

# Southgate City Council Agenda

## Council Chambers

Wednesday April 19, 2017

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### 6:30pm **Work Study Session**

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1. Officials Reports
2. Discussions regarding agenda items.

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### 7:00 pm **Regular Meeting**

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#### *Pledge of Allegiance*

**Roll Call:** Colovos, Farrah, George, Graziani, Rauch, Rollet, Zamecki.

**Minutes:**

1. Work Study Session Minutes dated April 5, 2017.
2. Regular City Council Meeting Minutes dated April 5, 2017.

**Scheduled Persons in the Audience:**

**Consideration of Bids:**

**Scheduled Hearings:**

#### **Communications "A" –**

1. Memo from Administrator; Re: State of Michigan Drinking Water Revolving Fund Page 2
2. Memo from Administrator; Re: Resolution to Set Public Hearing; Page 17  
Vacate Alley Right of Way
3. Memo from Administrator; Re: Dangerous Buildings Board Request for Public Hearing; Page 22  
16100 Fort Street

**Communications "B" – (Receive and File**

**Ordinances:**

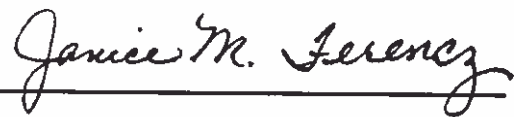
**Old Business:**

**New Business:**

**Unscheduled Persons in the Audience:**

**Claims & Accounts: Warrant # 1327 - \$ 623,459.95**

**Adjournment:**

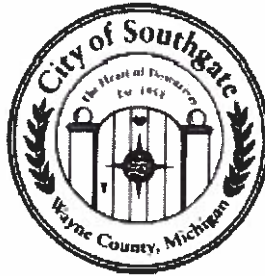


**Janice M. Ferencz, City Clerk**

JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

JAMES E. DALLOS  
*Treasurer*



**City of Southgate**  
NORMA J. WURLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI  
*Council President*

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

**Memorandum**

**To:** Honorable City Council Members

**From:** John J. Zech, City Administrator

**Date:** April 13, 2017

**Re:** State of Michigan Drinking Water Revolving Fund

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Peter S. Eckland Jr. of Clark Hill, PLC has prepared for the City Council's consideration a resolution that approves the City of Southgate Water and Sewer Revenue Bonds, Series 2017 (Water Main Lining Project) and ratifies the Notice of Intention of the City of Southgate to issue Water and Sewer Revenue Bonds. This is the next phase of the City's plan to line critical water mains in order to extend their life and maintain their reliability.

Mr. Eckland will attend your April 19, 2017 meeting to answer any questions you may have about the revenue bonds and Notice of Intent.

I have included four pages of information that were prepared by Ryan Kern of Hennessey Engineers, Inc. that explains the project, provides the location and includes other important facts. Mr. Kern will also be present at your April 19<sup>th</sup> meeting.

If you have any questions, please give me a call.

**Cc:** Mayor Joseph G. Kuspa  
David Angileri  
Robert Tarabula

## John Zech

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**From:** Ecklund Jr., Peter S. <PEcklund@ClarkHill.com>  
**Sent:** Tuesday, April 11, 2017 3:59 PM  
**To:** John Zech; danileri@ci.southgate.mi.us  
**Cc:** Kari Blanchett; Sarah Moore; Miller, Deborah M.; Ryan Kern (RRKern@hengineers.com); John Axe (johna@axelaw.com) (johna@axelaw.com)  
**Subject:** Notice of Intent Resolution for the Southgate Water Main Lining Project  
**Attachments:** Southgate Resolution - Notice of Intent.doc

John and David,

I have been asked to work on this project in order to ensure a timely DWRF Third Quarter close. Attached is a Notice of Intent to Issue Water and Sewer Revenue Bonds and Ratify Insertion of the Notice of Intent in your local paper. Due to the 45 day referendum period and the Municipal Finance Authority's early June closing date, I would like to have the Notice of Intent published in *The News Herald* on April 19, 2017 which is the same day as your City Council meeting. Therefore, the resolution references ratifying the Notice of Intent.

I have worked with Ryan Kern and have included a brief project description in the Notice. Assuming you are comfortable with the process I have outlined, I will have my paralegal work with the newspaper to ensure publication next week. Once the council has adopted this resolution and the Notice of Intent is published I will prepare a bond resolution which can be adopted at your May 3, 2017 city council meeting. I am available to attend meetings if you feel that would be helpful and look forward to working with the City and PFM on this financing project.

Thank you very much for your attention to this matter and if you have any questions please feel free to call me.

Peter

**Peter S. Ecklund, Jr., Esq.**

CLARK HILL PLC

500 Woodward Ave. Suite 3500 | Detroit, MI 48226  
313.309.9451 (Direct) | 313.309.6947 (Fax) |  
PEcklund@ClarkHill.com | [www.clarkhill.com](http://www.clarkhill.com)

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**CITY OF SOUTHGATE**

At a \_\_\_\_\_ meeting of the City Council of the City of Southgate, Michigan, held on the \_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_:\_\_\_\_.m., Eastern Daylight Savings Time, at the City Hall in Southgate, Michigan there were:

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preambles and resolution were offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION APPROVING THE CITY OF SOUTHGATE,  
COUNTY OF WAYNE, STATE OF MICHIGAN  
WATER AND SEWER REVENUE BONDS, SERIES 2017  
(WATER MAIN LINING PROJECT) AND RATIFICATION OF  
INSERTION OF NOTICE OF INTENTION OF THE CITY OF SOUTHGATE  
TO ISSUE WATER AND SEWER REVENUE BONDS**

WHEREAS, the City Council (the "Council") of the City of Southgate, Michigan (the "City"), wishes to issue revenue bonds for the purpose of a water main lining project in the City of Southgate as described in Exhibit A of Appendix I attached hereto (the "Water Main Lining Project"), pursuant to the terms of Act No. 94, Public Acts of Michigan, 1933 as amended ("Act 94"); and

WHEREAS, it has been estimated that the period of usefulness of the Water Main Lining Project is not less than 20 years and that the total cost of the Water Main Lining Project and issuing the Bonds will not exceed \$4,000,000 to be provided by the proceeds from the sale of a bond by the City pursuant to Act 94 to the Municipal Finance Authority (the "Authority"); and

WHEREAS, the City proposes to undertake the Water Main Lining Project and to incur taxable or tax-exempt debt (the "Reimbursement Obligations") to finance all or a portion of the costs of the Water Main Lining Project; and

WHEREAS, the City may make certain expenditures for said Water Main Lining Project prior to issuance of the Reimbursement Obligations and may wish to use the proceeds of the Reimbursement Obligations to reimburse all or a portion of said expenditures; and

WHEREAS, it is in the public interest and for the public benefit that the City designate an authorized officer for the purposes of declaring official intent of the City with respect to expenditures; and

WHEREAS, there has been prepared and attached hereto as APPENDIX I a form of notice entitled "NOTICE OF INTENTION OF THE CITY OF SOUTHGATE TO ISSUE CAPITAL IMPROVEMENT BONDS AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intention").

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTHGATE, MICHIGAN, AS FOLLOWS:

1. **Approval of Plans:** The preliminary plans and estimates relating to the Water Main Lining Project and identified in EXHIBIT A hereto are hereby approved and ordered filed with the City Clerk.
2. **Insertion of Notice of Intent:** It is hereby ratified that the Notice of Intention was published on April 19, 2017 and provides information sufficient to adequately inform the electors and taxpayers of the City of the nature of the obligations to be undertaken by the City by the issuance of the bonds and of their right under Act 94 to file a petition requesting a referendum election on the issuance of the bonds.
3. **Form of Notice of Intent:** The form and content of the Notice of Intention as set forth in Appendix I, is hereby ratified, and that the Notice of Intention was published once in *The News Herald*, a newspaper of general circulation within the City which is hereby determined to be the newspaper reaching the largest number of electors and taxpayers of the City on April 19, 2017. The notice was inserted in an advertisement at least one-quarter of a page in size.
4. **Referendum Period:** The referendum period within which voters and taxpayers shall have the right to circulate petitions is 45 days after publication of the notice of intention authorized in paragraph 2.
5. **Official Intent:** The Finance Director is hereby authorized to declare official intent of the City with respect to reimbursement.
6. **Individual Declarations of Intent:** Each declaration of official intent shall be substantially in the form set forth in APPENDIX II attached hereto and by this reference incorporated herein, and said form may be modified from time to time on the advice of Bond Counsel to the City and as necessary to conform to requirements of the reimbursement regulations as the same may be adopted by the Internal Revenue Service or amended from time to time, or with the requirements of applicable rulings or regulations relating to tax-exempt borrowings.
7. **Filing Official Intent:** The Finance Director is hereby directed to file each declaration of official intent in the office of the Clerk of the City of Southgate, which location constitutes the customary location of the records of the City which are available to the general public.
8. **Declarations of Intent Available:** The City Clerk is further directed to assure that each declaration of intent is continuously available during normal business hours of the City on every business day of the period beginning the earlier of 10 days after the date of execution of said declaration of intent and ending on the date of issuance of the Reimbursement Bonds.
9. **Retention of Bond Counsel.** The firm of Clark Hill, P.L.C., attorneys of Detroit, Michigan, is hereby retained to act as bond counsel for the City in connection with the issuance, sale and delivery of the Bond.
10. **Retention of Financial Consultants.** Public Financial Management, Ann Arbor, Michigan, is hereby retained to act as financial consultant and advisor to the City in connection with the issuance, sale and delivery of the Bond.
11. **Conflicting Resolutions.** All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

12. **Effective Date.** This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the City as soon as practicable after adoption.

A roll call vote on the foregoing resolution was then taken, and was as follows:

YES: \_\_\_\_\_

\_\_\_\_\_

NO: \_\_\_\_\_

\_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_

The resolution was declared adopted.

**CITY CLERK'S CERTIFICATE**

The undersigned, being the Clerk of the City of Southgate, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the City at a \_\_\_\_\_ meeting held on \_\_\_\_\_, 2017, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records of the proceedings of the City Council in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

**JANICE FERENCZ, CITY CLERK**

## APPENDIX I

### NOTICE OF INTENTION OF THE CITY OF SOUTHGATE TO ISSUE NOT TO EXCEED \$4,000,000 IN WATER AND SEWER REVENUE BONDS AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO ALL ELECTORS AND TAXPAYERS OF  
THE CITY OF SOUTHGATE:

NOTICE IS HEREBY GIVEN that the City Council of the City of Southgate, Michigan (the "City"), will authorize the issuance of not to exceed \$4,000,000 in Water and Sewer Revenue Bonds to provide for implementation of a water main lining in the City of Southgate (the "Water Main Lining Project") more fully described in EXHIBIT A. The Bond Resolution provides further that the City will finance all or a portion of the total cost of the Water Main Lining Project by the issuance of one or more series of a water and sewer revenue bonds (the "Bonds") pursuant to the provisions of Act No. 94, Public Acts of Michigan, 1933, as amended ("Act 94") and purchased by the Municipal Finance Authority. The maximum amount of the Bond to be issued in one or more series shall not exceed \$4,000,000, the term of the Bond shall not exceed 20 years and the Bond shall bear interest at a rate or rates that will result in a net interest cost of not more than 2.5% per annum. The maximum Water Main Lining Project cost is estimated at not to exceed \$4,000,000.

### FULL FAITH AND CREDIT AND TAXING POWER OF THE CITY OF SOUTHGATE WILL BE PLEDGED OUT OF WATER AND SEWER REVENUES

NOTICE IS FURTHER GIVEN that in the Bond Resolution the City will obligate itself to make payments to the Bond Holder in amounts sufficient to pay the principal of and interest on the Bond. Also, the limited tax full faith and credit of the City may be pledged for the making of such bond payments. Pursuant to such pledge of its full faith and credit, the City will be obligated to levy such ad valorem taxes upon all taxable property in the City as shall be necessary to make bond payments, which taxes, however, will be subject to applicable statutory and constitutional limitations on the taxing power of the City. In addition to its obligation to make payments on the Bond, the City will agree in the Bond Resolution to pay all costs and expenses of operation and maintenance of the Water Main Lining Project and all expenses of the City incidental to the issuance and payment of the Bond, to the extent such expenses are not payable from the proceeds of the Bond.

### RIGHT TO PETITION FOR REFERENDUM

NOTICE IS FURTHER GIVEN to the electors and taxpayers of the City to inform them of the right to petition for a referendum on the question of issuing the Bond. The City intends to issue the Bond without a vote of the electors thereon. If, within 45-days after publication of this notice, a petition for referendum requesting an election on the Bond, signed by not less than 10% or 15,000 of the registered electors of the City, whichever is less, has been filed with the City Clerk, the Bond shall not be issued unless and until approved by a majority of the electors of the City voting thereon at a general or special election.



This notice is given by order of the City Council pursuant to Act 94. Further information may be obtained at the office of the City of Southgate City Clerk, 14400 Dix-Toledo Highway, Southgate, MI 48195.

**JANICE FERENCZ, CITY CLERK**

DATED: [Date of Publication]

**APPENDIX II  
FORM OF DECLARATION  
OF OFFICIAL INTENT**

I, the undersigned \_\_\_\_\_ of the City of Southgate, Michigan, do hereby certify as follows:

1. I am an officer of the City authorized to declare official intent of the City to reimburse expenditures made, prior to the issuance of debt, from the proceeds of said debt.

2. This Declaration relates to the following expenditures (the "Expenditures"):

<u>Amount</u>	<u>General Purpose</u>
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3. The Expenditures are with respect to property (the "Property") having:

(A) the following general character, type or purpose:

\_\_\_\_\_;

(B) the following size, quantity or cost: \_\_\_\_\_; and

(C) a reasonably expected economic life at least one (1) year.

4. I understand that a substantial deviation between the above description of the Property for which the Expenditures are being made and the actual Property which is acquired or constructed will invalidate this declaration of official intent with the result that any proceeds of tax-exempt debt which are used to reimburse for the Expenditures will not be deemed to have been expended upon such reimbursement.

5. The City intends to reimburse the Expenditures by incurring taxable or tax-exempt debt (the "Reimbursement Obligations").

6. The expected source of funds that will be used to pay the Expenditures is as follows:

\_\_\_\_\_.

7. The expected source of funds to be used to pay debt service on the Reimbursement Obligation is as follows:

\_\_\_\_\_.

8. This declaration of intent is consistent with the budgetary and financial circumstances of the City as of the date hereof in that there are no funds which are now or are reasonably expected to be, (A) allocated on a long-term basis, (B) reserved, or (C) otherwise available pursuant to the City's budget, to pay the Expenditure.

9. The City does not have a pattern of failure to reimburse expenditures for which official intent has been declared in that at least seventy-five percent (75%) of all expenditures

made after \_\_\_\_\_, for which the City has declared an intent to reimburse from the proceeds of taxable or tax-exempt debt have been, or are expected to be, so reimbursed.

10. I acknowledge that in the event that the City fails to use the proceeds of Reimbursement Obligations issued within three (3) years of the date hereof to reimburse expenditures the same may adversely affect the ability of the City to use the proceeds of tax-exempt obligations in the future to reimburse for expenditures made prior to the issuance of such obligations.

11. I further acknowledge that unless the Expenditures constitute preliminary expenditures (in the nature of architect services and soil testing but excluding land acquisition) for the Property not in excess of ten percent (10%) of the expected cost of the Water Main Lining Project of which the Property constitutes a part, the Expenditures will be paid within not in excess of two (2) years following the date hereof or, as an alternative, this declaration of intent will be renewed.

12. I further acknowledge that it is expected that the proceeds of Reimbursement Obligations will be used for reimbursement of each Expenditure not later than (A) the date that is one (1) year after the date on which such Expenditure is paid, or (B) the date that is one (1) year after the date on which the Property is placed in service.

13. I further acknowledge that I will assure that the allocation referenced in item 12 (A) will be evidenced by an entry on the records of the City maintained with respect to the Reimbursement Obligations, (B) will specifically identify the Expenditure being reimbursed, and (C) on the advice of the appropriate counsel will be sufficient to relieve the allocated proceeds of the Reimbursement Obligations covered by such entry from any restrictions under the relevant legal documents and applicable state law that apply only to unspent proceeds of Reimbursement Obligations.

14. I further acknowledge that I will assure that except as referenced in item 15 the proceeds of the Reimbursement Obligations that are used to reimburse the Expenditures will not be used, directly or indirectly, (A) to pay debt service on an issue of tax-exempt obligations, (B) to create or increase the balance in a sinking fund established for the payment of debt service on the Reimbursement Obligations or another issue of tax-exempt obligations of the City or to replace funds that have been, are being, or will be so used for reserve or replacement fund purpose, or (C) to reimburse any expenditures or any payment with respect to financing of an expenditure that was originally paid with proceeds of any tax-exempt obligations of the City to any person or entity other than the City.

15. I understand that item 14 does not prohibit the use of those proceeds of the Reimbursement Obligations that are used to reimburse the Expenditures for (A) deposit in a bona fide debt service fund (that is, a fund established to pay debt service on any tax-exempt obligation of the City, other than the Reimbursement Obligation, which is depleted annually except for a reasonable carry over amount not in excess of one (1) year's interest earnings on said fund or one-twelfth (1/12th) of annual debt service), (B) to pay current debt service coming due within the next succeeding one-year period on any tax-exempt obligation of the City, other than the Reimbursement Obligations, or (C) to reimburse for expenditures originally made from the proceeds of a tax-exempt obligation of the City which were not reasonably expected by the City, on the date of issue of such obligation, to be used for such expenditure.

IN WITNESS WHEREOF, the undersigned has executed this declaration of official intent this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

## EXHIBIT A

### PROJECT DESCRIPTION

The rehabilitation of existing water mains along 4 major thoroughfares within the City utilizing cured-in-place pipe lining installations. The locations are the north side of Northline Road from Dix-Toledo Highway to McCann Avenue, west side of Dix-Toledo Highway from Northline Road to Superior Avenue, north side of Eureka Road from Fort Street to Trenton Road and the east side of Helen Avenue from Pennsylvania Road to Leroy Avenue. The total footage to be installed is 13,500 lineal feet.

#### Project Cost Estimate

Project Costs, Engineering Costs, Financing Costs and Contingency:  
Not to exceed \$4,000,000

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
City of Southgate, County of Wayne  
Drinking Water Revolving Fund (DWRF)  
Categorical Exclusion  
January 2017**

**PROJECT IDENTIFICATION**

**Applicant:** City of Southgate  
**Authorized Representative:** Mr. John Zech, City Administrator  
**Address:** 14400 Dix-Toledo Highway  
Southgate, Michigan 48195  
**DWRF Project No.:** 7416-01

**PROJECT-IN-BRIEF**

The city of Southgate is proposing a project to rehabilitate existing water mains utilizing cured-in-place pipe (CIPP) lining installations at five locations: Dix-Toledo Highway, Eureka Road, Helen Street, Pennsylvania Road, and North Line Road (see Figure A). The total project cost estimate is \$3,248,968. Project financing will be accomplished through a 20-year loan from the state of Michigan's DWRF at a 2.5-percent interest rate. User rates are expected to increase by an estimated \$1.25 per month (or \$15 per year) to service the DWRF loan debt. The construction is expected to begin in the summer of 2017 and be complete by the end of 2017.

**EXISTING SYSTEM**

Southgate is approximately 6.8 square miles in land area and is located roughly 15 miles southwest of the city of Detroit. The service area of the drinking water system is limited to the geographic boundaries of Southgate, consisting of an estimated 29,333 residents. Potable water is purchased from the Great Lakes Water Authority (GLWA). The actual water supply source is the Detroit River, which is then treated at the Southwest Water Treatment Plant (SWTP). Potable water exiting the SWTP is routed to Southgate through three transmission mains from Detroit along the boundary of the city. The drinking water system, which serves Southgate, has around 100 miles of water main ranging in size from 6 to 16 inches in diameter, which are constructed mostly of cast iron and ductile iron pipe. There are no booster stations.

**NEED FOR PROJECT**

The need associated with the proposed water main rehabilitation by CIPP lining in this project is the result of frequent breaks (see Table I) brought on by a combination of at least two factors. One, the age of the pipes has surpassed their recommended useful design lives. Most of the water main in the city was constructed between the 1930s and 1950s (i.e., 60 to 80 years ago). The oldest pipes currently in service were installed in 1923 and few have been replaced or rehabilitated. Two, cold temperatures affect aging mains in the winter months by weakening the pipe material through expansion and contraction from freeze/thaw cycles.

Street Name	Number of Breaks	Average Footage per Break
Dix-Toledo Highway	37 since 1990	86.5
Eureka Road	22 since 1990	145.5
Helen Street	43 since 1987	60.5
Pennsylvania Road	17 since 1991	17.6
North Line Road	56 since 1993	58.9

## **ALTERNATIVES**

The DWRF requires the consideration of two alternatives: 'No Action' and 'Regional Option'. 'No Action' is not feasible, as problems of service interruption associated with frequent breaks of aging water mains will be compounded over time, and so they still will need to be addressed. The 'Regional Option' is technically not a separate alternative available for evaluation since Southgate receives water from the GLWA. The water main breaks cannot be addressed by a regional solution since they take place within the city's own internal distribution system.

The city evaluated the following three principal alternatives for the aging water mains:

### **Alternative No. 1 – CIPP Lining Water Main Rehabilitation**

CIPP is a jointless and seamless pipe installed within an existing pipe, making it the least disruptive on the ground surface. Excavations are only necessary for installing access pits at existing gate valves, fire hydrants, and water main connections. The liner is a resin saturated felt tube of polyester that is inverted or pulled into a pipe. Hot water or steam is used to cure the resin and form a tight-fitting, jointless, and corrosion-resistant replacement pipe.

### **Alternative No. 2 – Directional Drilling Water Main Replacement**

Directional drilling replaces existing water mains with a minimal amount of open excavation and trenching. A new parallel water main is installed while the old water main is abandoned in place and filled inside with a flowable fill material.

### **Alternative No. 3 – Open-Cut Excavation Water Main Replacement**

Open-cut excavation replaces existing water mains with full trenching, and as a result, is the most disruptive on the ground surface. A new parallel water main is installed while the old water main is filled inside with a flowable fill material and abandoned in place.

The city performed a cost-effectiveness/present worth analysis in order to evaluate the principal alternatives described above. Alternative No. 1 – CIPP lining rehabilitation was identified as the most cost-effective option to address the needs associated with the aging water mains identified at the five locations, and in turn, is the selected alternative.

## **SELECTED ALTERNATIVE**

The \$3,248,968 estimated total project cost for rehabilitating the aging water mains by CIPP lining covers the cost of design and engineering (\$481,838) and the cost of construction (\$2,767,130). Directly associated with this CIPP lining work, the project also includes the replacement of an estimated 21 gate valves and 20 fire hydrants, as well as re-establishing around 100 water service connections.

## **IMPACTS**

The project has no anticipated impacts to the state regulated resources of floodplains, inland lakes and streams, or wetlands. The State Historic Preservation Office determined no historic properties will be impacted (File No. ER 03-641). Federally identified tribes for the county were contacted, but none provided comments that revealed any potential impacts to tribal historic, religious, or cultural resources. In terms of federally listed species identified by the U.S. Fish and Wildlife Service, the project will have no effect since the locations are all in urban areas where no suitable wildlife habitat is present, and the construction is limited to existing structures. The Michigan State University, Michigan Natural Features Inventory, determined it is not likely that negative impacts will occur as a result of the project, since neither legally protected species nor special concern species have been documented within 1.5 miles of the project site.

Short-term construction impacts are expected to be minimal. The construction will typically take place Mondays through Saturdays from 7 a.m. to 7 p.m. Where work will take place within or near the road right-of-way, streets will have to be partially or completely closed to vehicle and/or pedestrian traffic. During the connection of water mains following installation of CIPP liners, there may be a brief period of time where services are interrupted. In such instances, temporary above ground water service will be provided by the city to all impacted residences and businesses. The utilization of CIPP liners will result in greatly mitigating the impact to residences and businesses by maintaining water service, reducing potential damage to other utilities, and therefore having less disruption to the heavy commercial corridor along Dix-Toledo Highway between Eureka Road and the northern limits of the city.

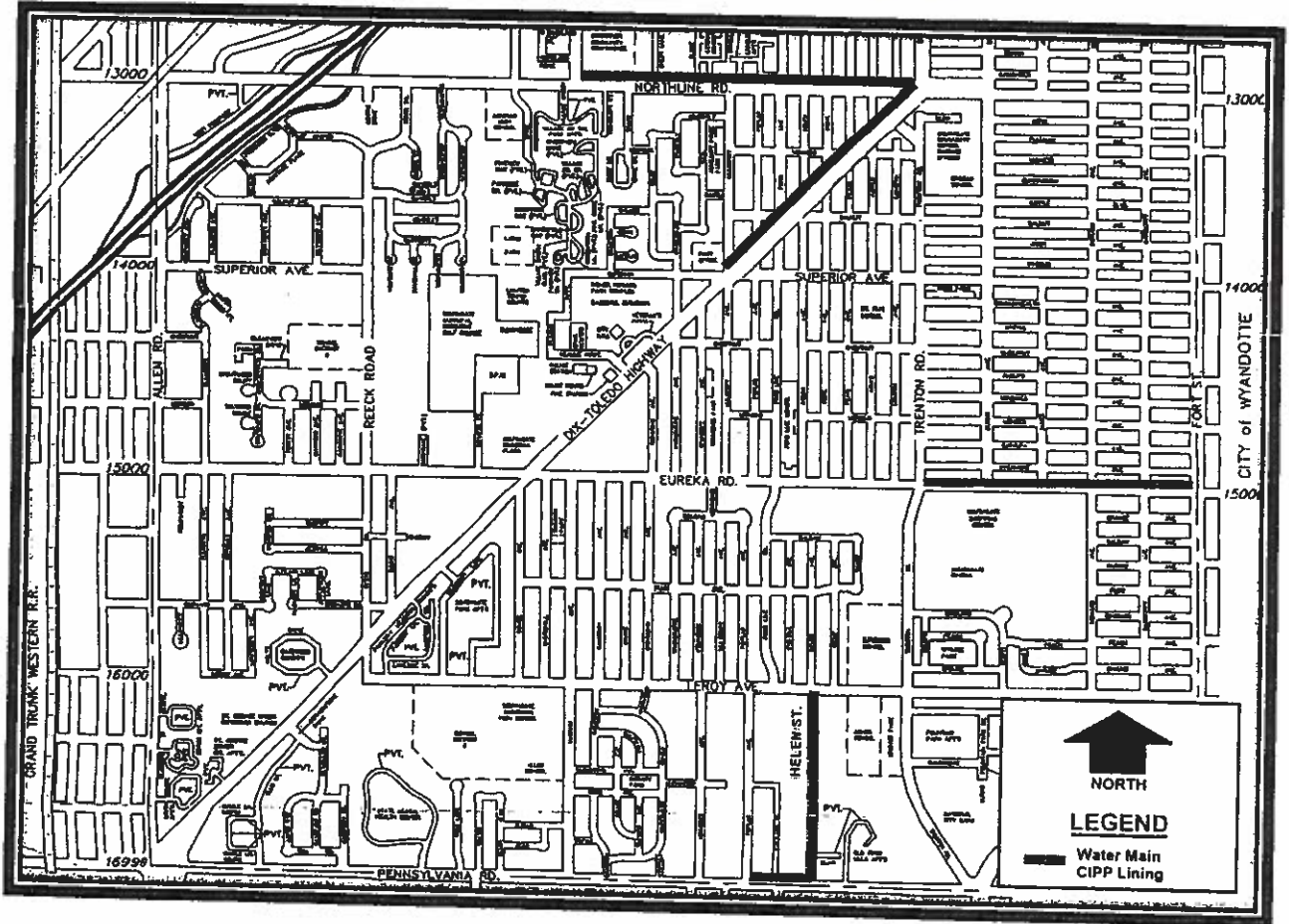
Southgate held a public hearing discussing the project plan on April 20, 2016. The public hearing was advertised in the *News Herald* on March 9 and March 23. Copies of the DWRF project plan were made available for public inspection by March 8 at the Office of the City Clerk. No public comments were received during the public review period or at the public hearing.

## **RATIONALE FOR CATEGORICAL EXCLUSION**

In accordance with Part 54, Safe Drinking Water Assistance, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, Section 5408(5) specifies criteria that must be met to grant a Categorical Exclusion from further environmental review activity to a proposed DWRF assisted project. The Michigan Department of Environmental Quality staff has carefully reviewed the Southgate water main rehabilitation project plan and related documents, and has determined that no significant adverse impacts are anticipated as a result of project implementation.

**City of Southgate DWRF Project No. 7416-01**

**Water Main Rehabilitation CIPP Lining Project Map**



**FIGURE A**



JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

JAMES E. DALLOS  
*Treasurer*



**City of Southgate**  
NORMA J. WURLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

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PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

**Memorandum**

**To:** Honorable City Council Members

**From:** John J. Zech, City Administrator

**Date:** April 13, 2017

**Re:** Resolution to Set a Public Hearing to Vacate an Alley Right of Way, abutting 14165 Northline Rd., between Pearl and Agnes Streets, Southgate, MI.

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The property owner at 14165 Northline has petitioned the City to vacate the alley right of way abutting his property. At its meeting held on January 9, 2017, the Southgate Planning Commission unanimously acted to recommend approving the request to City Council.

Per Article 12, Section 190 of the City Charter, City Council must hold a public hearing to receive public comment on the request.

The Administration is requesting City Council's consideration to set a public hearing date of May 17, 2017 on the request to vacate an Alley Right of Way, abutting 14165 Northline, between Pearl and Agnes Streets, Southgate, MI.

The Administration recommends City Council's favorable consideration.

I look forward to City Council's questions and comments.

**City of Southgate**  
**Planning Commission Meeting**  
January 9, 2017

This meeting of the Planning Commission was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, January 9, 2017 and called to order by Vice Chairman Patricia Anderson, at 7:30 p.m.

**PRESENT:** Anna Renaud, Sheryl Denman, Marcy Lemerand, Patricia Anderson, Marie Henegar, Jay Cashmer

**ABSENT:** Joseph Charney, Ed Gawlick (both excused)

**ALSO PRESENT:** Plan Consultant John Enos, Council Member Karen George, Council Member John Graziani, Building Inspections Director Bob Casanova, City Attorney Ed Zelenak, Mark Gaworecki, Hennessy Engineers

**Minutes:**

The first order of business is approval of the minutes from the November 14, 2016 Planning Commission meeting.

**Moved by Denman, supported by Cashmer, that the minutes of the Planning Commission Meeting dated November 14, 2016 be approved. MOTION APPROVED UNANIMOUSLY.**

**Persons and/or Petitioners:**

1. The Kroger Co. of MI request for Conditional Use Approval to construct a gas station on an interior lot at 16705 Fort Street. (PC006-2016)
2. Calvary Baptist church request for Conditional Use Approval to use 15500 Howard (Chormann School) as a church. (PC005-2016)

**Public Hearings:**

1. The Kroger Co. of MI request for Conditional Use Approval to construct a gas station on an interior lot at 16705 Fort Street. (PC 006-2016)

**Moved by Lemerand, supported by Renaud, to open the Public Hearing for The Kroger Co. of MI request for Conditional Use Approval to construct a gas station on an interior lot at 16705 Fort Street. MOTION APPROVED UNANIMOUSLY.**

Plan Consultant Enos explained the applicant is requesting a special conditional use in order to construct a gasoline station as part of the overall Kroger development planned for the former K-Mart on Fort Street.

Mr. Matthew Pisko, The Project Collaborative, Inc. explained they are excited about developing a Kroger Market Place and providing a Kroger Fuel Center. All items shall be addressed to the satisfaction of the Planning Commission.

No public comments were received.

**Moved by Cashmer, supported by Lemerand, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.**

**Moved by Renaud, supported by Cashmer, to approve the Conditional Use and Site Plan Approval for The Kroger Co. of MI to construct a gas station on an interior lot at 16705 Fort Street, with all items being addressed per the City Planner's Review. (PC006-2016) MOTION APPROVED UNANIMOUSLY.**

2. Calvary Baptist Church request for Conditional Use Approval to use 15500 Howard (Chormann School) as a church. (PC005-2016)

**Moved by Renaud, supported by Cashmer, to open the Public Hearing for Calvary Baptist church request for Conditional Use Approval to use 15500 Howard (Chormann School) as a church. MOTION APPROVED UNANIMOUSLY.**

Plan Consultant Enos explained the applicant is proposing to rehabilitate and re-open the former Chormann Elementary as Calvary Baptist Church. The new owner shall meet the current standards of the ordinance.

Bill Walker explained they will be restoring the Chormann School property and renovate it into a the Calvary Baptist Church, it will be great for the Community and will enhance the surrounding area.

A letter was read into the record from a resident with suggestions and concerns. No other comments were received.

**Moved by Lemerand, supported by Henegar, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.**

**Moved by Denman, supported by Renaud, to approve the Conditional Use Approval for Calvary Baptist church to use 15500 Howard (Chormann School) as a church, with all items being addressed per the City Planner's Review. (PC 005-2016) MOTION APPROVED UNANIMOUSLY.**

**Officials' Reports:** None

**Correspondence:** None

**Old Business:**

1. Darrell Williams, 14165 Northline Road, Southgate, MI 48195, Vacant the Alley South Of Northline between Pearl and Agnes.

Plan Consultant Enos explained the applicant, Darrell Williams, 14165 Northline Road, is submitting a petition seeking to vacate the alley between Pearl and Agnes, parallel with Northline Road. Vacating of alley on corner lot to allow for the construction of an accessory building in the rear yard.

Moved by Denman, supported by Cashmer, to recommend City Council approve the request by, Darrell Williams, 14165 Northline Road, Southgate, MI, to vacate the alley between Pearl and Agnes, parallel with Northline Road. MOTION APPROVED UNANIMOUSLY.

New Business:

1. Election of Officers for 2017

Election of Chairman for 2017

Moved by Renaud, supported by Denman, to nominate Joseph Charney to serve as Chairman of the Planning Commission for the year 2017, and having no other nominations for Chairman, Joseph Charney is hereby elected to serve as Chairman of the Planning Commission for the year 2017. MOTION APPROVED UNANIMOUSLY.

Election of Vice Chairman for 2017

Moved by Denman, supported by Lemerand, to nominate Patricia Anderson to serve as Vice Chairman of the Planning Commission for the year 2017, and having no other nominations for Vice Chairman, Patricia Anderson is hereby elected to serve as Vice Chairman of the Planning Commission for the year 2017. MOTION APPROVED UNANIMOUSLY.

Election of Secretary for 2017

Moved by Denman, supported by Renaud, to nominate Marcy Lemerand to serve as Secretary of the Planning Commission for the year 2017, and having no other nominations for Secretary, Marcy Lemerand is hereby elected to serve as Secretary of the Planning Commission for the year 2017. MOTION APPROVED UNANIMOUSLY.

2. Adoption of 2017 Meeting Dates and Times

Moved by Denman, supported by Cashmer, that the Planning Commission adopts the scheduled meeting dates and times as presented, for the year 2017. The meetings will be held in January, March, May, July, September and November. If additional meetings are required they will be scheduled accordingly. MOTION APPROVED UNANIMOUSLY.

3. Appointment of Planning Consultant for 2017

Moved by Renaud, supported by Denman, that the Planning Commission recommends to City Council that the firm Carlisle/Wortman Associates, Inc. 117 North First Street Suite 70, Ann Arbor, MI 48104, be retained as the Planning Consultant Firm for the City of Southgate, for the year 2017. MOTION APPROVED UNANIMOUSLY.

4. Delegate Commission Chairman or Commission Secretary. to set Public Hearings

Moved by Denman, supported by Lemerand, that the Planning Commission accepts the Delegate Commission Chairman or Commission Secretary to set Public Hearings. MOTION APPROVED UNANIMOUSLY.

5. Adoption of By-Laws 2017

**Moved by Cashmer, supported by Lemerand, that the Planning Commission accepts the City of Southgate Planning Commission By-Laws and Rules of Procedure as defined in the August 8, 2011 meeting. MOTION APPROVED UNANIMOUSLY.**

**Adjournment:**

**Moved by Renaud, supported by Cashmer, that this meeting of the Planning Commission be adjourned at 8:08 p.m. MOTION APPROVED UNANIMOUSLY.**

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Patricia Anderson  
Vice Chairman, Planning Commission  
as

JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

JAMES E. DALLOS  
*Treasurer*



**City of Southgate**  
NORMA J. WURLINGER  
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI  
*Council President*

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

**Memorandum**

**To:** Honorable City Council Members

**From:** John J. Zech, City Administrator

**Date:** April 12, 2017

**Re:** Dangerous Buildings Board Request for a Public Hearing to be held by the City Council concerning 16100 Fort Street

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Attached to this memorandum is a request from the Dangerous Buildings Board wherein they are requesting that the City Council schedule a public hearing for 16100 Fort Street. Included is a copy of the minutes from the meeting which was held on February 21, 2017. The Administration will present an outline of the violations to the City Council during the public hearing. Therefore, the Administration is respectfully requesting the City Council schedule a public hearing to take place at the Regular City Council meeting of May 3, 2017.



## City of Southgate

DEPARTMENT OF BUILDING AND SAFETY ENGINEERING  
14400 DIX-TOLEDO ROAD, SOUTHGATE MICHIGAN 48195  
PHONE: (734) 258-3027  
FAX: (734) 281-6670  
[www.southgatemi.org](http://www.southgatemi.org)

March 8, 2017

The Honorable City Council  
14400 Dix-Toledo  
Southgate, MI 48195

Dear Council Members

The City of Southgate Building and Housing Code, Section 1460.09 (attached) states, "If an owner, agent or party in interest fails to appear at a hearing or neglects or refuses to comply with the order provided for in Section 1460.08, the Dangerous Buildings Board shall file a report of its findings and a copy of its order with Council and request that the necessary action be taken to demolish or otherwise make safe the building or structure."

The Dangerous Buildings Board is hereby submitting the following findings regarding the commercial business located at 16100 Fort and respectfully request that a Public Hearing be held.

At a meeting held on February 21, 2017, the following motion was approved (minutes attached).

Motion by Robert Hines supported by James Leininger that the Dangerous Buildings Board file a report of its findings with the City Council and request that the necessary action be taken to demolish or otherwise make safe the structure. The owner will be notified with a copy of the minutes of this meeting by Certified Mail. Motion carried.



The Honorable City Council  
March 8, 2017  
Page Two

The Dangerous Buildings Board respectfully requests the City Council to take the necessary action against the owner(s), of the commercial business located at 16100 Fort, in making this a safe structure.

Respectfully submitted

Robert Hines  
Dangerous Buildings Board

Jim Leininger  
Dangerous Buildings Board

Don Vaccarelli  
Dangerous Buildings Board

Pc: TCF Bank  
Fred Poe  
Mayor  
City Administrator  
Director of Public Safety  
Fire Chief  
Police Chief  
Director Public Services  
City Attorney

bmm

Attachments



**DANGEROUS BUILDINGS BOARD**

**MINUTES**

**16100 FORT**

**February 21, 2017**

**Present: Robert Hines, Dangerous Buildings Board, Jim Leininger, Dangerous Buildings Board, Don Vaccarelli, Dangerous Buildings Board, John Zech, City Administrator, Robert A Casanova, Building Inspections Director, Ed Zelenak, City Attorney, John C. Byers, 13024 Leroy, Karen George, 12265 Manor, Michael O'Leary, Lola O'Leary, 13036 Leroy and Bernadette Moore, Secretary.**

**The meeting was called to order at 3:30 p.m. with the Dangerous Buildings Board secondly considering the commercial business located at 16100 Fort.**

**Roll call was taken: Robert Hines, Jim Leininger and Don Vaccarelli present to constitute a quorum.**

**Robert Hines stated that Fred Poe was not present.**

**Robert Casanova stated that final repairs had been made to the used car building; however, Code Enforcement had to notify them about windows that had been broken recently.**

**John Zech stated that Fred Poe had recently visited him to get clarification on the last Dangerous Building Board meeting.**

**Robert Hines stated that both buildings are in bad disrepair and there are more and more issues noticeable such as; vandalism, paint chipping, water getting into the block, parking lot weeds, interior tiles falling, etc.**

Dangerous Buildings Board  
16100 Fort  
February 21, 2017

Motion by Robert Hines, supported by James Leininger that the Dangerous Buildings Board file a report of its findings with the City Council and request that the necessary action be taken to demolish or otherwise make safe the structure. The owner will be notified with a copy of the minutes of this meeting by Certified Mail. Motion carried.

Meeting adjourned at 4:04 p.m.

Respectfully submitted  
Bernadette M. Moore