

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

A Regular Session of the Wyandotte City Council was held in Council Chambers, on Monday, February 26, 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, Christopher Calvin, Megan Maiani, Leonard Sabuda, and Donald Schultz & Mayor Joseph R. Peterson

Absent: Councilperson Robert DeSana

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

**PRESENTATIONS**

**PRESENTATION OF PETITIONS**

**APPROVAL OF AGENDA**

**PUBLIC HEARINGS**

- Public Hearing – Brownfield Plan Site No. 19 – Amendment #1
  - *No comments received.*

**2018-63 BROWNFIELD SITE PLAN NO. 19 – AMENDMENT #1**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the Wyandotte City Council is authorized by the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended (the “Act”), to create a brownfield redevelopment authority; and

WHEREAS, on August 25, 1997, the City Council adopted a resolution to create such an authority; and

WHEREAS, the Wyandotte Brownfield Redevelopment Authority (the “Authority”), pursuant to and in accordance with the Act, adopted a resolution approving Brownfield Redevelopment Plan for Site No. 19 on October 18, 2011, and the Wyandotte City Council adopted a resolution approving the Plan for Site No. 19 on November 14, 2011 (also known as MJC Templin - Phase I, 2070 Biddle Avenue, Brownfield Plan Site No. 19); and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 and Section 14 of the Act, has completed a review of Brownfield Plan Site No. 19 – Amendment No. 1 (the “Plan Amendment”) for the site commonly known as “MJC Templin Phase I,” including eligible property with the following address and Parcel Identification Number: 2070 Biddle – 82-57-010-01-0001-001, to be carried out within property located in the City of Wyandotte; and

WHEREAS, on January 16, 2018, in accordance with the requirements of the Act, the Authority adopted a resolution approving the Plan Amendment, subject to passage of an approval resolution by the Wyandotte City Council; and

WHEREAS, the Authority has now submitted the Plan Amendment for review and approval by the Wyandotte City Council; and

WHEREAS, the Plan Amendment requests to remove a small portion of property (the East 16 feet of Lot 2, Block 61, of Tax Parcel 82-57-010-01-0001-001) and include that portion of property in a new Brownfield Plan Site No. 21 for "MJC Templin - Phase II" Project; and

WHEREAS, this Plan Amendment is necessary to allow for the new Brownfield Plan Site No. 21 for "MJC Templin - Phase II" Project to be considered for adoption by the Authority and the Wyandotte City Council; and

WHEREAS, this Plan Amendment will not negatively impact or change the validity of the Brownfield Redevelopment Plan for Site No. 19 in any way as adopted by the Wyandotte City Council on November 14, 2011; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan Amendment was considered for approval, provided notice of the public hearing to the taxing jurisdictions that levy taxes subject to capture under the Act, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan Amendment was considered for approval, provided notice of the public hearing to the Michigan Department of Environmental Quality (MDEQ) and the Michigan Strategic Fund (MSF), or its designee (the Michigan Economic Development Corporation [MEDC]), because the Plan Amendment involves the use of taxes levied for school operating purposes to pay for eligible activities, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, at the time set for the hearing on the Plan Amendment, the Wyandotte City Council provided an opportunity for any interested persons or an official from a taxing jurisdiction with a millage that would be subject to capture under the Act, to be heard and for written communications referencing the Plan Amendment to be received and considered, pursuant to and in accordance with Sections 14(3) and 14(4) of the Act; and

WHEREAS, the Wyandotte City Council hereby makes the following determinations and findings:

- A. The Plan Amendment No. 1 for Site No. 19 constitutes a public purpose of the Act;
- B. The Plan Amendment meets all of the requirements for a Brownfield Plan amendment set forth in Section 13 and Section 14 of the Act;
- C. The proposed method of financing the costs of the eligible activities as described in the originally adopted Plan were recognized as feasible and have not changed at the time of this Plan Amendment;
- D. The costs of the eligible activities proposed by the Plan Amendment have not changed and are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated by the original Plan for Site No. 19 have not changed from the Plan Amendment and are reasonable.

WHEREAS, as a result of its review of the Plan Amendment and upon consideration of the views and recommendations of the Brownfield Redevelopment Authority of the City of Wyandotte and the taxing jurisdictions, the City Council desires to proceed with approval of the Plan Amendment for implementation by the Authority.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Amendment Approved. Pursuant to the authority vested in the Wyandotte City Council by the Act, and pursuant to and in accordance with the provisions of Section 13 and 14 of the Act, Brownfield Plan Site No. 19 - Amendment No. 1 is hereby approved.
2. Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion unanimously carried.

- Public Hearing – Brownfield Site Plan No. 21
  - *No comments received.*

#### **2018-64 BROWNFIELD SITE PLAN NO. 21**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the Wyandotte City Council is authorized by the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended (the “Act”), to create a brownfield redevelopment authority; and

WHEREAS, on August 25, 1997, the City Council adopted a resolution to create such an authority; and

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Wyandotte, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has completed a review of the Brownfield Plan for Site No. 21 (the “Plan”) for the site commonly known as “MJC Templin Phase II” (the “Project”), including eligible property with the following addresses and Parcel Identification Numbers: 155 Ford – 82-57-010-02-0002-001; 163 Ford – 82-57-010-02-0001-001; 2035 Second St. – 82-57-010-02-0001-002; 146 Spruce – 82-57-010-02-0013-001; 150 Spruce – 82-57-010-02-0013-002; 166 Spruce – 82-57-010-02-0014-001; and 2070 Biddle – 82-57-010-01-0001-001 (West Portion), pursuant to and in accordance with Sections 13 and 13b of the Act, to be carried out within property located in the City of Wyandotte; and

WHEREAS, on January 16, 2018, in accordance with the requirements of the Act, the Authority adopted a resolution approving the Plan for the proposed Project, subject to passage of an approval resolution by the Wyandotte City Council; and

WHEREAS, the Authority has now submitted the Plan for review and approval by the Wyandotte City Council; and

WHEREAS, the Authority’s Resolution dated January 16, 2018, provides for reimbursing various expenses that require an exception to guidelines specified in the Authority’s “Developer Reimbursement Policy for Brownfield Redevelopment Plans,” adopted by the Authority on November 15, 2005; and

WHEREAS, the Authority may make an exception to the guidelines by stating the specific reasons for the exceptions in their adoption of a resolution approving a project and subject to further approval of the Mayor and City Council when adopting the Plan; and

WHEREAS, for this particular project, approving the exceptions necessary to reimburse the costs as provided in the Plan are considered to be in the City’s best interest, and reimbursement allowed as requested, subject to the capped amount specified in the Plan; and

WHEREAS, on January 16, 2018, the Wyandotte Consolidated Tax Increment Finance Authority (TIFA) adopted a resolution supporting the transfer of tax capture for Site No. 21 that would otherwise be captured by the TIFA to the Authority to reimburse eligible Activities and other expenses identified in the Plan, all in accordance with the Interlocal Agreement between the TIFA and the Authority, which was approved by the TIFA on August 17, 2004, and the Authority on August 17, 2004; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan was considered for approval, provided notice of the public hearing to the taxing jurisdictions that levy taxes subject to capture under the Act, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, the City of Wyandotte, at least ten (10) days before the meeting of the City Council at which the Plan was considered for approval, provided notice of the public hearing to the Michigan Department of Environmental Quality (MDEQ) and the Michigan Strategic Fund (MSF), or its designee (the Michigan Economic Development Corporation [MEDC]), because the Plan involves the use of taxes levied for school operating purposes to pay for eligible activities, pursuant to and in accordance with Section 14(4) of the Act; and

WHEREAS, at the time set for the hearing on the Plan, the Wyandotte City Council provided an opportunity for any interested persons or an official from a taxing jurisdiction with a millage that would be subject to capture under the Act, to be heard and for written communications referencing the Plan to be received and considered, pursuant to and in accordance with Sections 14(3) and 14(4) of the Act; and

WHEREAS, the Wyandotte City Council hereby makes the following determinations and findings:

- A. The Plan for the site constitutes a public purpose of the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Sections 13 and 13b of the Act;
- C. The proposed method of financing the costs of the eligible activities as described in the Plan, are feasible;

D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;

E. The amount of captured taxable value estimated by the Plan for the site is reasonable.

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Brownfield Redevelopment Authority of the City of Wyandotte and the taxing jurisdictions, the City Council desires to proceed with approval of the Plan for implementation by the Authority.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Approved. Pursuant to the authority vested in the Wyandotte City Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved contingent on the following: Reimbursement to the Developer shall be capped at an amount of \$1,300,000, inclusive of eligible activity costs and 5% simple interest.

2. Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion unanimously carried.

#### **2018-65 BROWNFIELD SITE PLAN NO. 21 – DEV. & REIMBURSEMENT AGREEMENT**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED by the City Council of the City of Wyandotte that Council hereby approves the Brownfield Development and Reimbursement Agreement for Brownfield Plan Site No. 21, MJC Phase II, Wyandotte, Michigan, and authorizes the authorized personnel to execute said Agreement on behalf of the City.

Motion unanimously carried.

#### **OLD BUSINESS**

#### **CALL TO THE PUBLIC**

None

#### **CONSENT AGENDA**

##### **2018-66 CONSENT AGENDA APPROVALS**

By Councilperson Maiani, supported by Councilperson Schultz

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

3. Approval of Council Meeting Minutes – February 12, 2018
4. Knights of Columbus 1802 “Tootsie Roll Drive”
5. 2018 Wyandotte Shred Day
6. 2018 Wyandotte Jaycees Easter Egg Hunt
7. 2018 Whiskeys on the Water Taco Hop
8. 2018 Wyandotte Boat Club Regattas

Motion unanimously carried.

##### **2018-67 MINUTES**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the minutes of the meeting held under the date of February 12, 2018, be approved as recorded, without objection.

Motion unanimously carried.

**2018-68 KNIGHTS OF COLUMBUS 1802 TOOTSIE ROLL DRIVE**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS, the Wyandotte Knights of Columbus Council #1802 is requesting permission to solicit donations in the annual "Mentally Impaired Drive", also known as the "Tootsie Roll Drive", on March 23-25, 2018.

WHEREAS, the fundraising event will consist of soliciting donations from motorists stopped at traffic signals at the intersections of Eureka and Fort, Fort and Northline, and the Eureka turnarounds by persons wearing vests that clearly identify the Knights of Columbus.

BE IT RESOLVED that Council permits the Knights of Columbus Council #1802 to solicit donations as part of the "Tootsie Roll Drive", provided the organization complies with all regulations set forth in PA 112 of 2017, including the submission of a Liability Insurance Certificate in the amount of \$500,000, and signs a Hold Harmless Agreement as prepared by the Department of Legal Affairs

Motion unanimously carried.

**2018-69 2018 WYANDOTTE SHRED DAY**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council Concurs with the Wyandotte Municipal Services Commission in support for hosting a city wide shred day on April 28, 2018 from 9 AM – Noon in the City Hall parking lot utilizing EO Administration funding not to exceed \$650.00; AND

BE IT RESOLVED, the Wyandotte City Council grants permission to use the City Hall west parking lot at 3200 Biddle to host the city wide shred day from 9 AM to Noon on April 28, 2018 to promote and educate environmentally responsible recycling of paper through safe and secure shredding as recommended by WMS management.

BE IT FURTHER RESOLVED that the Department of Public Service has reviewed the event and shall place the necessary signs and barricades in the approved parking lot for said event.

Motion unanimously carried.

**2018-70 2018 WYANDOTTE JAYCEES EASTER EGG HUNT**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the Wyandotte Jaycees have requested permission to use Bishop Park and any surrounding city sidewalks, streets, and/or property necessary, with permission to include bounce houses and a food vendor placed on site, for the Wyandotte Jaycees Easter Egg Hunt event to be held on March 31, 2018, from 10AM – 1PM.

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of Bishop Park for the Wyandotte Jaycees Easter Egg Hunt.

BE IT FURTHER RESOLVED that the Wyandotte Jaycees 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 Wyandotte Jaycees with fees payable no later than 30 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.
- The Wyandotte Jaycees 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 Wyandotte Jaycees 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.

**2018-71 2018 WHISKEYS ON THE WATER DOWNRIVER TACO HOP**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the Special Event Coordinator to approve the use of city sidewalks, streets, and property for the 2018 Downriver Taco Hop event to take place on October 6, 2018, from 3:00PM to 10:00PM, subject to the terms of the Taco Hop Fundraiser Hosting Agreement.

BE IT FURTHER RESOLVED that Event set up will include the closing of City Parking Lot #1 as well as the partial closing of Elm St. between Biddle Ave. and the entrance to City Parking Lot #1.

Motion unanimously carried.

**2018-72 2018 WYANDOTTE BOAT CLUB REGATTAS**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council hereby concurs with the recommendation of the Special Events Coordinator, Chief of Police, Fire Chief, and Superintendent of the Department of Public Service and approves the request of Fred Mekolon Jr., WBC Regatta Chair, to utilize BASF Waterfront Park for the following events:

<u>EVENT</u>	<u>DATE</u>	<u>TIME</u>
54 <sup>th</sup> Annual Hebda Cup Rowing Regatta	Saturday, April 28, 2018	6AM – 5PM
Wy-Hi Regatta	Saturday, May 5, 2018	6AM – 6PM

(in the case of inclement weather, the regattas would plan to run on the following day)

BE IT FURTHER RESOLVED that the organization must complete a Hold Harmless Agreement as prepared by the Department of Legal Affairs, as well as add the City of Wyandotte as additional insured; AND

BE IT FURTHER RESOLVED that the Chief of Police is hereby designated and authorized to sign said street closing permit documents to close Biddle Avenue from Pine to Plum Street and that the City of Wyandotte hereby holds harmless the County of Wayne for the closure of said street with responsibilities for all damage claims that may arise from said street closing to be assumed by the City of Wyandotte.

Motion unanimously carried.

**NEW BUSINESS****2018-73 CITIZEN PROPERTY USE REQUEST – T. CAPERTON**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council refers Tammy Caperton of 144 Ford Avenue to contact the property owner of Rite Aid for the set up of tents, tables, and chairs for a graduation party on Sunday, July 15, 2018.

Motion unanimously carried.

**2018-74 MARCH 2018 COUNCIL MEETING CANCELLATION**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS the City Clerk and Deputy City Clerk will be in attendance of a mandatory training conference from March 11 to March 16, 2018.

BE IT RESOLVED that the City Council meeting on Monday, March 12, 2018, is hereby cancelled due to the absence of the City Clerk and Deputy City Clerk.

Motion unanimously carried.

**2018-75 HIRING OF ARENA FOREMAN – M. DILLON**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the Council concurs with the recommendation of the Superintendent of Recreation to fill the vacant Yack Arena Foreman position; AND

BE IT FURTHER RESOLVED that the City hire Matt Dillon to fill said vacancy at a Classification Level 34C, pending the successful completion of a work physical and drug screen by the candidate.

Motion unanimously carried.

**2018-76 BISHOP PARK 2018 CONCESSION STAND LEASE EXTENSION**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council hereby CONCURS in the recommendation of the Superintendent of Recreation and the Recreation Commission to award a one-year extension to operate the Bishop Park Concession Stand for 2018 to Saif Alghathie, in the amount of \$2,000 provided the proper insurance is placed on file in the City Clerk's Office and all stipulations are adhered to as outlined in said lease; AND BE IT FURTHER RESOLVED that the Council authorizes the Mayor and City Clerk to sign said lease agreement on behalf of the City of Wyandotte.

Motion unanimously carried.

**2018-77 MAPLE LEAF AMUSEMENTS SPECIAL EVENT APPLICATION**

By Councilperson Maiani, supported by Councilperson Schultz

WHEREAS Maple Leaf Amusements has applied to use city property, including use of the Yack Arena Parking Lot (both sides), and to close the drive to the Yack Arena from Sycamore to Maple Street in conjunction with their event to be held on the following dates and times:

May 24-25, 2018      5PM-10PM

May 26-27, 2018      1PM-10PM

May 28, 2018          1PM-6PM

BE IT RESOLVED that Council approves the application of Maple Leaf Amusements and the aforementioned property use for the said dates and times.

BE IT FURTHER RESOLVED that the Maple Leaf Amusements 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 Maple Leaf Amusements 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.
- The Wyandotte Jaycees 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 Maple Leaf Amusements 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.

**2018-78 RAT CONTROL CONTRACT RENEWAL**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer to extend the contract with Advantage Pest Control in the amount of \$ 40,192.88 to be paid from account no. 590-200-926-310; AND

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the necessary Amendment to the existing Rat Control Contract (Bid File #4653) as presented to City Council.

Motion unanimously carried.

**2018-79 PD PLANNED DEVELOPMENT APPLICATION – 785 FOREST**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that the PD Planned Development District Application submitted by Jesus Moreno for 785 Forest is hereby referred to the Planning Commission for the proper public hearing.

Motion unanimously carried.

**2018-80 DEMOLITION BIDS FOR VARIOUS STRUCTURES**

By Councilperson Maiani, supported by Councilperson Schultz

BE IT RESOLVED that Council concurs with the recommendation of the City Engineer in the acceptance of the proposal from Pro Excavation located in Wyandotte, Michigan in the amount of \$58,300.00 for the demolition of the six structures located at 1331 Walnut, 710 Grove, 522/524 Plum, 608 5<sup>th</sup> Street, 1147 Lindbergh, and 227 Walnut, to be paid from account #492-200-850-519; the amount of \$9,800.00 for demolition of the structure at 834 Superior to be paid from account #701-000-278-000; and the amount of \$9,000.00 for the demolition of 1768 4<sup>th</sup> Street to be paid from the account #492-000-041-040.

Motion unanimously carried.

**BILLS & ACCOUNTS****2018-81 BILLS & ACCOUNTS**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED that the total bills and accounts of \$2,912,024.75 as presented by the Mayor and City Clerk are hereby APPROVED for payment.

Motion unanimously carried.

**REPORTS & MINUTES**

Beautification Commission	January 10, 2018 & February 14, 2018
Daily Cash Receipts	February 14 & 22, 2018
Fire Commission	January 23, 2018
Planning Commission	January 18, 2018
Police Commission	January 23 & February 13, 2018
Retirement Commission	January 18, 2018
Zoning Board of Appeals & Adjustment	February 7, 2018

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

None

**ADJOURNMENT****2017-82 ADJOURNMENT**

By Councilperson Maiani, supported by Councilperson Schultz

RESOLVED, that this regular meeting of the Wyandotte City Council be adjourned at 7:26 p.m.

Motion unanimously carried.




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Lawrence S. Stec, City Clerk