

**CITY OF WYANDOTTE**  
**REGULAR CITY COUNCIL MEETING**

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, April 23, 2018, 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 Robert Alderman, Christopher Calvin, Robert DeSana, Megan Maiani, Leonard Sabuda, and Donald Schultz & Mayor Joseph R. Peterson

Absent: NONE

Also Present: Theodore Galeski, City Assessor; Todd Browning, City Treasurer; William Look, City Attorney; Mark Kowalewski, City Engineer; and Lawrence S. Stec, City Clerk

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**PRESENTATIONS**

**PRESENTATION OF PETITIONS**

**APPROVAL OF AGENDA**

**PUBLIC HEARINGS**

**UNFINISHED BUSINESS**

**CALL TO THE PUBLIC**

**CONSENT AGENDA**

**2018-175 CONSENT AGENDA APPROVALS**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the following items on the consent agenda be approved:

1. Approval of Council Meeting Minutes – April 16, 2018
2. Cancellation of Council Meeting – June 18, 2018
3. Special Event Application – Cinco De Mayo Festival

Motion unanimously carried.

**2018-176 MINUTES**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the minutes of the meeting held under the date of April 16, 2018, be approved as recorded, without objection.

Motion unanimously carried.

**2018-177 COUNCIL MEETING CANCELLATION – JUNE 18, 2018**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the City Clerk and Deputy City Clerk will not be able to attend the June 18, 2018 meeting due to out-of-town commitments.

BE IT RESOLVED that the City Council meeting on Monday, June 18, 2018, is hereby cancelled due to the absence of the City and Deputy City Clerks.

Motion unanimously carried.

### **2018-178 SPECIAL EVENT APPLICATION – CINCO DE MAYO FESTIVAL**

By Councilperson Maiani, supported by Councilperson Schultz

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 event on May 5<sup>th</sup> 2018 from WOW 360:

Event Details: May 5<sup>th</sup> 2018

#### **Street Closures:**

- Requesting streets to be closed at 9:00 a.m. – 12 midnight – See attached map.
  - Sycamore Street from Biddle to Yack Area Parking

#### **Overview:**

A free event for all ages to celebrate Cinco De Mayo. Live music, entertainment, and dancers. Vendor booths, food booths and bar. The event will take place from 1p.m. – 10p.m.

#### **City Requests:**

- 4' chain link fence and / or freestanding green fencing to go around the event space.
- “No Parking on Saturday” signs to be placed on Sycamore on Friday
- Access to water to fill tent water barrels and food vendors.
- Electrical is needed (more details to follow closer to the event)
- Trash Cans – an ample supply of lined trash cans to be placed in the event area.
- City Stage to be dropped off on Saturday.

#### **Other Set up:**

- Port a Johns delivered on Friday and picked up on Monday.
- Signage place throughout to visibly mark Event Areas, No Alcohol Beyond Points, Event Rules & Policies
- Shade tents will be placed in the area. No sidewalls.

#### **Tear Down:**

- Vendors, tents, etc., to taken down and moved by 12 noon on Sunday
- Mobile stage to be removed on Sunday morning

BE IT FURTHER RESOLVED that WOW 360 will comply with the following:

- That any costs, overtime or otherwise, for any city staff/material/property for said event will be the responsibility of the WOW 360 with fees payable no later than 14 days following the event.
- Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.
- WOW 360 will be responsible for clean up (glass, spills, broken items, etc.) before, during, and after the event.
- 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.

BE IT FURTHER RESOLVED that the WOW 360 must add the City of Wyandotte as additional insured to their insurance policy and sign a hold harmless agreement as prepared by the Department of Legal Affairs.

Motion unanimously carried.

### **NEW BUSINESS**

#### **2018-179 PROPOSED CHARTER AMENDMENTS – COUNCIL MEETING TIMES**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED, by the City Council of the City of Wyandotte, Michigan, as follows:

1. The City Council by at least three-fifths votes of its members-elect, pursuant to the authority granted by Act 279, Public Acts of Michigan, 1909, as amended, proposes that Section 5 of the Chapter VI of the City Charter of the City of Wyandotte, shall be amended to read as follows:

Chapter VI	City Council
Section 5.	Regular Meetings; Special Meetings; Meetings to be Public

The city council shall meet in a regular session at the council chambers in the city hall, at least two (2) times each month at times and dates to be determined by city council for the purpose of receiving communications, complaints, petitions and reports, holding public hearings, discussing pending matters, and deliberating toward and rendering decisions on all public policy. The mayor or any three (3) members of the council may call special meetings thereof, notice of which, in writing shall be given to each member of the council, or left at his place of residence, at least eighteen (18) hours before the meeting. All meetings of the council or any committee shall be public and in compliance with the open meetings act.

The existing Section 5 of the Chapter VI of the City Charter of the City of Wyandotte to be altered by such proposal, if adopted, now reads as follows:

Chapter VI City Council

Section 5. Regular Meetings; Special Meetings; Meetings to be Public

The council shall meet in regular session, at the council chambers in the city hall, at least once each week as a committee of the whole, for the purpose of receiving communications, complaints, petitions and reports, holding public hearings and discussing pending matters and shall meet in regular session at least once each week, in the evening. The mayor or any three (3) members of the council may call special meetings thereof, notice of which, in writing, shall be given to each member of the council, or left at his place of residence, at least (12) hours before the meeting. All meetings of the council or any committee thereof shall be public.

2. The proposed amendment to Section 5 of Chapter VI shall be submitted to the electors in the following form:

#### **WYANDOTTE CITY CHARTER AMENDMENT**

Ballot language shall read as follows:

Shall Section 5 of the Chapter VI of the City of Wyandotte Charter be amended (1) to require the City Council meet at least twice a month instead of the current requirement of once a week, (2) to require 18 hours notice for special meetings instead of 12 hours notice, and (3) to acknowledge that meetings of the City Council and its committees must comply with the Open Meetings Act?

[ ] YES

[ ] NO

3. The City Clerk shall transmit copies of the proposed amendment of Section 5 of Chapter VI of the City Charter to the Governor of the State of Michigan for approval, and transmit a copy of the foregoing statement of purpose of the proposed amendment to the Attorney General of the State of Michigan for approval, as required by law.

4. The proposed charter amendment of Section 5 of Chapter VI shall be, and the same is hereby ordered to be, submitted to the qualified electors of the City of Wyandotte at a special election in the City of Wyandotte Election to be held on the 7<sup>th</sup> day of August, 2018, and the City Clerk is hereby directed to give notice of the election and notice of registration thereof in the manner prescribed by law and to do all things and to provide all supplies necessary to submit the charter amendment to the vote of the electors as required by law.

5. The proposed amendment of Section 5 of the Chapter VI shall be published in full together with the existing charter provision altered or abrogated thereby as part of the notice of election.

6. The canvass and determination of votes of said questions shall be made in accordance with the laws of the State of Michigan and the City Charter of the City of Wyandotte.

7. All resolutions and parts of resolutions insofar as they conflict with the provision of this resolution be and the same hereby are rescinded.

Motion unanimously carried.

YEAS: Councilpersons Alderman, Calvin, DeSana, Maiani, Sabuda, Schultz & Mayor Peterson

NAYS: None

#### **2018-180 PROPOSED CHARTER AMENDMENTS - APPOINTED ASSESSOR**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED by The City Council of the City of Wyandotte Michigan as follows:

1. The City Council by at least a three-fifths vote of its members elect, pursuant to the authority granted by Act Number 279 of the Public Acts of 1909, as amended, proposes that Chapter IV, Section 1, Section 2 and Section 5, of the Charter of the City of Wyandotte, be amended, to read as follows:

Provisions of existing Chapter IV, Section 1, of the Wyandotte City Charter, if approved by the electors, will be amended to read as follows:

**Designated.**

Section 1. The elective officers of the city shall be a mayor, six (6) councilmen, a city clerk, and a city treasurer, all of whom shall be elected at large, and shall be electors of the city.

Provisions of existing Chapter IV, Section 1, of the Wyandotte City Charter, to be amended by such proposal, if adopted, now reads as follows:

**Designated.**

Section 1. The elective officers of the city shall be a mayor, six (6) councilmen, a city clerk, and a city treasurer, a city assessor, all of whom shall be elected at large, and shall be electors of the city.

2. The purpose of the proposed Amendment is to eliminate the City Assessor as an elected officer and to make it an appointive officer.

3. The proposed Amendment shall be submitted to the electors in the following form, to-wit:

**Proposal 1 – Amendment to City Charter**

Shall the Wyandotte City Charter be amended to provide, effective May 2021 for the City Assessor to no longer be an elected position and instead be appointed by the Mayor, subject to confirmation of the City Council; with changes for the purpose to Sections 1, 2 and 5 of Chapter IV, to Section 8 of Chapter VII, and to Section 20 of Chapter V, including the renumbering and transfer of Section 20 of Chapter V to Section 8.1 of Chapter VII?

YES

NO

4. If the proposed Amendment is adopted, then the following Sections of the Charter will be amended to read as follows:

**CHAPTER IV. ELECTIVE OFFICERS**

**Designated.**

Section 1. The elective officers of the city shall be a mayor, six (6) councilmen, a city clerk, and a city treasurer, all of whom shall be elected at large, and shall be electors of the city.

**Terms and lengths of office.**

Section 2. Commencing with the May 3, 2005 general election and on the first Monday in April of every fourth year thereafter, the mayor, the six (6) councilpersons, the city clerk, and the city treasurer, shall be elected for a term of four (4) years. Commencing with the April, 1997 general election, the mayor and any councilpersons shall be prohibited from seeking more than three (3) consecutive four (4) year terms of office for the same office, but this prohibition shall not apply to the city clerk or the city treasurer. The terms of all elective officers shall commence at 12:00 noon, Eastern Standard Time, on the first Monday following the election.

**Compensation of elected officers.**

Section 5. The elective officers of the city shall be entitled to receive as full compensation for their services the following annual salaries:

The mayor shall receive the sum of five thousand dollars (\$5,000.00).

Each councilman shall receive the sum of two thousand five hundred dollars (\$2,500.00).

The city clerk and the city treasurer shall receive such compensation as the council shall by ordinance determine.

5.

**ARTICLE V. DUTIES OF ELECTIVE OFFICERS**

Section 20 of Chapter V of the Charter describes the City Assessor's duties and now read as follows:

The City Assessor shall perform such duties as are prescribed in Section 8 of Chapter VII of this charter and required of him by general law.

Section 20 of Chapter V of the Charter will be deleted from Article V and inserted in Article VII as Section 8.1 as follows:

**ARTICLE VII. ADMINISTRATIVE DEPARTMENTS-APPOINTIVE OFFICERS**

The following Section 20 of Chapter V of the City Charter which would be renumbered and placed in Article VII as follows:

**City Assessor.**

(Former Section 20) Section 8.1, Commencing May 2021 , the City Assessor shall be appointed by the mayor, subject to confirmation by the council for a term of two years. Thereafter on the third Monday of May, and every second year thereafter, the City Assessor shall be appointed for a term of two (2) years. The City Assessor shall receive such compensation as the Council shall determine.

6. Section 8 of Chapter VII of the Charter describes the City Assessor as an elective position and now reads as follows:

The department of valuation and assessment shall be in charge of the city assessor who shall be an elective officer of the city and who shall be elected as in this charter provided. The city assessor shall perform such duties in relation to assessing property and levying taxes in the city as are prescribed by this charter. He is hereby authorized and required to perform the same duties that supervisors of townships under the general laws of the state are required to perform in relation to assessing the property and levying taxes for state, county and school purposes. He shall perform such other duties as are prescribed by law of assessors in cities, or are now or hereafter may be prescribed by ordinance or resolution of the council and shall make such reports as required by council.

Section 8 of Chapter VII of the Charter will be amended to identify the assessor's office subject to appointment as follows:

**Department of valuation and assessment.**

Section 8. The department of valuation and assessment shall be in charge of the City Assessor who shall be an appointive officer of the city and who shall be appointed as in this charter provided. The City Assessor shall perform such duties in relation to assessing property and levying taxes in the city as are prescribed by this charter. He is hereby authorized and required to perform the same duties that supervisors of townships under the general laws of the state are required to perform in relation to assessing the property and levying taxes for state, county and school purposes. He shall perform such other duties as are prescribed by law of assessors in cities, or are now or hereafter may be prescribed by ordinance or resolution of the council and shall make such reports as are required by the council.

7. The City Clerk shall forthwith transmit a copy of the proposed Amendment to the Governor of the State of Michigan for his approval, and transmit a copy of the foregoing statement of purpose of such proposed Amendment to the Attorney General of the State of Michigan for his approval, as required by law.

8. The proposed Charter Amendment shall be, and the same is hereby ordered to be submitted to the qualified electors of this City at a special election in the City of Wyandotte Election to be held on the 7<sup>th</sup> day of August, 2018, and the City Clerk is hereby directed to give notice of the election in the manner prescribed by law and to do all things necessary to submit such Charter Amendment to the vote of the electors as required by law.

9. The City Clerk shall have the proposed Charter Amendment, in full, posted in a conspicuous place in each polling place at the City of Wyandotte election.

Motion unanimously carried.

YEAS: Councilpersons Alderman, Calvin, DeSana, Maiani, Sabuda, Schultz & Mayor Peterson

NAYS: None

**2018-181 POLLING LOCATION CHANGE – PRECINCT 6**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the City Clerk's office is recommending that the polling location of Precinct 6 be permanently moved to accommodate the needs of the new voting equipment and to provide conveniently located, well equipped polling locations in an effort to increase voter turnout.

WHEREAS, in accordance with Michigan Election Law, a notice to voters of a permanent polling location change in the form of an updated Voter Identification Card is required.

BE IT RESOLVED that the Council concurs with the request from the City Clerk to establish a permanent polling location for Precinct 6 at the P.L.A.V. Post #74 Hall, 963 Oak St.

BE IT FURTHER RESOLVED that the Council approves the notification of said change via a new Voter Identification Card printed and mailed by the services of Printing Systems, Inc. in the amount of \$550 to be paid from account number #101-840-750-220 (Operating Expenses, Election Commission). Motion unanimously carried.

**2018-182 POLLING LOCATION CHANGE – PRECINCTS 7 & 10**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the City Clerk's office is recommending that the polling locations of Precincts 7 and 10 be permanently moved in order to assist WPS in the efforts to keep our schools safe and secure and provide polling locations to our citizens that are well-equipped in an effort to increase voter turnout.

WHEREAS, in accordance with Michigan Election Law, a notice to voters of a permanent polling location change in the form of an updated Voter Identification Card is required.

BE IT RESOLVED that the Council concurs with the request from the City Clerk to establish a permanent polling location for Precincts 7 and 10 at the F.O.P. Hall located at 822 Oak St. with a corresponding budget amendment to account #101-840-825-490 (Contractual Services, Election Commission) in the amount of \$250 for each election held at the location; AND

BE IT FURTHER RESOLVED that the Council approves the notification of said change via a new Voter Identification Card printed and mailed by the services of Printing Systems, Inc. in the amount of \$1000 to be paid from account number #101-840-750-220 (Operating Expenses, Election Commission). Motion unanimously carried.

**2018-183 HIRING OF DPS MECHANIC – W. OZERANIC**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council acknowledges receipt of the communication from the City Engineer regarding the hiring of a Mechanic at the Department of Public Service; AND

FURTHER, RESOLVED that the Council approves the hiring of William Scott Ozeranic as a Mechanic at the Department of Public Service contingent on the successful completion of a physical and drug screen examination.

Motion unanimously carried.

**2018-184 FIRST READING OF AN ORDINANCE - #1463 OUTDOOR CAFÉS**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the first reading of the Ordinance Amendment #1463, relative to Section 2202 - Special Land Use Designated amending Section S-Outdoor Café Ordinance, will be held at the April 23, 2018 meeting of the City Council; AND

BE IT FURTHER RESOLVED that the Outdoor Café Permit shall expire on December 31 of each year; AND

BE IT FURTHER RESOLVED that the Final Reading of Ordinance Amendment #1463 shall be held at the April 30, 2018 meeting of the City Council and will include the necessary changes to times.

Motion carried.

YEAS: Councilpersons DeSana, Maiani, Schultz & Mayor Peterson

NAYS: Councilpersons Alderman, Calvin, Sabuda

**BILLS & ACCOUNTS****2018-185 BILLS & ACCOUNTS**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the total bills and accounts of \$1,379,985.15 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

**REPORTS & MINUTES**

Beautification Commission

March 14 & April 11, 2018

Daily Cash Receipts

April 13 & April 16, 2018

Zoning Board of Appeals and Adjustment

April 4, 2018

**REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS**

None

**ADJOURNMENT****2017-186 ADJOURNMENT**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 8:16 p.m.

Motion unanimously carried.



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Lawrence S. Stec, City Clerk