



Minutes - August 14, 2006

Wyandotte, Michigan August 14, 2006

Regular session of the City Council of the City of Wyandotte, the Honorable Mayor James R. DeSana presiding.

ROLL CALL

Present: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak

Absent: Councilman Sutka

COMMUNICATIONS -MISCELLANEOUS

August 5, 2006

Dear Mayor and Council

We are writing this with concern for our neighborhood. We have lived on the south end of 15th and Pennsylvania for more than 25 years and have taken great pride in our property and neighborhood. But in recent years it seems our city doesn't feel the same as we do. The fire lane and commercial properties that run behind us has become over powered with weeds, rodents and stray cats. The city used to cut it several times a year, but it seems they have forgotten about it. It has only been cut once this year at the beginning of summer. We have always maintained the areas behind our homes. We cut it on a weekly base and repair the ruts that are caused by the cities and phone company's utility trucks and try to control the rodent populations. We listen to the council meeting every week and every week we hear "Keep Wyandotte beautiful" residents should take pride in their community. But I guess that only applies to the downtown area. We have noticed that the alley ways around town are not over grown and are maintained. What makes our area different? There are several nice homes in our area for sale, but why would someone want to live in an area that the back of their home is overgrown with weeds or next to a neighbor who doesn't seem to care what their property looks like. We realize that the city has had to make cut backs in the budget, but how long would it take to run a cutter down a fire lane. especially since the city's maintenance department is right on the next block. I'm sure the fire department would appreciate it. I hope they never have to use it but if they did, they would have to fight the weeds before the fire. Take a look for yourself. We are that sure other council members would not like to see a mess like that behind their home. As tax payers we would like to see our forgotten area of Wyandotte kept up as nice as the downtown area. Or don't ordinances apply to businesses and home owner s in the south end. We would hope our councilwoman that lives in our neighborhood could help us out. It took us 2 years to get a tree trimmed that was causing problems with the electrical wire on the pole. We hope is doesn't take that long to fix this matter.

Sincerely,

George & Patricia Kanas, 4685-15th Street, Wyandotte, Michigan 48192

Kirk & Leslie Kuzia, 4675-15th Street, Wyandotte, Michigan 48192

PERSONS IN THE AUDIENCE

Irene Tilk, 1086 Hazel, everyone should clean their own alleys. DPS shouldn't clean alleys.

Julia Przedworski, 1237 Oak, March 2005 – August 14, 2006, nothing has gone on. Construction, weeds, trailer. Show cause hearing – report for next week's meeting. Contractor took a fence down and ruined her lawn.

Irene Tile, 1086 Hazel, regarding Police Station. Johnny Kolakowski should spend time at the jail – twenty four hours – to see the shape of the Police Station.

Scott Cabauatan from Republic Waste, compost, recycling, trash – keeping an eye on it.
(424)

August 10, 2006

The Honorable City Council, City of Wyandotte

Gentleman and Madam:

I am writing to request your concurrence in the following appointment and re-appointments to the Downtown Development Authority:

Heartherleigh Navarre, 1080-5th Street, Wyandotte, Michigan 48192. Ms. Navarre will replace Salem Darany whose term expired June 2006. Her term will expire June 2010.

Gilbert Rose, 2894 Van Alstyne, Wyandotte, Michigan 48192. His term will expire June 2010.

Patt Slack, 2955 Biddle Avenue, Wyandotte, Michigan 48192. Her term will expire June 2010.

Thanking you in advance for your support of these appointments, I remain sincerely,

James R. DeSana

August 9, 2006

Mayor James DeSana & City Council
City of Wyandotte, Michigan

Dear Mayor DeSana & Council Members:

On July 31, 2006, a request from St. Patrick Catholic Church, Wyandotte, was referred by the Mayor and City Council to the Downtown Development Authority Executive Director, Interim Chief of Police, and me, and the Superintendent of Recreation.

St. Patrick Parish has requested the use of BASF Waterfront Park October 6-9, 2006, for the Arlington Midwest Project of the NWOPC. BASF Park is not available because of previously scheduled wedding that weekend.

Mrs. Judith Sherman, Pastoral Minister at St. Patrick and I have arranged to make available September 29 through October 2, 2006 for this event.

Therefore, the undersigned recommends that St. Patrick Catholic church be granted the non-exclusive use of BASF Waterfront Park for the period September 29 through October 2, 2006, with the following stipulations:

1. All legal documents (hold harmless, additional insurance, etc.) pertaining to this project as required by the Department of Legal Affairs must be completed and returned before the start of the project.
2. The set-up of this project be coordinated with the Department of Public Services as to avoid any problems with underground wiring or water systems.
3. The Fire Department and Municipal Services to be notified of such.

Sincerely yours,
James R. Knopp Bobie Heck Lisa-Hooper
Superintendent Interim Police DDA/Community Relations
Of Recreation Chief Executive Director

(425)

August 9, 2006

Mayor James DeSana & City Council, City of Wyandotte, Michigan

Dear Mayor DeSana & Council Members:

On July 31, 2006, a request from the Morning Light Studios was referred by the Mayor and City Council to the Downtown Development Authority Executive Director and me, the Superintendent of Recreation.

I have had numerous conversations with Patti Attar of Morning Light Studios, and we have agreed on a compatible alternate date.

Therefore, the undersigned recommends that Morning Light Studios, of Flat Rock, Michigan, be granted the following:

- A. The non-exclusive use of Bishop Park for filming on Saturday, August 26, 2006, from 5:30 a.m.-12 Noon.
- B. Use of a local residential side street for filming on the following:

1. Thursday and Friday tentative scheduled for October 12 & 13, 2006
2. One winter day-after the first good snowfall.
3. one day during the Christmas Season.

With the following stipulations:

- a. The dates for Item B sub-sections 1-2-3 must be coordinated with and approved by the Police Department, and that the Fire Department, Department of Public Services and Municipal Service be so notified.
- b. All legal documents (hold harmless, additional insurance, etc.) pertaining to this project as required by the Department of Legal Affairs must be completed and returned before the start of filming.

Sincerely yours,
James R. Knopp Lisa Hooper
Superintendent of Recreation Downtown Development Authority &
Community Relations Executive Director

August 8, 2006

The Honorable Mayor James R. DeSana and City Council
City of Wyandotte, City Hall
Wyandotte, Michigan

Dear Mayor James R. DeSana and City Council Members:

At the regular meeting of the Planning and Rehabilitation Commission held on Thursday, July 20, 2006, the Commission reconvened the public hearing for the rezoning of the 25 acre site bounded by Biddle Avenue (west); Detroit River (east); Wyandotte Shores Golf Course (north) and the City of Riverview Border (south). It was proposed to rezone the property from I-1 Industrial District to PD Planned Development District.

Attached please find a copy of the resolution duly adopted by the Commission recommending that the request to rezone the property from I-2 Industrial District to PD Planned Development District be APPROVED.

Also attached is a copy of the minutes from the April 20, 2006 and July 20, 2006 meetings of the Planning and Rehabilitation Commission where the public hearing on same were held.

(426)

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

Planning and Rehabilitation Commission, Elizabeth A. Krimmel

August 10, 2006

Wyandotte City Council, 3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: Proposed Rezoning of 25 Acres of Property owned by Arkema Inc. from I-1 to PD-4655 Biddle,
Wyandotte, Michigan

Ladies and Gentlemen:

Enclosed and presented to the Wyandotte City Council pursuant to Section 403(1) of the Michigan Zoning Enabling Act, MCLA 125.3403 91), is a Protest Petition in which Arkema Inc. protests the rezoning of the approximately 25 acres of land located in the City of Wyandotte owned by Arkema commonly known as 4655 Biddle from I-1 to PD.

Very truly yours,

Stephen E. Dawson

August 11, 2006

Wyandotte City Council, 3131 Biddle Avenue
Wyandotte, Michigan 48192

Re: Proposed Rezoning of 25 Acres of Property owned by Arkema Inc. from I-1 to PD and Amendment to Master Plan to Designate Future Use of Property as IRO

Ladies and Gentlemen:

We are writing this letter on behalf of Arkema Inc. ("Arkema") to object to the proposed (a) rezoning from I-1 to PD of the 25 acre parcel of land owned by Arkema bounded by Biddle Avenue on the west, Detroit River on the East, Wyandotte Shores golf Course on the north and the City of Riverview border on the south (the "Property") and (b) amending the Master Plan to change the future land use designation of the Property from "Park and Greenspace" to IRO (Industrial Research Office) A Resolution approving these items was approved by the Planning and Zoning Commission on July 20, 2006.

On August 10, 2006, we previously submitted a Protest Petition protesting the proposed Zoning Amendment filed by Arkema as owner of 100% of the land included in the proposed zoning change pursuant to Section 403 (1) of the Michigan Zoning Enabling Act.

A. Rezoning from I-1 to PD

The reasons for Arkema's objection to the proposed rezoning as set forth in the attached letter dated April 19, 2006 to the Planning and Rehabilitation Commission.

In addition, although the Property is noted for planned development on the Master Plan Map, by rezoning the property from Industrial (I-1) to Planned Development (PD), the City is really attempting to rezone the site to limit the use to park and greenspace, or to RU (Recreation District). RU is the zoning classification for the golf course adjacent to the Property, and an expansion of the golf course is the use intended for the Property by the Mayor, as is evidenced by his letter to the Commission submitting the rezoning request and his statements to the press.

(427)

The PD Ordinance requires reference to the Master Plan to determine the land use to be allowed within a PD District. The Master Plan identifies the future use of the Property as Park & Greenspace. Therefore, to rezone the Property to PD will limit its use to Park & Greenspace, which is in effect rezoning the site to RU and eliminating the uses presently allowed by the I-1 zoning classification. This is an unreasonable action by the City, unsupported by a legitimate governmental purpose.

B. Amending the Master Plan to Characterize the Future Use as IRO

In addition to addressing the proposed rezoning of the Property to PD, the Resolution adopted by the Commission on July 20th recommends to the City Council that the Master Plan be amended to provide that the future use of the Property be identified as Industrial Research Office (IRO) at such time as a new Zoning Ordinance containing such a zoning district is approved by the City Council.

No reasonable planning rationale has been proposed, to Arkema's knowledge to change the proposed future use of the Property in the Master Plan from Park and Greenspace to IRO. The Property has been designated in the Master Plan for Park and Greenspace since 1994. The Master Plan does not even include an "IRO" land use classification, so the Master Plan would have to be further amended if an when an IRO zoning classification is adopted in the zoning ordinance to include such a future use.

Curiously, the draft of the IRO zoning ordinance was changed on the afternoon of July 20 (after Arkema requested a copy) to add "uses permitted in the RU district" as a permitted use within the IRO DISTRICT. This last minute change, which allows a use inconsistent with the other uses permitted in the IRO district (office, research banks etc) but would allow the currently Master Planned use as Park & Greenspace on the Property, makes the land planning rationale for changing the future use of the Property from Park & Greenspace to IRO in the Master Plan even more obscure. In addition, changing the future planned use of the Property to IRO would prohibit some of the property presently allowed by the existing I-1 zoning and as such as objected to by Arkema.

Clearly, amending the Master Plan to change the proposed future use of the Property to a zoning classification that has not yet been adopted, and apparently still is in flux in terms of permitted uses, is premature and not an exercise of reasonable land planning principles. If and when the City Council adopts a new zoning ordinance containing an IRO classification, if the Commission desires to review the Master Plan's future uses for that classification, it may do so in a rational reasonable, logical manner, taking into consideration the development plans for the City.

For these reasons, Arkema would urge the city Council not to approve the proposed rezoning to PD or the proposed amendment to the Master Plan to change the future use of the Property to IRO.

We would request an opportunity to address the City Council at the meeting on Monday, August 14, 2006 to express our concerns relating to the proposed rezoning and Master Plan amendment.

Very truly yours,

Stephen D. Dawson

August 3, 2006

The Honorable Mayor and Council, City of Wyandotte
3131 Biddle Avenue, Wyandotte, Michigan 48192

Honorable Mayor and City Council

Enclosed herewith is a copy of a resolution passed by the Municipal service Commission at its regular meeting of August 1, 2006. Resolution is as follows: 1. Authorization to accept the bid of Cannon Engineering in the amount of \$ 127,493.00 for 45' bucket truck, File # 4397.
(428)

Very truly yours,

City of Wyandotte, Wyandotte Municipal services
Melanie L. McCoy, General Manager

August 10, 2006

Honorable Mayor and City Council, City of Wyandotte, 3131 Biddle Avenue
Wyandotte, Michigan 48192

Dear Mayor and Council Members:

In accordance with the provisions of Michigan Public Act # 200 of 1969, and as Downtown Development Authority Executive Director, I would like to request that the Public Works Department please close Biddle Avenue from 8:00 .am. To Noon to hold the 63rd, Annual Wyandotte Christmas Parade Saturday, November 18, 2006. This parade has been traditionally scheduled on the third Saturday, in November each year.

The parade will necessitate closing Biddle Avenue from Ford Street to Plum Street. Northbound traffic would be rerouted to Third Street and to Ford Avenue and southbound traffic from Ford Avenue to Fourth Street during that period.

The Chief of Police is requested to apply to the Wayne County Office of Public Service for a road closure permit. He should be designated with the authority to sign the street closing permit documentation on behalf of the City of Wyandotte. Responsibility for all damage claims which may arise from the road closing must be assumed by the City of Wyandotte. The Fire Department should also be notified of this event to reroute emergency vehicles.

Thank you for your consideration and I look forward to your response.

Sincerely,
Lisa Hooper, AICP, Downtown Development

August 7, 2006

The Honorable Mayor James R. DeSana And City Council, City Hall

Dear Mayor and Council,

Enclosed is a proposed schedule of "Application and Administrative Fees" (Exhibit 1) for various economic development services and programs the City offers. The proposed fees are designed to capture the expenses associated with each service, i.e. publishing legal notices, mailing costs for regular and certified mail, and the time and salary associated with preparing, reviewing, negotiating, and processing each request. Tables are also enclosed detailing the costs associated with three typical requests (Exhibit 2). Currently, there are no fees charged for any of the referenced programs or requests.

The City processes a variety of such requests, averaging approximately four (4) per year over the last five (5) years. The proposed fees would reduce the current General Fund subsidy of the services by \$1,000 or more annually. Charging a fee to recoup the City's expenses is consistent with the Finance Department's request to consider revenue enhancement potential due to the lack of significant growth in State Revenue Sharing. The estimated funds generated from the proposed fees have been included in the City's General Fund Budget for Fiscal 2006-2007.

The undersigned recommends that the Council adopt the enclosed resolution (Exhibit 3) approving the "Application and Administrative Fees for Economic Development Services."

Very truly yours,
Joseph M. Voszatka
Community Development Director
(429)

August 10, 2006

The Honorable Mayor James R. DeSana And City Council, City Hall

Re: Obsolete Property Rehabilitation Exemption Certificate for the property at 2912 Biddle Avenue, Wyandotte, Michigan

Dear Mayor and Council,

Enclosed is the application of Wyandotte Commercial Properties, LLC, for the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "Certificate") for the property at 2912 Biddle Avenue, Wyandotte, Michigan (formerly Armstrong's).

Also enclosed is a proposed resolution setting a hearing date of September 11, 2006, on the issuance of a Certificate. Prior to the hearing, the Obsolete Property Rehabilitation Review Committee will submit to the Mayor and Council a recommendation regarding the length of the Certificate (from 1-12 years) and any associated conditions. Further, the applicant will make a presentation during the hearing indicating the planned interior and exterior improvements to the building and property.

It should be noted that the Planning and Rehabilitation Commission is scheduled to review the project at its regular meeting on Thursday, August 17, 2006, for compliance with the City's Design Review Ordinance.

The undersigned recommends that the Council adopt the following resolution.

Very truly yours,

Joseph M. Voszatka, Community Development Director

August 3, 2006

The Honorable Mayor James R. DeSana And City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

Attached please find a price quote from Weingartz Golf & Turf, for one (1) John Deere 1600 Turbo Wide Area Mower Series II in the amount of \$40,429.00 for the Department of Public Service. This equipment is being purchased under the State of Michigan Contract. The attached resolution will authorize the undersigned to purchase said equipment.

The undersigned recommends acceptance of this quote from Weingartz golf & turf in the amount of \$40,429.00.

Very truly yours,

Mark A. Kowalewski, City Engineer
Todd A. Drysdale, Director of Administrative and Financial Services

August 8, 2006

The Honorable Mayor James R. DeSana And City Council
City Hall, Wyandotte, Michigan

Dear Mayor and Council Members:

Attached please find the following Purchase Agreement for the City to acquire: 831 Antoine - \$55,000.00 TIFA Area Funds

(430)

If this meets with your approval, I recommend that the Department of Legal Affairs be directed to prepare the necessary sale documents and the Mayor and Clerk be authorized to execute same. I further recommend that the undersigned be authorized to demolish same.

Very truly yours,
Gregory J. Mayhew, Assistant City Engineer

August 3, 2006

The Honorable Mayor DeSana And Council Members
City Hall Wyandotte, Michigan

Re: Drop Curb at 2365-17th Street

Dear Mayor DeSana and Council Members:

In response to the verbal comments from Evelyn Gorham, property owner of 2365-17th Street, Wyandotte, at the May 15, 2006, regarding the removal of a drop curb at the referenced address, the following applies.

The 2004 Concrete Street Repair Program included 17th Street from Vinewood Avenue to Ford Avenue. Street repair on 17th Street began mid-May. During street repairs it has been the policy of this Department to replace drop curbs with full height curbs where there is no driveway or approach. At the referenced location there as no driveway or approach or any indication that the area had been used as such. Further, no one was available at the dwelling to talk to. A check of the records indicated that the dwelling had been vacant since March of 2004. The section of street to be repaired was completed with a full height curb at that address. Records indicate that on May 25, 2004, Ms. Gorham called the Engineering Department regarding the elimination of the drop curb. The reasons for the removal were discussed, along with her options to provide off street parking.

Very truly yours,
Mark A. Kowalewski, City Engineer

August 4, 2006

The Honorable Mayor James R. DeSana And City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

At the July 31, 2006, City Council Meeting, Council referred to the undersigned a communication from James M. Pappas regarding a landscape planter construction in the City Right-of-way at 1204 Sycamore, Wyandotte. To accomplish this, the attached Grant of License and Hold Harmless Agreement would need to be executed between the City of Wyandotte and James M. Pappas the property owner. This Grant of License and Hold Harmless Agreement have been reviewed by the Department of Legal Affairs and approved.

The proposed Resolution authorizes the Mayor and City Clerk sign said Agreement. Further, Mr. Pappas should be required to pay the recording fee of \$24.00 and that the Department of Legal Affairs record same.

Very truly yours,
Mark A. Kowalewski, City Engineer

(431)

August 3, 2006

The Honorable Mayor DeSana And Council Members
City Hall, Wyandotte, Michigan

Re: Pine Street - 14th to 15th

Dear Mayor DeSana and Council Members:

In response to the communication from Mr. Rushford regarding the condition of Pine Street between 14th Street and 15th Street, the following applies.

Part of the 2006 Sewer main Replacement Project included the installation of a new combined sewer in the alley west of 14th Street from the alley south of Eureka Avenue to an existing manhole in Pine Street. The existing concrete surrounding the manhole, approximately 30 feet wide and the width of the street was to be removed and replaced as part of the project. There were already many existing cracks in Pine Street and in an effort to find stable concrete, additional lengths of the street were designated for replacement prior to the start of construction. The contract work and restoration was completed, along with additional concrete work that was repaired at the contractors' expense.

There are additional cracks in the remaining portion of Pine between the alley and 14th. The pavement is currently stable, but would soon have required complete replacement, with or without the recent sewer construction. The undersigned proposes to extend the contract of G.V. Cement Contracting Company to remove and replace the remaining portion of Pine Street from 14th west to the alley. The work can be coordinated with the current reconstruction of oak Street and Hillsdale Avenue.

Very truly yours,
Mark A. Kowalewski, City Engineer

August 2, 2006

The Honorable Mayor James R. DeSana And City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:

In response to the communication from Bob and Lenette Ruzzin, 2122 Biddle Avenue regarding complaints of Republic Waste Services of Michigan regarding Compost Service the following applies. First, the Department of Public Services (DPS) will monitor complaints closely and penalties will be assessed in accordance with the Contract provisions and the enclosed letter. Second, residents are encouraged to contact Republic Waste Services of Michigan for complaints at 1-877-264-5544. If they do not receive satisfaction, they should contact our DPS at 734-324-4581. This information has been placed on cable TV. Third, the Ruzzin's will be issued a refund based on the low level of service they have received.

Finally at the request of Council enclosed is a chart of recycled items from the Drop-Off Recycling Center for the last years.

Very truly yours,
Mark A. Kowalewski, City Engineer

August 7, 2006

To: Honorable Mayor and City Council
From: Department of Legal Affairs
Re: Request from County Executive to Amend Sign Ordinance concerning Signs of Realtors

Dear Mayor and City Council:
(432)

The above referenced matter was referred to our office for a review and report back to address the city's liability and consistency with the county right-of-way policy. Under the law, the city has an easement right for the right-of-way between the sidewalks and the curbs. The purpose of the right-of-way is to grant the right to unobstructed passage at all times over the abutting land

along with such rights that are incidental or necessary to the right of passage. The city as the owner of the easement has the duty to maintain the easement in a safe condition so as to prevent injuries to third parties. *Morrow vs Boldt* 203 Michigan App 324, 512 NW 2nd 83 (1994).

Case law in Michigan also has held that a third arty who is given permission for public work on a public right-of-way may be exempt from liability for acts done at the express direction or consent of the city. *Kulwicki vas Munro*, 95 Mich 28. However, a person other than a municipal corporation who places or creates a dangerous condition or obstruction on a right-of-way may be liable for resulting injuries. However this would not apply if consent were granted by the city for said action.

The city has been subjected to a lawsuit in Wayne county Circuit Court for an obstruction that caused a person to fall on the grass between the sidewalk and the curb. While the city successfully defended the action because it established that the city was unaware of the obstruction at the time of the injury, the city incurred legal expenses of approximately \$20,000 which was the city deductible under the insurance policy.

Another legal issue that could arise if the city makes a special exception for signs for sale of real estate only would be the request of other businesses for placement of signs or individuals who wish to advertise garage sales. Legally if the ordinance were changed to grant permission to one group of persons, this would in all likelihood require consideration for granting the exception to other individuals or businesses was well.

When I spoke to Turkia Mullin (Executive Assistant) from Mr. Ficano's office, I inquired whether the county was granting permission to realtors or any other parties to use the county right of way for placement of signs. Her response was the county did not want to advertise use of the county right of way but generally would defer this decision to local officials who must decide issues of safety and the public welfare. However, the city does not have legal authority to authorize use of the county right of way.

In case of *City of Trenton vs County Board of Road commissioners*, 116 Michigan App 212 (1982) the City of Trenton posted weight restriction signs upon a county right of way without receiving permission from the county. The County of Wayne on two separate occasions came into the City of Trenton and removed the signs. The Court of Appeals upheld the county action because state law required a city to obtain permission from the county before posting a traffic control sign on the county right-of-way.

The City of Wyandotte has recently experienced how the county works with the city concerning the no left turn sign on Pennsylvania Road. It would be my recommendation that if the city wants to consider permitting the placement of signs on all right of ways (county and city) that the city first obtain written permission from the county and without the requirement of the city signing a hold harmless agreement (since the county is the one proposing this change in policy countywide) Another alternative, would be for the county to adopt an ordinance granting permission countywide for the placement of signs in the county right-of-way.

Respectfully submitted
Department of Legal Affairs, Look Makowski and Look
Professional Corporation, William R. Look

August 11, 2006

The Honorable Mayor James R. DeSana And City Council
City Hall, Wyandotte, Michigan

Dear Mayor DeSana and City Council Members:
(433)

At the regular meeting of the Planning and Rehabilitation Commission held on July 20, 2006, the Commission reviewed the communication from Robert A. Ficano, County Executive relative to Real Estate Signs. The Commission requests a further investigation by the Department of Legal Affairs and therefore does not recommend the adoption of the proposed resolution by Mr. Ficano at this time.

Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,
Planning and Rehabilitation Commission
Elizabeth A. Krimmel, Chairperson
REPORTS AND MINUTES

Financial Services Daily Cash Receipts August 3- August 3, 2006
Financial Services Daily Cash Receipts August 10- August 10, 2006
Planning and Rehabilitation Commission June 15, 2006
Special Meeting Municipal Service Commission July 20, 2006
Municipal Service Commission July 18, 2006
Fire Commission Meeting July 18, 2006
Police Commission Meeting June 6, 2006
Police Commission Meeting June 20, 2006
Police Commission Meeting June 22, 2006
Police Commission Meeting July 18, 2006
Building Code Board of Appeals August 8, 2006

CITIZEN PARTICIPATION

Shawn Nelson, President of Downriver Realtor, encouraging the City to move forward with the sign ordinance.

Richard Miller, 1202 – 2nd, regarding items #15 & #16.

RECESS

RECONVENING

ROLL CALL

Present: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak

Absent: Councilperson Sutka

HEARING:

HEARING FOR AN INDUSTRIAL FACILITIES
EXEMPTION CERTIFICATE-BASF CORPOARTION
1609 BIDDLE AVENUE FOR A 12-YEAR
INDUSTRIAL FACILITIES EXEMPTION

August 8, 2006

The Honorable Mayor James R. DeSana And City Council, City Hall

Re: Industrial Facilities Exemption Certificate – BASF Corporation, 1609 Biddle Avenue

Dear Mayor and Council,

(434)

The enclosed resolution approves the application filed by the BASF Corporation, 1609 Biddle Avenue, for a 12-year Industrial Facilities Exemption Certificate in Industrial Development District No. 10 and Plant Rehabilitation District No. 5. The total cost of the machinery, equipment, and furniture and fixtures requested for exemption is estimated at \$2,610,723. Final approval is still required by the State Tax Commission.

If a Certificate is approved, the combined millage rate levied by all taxing jurisdictions on the taxable value of the improvements will be reduced from approximately 66 mills to 36 mills.

The undersigned recommends that the Council adopt the following resolution.

Very truly yours,
Joseph M. Voszatka, Community Development Director

August 8, 2006

The Honorable Mayor James R. DeSana And Members of the city Council
3131 Biddle Avenue, Wyandotte, Michigan 48192

Re: Industrial Facilities Exemption Certificate-Total project cost of \$2,610.73
Dear Honorable mayor and City Council

This communication is to advise you that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of previously granted exemptions and those currently in force will not exceed 5% of an amount equal to the sum of the State Equalized Value nor the Taxable Value of the personal and real property for 2006.

I have attached a copy of the current Industrial Facilities Exemption Roll for your review.
Sincerely,
Colleen A. Keehn, City Assessor

RESOLUTIONS

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the reading of the minutes of the previous meeting be dispensed with and the same stand APPROVED as recorded without objection.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communication from Gerald and Patricia Kanas, 4685-15th Street and Kirk & Leslie Kuzia, 4675-15th Street, Wyandotte regarding the high weeds, uncut grass and general maintenance issues in their neighborhood is hereby referred to the City Engineer for a review and report back in one week. AND BE IT FURTHER RESOLVED that said communication is referred to the Wyandotte Municipal Service Department to review wires in trees on said easement.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED
(435)

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of Mayor DeSana in his communication dated August 10, 2006 relative to the following appointments and re-appointments to the Downtown Development Authority:

Heatherleigh Navarre, 1080-5th Street, Wyandotte, MI. 48192.
Term to expire June 2010.

Gilbert Rose, 2894 Van Alstyne, Wyandotte, MI. 48192
Term to expire June 2010.

Patt Slack, 2955 Biddle Avenue, Wyandotte, MI. 48192
Term to expire June 2010.

AND BE IT FURTHER RESOLVED that Mayor and Council thank Mr. Salem Darany for his many years of dedicated service to the Downtown Development Authority.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the Superintendent of Recreation, Chief of Police, and Downtown Development Director as set forth in their communication dated August 9, 2006 TO GRANT PERMISSION to the St. Patrick Parish to use the BASF Waterfront Park for the Arlington Midwest project of the NWOPC on September 29 through October 2, 2006. AND BE IT FURTHER RESOLVED that the following guidelines be adhered to:

1. All legal documents (hold harmless, additional insurance, etc.) pertaining to this project as required by the Department of legal Affairs must be completed and placed on file before the start of the project.
2. The set-up of this project shall be coordinated with the Department of Public Service to avoid any damage to underground wiring or water systems.
3. The Fire, Police, and Municipal Service Departments shall be notified of said event.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED

(436)

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the Superintendent of Recreation and the Director of the Downtown Development Authority Director as set forth in their communication dated August 9, 2006 TO GRANT PERMISSION to Morning Light Studios to film in the City of Wyandotte. AND BE IT FURTHER RESOLVED that the following guidelines be adhered to:

- A). The Non-exclusive use of Bishop park for filming on Saturday, August 26, 2006, from 5:30 a.m. to 12-Noon.
- B). Use of a local residential side street for filming on the following:
 1. Thursday and Friday tentative scheduled for October 12 & 13th, 2006
 2. One winter day-after the first good snowfall.
 3. One day during the Christmas Season

With the following stipulations:

- a. The dates for Item b sub-sections 1-2-3 must be coordinated with and approved by the Police Department, Fire Department, Department of Public Services and Municipal Service Departments.
- b. All legal documents (hold harmless, additional insurance, etc.) pertaining to this project as required by the Department of Legal Affairs must be completed and placed on file before the start of filming.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning
ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that the communications from Dickinson Wright, 38525 Woodward Avenue, Suite 2000 Bloomfield Hills, Michigan 48304 dated August 10th, and August 11th, 2006; regarding the proposed rezoning of 25 acres of property owned by Arkema Inc. from I-1 to PD-4655 Biddle Avenue, Wyandotte, Michigan 48192 is hereby received and placed on file. AND BE IT FURTHER RESOLVED that the communication from the Planning and Rehabilitation Commission dated August 8, 2006 regarding the rezoning of the 25 acre site bounded by Biddle Avenue (west); Detroit River (east); Wyandotte Shores Golf Course (north) and the City of Riverview Border (south) is hereby received and placed on file; AND BE IT FURTHER RESOLVED that Council refers said issue to the Planning and Rehabilitation Commission that they can consider amendments to the City of Wyandotte's Master Plan that the underlying land use for this site be zoned for Industrial Research Office (IRO) and hold the necessary public hearings for said amendment to the Master Plan and amendment to the entire Zoning Ordinance.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

(437)

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council CONCURS in the recommendation of the Municipal Service commission as set forth in their communication dated August 3, 2006 to accept the bid from Cannon Engineering in the amount of \$127,493.00 for a 45' bucket truck, File # 4397 as being the best bid meeting specifications.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilman Jason Ptak

RESOLVED by the City Council that Council hereby APPROVES the request of the Downtown Development Authority Director to close Biddle Avenue, from Ford to Plum (re-route northbound traffic on Third to Ford, southbound on Fourth from Ford) from 8:00 a.m. to Noon for Wyandotte's 63rd Annual Christmas Parade scheduled for Saturday, November 18, 2006. AND BE IT FURTHER RESOLVE that the Chief of Police is directed to apply to the Wayne County Office of Public Service for a road closing permit and further is hereby authorized and directed to sign said permit with the City of Wyandotte assuming responsibility for all damage claims which may arise from the road closing and further the Fire Department is hereby notified to reroute emergency vehicles during this time period.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION BY COUNCILPERSON Jason Ptak

RESOLVED BY THE MAYOR AND COUNCIL that the Council acknowledges receipt of the communication from the Community Development Director dated August 7, 2006, regarding "Application and Administrative Fees for Economic Development Services." The fees are designed to capture the expenses associated with each service and program, i.e. publishing, mailing, supplies, and staff salaries.

BE IT FURTHER RESOLVED that the Council hereby concurs with the recommendation therein to approve the "Application and Administrative Fee Schedule for Economic Development Services and Programs" according to the following schedule, subject to approval by the Wyandotte Brownfield Redevelopment Authority:

(438)

CITY OF WYANDOTTE, MICHIGAN
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION & ADMINISTRATIVE FEES FOR ECONOMIC DEVELOPMENT SERVICES

Activity Fee*

1. Industrial Facilities Exemption Certificate (IFEC) - Public Act 198 of 1974
 - a. Applying to establish or amend an Industrial Development or Rehabilitation District \$310.00
 - b. Applying to transfer or revoke an existing Exemption Certificate \$375.00
 - c. Applying for a Certificate:
 1. Combined Value of Real and Personal Property - less than \$1 million \$535.00
 2. Combined Value of Real and Personal Property - \$1 million or more \$535.00
2. 100% Personal Property Exemption - Public Act 328 of 1998
 - a. Applying for an Exemption Certificate \$350.00
3. Obsolete Property Rehabilitation Exemption (OPRE) Certificate - PA 146 of 2000
 - a. Applying to establish an OPRE District \$210.00
 - b. Applying for an OPRE Certificate \$410.00
4. Brownfield Redevelopment Plans - Public Act 381 of 1996
 - a. Single Business Tax Credit (less than \$1 million) with no eligible activities financed \$300.00
 - b. Single Business Tax Credit (\$1 million or more) with no eligible activities financed \$300.00
 - c. Brownfield Plans with eligible activities financed (w/out a Work Plan) \$500.00
 - d. Brownfield Plans with eligible activities financed & with a Work Plan \$625.00
 - e. Amendment to a Brownfield Redevelopment Plan \$300.00
5. Brownfield Redevelopment Authority (WBRA) - Special Meeting \$280.00

*Notes:

Any fees required by other agencies, i.e. the Michigan Economic Growth Authority (MEGA), the Michigan Economic Development Corporation (MEDC), or the State Tax Commission (STC), are in addition to the fees cited above and must be paid by the Applicant.

Unless otherwise noted, the fee is due once the City Council, WBRA, or other reviewing agency approves the request or application for processing. The fee is non-refundable and required regardless of whether the application/request is approved or denied by any reviewing agency.

I move the adoption of the foregoing preamble and resolution.

MOTION BY COUNCILPERSON Jason Ptak
SUPPORTED BY COUNCILPERSON Todd Browning
YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

(439)

RESOLUTION SETTING A HEARING ON THE ISSUANCE OF
AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
IN THE CITY OF WYANDOTTE

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that:

WHEREAS, Pursuant to Public Act 146 of 2000, as amended, the City of Wyandotte has established Obsolete Property Rehabilitation District No. 6 covering the property commonly known as 2912 Biddle Avenue; AND

WHEREAS, Wyandotte Commercial Properties, LLC, who is the property owner of said realty located within said District, has applied for an Obsolete Property Rehabilitation Exemption Certificate under provisions of Michigan Public Act 146 of 2000, as amended; AND

WHEREAS, Michigan Public Act 146 of 2000, as amended, provides that before action upon an application for an Obsolete Property Rehabilitation Exemption Certificate, the City Council shall afford the applicant, the Assessor and a representative of the affected taxing units an opportunity for a hearing.

NOW, THEREFORE BE IT RESOLVED:

1. That the application of Wyandotte Commercial Properties, LLC, for an Obsolete Property Rehabilitation Exemption Certificate dated July 28, 2006, shall remain on file in the office of the City Clerk where it was received on July 28, 2006.
2. That the City Council shall meet in the City Council Chambers, Wyandotte City Hall, 3131 Biddle Avenue, Wyandotte, Michigan, on September 11, 2006, at 7:00 p.m., Local Time, or as soon thereafter as may be heard, and shall provide the City Assessor, the applicant, a representative of each of the taxing units, and any other taxpayer or resident of the City of Wyandotte an opportunity to be heard on the question of said application for an Obsolete Property Rehabilitation Exemption Certificate with regards to operations within Wyandotte Obsolete Property Rehabilitation District No. 6.
3. That the City Clerk immediately inform, by certified letter, the City Assessor, the applicant, and the legislative body of each taxing unit which levies ad valorem taxes in the City of Wyandotte as follows:
 - a. That the City of Wyandotte has established Wyandotte Obsolete Property Rehabilitation District No. 6 and has now received and will consider an application for an Obsolete Property Rehabilitation Exemption Certificate within said District No. 6.
 - b. That the City Council shall meet on September 11, 2006, in the City Council Chambers, Wyandotte City Hall, 3131 Biddle Avenue, Wyandotte, Michigan, at 7:00 p.m., Local Time, or as soon thereafter as may be heard to afford the City Assessor, the applicant, a representative of each taxing unit, and any other resident or taxpayer of the City an opportunity to be heard with regard to said application.
 - c. That said application applies to building improvements with an estimated project cost of \$850,000 to be acquired and installed on the property commonly known as 2912 Biddle Avenue.
 - d. That the City Clerk is hereby directed to publish notice in substantially the following form in the News Herald, Wyandotte Edition:

(440)

NOTICE OF HEARING ON THE ISSUANCE OF AN
OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE UNDER
ACT 146 OF THE PUBLIC ACTS
OF MICHIGAN, 2000, AS AMENDED

PLEASE TAKE NOTICE: That on the 11th day of September 2006, at 7:00 p.m., Local Time, a public hearing will be held in the City Council Chambers, Wyandotte City Hall, 3131 Biddle Avenue, Wyandotte, Michigan, on the application of Wyandotte Commercial Properties, LLC, for the issuance of an Obsolete Property Rehabilitation Exemption Certificate under Act No. 146 of the Public Acts of Michigan, of 2000, as amended, for the purchase of building improvements at an estimated project cost of \$850,000 and located in Wyandotte Obsolete Property Rehabilitation District No. 6, 2912 Biddle Avenue.

Copies of all relevant documents have been deposited in the office of the City Clerk of the City of Wyandotte for public examination. Further information may be obtained by contacting the Community Development Department at (734) 324-4541. Written comments submitted prior to or at the specified time and date of the hearing will also be considered and should be forwarded to the City Clerk at City Hall at the above referenced address.

WILLIAM R. GRIGGS, CITY CLERK
CITY OF WYANDOTTE, MICHIGAN

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council hereby CONCURS in the recommendation of the City Engineer and Director of Administrative and Financial Services regarding the purchase of one (1) John Deere 1600 Turbo Wide Area Mower Series II to be used by the Department of Public Service and accepts the quote from Weingartz Golf & Turf in the amount of \$40,429.00 with \$37,625.00 from account # 101-448-850-530 and \$2,804.00 from account # 525-750-850-540.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that Council CONCURS in the recommendation of the Assistant City Engineer to acquire the property known as 831 Antoine in the amount of \$55,000.00 to be appropriated from TIFA Area Funds; AND BE IT FURTHER RESOLVED that the Department of Legal Affairs is hereby directed to prepare the necessary documents and the Mayor and City Clerk are hereby authorized to sign said documents and that the City Engineer is hereby directed to DEMOLISH same.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None
(441)

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Engineer dated August 3, 2006, regarding the verbal comments of Evelyn Gorham, 2365-17th Street, Wyandotte is hereby received and placed on file with a copy of said communication forwarded to Ms. Gorham.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Engineer regarding the request from the James M. Pappas to encroach on the City property be hereby approved provided that the Grant of License and Hold Harmless Agreement be executed by both parties; AND BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to sign said Grant of License and Hold Harmless Agreement; and that Mr. Pappas pay the recording fee of \$24.00. AND FURTHER the Department of Legal Affairs is directed to record said Grant of License.

I move the adoption of the foregoing resolution.
MOTION by Councilman Jason Ptak
Supported by Councilman Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak

NAYS: None

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Engineer dated August 2, 2006 regarding repairs to Pine Street as requested by Ron Rushford, 3461-14th Street is hereby received and placed on file with a copy of said communication forwarded to Mr. Rushford.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from the City Engineer regarding the complaint from Bob and Lenette Ruzzin, 2122 Biddle Avenue regarding yard waste collection is hereby received and placed on file. AND BE IT FURTHER RESOLVED that complaints by residents regarding Republic Waste Services of Michigan for solid waste, yard waste or compost services are to be directed to Republic Waste Services of Michigan at 1-877-264-5544 and if the problem persists residents should contact the Wyandotte Department of Public Service at 734-324-4581.

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

(442)

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communications from the Department of Legal Affairs and Planning and Rehabilitation Commission dated August 7, 2006 and August 11, 2006 respectively are hereby received and placed on file with copies forwarded to Robert A. Ficano, Wayne County Executive. AND BE IT FURTHER RESOLVED that Council hereby directs the Department of Legal Affairs to forward a formal request in writing to the County of Wayne requesting permission for the placement of signs on all right-of-ways (county and city) WITHOUT the requirement of the city signing a hold harmless agreement (since the county is the one proposing this change in policy countywide).

I move the adoption of the foregoing resolution.

MOTION by Councilman Jason Ptak

Supported by Councilman Todd Browning

ROLL ATTACHED

RESOLUTION APPROVING THE APPLICATION OF BASF CORPORATION FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY WITHIN WYANDOTTE INDUSTRIAL DEVELOPMENT DISTRICT NO. 10 AND PLANT REHABILITATION DISTRICT NO. 5

Wyandotte, Michigan August 14, 2006

RESOLUTION BY COUNCILPERSON Jason Ptak

RESOLVED BY CITY COUNCIL that:

WHEREAS, pursuant to Michigan Public Act 198 of 1974, as amended, and after a duly noticed public hearing held on the 12th day of April 1982, this Council by Resolution established Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5 covering the property commonly known as 1609 Biddle Avenue, BASF Wyandotte Corporation's North Works on approximately 232.86 acres; and

WHEREAS, on May 9, 2006, the City Clerk received an application for an Industrial Facilities Exemption Certificate from the BASF Corporation, 1609 Biddle Avenue, for a new facility consisting of new machinery, equipment, and furniture and fixtures within Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5 covering the property commonly known as 1609 Biddle Avenue; and

WHEREAS, by Resolution adopted July 10, 2006, the City Council directed the City Clerk to notify the

Assessor, applicant, and the legislative body of each taxing unit which levies ad valorem taxes on the property located within Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5 and to publish notice in the Wyandotte News Herald that the application for an Industrial Facilities Exemption Certificate would be considered at a meeting of the City Council on August 14, 2006 at 7:00 P.M. local time in the Council Chambers at Wyandotte City Hall, and that an opportunity to be heard would be provided to the Assessor, the applicant and to the representative of each of the bodies so notified along with any other taxpayer or resident of the City of Wyandotte; and

WHEREAS, during a regular meeting of the City Council held on August 14, 2006, the applicant, the Assessor, a representative of the affected taxing units and any taxpayer or resident of the City of Wyandotte were afforded an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That this City Council finds:

(443)

- a. That commencement of the restoration, replacement, or construction of the facility occurred not earlier than six months before the filing of the application for the Industrial Facilities Exemption Certificate.
- b. That the application relates to a construction program, which when completed will constitute a new facility within the meaning of Michigan Public Act 198 of 1974, as amended, and will be situated in Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5.
- c. That the completion of the facility is calculated to and will at the time of issuance of the Certificate have the reasonable likelihood of retaining employment within the City of Wyandotte.
- d. That the application received by the City Clerk on May 9, 2006, applies to new machinery, equipment, and furniture and fixtures at a total project of \$2,610,723.
- e. That the aggregate State Equalized Valuation of real and personal property exempt from ad valorem taxes within the City of Wyandotte, after granting of this Certificate, will not exceed five (5) percent of an amount equal to the sum of the State Equalized Valuation of the City plus the State Equalized Valuation of the personal and real property thus exempted. Therefore, it is not necessary for the City Council to determine whether the granting of the exemption applied for will substantially impede the operation of the City of Wyandotte, or impair the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Wyandotte.

2. That the Mayor and City Clerk are hereby authorized to execute the Industrial Facilities Tax Exemption Certificate Letter of Agreement between the BASF Corporation and the City of Wyandotte which was signed by BASF Corporation on May 5, 2006, a copy of which is attached to the application.

3. If the owner or lessee of a facility for which an industrial facilities exemption certificate is in effect relocates that facility outside of the industrial development district or plant rehabilitation district during the period in which the industrial facilities exemption certificate is in effect, the owner or lessee is liable to the local governmental unit from which it is leaving, upon relocating, for an amount equal to the difference between the industrial facilities tax to be paid by the owner or lessee of that facility for that facility for the tax years remaining under the industrial facilities exemption certificate that is in effect and the general ad valorem property tax that the owner or lessee would have paid if the owner or lessee of that facility did not have an industrial facilities exemption certificate in effect for those years. If the local governmental unit determines that it is in its best interest, the local governmental unit may forgive the liability of the owner or lessee under this subsection. The payment provided in this subsection shall be distributed in the same manner as the industrial facilities tax is distributed.

4. The application of the BASF Corporation for an Industrial Facilities Exemption Certificate situated within Wyandotte Industrial Development District No. 10 and Plant Rehabilitation District No. 5, City of Wyandotte, County of Wayne, and State of Michigan, be and the same is hereby approved subject to the condition set forth in item number 3 above.

5. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of twelve (12) years.

I move the adoption of the foregoing preamble and resolution.

MOTION BY COUNCILPERSON Jason Ptak
SUPPORTED BY COUNCILPERSON Todd Browning
YEAS: Councilpersons Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

(444)

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the communication from Colleen A. Keehn, City Assessor relative to the Industrial Facilities Exemption Certificate for BASF is hereby received and placed on file.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
ROLL ATTACHED

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the City Engineer has expressed a desire to meet in closed session to discuss acquisition and/or lease of real property. Now, therefore, be it resolved that this Body will meet in closed session immediately following the regularly scheduled Council meeting for the above stated purpose only.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

Wyandotte, Michigan August 14, 2006

RESOLUTION by Councilperson Jason Ptak

RESOLVED by the City Council that the total bills and accounts in the amount of \$2,941,717.65 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

I move the adoption of the foregoing resolution.

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
YEAS: Councilmembers Browning, Fricke, Kolakowski, Peterson, Ptak
NAYS: None

ADJOURNMENT

MOTION by Councilperson Jason Ptak
Supported by Councilperson Todd Browning
That we adjourn.
Carried unanimously.
Adjourned at 8:40 P.M.
August 14, 2006

Maria Johnson, Deputy City Clerk