

*City of Southgate*  
**Regular City Council Meeting**  
*December 18, 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, December 18, 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, Sheryl Denman, 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 Engineer John Hennessey, City Clerk Janice Ferencz, 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 Zamecki, supported by George, RESOLVED, that the minutes of the Regular City Council Meeting dated December 4, 2013 be approved as presented. Carried unanimously

Moved by George, supported by Colovos, RESOLVED, that the minutes of the City Council Study Session dated December 4, 2013 be approved as presented. Carried unanimously.

**Scheduled Hearings:**

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

The regular meeting adjourned at 8:18 PM for scheduled hearings and reconvened at 8:30 pm.

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

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 8:32 pm.

Moved by Ganzberger, supported by Zamecki, RESOLVED, that public hearings be closed. Carried unanimously

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## **Communications A:**

### **1. Memo from Administrator; Re: Extension of JMC; Memo of Understanding, was read:**

Moved by Zamecki, supported by George, RESOLVED, that the Southgate City Council concurs with the recommendation of the Administration and authorizes the Mayor and City Clerk to sign the Joint Management Committee agreement extension. FURTHER RESOLVED, that the following is adopted:

WHEREAS, effective March 1, 1962, a contract (the "Contract") was entered by and between the City of Belleville, City of Ecorse, City of Lincoln Park, City of River Rouge, City of Southgate, City of Wyandotte, City of Allen Park, City of Taylor, City of Dearborn Heights, City of Romulus, City of Riverview, Charter Township of Van Buren and Charter Township of Brownstown, (hereafter collectively called "the Municipalities," individually, "the Municipality"), being Cities and Townships located in the County of Wayne, Michigan and the County of Wayne, a Charter County, (hereafter called "The County") for the purposes of establishing the Downriver Sewage Disposal System, (hereafter "the System"), for the treatment and disposal of sanitary sewage emanating from the Municipalities, and

WHEREAS, that Contract, as amended, provided for the operation of said System by the County, which contract has an expiration date of March 1, 2012, and

WHEREAS, the System has undergone a major expansion and renovation as a result of United States of America EPA and Michigan Department of Environmental Quality mandates which were set forth in a Consent Decree dated May 24, 1994 in the matter of *United States of America, et al vs. Wayne County Michigan, et al*, Civil Action No. 87-70992, filed in the U.S. District Court, Eastern District of Michigan, Southern Division, and

WHEREAS, as a result of said Consent Decree, including the amendments thereto, the System has undergone a major renovation and expansion, the parties have issued bonds in the aggregate amount of approximately \$350 million pursuant to a Financing Plan and Final Judgment entered in the above referenced matter on March 14, 1994, and

WHEREAS, as a result of said expansion and renovation, and the resulting issuance of bond obligations, all of which have substantially changed the System from that originally designed or contemplated at the execution of the Contract, the parties desire to properly reflect the rights and obligations of the parties as their interest presently appear, and

WHEREAS, the Contract and past practices establish the County as the entity responsible for operating, managing and controlling the System, while the Municipalities are responsible for funding the operation, maintenance, expansion, renovation, rehabilitation and capital improvements to the System, and

WHEREAS, the County and Municipalities wish to adjust this relationship as to management, operation and control of the System, to allow the Municipalities more involvement in the operation, management and control of the System by forming a Joint Management Committee pursuant to the terms and conditions set forth in the Joint Management Committee Memorandum of Understanding, as revised (Exhibit 1), and

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WHEREAS, the purpose of the Joint Management Committee Memorandum of Understanding is to set forth the composition, duties and responsibilities of a Joint Management Committee, which Committee was formed on a one year pilot/experimental basis on January 1, 2002, for the management and control of the System, and

WHEREAS, the Municipalities and the County extended the terms of the Memorandum of Understanding for a period of two years, commencing January 1, 2003, upon the terms and conditions set forth in Section III, paragraph (1) of the Memorandum of Understanding, and

WHEREAS, the Municipalities and the County extended the terms of the Memorandum of Understanding for a period of one year, commencing January 1, 2005, with an option to extend a second year commencing January 1, 2006 provided the option is exercised by the Municipalities and the County no later than 10 days prior to December 31, 2005, and

WHEREAS, the Municipalities and the County exercised their option and extended the term of the Memorandum of Understanding for a period of one year, commencing January 1, 2006; and

WHEREAS, the Municipalities and the County extended the operation of the Joint Management Committee and the term of the Memorandum of Understanding, as revised, for a period of two (2) years commencing January 1, 2007; and

WHEREAS, the Municipalities and the County further extended the operation of the Joint Management Committee and the term of the Memorandum of Understanding, as revised, for a period of two (2) years commencing January 1, 2009; and

WHEREAS, the Municipalities and the County further extended the operation of the Joint Management Committee and the term of the Memorandum of Understanding, as revised for a period of one (1) year commencing on January 1, 2011; and

WHEREAS, the Contract expired on March 1, 2012 and the County pursuant to a letter dated April 2, 2012, confirmed that "The County will also continue to adhere to the most recent Memorandum of Understanding with the Joint Management Committee so long as the parties continue to work in good faith toward adoption of a new sewer disposal contract"; and

WHEREAS, the Municipalities are extremely disappointed and frustrated at the unreasonable delays and lack of progress to date in the negotiation and finalization of a new Downriver Sewage Disposal System Contract ("New Contract") with the County; and

WHEREAS, the Municipalities are insistent that the County use its best efforts and prioritize the process of concluding negotiations on a New Contract with the Municipalities by March 1, 2014 (the two-year anniversary of the expiration of the Contract); and

WHEREAS, while the negotiations of a New Contract were ongoing the Municipalities retroactively extended the existence and operation of the Joint Management Committee past the December 31, 2011 expiration date of the Memorandum of Understanding for an additional term of two (2) years commencing January 1, 2012 and concluding December 31, 2013; and

WHEREAS, the municipalities desire to extend the existence and operation of the Joint Management Committee pursuant to the terms and conditions of the Memorandum of Understanding for an additional period of one (1) year commencing January 1, 2014 and concluding on December 31, 2014.

NOW, THEREFORE, BE IT RESOLVED THAT:

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The City of **Southgate** hereby approves of and authorizes the full and necessary participation in the Joint Management Committee as extended through December 31, 2014 pursuant to terms and conditions set forth in Exhibit 1.

The City hereby designates **Mayor, Joseph G. Kuspa** as its JMC representative, and **City Clerk, Janice M. Ferencz** as its alternate representative.

BE IT FURTHER RESOLVED THAT:

The Municipalities and the County use their best efforts and prioritize the process of concluding negotiations, finalizing and executing a new Downriver Sewage Disposal System Contract on or before Saturday, March 1, 2014.

**This Resolution shall take immediate effect.**

Motion carried unanimously.

**2. Memo from Administrator; Re: Millennial Mayors Congress; Millennial Representation, was read:**

Moved by Zamecki, supported by Colovos, RESOLVED, that the Southgate City Council concurs with the recommendation of the Administration and HEREBY adopts the following resolution:

WHEREAS, the City of Southgate is one of 23 local governments participating in the Millennial Mayors Congress, a voluntary regional coalition of local elected officials and young residents; and

WHEREAS, Brandon Fournier and Caitlin Bialowicz are the City of Southgate's appointed representatives to the Millennial Mayors Congress; and

WHEREAS, the Millennial Mayors Congress unanimously adopted the Millennial Representation Protocol on June 22, 2013 via the attached resolution in order to increase the number of Millennials on boards, committees and commissions in Congress member cities; and

WHEREAS, the City Council has determined that it is in the interests of the City of Southgate to incorporate Millennial perspectives and ideas into public problem solving in order to stay forward-thinking.

BE IT RESOLVED, that it is the goal of the City of Southgate to implement the Congress' Best Practices by 2016 and for Millennials to hold 8.0% of board, committee and commission seats in Southgate by the end of 2014 and 10.0% of board, committee and commission seats in Southgate by the end of 2016.

IT IS FURTHER RESOLVED, that the City Council instructs the City Administrator and City Clerk to work with the City's representatives to the Millennial Mayors Congress and the staff of the Michigan Suburbs Alliance to implement the Congress's Best Practices, taking into account the specific conditions and priorities of the City of Southgate.

Caitlin Bialowicz, 13341 Chestnut, thanked the Council for allowing her to work on this project and for adopting this resolution.

Motion carried unanimously.

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**3. Memo from Administrator; Re: CDBG Program; 2014-2015 Program Application, was read:**

Moved by Ganzberger, supported by Zamecki, RESOLVED, that the Southgate City Council concurs with the recommendation of the Administration adopting the following 2014-2015 Community Development Block Grant Budget:

o Senior Services	\$20,909.
o Housing Rehabilitation	\$40,000.
o Municipal ADA Improvement Projects	\$64,321.
o Administration (and Planning)	\$10,000.

Motion carried unanimously.

**4. Letter from Administrator; Re: CDBG Program; 2009 Programming Request, was read:**

Moved by Colovos, supported by Graziani, RESOLVED, that the Southgate City Council concurs with the recommendation of the Administration the proposed program activity and hereby transfers the 2009 Program Activity amount of \$11,579.23 from the Citywide housing demolition to the Civic Center ADA Restroom Accessibility.

Motion carried unanimously.

**5. Letter from Administrator; Re: Public Hearing; Demolition Order 16700 Fort St, was read:**

Moved by George, supported by Zamecki, RESOLVED, that the Southgate City Council rejects the demolition order request at 16700 Fort St of the Dangerous Building Board.

Motion carried unanimously.

**6. Letter from Mayor; Re: Appointments to Downtown Development Authority, was read:**

Moved by Ganzberger, supported by Zamecki, RESOLVED, that the Southgate City Council concurs with the recommendation of the Mayor's appointments of the Downtown Development Authority to Brian Batko (**18401 Clearview, Southgate, MI 48195**) and Terri Kiser (**13628 Eureka, Southgate, MI 48195**) for a term expiring December 2016.

Motion carried unanimously.

**7. Letter from Mayor; Re: Appointment to Board of Zoning Appeals, was read:**

Motion by George, supported by Colovos, RESOLVED, that Southgate City Council concurs with the recommendation of the Mayor's appointment of the Board of Zoning Appeals to Linda Clark (**19278 Orchard, Southgate, MI 48195**) for a three year term expiring December 2016.

Motion carried unanimously.

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**8. Letter from Mayor; Re: Appointment to Plan Commission, was read:**

Moved by Zamecki, supported by George, RESOLVED, that the Southgate City Council concurs with the recommendation of the Mayor's appointment of the Plan Commission to Marie Henegar (15127 Ludington, Southgate, MI 48195) for a three year term expiring December 2016.

Motion carried unanimously.

**9. Letter from Mayor; Re: Appointment to Tax Increment Finance Authority, was read:**

Moved by Colovos, supported by Farrah, RESOLVED, that the Southgate City council concurs with the recommendation of the Mayor's appointment of the Tax Increment Finance Authority to Patrick Guentner (12122 Churchill, Southgate, MI 48195) for a three year term expiring December 2016.

Motion carried unanimously.

## **Communications "B":**

Moved by George, supported by Farrah, RESOLVED, that the Southgate City Council hereby receives and files the following Communications B:

**1. Public Safety Commission – for a term expiring April 2014:**

Paul Knott                      12940 Devoe

Motion carried unanimously.

## **New Business:**

City officials, commissioners, etc. will be at the Southgate WalMart serving as bell ringers and collecting donations for the Salvation Army on Saturday, December 21.

The 28<sup>th</sup> District Court Administrator submitted his resignation.

## **Claims and Accounts:**

Moved by Ganzberger, supported by Zamecki, RESOLVED, that Claims and Accounts be paid as outlined on Warrant #1247 in the amount of \$1,051,302.20. Carried unanimously.

## **Adjournment:**

Moved by Ganzberger, supported by George, RESOLVED, that this Regular Meeting of the Southgate City Council be adjourned at 8:50 P.M. Carried unanimously.

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Sheryl Denman  
Council President

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Janice M. Ferencz  
City Clerk