

*City of Southgate*  
**Regular City Council Meeting**  
*November 20, 2013*

A Regular Meeting of the Council of the City of Southgate was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Wednesday, November 20, 2013 and was called to order at 8:00 PM by Council President Sheryl Denman.

*This meeting began with the Pledge of Allegiance, followed by roll call.*

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Present: Bill Colovos, Mark Farrah, Patricia Ganzberger, Karen George, John Graziani, Dale Zamecki.

Absent:

Also Present: Mayor Joseph G. Kuspa, City Administrator Brandon Fournier, City Attorney Ed Zelenak, City Clerk Janice Ferencz, City Engineer John Hennessey, City Treasurer James Dallos, Administrator/Finance Director David Angileri, Public Safety Director Thomas Coombs, Police Chief Jeff Smith, Fire Chief Doug Gildner, Building Inspections Director Bob Casanova, DPS Director Bob Tarabula and Parks & Recreation Program Director Dustin Lent.

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**Minutes:**

Moved by George, supported by Ganzberger, RESOLVED, that the minutes of the Regular City Council Meeting dated November 6, 2013 be approved as presented. Carried unanimously (Note: all newly elected officials abstained from voting).

Moved by Zamecki, supported by Colovos, RESOLVED, that the minutes of the City Council Study Session dated November 6, 2013 be approved as presented. Carried unanimously (Note: all newly elected officials abstained from voting).

**Proclamation:**

Mayor Joseph G. Kuspa proclaimed November 23, 2013 as Michigan Association for Suicide Prevention Day.

**Presentations:**

Mayor Joseph G. Kuspa presented the Halloween Home Decorating Contest to the following:

- 1<sup>st</sup> place – Edward Miller, 15753 Helen
- 2<sup>nd</sup> place – Hall Family, 14480 Stoutwood
- 3<sup>rd</sup> place – Martin & Launie King, 12185 Fordline

**Consideration of bids:**

**1. Letter from Mayor; Re: Bid for Sewer Cleaning and CCTV Investigation; was read:**

Moved by Zamecki, supported by Colovos, RESOLVED, that the Southgate City Council concurs with the recommendation of the Mayor and hereby awards the bid for Sewer Cleaning and CCTV Investigation to Metro Sewer Cleaners Inc. (1025 Metro Dr, Walled Lake, MI 48390) in the amount of \$60,913.75. FURTHER RESOLVED, that adequate funds are available through the S2 Grant Phase 2 to cover the cost of this program.

Discussion took place.

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Motion carried unanimously.

## **2. Letter from City Administrator; Re: Bid for CDBG Engineering Services; was read:**

Moved by Ganzberger, supported by Zamecki, RESOLVED, that the Southgate City Council concurs with the recommendation of the Administration and hereby awards the bid for CDBG Engineering Services to Hennessey Engineers (**13500 Reeck Rd, Southgate, MI 48195**) for a period of three (3) years. FURTHER RESOLVED, that all expenses associated with the program will be reimbursed through the Wayne County CDBG Program.

Motion carried unanimously.

## **Scheduled Hearings:**

Moved by George, supported by Ganzberger, RESOLVED, that Council enters public hearings. Carried unanimously.

The regular meeting adjourned at 8:31 PM for scheduled hearings and reconvened at 8:34 pm.

Moved by George, supported by Colovos, RESOLVED, that public hearings be closed. Carried unanimously.

Moved by Ganzberger, supported by Zamecki, RESOLVED, that Council enters public hearings. Carried unanimously.

The regular meeting adjourned at 8:34 PM for scheduled hearings and reconvened at 8:37 pm.

Moved by George, supported by Colovos, RESOLVED, that public hearings be closed. Carried unanimously.

## **Communications A:**

### **1. Memo from Mayor; Re: Appointment of City Auditors, was read:**

Moved by Zamecki, supported by Ganzberger, RESOLVED, that the Southgate City Council concurs with the recommendation of the Mayor's appointment for City Auditor to Plante & Moran (**27400 Northwestern Hwy, PO Box 307, Southfield, MI 48037-0307**) for a period of two (2) years expiring December 2015.

Discussion took place.

Motion objected.

Vote on Motion	-	Zamecki	Yes
		Graziani	Yes
		George	No (objected based on wanting item sent out to bid)
		Ganzberger	Yes
		Farrah	Yes
		Denman	Yes
		Colovos	No (objected based on wanting item sent out to bid)

Motion carries 5 to 2

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**2. Memo from Mayor; re: Appointment of Labor Attorney, was read:**

Moved by Zamecki, supported by Graziani, RESOLVED, that the Southgate City Council hereby concurs with the Mayor's appointment of Howard Shifman (*370 East Maple, Birmingham, MI 48009*) as Labor Attorney for the City of Southgate.

Discussion took place.

Motion carried unanimously.

**3. Memo from Mayor; re: Appointment of City Attorney/Prosecutor, was read:**

Moved by Zamecki, supported by Farrah, RESOLVED, that the Southgate City Council hereby concurs with the Mayor's appointment of Edward Zelenak (2933 Fort St, Lincoln Park, MI 48146) as City Attorney/Prosecutor for the City of Southgate at a yearly retainer of \$86,400.00.

Discussion took place.

Motion carried unanimously.

**4. Memo from Council President; re: Council Rules and Procedures, was read:**

Moved by George, supported by Zamecki, RESOLVED, that the Southgate City Council hereby adopts the "Council Rules & Procedures" as presented.

Discussion took place.

Motion carried unanimously.

**5. Memo from City Administrator; re: CDBG Reprogramming Request for a Public Hearing, was read:**

Moved by Ganzberger, supported by George, RESOLVED, that the Southgate City Council hereby schedules a Public Hearing for Wednesday, December 18, 2013 at 8:00 PM in the Municipal Council Chambers of the Norma J. Wurmlinger Municipal Building, 14400 Dix-Toledo Highway, Southgate, Michigan to entertain views and comments from interested individuals for the 2014-2015 CDBG Program activities. FURTHER RESOLVED, that the proposed changes for the 2009-2010 program budget will also be presented.

Motion carried unanimously.

**6. Memo from City Administrator; re: Storm Water Asset Management and Wastewater (SAW); Supporting Resolution, was read:**

Moved by Zamecki, supported by Ganzberger, RESOLVED, that the Southgate City Council hereby adopts the following:

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

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WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to **(select one or more)**  
 establish an asset management plan,  establish a stormwater management plan,  establish a plan for wastewater/stormwater,  establish a design of wastewater/stormwater,  pursue innovative technology, or  initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed **\$55,900** ("Grant") be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Administrator, a position currently held by Brandon Fournier, is designated as the Authorized Representative for purposes of the SAW Grant Agreement.

2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.

4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.

5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.

6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.

7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.

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8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

**7. Memo from City Administrator; re: Public Hearing; Brownfield Redevelopment Act 381 Work Plan, was read:**

Moved by Ganzberger, supported by George, RESOLVED, that the Southgate City Council hereby adopts the following.

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Southgate 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 prepared and recommended for approval by the Southgate City Council, a Brownfield Plan (the "Plan") pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least ten (10) days before the meeting of the Southgate City Council at which this resolution has been considered, provided notice to and fully informed all taxing jurisdictions (the "Taxing Jurisdictions") which are affected by the Financing Plan about the fiscal and economic implications of the proposed Financing Plan, and the Southgate City Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13(13) and 14(1) of the Act; and

WHEREAS, the Southgate City Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the Southgate City Council desires to proceed with approval of the Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. **Plan Approved.** Pursuant to the authority vested in the 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 in the form attached as Exhibit "A" to this Resolution.
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 carried unanimously.

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## **Communications "B":**

Moved by George, supported by Zamecki, RESOLVED, that the Southgate City Council hereby receives and files the following Communications B item nos. 1-4:

1. Appointment of Engineering Firm – Hennessey Engineers, 13500 Reeck Rd, Southgate, MI
2. Appointment of Municipal Officials:
  - a. Director of Public Safety      Thomas Coombs
  - b. Police Chief                      Jeffrey Smith
  - c. Fire Chief                          Douglas Gildner
3. Appointment of City Administrator, Brandon J. Fournier
4. Appointments to Library Commission:
  - a. Vanessa Holland, 15769 Selwyn, term expiring April 2016
  - b. Helen Loveday, 16720 Club Dr, term expiring April 2014

Motion carried unanimously.

## **Old Business:**

Councilwoman George inquired to the possible extension of yard waste pickup by Waste Management, with it being stated that the original schedule stands. However, if special arrangements are required, please contact the Department of Public Services.

Councilwoman Ganzberger inquired as to the snow removal program, with it being stated that the program will continue. Applications are available in either the Administration office or the Court office.

## **New Business:**

### **1. City Council Appointment to the Municipal Employee Retirement System**

Moved by George, supported by Ganzberger, RESOLVED, that the Southgate City Council hereby re-appoints Sam Galanis, 12869, Ward, Southgate, MI 48195 to the Southgate Municipal Employee Retirement System for a term expiring December 2015. Motion carried unanimously.

2. Discussion took place on the new traffic directional signage (no left turns) by the Wal-Mart entrance/exit nearest the Fire Department.

## **Persons in Audience (unscheduled):**

1. Ruth Eversole, 12973 Venness
2. Robert Hines, 12055 Fordline
3. Martin King, 12185 Fordline

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## **Claims and Accounts:**

Moved by George, supported by Ganzberger, RESOLVED, that Claims and Accounts be paid as outlined on Warrant #1245 in the amount of \$1,554,970.24.

Carried unanimously.

## **Adjournment:**

Moved by Ganzberger, supported by George, RESOLVED, that this Regular Meeting of the Southgate City Council be adjourned at 9:39 P.M. Carried unanimously.

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Sheryl Denman  
Council President

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Janice M. Ferencz  
City Clerk

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11/21/13