

CITY OF WYANDOTTE
REGULAR CITY COUNCIL MEETING

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, August 27, 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.

Present: Councilpersons Robert Alderman, Robert DeSana, Megan Maiani, Donald Schultz, & Mayor Joseph R. Peterson

Absent: Councilperson Leonard Sabuda

Also Present: Todd Browning, City Treasurer; Theodore Galeski, City Assessor; William Look, City Attorney; Mark Kowalewski, City Engineer; and Beth Lekity, Deputy City Clerk

PRESENTATION

PRESENTATION OF PETITIONS

PUBLIC HEARINGS

2018-364 ALLEY VACATION – BET. 15TH & 16TH, ST. IGNACE TO PENNSYLVANIA

By Councilperson Schultz, supported by Councilperson Maiani

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

RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYANDOTTE

WHEREAS, this Council by resolution has deemed it advisable and necessary for the health, welfare, comfort and safety of the people of the City of Wyandotte, to vacate the north/south eighteen (18) foot public alley between 15th Street and 16th Street, South of St. Ignace and north of Pennsylvania in the City of Wyandotte, County of Wayne, Michigan, more particularly described as:

The eighteen (18) foot wide alley abutting lots 26 to 47, Basney Subdivision No. 2 of Part of the S. E. ¼ of Sec. 31, T. 3S., R.11 E., City of Wyandotte, Wayne County, Michigan.

WHEREAS, due notice has been given of the hearing of objections to said vacation; and

WHEREAS, said hearing having taken place in accordance with such notice, and zero objections having been offered, and this Council still being of the opinion that said vacation is advisable; now, therefore,

BE IT RESOLVED that the above described alley shall be and the same is hereby declared VACATED as a public alley, reserving to the City of Wyandotte, a Municipal Corporation of the State of Michigan, its successors and assigns forever and in perpetuity from the date hereof, an easement on, over, under, across, and within the eighteen (18) foot right-of-way of the above described alley for the purpose of constructing, operating, maintaining and repairing existing and future public utilities, sewers and drains, and that said City of Wyandotte, its contractors, employees, agents successors, assigns and lessees shall at all times have free ingress to and egress from said alley right-of-way, to construct, operate, maintain and repair said existing and future utility lines of every nature, and sewers and drains.

BE IT FURTHER RESOLVED that there is hereby reserved to Ameritech, its successors and assigns, an easement on, over, under, across and within said eighteen (18) foot wide right-of-way for the purpose of constructing, erecting, operating, maintaining, and repairing its existing and future telephone communication system consisting of poles, lines, wires, cables and apparatus; and that said Ameritech, its contractors, employees, agents, successors and assigns shall at all times have full ingress to and egress from said eighteen (18) foot wide right-of-way for said purpose.

BE IT FURTHER RESOLVED that no structures, or any article or thing whatsoever shall be constructed or maintained on, over, under, across, or within the eighteen (18) foot right-of-way of the above described alley except the erection of fences or the construction of hard surfaced parking areas by the abutting property owners and that in the exercise of the easement and ingress and egress rights heretofore reserved herein said City of Wyandotte shall not be liable for any injury or damage to, or disturbance of, nor shall it have any duty to pay for or replace, any animate or inanimate improvement (including fences and hard surfaced parking areas) on, over, under, across, or within said eighteen (18) foot right-of-way.

Motion unanimously carried.

UNFINISHED BUSINESS

CALL TO THE PUBLIC

CONSENT AGENDA

2018-365 CONSENT AGENDA APPROVALS

By Councilperson Schultz, supported by Councilperson Maiani

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

2. Approval of Council Meeting Minutes – August 20, 2018
3. October 3rd Friday Event Requests
4. Special Event Application – Henry Ford Wyandotte Hospital Tai Chi Tuesdays
5. Breast Cancer Awareness Month Event Request – Yes, Ma'am Program/Pink Ribbons
6. Downtown Markets – Event Reschedule Approval

Motion unanimously carried.

2018-366 MINUTES

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED that the minutes of the meeting held under the date of August 20, 2018, be approved as recorded, without objection.

Motion unanimously carried.

2018-367 OCTOBER THIRD FRIDAY EVENT REQUESTS

By Councilperson Schultz, supported by Councilperson Maiani

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 Fest: October 19th 5 pm – 11 pm and 20th 3 pm – 11 pm

- Half of Parking Lot #1 behind Whiskeys on the Water
- Use of fencing and or barricades to block in liquor permitted area. *(All city fencing will be used for the side street areas to be blocked first. If there is any leftover it will be used for Parking Lot #1. The DPS Superintendent will communicate prior to the event set up if additional fencing will need to be rented by 360 Event Productions expense)*
- Barricades as needed for parking lot closures on Thursday
- No parking signs to be placed on Wednesday that read No Parking Thursday – Friday
- Electrical hook up
- Wyandotte mobile stage to be placed in lot Friday morning
- Trash Cans
- Golf Carts
- Additional event information is located on the information sheet attached

Merchants who want to utilize the space in front or behind any of their businesses in the downtown area during any of the above dates, must send an application to the Special Events Office. Further, this permission should extend only to those merchants who have been issued a permit/granted permission by the City of Wyandotte/ Special Events Office. They are not authorized to sub-contract their space. Enforcement of this policy should be authorized by the Wyandotte Police Department under Ordinance 32-1.

Any tents on the street or sidewalk must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.

Motion unanimously carried.

2018-368 SPECIAL EVENT APPLICATION – HFWH TAI CHI TUESDAYS

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council Concurs with the recommendation of the Special Event Coordinator, Fire Chief, Police Chief and Recreation Superintendent to approve the use of city property for the following event on various dates in 2018:

Tai Chi Tuesdays

Session Dates: September 18, 25

October 2, 9, 16, 23, 30

Time: 6:30-7:30p

Location: BASF Park and Pavilion

BE IT FURTHER RESOLVED that this shall be approved provided the group 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.

2018-369 BREAST CANCER AWARENESS MONTH – YES MA’AM PINK RIBBONS

By Councilperson Schultz, supported by Councilperson Maiani

WHEREAS the Center for Women’s and Children’s Health and its “Yes Ma’am” program is requesting permission to utilize city property to place pink ribbons along Biddle Avenue from September 30th through October 31st, 2018, as part of a breast cancer awareness campaign.

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of Biddle Avenue for the 2018 CWCH and its Yes Ma’am Programs campaign to promote breast cancer awareness.

BE IT FURTHER RESOLVED that the Center for Women’s and Children’s Health/Henry Ford Wyandotte Hospital (organization) will comply with the following:

- If there are any overtime costs for any city staff for said event, the organization will be responsible for those fees.
- Any tents must be weighted (no stakes are allowed to be used to anchor tents) to prevent collapse.
- Clean up before/during and after the event (glass, spills; broken items, etc.) must be done by the Center for Women’s and Children’s Health/Henry Ford Wyandotte Hospital, including any signs or decorations.
- All ribbons to be removed from trees no later than November 1st, 2018.
- Any requests made after this event is reviewed and approved will be evaluated by the Special Events Coordinator and necessary Department Heads for consideration of approval.

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

Motion unanimously carried.

2018-370 DOWNTOWN MARKETS – EVENT RESCHEDULE APPROVAL

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council approves the request of the Special Event Coordinator to approve of the property use and parking spots for the City of Wyandotte Downtown Market scheduled for August 31st 2018. All vendors will sign hold harmless agreements, be required to add the City as additional insured to their policy if they carry one and the Vintage Market, LLC will also sign a hold harmless agreement and add the city to their insurance policy for their and their vendors use of city property.

The Vintage Market:

Dates: August 31st 2018

Times: 3 pm to 10 pm

Locations to be used: Set up to start at 9 am to 2:30 pm

- First Street west side of street from end of parking lot to Elm Street
- South side row of parking spots in Parking Lot #11, located next to the grassy lot
- No parking signs to be placed in necessary areas prior to event
- Elm Street to be closed from Alley by CVS to First Street
- Sycamore from Biddle to Alley
- Grassy area near City Hall

Motion unanimously carried.

NEW BUSINESS

2018-371 WMS YEAR-TO-DATE FINANCIAL RESULTS – ENDING 6/30/2018

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED by the City Council to receive and place on file the nine-month financial results for the Department of Municipal Services for the period ending June 30, 2018.

Motion unanimously carried.

2018-372 1ST AMENDMENT TO PURCHASE AGREEMENT – 755-767 PINE

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED that the communication from the City Engineer regarding the City owned property located at former 755-767 Pine now known as 763 Pine, Wyandotte is hereby received and placed on file; AND BE IT FURTHER RESOLVED that Council with concurs with the recommendation of the City Engineer and hereby authorized Mayor and City Clerk to execute the First Amendment to Purchase Agreement between the City of Wyandotte and Antonino and Angella Pizzo.

Motion unanimously carried.

2018-373 NEZ APPLICATION – 668 ORANGE

By Councilperson Schultz, supported by Councilperson Maiani

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 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 August 27, 2018, 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.

Motion unanimously carried.

2018-374 DEMOLITION OF VARIOUS STRUCTURES

By Councilperson Schultz, supported by Councilperson Maiani

BE IT RESOLVED that Council agrees with the recommendation of the City Engineer and APPROVES the award to Pro Excavation of Wyandotte, MI, for the Various Demolition of Structures in the amount of \$57,600.00. The Mayor and City Clerk are authorized to proceed with the execution of this contract; AND

BE IT FURTHER RESOLVED the project will be funded from account 492-200-850-519 in the amount of \$40,300.00 for the structures at 2726 9th, 1533 11th and 1343 Walnut, and account 492-000-041-040 in the amount of \$12,800.00 for the structure at 951 3rd Street and 101-000-041-040 in the amount of \$4,500 for the structure at 4500 17th Street.

Motion unanimously carried.

2018-375 FINAL READING #1465: DONATION COLLECTION BINS

By Councilperson Schultz, supported by Councilperson Maiani

AN ORDINANCE ENTITLED
AN ORDINANCE TO AMEND THE CITY CODE OF ORDINANCES
BY ADOPTING ARTICLE XIII ENTITLED REGULATING COLLECTION BINS
IN CHAPTER 25
ENTITLED "OFFENSES – MISCELLANOUS"

The City of Wyandotte Ordains:

Section 1. Adoption of Article XIII Entitled "Regulating Collection Bins"

Sec. 25-240. Definitions.

Collection Bin (Bin) – Shall be any container, receptacle, or similar device that is located on any parcel or lot of record within the city that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material, any rubbish or garbage receptacle.

Sec. 25-241. Prohibitions on Placement of Collection Bin

- (1) A bin shall not be placed on any property without express written permission from the property owner and after receiving approval from the City of Wyandotte Engineering Department.
- (2) Bins shall only be allowed in the Business, Industrial, and Recreational Zoning Districts. Bins are not allowed on residential zoned properties except if the property is utilized as a church.
- (3) There shall not be more than one (1) bin per property address.
- (4) A bin shall not be located within 1,000 feet of another bin, unless the bin existed before adoption of this ordinance. Once removed this distance provision shall apply.
- (5) Bins shall be located at least twenty-five feet from any property line and at least fifty feet from any trash or recycling dumpster.
- (6) Bins shall not be located within required parking spaces or landscape areas. Applicant shall submit a site plan and a scaled floor plan of their building identifying all uses. All required parking spaces shall be identified on the site plan. Location of bin shall be identified on site plan. Distances from property lines to the bin shall be shown on the site plan.
- (7) Each Bin shall be placed on a hard surface such as concrete, blacktop, or other comparable surface, but not gravel. Hard surface shall not to exceed eight (8) feet wide by five (5) feet long and be located in a manner that is publicly accessible.
- (8) Except for the opening slot for donations, Bins shall remain locked at all times to prevent access by unauthorized persons.
- (9) Bins shall be emptied on a monthly basis or more frequently if needed to prevent overflow. No items shall be placed around the outside of a bin. Upon notice by the City to the property owner and collection bin operator, any such item placed outside a bin shall be removed within 24 hours of said notice. If items are not removed within 24 hours the City may remove the item and charge the cost incurred by the City to the property owner. The cost to provide this removal shall be \$100 and increase

by \$100 for each subsequent instance the City must remove additional items. Removal fees must be paid by the property owner.

(10) Bin operator and property owner on which a bin is located shall have 24 hours after notice from the City to correct any violations of this Ordinance. Property owner shall provide the address, phone number, and email of a local agent located in Wyandotte where any notices may be sent between the hours of 8:00AM – 5:00PM Monday through Friday regarding enforcement of this ordinance.

(11) Existing bins shall obtain compliance with this ordinance within six (6) months of the adoption of this ordinance.

Sec. 25-242 – License.

Applicant for a Bin shall:

A. Provide a plan detailing

(i) The access route of the vehicle used to unload the contents of the Bin.

(ii) The dedicated parking space used for patrons to unload donations.

(iii) Scaled floor plan of building identifying:

(a) All uses.

(b) Identification of required parking spaces.

(c) Location of bin.

(d) Distance from property line to bin.

(e) Application for a concrete, blacktop, or comparable surface if a hard surface does not already exist.

(f) Location of dedicated parking space for bin for unloading of donations.

(g) A description or diagram of the proposed locking mechanism of the collection bin.

B. Provide a schedule for normal pick up of donations and abide by it.

C. Provide written permission from the property owner.

D. File an application with the City each year. The filing of an application does not designate approval of a Bin. Approval of a Bin is only received after an application is submitted, reviewed, and stamped “approved” by the Engineering Department of the City of Wyandotte if all requirements are met. Upon approval of an application, the applicant will receive a sticker from the City to be placed in the appropriate location on the Bin.

E. The name, address, email, and telephone number of both the operator of the collection bin and property owner on which the collection bin is to be located, including 24-hour contact information.

F. Standards:

(i) Bins shall not exceed six and a half (6.5) feet in height.

(ii) Bins shall be constructed of a durable, UV-resistant metal, molded hard plastic or fiberglass material that is painted.

(iii) Bins shall prominently display the name, address, and telephone number of the owner/operator of the Bin in characters no less than four (4) inches in height and not greater than six (6) inches in height.

(iiii) Bins shall at all times be maintained in good repair, rust free and clean condition, and shall remain free of graffiti, or other markings.

G. Bins shall not be utilized for the display of any advertising, signage or promotional materials other than the information of the owner/operator of the bin.

H. There shall be one dedicated parking space for patrons to unload donations.

I. All owners of the property where the bin is located shall apply to the Engineering Department for approval of placement of their bin. Bins shall not be placed until approval is provided. There shall be a renewal application each year.

J. Fee required per Bin:

- (i) Initial Application (one year period) \$ 100.00
- (ii) Renewal Application (one year period) \$ 50.00
- (iii) A license issued under this section shall expire and become null and void annually on January 1st of each year. An application for renewal must be submitted prior to the expiration of the license on a form provided by the Engineering Department.

K. The signatures of the property owner and the operator of the collection container acknowledging that they will both be responsible for compliance with all applicable ordinances, laws and conditions related to the collection bin.

L. Any license issued under this ordinance may be revoked for noncompliance with the terms of this ordinance after notice and a hearing. The hearing will be conducted by the City Engineer. The license holder may appeal the decision to the City Council within twenty-one (21) days of the City Engineer's decision.

Sec. 25-243 – Violation.

Any person who fails to comply with the terms of this ordinance is responsible for a municipal civil infraction subject to a fine up to Five Hundred (\$500.00) Dollars together with court costs.

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 shall take effect fifteen (15) days from the date of its passage by the Wyandotte City Council and shall be published in a newspaper generally circulated in the City of Wyandotte within ten (10) days after adoption.

Motion unanimously carried.

BILLS & ACCOUNTS**2018-376 BILLS & ACCOUNTS**

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED that the total bills and accounts of \$2,808,146.71 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

REPORTS & MINUTES

Beautification Commission	August 8, 2018
Recreation Commission	August 8, 2018
Retirement Commission	June 15, 2018

REMARKS OF THE MAYOR, COUNCIL, & ELECTED OFFICIALS

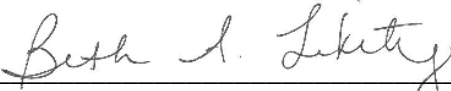
None

ADJOURNMENT**2017-377 ADJOURNMENT**

By Councilperson Schultz, supported by Councilperson Maiani

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 7:14 p.m.

Motion unanimously carried.



Beth A. Lekity, Deputy City Clerk