

# Southgate City Council Agenda

## Council Chambers

14400 Dix-Toledo Rd., Southgate, Michigan 48195

Wednesday November 2, 2022

6:30pm

### Work Study Session

1. Proclamation for National American Indian Heritage Month
2. Officials Reports
3. Memo from Administrator; Driveway Approach Expansions
4. Discussion of Agenda Items

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7:00 pm

### Regular Meeting

#### *Pledge of Allegiance*

#### Roll Call:

Colovos, Farrah, George, Graziani, Kuspa, Rauch, Zamecki

#### Minutes:

1. Work Study Session Minutes dated October 19, 2022
2. Regular City Council Meeting Minutes dated October 19, 2022

#### Scheduled Persons in the Audience:

#### Consideration of Bids:

#### Scheduled Hearings:

#### Communications "A" –

1. Letter from Mayor; Re: Recommendation for Purchase of Axon Dash Cameras  
(Waiver of Bid) Page 9
2. Letter from Mayor; Re: Recommendation for Change Order #1 for DPS  
Underground Storage Tank Removal & Replacement Project Page 26

#### Communications "B" – (Receive and File)

#### Ordinances:

1. Memo from Administrator; Re: 1<sup>st</sup> Reading of Proposed Removal of  
Ordinance 468.04 Parking on Jobin Page 31

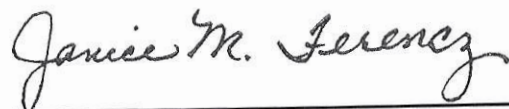
#### Old Business:

#### New Business:

#### Unscheduled Persons in the Audience:

Claims & Accounts: Warrant #1460 \$2,656,616.11

#### Adjournment:



Janice M. Ferencz, City Clerk

City Council

## **Work Study Session**

October 519 2022

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An Informal Meeting of the Council of the City of Southgate was held on October 19, 2022 at 6:30 P.M. and called to order by Council President Zoey Kuspa.

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Present: Bill Colovos, Mark Farrah, Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch, Dale Zamecki

Absent:

Also Present: Mayor Joseph G. Kuspa, City Attorney Ed Zelenak, City Administrator Dan Marsh, Assistance City Administrator/Finance Director David Angileri, City Clerk Janice Ferencz, Public Safety Director Joe Marsh, Police Chief Mark Mydlarz, Fire Chief Mark Hatfield, DPS Director Kevin Anderson, Building Inspections Director Tim Leach, Parks & Recreation Director Julie Goddard

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*Discussed the following agenda items:*

- Mayor Kuspa, along with Judge Elisabeth Mullins, gave a join resolution proclaiming the month of November as Family Court Awareness Month.
- Board of Review appointment
- Signatory resolution for MDOT
- Ordinance 1<sup>st</sup> reading on Exterior Walls
- Ordinance 2<sup>nd</sup> reading to adoption Revised Storm Water
- Ordinance 1<sup>st</sup> / 2<sup>nd</sup> reading to adoption for Sections 1422.01 & 1422.03 (c)
- Ordinance 1<sup>st</sup> / 2<sup>nd</sup> reading to adoption for Section 862.06

This meeting ended at 6:53 pm.

# City of Southgate

## Regular City Council Meeting

### October 19, 2022

A Regular Meeting of the Council of the City of Southgate was held on Wednesday, October 19, 2022 in the Southgate City Hall Council Chambers and was called to order at 7:00 PM by Council President Zoey Kuspa.

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

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Present: Bill Colovos, Mark Farrah, Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch, Dale Zamecki

Absent:

Also Present: Mayor Joseph G. Kuspa, City Attorney Ed Zelenak, City Administrator Dan Marsh, Assistant City Administrator/Finance Director David Angileri, City Clerk Janice Ferencz, Public Safety Joe Marsh, Police Chief Mark Mydlarz, Fire Chief Mark Hatfield, DPS Director Kevin Anderson, Building Inspections Director Tim Leach, Parks & Recreation Director Julie Goddard

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#### **Minutes:**

Moved by Colovos, supported by George, RESOLVED, that the minutes of the City Council Work Study Session dated October 5, 2022 be approved as presented. Carried unanimously.

Moved by Rauch, supported by Zamecki, RESOLVED, that the minutes of the Regular City Council Meeting dated October 5, 2022 be approved as presented. Carried unanimously.

Moved by George, supported by Rauch, RESOLVED, that the minutes of the Public Hearing dated October 5, 2022 be approved as presented. Carried unanimously.

#### **Communications "A":**

1. Letter from Mayor; Re: Appointment to Board of Review moved by Rauch, supported by George, RESOLVED that the Southgate City Council hereby concur with the Mayor's recommendation to appoint Maryann Zelasko (13108 Spruce, Southgate, MI 48195) to the Board of Review for a term expiring June 2023.

Motion carried unanimously.

2. Letter from Mayor; Re: Signatory for MDOIT moved by Colovos, supported by Zamecki, RESOLVED that

WHEREAS, The Michigan Department of Transportation and the City of Southgate are mutually agree to enter into a contract to extend the term and the state trunkline maintenance contract, and

WHEREAS, the term of the contract is October 1, 2019 through September 30, 2024, and

NOW, THEREFORE BE IT RESOLVED that the Southgate City Council approve entering into the maintenance agreement and authorizes Dan Marsh, City administrator, to sign the contract.

Motion carried unanimously.



## Regular City Council Meeting October 19, 2022

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### **Ordinances:**

1. Memo from Administrator; Re: First reading of Proposed Changes to Ordinances 1298.13, 1298.17 regarding Exterior Walls and 300.07(3) Fines the Southgate City Council gives the first reading to amend Ordinance 1298.13 Walls and Earth Berms and Ordinance 1298.17 Exterior Building Wall Materials. Additionally Southgate City Council updates Ordinance 300.07(3) Fines associated with Section 1298.17.

Motion carried unanimously.

2. Memo from Administrator; Re: 2<sup>nd</sup> Reading of Revised Storm Water Ordinance moved by Zamecki, supported by Rauch, RESOLVED THAT the Southgate City Council gives the second reading to adopt an Ordinance per the following resolution:

### **A RESOLUTION TO ADOPT THE REVISED POST CONSTRUCTION STORM WATER CONTROL ORDINANCE THAT THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (EGLE), WATER RESOURCES DIVISION (WRD) APPROVED**

**WHEREAS**, the City of Southgate wishes to adopt the revised post-construction storm water control ordinance which The Department of Environment, Great Lakes, And Energy (EGLE), Water Resources Division (WRD) approved on May 31, 2022.

**WHEREAS**, the City of Southgate has amended the city of Southgate, Michigan Code of Ordinance 1048 Water Runoff Control on April 2022, to state the purpose, designation of stormwater authority; powers and duties, to define the definitions, to Determination of need for on-site detention or retention facilities, to make a Determination of need for a stormwater retaining system; to make a Procedure for development of facilities; to establish Design standards; to provide contents of post-construction stormwater management plan; to establish procedures for stormwater management plan and BMP construction plans submission; to provide exemptions; liability; review procedures; review fees; revision of plan; drains under the jurisdiction of the drain commissioner; as-built certification; notice of construction commencement; construction inspections by the city of Southgate or its representatives; maintenance agreement; stormwater management easements; severability; stop-work order; sanctions for violations; failure to comply; completion; emergency measures; cost recovery for damage to storm drain system; collection of costs; lien; effect of approval on remedies

**WHEREAS**, said Code of Ordinance Chapter 1048 Storm Water Runoff Control Revised April 2022, was reviewed and approved by that the department of environment, great lakes, and energy (EGLE), water resources division (WRD) approved.

**NOW THEREFORE BE IT RESOLVED**, that the City of Southgate (legal name of applicant) formally adopts said Code of Ordinance Chapter 1048 Storm Water Runoff Control Revised April 2022, and agrees this ordinance shall take full force and effect upon publication thereof.

**BE IT FURTHER RESOLVED**, that the Director of Public Services, a position currently held by Mr. Kevin Anderson (name of the designee), is designated as the authorized representative for all activities associated with the Code of Ordinance Chapter 1048 Storm Water Runoff Control Revised April 2022.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SOUTHGATE, WAYNE COUNTY, MICHIGAN THIS 19<sup>th</sup> DAY OF OCTOBER 2022.**

Motion carried unanimously.

## Regular City Council Meeting October 19, 2022

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3. Memo from Administrator; Re: 1<sup>st</sup> Reading of proposed changes to Ordinances 1422.01 and 1422.03 (c) moved by Zamecki, supported by George, RESOLVED THAT the Southgate City Council gives the 1<sup>st</sup> reading and waives the second reading to adopt an Ordinance to the City of Southgate Codified Ordinances to amend Ordinance 1422.01 and 1422.03 (c), International Property Maintenance Code. This ordinance will be otherwise known as Ordinance no. 1029.

Motion carried unanimously.

4. Memo from Administrator; Re: 1<sup>st</sup> Reading Ordinance 862.06 Solicitors Use of Streets moved by Zamecki, supported by George, RESOLVED THAT the Southgate City Council gives the first reading and waives the second reading to adopt an Ordinance to the City of Southgate Codified Ordinance to amend Ordinance 862.06 Solicitors Use of Streets to allow for an organization to obtain up to two (2) permits per calendar year. This ordinance will be otherwise known as Ordinance no. 1030.

Motion carried unanimously.

### **Unscheduled Persons in the Audience:**

- 1) Robert Pawlowski – spoke about Harvest Fest, the Sinking Fund Millage and the SMART Millage.
- 2) Frank LeBeau – 12176 Brest, spoke about his water pressure at his house and requested a second water meter
- 3) Larry Rossi – 12720 Wesley, spoke about the Solicitors Use of Streets

### **Claims and Accounts:**

Moved by Graziani, supported by Rauch, RESOLVED, that Claims and Accounts be paid as outlined on Warrant #1458 for \$4,499,016.15.

Motion carried unanimously.

The Mayor gave a special presentation to David Angileri with a plaque for David's over 28 years of service and his upcoming retirement.

### **Adjournment:**

Moved by Colovos, supported by Rauch, RESOLVED THAT this Regular Meeting of the Southgate City Council be adjourned at 7:19 P.M. Carried unanimously.

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Zoey Kuspa  
Council President

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Janice M. Ferencz  
City Clerk



## PROCLAMATION

**WHEREAS**, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

**WHEREAS**, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

**WHEREAS**, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

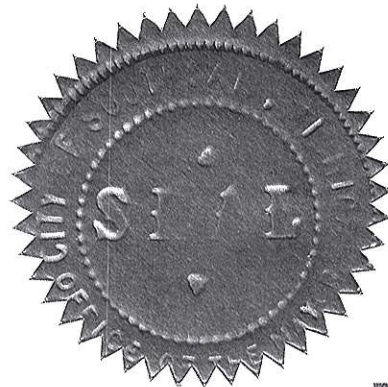
**WHEREAS**, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

**WHEREAS**, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned;

**NOW THEREFORE**, I, Joseph G. Kuspa, by virtue of the authority vested in me as Mayor of the City of Southgate, Michigan do hereby proclaim November 2022 as the National American Indian Heritage Month, in the City of Southgate and urge all citizens to observe this month with appropriate programs, ceremonies and activities.

**In Witness Whereof**, I have hereunto set my hand and caused the Seal of the City of Southgate, Michigan be affixed this 2<sup>nd</sup> day of November, Two-thousand and Twenty-two.

  
Mayor Joseph G. Kuspa





JOSEPH G. KUSPA  
Mayor

JANICE M. FERENCZ  
City Clerk

CHRISTOPHER P. ROLLET  
Treasurer



## City of Southgate

- CITY COUNCIL -

ZOEY KUSPA  
Council President  
CHRISTIAN GRAZIANI  
BILL COLOVOS  
MARK FARRAH  
KAREN E. GEORGE  
PHILLIP J. RAUCH  
DALE W. ZAMECKI

### Memorandum

To: Honorable City Council Members

From: Dan Marsh, City Administrator

Date: October 27, 2022

Re: Driveway Approach Expansions

Recently, the administration has been made aware of several property owners who are in violation of Ordinance 1292.03. Among other things, this ordinance regulates the width of driveway approaches to no more than the width of the driveway. The driveway approach is the area between the street and the sidewalk.

This issue was brought to light in the last few weeks. While driving through the neighborhood, our Building Inspector observed a driveway approach being poured. The resident did not secure a permit for the approach and that will be addressed. Further, the approach was not in compliance since it was approximately twice the allowed width. The Building Department advised the resident that the additional pavement was not permitted and would have to be removed or receive a variance. The resident is now planning to take the issue to the Board of Zoning Appeals.

As a result of this situation, the Building Department also noticed several other residences that had similar "double-wide" approaches with singular driveways in the area. At this time, it does not appear that any of those other examples were properly permitted or received a BZA variance. In at least one instance, a resident received a driveway permit, but then had an expanded driveway approach poured by their contractor, which was not permitted.

In addition, a random tour of the City indicated that this situation, although not prevalent, is present throughout our community. Many of these wider approaches appear to be years or even decades old.

The administration's responsibility is to enforce ordinances when we are made aware of violations. Current ordinance enforcement would call for the immediate removal of these extended approaches. However, to do so may cause an undue burden on residents who may or may not be the individuals who originally installed the wider approaches.

NORMA J. WURLINGER MUNICIPAL BUILDING  
14400 DIX-TOLEDO ROAD • SOUTHGATE, MICHIGAN 48195 • 734-258-3022 • FAX: 734-246-1414

Other options could include:

1. Treat the current violations as "existing non-conforming". When a violation of this ordinance is discovered, the current owner would be informed and acknowledge that the correction would be required at the time of a future sale of the property. This would provide a reasonable option so that a current resident would not be required to immediately remove the portion of the approach that is in violation. Any corrective action would then be addressed upon change of ownership. The expanded driveway approach would be reviewed in a pre-sale home inspection so potential buyers would be aware of the issue.
2. Changing the ordinance to accommodate wider approaches. It is believed that this would bring most of the existing situations into compliance, but may affect the overall neighborhood aesthetics as more residents could add double-wide approaches. This could also lead to additional runoff issues with less impervious surface area remaining on the residential easements. As a part of this process, Council may also request that the Planning Commission look into this matter and provide a recommendation.

Since this has the potential to affect numerous residents, the administration respectfully asks for guidance on this issue. We are prepared to enforce the current ordinance, but would like input from City Council.

I look forward to discussing this matter during the next Council meeting.



JOSEPH G. KUSPA  
Mayor

JANICE M. FERENCZ  
City Clerk

CHRISTOPHER P. ROLLET  
Treasurer



## City of Southgate

**- CITY COUNCIL -**

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Council President  
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BILL COLOVOS  
MARK FARRAH  
KAREN E. GEORGE  
PHILLIP J. RAUCH  
DALE W. ZAMECKI

October 28, 2022

To the Honorable  
City Council  
Southgate, Michigan 48195

Re: Purchase of Axon Dash Cameras – **Waiver of Bid**

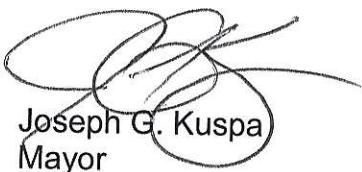
Ladies and Gentlemen:

It is recommended by the Director of Public Safety and I concur, that the bid procedure be waived and to award the purchase of Axon Dash Cameras to Axon Enterprises, Inc., Scottsdale, AZ., in the amount of \$181,584.00. This vendor has previously provided the police department with Taser equipment and Body Camera technology.

Adequate funds are available for this purchase in the Federal Drug Forfeiture Fund.

Your favorable consideration of this matter is greatly appreciated.

Sincerely,



Joseph G. Kuspa  
Mayor

JGK/law

JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

CHRISTOPHER P. ROLLET  
*Treasurer*



## City of Southgate

**- CITY COUNCIL -**

ZOEY KUSPA  
*Council President*  
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BILL COLOVOS  
MARK FARRAH  
KAREN E. GEORGE  
PHILLIP J. RAUCH  
DALE W. ZAMECKI

### **MEMORANDUM**

**TO:** The Honorable Mayor and City Council

**FROM:** Douglas Drysdale, Assistant City Administrator / Finance Director

**DATE:** October 27, 2022

**RE:** Recommendation for Axon Dash Cameras

I have reviewed the above with the Director of Public Safety, and concur with his recommendation to award this purchase to Axon Enterprises, Inc. Scottsdale, AZ. This vendor has previously provided the police department with Taser equipment and Body Camera technology.

Adequate funds are available in the Federal Drug Forfeiture Fund; after this purchase there will be approximately \$160,819.00 remaining in this Fund.



# MEMO

To: Honorable Mayor Kuspa

From: Joe Marsh, Director of Public Safety

Re: Request for Waiver of bid/Purchase approval

Date: October 12<sup>th</sup>, 2022

Dear Mayor,

The Police Department is looking to replace our aging in-car L3 Video Dash Camera System. We are looking to replace our current L3 Video System with the Axon Enterprise Fleet 3 Advanced Dash Camera System. This system will be in every marked patrol vehicle and more effectively link up with our Axon Body Camera system that was implemented in 2021. Police Dash Cameras are intended to increase transparency, improve police encounters, enhance evidence pertaining to an officer encounter, and provide opportunities for improvement through officer training.

We received a quote for 15 Fleet 3 Advanced Dash Cameras from Axon Enterprises Inc., which is located at 17800 N. 85<sup>th</sup> St, Scottsdale, Arizona 85255. Axon is currently a vendor with whom we purchase our Taser equipment and Body Camera technology through and we have had a great working relationship with them and the services they provide our department. The Dash Camera program that we would like to purchase from Axon would cost \$181,584.00. This purchase would provide us with 15 Dash Cameras for our patrol vehicles that also have a built in ALPR (License Plate Reader System) that would provide coverage for all department vehicle fleet while officers are on patrol. Additionally, the contract provides for data storage, the camera kit & Warranty, SIM cards, a router, router antenna, vehicle installation, camera refresh, and the extended warranty for the Fleet 3 system. Evidence.com licensing, and a Technical Assurance Warranty Plan for all of the Fleet 3 cameras. The Assurance Plan would provide us with no cost repair or replacement for all Axon vehicle hardware damaged or not functioning properly. Additionally, the Assurance Plan would provide for a replacement of our Axon vehicle hardware 5 years into the program. This will enable us to swap our Fleet 3 equipment for new equipment or allow us to upgrade to the next generation of Axon in-car cameras at no additional cost.

It is my recommendation that we purchase the Fleet 3 in-car camera system from Axon Enterprises Inc in the amount of \$181,584.00. This would be a onetime payment. This purchase would be made utilizing Federal Forfeiture Funds. This purchase falls within the guidelines that govern the use of these funds. With you concurrence, I respectfully

request this item be placed on the City Council's agenda for the meeting scheduled on November 2<sup>nd</sup>, 2022 for the purposes of a waiver of bid request and purchase approval.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joseph L. Marsh". The signature is fluid and cursive, with a large, stylized "M" at the end.

Joseph L. Marsh  
Director of Public Safety

cc: Finance Director, City Administrator, Public Safety Commission (7), file





Axon Enterprise, Inc.  
17800 N 85th St.  
Scottsdale, Arizona 85255  
United States  
VAT: 86-0741227  
Domestic: (800) 978-2737  
International: +1.800.978.2737

Q-427142-44851.695KU

Issued: 10/17/2022

Quote Expiration: 12/31/2022

EST Contract Start Date: 07/01/2023

Account Number: 110198

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
Business: Delivery; Invoice-14710 Reaume Parkway Civic Cir 14710 Reaume Parkway Civic Cir Southgate, MI 48195-2503 USA	Southgate Police Dept. - MI 14710 Reaume Parkway Civic Cir Southgate, MI 48195-2503 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Keith Utter Phone: Email: kutter@axon.com Fax:	Mark Mydlarz Phone: Email: mmydlarz@ci.southgate.mi.us Fax:

Program Length	60 Months
TOTAL COST	\$181,584.00
ESTIMATED TOTAL SAVINGS	\$57,904.20

Bundle Savings	\$52,287.90
Additional Savings	\$5,616.30
TOTAL SAVINGS	\$57,904.20

PAYMENT PLAN	INVOICE DATE	AMOUNT DUE
PLAN NAME Upfront	Jun, 2023	\$181,584.00

Quote Details

Q-427142-44851.695KU



Bundle Summary		
Item	Description	QTY
Fleet3A	Fleet 3 Advanced	15

Bundle: Fleet 3 Advanced			Quantity: 15	Start: 7/1/2023	End: 6/30/2028	Total: 181584 USD
Category	Item	Description	QTY			
Bundle Scaler	999999	BUNDLE SCALER	1			
Storage	80410	FLEET, UNLIMITED STORAGE, 1 CAMERA	30			
Ecom License	80400	FLEET, VEHICLE LICENSE	15			
ALPR License	80401	FLEET 3, ALPR LICENSE, 1 CAMERA	15			
Respond License	80402	RESPOND DEVICE LICENSE - FLEET 3	15			
Camera Kit & Warranty	72036	FLEET 3 STANDARD 2 CAMERA KIT	15			
SIM	72034	FLEET SIM INSERTION, VZW	15			
Router	11634	CRADLEPOINT IBS900-1200M-B-NPS+5YR NETCLOUD	15			
Router Antenna	71200	FLEET ANT, AIRGAIN, 5-IN-1, 2LTE, 2WIFI, 1GNSS, BL	15			
Vehicle Installation	73391	FLEET 3 NEW INSTALLATION (PER VEHICLE)	15			
Camera Refresh	72040	FLEET REFRESH, 2 CAMERA KIT	15			
Axon Signal Unit	70112	AXON SIGNAL UNIT	15			
Other	80495	EXT WARRANTY, FLEET 3, 2 CAMERA KIT	15			
Other	80379	EXT WARRANTY, AXON SIGNAL UNIT	15			

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.



## Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

### Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

### ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at [www.axon.com/legal/sales-terms-and-conditions](http://www.axon.com/legal/sales-terms-and-conditions)), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

### Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature

10/17/2022

Date Signed



## FLEET STATEMENT OF WORK BETWEEN AXON ENTERPRISE AND AGENCY

### **Introduction**

This Statement of Work ("SOW") has been made and entered into by and between Axon Enterprise, Inc. ("AXON"), and Southgate Police Dept. - MI the ("AGENCY") for the purchase of the Axon Fleet in-car video solution ("FLEET") and its supporting information, services and training. (AXON Technical Project Manager/The AXON Installer)

### **Purpose and Intent**

AGENCY states, and AXON understands and agrees, that Agency's purpose and intent for entering into this SOW is for the AGENCY to obtain from AXON deliverables, which used solely in conjunction with AGENCY's existing systems and equipment, which AGENCY specifically agrees to purchase or provide pursuant to the terms of this SOW.

This SOW contains the entire agreement between the parties. There are no promises, agreements, conditions, inducements, warranties or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in the SOW.

### **Acceptance**

Upon completion of the services outlined in this SOW, AGENCY will be provided a professional services acceptance form ("Acceptance Form"). AGENCY will sign the Acceptance Form acknowledging that services have been completed in substantial conformance with this SOW and the Agreement. If AGENCY reasonably believes AXON did not complete the professional services in conformance with this SOW, AGENCY must notify AXON in writing of the specific reasons within seven (7) calendar days from delivery of the Acceptance Form. AXON will remedy the issues to conform with this SOW and re-present the Acceptance Form for signature. If AXON does not receive the signed Acceptance Form or written notification of the reasons for rejection within 7 calendar days of the delivery of the Acceptance Form, AGENCY will be deemed to have accepted the services in accordance to this SOW.

Force Majeure

Neither party hereto shall be liable for delays or failure to perform with respect to this SOW due to causes beyond the party's reasonable control and not avoidable by diligence.

#### **Schedule Change**

Each party shall notify the other as soon as possible regarding any changes to agreed upon dates and times of Axon Fleet in-car Solution installation to be performed pursuant of this Statement of Work.

#### **Axon Fleet Deliverables**

Typically, within (30) days of receiving this fully executed SOW, an AXON Technical Project Manager will deliver to AGENCY's primary point of contact via electronic media, controlled documentation, guides, instructions and videos followed by available dates for the initial project review and customer readiness validation. Unless otherwise agreed upon by AXON, AGENCY may print and reproduce said documents for use by its employees only.

#### **Security Clearance and Access**

Upon AGENCY's request, AXON will provide the AGENCY a list of AXON employees, agents, installers or representatives which require access to the AGENCY's facilities in order to perform Work pursuant of this Statement of Work. AXON will ensure that each employee, agent or representative has been informed or and consented to a criminal background investigation by AGENCY for the purposes of being allowed access to AGENCY's facilities. AGENCY is responsible for providing AXON with all required instructions and documentation accompanying the security background check's requirements.

#### **Training**

AXON will provide training applicable to Axon Evidence, Cradlepoint NetCloud Manager and Axon Fleet application in a train-the-trainer style method unless otherwise agreed upon between the AGENCY and AXON.

#### **Local Computer**



AGENCY is responsible for providing a mobile data computer (MDC) with the same software, hardware, and configuration that AGENCY personnel will use with the AXON system being installed. AGENCY is responsible for making certain that any and all security settings (port openings, firewall settings, antivirus software, virtual private network, routing, etc.) are made prior to the installation, configuration and testing of the aforementioned deliverables.

#### Network

AGENCY is responsible for making certain that any and all network(s) route traffic to appropriate endpoints and AXON is not liable for network breach, data interception, or loss of data due to misconfigured firewall settings or virus infection, except to the extent that such virus or infection is caused, in whole or in part, by defects in the deliverables.

#### Cradlepoint Router

When applicable, AGENCY must provide AXON Installers with temporary administrative access to Cradlepoint's NetCloud Manager to the extent necessary to perform Work pursuant to this Statement of Work.

#### Evidence.com

AGENCY must provide AXON Installers with temporary administrative access to Axon Evidence.com to the extent necessary to perform Work pursuant of this SOW.

#### Wireless Upload System

If purchased by the AGENCY, on such dates and times mutually agreed upon by the parties, AXON will install and configure into AGENCY's existing network a wireless network infrastructure as identified in the AGENCY's binding quote based on conditions of the sale.

#### VEHICLE INSTALLATION

#### Preparedness

On such dates and times mutually agreed upon by the parties, the AGENCY will deliver all vehicles to an AXON Installer less weapons and items of evidence. Vehicle(s) will be deemed 'out of service' to the extent necessary to perform Work pursuant of this SOW.

#### **Existing Mobile Video Camera System Removal**

On such dates and times mutually agreed upon by the parties, the AGENCY will deliver all vehicles to an AXON Installer which will remove from said vehicles all components of the existing mobile video camera system unless otherwise agreed upon by the AGENCY.

Major components will be salvaged by the AXON Installer for auction by the AGENCY. Wires and cables are not considered expendable and will not be salvaged. Salvaged components will be placed in a designated area by the AGENCY within close proximity of the vehicle in an accessible work space.

Prior to removing the existing mobile video camera systems, it is both the responsibility of the AGENCY and the AXON Installer to test the vehicle's systems' operation to identify and operate, documenting any existing component or system failures and in detail, identify which components of the existing mobile video camera system will be removed by the AXON Installer.

#### **In-Car Hardware/Software Delivery and Installation**

On such dates and times mutually agreed upon by the parties, the AGENCY will deliver all vehicles to an AXON Installer, who will install and configure in each vehicle in accordance with the specifications detailed in the system's installation manual and its relevant addendum(s). Applicable in-car hardware will be installed and configured as defined and validated by the AGENCY during the pre-deployment discovery process.

If a specified vehicle is unavailable on the date and time agreed upon by the parties, AGENCY will provide a similar vehicle for the installation process. Delays due to a vehicle, or substitute vehicle, not being available at agreed upon dates and times may result in additional fees to the AGENCY. If the AXON Installer determines that a vehicle is not properly prepared for installation ("Not Fleet Ready"), such as a battery not being properly charged or properly up-fit for in-service, field operations, the issue shall be reported immediately to the AGENCY for resolution and a date and time for the future installation shall be agreed upon by the parties.



Upon completion of installation and configuration, AXON will systematically test all installed and configured in-car hardware and software to ensure that ALL functions of the hardware and software are fully operational and that any deficiencies are corrected unless otherwise agreed upon by the AGENCY, installation, configuration, test and the correct of any deficiencies will be completed in each vehicle accepted for installation.

Prior to installing the Axon Fleet camera systems, it is both the responsibility of the AGENCY and the AXON Installer to test the vehicle's existing systems' operation to identify, document any existing component or vehicle systems' failures. Prior to any vehicle up-fitting the AXON Installer will introduce the system's components, basic functions, integrations and systems overview along with reference to AXON approved, AGENCY manuals, guides, portals and videos. It is both the responsibility of the AGENCY and the AXON Installer to agree on placement of each component, the antenna(s), integration recording trigger sources and customer preferred power, ground and ignition sources prior to permanent or temporary installation of an Axon Fleet camera solution in each vehicle type. Agreed placement will be documented by the AXON Installer.

AXON welcomes up to 5 persons per system operation training session per day, and unless otherwise agreed upon by the AGENCY, the first vehicle will be used for an installation training demonstration. The second vehicle will be used for an assisted installation training demonstration. The installation training session is customary to any AXON Fleet installation service regardless of who performs the continued Axon Fleet system installations.

The customary training session does not 'certify' a non-AXON Installer, customer-employed Installer or customer 3rd party Installer, since the AXON Fleet products does not offer an Installer certification program. Any work performed by non-AXON Installer, customer-employed Installer or customer 3rd party Installer is not warranted by AXON, and AXON is not liable for any damage to the vehicle and its existing systems and AXON Fleet hardware.



## **FLEET 3**

### **DRIVE THE FUTURE WITH INNOVATIVE, INTEGRATED IN-CAR VIDEO**

**ALPR in every vehicle | Situational awareness with livestreaming | Dual-View Camera**

Instead of two independent vehicle camera systems for siloed ALPR and evidence capture, why not centralize powerful capabilities into one in-car video system? Meet Fleet 3. Yes, it records the best-quality evidence from its Dual-View Camera. It also gives every vehicle ALPR capabilities, which means 8X more coverage for the same spend as traditional systems. Plus, real-time situational awareness features including alerts, live maps and video/audio streaming help leaders and dispatchers maintain visibility into what officers are facing in the field. It's a 3-in-1 that will change how you think about in-car solutions, all part of the Axon network.

#### **FEATURES & BENEFITS**

##### **/ DUAL-VIEW CAMERA**

Panoramic video camera captures clear video evidence, and 4k ALPR camera with edge AI processing covers 3 lanes of traffic

##### **/ INTERIOR CAMERA**

Capture from below occupant's knee to above their head, with color in well-lit conditions and infrared illumination for night view

##### **/ ALPR HOTLIST ALERTS**

Configurable MDC alerts help officers get notified about important plates without losing focus

##### **/ LIVESTREAMING AND LOCATION UPDATES**

Axon Respond for devices enables leaders to receive alerts, and view vehicle location and livestreams in real-time

##### **/ FLEET HUB**

Includes secure solid-state storage, wireless communications, and garage- and tunnel-friendly location system. Footage is uploaded even without the MDC over LTE or Wi-Fi

##### **/ FLEET DASHBOARD APP**

One simple interface for ALPR alerts, camera control, preview and tagging of evidence, and zoom



## FEATURES & BENEFITS CONTINUED

### / WIRELESS ACTIVATION

Compatible with Axon Signal, which activates cameras based on certain events including light bar activation, speed threshold, and other configurable triggers

### / WIRELESS MIC

Capture clear audio up to 1,000 feet away from the vehicle with one or two Wireless Mics per vehicle

### / BWC PAIRING & UPLOAD

Pairs wirelessly with any Axon body camera, and router connection can upload footage wirelessly

### / VIDEO RECALL

Retains last 24 hours of video for each camera so critical footage can be retrieved remotely and no evidence is missed

### / MULTI-CAM PLAYBACK

Watch up to four in-car or BWC videos recorded at a scene using Axon Evidence, with videos automatically associated based on device proximity

## SPECIFICATIONS

**DUAL-VIEW CAMERA:** Up to 1080p resolution, 160° field-of-view (FOV) for evidence, 16:9 or 5:2 panoramic aspect ratio, 12x digital zoom, 360° swivel mount

**INTERIOR CAMERA:** Up to 1080p resolution, 160° FOV, 4:3 aspect ratio (occupant knee to head), color in light conditions, IR illumination in low-light

**HUB:** 240GB video storage, 5 PoE ports for devices, 10 inputs for 12V triggers, Wi-Fi, BLE, GNSS

**ALPR COVERAGE:** Up to three traffic lanes with one camera using 4k resolution

**VIDEO RECALL:** 24 hours per camera

## THE NEW IN-CAR EXPERIENCE

Officer J is on patrol, with ALPR active from the Dual-View Camera. He gets a stolen vehicle alert, and quickly confirms it via the Fleet Dashboard app. He flips on the lightbar, which starts the recording from the Dual-View Camera and his BWC.

The suspect begins speeding away, and Officer J does too. His supervisor receives an alert in Axon Respond and pulls up the livestream, with views from the front camera and BWC. The suspect parks and flees, but Officer J tracks him down and makes the arrest, with the supervisor having awareness the entire time. The Interior Camera begins recording once the rear door is opened. Later, Officer J reviews the video, and the footage is automatically uploaded to Axon Evidence from the Fleet 3 Hub. In Axon Evidence, authorized users view a synced playback of all video, including a tagged moment when the suspect tossed a baggie of drugs on the side of the road. Charges filed, case closed.

**SECURITY:** Firmware updates and all evidence encrypted on Hub

**FLEET DASHBOARD APP:** Windows 10 or Windows 7 required; Android and iOS forthcoming

**CAMERA AND HUB OPERATING TEMPERATURE:** -40°C to +35°C

**WIRELESS MIC OPERATING TEMPERATURE:** -40°C to +70°C

**HUB INGRESS RATING:** IP52 when mounted in console

**CAMERA INGRESS RATING:** IP54

**WIRELESS MIC INGRESS RATING:** IP67





## FLEET 3 PRICING



### THREE ADVANCED TECHNOLOGIES. ONE LINE ITEM.

Fleet 3 brings disruptively affordable in-car video, ALPR and situational awareness technology to your fleet in one system. Our pricing options reflect our commitment to feature-rich simplicity that works with budgets of any size.

FLEET 3 PACKAGES	FLEET 3 \$129/VEHICLE/MO	FLEET 3 ADVANCED \$208/VEHICLE/MO
Two-camera system with Dual-View Camera and Interior Camera	X	X
Hub for storage, control and upload	X	X
Unlimited cloud storage	X	X
Cradlepoint router kit and configuration services <sup>1</sup>	X	X
Onsite installation and training services	X	X
Hardware refresh at 5 years (Technology Assurance Plan/TAP)	Optional (add \$40/vehicle/mo)	X
Axon Respond for devices (real-time technology)		X
Integrated ALPR		X

### WANT TO ADD FIXED ALPR CAMERAS?

We've partnered with Flock Safety to offer fixed ALPR for \$208/camera/mo—the same price as Fleet 3 Advanced. That gives you maximum flexibility to deploy whatever combination of cameras on wheels and poles to support your community.

### WANT MORE INFO?

If you'd like to learn more about Fleet 3 and discuss your options, please contact your Axon representative or visit [axon.com/fleet3](https://www.axon.com/fleet3).

<sup>1</sup> LTE service not included

<sup>2</sup> HALT training suit and target with frame available for agencies with 40 or more sworn officers

<sup>3</sup> Instructor voucher offered at a 1% ratio to agencies with 50 or more licenses: One Master Instructor voucher offered at 50 or more licenses with additional voucher per 1,000 cumulative licenses

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JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

CHRISTOPHER P. ROLLET  
*Treasurer*



## City of Southgate

**- CITY COUNCIL -**

ZOEY KUSPA  
*Council President*  
CHRISTIAN GRAZIANI  
BILL COLOVOS  
MARK FARRAH  
KAREN E. GEORGE  
PHILLIP J. RAUCH  
DALE W. ZAMECKI

October 28, 2022

To the Honorable  
City Council  
Southgate, Michigan 48195

Re: Recommendation for Change Order #1 for DPS Underground Storage Tank Removal  
and Replacement Project

Ladies and Gentlemen:

It is recommended by the City Engineer and I concur, with his recommendation for this Change Order in the amount of \$35,000.00 plus a 10% contingency of \$3,500.00 for a grand total of \$38,500.00 to TSP Environmental Services, Inc.

Adequate funds are available in the Major Street Funds.

Your favorable consideration of this matter is greatly appreciated.

Sincerely,

  
Joseph G. Kuspa  
Mayor

JOSEPH G. KUSPA  
*Mayor*

JANICE M. FERENCZ  
*City Clerk*

CHRISTOPHER P. ROLLET  
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### MEMORANDUM

**TO:** The Honorable Mayor and City Council

**FROM:** Douglas Drysdale, Assistant City Administrator / Finance Director

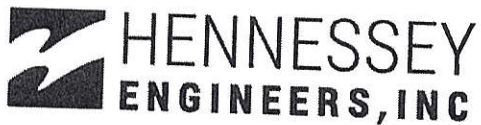
**DATE:** October 27, 2022

**RE:** Recommendation for Change Order #1 for DPS Underground Storage Tank Removal & Replacement Project

I have reviewed the above with the City Engineer and concur with his recommendation for Change Order No. 1 in the amount of \$35,000.00 plus a 10% Contingency of \$3,500.00 for a grand total of \$38,500.00 to TSP Environmental Services, Inc.

Adequate funding for this project is available in Major Street Funds.





October 25, 2022

Mr. Dan Marsh, City Administrator  
City of Southgate  
14400 Dix-Toledo Highway  
Southgate, Michigan 48195

**Re: DPS Underground Storage Tanks Removal & Replacement Project**  
**Change Order No. 001**  
**City of Southgate**  
**Hennessey Project No. 13120**

Dear Mr. Marsh:

Please find attached change order 001 for the above referenced project. The referenced project was awarded to TSP Environmental Services, Inc. on June 2, 2021.

Upon the process of removing the existing pavement, soils and groundwater, it was determined that additional pavement, additional non-hazardous contaminated soils and non-hazardous contaminated groundwater had to be removed from the excavated area and from the construction site. Due to the poor soils, poor pavement and excessive groundwater, this has caused a cost increase to the original contract price. Additional sand and aggregate backfill, and additional concrete pavement will be required to finish this project.

This change order is for the change in the scope of work, as the proposed work will be completed per the attached change order.

We request that the attached change order be approved at the regular City Council meeting scheduled for November 2, 2022. If you have any questions, or if additional information is necessary, please do not hesitate to contact me.

Very Truly Yours,

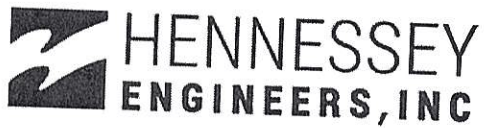
HENNESSEY ENGINEERS, INC

A handwritten signature in cursive script that reads 'John M. Miller'.

John M. Miller  
Project / Construction Manager

cc: Doug Drysdale, Finance Director, City of Southgate  
David Angileri, Finance Director, City of Southgate  
Kevin Anderson, Director of Public Services, City of Southgate  
John J. Hennessey, P.E., Vice President, Hennessey Engineers, Inc.  
Charles Spencer, P.E., TSP environmental Services, Inc.

File B.3



## CHANGE ORDER

Recommendation No. 001      Date: October 25, 2022

**Project:** DPS UST Removal & Replacement Project  
**Project Number:** 13120  
**Owner:** City of Southgate  
**Contractor:** TSP Environmental Services, Inc.

### 1. Addition to the Scope of Work:

Upon review with TSP Environmental Services, Inc., Hennessey Engineers completed a field review, evaluation and estimate of additional work to complete the above referenced project. Due to excessive poor non-hazardous contaminated soils, non-hazardous contaminated groundwater and poor pavement; additional sand, aggregate base and concrete pavement construction is required.

This change order accounts for the additional required work for the completion of the DPS Underground Storage Tanks Removal and Replacement Project.

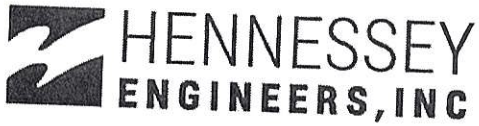
**Increase Cost for Change in Project Scope: \$35,000.00**

### 2. 10% Contingency:

A 10 percent contingency is being accounted for if any unforeseen conditions arise during the construction.

**10% Contingency: \$3,500.00**

Original Contract Price:	\$ 307,003.40
15% Contingency:	\$ 46,050.51
Change Order No. 1 Price Increase:	\$ 35,000.00
10% Contingency	\$ 3,500.00
<b>Revised Contract Price:</b>	<b>\$ 391,553.91</b>



Changes Originated By Hennessey Engineers, Inc.:

Signature: John M. Miller

Title: PROJECT/CONSTRUCTION MGR.

Print Name: JOHN M. MILLER

Date: 10/25/2022

Accepted by TSP Environmental Services, Inc:

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Accepted by the City of Southgate:

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_



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### Memorandum

To: Honorable City Council Members

From: Dan Marsh, City Administrator

Date: October 27, 2022

Re: Request for removal of Ordinance 468.04 Parking on Jobin

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Ordinance 468.04 states:

"No person shall park any motor vehicle on eastbound and westbound Jobin, between the intersections of Fort Street and Barberry Street, between 10:00 p.m. and 3:00 a.m. of the following day."

There was previously a bar located at Jobin and Fort Street. The bar is no longer there, so the Administration believes there is no longer a need for ordinance 468.04.

The administration is requesting the removal of Ordinance 468.04