forward Resolution to and application to Michigan Department of Treasurer

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *SDysdale*

**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:** *ASP*

**LIST OF ATTACHMENTS:** Resolution Establishing NEZ Zone  
Application for Neighborhood Enterprise Zone Certificate

RESOLUTION

Wyandotte, Michigan  
Date: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

WHEREAS per a resolution adopted by the Wyandotte City Council on December 7, 1992, it is the policy of the City of Wyandotte to offer 12-year tax abatements for new single family construction in Neighborhood Enterprise Zones within the City of Wyandotte; and

WHEREAS the former 664 Orange is within the City of Wyandotte’s Neighborhood Enterprise Zone #1 adopted on December 7, 1992;

NOW THEREFORE BE IT RESOLVED by the City Council that Council CONCURS with the recommendation of City Engineer as set forth in his communication of October 10, 2016, that the City of Wyandotte will approve a 12-year Neighborhood Enterprise Zone Exemption Certificate for the proposed redevelopment at former 664 Orange now known as 668 Orange, subject to the proper application materials being submitted to the City and the project’s compliance with the Neighborhood Enterprise Zone Act, Act 147 of 1992, as amended; AND

WHEREAS the City Clerk and the City Assessor are hereby authorized to execute said applications for a 12 year Neighborhood Enterprise Zone Certificate.

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	_____

City of Wyandotte  
Michigan

NEZ

3131 BIDDLE AVENUE 48192

(313) 246-4440

FAX: 246-4518 Administration

FAX: 246-4498 Clerk's Office

JAMES R. DeSANA, MAYOR

OFFICIALS

WILLIAM R. GRIGGS

CITY CLERK

ANDREW A. SWIECKI

CITY TREASURER

CHARLES F. BOSMAN

CITY ASSESSOR

COUNCIL

RICHARD T. KELLY  
JOHNNY A. KOLAKOWSKI  
SAM A. PALAMARA  
MARK A. PARYASKI  
HELEN M. SAWICKI  
MARTIN J. SHIMKUS

December 8, 1992

Peter J. McInerney  
Director of Community Development  
City of Wyandotte

RESOLUTION

By Councilperson Sam A. Palamara  
Supported by Councilperson Mark A. Paryaski

RESOLVED by the City Council that WHEREAS, pursuant to Act No. 147 of the Public Acts of 1992, the City of Wyandotte is authorized to provide for the creation of neighborhood enterprise zones; and WHEREAS, the Act requires that the Council hold a public hearing not later than 45 days after the Clerk notifies the Assessor and each taxing unit that levies ad valorem property taxes in a proposed zone; and WHEREAS, the Clerk notified each taxing unit by October 7, 1992 of the public hearing scheduled for November 16, 1992 and such hearing was held; and WHEREAS on July 6, 1987, the City of Wyandotte adopted Ordinance No. 820 requiring the registration, inspection and Certificates of Compliance for all rental dwellings; and WHEREAS, on March 21, 1988, the City of Wyandotte adopted Ordinance No. 840 requiring the inspection and Certificates of Approval for building code compliance of all one and two family dwellings prior to sale or transfer in the City of Wyandotte; NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Council acknowledges receipt of the Assessor's report stating the amount of the true cash value of the property located within each proposed neighborhood enterprise zone as follows: Zone No. 1 - \$10,797,680.00; Zone No. 2 - \$8,063,980.00; Zone No. 3 - \$9,141,140.00
2. The Council hereby finds that proposed Zone Nos. 1 and 2 are both consistent with the Master Plan for Future Land Use - Southeast Neighborhood, as revised on December 17, 1987; and that said Zone Nos. 1 and 2 are consistent with the City's neighborhood preservation and economic development goals for the McKinley School Area.
3. The Council hereby finds that proposed Zone No. 3 is consistent with current efforts to revise the Master Plan for Future Land Use - Garfield School Area as approved by the City Council on March 2, 1992; and that said Zone No. 3 is consistent with the City's neighborhood preservation and economic development goals for that portion of the Garfield School Area.

4. The Council hereby states that the City's goal for residential areas is as set forth in the Master Plan for Future Land Use, as revised on December 17, 1987, which states "Preserve and continuously improve the residential area and provide for a cross section of high quality housing suitable for all segments of population while maintaining emphasis on the single-family home."

5. The Council hereby designates Neighborhood Enterprise Zone No. 1 for both new and rehabilitated facilities as that area described in Attachment "A" hereto which area consists of approximately 62.203 acres and which includes the following properties which were inadvertently omitted from the Notice of Hearing approved by the Council on October 5, 1992: Lots 1, 2, 3 and 4 plus 20 ft. alley, and Lots 12 and 13, Block 111, Plat of Blocks 111 and 132, Liber 1, Page 305, Wayne County Records.

6. The Council hereby designates Neighborhood Enterprise Zone No. 2 for both new and rehabilitated facilities as that area described in Attachment "B" hereto which area consists of approximately 51.320 acres and which includes the following properties which were inadvertently omitted from the Notice of Hearing approved by the Council on October 5, 1992: Lots 15 and 16, Block 12 "Garfield Place" Liber 14, Page 80, Wayne County Records.

7. The Council hereby designates Neighborhood Enterprise Zone No. 3 for both new and rehabilitated facilities as that area described in Attachment "C" hereto which area consists of approximately 38.054 acres.

8. The Mayor and Clerk are hereby authorized to execute the necessary documents and to notify the State Tax Commission of the passage of this resolution.

YEAS: Councilmembers Kolakowski, Palamara, Paryaski, Sawicki, Shimkus  
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 a regular meeting held on December 7, 1992.

WILLIAM R. GRIGGS  
CITY CLERK

cc: Dir. Mkt./Plan  
City Assessor  
City Engineer  
City Treasurer  
W.C. Intermediate School District  
W.C. Community College District  
Wyandotte School District  
W.C. Bureau of Taxation  
W.C. Board of Commissioners  
W.C. Executive  
Huron Clinton Metro Park Authority

**STATE USE ONLY**

Application No.	Date Received
-----------------	---------------

# Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

**Read the instructions before completing the application.** This application must be filed prior to building permit issuance and start of construction. Initially file one original application (with legal description) and two additional copies of this form with the clerk of the local governmental unit (three complete sets). The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/APPLICANT INFORMATION (Applicant must complete all fields)			
Applicant Name		Type of Approval Requested	
Facility's Street Address 668 Orange		<input checked="" type="checkbox"/> New Facility <input type="checkbox"/> Rehabilitation Facility <input type="checkbox"/> Transfer (1 copy only)	
City Wyandotte	State MI	ZIP Code 48192	Amount of years requested for exemption (6-15) 12
Name of City, Township or Village (taxing authority) Wyandotte			Is the facility owned or rented by occupants? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented
<input checked="" type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village			Type of Property
County Wayne	School District Wyandotte		<input checked="" type="checkbox"/> House <input type="checkbox"/> Duplex <input type="checkbox"/> Condo <input type="checkbox"/> Loft <input type="checkbox"/> Apartment - No. of Units _____
Name of LGU that established district Wyandotte City Council		Name or Number of Neighborhood Enterprise Zone NEZ #1	Date district was established 12/07/1972
Identify who the work was completed by <input checked="" type="checkbox"/> Licensed Contractor <input type="checkbox"/> Other _____		Estimated Project Cost (per unit)	
Describe the general nature and extent of the new construction or rehabilitation to be undertaken. Include Breakdown of Investment Cost. Use attachments if necessary. construct a single family home with 1,512 square feet, full basement, 3 bedrooms, 2.5 bathrooms, attached garage.			
Timetable for undertaking and completing the rehabilitation or construction of the facility. Start construction fall 2016 complete and spring/summer 2017			
PART 2: APPLICANT CERTIFICATION			
Contact Name Kelly Roberts	Contact Telephone Number (734) 324-4555		
Contact Fax Number (734) 556-3179	Contact E-mail Address kroberts@wyan.org		
Owner/Applicant Name	Owner/Applicant Telephone Number		
Owner/Applicant Mailing Address (Street No., City, State, ZIP Code)	Owner/Applicant E-mail Address		
<p><i>I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.</i></p> <p><i>I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.</i></p>			
Owner/Applicant Signature 	Date 9/26/16		

<b>PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)</b>			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
<input type="checkbox"/> By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Wyandotte			
Name of Assessor (First and last name) Thomas Wooddruff		Telephone Number (734) 324-4510	
Fax Number (734) 556-3179		E-mail Address assessor@wyan.org	
<i>I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.</i>			
Assessor's Signature			Date
<b>PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)</b>			
Action taken by LGU:		The State Tax Commission requires the following documents be filed for an administratively complete application:	
<input checked="" type="checkbox"/> Exemption Approved for _____ Years (6-15)		<input type="checkbox"/> 1. Original Application	
<input type="checkbox"/> Exemption Approved for _____ Years (11-17 historical credits)		<input type="checkbox"/> 2. Legal description of the real property with parcel code #	
<input type="checkbox"/> Exemption Denied (include Resolution Denying)		<input type="checkbox"/> 3. Resolution approving/denying application (include # of years)	
Date of resolution approving/denying this application		<input type="checkbox"/> 4. <b>REHABILITATION APPLICATIONS ONLY.</b> Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Clerk's Name (First and Last) Lawrence S. Stec		Telephone Number (734) 324-4563	
Fax Number (734) 556-3179		E-mail Address lstec@wyan.org	
Mailing Address 3200 Biddle Avenue		City Wyandotte	State mi      ZIP Code 48192
<i>I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.</i>			
<i>I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.</i>			
Clerk Signature			Date

The LGU should mail the original completed application and required documents to the following address:

State Tax Commission  
P.O. Box 30471  
Lansing, MI 48909

**Note:** Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: October 10, 2016

AGENDA ITEM # 6

**ITEM:** Purchase Agreement to sell City owned property known as former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry

**PRESENTER:** Mark A. Kowalewski, City Engineer and Thomas Woodruff, City Assessor

**BACKGROUND:** The former 360-366 Cherry/3535 4<sup>th</sup> Street was offered for sale in accordance with the attached Build a Future in Wyandotte Specifications for Acquisition of Vacant Parcels for the Construction of a New Single Family Home. It was placed on the MLS and "for sale" sign was placed on the property. The recommendation is to sell said lot to Arcadia Holding Company, LLC for the construction of a single family home consisting of approximately 1,512 square feet, 3 bedrooms, 2 ½ baths, wrap around porch, full basement and the exterior will be vinyl with aluminum trim. The home will have a detached garage.

**STRATEGIC PLAN/GOALS:** This recommendation is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in continuing effects to enhancing the community's quality of life by: fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas; ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods; fostering the maintenance and development of stable and vibrant neighborhoods.

**ACTION REQUESTED:** Adopt a resolution concurring with recommendation

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** Execute Purchase Agreements and close on property

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:** *SDysdal*

**LEGAL COUNSEL'S RECOMMENDATION:** Purchase Agreement Approved by Legal.

**MAYOR'S RECOMMENDATION:** *JLB*

**LIST OF ATTACHMENTS:** Purchase Agreements; Build a Future in Wyandotte Specifications for Acquisition of Vacant Parcels for the Construction of a New Single Family Home; and Maps

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

RESOLVED BY THE MAYOR AND COUNCIL that the communication from the City Engineer and City Assessor regarding the City owned property located at former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry is hereby received and placed on file; AND

BE IT FURTHER RESOLVED that the Council concurs with the recommendation to sell the property known as former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry to Arcadia Holding Company, LLC for the amount of \$10,000.00; AND

BE IT FURTHER RESOLVED that if the Purchasers, Arcadia Holding Company, LLC, do not undertake development within six (6) months from time of closing and complete construction within one (1) year will results in Seller's right to repurchase property including any improvements for One (\$1.00) Dollar. A condition will be placed on the Deed that will include this contingency; NOW THEREFORE,

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the Offer to Purchase Real Estate for the property known as former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry, between Arcadia Holding Company, LLC and the City of Wyandotte for \$10,000 as presented to Council on October 10, 2016.

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  
 (734) 285-6500  
 FAX (734) 285-4160  
**OFFER TO PURCHASE REAL ESTATE**

William R. Look  
 Steven R. Makowski

Richard W. Look  
 (1912-1993)

1. THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the { City of \_\_\_\_\_ of \_\_\_\_\_ }  
Wyandotte \_\_\_\_\_ Wayne \_\_\_\_\_ County, Michigan, described as follows:  
Lot 14 Block 109 Plat of part of Wyandotte as recited in Liber 1, Page 57 of Plats, WCR being known as Former 360-366  
Cherry 3525 4<sup>th</sup> now known as 364 Cherry Street, together with all improvements and appurtenances, including all lighting  
 fixtures, shades, Venetian blinds, curtain rods, storm windows and storm doors, screens, awnings, TV antenna, gas conversion  
 unit and permit \_\_\_\_\_ if any, now on the premises, and to pay therefore the sum of Ten Thousand Dollars and 00/100  
 (\$10,000.00) 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:  
 CASH AND DEFERRED PAYMENT SALE**

<b>CASH/DEFERRED PAYMENT SALE</b>	1. A. Delivery of the usual Warranty Deed conveying a marketable title. Payment of purchase money is to be made in cash or certified check in the amount of Five Thousand Dollars and 00/100 (\$5,000.00) at the time of closing and the remainder of the purchase money will be due upon sale or transfer of this property by Purchaser.
<b>Evidence of Title</b>	2. As evidence of title, Seller agrees to furnish Purchaser as soon as possible, a complete Abstract of Title and Tax History, certified to a date later than the acceptance hereof. In lieu, thereof, 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 to pay premium for title insurance policy and closing cost of \$200.00 at time of closing.
<b>Time of Closing</b>	3. If this offer is accepted by the Seller and Purchaser 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; however, if the sale is to be consummated in accordance with paragraph B, then the closing will be governed by the time there specified for obtaining a mortgage. In the event of default by the Purchaser hereunder, the Seller may, at his option, elect to enforce the terms hereof or declare a forfeiture hereunder and retain the deposit as liquidated damages.
<b>Purchaser's Default</b>	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.
<b>Seller's Default</b>	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.
<b>Title Objections</b>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: <u>None</u>  If the Seller occupies the property, it shall be vacated on or before <u>closing</u> . From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ <u>NA</u> per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ <u>NA</u> 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.
<b>Possession</b>	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. <b>Due dates are August 1 and December 1.</b>
<b>Taxes and Prorated Items</b>	8. In Consideration of the Broker's effort to obtain the Seller's approval, it is understood that this offer is irrevocable for five (5) 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.
<b>Broker's Author- ization</b>	9. The Broker is hereby authorized to make this offer and the deposit of _____ 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.

**10. APPLICABLE TO F. H. A. SALES ONLY:**

It is expressly agreed that, notwithstanding any other provisions of this contract, the Purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Seller has delivered in the purchaser a written statement issued by the Federal Housing Commissioner

setting forth the appraised value of the property for mortgage insurance purpose of not less than \$ \_\_\_\_\_ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and the option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner.

It is further understood between Purchaser and Seller that the additional personal property listed herein has a value of \$ \_\_\_\_\_.

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

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 the City Engineer, 3200 Biddle Avenue, Wyandotte, MI. 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: See Addendum for Paragraphs 12 thru 20 and Signatures

IN PRESENCE OF: \_\_\_\_\_ L. S.  
\_\_\_\_\_ Purchaser  
\_\_\_\_\_ L. S.  
\_\_\_\_\_ Purchaser  
\_\_\_\_\_ Address \_\_\_\_\_  
Dated \_\_\_\_\_ Phone: \_\_\_\_\_

**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 un consummated, 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.  
\_\_\_\_\_ Seller  
\_\_\_\_\_ L. S.  
\_\_\_\_\_ Seller  
\_\_\_\_\_ Address \_\_\_\_\_  
Dated: \_\_\_\_\_ Phone \_\_\_\_\_

**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 \_\_\_\_\_ L. S.  
\_\_\_\_\_ Purchaser

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

ADDENDUM TO  
OFFER TO PURCHASE REAL ESTATE

This Agreement is contingent upon the following:

12. The closing for this Agreement is contingent upon the Purchaser, within 120 days of Seller's signed acceptance, obtaining a building permit, issued by the Engineering and Building Department for the construction of a single family home, consisting the following features:
  - Approximately 1,512 square feet as indicated on Attachment A
  - Full Basement to be in accordance with Section R310-Emergency Escape and Rescue Openings in accordance with the 2006 Michigan Residential Code. Emergency Escape and Rescue Opening must have an approved cover. The basement is also required to have a Backflow Valve and Sump Pump.
  - Exterior to have vinyl or aluminum trim and stone as indicated on Attachment A
  - Detached garage.
  - Wrap around porch - \_\_\_\_\_
13. The Purchasers will be purchasing this property for \$10,000. \$5,000 will be due at closing along with any closing cost the remaining \$5,000 will be due when property is sold or transferred and a mortgage and promissory note will be executed at time of closing.
14. If plans and unit installed with energy savings systems such as solar systems capable of supplying 1kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water then the City will reduce the balance of the promissory note by \$2,000.
15. This Agreement is further contingent upon the Purchaser undertaking development within six (6) months from time of closing and complete construction within one (1) year. "Undertaking development" is defined as: the commencement of the building construction. Failure to undertake development or complete construction within the above time period will result in Seller's right to repurchase property including any improvements for \$1.00. A Deed Restriction will be placed on the property which will include this contingency.
16. All utilities are required to be underground. Purchaser will provide three (3) ducts; electrical, cable and telephone to a central location. If reusing existing sewer tap, line must be inspected or cameraed and documents submitted to the Engineering Department for approved use. If use is not approved, you must re-tap the main.
17. The Purchaser is responsible for the cost of the Title Insurance Policy Premium, Closing Fee of \$200.00 and Wayne County Mapping Fee which will be added to the mortgage at time of closing. These costs will be due at time of closing.
18. Dirt shall be removed from the site at the Purchaser's expense.
19. The property is being sold in "As Is" condition, without express or implied warranty. Purchaser understands that buildings were removed from the site and the City of Wyandotte accepts no responsibility for underground conditions or environmental conditions of the property.
20. This Agreement is subject to the approval of the Wyandotte City Council.

ARCADIA HOLDING COMPANY, LLC, PURCHASER

  
\_\_\_\_\_  
Robert J. McTavish, Jr. Agent

Dated: 9/26/16

CITY OF WYANDOTTE, Seller

\_\_\_\_\_  
Joseph R. Peterson, Mayor

\_\_\_\_\_  
Lawrence S. Stec, City Clerk  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

Dated: \_\_\_\_\_

Legal Department Approval \_\_\_\_\_

# Attachment A



8/29/2016  
Plan #HOME1W75353

Saved Plans

Level 1 Level 2



Keywords: Bungalow Home Plans , Three Bedroom Home Plans , 2 Story Home Plans

Making tremendous use of space, this 1,512-square-foot design presents an open living and dining area served by the kitchen's handy snack bar. Thoughtful planning allows for a full master suite downstairs, in addition to two bedrooms, another bath, and lots of storage space upstairs.

PRIMARY STYLE	Bungalow Home Plans
FIRST FLOOR	1015 sq.ft.
LIVING AREA	1512 sq.ft.
BONUS SPACE	0 sq.ft.
FOUNDATION	CrawlSpace
BEDROOMS	3
BATHS	2
HALF BATHS	1
WIDTH	30'
DEPTH	43'
STORIES	2
GARAGE BAYS	0

8/29/2016

CUSTOMIZE THIS PLAN

VIEW PLAN

Build a **FUTURE**  
in *Wyandotte*

**SPECIFICATION FOR ACQUISITION OF**

**VACANT PARCELS**

**FOR THE CONSTRUCTION OF A**

**NEW SINGLE FAMILY HOME**

**ON PROPERTY OWNED BY**

**THE CITY OF WYANDOTTE**

Department of Engineering and Building  
City of Wyandotte, Michigan

Mark A. Kowalewski,  
City Engineer

## INSTRUCTIONS AND CONDITIONS

### Delivery

Proposals with deposits shall be delivered to the City Engineer at Wyandotte City Hall, 3200 Biddle Avenue, Michigan, 48192 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

### Separate Proposals

A separate proposal must be submitted for each parcel. Proposals will become the property of the City of Wyandotte.

### Expeditious Agreement

The maker of the best proposal, as recommended by the Committee, shall expeditiously enter into a purchase agreement, subject to the terms set forth in these specifications for submission to the City Council.

### Terms of Sale

These lots are available for \$10,000. The City is discouraging any bids under \$10,000. The City offers terms for the sale of these lots which are as follows:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### As Is Condition

This property is being sold, in an "as is" condition without expressed or implied warranty. The City of Wyandotte assumes no responsibility for the environmental conditions of the properties.

Prospective purchaser understand that, whether buildings were removed or not, the City of Wyandotte accepts no responsibility for underground conditions in cases where there were previous structures, with or without a basement.

### Title Insurance

The City of Wyandotte will furnish a warranty deed. Title insurance must be obtained at the purchaser's expense. The City will provide its policy, if available, to the successful proposal maker as credit on a new policy.

### Taxes and Prorated Items

All taxes and assessments which have become a lien upon the land as of the date of the Purchase Agreement shall be paid by the City as Seller. Current taxes, if any, INCLUDING CURRENT TAXES ON HOMES ALREADY DEMOLISHED, shall be prorated and adjusted as of the date of closing in accordance with the "Due Date" basis of the taxing unit in which the property is located.

### Neighborhood Enterprise Zones (NEZ)

Properties which are located in an NEZ are eligible to receive a twelve (12) year tax abatement, which will reduce the taxes paid by homeowners. Proposals will be accepted by Developers and/or Builders and/or Owner Occupied Persons. The City may show preference towards an owner occupant's proposal depending on the quality of the proposal received. Example of the tax saving is as follows:

Home valued at \$200,000 without the tax abatement using 2006 Homestead Tax Rate:  
Taxable Value for land and house \$100,000 x 48 mills = \$4,800.00

Home valued at \$200,000 with the tax abatement using 2006 Homestead Tax Rate:  
Taxable Value for land \$10,000 x 48 mills = \$480.00  
Taxable Value for home \$90,000 x 16.86 mills = \$1,500.00

This is a yearly savings of \$2,820.00

CONTACT THE ENGINEERING DEPARTMENT TO SEE IF LOT IS ELIGIBLE FOR THIS TAX INCENTIVE.

### Closing Fee

Purchaser is responsible for the payment of the TWO HUNDRED (\$200.00) DOLLAR closing fee. The closing fee will be paid at time of closing.

### Subdivision Precluded

The properties are being offered as one single parcel each and shall not be subdivided.

### Dirt Removal

Said Agreement will provide that dirt shall be removed from the site at Purchaser's expense.

### Subject to Easement

The City will require the granting of a five (5) foot easement as part of the condition of sale. This Easement will be for future underground access for decorative 14' LED Lamp Post fixtures.

### Building Permit Prior to Closing

The Purchase Agreement will require that a building permit be obtained prior to closing. Permits will only be issued to licensed residential builders.

Exception - A homeowner who meets the following requirements: A bona fide owner of a single family residence which is or will be on completion, for a minimum of two (2) years his or her place of residence, and no part of which is used for rental or commercial purposes, nor is contemplated for such purpose, may do his or her own work, providing he or she applies for and secures a permit, pays the fee, does the work himself or herself in accordance with the provisions hereof, applies for inspections and receives approval of the work by the code official. Failure to comply with these requirements will subject the owner's permit to cancellation. Owners building their own homes, will be required to sign an affidavit that they understand and agree to these conditions. Any violation of the two (2) year occupancy requirement will result in prosecution by the City.

Purchaser will have 120 days to obtain a building permit from the date of the Agreement. One (1) thirty (30) day extension may be granted by the City Engineer if there is a good reason.

### Timely Development

Purchaser agrees to undertake development for the construction of a Single Family Dwelling no later than six (6) months from the date of the closing. Purchaser's failure to undertake development results in the City's right to repurchase the property at 80% of the purchase price as evidenced and enforced by a recordable document.

### Guideline Price Not Binding

These lots are available for \$10,000. The City is discouraging any bids under \$10,000. The City offers terms for the sale of these lots which are as follows:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### Reservation

The City reserves the right to reject any or all proposals and the right to waive any formal defects in proposals when deemed in the best interest of the City.

## REQUIREMENTS

### Sales Price

The proposed price must be written in both words and numerals. These lots are offered for \$10,000 per buildable lot. The following are the options available for purchase:

1. \$10,000 Cash plus all closing costs due at time of closing.
2. \$5,000 due at closing and \$5,000 plus closing cost (ie title commitment, recording fee, mapping fees) as a no interest fee lien on the property payable upon the next sale or if the property is remortgaged or transferred in any manner.
3. **\$10,000 placed as no interest fee lien on the property which also includes closing costs (ie title commitment, recording fee, mapping fees). This Lien will be forgivable if the purchaser(s) occupy the property as their primary residences for ten (10) years. Note: the City will not subordinate this lien.**

Further, a reduction of the purchase price of \$2,000 is available if the purchaser agrees to install energy saving systems such as solar systems capable of supplying 1 kw of energy or wind turbines supplying 400 watts of energy or geothermal systems capable of heating, cooling and provided hot water.

### Disclosure and Anti-Collusion

Proposal makers must complete the sworn affidavit included in this RFP, listing all persons, firms or corporations having any interest in the Agreement that would result from acceptance of the proposal, and stating whether any member of the City Council, or Officer, or Employee of the City is directly interested in said proposal.

### Deposit

The proposal maker must accompany the proposal with a deposit in the form of a cashier's check, bank money order, or certified check payable to the City of Wyandotte for ten (10%) percent of the amount offered for the parcel. This earnest money deposit shall be applied to the purchase price at the time of closing.

In order to protect the integrity of this solicitation and review process, deposits may be forfeited in cases where acceptable proposals are withdrawn prior to execution of any Agreement. All other deposits shall be returned at the direction of the City Council.

Once the City determines to enter into an Agreement and the proposal maker fails to consummate the sale, the Deposit will be forfeited to the City of Wyandotte.

### Evaluation

In order to best serve the City's interest, proposals will be evaluated for: highest and best use of the property; quality of development as measured by meeting or exceeding the suggested minimum features; and the demonstrated experience, qualifications, and readiness of the prospective purchaser. The highest dollar amount does not necessarily determine the best proposal.

### Equalization Factor

Any current Wyandotte Resident submitting a proposal on lots included in these specifications will receive a five (5%) percent Equalization Factor Credit on their proposal price for the property should their proposal be considered equivalent in quality to the high dollar bid proposal.

Equivalent in quality shall mean similar size square footage, exterior, amenities, such as but not limited to; fireplaces, tile floors, bay windows, counter tops, bedrooms, bathrooms, fixtures, etc.

Proof of residency will be required upon request.

## BUILDING REQUIREMENTS

### Harmony with Adjoining Residential Properties

Proposed building should respect the existing character of the immediate neighborhood. McKinley Neighbors United Picture Portfolio applies on lots located in the Neighborhood Enterprise Zone (NEZ) located between Eureka and Grove. This Portfolio is for reference only. The City does not have any of these plans available.

### Building Features

Proposals must be attached to Signature Sheet and describe the proposed new single family dwelling by specifying the following features:

- a. Number of stories.
- b. Estimated amount of square feet.
- c. Provisions for a garage. *GARAGES PLACED IN FRONT OF THE LIVING QUARTERS, BECOMING THE PREDOMINANT FEATURE (more than 3 feet) IN THE FRONT YARD ARE UNDESIRABLE.*
- d. Number of bathrooms.
- e. Provisions for underground utilities. Contact Wyandotte Municipal Service and Ameritech for information.
- f. Other desirable architectural features such as covered porches, extended soffits, picture windows, bay windows, doorwalls, fireplaces, vaulted ceilings.
- g. Trim on house (vinyl, aluminum or painted wood).
- h. Decks or patios

### Suggested Minimum Features

#### One Story Building Minimum Features:

- a. Consist of a minimum of 1,200 square feet of living area. This does not include basement or garage square footage.
- b. Full brick exterior. (Vinyl or aluminum would be considered as an alternative depending on the neighborhood)
- c. Full basement.
- d. All utilities underground (Electric, Cable and Telephone).

#### Two Story Building Minimum Features:

- a. Consist of a minimum of 1,500 square feet of living area. This does not include basement or garage square footage.
- b. Brick exterior on the entire first floor. (Vinyl or aluminum would be considered as an alternative depending on the neighborhood)
- c. Full Basement.
- d. All utilities underground (Electric, Cable and Telephone).

#### Corner Lots:

- a. Wrap around porches

## BUILDING REQUIREMENTS

### Required Feature

1. All basements shall have backflow prevention system, which shall include back water valves and sump pump.
2. All basements shall comply with Section R310 – Emergency Escape and Rescue Openings in accordance with the 2003 Michigan Residential Code. Also a cover over the opening will be required in accordance with Section R310.4 - Bars, grills, covers and screens of the 2003 Michigan Residential Code.

### Standards

Purchaser understands that development of the property is subject to all the current codes and ordinances of the City of Wyandotte applicable for construction and use, such as the following:

Maximum Height:	Two (2) stories or thirty (30) feet.
Maximum Lot Coverage:	All structures can only cover thirty-five (35%) percent of property.
Yard Requirements:	Front: Minimum of twenty (20) feet. Side: Minimum of four (4) feet, except corner lots require minimum of five (5) feet on side abutting street.
	Total Side: Twelve (12) feet.
	Rear: Minimum of twenty-five (25) feet.

**NOTE:** Submittals which exceed these minimums requirements should be clearly stated on the proposal. More specific information of the proposed project will aid the Land Sale Committee in making its recommendation for acceptance to the Mayor and City Council.

The City reserves the right to reject any proposal wherein the square footage of the house does not meeting with the character of the neighborhood or size of the lot.



**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: October 10, 2016

AGENDA ITEM # 7

**ITEM:** Neighborhood Enterprise Zone (NEZ) for former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry, Wyandotte

**PRESENTER:** Mark A. Kowalewski, City Engineer



**BACKGROUND:** This property was listed for sale in accordance with the City's specifications for Build a Future in Wyandotte. The Purchaser, Arcadia Holding Company, LLC are requesting Your Honorable Body support issuing a Neighborhood Enterprise Zone (NEZ) exemption certificate for the home being constructed on the property known as former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry. This request is consistent with the Resolution adopted December 7, 1992.

**STRATEGIC PLAN/GOALS:** This recommendation is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the efforts to enhancing the community's quality of life by fostering the revitalization and preservation of older areas of the City as well as developing, redeveloping new areas; ensuring that all new developments will be planned and designed consistent with the city's historic and visual standards; have a minimum impact on natural areas; and, have a positive impact on surrounding areas and neighborhoods; fostering the maintenance and development of stable and vibrant neighborhood.

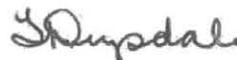
**ACTION REQUESTED:** Adopt a resolution concurring with recommendation to approve the NEZ application subject to the proper application materials being submitted to the City and the project's compliance with the NEZ Act, Act 147 of 1992, as amended.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** N/A

**IMPLEMENTATION PLAN:** Forward Resolution to and application to Michigan Department of Treasurer

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:**



**LEGAL COUNSEL'S RECOMMENDATION:** N/A

**MAYOR'S RECOMMENDATION:**



**LIST OF ATTACHMENTS:** Resolution Establishing NEZ Zone  
Application for Neighborhood Enterprise Zone Certificate

RESOLUTION

Wyandotte, Michigan  
Date: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

WHEREAS per a resolution adopted by the Wyandotte City Council on December 7, 1992, it is the policy of the City of Wyandotte to offer 12-year tax abatements for new single family construction in Neighborhood Enterprise Zones within the City of Wyandotte; and

WHEREAS the former 360-366 Cherry/3535 4<sup>th</sup> Street is within the City of Wyandotte’s Neighborhood Enterprise Zone #1 adopted on December 7, 1992;

NOW THEREFORE BE IT RESOLVED by the City Council that Council CONCURS with the recommendation of City Engineer as set forth in his communication of October 10, 2016, that the City of Wyandotte will approve a 12-year Neighborhood Enterprise Zone Exemption Certificate for the proposed redevelopment at former 360-366 Cherry/3535 4<sup>th</sup> Street now known as 364 Cherry, subject to the proper application materials being submitted to the City and the project’s compliance with the Neighborhood Enterprise Zone Act, Act 147 of 1992, as amended; AND

WHEREAS the City Clerk and the City Assessor are hereby authorized to execute said applications for a 12 year Neighborhood Enterprise Zone Certificate.

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	_____

City of Wyandotte  
Michigan

NEZ

3131 BIDDLE AVENUE 48192

(313) 246-4440

FAX: 246-4519 Administration

FAX: 246-4498 Clerk's Office

JAMES R. DeSANA, MAYOR

OFFICIALS

WILLIAM R. GRIGGS

CITY CLERK

ANDREW A. SWIECKI

CITY TREASURER

CHARLES F. BOSMAN

CITY ASSESSOR

COUNCIL

RICHARD T. KELLY

JOHNNY A. KOLAKOWSKI

SAM A. PALAMARA

MARK A. PARYASKI

HELEN M. SAWICKI

MARTIN J. SPIMKUS

December 8, 1992

Peter J. McInerney  
Director of Community Development  
City of Wyandotte

RESOLUTION

By Councilperson Sam A. Palamara  
Supported by Councilperson Mark A. Paryaski

RESOLVED by the City Council that WHEREAS, pursuant to Act No. 147 of the Public Acts of 1992, the City of Wyandotte is authorized to provide for the creation of neighborhood enterprise zones; and WHEREAS, the Act requires that the Council hold a public hearing not later than 45 days after the Clerk notifies the Assessor and each taxing unit that levies ad valorem property taxes in a proposed zone; and WHEREAS, the Clerk notified each taxing unit by October 7, 1992 of the public hearing scheduled for November 16, 1992 and such hearing was held; and WHEREAS on July 6, 1987, the City of Wyandotte adopted Ordinance No. 820 requiring the registration, inspection and Certificates of Compliance for all rental dwellings; and WHEREAS, on March 21, 1988, the City of Wyandotte adopted Ordinance No. 840 requiring the inspection and Certificates of Approval for building code compliance of all one and two family dwellings prior to sale or transfer in the City of Wyandotte; NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Council acknowledges receipt of the Assessor's report stating the amount of the true cash value of the property located within each proposed neighborhood enterprise zone as follows: Zone No. 1 - \$10,797,680.00; Zone No. 2 - \$8,063,980.00; Zone No. 3 - \$9,141,140.00
2. The Council hereby finds that proposed Zone Nos. 1 and 2 are both consistent with the Master Plan for Future Land Use - Southeast Neighborhood, as revised on December 17, 1987; and that said Zone Nos. 1 and 2 are consistent with the City's neighborhood preservation and economic development goals for the McKinley School Area.
3. The Council hereby finds that proposed Zone No. 3 is consistent with current efforts to revise the Master Plan for Future Land Use - Garfield School Area as approved by the City Council on March 2, 1992; and that said Zone No. 3 is consistent with the City's neighborhood preservation and economic development goals for that portion of the Garfield School Area.

4. The Council hereby states that the City's goal for residential areas is as set forth in the Master Plan for Future Land Use, as revised on December 17, 1987, which states "Preserve and continuously improve the residential area and provide for a cross section of high quality housing suitable for all segments of population while maintaining emphasis on the single-family home."

5. The Council hereby designates Neighborhood Enterprise Zone No. 1 for both new and rehabilitated facilities as that area described in Attachment "A" hereto which area consists of approximately 62.203 acres and which includes the following properties which were inadvertently omitted from the Notice of Hearing approved by the Council on October 5, 1992: Lots 1, 2, 3 and 4 plus 20 ft. alley, and Lots 12 and 13, Block 111, Plat of Blocks 111 and 132, Liber 1, Page 305, Wayne County Records.

6. The Council hereby designates Neighborhood Enterprise Zone No. 2 for both new and rehabilitated facilities as that area described in Attachment "B" hereto which area consists of approximately 51.320 acres and which includes the following properties which were inadvertently omitted from the Notice of Hearing approved by the Council on October 5, 1992: Lots 15 and 16, Block 12 "Garfield Place" Liber 14, Page 80, Wayne County Records.

7. The Council hereby designates Neighborhood Enterprise Zone No. 3 for both new and rehabilitated facilities as that area described in Attachment "C" hereto which area consists of approximately 38.054 acres.

8. The Mayor and Clerk are hereby authorized to execute the necessary documents and to notify the State Tax Commission of the passage of this resolution.

YEAS: Councilmembers Kolakowski, Palamara, Paryaski, Sawicki, Shimkus  
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 a regular meeting held on December 7, 1992.

WILLIAM R. GRIGGS  
CITY CLERK

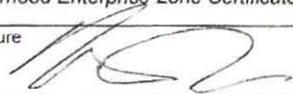
cc: Dir. Mkt./Plan  
City Assessor  
City Engineer  
City Treasurer  
W.C. Intermediate School District  
W.C. Community College District  
Wyandotte School District  
W.C. Bureau of Taxation  
W.C. Board of Commissioners  
W.C. Executive  
Huron Clinton Metro Park Authority

# Application for Neighborhood Enterprise Zone Certificate

Issued under authority of Public Act 147 of 1992, as amended.

STATE USE ONLY	
Application No.	Date Received

**Read the instructions before completing the application.** This application must be filed prior to building permit issuance and start of construction. Initially file one original application (with legal description) and two additional copies of this form with the clerk of the local governmental unit (three complete sets). The additional documents to complete the application process will be required by the State of Michigan only after the original application is filed with the clerk of the local governmental unit (LGU). This form is also used to file a request for the transfer of an existing NEZ certificate. Please see the instruction sheet.

PART 1: OWNER/APPLICANT INFORMATION (Applicant must complete all fields)			
Applicant Name		Type of Approval Requested	
Facility's Street Address 364 Cherry		<input checked="" type="checkbox"/> New Facility <input type="checkbox"/> Rehabilitation Facility <input type="checkbox"/> Transfer (1 copy only)	
City Wyandotte	State MI	ZIP Code 48192	Amount of years requested for exemption (6-15) 12
Name of City, Township or Village (taxing authority) Wyandotte			Is the facility owned or rented by occupants? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented
<input checked="" type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village		Type of Property	
County Wayne	School District Wyandotte	<input checked="" type="checkbox"/> House <input type="checkbox"/> Duplex <input type="checkbox"/> Condo <input type="checkbox"/> Loft <input type="checkbox"/> Apartment - No. of Units _____	
Name of LGU that established district Wyandotte City Council		Name or Number of Neighborhood Enterprise Zone NEZ #1	Date district was established 12/07/1972
Identify who the work was completed by <input checked="" type="checkbox"/> Licensed Contractor <input type="checkbox"/> Other _____		Estimated Project Cost (per unit)	
Describe the general nature and extent of the new construction or rehabilitation to be undertaken <b>Include Breakdown of Investment Cost.</b> Use attachments if necessary. construct a single family home with 1,512 square feet, full basement, 3 bedrooms, 2.5 bathrooms, attached garage.			
Timetable for undertaking and completing the rehabilitation or construction of the facility. Start construction fall 2016 complete and spring/summer 2017			
PART 2: APPLICANT CERTIFICATION			
Contact Name Kelly Roberts	Contact Telephone Number (734) 324-4555		
Contact Fax Number (734) 556-3179	Contact E-mail Address kroberts@wyan.org		
Owner/Applicant Name	Owner/Applicant Telephone Number		
Owner/Applicant Mailing Address (Street No., City, State, ZIP Code)	Owner/Applicant E-mail Address		
I certify the information contained herein and in the attachments are true and that all are truly descriptive of the residential real property for which this application is being submitted.			
I certify I am familiar with the provisions of Public Act 147 of 1992, as amended, (MCL 207.771 to 207.787) and to the best of my knowledge, I have complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the LGU and the issuance of Neighborhood Enterprise Zone Certificate by the State Tax Commission.			
Owner/Applicant Signature 	Date 9/26/16		

<b>PART 3: LGU ASSESSOR CERTIFICATION (Assessor of LGU must complete Part 3)</b>			
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Neighborhood Enterprise Zone Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Neighborhood Enterprise Zone Exemption that would also put the same property on the Neighborhood Enterprise Zone specific tax roll.			
<input type="checkbox"/> By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Neighborhood Enterprise Zone Exemption specific tax roll and not on any other specific tax roll.			
Name of LGU City of Wyandotte			
Name of Assessor (First and last name) Thomas Wooddruff		Telephone Number (734) 324-4510	
Fax Number (734) 556-3179		E-mail Address assessor@wyan.org	
<i>I certify that, to the best of my knowledge, the information contained in Part 3 of this application is complete and accurate.</i>			
Assessor's Signature			Date
<b>PART 4: LGU ACTION/CERTIFICATION (LGU clerk must complete this section before submitting to the State Tax Commission)</b>			
Action taken by LGU:		The State Tax Commission requires the following documents be filed for an administratively complete application:	
<input checked="" type="checkbox"/> Exemption Approved for _____ Years (6-15)		<input type="checkbox"/> 1. Original Application	
<input type="checkbox"/> Exemption Approved for _____ Years (11-17 historical credits)		<input type="checkbox"/> 2. Legal description of the real property with parcel code #	
<input type="checkbox"/> Exemption Denied (include Resolution Denying)		<input type="checkbox"/> 3. Resolution approving/denying application (include # of years)	
Date of resolution approving/denying this application		<input type="checkbox"/> 4. <b>REHABILITATION APPLICATIONS ONLY.</b> Statement by the assessor showing the taxable value of the rehabilitated facility not including the land, for the tax year immediately preceding the effective date of the rehabilitation.	
Clerk's Name (First and Last) Lawrence S. Stec		Telephone Number (734) 324-4563	
Fax Number (734) 556-3179		E-mail Address lstec@wyan.org	
Mailing Address 3200 Biddle Avenue		City Wyandotte	State mi
			ZIP Code 48192
<i>I certify that I have reviewed this application for complete and accurate information and determined that the subject property is located within a qualified Neighborhood Enterprise Zone.</i>			
<i>I certify this application meets the requirements as outlined by Public Act 147 of 1992 and hereby request the State Tax Commission issue a Neighborhood Enterprise Zone Certificate.</i>			
Clerk Signature			Date

The LGU should mail the original completed application and required documents to the following address:

State Tax Commission  
P.O. Box 30471  
Lansing, MI 48909

**Note:** Additional documentation will be required for further processing of the application and for the issuance of the certificate of exemption. These documents should be sent directly to the State of Michigan only after the original application is filed with the LGU clerk and approved by the LGU. See the instruction sheet attached.

Any questions concerning the completion of this application should be directed to the LGU clerk.

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: October 10, 2016

AGENDA ITEM # 8

**ITEM:** City Purchasing 116 Clinton, Wyandotte

**PRESENTER:** Mark A. Kowalewski, City Engineer



**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:** This property is an eyesore in the neighborhood. The City is being offered this property for the sales price of \$18,000.00. The property information is as follows:

Lot Size: 30' x 59.65'

Demolition Cost Estimated at: \$6,000.00

2016 SEV: \$16,461.00

Market Value: \$32,922

2015 Taxes: \$886.00

Once this property is purchased and removed, it will be combined with the adjacent City owned property for the construction of a new single family dwelling.

**STRATEGIC PLAN/GOALS:** This is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in insuring that the City is committed to maintaining and developing excellent neighborhoods by, matching tools and efforts to the conditions in city neighborhoods, continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructures in residential and commercial areas.

**ACTION REQUESTED:** Approve the Purchase Agreement for the City to acquire property and authorize the Mayor and City Clerk to execute same.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** 492-200-850-519 Land Purchases

**IMPLEMENTATION PLAN:** Mayor and City Clerk execute the Purchase Agreement and close on property.

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:** 

**LEGAL COUNSEL'S RECOMMENDATION:** Approved PA. W. Look

**MAYOR'S RECOMMENDATION:** 

**LIST OF ATTACHMENTS:** Purchase Agreement and Map

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
Date: October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

RESOLVED BY THE CITY COUNCIL that Council concurs with the recommendation of the City Engineer to acquire the property at known as 116 Clinton in the amount of \$18,000.00 to be appropriated from TIFA Area Funds; AND

BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the Purchase Agreement; AND

BE IT FURTHER RESOLVED that the City Engineer is directed to demolish same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte; AND

BE IT RESOLVED that William R. Look, City Attorney is authorized to execute closing documents for the purchase of said property on behalf of the Mayor and City Clerk.

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

William R. Look  
 Steven R. Makowski

Richard W. Look  
 (1912-1993)

**OFFER TO PURCHASE REAL ESTATE**

I, THE UNDERSIGNED hereby offers and agrees to purchase the following land situated in the City  
Township of  
Village \_\_\_\_\_ of \_\_\_\_\_ County, Michigan, described as follows:  
Wyandotte, Wayne County, Michigan, described as follows:  
Lot 73 Salliotte and Clinton's Subdivision as recorded in Liber 25, Page 36 WCR

\_\_\_\_\_ being known as \_\_\_\_\_  
 \_\_\_\_\_ 116 Clinton \_\_\_\_\_ Street, together with all improvements and appurtenances, including all lighting fixtures, shades, Venetian blinds, curtain rods, storm windows and storm doors, screens, awnings, TV antenna, gas conversion unit and permit \_\_\_\_\_ if any, now on the premises, and to pay therefore the sum of Eighteen Thousand (\$18,000.00) 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: A**  
 (Fill out one of the four following paragraphs, and strike the remainder)

<i>Cash Sale</i>	A. Delivery of the usual Warranty Deed conveying a marketable title. Payment of purchase money is to be made in cash or certified check.
<i>Cash Sale with New Mortgage</i>	<del>B. Delivery of the usual Warranty Deed conveying a marketable title. Payment of Purchase money is to be made in cash or certified check. Purchaser agrees that he will immediately apply for a _____ mortgage in the amount of \$ _____, and pay \$ _____ down plus mortgage costs, prepaid items and adjustments in cash. Purchaser agrees to execute the mortgage as soon as the mortgage application is approved, a closing date obtained from the lending institution, and, if applicable, final inspection of the property approved by the Veterans Administration or F. H. A.</del>
<i>Sale to Existing Mortgage</i>	<del>C. Delivery of the usual Warranty Deed conveying a marketable title, subject to mortgage to be deducted from the purchase price. Payment of the purchase money is to be made in cash or certified check less the amount owing upon an existing mortgage now on the premises, with accrued interest to date of consummation, held by _____ upon which there is unpaid the sum of approximately _____ Dollars, with interest at _____ per cent, which mortgage requires payment of _____ Dollars on the _____ day of each and every month, which payments DO, DO NOT include prepaid taxes and insurance. If the Seller has any accumulated funds held in escrow for the payment for any prepaid items, the Purchaser agrees to reimburse the seller upon proper assignment of same. The Purchaser agrees to assume <u>and pay said mortgage according to the terms thereof.</u></del>
<i>Sale on Land Contract</i>	<del>D. Payment of the sum of _____ Dollars, in cash or city check, and the execution of a Land Contract acknowledging payment of that sum and calling for the payment of the remainder of the purchase money within _____ years from the date of Contract in monthly payments of not less than _____ Dollars each, which include interest payments at the rate of _____ per cent per annum; and which DO, DO NOT include prepaid taxes and insurance.</del>
<i>Sale to Existing Land Contract</i>	<del>If the Seller's title to said land is evidenced by an existing by an existing land contract with unperformed terms and conditions substantially as above set forth and the cash payment to be made by the undersigned on consummation hereof will pay out the equity, an assignment and conveyance of the vendee's interest in the land contract, with an agreement by the undersigned to assume the balance owing thereon, will be accepted in lieu of the contract proposed in the preceding paragraph. If the Seller has any accumulated funds held in escrow for the payment of prepaid taxes or insurance, the Purchaser agrees to reimburse the Seller upon the proper assignment of same.</del>
<i>Evidence of Title</i>	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.
<i>Time of Closing</i>	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 Purchaser is ready to close; however, if the sale is to be consummated in accordance with paragraph B, then the closing will be governed by the time there specified for obtaining a mortgage. In the event of default by the Purchaser hereunder, the Seller may, at his option, elect to enforce the terms hereof or declare a forfeiture hereunder and retain the deposit as liquidated damages.
<i>Purchaser's Default/Seller's Default</i>	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.
<i>Title Objections</i>	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 he 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 or obtain title insurance. If the Seller remedies the title or shall obtain such title commitment within the time specified, 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.
<i>Possession</i>	6. The Seller shall deliver and the Purchaser shall accept possession of said property, subject to rights of the following tenants: <u>None</u> If the Seller occupies the property, it shall be vacated on or before _____ closing _____ From the closing to the date of vacating property as agreed, SELLER SHALL PAY the sum of \$ <u>NA</u> per day. THE BROKER SHALL RETAIN from the amount due Seller at closing the sum of \$ <u>NA</u> 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.

<b>Taxes and Prorated Items</b>	<p>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. <b>Due dates are August 1 and December 1.</b></p> <p>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.</p>
<b>Broker's Authorization</b>	<p>9. The seller is hereby authorized to accept this offer and the deposit of <u>0</u> 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.</p>

**10. APPLICABLE TO F. H. A. SALES ONLY:**

It is expressly agreed that, notwithstanding any other provisions of this contract, the Purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise unless the Seller has delivered in the purchaser a written statement issued by the Federal Housing Commissioner

setting forth the appraised value of the property for mortgage insurance purpose of not less than \$ \_\_\_\_\_ which statement the Seller hereby agrees to deliver to the Purchaser promptly after such appraised value statement is made available to the Seller. The Purchaser shall, however, have the privilege and the option of proceeding with the consummation of this contract without regard to the amount of the appraised valuation made by the Federal Housing Commissioner.

It is further understood between Purchaser and Seller that the additional personal property listed herein has a value of \$ \_\_\_\_\_.

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: **1. Contingent upon City Council approval. 2. Seller agrees not to enter into any third party agreements including with any telecommunications companies wishing to install equipment on said property prior to closing.**

**City of Wyandotte:**

IN PRESENCE OF:

\_\_\_\_\_  
**JOSEPH R. PETERSON, Mayor** *Purchaser* L. S.

\_\_\_\_\_  
**LAWRENCE S. STEC, Clerk** *Purchaser* L. S.

Address \_\_\_\_\_

Dated \_\_\_\_\_

Phone: \_\_\_\_\_

**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 \_\_\_\_\_

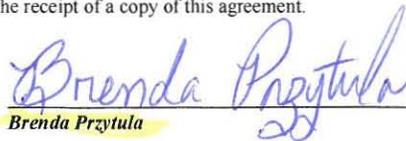
**ACCEPTANCE OF OFFER**

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 un consummated, 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.

IN PRESENCE OF:

  
**Brenda Przytula** *Seller* L. S.

\_\_\_\_\_  
 L. S. *Seller*

Address \_\_\_\_\_

Dated: \_\_\_\_\_

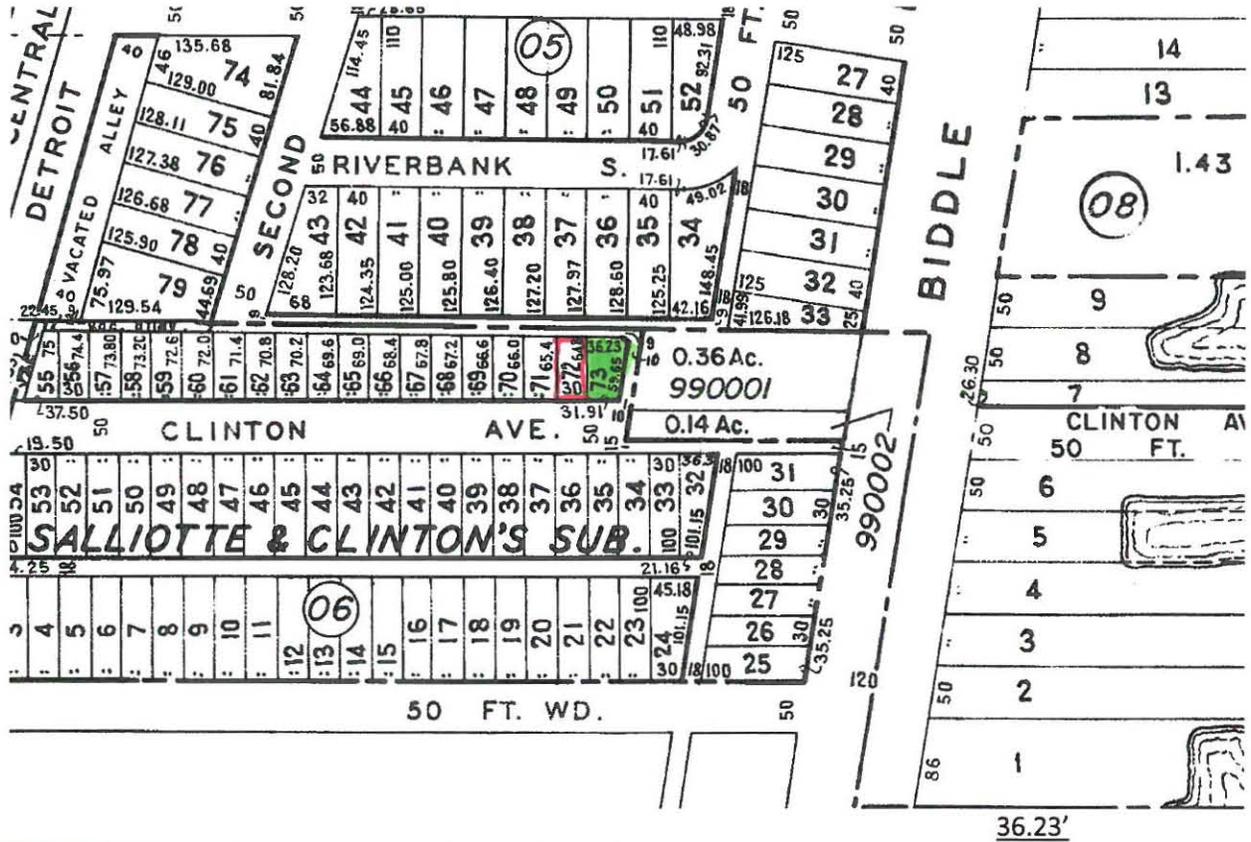
Phone \_\_\_\_\_

**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 \_\_\_\_\_

\_\_\_\_\_  
 L. S. *Purchaser*



116 Clinton - LOT 73 SALLIOTTE AND CLINTON'S SUB P. C. 121 L25 P36 WCR Lot Size: 30' x 59.65'

122 Clinton - LOT 72 SALLIOTTE AND CLINTON'S SUB P. C. 121 L25 P36 WCR Lot Size: 30' x 65.4'  
Owned by City of Wyandotte

CITY OF WYANDOTTE  
REQUEST FOR COUNCIL ACTION

MEETING DATE: **October 10, 2016**

AGENDA ITEM # **9**

**ITEM:** Proposal to Vacate a Public Alley West of 7<sup>th</sup> Street From Hillsdale Street North

**PRESENTER:** Mark A. Kowalewski, City Engineer



**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:** The petition of Chad Tarwacki was submitted to vacate the sixteen (16) foot wide public alley at 4088 7<sup>th</sup>, 4080 7<sup>th</sup>, 4072 7<sup>th</sup>, 4064 7<sup>th</sup>, 4056 7<sup>th</sup>, and 4048 7<sup>th</sup> Street. The petition indicated 50% of the abutting property owners are in favor of the vacation. The property owner at 4088 7<sup>th</sup>, 4080 7<sup>th</sup>, 4072 7<sup>th</sup>, 4064 7<sup>th</sup>, 4056 7<sup>th</sup>, and 4048 7<sup>th</sup> Street is using this public alley as part of their business operations. The property owner desires to possibly pave this alley in the future. The owner has been advised that this vacation only provides him eight (8) feet of alley to do said paving. The property owner at 760 Hillsdale objects to vacating this alley, as he would lose access to his property. This alley has overhead electric, cable, and phone lines, as well as an underground sewer line. Therefore, it is recommended to only vacate a portion of this alley with no fence or barrier being placed in the vacated alley that would restrict or limit access to these utilities.

The Department of Legal Affairs has prepared the necessary resolution setting a hearing of objections to proceed with vacating a portion of the public alley.

**STRATEGIC PLAN/GOALS:** This proposal to close the alley is consistent with the Goals and Objectives of the City of Wyandotte Strategic Plan in the continuing effort to enhance the quality of life for residents and the maintenance of infrastructure.

**ACTION REQUESTED:** Determine that vacating a portion of the public alley is a necessary and beneficial public improvement, and adopt the prepared resolution setting the time and date for a public hearing.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** The alley vacation will have no budget implications.

**IMPLEMENTATION PLAN:** If approved by Council, authorize the City Clerk to give notice of the hearing of objections in accordance with the City Charter and set the time and date for the public hearing.

**COMMISSION RECOMMENDATION:** n/a

**CITY ADMINISTRATOR'S RECOMMENDATION:**



**LEGAL COUNSEL'S RECOMMENDATION:**

**MAYOR'S RECOMMENDATION:**



**LIST OF ATTACHMENTS:** Proposed Resolution for setting the Hearing of Objections, map of location, signed petition, Notice of Hearing of Objections, and legal description of 760 Hillsdale.

RESOLUTION

Wyandotte, Michigan  
**October 10, 2016**

RESOLUTION BY COUNCILPERSON \_\_\_\_\_

At a regular session of the City Council of the City of Wyandotte.

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE.

That it is a necessary public improvement for the health, welfare, comfort and safety of the People of the City of Wyandotte, and is deemed advisable to vacate the following land as a public alley in the City of Wyandotte, Wayne County, Michigan, more particularly described as:

The sixteen (16) foot wide public alley west of 7<sup>th</sup> Street starting 96.07 feet north of Hillsdale Street extending 175 feet north toward Grove Street being adjacent to lots 26 through 32, South Detroit Sub, as recorded in Liber 14, Page 95 of Plats, Wayne County Records.

RESOLVED FURTHER, that this Council will meet on Monday, **November 14**, 2016, at 7:00 p.m., in the Council Chambers of the Wyandotte City Hall, 3200 Biddle Avenue, in said City, to hear objections to the proposed vacation of said described land as a public alley.

RESOLVED FURTHER, that the City Clerk shall give notice of such meeting, with a copy of this Resolution, in a newspaper published and circulating in said City, in accordance with the provisions of the City Charter.

I move the adoption of the foregoing Resolution.

Councilperson \_\_\_\_\_

Supported by Councilperson \_\_\_\_\_

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

NOTICE OF HEARING OF OBJECTIONS TO THE  
PROPOSED VACATION OF AN ALLEY  
IN THE CITY OF WYANDOTTE

---

NOTICE IS HEREBY GIVEN that the Council of the City of Wyandotte has heretofore determined that it is advisable and necessary to vacate 175 feet of the sixteen (16) foot wide public alley running north and south between 7<sup>th</sup> Street and 8<sup>th</sup> Street, and Hillsdale Street and Grove Street in the City of Wyandotte, Wayne County, Michigan.

The sixteen (16) foot wide public alley west of 7<sup>th</sup> Street starting 96.07 feet north of Hillsdale Street extending 175 feet north toward Grove Street being adjacent to lots 26 through 32, South Detroit Sub, as recorded in Liber 14, Page 95 of Plats, Wayne County Records.

That said Council will meet on Monday, **November 14,** \_\_\_\_\_, 2016, at 7:00 P.M., Local Time, in the Council Chambers in the City Hall of said City, 3200 Biddle Avenue, Wyandotte, Michigan, to hear objections to the proposed vacation of said described land as a public alley, in the City of Wyandotte, Wayne County, Michigan.

Dated at Wyandotte, Michigan, this **10th** day of **October** \_\_\_\_\_, 2016.

LAWRENCE S. STEC  
City Clerk  
City of Wyandotte

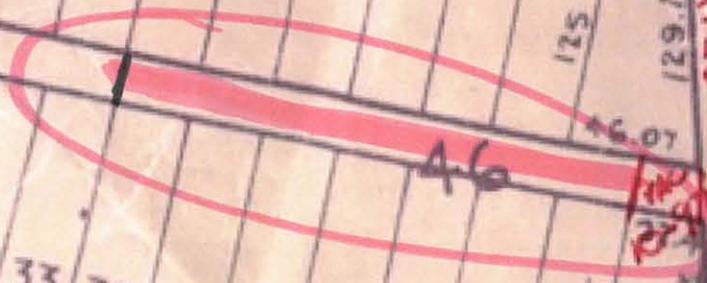
N →

8<sup>th</sup> ST.

AVE

VACATED

9-14-92



46

2" CENTRAL TO BUREAU  
 - Gravel Central - 11/11/1992  
 S.A.D. 63  
 1962  
 THOMPSON M'COLLY

7<sup>th</sup>

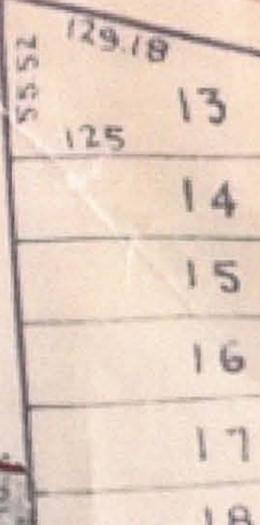
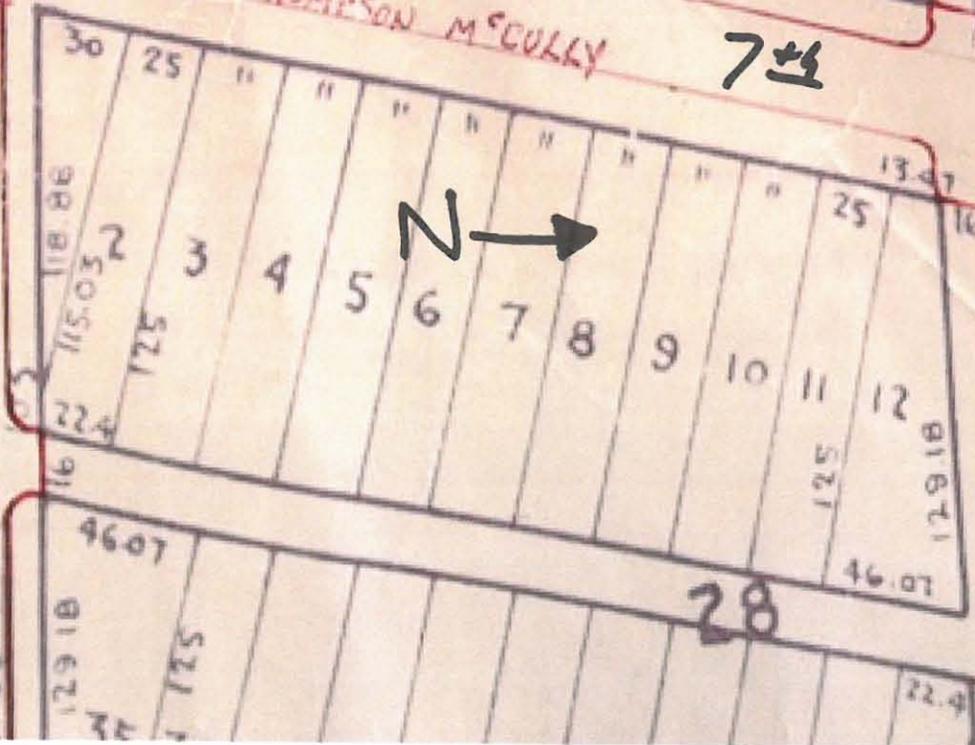
ST.

N →

Hillsdale

28

89° 59' W  
 129.18  
 115.03



**CITY OF WYANDOTTE, MICHIGAN  
CERTIFIED RESOLUTION  
2016-237**

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE CITY OF WYANDOTTE,  
WAYNE COUNTY, MICHIGAN, HELD IN THE COUNCIL CHAMBERS, OF THE MUNICIPAL  
BUILDING.

UNDER THE DATE OF: May 16, 2016

MOVED BY: Councilperson Schultz

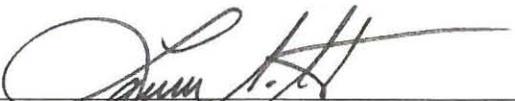
SUPPORTED BY: Councilperson VanBoxell

BE IT RESOLVED that the alley vacation petition submitted by Chad Tarwacki requesting that the alley behind the property located at 4088 7<sup>th</sup> Street be referred to the City Engineer.

BE IT FURTHER RESOLVED that the Alley Vacation/Closing Instructions and Petition Procedure packet has been reviewed and approved by Council and will be implemented immediately for all future alley vacation and closing petitions.

Motion unanimously carried.

**I, LAWRENCE S. STEC, duly authorized City Clerk of Wyandotte, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the City Council on May 16, 2016 said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976.**

  
\_\_\_\_\_  
Lawrence S. Stec  
City Clerk



## Petition to VACATE an Alley

Date: 5/12/16	
Action petitioned for:	<p>Dear Mayor and City Council Members:</p> <p>We, the undersigned citizens, owners of the property abutting the alley located at  <u>4088 7<sup>TH</sup> STREET</u></p> <p>do respectfully petition your Honorable Body to vacate said alley and convert same into public easement.</p> <p>Further, the undersigned, representing ownership of property abutting said alley, hereby agree that all existing utilities in said alley are to remain in their present location and that if at any time in the future a request is made to remove or relocate any existing poles, manholes, or other utilities in the easement, the property owners making such request and upon whose property the poles, manholes, or other utilities are located, will pay all costs incidental to such removal or relocation, unless such charges are waived by the utility owners.</p> <p>We do further agree that no buildings or structures of any nature whatsoever (except necessary fence lines) shall be built upon the easement or any part thereof, so that said easement shall be forever accessible for maintenance of utilities.</p>

Printed Name	Signature	Address	Date
CHAD A. TARWACKI		4088 7 <sup>TH</sup>	5/12/16
CHAD A. TARWACKI		4088 7 <sup>TH</sup>	5/12/16
CHAD A. TARWACKI		4072 7 <sup>TH</sup>	5/12/16
CHAD A. TARWACKI		4064 7 <sup>TH</sup>	5/12/16
CHAD A. TARWACKI		4056 7 <sup>TH</sup>	5/12/16
CHAD A. TARWACKI		4048 7 <sup>TH</sup>	5/12/16

**WARNING:** Any circulator knowingly making a false statement in the above certificate or any person not a circulator that signs as such or any person who signs a name other than his own as circulator is guilty of a misdemeanor. I, the undersigned circulator of the above petition, assert that I am qualified to circulate this petition, that each signature on the petition was signed in my presence, and that to the best of my knowledge and belief, each signature is the genuine signature of the person purporting to sign said petition.

Circulator:	CHAD A. TARWACKI	Phone:	313 798 4329
Address:	4088 7 <sup>TH</sup> STREET	Date:	5/12/16



## CONSENT TO VACATE OR CLOSE AN ALLEY

We, the undersigned, being all the owners of the real property in the City of Wyandotte, commonly known as

Alley in area of Hillsdale between 7<sup>th</sup> & 8<sup>th</sup> St

Street address

do hereby consent to the (circle one)

Vacation

Closing

of the alley of our property.

Dated: 5/12/16

Signed:

[Signature]  
Owner

In the presence of:

[Signature]  
Witness

Owner

Witness

**CITY OF WYANDOTTE**  
**REQUEST FOR COUNCIL ACTION**

MEETING DATE: October 10, 2016

AGENDA ITEM # **10**

**ITEM:** Former McKinley School at 640 Plum Street

**PRESENTER:** Mark A. Kowalewski, City Engineer and William Look, City Attorney

*Mark Kowalewski*

**INDIVIDUALS IN ATTENDANCE:** Mark A. Kowalewski, City Engineer

**BACKGROUND:** At the Council meeting of September 26, 2016, Council directed the City Engineer to re-advertise the former McKinley School for sale. Therefore, attached are the Specifications for Qualifications and Proposals for Redevelopment of the Former McKinley School at 640 Plum Street. If you concur with these specifications, the Engineering Department will solicit proposals for same.

Also, if it is the desire of the City Council to rebid this project, the attached Resolution will authorize the City Engineer to release the bid deposit of Coachlight Properties, LLC.

**STRATEGIC PLAN/GOALS:** This recommendation is consistent with the 2010-2015 Goals and Objectives of the City of Wyandotte Strategic Plan in committing to maintaining and developing excellent neighborhoods by utilizing vacant school properties and other space to add age-appropriate public amenities to residential areas and continuing neighborhood renewal projects, where needed, in order to revitalize structures and infrastructure in residential areas.

**ACTION REQUESTED:** Concurs with specifications.

**BUDGET IMPLICATIONS & ACCOUNT NUMBER:** n/a

**IMPLEMENTATION PLAN:** Re-bid the property and submit all bids to the City Council.

**COMMISSION RECOMMENDATION:** N/A

**CITY ADMINISTRATOR'S RECOMMENDATION:**

*Shrysdale*

**LEGAL COUNSEL'S RECOMMENDATION:**

*W Look*

**MAYOR'S RECOMMENDATION:**

*John*

**LIST OF ATTACHMENTS:** Specifications for Qualifications and Proposals for Redevelopment of Former McKinley School at 640 Plum Street

**MODEL RESOLUTION:**

**RESOLUTION**

Wyandotte, Michigan  
October 10, 2016

RESOLUTION by Councilperson \_\_\_\_\_

BE IT RESOLVED BY THE MAYOR AND COUNCIL that the communication from the City Engineer regarding the sale of the former McKinley School Site at 640 Plum Street is hereby received and placed on file; AND

BE IT RESOLVED that Council concurs with the Specifications for Qualifications and Proposals for Redevelopment of Former McKinley School at 640 Plum Street and authorizes the City Engineer to solicit proposals for same; AND

BE IT RESOLVED that the City Engineer is authorized to return the bid bond/bid check to Coachlight Properties, LLC .

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	_____

**SPECIFICATIONS FOR QUALIFICATIONS  
AND PROPOSALS FOR REDEVELOPMENT OF  
FORMER MCKINLEY SCHOOL AT 640 PLUM STREET  
IN THE CITY OF WYANDOTTE, MICHIGAN**

**BID FILE #4630**

Issue Date:  
Closing Date:

City of Wyandotte  
Department of Engineering and Building  
3200 Biddle, Suite 200  
Wyandotte, Michigan 48192  
[www.wyandotte.net](http://www.wyandotte.net)

Mark A. Kowalewski, PE, City Engineer

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**ATTACHMENTS**

Site Map ..... Exhibit A

City Map..... Exhibit B

## BACKGROUND INFORMATION

The City of Wyandotte is pleased to announce the offering of a prime Wyandotte Parcel for residential redevelopment. This property is a vacant elementary school. The City will consider the rehabilitation of the current building or the removal of the building and redevelopment of the entire site into a residential use.

~~The property is currently zoned Single Family Residential District (RA) and the City will only consider residential development of this site.~~

The City will only consider projects that are taxable entities.

## PROPERTY INFORMATION

### A. LOCATION:

The property is known as 640 Plum, Wyandotte, the former McKinley Elementary School. The property is located four (4) blocks south of Eureka Road.

### B. DESCRIPTION OF PROPERTIES, HISTORY & LEGAL DESCRIPTION:

The building located at 640 Plum is most recently the former McKinley Elementary School. The building consists of approximately 53,719.5 square feet not including the basement. There are two (2) floors and a full basement.

The legal description for this property is: Lots 1 thru 14, Block 179, Plat of Part of Wyandotte as recorded in Liber 1 Page 295.

The City may consider proposals that include the adjoining park which is Lots 8 thru 14, Block 178 Plat of Part of Wyandotte as recorded in Liber 1 Page 142 and the vacated Cherry Street. This area is 350' x 220'.

See map identified as Attachment A.

### C. ZONING:

~~The property is currently zoned RA (Single Family Residential District). Property has been rezoned to Plan Development (PD). Proposals will only be accepted for uses that are residential. The City would consider rezoning of the property provided it is for residential use.~~ Copies of our current zoning ordinance may be found on our website at [www.wyandotte.net](http://www.wyandotte.net).

### D. BUILDING AND SITE CONDITIONS:

The building is currently vacant and is being sold in an "as is" condition without expressed or implied warranty. The City of Wyandotte assumes no responsibility for the environmental conditions, including existing underground conditions of the property.

The City is in the process of performing a Phase I Environmental Assessment on the property. ~~Once this report is completed, A Phase I has been complete on the site -it is available for -will be made available for viewing~~ in the Engineering and Building Department.

## E. DEVELOPMENT OBJECTIVES

1. The City of Wyandotte will consider either a development that utilizes the existing structure or provides demolition of the building. The purchaser is responsible for all work necessary to rehabilitate the structure or provide for demolition, including but not limited to the following: legal, architectural, environmental, engineering, infrastructure, utilities, public right-of-way improvements, legal descriptions and any other related work.
2. A Proposed Development should be consistent with the development objective outlined in the City of Wyandotte's Strategic Plan 2010-2015. This document may be found on City's website at [www.wyandotte.net](http://www.wyandotte.net)

## REQUIRED CONTENT FOR PROPOSALS

### F. QUALIFICATIONS

1. Previous experience: Respondents should present a listing of previously completed projects similar in scope of work of the proposed project.
2. Financial resources: Respondents should submit the names, addresses, telephone numbers and relevant positions of several project and banking references.
3. Participants: Respondents should identify each of the participants involved in the project, identify their roles and provide an overview of their previous experience.
4. Plan of action: Respondents should provide a detailed overview of how the proposal will be implemented. The description should include a detailed, step-by-step schedule for implementation of the project including a projected time schedule and preliminary cost estimates.
5. Financing: Respondents should demonstrate how the project will be financed. A detailed narrative identifying the method of financing, sources of funds and amounts from each source should be provided.

### G. PRELIMINARY SITE PLAN & SCHEMATIC DESIGN

1. In order to review all feasible alternatives, the City will accept multiple preliminary design proposals. Preliminary site plans do not have to be drawn to scale, as they are conceptual. If a proposal is otherwise acceptable, a scaled site plan will be required. A preliminary site plan must accompany each proposal and shall include:
  - a. Proposed layout and use of each floor, including basement.
  - b. Provisions for parking and showing whether covered or uncovered.
  - c. Means of ingress and egress.
  - d. Landscaping plan. The landscaping plan must comply with the City's landscaping ordinance requirements. Regardless of the proposed use, the site plan submitted in response to this request must include a site layout indicating the pavement areas to remain and the pavement areas to be removed.

2. More specific information about the proposed project, i.e., finish construction materials and architectural renderings will aid the city in formulating recommendations to the Mayor and City Council.
3. If possible, provide a visual representation of the proposed development and provide schematic plans that include typical floor plan(s) and elevations of front, side and rear views. Such visual representation need not be elaborate or costly, but should offer a clear picture of the proposed end result.
4. Provide a description of the construction quality, green building techniques (ie, LEED) utilized and any energy efficiency gains produced, and the quality of the internal aesthetics.

#### H. ECONOMIC IMPACT

The respondent must provide a description of the anticipated impact of the proposed project, such as construction and permanent jobs created, estimated total dollar amount invested in the rehabilitation of the property, and the estimated cost of equipment, machinery and furnishings purchased for site. A full market study is not required, but the statement should demonstrate the respondent's understanding of the larger market issues and how the project will be successful within that context.

#### I. PRICE

The proposed bidding price must be written in both words and numerals. Provided the building will remain vacant during remodeling, an escrow deposit would be required for the estimated cost of building repairs and improvements. Your proposal must outline the amount you intend to pay at closing, and the means of financing required for the remainder of the balance. Preference will be given to those bidders with a higher percentage of initial cash to percentage financed.

#### J. EARNEST MONEY DEPOSIT

Proposals in response to this offering shall include a Ten Thousand Dollar (\$10,000.00) deposit in the form of a cashier's check, bank money order, or certified check payable to the "City of Wyandotte". In order to protect the integrity of this solicitation and review process, deposits may be forfeited in cases where acceptable proposals are withdrawn prior to execution of any agreement. This earnest money deposit shall be applied to the purchase price of the successful bidder at the time of closing. All other deposits shall be returned at the discretion of the City Council.

#### K. DISCLOSURE AND ANTI-COLLUSION

Proposal makers must complete the sworn affidavit included in this Request for Qualifications and Proposals, listing all persons, firms or corporations having any interest in the Agreement that would result from acceptance of the proposal, and stating whether any member of the City Council, or Officer, or Employee of the City is directly interested in said proposal (page 12).

## L. STANDARDS

Purchaser understands that in addition to contractual obligations that result from this proposal process, development of the property is subject to all usual codes and ordinances applicable for construction and use, as follows.

1. City of Wyandotte Zoning Ordinance.
2. City of Wyandotte Building Code. The City utilizes the State of Michigan Building Code, 2000~~15~~ (or current edition(s) at time of construction).
3. Michigan Rehabilitation Code for Existing Buildings

## M. EVALUATION

Responses to this offering will be evaluated for the best combination of the following:

1. Quality of the proposed redevelopment.
2. Experience, qualifications and readiness of the prospective purchaser to redevelop the property.
3. Highest and Best Use of the property determined by impact to the City in terms of dollars invested, positive financial impact for downtown merchants, and long-term tax base generated.
4. Dollar amount bid for the property.
5. A development that is consistent with the City of Wyandotte's Strategic Plan 2010-2015. This document may be found on the City's website at [www.wyandotte.net](http://www.wyandotte.net).

## N. REQUIRED BUILDING IMPROVEMENT DOCUMENTS PRIOR TO CLOSING

1. The successful bidder will be required to submit the following to the City prior to a Purchase Agreement being forwarded to Mayor and City Council: (1) a rehabilitation or demolition/construction schedule with time frames identified and a budget with cost estimates; and (2) a document indicating the ability to finance the project or obtain financing.
2. Prior to closing on the property, the successful bidder must complete the following: (1) rehabilitation or new construction plans must be approved by the City and all required permits pulled; (2) evidence of adequate financing in the form of a bank statement, loan approval or other acceptable documentation; (3) a final rehabilitation budget with a list of contractors and associated costs (based on permits pulled by the contractors); (4) site and landscape plan approved by the Planning Commission.

**INSTRUCTIONS TO PROPOSAL MAKERS****A. DELIVERY**

Proposals with bid deposits in response to this Request for Qualifications and Proposals shall be delivered to the City Clerk, Wyandotte City Hall, 3200 Biddle Avenue, Suite 100, Wyandotte, Michigan, prior to the deadline in a sealed envelope which shall be clearly marked as follows:

**SPECIFICATIONS FOR QUALIFICATIONS AND PROPOSALS FOR  
REDEVELOPMENT OF FORMER MCKINLEY SCHOOL AT 640 PLUM  
STREET IN THE CITY OF WYANDOTTE, MICHIGAN BID FILE #4630**

**B. DEADLINE**

Monday, ~~November 4, 2013~~ \_\_\_\_\_ at 2:00 p.m. Local Time

**C. PRE-PROPOSAL WALK-THROUGH**

Friday, ~~October 25, 2013~~ \_\_\_\_\_, from 10:00 a.m. to Noon at 640 Plum, the City will conduct a pre-proposal meeting and tour of the building. All proposal makers are encouraged to attend this meeting.

**D. OPENING**

The proposals will be publicly opened and read aloud at Wyandotte City Hall, City Council Chambers, at 2:00 p.m., ~~November 4, 2013~~ \_\_\_\_\_, or as soon thereafter as convenient.

**E. EXPEDITIOUS AGREEMENT**

The successful bidder shall expeditiously enter into a purchase agreement, subject to the terms set forth in the specifications, for submission to the City Council.

**F. PROPOSAL SELECTION**

The City intends to utilize submittals to these specifications as a method of determining qualifications of purchasers and as an evaluation of the proposals submitted. Interviews of selected purchasers may also be scheduled.

**G. TERMS OF SALES AGREEMENT**

The terms of any eventual Agreement of Sale will include, but are not limited to, the following:

1. "As-Is" condition. The property being sold is in "As-Is" condition, without express or implied warranty.
2. Title Insurance. The City of Wyandotte will furnish a Warranty deed. Title insurance must be obtained at the purchaser's expense.
3. Taxes and Prorated Items. The City as Seller shall pay all taxes and assessments, which have become a lien upon the land at the date of the purchase agreement. Current taxes, if any, including current taxes on structures already demolished, shall be prorated and adjusted as of the date of closing in accordance with the "Due Date" basis of the taxing unit in which the property is located.

4. The property is being offered as one parcel.
5. Evidence of adequate financing for rehabilitation or demolition/construction of project.
6. Site plan approval.
7. The purchase agreement will require obtaining a City building permit and submitting a property survey prior to closing. Purchaser will have 120 days from Council acceptance of the Purchase Agreement to obtain a building permit. One (1) thirty (30) day extension may be granted by the City Engineer at his discretion.
8. Purchaser is responsible for the payment of the TWO HUNDRED DOLLAR (\$200.00) closing fee. The closing fee will be paid at the time of closing. .
9. The respondent shall be responsible for obtaining at its sole cost: all permits, standard regulatory approvals, approvals for zoning appeals or regulatory changes of any kind, as well as any required engineering and environmental studies title for the properties, all closing costs, any costs for appraisals, surveys, legal descriptions, and, any other typical development "soft costs".

#### H. RESERVATION

The City, as always, reserves the right to reject any or all responses and the right to waive any formal defects in proposals when deemed in the best interest of the City. Material submitted by respondents to the City becomes the property of the City and may not be returned.

#### I. ADDITIONAL COPIES

This RFQ & P is on file in the Office of the City Clerk and copies are available for download on the City of Wyandotte's Website: [www.wyandotte.net](http://www.wyandotte.net) and also at the Michigan Inter-governmental Trade Network (MITN) website at: [www.mitn.info](http://www.mitn.info)

#### J. INQUIRES

Questions about this proposal shall be submitted, in writing, by \_\_\_\_\_  
~~October 29, 2013~~ at 1:00 p.m. and directed to:

Mark Kowalewski, PE, City Engineer  
 3200 Biddle Avenue, Suite 200, Wyandotte, Michigan  
 734-324-4554, [mkowalewski@wyan.org](mailto:mkowalewski@wyan.org)

Or

Kelly Roberts, Development Coordinator  
 3200 Biddle Avenue, Suite 300, Wyandotte, Michigan  
 734-324-4555, [kroberts@wyan.org](mailto:kroberts@wyan.org)

## AWARD PROCEDURES

### A. ELIGIBILITY FOR AWARD

1. In the event that the city determines that it has received one proposal, which, at the sole determination of the City, is feasible, then the City may make an award for the property under the terms of this RFP. In order to be eligible for such an award, the proposal must be responsive to the RFP. Responsive proposals must follow all guidelines established herein for preparation and submission and achieve goals stated within this RFP.
2. Respondent may be required to make a presentation to the Wyandotte City Council.
3. The City may designate a Review Panel for evaluating the proposal. The size and composition of the Review Panel is the sole responsibility of the City. The Review Panel shall have the opportunity to review all written materials and may request additional written materials or oral presentations from any or all Respondents.
4. The Wyandotte City Council will make the final decision regarding the award of the project. In doing so, the Council retains the right to accept, reject or revise all recommendations, to request additional information from the Review Panel, City Staff, any or all Respondents and to reject all Respondents.

### B. NOTICE OF AWARD

Official notice of award will be sent by U.S. Mail to the address and contact persons listed on the Proposal Signature Sheet. Respondents who are not selected will be similarly notified by U.S. Mail after a proposal has been accepted and approved.

## ADMINISTRATIVE INFORMATION

## Issue Date:

~~October 7, 2013~~TBD

## Issuing Officer:

City of Wyandotte, Department of Engineering and Building  
3200 Biddle Avenue  
Wyandotte, Michigan 48192

## Obtaining RFP:

The RFP is available free of charge from the Michigan Inter-Governmental Trade Network (MITN) website at [www.mitn.info](http://www.mitn.info) the City of Wyandotte's website at [www.wyandotte.net](http://www.wyandotte.net) . All addendums will be listed on these websites.

## Questions and Inquires:

Written questions and inquires will be accepted from respondents and must be submitted by ~~October 29, 2013~~ at 1:00 p.m. Please direct questions to [mkowalewski@wyan.org](mailto:mkowalewski@wyan.org) or [kroberts@wyan.org](mailto:kroberts@wyan.org).

## Deadline:

The deadline for receipt of proposals is 2:00 p.m. local time on Monday, ~~November 4, 2013~~. Proposals will be dated and time stamped upon submission. Use of the U.S. Postal Service, private delivery companies or courier services is undertaken at the sole risk of the Respondent. It is the Respondent's sole responsibility to ensure that the proposal is in the possession of the City by the deadline.

## Submitting Responses to RFP:

All proposals must be delivered to:

The City of Wyandotte will receive proposals at Wyandotte City Hall, City Clerk's Office, 3200 Biddle Avenue, Suite 100, Wyandotte, Michigan.

Please submit one (1) original with original signatures plus two (2) copies totaling three (3) submissions of each proposal and all materials together in one envelope, clearly marked as follows:

**SPECIFICATIONS FOR QUALIFICATIONS AND PROPOSALS  
FOR REDEVELOPMENT OF FORMER MCKINLEY SCHOOL  
AT 640 PLUM STREET IN THE CITY OF WYANDOTTE, MICHIGAN  
BID FILE #4630**

**PROPOSAL SIGNATURE SHEET**

DATE: \_\_\_\_\_, 201~~6~~<sup>3</sup>

TO: The Honorable Mayor and City Council  
Wyandotte City Hall, 3200 Biddle Avenue  
Wyandotte, Michigan 48192

**PROJECT: SPECIFICATIONS FOR QUALIFICATIONS AND PROPOSALS FOR REDEVELOPMENT OF FORMER MCKINLEY SCHOOL AT 640 PLUM IN THE CITY OF WYANDOTTE, MICHIGAN. BID FILE #4630**

**THE UNDERSIGNED HEREBY CERTIFY AS FOLLOWS:  
(each box must be checked by Proposal Maker)**

INSPECTION: Familiarity with the present condition of premises based on recent inspection.

COMPREHENSION: Understanding Specifications, including expeditious agreement, Council approval, permits prior to closing, and commitment to develop within six (6) months.

PROPOSED BUILDING FEATURES: Proposals must be attached.

BID PRICE FOR PROPERTY: \_\_\_\_\_ Dollars  
(\$\_\_\_\_\_.00)

EXECUTED ANTI-COLLUSION AFFIDAVIT: to be attached.

DEPOSIT: Ten Thousand Dollars (\$10,000)  
Check No. \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Name: \_\_\_\_\_  
(please print)

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

ADDENDUMS RECEIVED: \_\_\_\_\_

**ANTI-COLLUSION AFFIDAVIT**

Note: The affidavit set forth below MUST be executed on behalf of the proposal maker and furnished with every proposal.

STATE OF MICHIGAN  
COUNTY OF WAYNE

\_\_\_\_\_, being first duly sworn, deposes and says he/she is

the \_\_\_\_\_ of \_\_\_\_\_, the proposal maker  
TITLE (if applicable) NAME OF COMPANY

which has submitted on the \_\_\_\_ day of \_\_\_\_\_, 201~~63~~ to the City of Wyandotte, Michigan, a proposal for the development of the former McKinley School 640 Plum Street in the City of Wyandotte, all as fully set forth in said proposal. The aforementioned proposal maker constitutes the only person, firm or corporation having any interest in said bid or in any contract, benefit or profit which may, might or could accrue to, or grow out of the acceptance in whole or in part of said proposal, except as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Affiant further states that said proposal is in all respects fair and is submitted without collusion or fraud; and that no member of the City Council, or officer or employee of said City is directly or indirectly interested in said proposal.

\_\_\_\_\_  
Applicant Signature

SWORN TO and subscribed before me, a Notary Public, in and for the aforementioned named State and County this \_\_\_\_ day of \_\_\_\_\_, 2013.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**EXHIBIT A**

**SCHOOL PROPERTY:**

Lots 1 thru 14, Block 179, Plat of Part of Wyandotte as recorded in Liber 1 Page 295.

**PARK PROPERTY:**

Lots 8 thru 14, Block 178 Plat of Part of Wyandotte as recorded in Liber 1 Page 142 and the vacated Cherry Street.

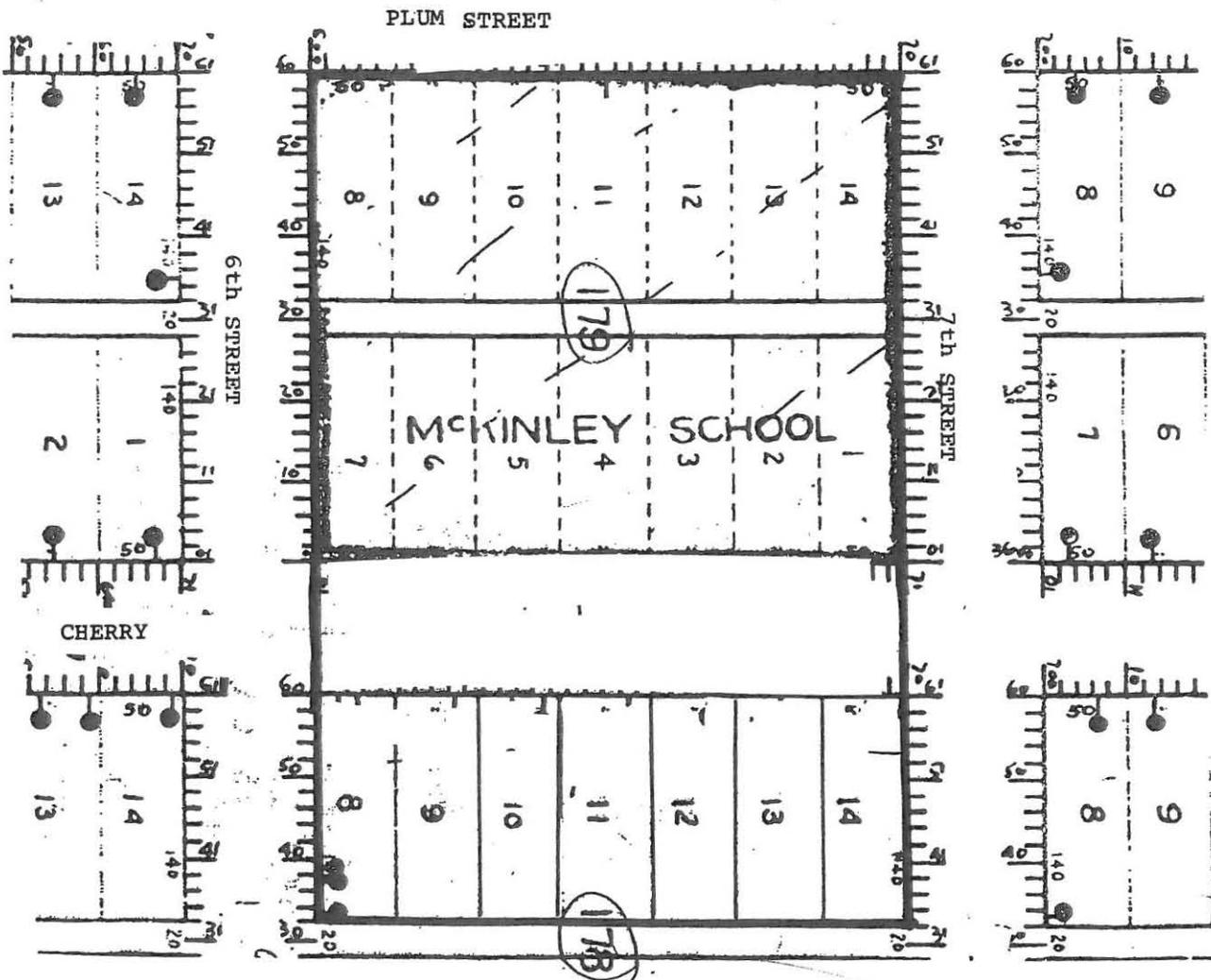
EXHIBIT A

SCHOOL PROPERTY:

Lots 1 thru 14, Block 179, Plat of Part of Wyandotte as recorded in Liber 1 Page 295.

PARK PROPERTY:

Lots 8 thru 14, Block 178 Plat of Part of Wyandotte as recorded in Liber 1 Page 142 and the vacated Cherry Street.

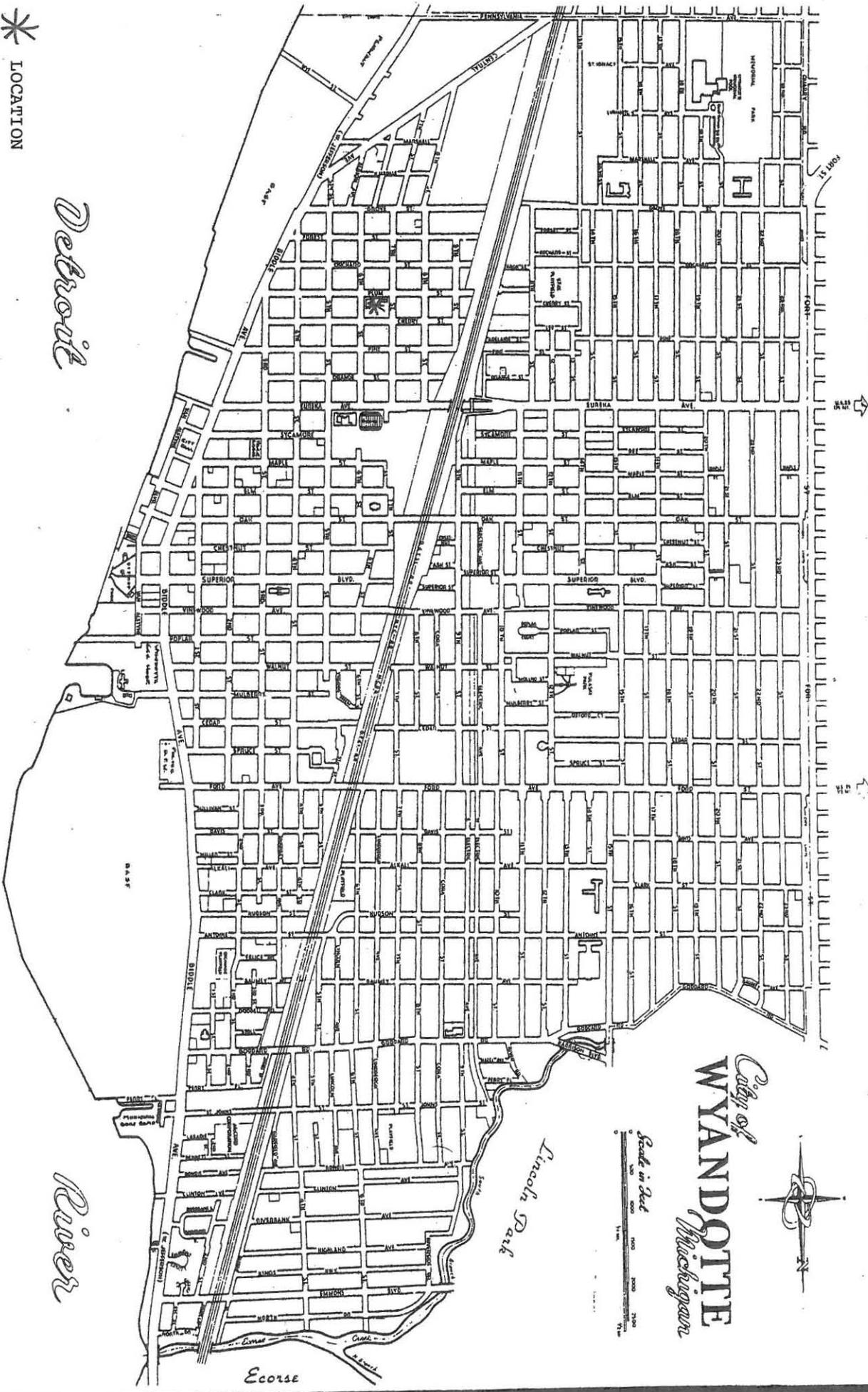


Riverview

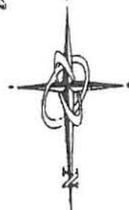


LOCATION

Detroit



City of  
**WYANDOTTE**  
Michigan



Scale in Feet  
0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 7500

Lincoln Park

River

Ecorse

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
MURRAY, DANIEL	CHB BROWN LLC	155,000	01/20/2014	PTA	00-NOT AUDITED		OTHER/L-4260	100.0

Property Address	Class: INDUSTRIAL REAL	Zoning:	Building Permit(s)	Date	Number	Status
760 HILLSDALE	School: 57-WYANDOTTE					
	P.R.E. 0%					
Owner's Name/Address	MAP #:					
CHB BROWN LLC 760 HILLSDALE WYANDOTTE MI 48192	2017 Est TCV Tentative					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 00040.INDUSTRIAL								
			Description	Frontage	Depth	Front Depth	Rate %Adj.	Reason	Value		
2715 TO 2719 LOTS 1 TO 5 INCL SOUTH DETROIT SUB, BLOCK 46 T3S R11E, L14 P95 WCR	X		Dirt Road								
			Gravel Road								
	X		Paved Road								
	X		Storm Sewer								
			Sidewalk								
			Water								
	X		Sewer								
	X		Electric								
	X		Gas								
	X		Curb								
			Street Lights								
			Standard Utilities								
			Underground Utils.								

Comments/Influences	X	Land Improvement Cost Estimates					
		Description	Rate	CountyMult.	Size	%Good	Cash Value
C H BROWN TRANSPORTATION C OF O DATED AUGUST 23, 2011 ZONED I - 1 CECIL BROWN 760 HILLSDALE WYANDOTTE MI EXISTING INDUSTRIAL BUILDNG USED FOR TRUCK REPAIR	X	Unit in Place Item(s)					
		CONCRETE PAD 6" SF	6.38	1.00	3040.0	55	10,667
		CONCRETE SIDEWALK SF	4.49	1.00	160.0	55	395
		Total Estimated Land Improvements True Cash Value =					11,062



The Equalizer. Copyright (c) 1999 - 2009. Licensed To: City of Wyandotte, County of Wayne, Michigan

Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X	Level		2017	Tentative	Tentative	Tentative			Tentative
	Rolling								
	Low								
	High								
X	Landscaped		2016	5,500	99,500	105,000			105,000S
	Swamp								
	Wooded		2015	5,500	112,400	117,900			117,900S
	Pond								
	Waterfront		2014	5,500	111,000	116,500			111,149C
	Ravine								
	Wetland								
	Flood Plain								

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

# Guide Sheet

## FINAL READING OF AN ORDINANCE

#1433

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE ZONING ORDINANCE  
TO AMEND CERTAIN PORTIONS OF  
ARTICLE XXII SPECIAL LAND USES  
SECTION 2201 – GENERAL PROVISIONS  
AMENDING SECTION H – REVOKE SPECIAL LAND USE

#1434

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE ZONING ORDINANCE  
TO AMEND CERTAIN PORTIONS OF  
ARTICLE XXII SPECIAL LAND USES  
SECTION 2202 – SPECIAL LAND USE DESIGNATED  
AMENDING SECTION S – OUTDOOR CAFE

AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
ZONING ORDINANCE TO AMEND  
CERTAIN PROVISIONS OF  
ARTICLE XXII SPECIAL LAND USES  
SECTION 2201 – GENERAL PROVISIONS  
AMENDING SECTION H – REVOKE SPECIAL LAND USE

CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN ORDAINS:

Section 1. Purpose and Intent

It is determined necessary for the health, safety and welfare of the City to adopt this article regulating the location and operations of Outdoor Cafes Uses.

Section 2. Amendment to Section 2201 "GENERAL PROVISIONS" by amending Paragraph H of Article XXII "Special Land Uses", shall read as follows:

H. Revoke special land use. A special land use may be revoked by the planning commission under the following procedures:

1. Mail notice of the proposed action to revoke the special land use to the owner/operator of the business and outdoor café at least 10 calendar days prior to the hearing.
2. Provide with the notice the reasons for the proposed action.
3. Provide with the notice the date, time and place of the hearing for the proposed action.
4. Include in the notice a statement that the owner/operator may present evidence and testimony and question any witness at the hearing.
5. At the hearing, the city engineer's office or planner will present to the planning commission any witnesses, reports, documents and recommendations concerning the proposed revocation of the special land use.

Criteria for revocation.

The planning commission may revoke a special land use upon a determination by the commission that, based upon a preponderance of evidence presented at the public hearing, any of the following exists:

1. Violation of any of the restrictions of the special land use set forth in the city ordinance or in any conditions set by the city when it approved the special land use.
2. Maintenance of a nuisance upon the premises, including, but not limited to, any of the following:
  - a. Existing violations of building, zoning, health, fire or regulatory codes.
  - b. A pattern of patron conduct upon or in the neighborhood of the licensed establishment including outdoor café which is in violation of the law or disturbs the peace, order and tranquility of the neighborhood.
  - c. Failure to maintain the grounds and exterior of the licensed establishment (including outdoor café), including litter, debris, refuse blowing, or being deposited on adjoining properties.

- d. Entertainment without a required permit or entertainment which disturbs the peace, order and tranquility of the neighborhood.
- e. Any advertising, promotion or activity which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed establishment (including outdoor café).
- f. Any condition of default in the payment of any tax, fee, charge, water bill, special assessment or other debt to the city or any unpaid judgment payable to the city.
- g. Any misrepresentation of any information in any application or hearing for the grant or renewal of any special land use (including outdoor café).

### Section 3. Reservation of Rights.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

### Section 4. Severability.

Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be so invalid and shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

### Section 5. Conflicting Ordinances.

Conflicting Ordinances. All prior existing ordinances adopted by the City of Wyandotte inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

### Section 6. Effective

This Ordinance shall take effect 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 and inspected.

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

YEAS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
VanBoxell

NAYS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT \_\_\_\_\_

I hereby approve the adoption of the foregoing Ordinance this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 200\_\_.

CERTIFICATION

We, the undersigned, Joseph R. Peterson and Lawrence S. Stec, respectively, the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the City Council of the City of Wyandotte, at a regular session on Monday, \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Lawrence S. Stec, City Clerk

\_\_\_\_\_  
Joseph R. Peterson, Mayor

## AN ORDINANCE ENTITLED

AN ORDINANCE TO AMEND THE CITY OF WYANDOTTE  
 ZONING ORDINANCE TO AMEND  
 CERTAIN PROVISIONS OF  
 ARTICLE XXII SPECIAL LAND USES  
 SECTION 2202 – SPECIAL LAND USE DESIGNATED  
 AMENDING SECTION S – OUTDOOR CAFE

CITY OF WYANDOTTE, WAYNE COUNTY, MICHIGAN ORDAINS:

Section 1. Purpose and Intent

It is determined necessary for the health, safety and welfare of the City to adopt this article regulating the location and operations of Outdoor Cafes Uses.

Section 2. Amendment to Section 2202 "Special Land Use Designated" by amending Paragraph S of Article XXII "Special Land Uses" of Zoning Ordinance shall read the follows:

Article XXII – Special Land Uses, 2202. Special Land Use Designated

S – Outdoor Café

1. An outdoor café may be set up and used from March 15 through November 15. The permitted hours of operation are from 7:00 a.m. to 12 midnight Monday thru Sunday with extended hours to 2:00 a.m. on 3<sup>rd</sup> Fridays, Street Art Fair and events approved by Resolution by City Council. Noise radiating from an outdoor café, which exceeds 75 DBA between 7:00 a.m. to 12 midnight or 65 DBA for all other times shall constitute prima facie evidence that such noise unreasonably disturbs the comfort, quiet and repose of persons in the area and is prohibited. The "DBA" represents the sound pressure level in decibel measured on the "A" scale of a standard sound level meter. Noise level measurements shall be taken at the zoning district boundary of any residential zoning district, recreation unit district and any planned development as may be appropriate. In all other districts, noise level measurements shall be taken at the property line of an affected property.

Upon request, the City Council may by resolution, extend the dates of operations or the hours of operation. A public hearing on said request shall first be held by the Planning Commission (under the same procedures for approval of special land use). Upon receipt by the City Council of recommendation of the planning commission the City Council may approve the request. The criteria for approval will include the impact on adjacent or nearby residential, religious, educational or commercial properties and review of previous or current compliance with all city ordinances, state and federal regulations. Any approval for extension of dates or hours shall be issued on a calendar year basis and shall expire on December 31<sup>st</sup> and must be renewed annually. The City Council may grant a renewal of the extended dates or hours without the necessity of a public hearing if it determines the applicant is in compliance with all requirements of all city ordinances and approvals for the special land use. Any approval for extension of dates or hours is subject to revocation by the Planning Commission in accordance with paragraph H, section 2201.

2. A site drawing showing the detailed plan of the outdoor café must be submitted to and approved by the Planning Commission. The detailed plan is to include: the design,

relevant details and location of all temporary structures such as awnings, planters, landscaping, railing, tables, chairs and other equipment, as well as lighting and electrical outlet locations. The location of entrances and exits shall be shown. For cafes on public property, the plan shall also show existing sidewalks, buildings, curbs, existing improvements, i.e., lamp posts, street trees, benches, mailboxes, etc., and an unobstructed clear area for pedestrian use (a minimum of 60"). A minimum clearance of seven (7) feet shall be maintained between the sidewalk and bottom edge of table umbrellas or awnings. The layout shall show all seating, tables and chairs and shall be used to determine maximum occupancy load for the outdoor café. The occupancy load shall be posted in a conspicuous location.

3. Plans for setting up the outdoor café must be approved by the Department of Engineering and Building to provide for the free passage of pedestrians along the sidewalks, by the Police Department to provide for traffic and pedestrian safety, and by the Fire Department for fire-safety issues. An outdoor café which is adjacent to residential properties or shares an alley with residential properties shall be screened with a solid fence a minimum of six (6) feet high.
4. The outdoor café must be part of a licensed restaurant and meet all the requirements of the department of health and any other local, county or state requirements, including the City of Wyandotte's ordinance and the Michigan Liquor Control Commission (if applicable).
5. For outdoor cafes on public property, liability insurance, Liquor Liability Coverage and property damage coverage naming the City of Wyandotte as an insured party, in an amount approved by the City of Wyandotte's City Administrator, must be provided before an outdoor café may be set up and be maintained for as long as the outdoor café is in operation.
6. Approval of the City Council is required for the proposed use of any public area or facility. All provisions of a Grant of License must be complied with at all times. Consideration for approval for use of any public area shall be limited to public property that is situated within fifty (50) feet of the extended property boundaries of property owned by the applicant. Any public outdoor café not within the road right-of-way may also require a written lease as determined by the City Council.
7. An outdoor café in a B-2 district may provide for only thirty five percent (35%) more seating than is provided inside the restaurant. Additional parking shall be provided for the square foot area of the outdoor café in accordance with Section 2403.
8. No sign or any other form of advertising is permitted in the dining area, nor on fences or railings of such area with the exception of an identification or menu sign. The name of the establishment may appear on the valance of an umbrella. No display of merchandise for sale shall be allowed.
9. Furnishings of an outdoor café shall consist solely of readily removable awnings, covers, canopies, railings, tables, chairs, planters containing plants and accessories. Furnishings may not be attached, even in a temporary manner, to the sidewalk or other public property, except that canopies and railings, shall be secured by means of flush mounted anchors or other methods approved by the Building Official. No objects which are part of an outdoor café, except lighting fixtures, railings, awnings, or other nonpermanent covers or canopies, may be attached, even in a temporary manner, to any building, or

structure on which the outdoor café abuts. When the associated establishment and/or the outdoor café on public property are not open for daily use, all furnishings and fixtures, unless otherwise specifically approved, shall be removed from the public property or stored in an approved manner which shall not cause a public nuisance or hazard. The Building Official shall determine when fences on public property shall be removed. The Building Official shall determine when a hazardous condition exists in the public right-of-way and on other public property. Any fence abutting public right-of-way or in public right-of-way must be of black metal material. Shop drawings plans shall be provided with each application for fencing and all furniture on any outdoor café for review by the Planning Commission.

10. Outdoor dining areas must remain clear of litter, food scraps and soiled dishes at all times.
11. Annual inspection of the outdoor café to be conducted by the Engineering and Building Department for compliance with approved plan. All outdoor cafes shall apply annually to the Planning Commission for approval. A public hearing will be required for an existing outdoor café only if a written complaint is received by the Planning Commission in the previous year. The Engineering and Building Department will be responsible to receive written complaints concerning an outdoor café and said complaints shall be forwarded to the Planning Commission. The City Council will approve an application checklist which will include yearly fees for application review, inspections, use of public area and review of insurance. This checklist will be utilized for inspection by the Engineering and Building Department. The yearly fee will be established by City Council Resolution.

### Section 3. Reservation of Rights.

Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Ordinance.

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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 and inspected.

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

YEAS

\_\_\_\_\_  
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\_\_\_\_\_

Fricke  
Galeski  
Miciura  
Sabuda  
Schultz  
VanBoxell

NAYS

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT \_\_\_\_\_

I hereby approve the adoption of the foregoing Ordinance this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CERTIFICATION

We, the undersigned, Joseph R. Peterson and Lawrence S. Stec, respectively, the Mayor and City Clerk of the City of Wyandotte, do hereby certify that the foregoing Ordinance was duly passed by the City Council of the City of Wyandotte, at a regular session on Monday, \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Lawrence S. Stec, City Clerk

\_\_\_\_\_  
Joseph R. Peterson, Mayor

# Reports & Minutes

1

October 3, 2016

## CITY OF WYANDOTTE REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, October 3, 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.

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Present: Councilpersons Daniel Galeski, Sheri Fricke, Ted Miciura, Leonard Sabuda, and Kevin VanBoxell

Absent: Councilperson Donald Schultz

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

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### PRESENTATIONS

- Brian Webb: Zombie Pub Crawl for Yes Ma'am on October 15, 2016, \$25 tickets, wyandottezombiepubcrawl.com

### UNFINISHED BUSINESS

Discussion regarding Resolutions #2016-487 & #2016-488

### COMMUNICATIONS MISCELLANEOUS

Discussion regarding Resolution #2016-489

### PERSONS IN THE AUDIENCE

- Joe Lenard, 1108 Mulberry, regarding Pulaski Park parking

### NEW BUSINESS (ELECTED OFFICIALS)

- Councilperson Fricke: Question regarding former Lions, Tigers & Beers property
  - City Engineer Kowalewski: Building permit in process of being secured
- Mayor Peterson: Interest in refining property maintenance ordinances

### COMMUNICATIONS FROM CITY AND OTHER OFFICIALS

Discussion regarding Resolution #2016-490 - #2016-498

### PRESENTATION OF PETITIONS

None

### REPORTS & MINUTES

City Council	September 26, 2016
Daily Cash Receipts	September 27, September 28 & September 29, 2016
Municipal Services Commission	September 7, 2016 (REVISED) & September 28, 2016
Recreation Commission	September 13, 2016

### CITIZENS PARTICIPATION

- Tom Kaul, 3115 Van Alstyne, regarding downtown & city buildings needing demolition.

**RECESS**

**RECONVENE**

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

Absent: Councilperson Schultz

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

## **HEARINGS**

None

## **FIRST READING OF AN ORDINANCE**

- #1433: Article XXII Special Land Uses, Section 2201 – General Provisions, Section H – Revoke Special Land Use
- #1434: Article XXII Special Land Uses, Section 2202 – Special Land Use Designated, Section S – Outdoor Café

## **FINAL READING OF AN ORDINANCE**

- #1432: Article V, Section 21-122 – Pawnbrokers & Second Hand Dealers, License Fees

## **RESOLUTIONS**

### **2016-486 MINUTES**

By Councilperson Miciura, supported by Councilperson Fricke  
RESOLVED that the minutes of the meeting held under the date of September 26, 2016, be approved as recorded.  
Motion unanimously carried.

### **2016-487 DEPT. OF LEGAL AFFAIRS RESPONSE – KARAS**

By Councilperson Miciura, supported by Councilperson Fricke  
BE IT RESOLVED that the response from the Department of Legal Affairs regarding the letter submitted by Mr. J.P. Karas and read at the September 19, 2016 City Council meeting is hereby received and placed on file.  
Motion unanimously carried.

### **2016-488 ENGINEERING RESPONSE – J. STERLING/SEWER TAP FEES**

By Councilperson Miciura, supported by Councilperson Fricke  
BE IT RESOLVED that the communication from the City Engineer regarding a response to Joshua Sterling, Epic Property Management, is hereby received and placed on file; AND  
BE IT FURTHER RESOLVED that the Council concurs with the recommendation of the City Engineer regarding amendment to Article II. Plumbing Code, Sec 29-23 Amendments, Section P-114.2 Fee Schedule to amend the fee for “sewer pipe new City sewer being tapped” to \$500;  
AND  
BE IT RESOLVED that the said revision be read for the 1<sup>st</sup> reading at the October 10, 2016 Council meeting.  
Motion unanimously carried.

### **2016-489 PROCLAMATION REQUEST – AMER. INDIAN HERITAGE MONTH**

By Councilperson Miciura, supported by Councilperson Fricke  
WHEREAS the request from Lugene Flores, Monguagon Chapter of the National Society Daughters of the American Revolution, is requesting that the City of Wyandotte to recognize the month of November as National American Indian Heritage Month.

BE IT RESOLVED that Mayor and Council approve the preparation of a proclamation, as requested, to be presented to the NSDAR Monguagon Chapter of Michigan.

Motion unanimously carried.

#### **2016-490 WFD OPEN HOUSE & PANCAKE BREAKFAST**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED by the City Council that Council grant permission to the Wyandotte Fire Fighters Local 356 to conduct their Annual pancake breakfast during the Wyandotte Fire Department Open House on Sunday, October 16, 2016; AND

BE IT FURTHER RESOLVED that the west half of City parking lot #9 and Maple Street in front of the Central fire station be closed on October 16, 2016, from 7am until 1pm.

Motion unanimously carried.

#### **2016-491 KIDS FALL FESTIVAL 2016**

By Councilperson Miciura, supported by Councilperson Fricke

WHEREAS the 2016 Kids Fall Festival Event is scheduled to occur on October 21<sup>st</sup>, 2016 from 6pm to 8 pm and will include Trick or Treating at Downtown Wyandotte Businesses, pumpkin painting, cider and donuts with expenses to be paid from the Special Event Misc. Account and the DDA Expense Accounts.

BE IT RESOLVED that Council approves the contract use of city sidewalks for the 2016 Kids Fall Festival Event on October 21<sup>st</sup>, 2016 from 6pm to 8 pm; AND

BE IT FURTHER RESOLVED that Council approves the following:

- All streets to close at 11am and reopen at midnight
- Request to close Biddle Avenue between Oak and Eureka Road
- Request to close Sycamore from Biddle to Alley – East
- Request to close Maple from Biddle to Alley – East
- Request to close Elm to Biddle to Alley – East
- Request to close Sycamore and Biddle to just past Coastal Thai
- Request to close Maple from Biddle to alley
- Request to close Elm from Biddle to the Alley – West
- Request to close First Street behind Chelsea's Menswear
- Gravel parking lot at the former City Hall 3131 Biddle
- All roads should be closed with signs no later than 11am

BE IT FURTHER RESOLVED that the Special Event Coordinator will forward any necessary documents to the Chief of Police, Department of Public Service, Recreation Department, and Fire Department for coordination.

Motion unanimously carried.

#### **2016-492 RHS DOWNRIVER FANFARE 2016**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that Council concurs with the recommendation of the Special Events Coordinator relative to the request of the Roosevelt High School/Wyandotte Music Boosters to hold their Downriver Fanfare event on October 4, 2016 from 4:00 p.m. to 10:00 p.m. and also APPROVES the request to use city property and close the following streets from 3:30PM to 10PM:

1. Maple Street between 5th and 7th Streets
2. 5th Street from Eureka to Maple
3. Alley behind the Auto Shop
4. Permission to utilize the City Hall/Chase Bank parking lot for overflow parking

AND BE IT FURTHER RESOLVED that this event has been reviewed and approved by Police, Fire, the Superintendent of Recreation, and Superintendent of DPS; AND  
BE IT FURTHER RESOLVED that a Hold Harmless Agreement shall be executed as prepared by the Department of Legal Affairs.  
Motion unanimously carried.

**2016-493 HOLIDAY PERFORMANCE CONTRACT - OLSZEWSKI**

By Councilperson Miciura, supported by Councilperson Fricke  
BE IT RESOLVED that Council approves the holiday performance contract for Mr. and Mrs. Olszewski for the 2016 Christmas Parade with funds to be paid from the Christmas Parade Account; AND  
BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby directed to execute said contract on behalf of the City of Wyandotte.  
Motion unanimously carried.

**2016-494 2016 LEAF COLLECTION SCHEDULE**

By Councilperson Miciura, supported by Councilperson Fricke  
BE IT RESOLVED that the communication from the City Engineer regarding Leaf Collection Service in the City of Wyandotte is hereby received and placed on file; AND  
BE IT FURTHER RESOLVED that Council authorizes the City Clerk to publish said schedule in the Wyandotte News Herald; AND  
BE IT FURTHER RESOLVED that the City requests residents to avoid parking on the streets during their weeks of leaf collection.  
Motion unanimously carried.

**2016-495 CITY ACQUISITION – 1528 CHESTNUT**

By Councilperson Miciura, supported by Councilperson Fricke  
BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to acquire the property at known as 1528 Chestnut the amount of \$25,000.00 to be appropriated from UDAG Funds; AND  
BE IT RESOLVED that the Department of Legal Affairs, William R. Look, is hereby directed to prepare and sign the necessary documents and the Mayor and City Clerk be authorized to execute the Purchase Agreement; AND  
BE IT FURTHER RESOLVED that the City Engineer is directed to demolish same upon completion of the Wyandotte Historical Commission inspection of the home as it pertains to the preservation of historical and cultural items for the City of Wyandotte; AND  
BE IT RESOLVED that William R. Look, City Attorney is authorized to execute closing documents for the purchase of said property on behalf of the Mayor and City Clerk.  
Motion unanimously carried.

**2016-496 LATE ITEM – PULASKI DAY, PAV POST 95**

By Councilperson Miciura, supported by Councilperson Fricke  
BE IT RESOLVED that the Mayor and Council approve and recognize Pulaski Day, held by the Polish Army Veterans Association of America, Post 95, on Sunday, October 9, 2016 at Pulaski Park; AND  
BE IT FURTHER RESOLVED that police escort will be provided for the procession from Our Lady of the Scapular Parish to Pulaski Park at 1:00 p.m. and the city will provide electrical service for the event; AND  
BE IT FURTHER RESOLVED that the Fire Department, Police Department, Department of Public Service, and the Wyandotte Recreation, Leisure & Culture Department be notified for proper coordination.  
Motion unanimously carried.

**2016-497 PAWNBROKER & SECOND HAND DEALER LICENSE FEES**

By Councilperson Miciura, supported by Councilperson Fricke

**AN ORDINANCE ENTITLED**

**AN ORDINANCE TO AMEND SECTION 21-122 “LICENSE FEE AND POSTING” OF ARTICLE V “PAWNBROKERS AND SECOND HAND DEALERS”**

The City of Wyandotte Ordains:

Section 1. Amendment to Section 21-122 “License Fee and Posting”.

Sec. 21-122. License Fee and Posting.

Commencing with the start of the 2017-2018 licensing cycle (June 2017), the fee for the license required by this Article shall be One Hundred Fifty (\$150.00) each year. Any change in the future of this fee may be made by council resolution.

Section 2. Severability

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

Section 3. Effective date

This Ordinance takes effect fifteen (15) days from the date of its passage and a summary shall be published in a newspaper circulated in the City of Wyandotte within ten (10) days after the adoption.

Motion unanimously carried.

**2016-498 CANCELLATION OF CITY COUNCIL MEETING – 10/31/2016**

By Councilperson Miciura, supported by Councilperson Fricke

BE IT RESOLVED that the Council meeting scheduled for October 31, 2016 be cancelled in observance of Halloween.

Motion unanimously carried.

**2016-499 ADJOURNMENT**

By Councilperson Miciura, supported by Councilperson Fricke

RESOLVED that this regular meeting of the Wyandotte City Council be adjourned at 8:00 p.m.

Motion unanimously carried.




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Lawrence S. Stec, City Clerk

User: ktrudell

Post Date from 10/04/2016 - 10/04/2016 Open Receipts

DB: Wyandotte

Receipt #	Date	Cashier	Wkstn	Received Of Distribution	Amount
O 461001	10/04/2016	ktrudell	F2	WYANDOTTE ADOPTION CENTER	
AC		101-000-001-000		101-000-257-078 Reserve-Animal Care	3,325.00
AC		101-000-001-000		101-000-257-078 Reserve-Animal Care	3,120.00
AC		101-000-001-000		101-000-257-078 Reserve-Animal Care	5.00
SH		101-000-001-000		101-303-925-998 DCACA SHELTER REVENUE	170.00
					<u>6,620.00</u>
					6,490.00 CITY CASH
					<u>130.00</u> CITY CHECK 2347
					6,620.00
ADOPT 35 DOGS, ADOPT 48 CATS SELL ONE CAT CARRIER 1 RETURN TO OWNER 'JOSHUA'					
Total of 1 Receipts					<u>6,620.00</u>

User: ktrudell

Post Date from 10/04/2016 - 10/04/2016 Open Receipts

DB: Wyandotte

Receipt #	Date	Cashier	Wkstn	Received Of Distribution	Amount
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\*\*\* TOTAL OF CREDIT ACCOUNTS \*\*\*

101-000-257-078 Reserve-Animal Care					6,450.00
101-303-925-998 DCACA SHELTER REVENUE					170.00
TOTAL - ALL CREDIT ACCOUNT					<u>6,620.00</u>

\*\*\* TOTAL OF DEBIT ACCOUNTS \*\*\*

101-000-001-000 Cash					6,620.00
TOTAL - ALL DEBIT ACCOUNTS					<u>6,620.00</u>

\*\*\* TOTAL BY FUND \*\*\*

101 General Fund					6,620.00
TOTAL - ALL FUNDS:					<u>6,620.00</u>

\*\*\* TOTAL BY BANK \*\*\*

GEN GENERAL OPERATING FUND					
<u>Tender Code/Desc.</u>					
				(CCA) CITY CASH	6,490.00
				(CCK) CITY CHECK	130.00
TOTAL:					6,620.00
TOTAL - ALL BANKS:					<u>6,620.00</u>

\*\*\* TOTAL OF ITEMS TENDERED \*\*\*

<u>Tender Code/Desc.</u>					
				(CCA) CITY CASH	6,490.00
				(CCK) CITY CHECK	130.00
TOTAL:					<u>6,620.00</u>

\*\*\* TOTAL BY RECEIPT ITEMS \*\*\*

(3)	AC: RESERVE-ANIMAL CARE/POUND				6,450.00
(1)	SH: DCACA SHELTER REVENUE				170.00
TOTAL - ALL RECEIPT ITEMS:					<u>6,620.00</u>

**ELECTION COMMISSION MEETING  
MONDAY, OCTOBER 3, 2016**

Meeting called to order at 6:17p.m. by Commissioner Lawrence S. Stec

**ROLL CALL**

PRESENT: Commissioners William Look, Thomas A. Woodruff and Lawrence S. Stec

**RESOLUTION 2016-11 Approve Minutes**

MOTION by Commissioner Woodruff, supported by Commissioner Look

RESOLVED that the minutes of the Election Commission meeting held under the date of Monday, June 27, 2016 be approved as recorded.

Motion unanimously carried.

**RESOLUTION 2016-12 Appoint Inspectors**

MOTION by Commissioner Woodruff, supported by Commissioner Look

RESOLVED that the following Election Inspectors be appointed to serve for the November 8, 2016 General Election, as presented by the City Clerk:

**PRECINCT 1**

\*Mary Cottone – D  
\*\*Ken Navarre-R  
Joan Brzozowski – D  
Deborah Maciag - D  
Sharon Hoscila – R  
Easton Tabin – R  
Bellina Giammalva – L

**PRECINCT 2**

\*Bernadette Gosselin –D  
\*\*Shirley Decker - R  
Sandra Colthorp -D  
Toni Volante – R  
Linda Garant - D  
Maxwell O. Bearden – D  
Madelyn LaBell – NL

**PRECINCT 3**

\*Charlie Lupo - D  
\*\*Leslie Lupo - R  
Nancy Lange - R  
Paula Rice – R  
Susan Vojcik Byrd - D  
Nathan Edmonds - G  
Irial A. Maloney - D

**PRECINCT 4**

\*Marie Molnar – R  
\*\*Kathleen Minidis – D  
Cynthia Minidis-Sudak – D  
Petra Servin – R  
Harry Minidis - D  
Benjamin R. Scott – R  
Emily S. Sutka – G

**PRECINCT 5**

\*Linda Susko – R  
\*\*Pauline Frost-Kulcsar- D  
Lisa Neifert - D  
Gwendoline Ryski – R  
Stephanie Susko – D  
Brianna M. Holloway – D  
Alex J. Hickey – G

**PRECINCT 6**

\*Catherine McPhall – D  
\*\*Lisa Dezsi – R  
Michael Bozymowski - R  
Lucinda Reinas - D  
Naomi Rushing - D  
Leland M. Broge - R  
Macy Perovich - G

**PRECINCT 7**

\*Violet Benash – D  
\*\*Paula Konopka - R  
Tina Hiner – D  
Dennis Guzenda – D  
Linda Schartz – R  
Nolan N. Gutenschwager – R  
Alicia A. Lawyer – G

**PRECINCT 8**

\*Robert Curtis – R  
\*\*Carmen Stewart –D  
Sharon Heise – D  
Eula Grooms - D  
Breanna Hochberg – R  
Bailey Crain – R  
Patrick M. Hickey, III – G

**PRECINCT 9**

\*Jeanette McComb - D  
\*\*Jan Goodell - R  
Linda Verona - R  
Mary Jo Heck - D  
Linda Draper - D  
Megan L. McCormick - D  
Alex Bearden - G

**PRECINCT 10**

\*Donna Priebe – D  
\*\*Rita Gaskin – R  
Janice Wilson - D  
Nina McMahon – R  
Barbara Ayers – D  
Luis D. Sanchez – G  
Jared Charette - UST

**ROAMING CHAIR**

Janice S. Hochberg – R

\*indicates Chairperson

\*\*indicates Co-Chair

**AVCB 911**

\*Janet Mix - R  
Rodney Baker - D  
Loretta Baker - D

**AVCB 913**

\*Valerie Hall – D  
Ashley Copley - R  
Diane Lybik - D

**AVCB 912**

\*Alice Downey - R  
Tonya Thompson - R  
Ciera Newman - D

**AVCB 914**

\*Mary Sobran - R  
Elizabeth Carmona - D  
Laura Drouillard - R

**ALTERNATES**

Mary B. Lenerville Harris – R	David Campbell - D
Judy Fredrick – D	Rosanne Griggs - D
Lora Martinez – D	Linda McCormack - D
Sandra Ososkie – D	Irene Perry - D
Diane Waligora – D	Barbara Milewski - R
Leonard Milewski – R	George Lukawski - R
Michael Cady – R	Estellita Sobush - R
Amanda Garcia – R	Paul Balog - D
Jennifer Collins - E	Kathy Campbell - R
Deborah L. Fossano – D	Lawrence Sprunk - L
Susan Alt – D	Dorothy Karp - D

BE IT FURTHER RESOLVED that the City Clerk shall notify the major political parties of the precinct inspector appointments.

Motion unanimously carried.

**RESOLUTION 2016-13 Establish Receiving Boards**

MOTION by Commissioner Look, supported by Commissioner Woodruff

**WHEREAS**, the City Clerk is responsible for conducting elections in the City of Wyandotte; and

**WHEREAS**, MCL 168.679(a) provides the Election Commission of a city, township, or village shall, by resolution, provide that at an election at which the ballots are counted and certified at the precinct, one or more additional boards of election inspectors be appointed to serve as Receiving Boards; and

**WHEREAS**, the City of Wyandotte Receiving Board is responsible for the duties as outlined in Section 168.679(a) of the Michigan Election Law (Article 116 of 1954); and

**WHEREAS**, the board of election commissioners shall appoint two or more election inspectors, with an equal number from each major political party to the Receiving Board prior to each election;

**NOW THEREFORE, BE IT RESOLVED:**

The Election Commission authorizes the establishment of a Receiving Board and the appointment of Beth Lekity, Deputy Clerk – D, Susan M. Schultz – R, Janice S. Hochberg – R, Kelly Roberts – R, and LeeAnn Rowley – D, to the Receiving Board for the General Election to be held on November 8, 2016 in the City of Wyandotte.

Motion unanimously carried.

**RESOLUTION 2016-14 Delegate Duties to City Clerk**

MOTION by Commissioner Look, supported by Commissioner Woodruff

**WHEREAS** Michigan Election Law allows the Board of Election Commissioners of a city to delegate certain duties to the local clerk or authorized assistants for the November 8, 2016 General Election

**NOW THEREFORE BE IT RESOLVED** that the City of Wyandotte Board of Election Commissioners hereby delegates the following duties to the City Clerk and authorized assistants under his supervision:

- 1) Preparing meeting materials for the Election Commission
- 2) Preparing, printing and delivering ballots
- 3) Providing election supplies and ballot containers
- 4) Preliminary logic and accuracy testing
- 5) Notifying major political parties of certified precinct inspector appointments
- 6) Implementation of the Electronic Poll Book (EPB)
- 7) Carrying out all other election related duties for the City of Wyandotte

Motion unanimously carried.

**RESOLUTION 2016-15 Schedule Accuracy Test/Designate Accuracy Board**

Motion by Commissioner Look, supported by Commissioner Woodruff

**RESOLVED** that the Public Accuracy Test for the November 8, 2016 General Election be held on Wednesday, November 2, 2016 at 10am in the City Clerk's Office.

**BE IT FURTHER RESOLVED** that Beth Lekity (D), Deputy Clerk, Susan Schultz (R) and Janice S. Hochberg (R), be designated to serve as the Accuracy Board for the purpose of conducting said Accuracy Test.

Motion unanimously carried.

There being no further business, the meeting adjourned at 6:25 p.m.

  
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**Lawrence S. Stec, City Clerk**