

Southgate City Council Agenda

Council Chambers

Wednesday August 1, 2018

6:30pm Work Study Session

1. Officials Reports
2. Discussions regarding agenda items.

7:00 pm Regular Meeting

Pledge of Allegiance

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

Minutes:

1. Work Study Session Minutes dated July 18, 2018.
2. Regular City Council Meeting Minutes dated July 18, 2018.

Scheduled Persons in the Audience:

1. Victoria Araj - comments on rezoning of property on Allen Road/Superior

Consideration of Bids:

Scheduled Hearings:

Communications "A" –

- | | |
|--|---------|
| 1. Memo from Administrator; Re: Change to Civil Service Rules & Regulations Manual | Page 5 |
| 2. Letter from Mayor; Re: Proposal for Better World Books | Page 7 |
| 3. Letter from Mayor; Re: Bid Waiver – Purchase of Two Pick-Up Trucks | Page 16 |
| 4. Letter from Mayor; Re: Bid Waiver – Purchase of a Ford F250 | Page 20 |
| 5. Letter from Mayor; Re: Bid Waiver – Purchase of Transit Van | Page 24 |
| 6. Letter from Mayor; Re: Appointments to Ethics Board | Page 28 |
| 7. Letter from Mayor; Re: Appointments to Compensation Commission | Page 29 |

Communications "B" – (Receive and File)

Ordinances:

- | | |
|---|---------|
| 1. Memo from Administrator; Re: First Reading Zoning Ordinance – 13333 Eureka | Page 30 |
| 2. Memo from Administrator; Re: Second Reading Zoning Ordinance – 14005 Allen Rd. | Page 44 |

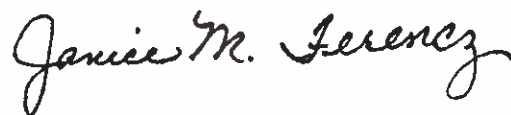
Old Business:

New Business:

Unscheduled Persons in the Audience:

Claims & Accounts: Warrant #1358 \$3,882,679.59

Adjournment:



Janice M. Ferencz, City Clerk

City Council

Work Study Session

July 18, 2018

An Informal Meeting of the Council of the City of Southgate was held on July 18, 2018 at 6:30 P.M. in the Council Chambers of the Municipal Building, 14400 Dix-Toledo Highway, Southgate, Michigan.

Present: Bill Colovos, Mark Farrah, Karen George, John Graziani, Phillip Rauch, Christopher Rollet, Dale Zamecki

Absent:

Also Present: Mayor Joseph G. Kuspa, City Administrator Dustin Lent, Assistant City Administrator/Finance Director David Angileri, City Attorney Ed Zelenak, City Engineer John Hennessey, City Clerk Jan Ferencz, City Treasurer Jim Dallos, Public Safety Director Jeff Smith, Fire Chief Mike Sypula, Department of Public Services Director Bob Tarabula, Building Inspections Director Bob Casanova and Parks and Recreation Director Julie Goddard.

Discussion took place on the following item scheduled for action at the regular meeting:

- Ordinance to rezone 14005 Allen Road from R-1B (single family residential) to C-1 (community business).
- Retention agreement with Edelson PC for Potential Opioid Litigation.
- Discussion regarding bike racks for Market Center Park.

This meeting ended at 6:52 pm.

City of Southgate

Regular City Council Meeting

July 18, 2018

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, July 18, 2018 and was called to order at 7:00 PM by Council President John Graziani.

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

Present: Bill Colovos, Mark Farrah, Karen George, John Graziani, Phillip Rauch, Christopher Rollet, Dale Zamecki

Absent:

Also Present: Mayor Joseph G. Kuspa, City Administrator Dustin Lent, City Attorney Ed Zelenak, Assistant City Administrator/Finance Director David Angileri, City Engineer John Hennessey, City Clerk Jan Ferencz, City Treasurer Jim Dallos, Director of Public Safety Jeff Smith, Fire Chief Mike Sypula, Building Inspections Director Bob Casanova, Director of Public Services Bob Tarabula and Parks & Recreation Director Julie Goddard.

Minutes:

Moved by Zamecki, supported by George, RESOLVED, that the minutes of the City Council Work Study Session dated July 5, 2018 be approved as presented. Carried unanimously.

Moved by Rauch, supported by Colovos, RESOLVED, that the minutes of the Regular City Council Meeting dated July 5, 2018 be approved as presented. Carried unanimously.

Communications "A":

1. **Memo from Administrator; Re: Retention Agreement with Edelson PC for Potential Opioid Litigation**, moved by Colovos, supported by Rollet, RESOLVED that the Southgate City Council hereby enter into a Retention Agreement for Potential Opioid Litigation with Edelson PC (350 North LaSalle Street, 13th Floor, Chicago< IL 60654) and authorizes the Mayor to sign said agreement on behalf of the City.

Motion carried unanimously.

Ordinances:

Councilwoman George gave a first reading of an ordinance for the City of Southgate Codified Ordinances to rezone property located at 14005 Allen Road (Southeast corner of Allen and Superior road) from R1-B (Single Family Residence) to C-1 (Community Business).

New Business:

Councilman Rollet requested Administration inquire with Wayne County about the appearance of the old Home Quarters weeds.

Regular City Council Meeting

July 18, 2018

Unscheduled Persons in the Audience:

Victoria Araj, 14036 Flanders, objects to the possible rezoning of 14005 Allen Road. She read her reasons why she objects. Council President Graziani suggested she schedule herself on the next regular council meeting before possible adoption.

Claims and Accounts:

Moved by Farrah, supported by Zamecki, RESOLVED, that Claims and Accounts be paid as outlined on Warrant # 1357 in the amount of \$1,811,360.71.

Motion carried unanimously.

Adjournment:

Moved by Rollet, supported by George, RESOLVED, that this Regular Meeting of the Southgate City Council be adjourned at 7:22 P.M. Carried unanimously.

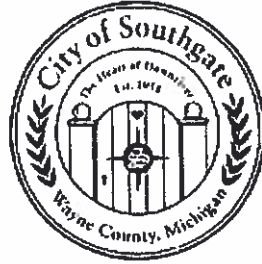
John Graziani
Council President

Janice Ferencz
City Clerk

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate Celebrating 60 Years!

- CITY COUNCIL -

JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: July 27, 2018

Re: Change to the Civil Service Rules and Regulations Manual

The Administration approached the Municipal Civil Service Commission to amend its Rules and Regulations Manual; Rule III Section 15 "Part-Time Employee". The change would allow part-time workers to work a maximum of seventy percent of a normal full time weekly schedule (28 hours) rather than the current maximum of sixty percent (24hrs) per week. The City of Southgate Municipal Employee Civil Service Commission meet on July 17th and agreed unanimously to approve this adoption. Administration and the Civil Service Commission is recommending the city council to adopt the change to Rule III Section 15.

Your favorable consideration of this matter is requested.

City of Southgate
Municipal Employee Civil Service Commission
Rules and Regulations

Current Language for Rule III Section 15

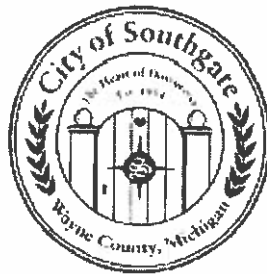
“Part-Time Employees” shall mean any employee who works less than sixty percent of a normal full-time weekly work schedule. Such employee or the position filled shall not be in the classified service.

Change: sixty percent to seventy percent.

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
NORMA J. WURMLINGER
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI
Council President

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

July 25, 2018

To the Honorable
City Council
Southgate, Michigan 48195

Re: Proposal for Better World Books

Ladies and Gentlemen:

I have reviewed the attached proposal from the Library Director and I concur with his recommendation to enter into contract with Better World Books.

Your favorable consideration of this matter is requested.

Sincerely,


Joseph G. Kuspa
Mayor

JGK/law

MEMO

TO: Mayor Joseph Kuspa

FROM: Don Priest, Southgate Veterans Memorial Library

DATE: June 26th, 2018

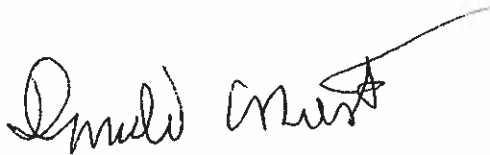
SUBJECT: Better World Books proposal

Situation: Part of maintaining a healthy public library collection involves deaccessioning items that are no longer needed, often due to age, condition, or lack of popularity; this practice is commonly called weeding. The Southgate Veterans Memorial Library currently requires a large amount of weeding. In the past, the Library has attempted to find new homes for such items; books and audiobooks have been donated to schools, the Senior Center, or set out for patrons to take, while some items have been placed into our book sale. Many items, however, end up being thrown away, which is wasteful and environmentally unfriendly.

Proposed Solution: The organization Better World Books offers to partner with libraries to take items that the library wishes to sell, destroy, or give away (surplus items), and attempts to sell them. The library receives a portion of the net proceeds. The cost to the library to participate with Better World Books is zero; Better World Books handles the costs of shipping, selling, and otherwise disposing of the surplus items. Surplus items not sold are recycled, discarded in an environmentally friendly manner, or donated.

The Southgate Veterans Memorial Library would be responsible for selecting saleable items, according to guidelines set forth by Better World Books, as well as packaging them for shipment, though Better World Books provides the shipping supplies. We would also be responsible for prescreening items, to ensure that they are items Better World Books may accept for resale. This prescreening process would increase the portion of the net proceeds we would receive, from 10% to 20%.

I propose the Southgate Veterans Memorial Library partner with Better World Books, to provide an environmentally safe and fiscally beneficial way to dispose of surplus items. Attached is an overview of the Better World Books Library Discards and Donations Program. Also attached is a copy of the agreement proposed by Better World Books, which explains in detail the responsibilities and obligations of both Better World Books and the Southgate Veterans Memorial Library, should we agree to this partnership.



Don Priest
Director
Southgate Veterans Memorial Library

Who Is Better World Books

Better World Books is a for-profit social enterprise that collects and sells books online with each sale generating funds and book donations to support libraries, literacy and education. By finding new homes for surplus material, we have created a sustainable solution for diverting millions of books from landfills.

- Books and media are sold on over 50 marketplaces
- 3 distribution centers
- Over 7 million customers
- A+ rating with the Better Business Bureau
- Globally process 800,000 – 1 million books per week
- A certified B Corporation

Because we acquire material from thousands of varied sources, we are able to offer a wide range of titles at great prices with the excellent service customers crave.

We are proud to be a certified B Corporation which uses the power of business to solve social and environmental problems. From our very first book drive where we shared what we earned with the Robinson Community Learning Center through to today, Better World Books has always supported literacy and the environment through sale, donation and recycling.



Sales Agreement Form (General Partner Use)	
If you have any questions, please do not hesitate to contact your Account Representative by email at clientservices@betterworldbooks.com or call 888.510.7103 ext 1706.	
Partner Organization ("Seller") Information:	
Organization Name: Southgate Veterans Memorial Library	Contact Email: dpriest@southgate.lib.mi.us
Contact Name:	Contact Phone: (734) 258-3002
Contact Title: Director	Secondary Phone:
Physical Address (No P.O. Box):	
Attention: Donald Priest	City: Southgate
Address Line 1: 14680 Dix Toledo Rd	State/Province: MI
Address Line 2:	Postal Code: 48195
	Country: USA
Mailing Address:	
<input checked="" type="checkbox"/> Same as Physical Address	
Attention:	City:
Address Line 1:	State/Province:
Address Line 2:	Postal Code:
	Country:
Agreement Details:	
Seller shall be responsible for selecting, collecting, and packaging all Surplus Books and Materials. Surplus Books and Materials must meet BWB's Minimum Content and Condition Requirements.	
Seller agrees to abide by BWB's Minimum Quantity Requirements and Shipping Specifications and agrees to ship a minimum of <u>1+ Prescreened Carton</u> fully-packed standard size boxes.	
BWB shall make a good faith effort to resell Surplus Books and Materials purchased from Seller. Seller agrees that BWB shall disburse proceeds from online sales of Surplus Books and Materials as follows:	
BWB shall pay <u>20.0</u> % of Net Proceeds directly to Seller.	
BWB shall pay <u>0.0</u> % of Net Proceeds to the selected Literacy or Education Partner.	
The remaining Net Proceeds are retained by BWB to cover all operating expenses incurred in connection with collecting, transporting, processing, inventorying, shipping, marketing, selling, providing customer service, and developing software for the volume of Surplus Books and Materials received from Seller.	
Payment Details:	
Type of Payment: Check	
<input checked="" type="checkbox"/> Same as Physical Address (Only Required if Type of Payment = "Check")	
Make Check Payable to: Southgate Lib.	City:
Attention:	State/Province:
Address Line 1:	Postal Code:
Address Line 2:	Country:
<input type="checkbox"/> Same as Partner Organization Information (Only required if Type of Payment = "BWB Credit")	
Contact Name: Donald Priest	Email: dpriest@southgate.lib.mi.us
Contact Title: Director	Phone: (734) 258-3002



Tax Information:	
Select appropriate federal tax classification Not-For-Profit Entity	
If Seller is <u>tax-exempt</u> , please email your tax-exempt form to clientservices@betterworldbooks.com .	
If Seller is <u>not tax-exempt</u> , please email your completed W-9 form to clientservices@betterworldbooks.com .	
Acknowledgements:	
Seller acknowledges that s/he has read, understands and agrees to abide by the Terms and Conditions as outlined below in the BWB Sales Agreement.	
Signature:	

QUMPUS, INC., d/b/a Better World Books SALES AGREEMENT TERMS and CONDITIONS

THIS SALES AGREEMENT (the "Agreement") is effective as of the "Effective Date" of

Between

Southgate Veterans Memorial Library

located at

14680 Dix Toledo Rd

Southgate

MI

48195

(hereinafter referred to as "Seller") and Qumpus, Inc., d/b/a Better World Books, a Georgia corporation, located at 11680 Great Oaks Parkway, Suite 250, Alpharetta, GA 30022 (hereinafter referred to as "BWB" and "Purchaser").

RECITALS

WHEREAS, BWB is engaged in the business of acquiring, collecting, transporting, and selling large volumes of previously owned books and materials (hereinafter "Surplus Books," "books" or "materials"), and generating income for, including but not limited to, libraries, colleges and universities, student groups, booksellers, and others, as well as for literacy and education causes around the world;

WHEREAS, Seller owns books and materials that it wishes to sell, destroy, or give away that are in saleable condition, as defined herein, and otherwise comply with the quality requirements that BWB may establish in its own discretion and communicate to Seller from time to time (hereinafter "Surplus Books," "books" or "materials");

WHEREAS, Seller desires to sell Surplus Books to BWB and to receive revenues from BWB's sale of Surplus Books subject to the terms and conditions set forth in this Agreement; and,

WHEREAS, BWB has agreed to pay Seller a portion of proceeds from the sale of Surplus Books that BWB purchases from Seller subject to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto promise and agree as follows.

DEFINITIONS

ARC: BWB's Antiquarian, Rare and Collectibles department.

Content and Condition Requirements for Books and Materials: BWB does not accept books or materials which are not in saleable condition, as defined herein, including activity books and workbooks; annuals and yearbooks; audio cassettes, VHS tapes, LP records, and computer software; books published by magazines (e.g., *Reader's Digest Condensed* or *Time-Life Books*); *Britannica* and *World Book Encyclopedia*; case law and procedural law books; custom course packets; dated reference material that is over five (5) years old; directories and telephone books; duplicate copies in excess of twenty (20) copies per title; free copies, examination copies or advanced reading copies; incomplete DVD, Blu-ray Disc, or Books on CD sets or DVDs, Blu-ray Discs, or Books on CDs missing either the case or original artwork; journals and periodicals, microfilm and

microfiche; newspapers and magazines; non-western script books; tax and government documents or forms.

Literacy or Education Partner: An organization or public institution dedicated to providing or supporting literacy, education and reading programs, or other charitable causes, with a proven operating history, shall be eligible to receive proceeds from sales as set forth in Article IV herein.

Marketplace Commission: Fees charged to sellers by online retailers for marketing and selling books.

Minimum Quantity Requirements and Shipping Specifications: In order to maintain the percent of Net Proceeds payable to Seller, as outlined herein in Article IV, Seller agrees to ship, on a per shipment basis, no fewer than 1+ Prescreened Cartons of books. Shipping cartons must be filled to capacity using a standard-sized shipping carton, measuring approximately 18 X 12 X 10 inches. If applicable, each standard-sized pallet, measuring approximately 40 x 48 inches, must contain a minimum of forty (40) standard-sized shipping cartons that are filled to capacity.

Net Proceeds: Net Proceeds equal the item's selling price, less marketplace commission, discounts, returns, and shipping charges or reimbursements.

Prescreen Process: If applicable, Seller shall complete the Prescreen Process either by using the prescreen feature on the BWB online client portal by entering a book's associated ISBN number to determine if that book will be accepted by BWB for shipment to BWB or by emailing BWB an Excel file or CSV file containing a list of the inventory the Seller wishes to ship to BWB. At a minimum, the list must contain the book's associated ISBN number, title, and author. BWB will analyze the file and return to the Seller a list indicating which books BWB may accept for resale. Seller agrees only to provide books to BWB that have been accepted by BWB via the Prescreen Process as herein described.

Saleable Condition Books: Books which are free from substantial spine or cover damage, water spots or other discoloration, torn or missing pages, and without substantial markings.

Shipping Charges and Reimbursements: Fees charged by online retailers and sellers to cover the cost of shipping books. These fees are typically applied to books sold via online marketplaces that offer free shipping to the buyer.

Surplus Books: Books and materials that Seller owns and wishes to sell, destroy, donate, or otherwise give away that are in saleable condition, as defined herein, and which otherwise comply with the quality requirements that BWB may establish in its own discretion and communicate to Seller from time to time.

ARTICLE I

Exclusivity

1.1 Seller hereby agrees to sell its Surplus Books exclusively to BWB during the term of this Agreement, and BWB hereby agrees to purchase all Seller's Surplus Books during the term of this Agreement, subject to the terms and conditions contained in this Agreement. In the event that BWB elects not to purchase specific Surplus Books from Seller, Seller is free to offer such books for sale to other parties as it, in its sole discretion, deems appropriate.

1.2 Notwithstanding paragraph 1.1, Seller may sell Surplus Books at its

QUMPUS, INC., d/b/a Better World Books SALES AGREEMENT TERMS and CONDITIONS

own book sales or its own online store, and it may donate Surplus Books directly to non-profit organizations.

1.3 Notwithstanding paragraph 1.1, the Parties may from time to time waive (or partially waive) the exclusivity provision so long as such waiver is mutually agreed upon by the Parties and such waiver is memorialized in writing.

ARTICLE II Seller's Rights and Obligations

2.1. Seller shall designate a representative who shall be responsible for administrative matters pertaining to this Agreement. The representative shall have authority to designate Surplus Books and to authorize BWB to receive Surplus Books directly or through BWB's agent.

2.2. Seller shall be responsible for selecting, collecting, and packaging all Surplus Books. Seller IS obligated to use the Prescreen Process as defined herein unless the Parties otherwise agree in writing.

2.3. Seller shall designate a central freight location and provide the Surplus Books ready for pick up by BWB or BWB's agent at that location.

2.4. Seller shall comply with the Minimum Quantity Requirements and Shipping Specifications as described herein unless the Parties otherwise agree in writing.

2.5. Seller shall comply with BWB's Content and Condition Requirements as defined herein unless the Parties otherwise agree in writing.

2.6. Seller may designate a Literacy or Education Partner with the input and approval of BWB.

2.7. The BWB online client portal shall be used by Seller, if applicable, to complete the Prescreen Process, to order supplies, and to schedule a pick up pursuant to Article II herein.

ARTICLE III BWB's Rights and Obligations

3.1 BWB shall provide account management for the Seller's account and shall be responsible for administrative matters pertaining to the performance of BWB's obligations under this Agreement.

3.2 BWB shall arrange and pay for all shipment of Surplus Books from a central freight location designated by Seller to a warehouse storage facility operated by BWB, or BWB shall pick up Surplus Books from a designated location.

3.3 Nothing in this Agreement shall limit BWB's ability to sell, to discard in an environmentally sensitive manner, to recycle, or to donate any Surplus Books supplied by Seller.

3.4 BWB shall be responsible for all aspects of the pricing, advertising, bookselling, inventorying, storage, and customer service relating to the Surplus Books purchased from Seller.

3.5 BWB shall disburse proceeds of Surplus Book sales in accordance with Article IV herein.

3.6 Seller's representative shall have access to account and sale information on BWB's client portal.

ARTICLE IV Distribution of Sales Proceeds

4.1 BWB shall determine all prices for Surplus Books in its sole discretion.

4.2 BWB shall disburse proceeds from Surplus Books supplied by Seller as follows:

- (a) BWB shall pay 20.0 percent of Net Proceeds Seller.
- (b) BWB shall pay 0.0 percent of Net Proceeds to the selected Literacy or Education Partner.
- (c) BWB shall pay for any Surplus Books that are processed and sold by the ARC during the Initial Term and any Renewal Term an amount equal to or greater than five hundred dollars (\$500.00) a total of fifty percent (50%) of Net Proceeds to the Seller and its selected Literacy or Education Partner. This amount shall be calculated as follows: (50% of the Net Proceeds) - (the total % of Net Proceeds as calculated in 4.2(a) and 4.2(b)) = additional % of Net Proceeds to be paid to the Seller.

4.3 BWB shall provide payment to Seller of the amount determined in Paragraph 4.2 above on a reasonable and regular basis. Payments shall be disbursed no fewer than once quarterly and shall be postmarked no later than thirty (30) days from the end of each fiscal quarter. No payment will be issued to Seller if the amount due to Seller is less than fifty dollars (\$50.00), but the amount due to Seller will continue to accrue. Payment via check must be cashed within one hundred and eighty (180) days from the date of issue; otherwise, the payment shall be forfeited and shall not be reissued.

4.4 No payment will be made to Seller if the Seller does not meet the Minimum Quantity Requirements and Shipping Specifications, as defined herein. Moreover, no payment will be made to Seller if the Seller fails to provide books to BWB in Saleable Condition, also as defined herein. BWB reserves the right to deduct from any amount due to Seller the actual shipping costs incurred by BWB in the event that Seller fails to make a good faith effort to either meet its Minimum Quantity Requirements and Shipping Specifications or to provide to BWB books in Saleable Condition. In such cases, BWB will notify the Seller's representative.

4.5 BWB will not make any further payments to Seller. net proceeds will cease to accrue, and no additional amounts will be due to Seller in the

QUMPUS, INC., d/b/a Better World Books SALES AGREEMENT TERMS and CONDITIONS

future if Seller ceases to ship books in Saleable Condition to BWB for a period of eighteen (18) months, calculated from the last date of receipt by BWB of a shipment of Seller's Surplus Books.

4.6 Seller can review records relating to the determination of Net Proceeds at BWB's client portal, and any amounts payable to Seller pursuant to Paragraph 4.2(a).

ARTICLE V

Unsold Books

5.1 BWB reserves the right to remove any book from a marketplace at any time. Any unsold books due to market demand, condition and/or failure to sell within a timeframe (to be determined solely by BWB) may be discarded by BWB in an environmentally sensitive manner, recycled, or donated at any time by BWB to a Literacy or Education Partner or any other eligible organization of BWB's choosing. BWB shall not owe Seller any further compensation for unsold books which are discarded or donated.

ARTICLE VI

Term and Termination

6.1 This Agreement shall take effect on the Effective Date and shall continue thereafter for two (2) years from the Effective Date ("Initial Term").

6.2 This Agreement shall automatically renew for additional two (2)-year terms (each a "Renewal Term") under the same terms and conditions of this Agreement, unless otherwise agreed by Seller and BWB.

6.3 Notwithstanding anything herein to the contrary, the Parties agree that either Party has the right to terminate this Agreement with thirty (30)-days' notice to the other Party, and thereafter, BWB has the right to refuse to purchase any more Surplus Books from Seller, and Seller has the right to refuse to sell any more Surplus Books to BWB.

ARTICLE VII

Confidentiality

7.1 The Parties recognize that, during the course of dealing with each other before and during the term of this Agreement, each Party may have or may become aware of information regarding the other Party that is confidential or proprietary in nature, including but not limited to information concerning its business, processes, donors or funders, administration and related offices, software, marketing, pricing, formulas, customers, suppliers, vendors, operations, and finances. The Parties agree that they will take all reasonable steps necessary to maintain the confidentiality of any such information, to treat any such information as confidential, and not to disclose any such information to any third party without the prior written consent of the non-disclosing Party, unless such third party is an authorized agent or employee that is familiar with such information in the normal course of their work.

7.2 The Parties agree not to use any information disclosed between the Parties, or under this Agreement, for any purpose other than the

purposes of this Agreement.

7.3 Notwithstanding the foregoing, the Parties acknowledge that a Party may be required to release such information in order to comply with laws (including public records laws), court orders, or other legal obligations, in which case the Party shall take reasonable steps to protect the confidentiality of the information it has received, including providing reasonable notice to the other Party and an opportunity to object to such disclosure if appropriate.

7.4 Unless stated otherwise, the Parties agree that their obligations under this Article VII shall continue for the duration of the Agreement and for a period of two (2) years beyond any termination or expiration of this Agreement, unless this Agreement is terminated for breach, in which case Paragraph 7.5 shall have no force or effect.

7.5 Failure to comply with any provisions in this Article VII on the part of either Party shall entitle the other Party to equitable remedies in addition to all other remedies at law or under this Agreement.

ARTICLE VIII

Title to Property

8.1 Title to Seller's Surplus Books that Seller supplies to BWB shall pass to BWB when Seller ships the Surplus Books to BWB or its agent, or when BWB picks up the Surplus Books from a location designated by Seller. Nothing in this Agreement shall be construed as creating a bailment or consignment relationship between BWB and Seller.

ARTICLE IX

Miscellaneous

9.1 Any notice required or permitted to be given to either Party shall be in writing and shall be deemed to be sufficiently given and received in all respects when either Party personally delivers or deposits in the United States mail, certified mail, postage prepaid, return receipt requested, such notice addressed to the last address the addressee furnished to the sender in writing for the purpose of receiving notices, including the address indicated below its signature to this Agreement.

9.2 All terms, covenants and conditions of this Agreement are contained herein. There are no other warranties, obligations, covenants, or understandings between the Parties other than those expressed herein. Any prior agreements, warranties, obligations, covenants or understandings between the Parties other than those expressed herein are superseded by this Agreement.

9.3 This Agreement may not be assigned by either Party without the express prior written consent of the other Party hereto. Such written consent shall not be unreasonably withheld by either Party, provided, however, that this Agreement and the rights and remedies of the Parties hereto shall inure to the benefit of the Parties and their corporate successors or the purchasers of substantially all of the assets or stock of either Party. Subject to the terms of the foregoing sentence, this Agreement shall be binding upon the Parties hereto

QUMPUS, INC., d/b/a Better World Books SALES AGREEMENT TERMS and CONDITIONS

and their respective successors, legal representatives, and permitted assigns.

9.4 The failure of either Party to enforce any part of this Agreement or the failure of either Party to declare a default shall apply only to that particular instance and shall not operate as the Party's continuing waiver or estoppel barring enforcement of any term or provision herein.

9.5 This Agreement shall be governed by and constructed in accordance with the internal laws of the State of Georgia without regard to the application of conflicts of laws principles.

9.6 Neither Party is nor shall be a partner, joint venturer, agent or representative of the other Party solely by virtue of this Agreement. Neither Party has the right, power or authority to enter into any contract or incur any obligation, debt or liability on behalf of the other Party.

9.7 No Party shall be liable for any delay or failure in its performance of any of the acts required by this Agreement when such delay or failure arises for reasons beyond the reasonable control of such Party. The Party so affected, however, shall use its best efforts to avoid or remove such causes of nonperformance and to complete performance of the act delayed, whenever such causes are removed.

9.8 To facilitate execution, this Agreement may be executed pursuant to the process set forth in the Electronic Signatures in Global and National Commerce Act (15 U.S.C. §7001 et seq.) or in as many counterparts as may be required to reflect all Parties' assent. All counterparts will collectively constitute a single agreement.

9.9 **Representation of Authority.** Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each individual represents and warrants that such individual is duly authorized and empowered to enter into this Agreement on behalf of the respective below-listed Party and to bind such Party hereto.

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
Celebrating 60 Years!

- CITY COUNCIL -

JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

July 25, 2018

Honorable City Council Members
14400 Dix-Toledo Rd.
Southgate, Michigan 48195

Re: Bid Waiver for the Purchase of Two Pick-up Trucks – Water Department

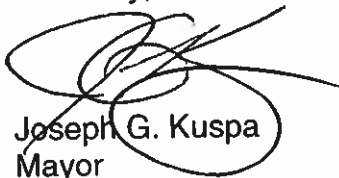
Ladies and Gentleman:

The Administration concurs with the DPS Directors recommendation to waive the bid procedure for the purchase of two pick-up trucks for the Water Department and award the purchase to Southgate Ford. Southgate Ford has agreed to match the State Bid pricing in the amount of \$24,934.00. The total amount is \$49,868.00 for this bid.

Adequate funds are available in the 2018/2019 Water Department Budget for this purchase.

Your favorable consideration of this bid recommendation is greatly appreciated.

Sincerely,

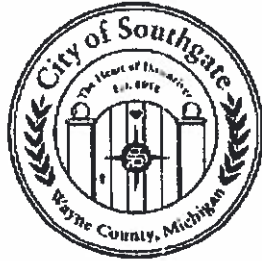


Joseph G. Kuspa
Mayor

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
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JOHN GRAZIANI
Council President

MARK FARRAH

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BILL COLOVOS


DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: David Angileri, Assistant City Administrator/Finance Director 

DATE: July 25, 2018

RE: Recommendation for Purchase of Two Pick-up Trucks for the Water Department State Bid.

I have reviewed the above with the DPS Director and concur with his recommendation to award this bid to Southgate Ford (they have agreed to match the State Bid) in the amount of \$24,934.00 for the each F-150. The total amount of the bid is \$49,868.00.

Adequate funds are budgeted and available in the Water Department for this purchase. The Funds for this purchase are available in the 2018/2019 Budget.

Acct: 591-000-142-0000: Water & Sewer-Vehicles




City of Southgate

DEPARTMENT OF PUBLIC SERVICES

14719 Schafer Court • Southgate, Michigan 48195
Ph: (734) 258-3079 • Fax: (734) 246-1333

Memorandum

To: The Honorable Mayor and Members of City Council
From: Robert Tarabula, DPS Director 
Date: July 25, 2018
Re: Request for Waiver of Bid – Trucks

The Water Department is need of replacing 2 aging utility pick-up truck. Adequate funding has be set aside by the Finance Director for this purpose.

Southgate Ford has agreed to match the State of Michigan bid for F-150 utility pick-up trucks. The following price includes standard manufacture equipment, options requested by the State contract (#LDT-0081A), and options requested by the City. The cost for each F-150 is \$24,934.00. These trucks will replace current trucks in the Water Department fleet which in turn will be passed on to other departments.

I recommend that the purchase of two pick-up trucks be awarded to Southgate Ford, 16501 Fort St., Southgate, MI 48195 for the amount of \$49,868.00. I respectfully request this item be placed on the City Council's agenda for purposes of a waiver of bid request and purchase approval.

If you have any questions, please contact me. I would appreciate your favorable consideration of this request.

Enclosure

RT/sb

SOUTHGATE FORD

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16501 Fort SL • Southgate, MI 48105
Phone 734-282-3636 • Fax 734-282-1770
southgateford.com



July 12, 2018

City of Southgate
Attention: Fleet Supervisor John Iamucci

Dear John,

The following bid (with attachment) reflects the State Bid Awards for:

2018 Ford F-150 Super Cab 4x2 (State reference # LDT-0081A).

Your price = \$24,934.00 with the following breakdown:

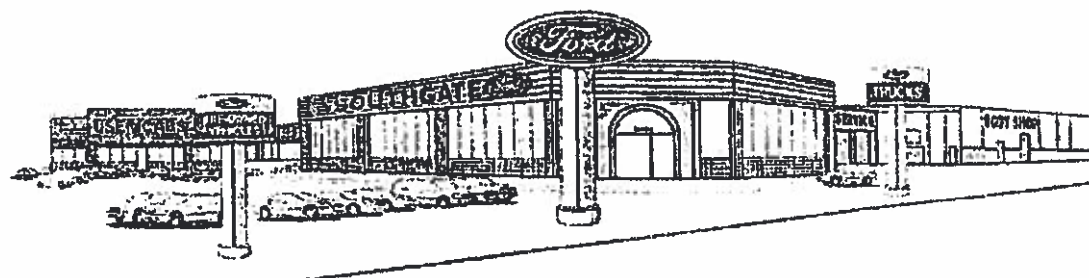
State Bid award = \$20,935.00
2018 Price Increase = \$525.00
City of Southgate Upgrades = \$2110.00
Government Price Concession Reduction = \$1349.00
Title Fee = \$15.00

Delivery may be expected within 8-12 weeks.

Sincerely yours,

Don Daniel

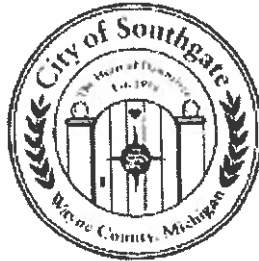
Sales Fleet Specialist
Southgate Ford
734-324-9808



JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
Celebrating 60 Years!

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JOHN CRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

July 25, 2018

Honorable City Council Members
14400 Dix-Toledo Rd.
Southgate, Michigan 48195

Re: Bid Waiver for the Purchase of an F-250 Pick-up Truck – Water Department

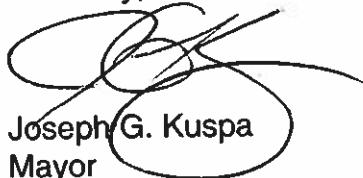
Ladies and Gentleman:

The Administration concurs with the DPS Directors recommendation to waive the bid procedure for the purchase of an F-250 pick-up truck for the Water Department and award the purchase to Southgate Ford. Southgate Ford has agreed to match the State Bid pricing in the amount of \$29,555.00.

Adequate funds are available in the 2018/2019 Water Department Budget for this purchase.

Your favorable consideration of this bid recommendation is greatly appreciated.

Sincerely,



Joseph G. Kuspa
Mayor

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
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JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS


DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: David Angileri, Assistant City Administrator/Finance Director 

DATE: July 25, 2018

RE: Recommendation for Purchase of an F-250 Pick-up for the Water Department State Bid.

I have reviewed the above with the DPS Director and concur with his recommendation to award this bid to Southgate Ford (they have agreed to match the State Bid) in the amount of \$29,555.00 for the F-250.

Adequate funds are budgeted and available in the Water Department for this purchase. The Funds for this purchase are available in the 2018/2019 Budget.

Acct: 591-000-142-0000: Water & Sewer-Vehicles




City of Southgate

DEPARTMENT OF PUBLIC SERVICES

14719 Schafer Court • Southgate, Michigan 48195
Ph: (734) 258-3079 • Fax: (734) 246-1333

Memorandum

To: The Honorable Mayor and Members of City Council
From: Robert Tarabula, DPS Director 
Date: July 25, 2018
Re: Request for Waiver of Bid – Truck

The Water Department is need of replacing 1 aging utility pick-up truck. Adequate funding has be set aside by the Finance Director for this purpose.

Southgate Ford has agreed to match the State of Michigan bid for F-250 utility pick-up truck. The following price includes standard manufacture equipment, options requested by the State contract (#4WDL-0076), and options requested by the City. The cost for the F-250 is \$29,555.00. This truck will replace a current truck in the Water Department fleet which in turn will be passed on to other departments.

I recommend that the purchase of one pick-up truck be awarded to Southgate Ford, 16501 Fort St., Southgate, MI 48195 for the amount of \$29,555.00. I respectfully request this item be placed on the City Council's agenda for purposes of a waiver of bid request and purchase approval.

If you have any questions, please contact me. I would appreciate your favorable consideration of this request.

Enclosure

RT/sb

SOUTHGATE FORD

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Phone 734-282-3636 • Fax 734-282-1770
southgateford.com



July 12, 2018

City of Southgate
Attention: Fleet Supervisor John Iannucci

Dear John,

The following bid (with attachment) reflects the State Bid Award for:

2019 Ford Super Duty F-250 Super Cab 4x4 (State reference # 4W1DL-0076).

Your price = ~~\$28,850.00~~ ²² with the following breakdown:

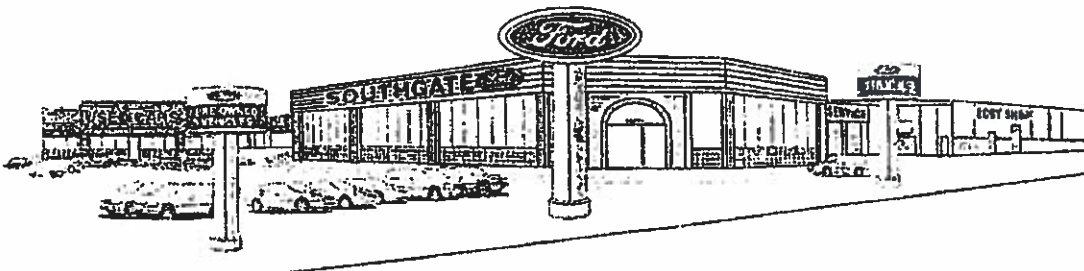
~~\$29,555.00~~
State Bid award = \$25,969.00
2018 Price Increase = \$260.00
2019 Price Increase = \$460.00
City of Southgate Upgrades = ~~\$1625.00~~ ^{*2340.00 22}
Government Price Concession Reduction = \$511.00
Title Fee = \$15.00

Delivery may be expected within 8-12 weeks.

Sincerely yours,

Don Daniel

Sales/Fleet Specialist
Southgate Ford
734-324-9808



JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
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JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

July 25, 2018

To the Honorable
City Council
Southgate, Michigan 48195

Re: Purchase of a Transit Van (Water/Sewer)

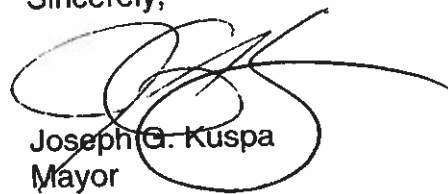
Ladies and Gentlemen:

It is recommended by DPS Director and I concur, that a Transit Van be purchased through Southgate Ford, Southgate, Michigan. Southgate Ford will match the State Bid in the amount of \$24,833.00.

Sufficient funds are available in the Water & Sewer Department – Capital Outlay – Machinery & Equipment Account to cover costs associated with this purchase.

Your favorable consideration of this matter is requested.

Sincerely,



Joseph G. Kuspa
Mayor

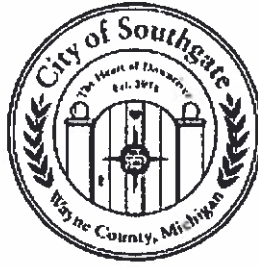
JGK/law

page 24

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



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JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS


DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: David Angileri, Assistant City Administrator/Finance Director 

DATE: July 25, 2018

RE: Recommendation for Purchase of a Transit Van in the Water & Sewer

I have reviewed the above with the DPS Director and concur with his recommendation to award this bid to Southgate Ford, Southgate, MI. Southgate Ford will match the State Bid in the amount of \$24,833.00.

Adequate funds were budgeted and are available in the Water & Sewer Department – Capital Outlay-Machinery & Equipment Account for this purchase.




City of Southgate

DEPARTMENT OF PUBLIC SERVICES

14719 Schafer Court • Southgate, Michigan 48195
Ph: (734) 258-3079 • Fax: (734) 246-1333

Memorandum

To: The Honorable Mayor and Members of City Council

From: Robert Tarabula, DPS Director 

Date: July 25, 2018

Re: Request for Waiver of Bid – Transit Connect Wagon

The Water Department is need of replacing 1 aging utility van. Adequate funding has be set aside by the Finance Director for this purpose.

Southgate Ford has agreed to match the State of Michigan bid for the Transit Connect Wagon utility van. The following price includes standard manufacture equipment, options requested by the State contract (#VAN-0127), and options requested by the City. The cost for the Transit Connect Wagon is \$24,833.00. This van will replace a current van in the Water Department fleet which in turn will be passed on to other departments.

I recommend that the purchase of one Transit Connect Wagon be awarded to Southgate Ford, 16501 Fort St., Southgate, MI 48195 for the amount of \$24,833.00 I respectfully request this item be placed on the City Council's agenda for purposes of a waiver of bid request and purchase approval.

If you have any questions, please contact me. I would appreciate your favorable consideration of this request.

Enclosure

RT/sb

SOUTHGATE FORD

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Phone 734-282-3636 • Fax 734-282-1770
southgateford.com

Ford



July 12, 2018

City of Southgate
Attention: Fleet Supervisor John Iannucci

Dear John,

The following bid (with attachment) reflects the State Bid Award for:

2019 Transit Connect Wagon (State reference # VAN-0127).

Your price = \$24,833.00 with the following breakdown:

State Bid award = \$21,998
2019 Price Increase = \$1020.00
City of Southgate Upgrades = \$1635.00
Government Price Concession Reduction = \$165.00
Title Fee = \$15.00

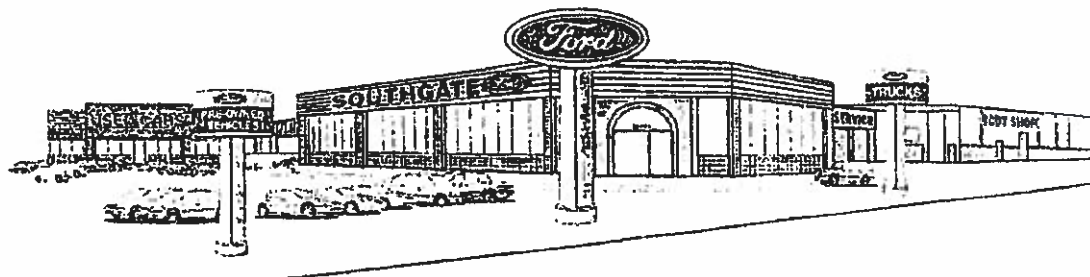
Delivery may be expected within 5-7 months

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Don Daniel".

Don Daniel

Sales Fleet Specialist
Southgate Ford
734-324-9808



JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
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JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

July 24, 2018

To The Honorable
Southgate City Council
Southgate, Michigan 48195

Re: Appointments to Boards/Commissions

Ladies and Gentlemen:

Please be advised I have made the following appointments:

Ethics Board – for a term expiring December 2023

Billy Walker Sr. 16100 Kennebec

Ethics Board – for a term expiring December 2022

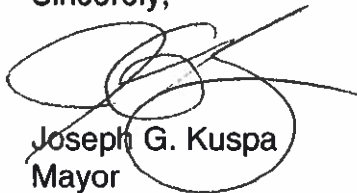
Karen Labeau 13445 Westminster

Ethics Board – for a term expiring December 2021

Salvatore DiPasquale 13426 Mulberry

Your concurrence on these appointments is greatly appreciated.

Sincerely,



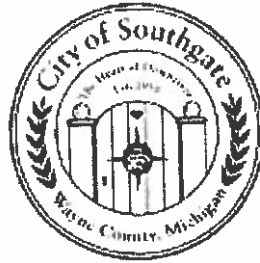
Joseph G. Kuspa
Mayor

Cc: Janice Ferencz, City Clerk

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
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JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

July 23, 2018

To The Honorable
Southgate City Council
Southgate, Michigan 48195

Re: Appointments to Boards/Commissions

Ladies and Gentlemen:

Please be advised I have made the following appointments:

Compensation Commission – for a term expiring December 2023

Bob Zaleski 16692 Club Dr.

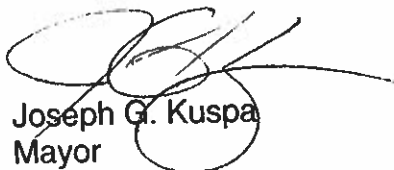
This appointment will fill the vacancy created by the resignation of Chuck Dunn.

Compensation Commission – for a term expiring December 2022

Patty Snyder 16663 Club Dr.

Your concurrence on these appointments is greatly appreciated.

Sincerely,



Joseph G. Kuspa
Mayor

Cc: Janice Ferencz, City Clerk

JGK/law

page 29

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate

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- CITY COUNCIL -

JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: July 27, 2018

Re: First Reading of Zoning Ordinance Amendment to conditional rezone property located at 13333 Eureka Rd. (Old Kroger's property) from C-2 (General Business District) to M-1 (Community Business)

The Planning Commission recommends to City Council an amendment to the City of Southgate Zoning Map at its July 9th meeting the following:

The applicant (DealPoint Merrill, LLC) is requesting to conditional rezoning of the property located at 13333 Eureka Rd. to M-1 Light Industrial Research in order to convert the existing facility (previously Kroger) into a climate controlled self-storage facility within the existing building. Additionally, the vacant parcel to the west of the facility will be used for the construction of mini-storage units enclosed by an 8ft wall. Storage facilities are not a permitted under the current C-2, General Business zoning designation, thus the proposal for conditional rezoning.

In your packets is a copy of the Affidavit of Publication in the News-Herald Newspaper, a copy of the Planning Commission minutes, a copy of the City Planner's Memo to the Planning Commission, and the subsequent action by the Commission to recommend the amendment to the City Council.

I look forward to addressing Council's questions and comments. Your favorable consideration would be greatly appreciated.

Dustin Lent, City Administration

AFFIDAVIT OF PUBLICATION

2125 Butterfield Dr, Suite 102N • Troy MI 48084

City of Southgate
14400 DIX TOLEDO RD

SOUTHGATE, MI 48195-2598
Attention: MICHELLE GENDRON

STATE OF MICHIGAN,
COUNTY OF WAYNE

The undersigned Justin Denemy, being duly sworn the
he/she is the principal clerk of The News-Herald, thenewsherald.com, thenewsherald.
com2, published in the English language for the dissemination of local or transmitted
news and intelligence of a general character, which are duly qualified newspapers, and
the annexed hereto is a copy of certain order, notice, publication or advertisement of:

City of Southgate

Published in the following edition(s):

The News-Herald	06/24/18
thenewsherald.com	06/24/18
thenewsherald.com2	06/24/18



Sworn to the subscribed before me this 29th June 2018.

Tina M. Crown

Notary Public, State of Michigan
Acting in Oakland County

Advertisement Information

Client Id: 640703

Ad Id: 1609994

PO:

Sales Person: 200301

CITY OF SOUTHGATE NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that there will be a Public Hearing conducted by the Southgate Planning Commission on Monday, July 9, 2018 at 7:30 P.M. in the Municipal Council Chambers, 14400 Dix Toledo Highway, Southgate, Michigan.

The Purpose of said hearing shall be to consider:

1. Redwood USA, LLC request for Conditional Use/Site Plan Approval to construct apartment style condo at 11601 Allen Rd.
2. Rezoning of property at 14005 Allen Rd. from R-1B (Single-family Residence) to C-1 (Community Business) as requested by Superior Allen, LLC.
3. Conditional rezoning of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site plan approval for establishing a storage facility located at 13333 Eureka.

A copy of the proposed plan is available for public inspection in the Building Department at City Hall during regular business hours.

You may appear at the above-designated hearing to voice your objections or support. Any written comments should be filed in the Building Department twenty-four hours prior to the time set for said hearing.

The City of Southgate will provide auxiliary aids and services to individuals with disabilities at the meeting upon advanced notice to the City of Southgate by writing or calling The Building Department, 14400 Dix-Toledo Highway, Southgate, Michigan, 48195, and (734) 258-3027.

Janice Ferencz, City Clerk
Southgate, Michigan

Published June 24, 2018

City of Southgate
Planning Commission Meeting
July 9, 2018

This meeting of the Planning Commission was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, July 9, 2018 and called to order by Chairman Joseph Charney, at 7:30 p.m.

PRESENT: Anna Renaud, Barbara Biskner, Patricia Anderson, Jay Cashmer, Joseph Charney, Ed Gawlick, Chad Godbout, Robin Craig

ABSENT: Marie Henegar (excused)

ALSO PRESENT: Plan Consultant John Enos, Building Inspections Director Bob Casanova, City Engineer, Mark Gaworecki

Agenda:

Moved by Gawlik, supported by Anderson, to accept the Agenda as submitted. MOTION APPROVED UNANIMOUSLY.

Minutes:

The first order of business is approval of the minutes from the May 14, 2018 Planning Commission meeting.

Moved by Anderson, supported by Cashmer, that the minutes of the Planning Commission Meeting dated May 14, 2018 be approved. MOTION APPROVED UNANIMOUSLY.

Persons and/or Petitioners:

1. Redwood USA, LLC request for Conditional Use/Site Plan Approval to construct condo style apartments at 11601 Allen Rd. (PC008-2018)
2. Superior Allen, LLC request for Rezoning of Property at 14005 Allen Rd. from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018)
3. Dealpoint Merrill, LLC request for Conditional rezoning request of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. (PC009-2018)

Public Hearings:

1. Redwood USA, LLC request for Conditional Use/Site Plan Approval to construct condo style apartments at 11601 Allen Rd. (PC008-2018)

Moved by Anderson, supported by Cashmer, to open the Public Hearing for Conditional Use/Site Plan Approval to construct condo style apartments at 11601 Allen Rd. MOTION APPROVED UNANIMOUSLY.

The applicant (Redwood LLC) recently received approval to rezone an approximately twenty-five (25) acre parcel located at the northeast corner of Allen and Brest Road to build a single story apartment neighborhood consisting of approximately one hundred and seventy three (173) units within thirty-three (33) buildings. Based on similar projects this national company has developed, the units have two car garages and are well designed for empty nesters, single people and seniors. In addition, sidewalks, significant landscaping, quality architecture and a dog park make for an excellent development. Apartments are a principal permitted use in the RM District. The site is vacant and level and all infrastructure is available once development commences.

We recommend approval of the site plan conditional use. This is an excellent project.

The applicant stated they are very excited about this project and it was a pleasure working with all City officials.

A resident was interested in the cost per month on these apartments.

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

Moved by Renaud, supported by Cashmer, to approve a Special Conditional Use/Site Plan Approval for Redwood USA, LLC, 7510 E. Pleasant Valley Road, Independence, Ohio 44131, to construct condo style apartments at 11601 Allen Road. (PC008-2018) MOTION APPROVED UNANIMOUSLY.

2. Superior Allen, LLC request for Rezoning of Property at 14005 Allen Rd. from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018)

Moved by Anderson, supported by Gawlik, to open the Public Hearing for Rezoning of property at 14005 Allen Rd. from R-1B (Single Family Residence) to C-1 (Community Business). MOTION APPROVED UNANIMOUSLY.

The applicant is requesting a rezoning of the property from R-1B: One Family Residential to C-1: Community Business. The subject site consists of three vacant parcels, totaling 1 acre, at the southeast corner of Allen Road and Superior Street. The subject site is located 1/8 mile south of I-75 and 1/2 mile north of Eureka Road. *The applicant has proposed as a condition that they will construct an approximately 3,000 sq. ft. building for retail, office or restaurant uses including a drive-thru on the subject property.* A conceptual site plan has been included with the rezoning application but will require a formal submittal to the planning commission for review.

We recommend approval of the rezoning from R-1B to C-1. The findings regarding the proposed rezoning are summarized as follows:

1. The land uses surrounding the subject property are all residential, with the exception of the commercial property at the northeast corner of Allen Rd. and Superior St. Most property adjacent Allen Rd. and north of Superior St. are used for commercial purposes, while the majority of the property south of Superior St. are used for Residential purposes.
2. The proposed rezoning is not in conformance with the Future Land Use Plan. However, the proposed rezoning is a compatible buffer between intense commercial uses and residential dwellings and is consistent with the goals and objectives set forth in the Master Plan.
3. The adequacy of existing public facilities for future uses will be evaluated by the City Engineer.

The applicant stated they would like to rezone the property from R-1B to C-1 and construct a masonry building with a drive thru.

A resident living on Flanders was present and opposed to this request with concerns that this development will cause more congestion and noise concerns. There are several vacant spaces in the city where this project could be located.

Moved by Anderson, supported by Gawlik, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Renaud, supported by Cashmer, to recommend City Council approve a Rezoning of property at 14005 Allen Rd. by Superior Allen, LLC, from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018) MOTION APPROVED UNANIMOUSLY.

3. Dealpoint Merrill, LLC request for Conditional rezoning request of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. (PC009-2018)

Moved by Cashmer, supported by Anderson, to open the Public Hearing for Rezoning of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. MOTION APPROVED UNANIMOUSLY.

The applicant is requesting a conditional rezoning of the property located at 13333 Eureka Road to M-1, Light Industrial Research in order to convert the existing facility (previously a Kroger) into a climate controlled self-storage facility within the existing building. Additionally, the vacant parcel to the west of the existing facility will be used for the construction of mini-storage units as well as additional parking. The Dunham's Sporting Goods at the east end of the subject site will remain attached.

The applicant stated CubeSmart (NYSE: CUBE) is a self-administered and self-managed real estate company focused on the ownership, operation, acquisition and development of self-storage facilities in the United States. Their self-storage facilities are designed to offer affordable, easily accessible storage space for residential and commercial customers. The use proposed will be inside climate

controlled units within the former Kroger store and outside storage units surrounded by a decorative masonry wall. In addition, office and mailing services will be offered within the building.

They have been working on this project for a year with City Officials and are very excited to bring this to the City.

A resident was present with concerns regarding additional traffic and too close to residential.

Moved by Anderson, supported by Gawlik, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Anderson, supported by Cashmer, to recommend City Council approve a Rezoning of property at 13333 Eureka by Dealpoint Merrill, LLC, from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. (PC009-2018) MOTION APPROVED UNANIMOUSLY.

Officials' Reports: None

Correspondence: None

Old Business: None

New Business:

Carlisle Wortman Associates, Inc. Revised Contract.

Moved by Anderson, supported by Cashmer, that the Planning Commission recommends to City Council to amend Carlisle Wortman Associates yearly contract to increase the monthly retainer to \$1,200, inclusive of all additional hours. MOTION APPROVED UNANIMOUSLY.

Adjournment:

Moved by Cashmer, supported by Gawlik, that this meeting of the Planning Commission be adjourned at 8:27 p.m. MOTION APPROVED UNANIMOUSLY.

Joseph Charney
Chairman, Planning Commission
as



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

CONDITIONAL REZONING ANALYSIS
City of Southgate

Applicant:	DealPoint Merrill, LLC
Property Address:	13333 Eureka Road
Current Zoning:	C-2, General Business District
Action Requested:	Conditional rezoning of the subject property to M-1, Light Industrial Research
Required Information:	The required information for a conditional rezoning request has been provided.

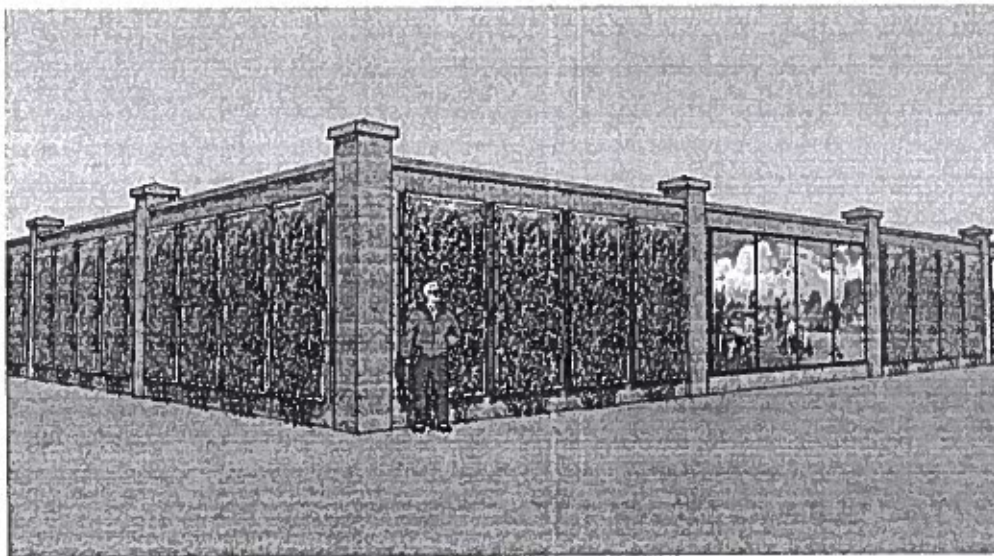
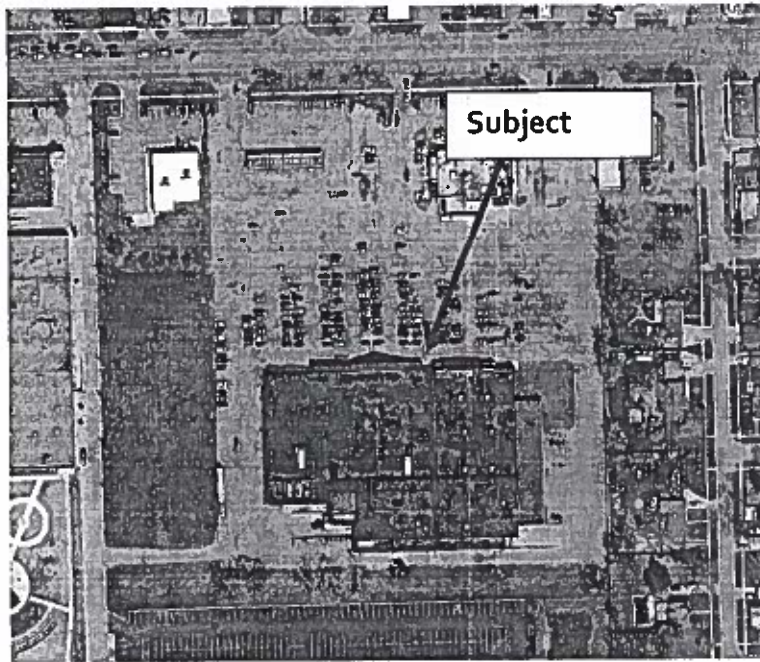
DESCRIPTION

The applicant is requesting a conditional rezoning of the property located at 13333 Eureka Road to M-1, Light Industrial Research in order to convert the existing facility (previously a Kroger) into a climate controlled self-storage facility within the existing building. Additionally, the vacant parcel to the west of the existing facility will be used for the construction of mini-storage units as well as additional parking. The Dunham's Sporting Goods at the east end of the subject site will remain attached.

CubeSmart (NYSE: CUBE) is a self-administered and self-managed real estate company focused on the ownership, operation, acquisition and development of self-storage facilities in the United States. Their self-storage facilities are designed to offer affordable, easily accessible storage space for residential and commercial customers. The use proposed will be inside climate controlled units within the former Kroger store and outside storage units surrounded by a decorative masonry wall. In addition, office and mailing services will be offered within the building.

Storage facilities are not permitted under the current C-2, General Business zoning designation, thus the proposal for conditional rezoning. The mini storage units would be constructed in phases and will be completed within 5 years of the applicant obtaining a certificate of occupancy for the existing building. In addition, a decorative masonry wall with a trellis will be constructed around the proposed mini-storage units along with improved landscaping.

Figure 1. Aerial Photograph of Subject Site



Example of "green" wall with trellis system and murals. Note that only the western wall will be designed in this fashion. This will compliment and mirror the natural Market Center Park area.

CONDITIONAL ZONING PROCEDURE

Section 1298.037 outlines the standards and procedures for conditional rezoning requests. Generally, the procedure for processing conditional rezoning requests is similar to a normal rezoning request. However, under this type of zoning, conditions may be imposed on the rezoning request ***if voluntarily offered by the applicant***. A public hearing is required to be held by the Planning Commission before making a recommendation on the proposed rezoning. Following a recommendation by the Planning Commission the City Council will make a final determination on the conditional rezoning.

Following a public hearing, the Planning Commission will deliberate on the merits of the conditional rezoning and then make a recommendation to the City Council regarding the proposed conditional rezoning.

VOLUNTARILY IMPOSED CONDITIONS

The applicant has submitted a list of conditions associated with the proposed rezoning to the M-1, Light Industrial and Research zoning classification. Below are the conditions proposed for the conditional rezoning.

1. Applicants proposed use of the property and existing building will be limited to inside climate controlled storage, mini-storage and all ancillary and related business operations. The existing building will not be expanded without prior approval and the mini-storage units will be constructed in the vacant areas of the Property as identified on the Site Plan and shall be subject to the City's requirement for access and parking. The mini-storage units may be constructed in phases and will be completed within five (5) years of the Applicant obtaining a certificate of occupancy from the City of Southgate for the existing building. ***The Applicant shall have the entire masonry wall complete prior to any outdoor storage units being installed.***
2. All uses and operations will be conducted within the enclosed existing building or within the mini-storage units constructed. There shall be no outside storage utilized on the Property. There shall be no noise, odors, or light emanating from the existing building or mini storage units which adversely affect adjacent property owners or users. All lighting and signage uses shall be as permitting by ordinance as determined by the City of Southgate Building Official.
3. The Property will be landscaped and fenced (**walled**). Security cameras and a building alarm system will be installed in a manner that is deemed appropriate by the Applicant.
4. A decorative masonry wall will be constructed around the proposed mini-storage units, as indicated on the Site Plan and Elevations showing a split face block wall with a trellis system. A removable mural system may also be coordinated with and supplied by the City. ***The trellis and murals need only be installed along the western wall. In addition the Applicant shall work with the City on renting a corner unit with nearby access to Market Center Park for storage of festival and other maintenance equipment.***

5. The Property will be cleared, cleaned and the existing buildings will be repaired and improved to remove all current blighted conditions. The roof will be repaired and all mechanical systems will be refurbished and brought up to code. The existing building will be accessible for the business intended.
6. All other applicable City Ordinances not otherwise modified by this filing shall apply.
7. The Applicant shall work with the City to provide parking area one weekend a year in coordination with festival subject to insurance and other legal issues.
8. If at any time the proposed use of the Property as defined herein is discontinued by the Applicant for a period in excess of one continuous year, the Property shall revert to the current C-2 zoning classification.

Items to be addressed: *The applicant is proposing a number of conditions for the proposed conditional rezoning.*

The applicant has proposed for the mini storage units to be constructed within 5 years, which is a significantly long period after a site plan approval. We would agree that once any construction begins, indoor or outdoor, the one year site plan requirement to begin construction is no longer valid.

NEIGHBORING ZONING, LAND USE AND MASTER PLAN

Adjacent zoning, land uses and Master Plan designations are summarized in the chart below:

Adjacent Properties			
	Existing Use	Zoning	Master Plan
Subject Site	Vacant	C-2, General Business	Mixed Use
North	Commercial	C-2, General Business	Mixed Use
East	Commercial (Adjacent Eureka Rd.)	C-2, General Business (Adjacent Eureka Rd.)	Mixed Use (Adjacent Eureka Rd.)
	Single Family Residential (Adjacent Howard St.)	R-1, One Family Residential (Adjacent Howard St.)	Single Family Residential D (Adjacent Howard St.)
West	Commercial./ Market Center Park	C-2, General Business	Mixed Use
South	Parking Lot	C-2, General Business	Mixed Use

The Master Plan designates the subject property, as well as all other properties adjacent to Eureka Road, as Mixed Use. The Eureka corridor features a wide variety of land uses including single-family homes, offices, local and general commercial businesses, shopping centers, and semi-public uses. Generally, the land uses within the corridor complement each other, and therefore, the Future Land Use Plan envisions

that the corridor maintain its mix of land uses. Goal 4 of the City of Southgate Master Plan is to *maintain the existing commercial base and encourage commercial development that satisfies local market needs and provides a positive contribution to the local tax base*. The proposed rezoning would allow for a vacant Kroger to be redeveloped into a productive use adding to the community's tax base, and improving the overall aesthetics of the area.

Additionally, the subject property is within the Market Center District. This is an area which is intended to create a commercial core by encouraging a variety of commercial uses. The redevelopment of the current vacant structure will add density to the district as well as beautify the property with the landscape requirements set forth in the imposed conditions.

Summary of Findings: *The proposed rezoning from C-2 to M-1 is in conformance with the City of Southgate Master Plan future land use map, as it would be part of the Eureka mixed use corridor. The proposed redevelopment is consistent with goal 4 of the Master Plan in that the redevelopment will encourage commercial development that satisfies local market needs and provides a positive contribution to the local tax base. Additionally, the proposed rezoning would allow for a denser and more aesthetically pleasing Market Center District.*

ANALYSIS OF EXISTING ZONING

The intent of the C-2, General Business district is to *provide sites for more intense, thoroughfare-oriented business types which would often be incompatible with the more restricted retail commercial uses in the C-1, Community Business District*. The C-2, General Business district does not allow storage facilities as a permitted or special land use; therefore, the applicant has applied for the conditional rezoning of the subject property to M-1.

As stated previously, the rezoning would allow for a vacant Kroger to be redeveloped into a productive use adding to the community's tax base and improving the overall aesthetics of the area.

Summary of Findings: *The existing C-2 zoning does not accommodate storage facilities. However, as a conditional rezoning uses such as the proposed storage facility can be considered.*

INTENT OF PROPOSED ZONING / PERMITTED USES

The intent of the M-1, Light Industrial-Research District is to *accommodate certain light industrial, technical research and product development facilities. All such uses permitted in the District are intended to be compatible with one another. Since limited industrial zoned land is available for industrial use in the City of Southgate, it is the City's intent to carefully conserve the land for light industrial and research oriented uses only*.

The only use of the property allowed under the M-1 zoning classification would be the storage facility use as provided. Proposed parking and setbacks on the subject meet requirements. Based on similar uses very few parking spaces are required for a self-storage use. The applicant should discuss future uses for this large parking lot.

Summary of Findings: *1.) The intent of the M-1, Light Industrial-Research district is to provide for light manufacturing and research uses within the limited areas zoned for such uses. The proposed use does not*

include light manufacturing and research processes. Further, the conditions voluntarily imposed will restrict the use of the property to the storage facility use. 2.) Clarify future of large expanse of parking.

TRAFFIC IMPACT AND SITE ACCESS

Use of the site as a storage facility will be a reduction in the traffic volumes that entered and exited the property as a Kroger. The Planning Commission will need to determine whether the proposed zoning would severely impact or create an unreasonable burden on traffic conditions. Eureka Road is a high traffic volume thoroughfare, and the site will be accessed from the existing curb cuts along the corridor as well as the existing curb cut along Trenton Road.

Summary of Findings: The proposed storage facility will not increase traffic volume compared to the present retail uses allowed under the C-2 zoning category.

ESSENTIAL FACILITIES AND SERVICES

The sufficiency of the existing public services available to the parcel will be evaluated by the City Engineer. We do have some concern that no existing water or sewer lines will be covered by storage units or the masonry wall.

Summary of Findings: The adequacy of existing public facilities will be evaluated by the City Engineer.

SUMMARY OF FINDINGS

We recommend **approval** of the conditional rezoning and site plan. The findings regarding the proposed rezoning are summarized as follows:

1. The land uses surrounding the site are primarily commercial, including most properties adjacent to Eureka Road.
2. The proposed rezoning from C-2 to M-1 is in conformance with the City of Southgate Master Plan future land use map, as it would be part of the Eureka mixed use corridor. The proposed redevelopment is consistent with goal 4 of the Master Plan in that the redevelopment will encourage commercial development that satisfies local market needs and provides a positive contribution to the local tax base.
3. The design and planned masonry wall with plantings and mural space should complement the site. In addition, the applicant is proposing to improve the western boundary area of the site. This includes landscaping and a pathway system.
4. The redevelopment of the current vacant structure will add density to the district as well as beautify the property with the landscape requirements set forth in the imposed conditions.
5. The existing C-2 zoning does not accommodate storage facilities. However, as a conditional rezoning uses such as the proposed storage facility can be considered.

6. The intent of the M-1, Light Industrial-Research district is to provide for light manufacturing and research uses within the limited areas zoned for such uses. The proposed use does not include light manufacturing and research processes. Further, the conditions voluntarily imposed will restrict the use of the property to the storage facility use.
7. The proposed storage facility will likely not increase traffic volume compared to the present retail uses allowed under the C-2 zoning category.

In addition to the comments noted in this analysis the following items shall be addressed to the satisfaction of the Planning Commission prior to site plan approval:

1. Construct screen wall prior to any outdoor mini-storage being installed.
2. Install trellis (green wall) only on the west side of the masonry wall. This includes working with the City on locations for temporary murals.
3. Install paved pathway system along western and northern boundary. Work with City on connection to Eureka.
4. Security lighting will be downward focused.
5. Discuss large expanse of unneeded parking. Discuss additional landscaping or greenspace.
6. Signage shall be submitted to the Southgate Building Department for review and approval.
7. The limited landscaping required shall be reviewed and approved by the City Planner.
8. Review and approval by the City Engineer.

CITY OF SOUTHGATE

PLANNING COMMISSION RESOLUTION

At a meeting of the Southgate Planning Commission called to order by Joseph Charney on July 9, 2018 at 7:30 p.m. the following resolution was offered:

Moved by Anderson, supported by Cashmer, to recommend City Council approve a Conditional Rezoning of property at 13333 Eureka by Dealpoint Merrill, LLC, from C-2 (General Business) to M-1 (Light Industrial) to only a mini storage facility. In addition, Site Plan approval for establishing a storage facility. (PC009-2018) MOTION APPROVED UNANIMOUSLY.

I, Joseph Charney, Chairman of the Southgate Planning Commission, do hereby certify that the foregoing is a true, correct, and complete copy of a resolution adopted by the Southgate Planning Commission at a meeting held on July 9, 2018.

 (mg)
Chairman

cc: Plan Consultant, City Administrator, Building Department, City Council, Clerk, File, Attorneys

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate Celebrating 60 Years!

- CITY COUNCIL -

JOHN GRAZIANI
Council President

MARK FARRAH

KAREN E. GEORGE

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Honorable City Council Members

From: Dustin Lent, City Administrator

Date: July 27, 2018

Re: Second Reading of Zoning Ordinance Amendment to rezone property located at 14005 Allen Rd. (Southeast corner of Allen and Superior Road) from R-1B (Single Family Residence) to C-1 (Community Business)

The Planning Commission recommends to City Council an amendment to the City of Southgate Zoning Map at its July 9th meeting the following:

The applicant (Superior Allen LLC) is requesting to rezone approximately one (1) acre located at the southeast corner of Allen and Superior Road to construct a single story 3,000 sq. ft. building for retail on the property. The site is currently vacant and level and all infrastructure is available once development commences.

In your packets is a copy of the Affidavit of Publication in the News-Herald Newspaper, a copy of the Planning Commission minutes, a copy of the City Planner's Memo to the Planning Commission, and the subsequent action by the Commission to recommend the amendment to the City Council.

I look forward to addressing Council's questions and comments. Your favorable consideration would be greatly appreciated.

Dustin Lent, City Administration

AFFIDAVIT OF PUBLICATION

2125 Butterfield Dr, Suite 102N • Troy MI 48064

City of Southgate
14400 DIX TOLEDO RD

SOUTHGATE, MI 48195-2598
Attention: MICHELLE GENDRON

STATE OF MICHIGAN,
COUNTY OF WAYNE

The undersigned Justin Denemy, being duly sworn the
he/she is the principal clerk of The News-Herald, thenewsherald.com, thenewsherald.
com2, published in the English language for the dissemination of local or transmitted
news and intelligence of a general character, which are duly qualified newspapers, and
the annexed hereto is a copy of certain order, notice, publication or advertisement of:

City of Southgate

Published in the following edition(s):

The News-Herald	06/24/18
thenewsherald.com	06/24/18
thenewsherald.com2	06/24/18



Sworn to the subscribed before me this 29th June 2018.

Tina M. Crown

Notary Public, State of Michigan
Acting in Oakland County

Advertisement Information

Client Id: 640703

Ad Id: 1609994

PO:

Sales Person: 200301

CITY OF SOUTHGATE NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that there will be a Public Hearing
conducted by the Southgate Planning Commission on Monday,
July 9, 2018 at 7:30 P.M. in the Municipal Council Chambers, 14400 Dix
Toledo Highway, Southgate, Michigan.

The Purpose of said hearing shall be to consider:

1. Redwood USA, LLC request for Conditional Use/Site
Plan Approval to construct apartment style condo at
11601 Allen Rd.
2. Rezoning of property at 14005 Allen Rd. from R-1B
(Single-family Residence) to C-1 (Community Business) as
requested by Superior Allen, LLC.
3. Conditional rezoning of property at 13333 Eureka from
C-2 (General Business) to M-1 (Light Industrial). Site plan
approval for establishing a storage facility located at
13333 Eureka.

A copy of the proposed plan is available for public inspection in the
Building Department at City Hall during regular business hours.

You may appear at the above-designated hearing to voice your
objections or support. Any written comments should be filed in the
Building Department twenty-four hours prior to the time set for said
hearing.

The City of Southgate will provide auxiliary aids and services to
individuals with disabilities at the meeting upon advanced notice to
the City of Southgate by writing or calling The Building Department,
14400 Dix-Toledo Highway, Southgate, Michigan, 48195, and
(734) 258-3027.

Janice Ferencz, City Clerk
Southgate, Michigan

Published June 24, 2018

AFFIDAVIT OF PUBLICATION

2125 Butterfield Dr, Suite 102N • Troy MI 48084

City of Southgate
14400 DIX TOLEDO RD

SOUTHGATE, MI 48195-2598
Attention: MICHELLE GENDRON

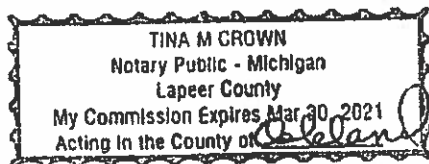
STATE OF MICHIGAN,
COUNTY OF WAYNE

The undersigned Justin Denemy, being duly sworn the he/she is the principal clerk of The News-Herald, thenewsherald.com, thenewsherald.com2, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

City of Southgate

Published in the following edition(s):

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thenewsherald.com	06/24/18
thenewsherald.com2	06/24/18



Sworn to the subscribed before me this 29th June 2018.

Tina M. Crown

Notary Public, State of Michigan
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CITY OF SOUTHGATE NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that there will be a Public Hearing conducted by the Southgate Planning Commission on Monday, July 9, 2018 at 7:30 P.M. in the Municipal Council Chambers, 14400 Dix Toledo Highway, Southgate, Michigan.

The Purpose of said hearing shall be to consider:

1. Redwood USA, LLC request for Conditional Use/Site Plan Approval to construct apartment style condo at 11601 Allen Rd.
2. Rezoning of property at 14005 Allen Rd. from R-1B (Single-family Residence) to C-1 (Community Business) as requested by Superior Allen, LLC.
3. Conditional rezoning of property at 13333 Eureka from C-2 (General Business) to M-1u (Light Industrial). Site plan approval for establishing a storage facility located at 13333 Eureka.

A copy of the proposed plan is available for public inspection in the Building Department at City Hall during regular business hours.

You may appear at the above-designated hearing to voice your objections or support. Any written comments should be filed in the Building Department twenty-four hours prior to the time set for said hearing.

The City of Southgate will provide auxiliary aids and services to individuals with disabilities at the meeting upon advanced notice to the City of Southgate by writing or calling The Building Department, 14400 Dix-Toledo Highway, Southgate, Michigan, 48195, and (734) 258-3027.

Janice Ferencz, City Clerk
Southgate, Michigan

Published June 24, 2018

City of Southgate
Planning Commission Meeting
July 9, 2018

This meeting of the Planning Commission was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, July 9, 2018 and called to order by Chairman Joseph Charney, at 7:30 p.m.

PRESENT: Anna Renaud, Barbara Biskner, Patricia Anderson, Jay Cashmer, Joseph Charney, Ed Gawlick, Chad Godbout, Robin Craig

ABSENT: Marie Henegar (excused)

ALSO PRESENT: Plan Consultant John Enos, Building Inspections Director Bob Casanova, City Engineer, Mark Gaworecki

Agenda:

Moved by Gawlick, supported by Anderson, to accept the Agenda as submitted. MOTION APPROVED UNANIMOUSLY.

Minutes:

The first order of business is approval of the minutes from the May 14, 2018 Planning Commission meeting.

Moved by Anderson, supported by Cashmer, that the minutes of the Planning Commission Meeting dated May 14, 2018 be approved. MOTION APPROVED UNANIMOUSLY.

Persons and/or Petitioners:

1. Redwood USA, LLC request for Conditional Use/Site Plan Approval to construct condo style apartments at 11601 Allen Rd. (PC008-2018)
2. Superior Allen, LLC request for Rezoning of Property at 14005 Allen Rd. from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018)
3. Dealpoint Merrill, LLC request for Conditional rezoning request of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. (PC009-2018)

Public Hearings:

1. Redwood USA, LLC request for Conditional Use/Site Plan Approval to construct condo style apartments at 11601 Allen Rd. (PC008-2018)

Moved by Anderson, supported by Cashmer, to open the Public Hearing for Conditional Use/Site Plan Approval to construct condo style apartments at 11601 Allen Rd. MOTION APPROVED UNANIMOUSLY.

The applicant (Redwood LLC) recently received approval to rezone an approximately twenty-five (25) acre parcel located at the northeast corner of Allen and Brest Road to build a single story apartment neighborhood consisting of approximately one hundred and seventy three (173) units within thirty-three (33) buildings. Based on similar projects this national company has developed, the units have two car garages and are well designed for empty nesters, single people and seniors. In addition, sidewalks, significant landscaping, quality architecture and a dog park make for an excellent development. Apartments are a principal permitted use in the RM District. The site is vacant and level and all infrastructure is available once development commences.

We recommend approval of the site plan conditional use. This is an excellent project.

The applicant stated they are very excited about this project and it was a pleasure working with all City officials.

A resident was interested in the cost per month on these apartments.

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

Moved by Renaud, supported by Cashmer, to approve a Special Conditional Use/Site Plan Approval for Redwood USA, LLC, 7510 E. Pleasant Valley Road, Independence, Ohio 44131, to construct condo style apartments at 11601 Allen Road. (PC008-2018) MOTION APPROVED UNANIMOUSLY.

2. Superior Allen, LLC request for Rezoning of Property at 14005 Allen Rd. from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018)

Moved by Anderson, supported by Gawlik, to open the Public Hearing for Rezoning of property at 14005 Allen Rd. from R-1B (Single Family Residence) to C-1 (Community Business). MOTION APPROVED UNANIMOUSLY.

The applicant is requesting a rezoning of the property from R-1B: One Family Residential to C-1: Community Business. The subject site consists of three vacant parcels, totaling 1 acre, at the southeast corner of Allen Road and Superior Street. The subject site is located 1/8 mile south of I-75 and 1/2 mile north of Eureka Road. *The applicant has proposed as a condition that they will construct an approximately 3,000 sq. ft. building for retail, office or restaurant uses including a drive-thru on the subject property.* A conceptual site plan has been included with the rezoning application but will require a formal submittal to the planning commission for review.

We recommend approval of the rezoning from R-1B to C-1. The findings regarding the proposed rezoning are summarized as follows:

1. The land uses surrounding the subject property are all residential, with the exception of the commercial property at the northeast corner of Allen Rd. and Superior St. Most property adjacent Allen Rd. and north of Superior St. are used for commercial purposes, while the majority of the property south of Superior St. are used for Residential purposes.
2. The proposed rezoning is not in conformance with the Future Land Use Plan. However, the proposed rezoning is a compatible buffer between intense commercial uses and residential dwellings and is consistent with the goals and objectives set forth in the Master Plan.
3. The adequacy of existing public facilities for future uses will be evaluated by the City Engineer.

The applicant stated they would like to rezone the property from R-1B to C-1 and construct a masonry building with a drive thru.

A resident living on Flanders was present and opposed to this request with concerns that this development will cause more congestion and noise concerns. There are several vacant spaces in the city where this project could be located.

Moved by Anderson, supported by Gawlik, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Renaud, supported by Cashmer, to recommend City Council approve a Rezoning of property at 14005 Allen Rd. by Superior Allen, LLC, from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018) MOTION APPROVED UNANIMOUSLY.

3. Dealpoint Merrill, LLC request for Conditional rezoning request of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. (PC009-2018)

Moved by Cashmer, supported by Anderson, to open the Public Hearing for Rezoning of property at 13333 Eureka from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. MOTION APPROVED UNANIMOUSLY.

The applicant is requesting a conditional rezoning of the property located at 13333 Eureka Road to M-1, Light Industrial Research in order to convert the existing facility (previously a Kroger) into a climate controlled self-storage facility within the existing building. Additionally, the vacant parcel to the west of the existing facility will be used for the construction of mini-storage units as well as additional parking. The Dunham's Sporting Goods at the east end of the subject site will remain attached.

The applicant stated CubeSmart (NYSE: CUBE) is a self-administered and self-managed real estate company focused on the ownership, operation, acquisition and development of self-storage facilities in the United States. Their self-storage facilities are designed to offer affordable, easily accessible storage space for residential and commercial customers. The use proposed will be inside climate

controlled units within the former Kroger store and outside storage units surrounded by a decorative masonry wall. In addition, office and mailing services will be offered within the building.

They have been working on this project for a year with City Officials and are very excited to bring this to the City.

A resident was present with concerns regarding additional traffic and too close to residential.

Moved by Anderson, supported by Gawlik, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Anderson, supported by Cashmer, to recommend City Council approve a Rezoning of property at 13333 Eureka by Dealpoint Merrill, LLC, from C-2 (General Business) to M-1 (Light Industrial). Site Plan approval for establishing a storage facility. (PC009-2018) MOTION APPROVED UNANIMOUSLY.

Officials' Reports: None

Correspondence: None

Old Business: None

New Business:

Carlisle Wortman Associates, Inc. Revised Contract.

Moved by Anderson, supported by Cashmer, that the Planning Commission recommends to City Council to amend Carlisle Wortman Associates yearly contract to increase the monthly retainer to \$1,200, inclusive of all additional hours. MOTION APPROVED UNANIMOUSLY.

Adjournment:

Moved by Cashmer, supported by Gawlik, that this meeting of the Planning Commission be adjourned at 8:27 p.m. MOTION APPROVED UNANIMOUSLY.

Joseph Charney
Chairman, Planning Commission
as



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

REZONING ANALYSIS
City of Southgate

Applicant/Owner: Joe Disanto/Joe Pizzo

Property Address: Vacant
PID #: 53015020043000, 53015020042000, 53015020041000

Current Zoning: R-1B One Family Residential

Action Requested: Rezoning of the subject property to C-1 Community Business District

Required Information: The required information for a rezoning request has been provided.

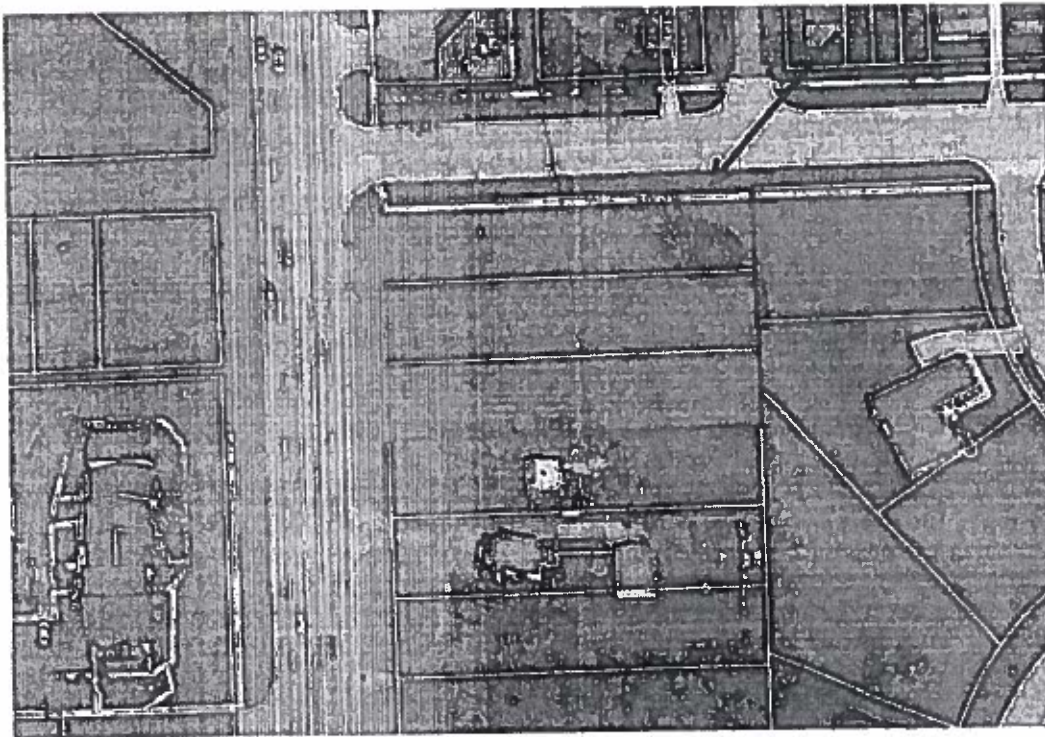
DESCRIPTION

The applicant is requesting a rezoning of the property from R-1B: One Family Residential to C-1: Community Business. The subject site consists of three vacant parcels, totaling 1 acre, at the southeast corner of Allen Road and Superior Street. The subject site is located 1/8 mile south of I-75 and 1/2 mile north of Eureka Road. The applicant proposes to construct a 3,000 sq. ft. building for retail on the subject property. A site plan has been included with rezoning application but will require a formal submittal to the planning commission for review.

Figure 1. Photograph of Subject Site as of 2018



Figure 2. Aerial Photograph of Subject Site



NEIGHBORING ZONING, LAND USE AND MASTER PLAN

Adjacent zoning, land uses and master plan designations are summarized in the chart on the following page:

Adjacent Properties			
	Existing Use	Zoning	Master Plan
Site	Vacant	R-1B One Family Residential	Single-Family Detached
North	Superior Street./ Gas Station	C-3 Thorofare Service (Allen Rd.)/ R-1B One Family Residential (Superior St.)	General Commercial
West	Allen Rd./ Condominiums	Multi-Family (Taylor)	Multi-Family (Taylor)
South	Single Family Detached	R-1B One Family Residential	Single Family Detached
East	Single Family Detached	R-1 One Family Residential	Single Family Detached

The Master Plan designates the subject property, as well as bordering properties to the east and south, as single family residential. However, the majority of properties north of Superior Street, and adjacent to Allen Rd. are designated as commercial or mixed use/commercial.

Summary of Findings: The proposed rezoning from R-1B to C-1 is not in conformance with the City of Southgate Master Plan future land use. However, the rezoning is consistent with the goals and objectives set forth for encouraging commercial development on main road corridors.

ANALYSIS OF EXISTING ZONING

The intent of the C-1, Community business district is to provide a district of land use transition between major thoroughfares or other intense nonresidential uses and single-family residences. The C-1 district serves uses that are compatible with residential neighborhoods. The Planning Commission should consider all potential permitted uses in C-1 districts when considering this request.

Summary of Findings: C-1 zoning would be compatible with the surrounding residential properties, as it would provide a transition to the C-3 and C-2 properties adjacent to Allen Road, north of the subject property.

NATURAL RESOURCES

The subject parcel has been mostly cleared of any vegetation. Existing trees on the site may be able to be worked into the design of a future site.

Summary of Findings: None.

TRAFFIC IMPACT AND SITE ACCESS

There are currently no access points to the subject property. The included plans propose access points at both Superior Street and Allen Road. This will be addressed at site plan review, if developed in the future.

Summary of Findings: None.

ESSENTIAL FACILITIES AND SERVICES

The sufficiency of the existing public services available to the parcel will be evaluated by the City Engineer during site plan review.

Summary of Findings: The adequacy of existing public facilities for future uses will be evaluated by the City Engineer.

SUMMARY OF FINDINGS

We recommend approval of the rezoning from R-1B to C-1. The findings regarding the proposed rezoning are summarized as follows:

1. The land uses surrounding the subject property are all residential, with the exception of the commercial property at the northeast corner of Allen Rd. and Superior St. Most property adjacent Allen Rd. and north of Superior St. are used for commercial purposes, while the majority of the property south of Superior St. are used for Residential purposes.
2. The proposed rezoning is not in conformance with the Future Land Use Plan. However, the proposed rezoning is a compatible buffer between intense commercial uses and residential dwellings and is consistent with the goals and objectives set forth in the Master Plan.
3. The adequacy of existing public facilities for future uses will be evaluated by the City Engineer.

We look forward to discussing this with you at the next available Planning Commission meeting.

CITY OF SOUTHGATE PLANNING COMMISSION RESOLUTION

At a meeting of the Southgate Planning Commission called to order by Joseph Charney on July 9, 2018 at 7:30 p.m. the following resolution was offered:

Moved by Renaud, supported by Cashmer, to recommend City Council approve a Rezoning of property at 14005 Allen Rd. by Superior Allen, LLC, from R-1B (Single Family Residence) to C-1 (Community Business). (PC007-2018) MOTION APPROVED UNANIMOUSLY.

I, Joseph Charney, Chairman of the Southgate Planning Commission, do hereby certify that the foregoing is a true, correct, and complete copy of a resolution adopted by the Southgate Planning Commission at a meeting held on July 9, 2018.


Chairman

cc: Plan Consultant, City Administrator, Building Department, City Council, Clerk, File, Attorneys