

Southgate City Council Agenda

Council Chambers

Wednesday December 16, 2015

6:30pm

Work Study Session

1. Presentations: Information on the Veterans Treatment Court
2. Officials Reports
3. 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 December 2, 2015.
2. Regular City Council Meeting Minutes dated December 2, 2015.

Scheduled Persons in the Audience:

Consideration of Bids:

Scheduled Hearings:

Communications "A" –

1. Memo from Administrator; Re: Conversion Amendment, TF88-196 Kiwanis Park
2. Memo from Administrator; Re: Court Consolidation Study
3. Memo from Administrator; Re: Contract Modification – Grant Forgiveness Program

Page 2
Page 15

Page 35

Communications "B" – (Receive and File)

Ordinances:

1. Memo from Administrator; Re: Second Reading – 1298.17 Exterior Building Wall Materials

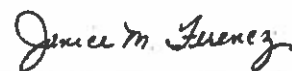
Old Business:

New Business:

Unscheduled Persons in the Audience:

Claims & Accounts: Warrant # 1295 - \$1,121,041.09

Adjournment:



Janice M. Ferencz, City Clerk

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
NORMA J. WURLINGER
MUNICIPAL BUILDING

- CITY COUNCIL -

JOHN GRAZIANI
Council President

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: December 5, 2015
Re: Conversion Amendment; Between the Michigan Natural Resources Trust Fund and the City of Southgate; TF88-196 Kiwanis Park

In 2004 the City entered into a conversion agreement with the Michigan Natural Resources Trust Fund (MNRTF) for properties now known as Kiwanis Park (formerly the Trenton Roadside Park) and the Southgate Fun and Fitness Center (the Southgate YMCA). When a community accepts a MNRTF grant the land is committed (encumbered) to public outdoor recreation land uses in perpetuity. The proposed "Amendment to the Project Agreement Due to the Conversion" TF88-196, Amendment #2 references a change in the land area originally acquired with MNRTF monies for Kiwanis Park.

The attached maps show that the original Kiwanis Park site encumbered 11.41 acres. Later 2.73 acres of that park was sold to Lowe's, triggering what is called a conversion. An MNRTF conversion requires that if there is a reduction in the land area first encumbered, the community must replace the land lost to public outdoor recreation with land of equal or greater market and recreation value.

Southgate proposes adding 1.0 acres abutting Kiwanis Park and 3.2 acres of land surrounding the Southgate Fun and Fitness Center to replace the land area lost in the sale to Lowe's. This land must remain committed to public outdoor recreation (explaining the irregular boundary and exclusion of any buildings or other non-outdoor recreational structures). Once these documents are approved and executed the MNRTF can complete the deeds for both. These properties will then remain public outdoor recreation land uses in perpetuity.

To complete this paperwork City Council's favorable consideration of the Conversion Amendment and authorizing the Mayor to execute all necessary documents would be greatly appreciated.

I will be very happy to answer your questions and address your comments.

Sincerely,

Bryce Kelley, City Administrator



MICHIGAN NATURAL RESOURCES TRUST FUND AMENDMENT TO PROJECT AGREEMENT DUE TO CONVERSION

Grantee: City of Southgate
Project Title: Kiwanis Park
Project Location: City of Southgate, Wayne County
Project and Amendment Number: TF88-196, Amendment #2

This amendment to the Agreement listed above, entered into between the Michigan Department of Natural Resources ("DEPARTMENT") and the CITY OF SOUTHGATE in the county of WAYNE ("GRANTEE"), is to resolve a conversion of a grant-assisted site, indicated above at Project Location.

The DEPARTMENT and the GRANTEE mutually agree to amend the Agreement as follows:

"Project area" as defined by the grant listed above is revised as shown and described in Appendix A to this amendment. This amendment deletes 2.73 acres from the project area of the original Agreement or as may have been revised by previous amendment.

"Mitigation area" has been secured by the GRANTEE, as documented by the GRANTEE and approved by the DEPARTMENT. The mitigation area consists of 1.0 acres, located at Kiwanis Park and 3.2 acres located at Southgate Fun and Fitness Center, as shown and described in Appendix B to this amendment. The long-term obligations of the Michigan Natural Resources Trust Fund Program apply to the mitigation area.

All other provisions of the Agreement shall be continued in full force and effect.

The amendment may be executed separately by the parties and is not effective until both the GRANTEE and the DEPARTMENT have signed it.

This amendment modifies an Agreement that was approved by resolution of the GRANTEE'S governing body as evidenced by the resolution attached to the Agreement as Appendix C. It is the sole responsibility of the GRANTEE to determine if its laws, policies, or procedures require approval by its governing body before execution of this amendment by the GRANTEE.

By signature of this amendment, the GRANTEE certifies that: (please check appropriate box below)

- ☐ Approval of the amendment by its governing body is not required.
- ☐ The amendment has been approved by resolution, true copy attached.

Project and Amendment Number: TF88-196, Amendment #2

GRANTEE

SIGNED:

WITNESSED:

By: _____ By: _____

Title: _____ By: _____

Date: _____

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

SIGNED:

WITNESSED:

By: _____ By: _____
Steven J. DeBrabander, Manager
Grants Management

EFFECTIVE DATE: _____ By: _____

APPENDIX A

MICHIGAN NATURAL RESOURCES TRUST FUND
PROJECT AGREEMENT and AMENDMENT TF88-196, Amendment #2

Legal Description and Boundary Map of the REVISED Project Area
Due to Conversion

TF 88-196

Original

boundary

25

N.E. 1/4 of SEC. 36
S.E. 1/4 of SEC. 36

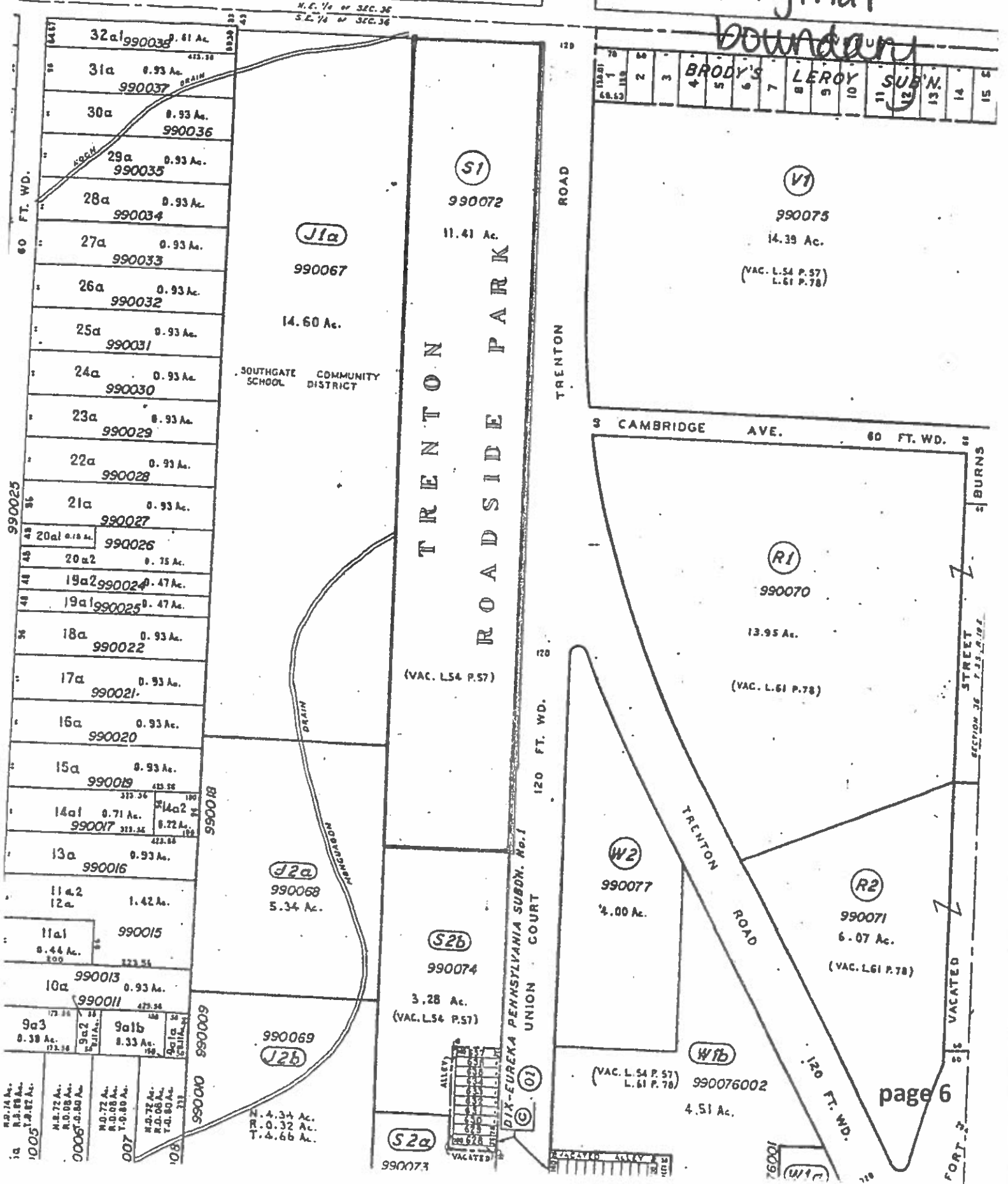
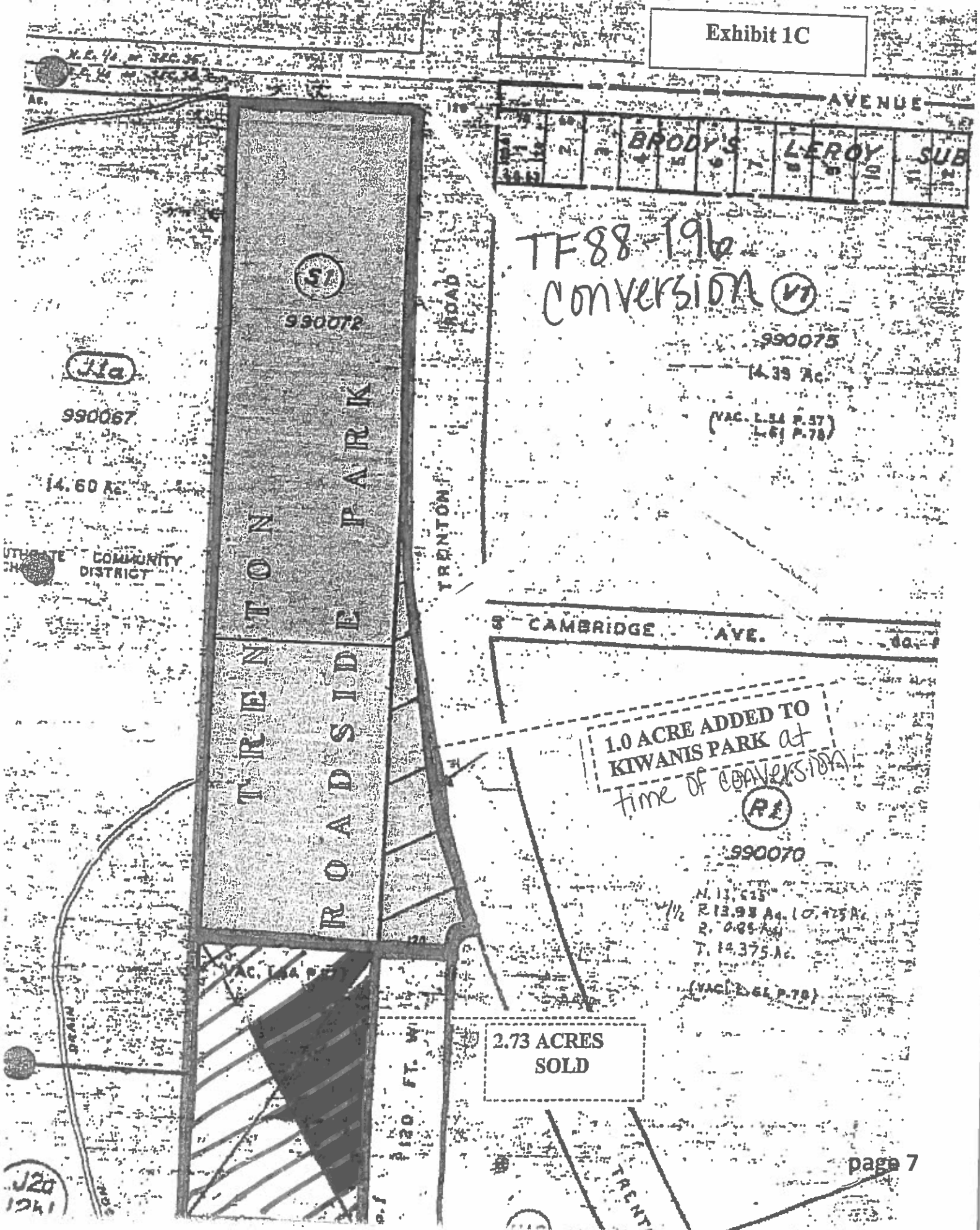


Exhibit 1C



TRENTON ROADSIDE PARK DESCRIPTION

That part of the S.E. 1/4 of Section 36, T. 3 S., R. 10 E., City of Southgate, Wayne County, Michigan, described as beginning at a point distant N. 89° 35' 00" W., 1327.27 feet measured along the south line of Section 36, and N. 0° 04' 00" E., 1237.33 feet from the S.E. corner of Section 36, and proceeding thence S. 89° 35' 00" E., 398.71 feet to the east line of vacated Union Court (120 feet wide); thence N. 0° 08' 00" E., 111.64 feet along said east line to the westerly line of Trenton Road (120 feet wide); thence northerly 735.02 feet along westerly line of Trenton Road on the arc of a curve concave to the northeast (radius 2230.80 feet, chord bearing N. 9° 18' 21" W., 731.70 feet); thence N. 0° 08' 00" E. 519.99 feet along the west line of Trenton Road to the south line of Leroy Avenue (86 feet wide); thence N. 89° 14' 30" W., 280.29 feet along said south line; thence S. 0° 04' 00" W., 1354.52 feet to the point of beginning.

URBAN ENGINEERING COMPANY
6748 ALLEN ROAD
ALLEN PARK, MICHIGAN 48101
PHONE: 313-383-5155
MARCH 29, 2001
SHEET 2 OF 2

JOB NO. 8601N- PARK
CLIENT: CITY OF SOUTHGATE

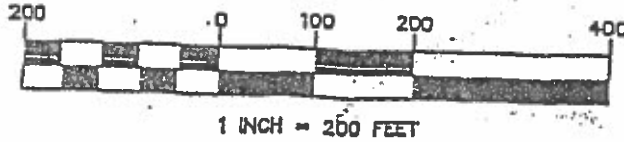
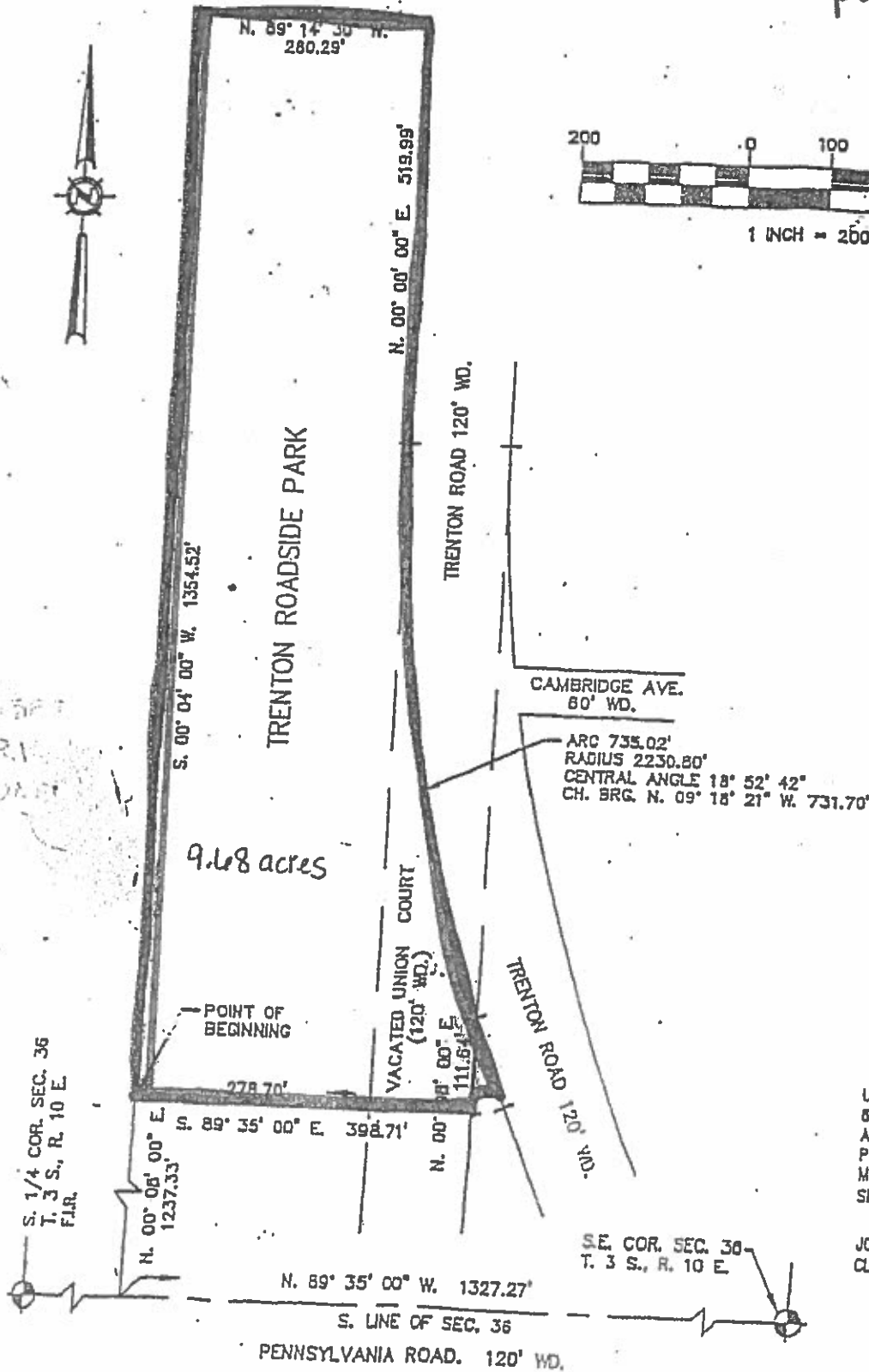
APPENDIX B

**MICHIGAN NATURAL RESOURCES TRUST FUND
PROJECT AGREEMENT and AMENDMENT TF88-196, Amendment #2**

Legal Description and Boundary Map of the Mitigation Area

Addendum #5 Trenton Roadside Park
 LEROY AVE. 86' WD.

7F88-196
 revised boundary map
 per Amendment #2
 page 1 of 2



URBAN ENGINEERING COMPANY
 8748 ALLEN ROAD
 ALLEN PARK, MICHIGAN 48101
 PHONE: 313-383-5155
 MARCH 29, 2001
 SHEET 1 OF 2

JOB NO. 8801N-PARK
 CLIENT: CITY OF SOUTHGATE

NORTH 1/4 CORNER-
SECTION 26
T. 1 S., R. 10 E.



Southgate Fun and Fitness Center Mitigation Parcel Description

Part of the northeast 1/4 corner of Section 26, T. 3 S., R. 10 E., City of Southgate, Wayne County, Michigan, described as beginning at a point on the south line of North Line Road (120 feet wide) distant S. 01 degrees 23 minutes 50 seconds E. 60.00 feet and N. 88 degrees 55 minutes 24 seconds E. 42.99 feet from the North 1/4 corner of said section 26; Proceeding thence N. 88 degrees 55 minutes 08 seconds E. 367.79 feet along said south road line to a point on the west line of Reeck Road (86 feet wide); thence S. 01 degrees 23 minutes 50 seconds E. 598.11 feet along said west road line; thence S. 88 degrees 36 minutes 10 seconds W. 326.73 feet; thence N. 01 degrees 23 minutes 50 seconds W. 248.18 feet; thence N. 88 degrees 35 minutes 36 seconds E. 89.33 feet; thence S. 72 degrees 20 minutes 08 seconds E. 119.79 feet; thence S. 01 degrees 23 minutes 50 seconds E. 89.16 feet; thence N. 88 degrees 07 minutes 04 seconds E. 36.00 feet; thence N. 01 degrees 23 minutes 50 seconds W. 165.64 feet; thence N. 36 degrees 54 minutes 34 seconds W. 53.51 feet; thence N. 16 degrees 23 minutes 48 seconds W. 203.79 feet; thence S. 73 degrees 51 minutes 47 seconds W. 55.14 feet; thence N. 16 degrees 23 minutes 48 seconds W. 40.33 feet; thence S. 88 degrees 50 minutes 36 seconds W. 90.94 feet; thence S. 01 degrees 23 minutes 07 seconds E. 125.21 feet; thence S. 88 degrees 36 minutes 10 seconds W. 24.00 feet; thence N. 61 degrees 23 minutes 13 seconds W. 19.50 feet; thence N. 01 degrees 27 minutes 23 seconds W. 164.03 feet to the point of beginning. Parcel contains 3.20 acres.

APPENDIX C

MICHIGAN NATURAL RESOURCES TRUST FUND
PROJECT AGREEMENT and AMENDMENT TF88-196, Amendment #2

Local Resolution, if Required by Local Regulation

APPENDIX C

**MICHIGAN NATURAL RESOURCES TRUST FUND
PROJECT AGREEMENT and AMENDMENT TF88-196, Amendment #2**

Local Resolution, if Required by Local Regulation

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate

NORMA J. WURMLINGER
MUNICIPAL BUILDING

- CITY COUNCIL -

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Council President

KAREN E. GEORGE

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: 9 December 2015
Re: Court Consolidation Study

Background

In 2014 the State Court Administrator published a report calling for the consolidation of the 28th District Court with the 33rd District court located in the City of Woodhaven. As a result of that report the Administration engaged in numerous conversations with the State of Michigan. The City argued that for a variety of valid reasons Southgate would be best served with an independent court system. However, should the state desire to eliminate the 28th District Court the City would be better served by working with the Cities of Wyandotte and Riverview.

At the end of 2014 the State adopted Public Act 58 of 2014, which allowed for the voluntary merger of the Cities of Southgate, Wyandotte, and Riverview thereby creating a new District Court serving three municipalities. The bill also included various other court consolidation and realignment directives in other jurisdictions throughout the state.

The District Court Consolidation Analysis, Shared Services Feasibility Study of the 28th and 27th District Courts

Prompted by Public Act 58 of 2014 the Cities of Southgate, Wyandotte, and Riverview wished to study and evaluate the feasibility of consolidating the 28th District Court (servicing Southgate cases) with the 27th District Court (servicing Wyandotte and Riverview cases). Plante Moran conducted the District Court Consolidation Analysis, Shared Services Feasibility Study of the 28th and 27th District Courts. The purpose of the analysis was to identify potential issues, costs, and benefits for a merger of both Courts at some level.

The State Court Administrative Office (SCAO) manages the State's court systems. Using SCAO criteria to evaluate caseloads Plante Moran has determined there is a need for 1.64 judges to serve the 28th and 27th District Courts. Therefore the creation of a new 26th District Court would not relieve the need for two judges (the sampling data confirming this is found on page 6 of the analysis).

Plante & Moran developed four possible scenarios with impacts:

Scenario	Description	Impact
1	No consolidation	No impact – No capital costs, no increase in operational costs
2	28 th District Courthouse absorbs all 27 th District Court activities	Significant capital costs - marginal operational benefits
3	27 th District Courthouse absorbs all 28 th District Court activities	Significant capital costs - marginal operational benefits
4	Both courthouses remain in operation with services redesigned to realize efficiencies	Moderate transition costs - marginal operational benefits

The four scenarios and their respective impacts are straightforward. Plante Moran did not include capital or other associated costs with Scenarios 2-4; that is up to the governing bodies to determine.

1. **Scenario 1** leaves everything in place and has no impact on the current status and operation of the two courts.
2. **Scenarios 2 & 3** moves one court to the other and vice versa. In both cases these changes require significant funding. None of the three Cities are in a position to finance these costs at this time.
3. **Lastly Scenario 4** does leave both courts intact and may offer marginal operational efficiencies; and as in Scenarios 2 & 3 comes with a cost.

It warrants mentioning that should the Cities chose not to consolidate at this time the State may pursue legislation requiring a consolidation with another District Court.

At this time I am recommending City Council receive and file the District Court Consolidation Analysis, Shared Services Feasibility Study dated December 2015 by Plante Moran, with the understanding that Scenario 1 is in the best interest of Southgate residents and businesses. Scenario 1 allows the City to continue to provide its professional level of service in the Court system and avoids any negative impacts that may result in additional debt and associated costs as a result of a consolidation estimated to provide marginal benefits.

I look forward to addressing your questions and comments.

Sincerely,

Bryce Kelley, City Administrator

{28th and 27th District Court Consolidation Analysis}

SHARED SERVICES FEASIBILITY STUDY | DECEMBER 2015

plante
m
moran

Table of Contents

Management Summary	3
Project Scope and Objectives.....	3
Project Approach	3
Court Profiles	4
State Court Priorities.....	6
Findings	8
Analysis.....	8
Summary.....	9
Recommendation	10

Management Summary

PROJECT SCOPE AND OBJECTIVES

The Plante Moran team was selected by the Cities of Southgate, Wyandotte, and Riverview to evaluate the feasibility of consolidating the 28th District Court (servicing Southgate cases) with the 27th District Court (servicing Wyandotte and Riverview cases). The purpose of the analysis was to identify issues, costs, and benefits associated with such a merger. In addition, logistics associated with a municipal consolidation are included for consideration, although the costs associated with those logistics have not been estimated.

Under 2014 Public Act 58 (House Bill 5123), the governing bodies of the three municipalities can authorize a consolidation prior to January 1, 2016. Should that authorization occur, it would be effective immediately and the two courts would consolidate into a single 26th District Court. The judges from the 28th and 27th would then serve in the newly formed 26th and become publicly elected by the new jurisdiction of all three municipal boundaries.

PROJECT APPROACH

The Plante Moran team of consultants received and reviewed several key documents. Key documents reviewed included:

- Budget information for 28th and 27th District Courts
- Position lists and/ or organization charts
- Building floorplans for both facilities (court space only)
- *2015 State Court Administrative Office (SCAO) Performance Measures Data Packet*
- Case filings for both courts

The Plante Moran team also conducted informational meetings with key individuals to gather additional documentation, gain insight into key issues and concerns, and to review and confirm the project objectives. These meetings occurred on-site at the court locations or over the phone and included the following:

- Hon. James A. Kandreas, 28th District Court Judge
- Hon. Randy L. Kalmbach, 27th District Court Judge
- Bryce Kelley, Southgate City Administrator
- Doug Drysdale, Riverview City Manager
- Todd Drysdale, Wyandotte City Manager
- Stacie Nevalo, 27th District Court Administrator
- Jeff Meussner, 28th District Court Administrator
- David Angileri, Southgate Finance Director Deborah Green, State Court Administrative Office Region 1 Coordinator

Tours of each courthouse were also conducted with an aim to identify any court design deficiencies or concerns. Since court activity varies from day-to-day according to caseload management, efforts were made to identify operational issues that are encountered throughout the court week. Since court activity is dependent upon judicial philosophy and space considerations, attempts to normalize court activities were not made.

COURT PROFILES

The 28th District Court is located at 14720 Reaume Parkway. The facility has two courtrooms – one with jury box that serves as the primary courtroom – and one smaller courtroom that is used by a part time magistrate. The smaller courtroom is in a section of the building that is adjacent to probation and limited training space while the larger courtroom is adjacent to court administration, judicial chambers, detention, jury room, and judicial secretary. The section with the smaller courtroom is an extension that was complete in 2002 and includes storage and filing in a second floor. While the building is shared with the police department, the only shared space between the two operations is a secured inmate transfer area. Currently, Court jurisdiction only includes cases with the City of Southgate. Non-judicial staffing for the Court includes:

- Court administrator
- Judicial secretary
- Four full time court clerks
- One part time court clerk
- Two part time cashiers
- One full time probation agent
- One part time probation agent
- Three part time probation supervisors
- One full time court officer
- Three part time court officers

The 28th District Court is currently establishing a veteran's treatment court. Once established, this court will have a specialty case management process and will handle cases from eighteen jurisdictions. Since this is still in planning phases, it was not considered for this report. However, when the jurisdictions conclude on direction regarding consolidation, the veteran's treatment court might be an additional consideration. Prior to the veteran's treatment court being operational, the court will solidify agreement with the eighteen jurisdictions through a memorandum of understanding.

The 27th District Court is located at 2015 Biddle Avenue. This facility was constructed more recently than the 28th District Court. It also shares space with a police department although there are several public areas in which common space is shared. The majority of court-related activities occur on the first floor including the primary courtroom, cashier, clerk, probation, judicial chambers, court administration, jury room, law library, and file storage. A second floor includes a smaller magistrate court, magistrate's office, and space for cashiering as well as meeting space for attorney-client conferences. The courtroom on the second floor has one noteworthy security concern with the current configuration: furniture is not secure which could potentially become a danger during certain court activities. An additional concern is that the public and the magistrate share common hallway space. For security, public movement and judicial/ court staff movement should be kept separate. However, correcting this within the existing design would cause a greater concern with egress.

28th and 27th District Court Consolidation Analysis

The Court's jurisdiction includes the cities of Wyandotte and Riverview through an agreement between the two cities that was reached several years ago. Non-judicial staffing for the Court includes:

- Court administrator
- Probation director
- One part time probation officer (pending full time status)
- Three full time clerk/ court recorders
- One full time clerk/ cashier
- Two part time clerk/ cashiers
- One part time filing clerk/ clerk assistant
- Four part time court officers
- Two part time court officers/ security
- One part time workforce supervisor
- Four part time workforce officers

Both courts have the designation of "third class district court" meaning that each supports one or more municipalities within a county. In general, both courts are above the State average for case disposition. Both courts also exceed the State time guideline of disposing with 85% of misdemeanors within 63 days and 60 percent of felonies within 14 days. The 27th District Court does not meet State guideline of disposing with 90 percent of civil infractions within 35 days but the 28th District Court does. A comparative table for the two courts appears below:

	27 th District Court	28 th District Court
Number of Judges	One	One
Magistrate support	Semi-weekly	Semi-weekly
Online ticket	Yes, through GovPay	Yes, through GovPay
Video	State system	State system
IT system	State JIS	State JIS
Security concerns	None reported	None reported
2014 felony filings*	105	121
Population*	38,369	30,047
2014 misdemeanor filings*	2,296	1,600
2014 Civil Infractions*	7,678	11,487
2014 General Civil*	890	702
2014 Summary Civil*	851	708

*Information taken from State Court Administrative Office

One important distinction between the two courts is personnel arrangements. The 28th District Court's services are provided by unionized employees whereas the 27th District Court is a non-union environment. This may impact consolidating services and reorganizing staffing models.

STATE COURT PRIORITIES

According to the Michigan Supreme Court's Annual Report (2013 is the most recent available) and the Supreme Court's website, the reduction of judicial seats is a priority throughout the State. The report identifies 121 courts in 46 counties as having concurrent jurisdiction plans in which judicial resources are shared. Concurrent jurisdiction plans can have a broad application and can include sharing caseloads, transferring types of cases, combining specific court functions such as arraignments, or shared administrative duties.

Since the 2013 Annual Report, the State in 2014 approved Public Act 58 (House Bill 5123) which further reduced the number of judges statewide. In addition to several reductions in other jurisdictions, this act allows the elimination of the 27th and 28th District Courts and replaces them with the 26th District Court – in essence, combining the two courts and changing its designation. The jurisdiction of the new court would include the cities of Wyandotte, Riverview, and Southgate. Under the Public Act, judges currently presiding over the two courts would also preside in the 26th District Court for the remainder of their elected term. In Michigan, district courts with more than one judge have a chief judge who is appointed by the Supreme Court.

It is important to note that Public Act 58 only mentions courts, jurisdiction of the courts and the number of judges that will serve the court. It does not mention court houses, court rooms, or court activities. This distinction is important, as the Public Act can be interpreted as prescribing a single court house onto the three jurisdictions. While this may become an eventual outcome of a consolidation, it is not specified in the Act.

The SCAO has developed methodologies to identify the extent to which judicial resources are required so that the reduction occurs in a methodological fashion. According to the SCAO's methodology, the combined caseload for the two courts results in need for 1.654 judges. Since Public Act 58 specifies that the newly created 26th District Court would have two judges, it does not appear that the immediate intent of the proposed court consolidation is to reduce the number of judges.

A sampling of the SCAO's analysis appears below. Data was shared by the SCAO Region 1 Administrator:

Case Group	Case Weight	Avg Combined Filings	Workload	Judicial Need by Case Group
Felony	46	271	12,466	0.1385
Misdemeanor	28	1,792	50,704	0.5634
Non-Traffic Civil	4	1,130	4,519	0.0502
Traffic Misdemeanor	9	1,848	16,629	0.1848
Traffic Civil Infraction	1	14,181	18,436	0.2048
OUIL Misdemeanor	46	364	16,796	0.1866

28th and 27th District Court Consolidation Analysis

OUIL Felony	34	23	784	0.0087
General Civil	9	1,1884	16,959	0.1884
Small Claims	12	351	4,208	0.0468
Landlord-Tenant	6	1,227	7,362	0.0818
		Summary	148,863	1.6540

Findings

ANALYSIS

Since Public Act 58 does not specify that all court activities must be provided in a single courthouse, there are multiple options for the jurisdictions to consider. Four scenarios are explored to determine the extent to which a consolidation is preferable.

Scenario 1: No consolidation

In essence, this is the status quo option. If the three jurisdictions fail to take action before January 1, 2016, this will be the default scenario. The two courts would continue to operate as they currently do for the immediate future. The costs and benefits associated with this would be the same as the current configuration.

Scenario 2: 28th District Courthouse absorbs all 27th District Court activities

Of the two courthouses, the 28th District Court has a tighter space configuration with very little unused space. Currently, only a training room and one office are not allocated for a specific regular use. Also, the magistrate courtroom is not configured for a jury box although it can be modified to create a judicial chamber. It is very improbable that the courthouse as it is currently configured could handle an increase of 140% in misdemeanor filings due to the amount of additional staff space that would be required to handle the additional activities.

Additional construction and facility redesign would be required to accommodate the increase in court activity. If this were to occur, it would likely be to the north and to the east of the magistrate's court. The capital costs associated with this scenario was not estimated but it likely would be comparable to the square footage cost of the court expansion after accounting for inflationary factors.

Scenario 3: 27th District Courthouse absorbs all 28th District Court activities

The 27th District Courthouse was designed and constructed more recently. It was designed to account for limited potential growth. Instead, a reduction of personnel has occurred over the course of the last several years. This has resulted in a moderate increase in unused space. Even so, as was the case with Scenario 2, it is improbable that the courthouse as currently configured could accommodate the requisite increase in caseload from the 28th Court. The magistrate's courtroom on the second floor would require significant redesign to create judicial chambers, appropriate egress, and separation of judicial and public foot traffic. A more appropriate redesign would likely include the construction of a second full court on the first floor -- likely to the north of the current facility.

Scenario 4: Both courthouses remain in operation with services redesigned to realize efficiencies

A consolidated court can have multiple locations. Under this scenario, the two courthouses would remain in operation but change their jurisdiction to 26-1 District Court and 26-2 District Court. Under this scenario, the following advantages are possible:

- Court Administration. In a consolidated arrangement, only one court administrator position would be required. However, additional administrative support would likely be required and creating an administrative assistant position would help with overall administration. Savings would be moderate.

- Probation. Both courts currently have active probation, drug testing and work programs. Consolidating these programs into a single location will enable a more efficient delivery of services. In addition, the increased number of probationers may allow additional program offerings for judges to consider when sentencing offenders thereby expanding the continuum of sanctioning options.
- Docket Management. Currently, both judges schedule their dockets in advance so that cases can be disposed of in a prompt manner. A judge's unscheduled absences (illness, funeral, etc.) require all cases to be rescheduled. This cascades into the need for other court participants to reschedule their cases with short notice. In a multi-judge court, the second judge may be able to assume the assignment of cases to decrease the impact on the public.
- Clerk Duties. Case management and cashiering duties are similar among the two courts and both have times during which case volume results in heavy work activity and times during which case volume results in lighter work activity. If consolidated, staff could be more efficiently assigned. This could lead to moderate savings as well.

However, a consolidated arrangement would cause issues that would lead to additional work activities that must be recognized. These include:

- An agreement between the three municipalities will need to be reached. Since some court activities will likely occur in Wyandotte and others will occur in Southgate, it is likely that one location may bear a greater degree of court activity than the other. How this impacts budget, facility support, technology support, etc. will need to be agreed upon.
- If criminal docket is handled in just one of the courthouses, this will create a workload imbalance on the police department that is adjacent to that courthouse. Consideration of this issue should be reflected in the agreement.
- Currently, one court has a unionized workforce while the other does not. A decision related to collective bargaining and all other employee relation issues should precede an implementation plan.
- A plan for implementing the consolidation will need to be developed and executed. Such a plan will likely take months to develop and several months to execute.

SUMMARY

Scenario 1:	No impact – No capital costs, no increase in operational costs
Scenario 2:	Significant capital costs, marginal operational benefits
Scenario 3:	Significant capital costs, marginal operational benefits
Scenario 4:	Moderate transition costs, marginal operational benefits
Conclusion:	Scenario 4 appears preferable

Recommendation

The consolidation of courts may offer modest benefits to the three municipalities – provided that both courthouses remain in operation. Doing so will allow operational savings and increased flexibility for judicial case management without incurring significant capital costs. However, doing so will result in transition costs – particularly as it relates to personnel transition and documented agreement among the three jurisdictions.

If the three municipalities decide to take action to consolidate, they must pass resolutions to do so prior to January 1, 2016. The merger from the Supreme Court's perspective will take effect January 1, 2016 and logistics associated with updating court reporting, appointing a chief judge, and determining case management will need to occur. If this path is chosen, it is recommended that the participating jurisdictions contact the State Treasury and State Court Administrative Office to identify whether this effort may qualify for grant funding to assist with consolidation efforts.

If any or all three municipalities decide not to consolidate, the status quo scenario will result. Both district courts will continue to operate under the current configuration.

In either case, the jurisdictions are cautioned that there appears to be nothing that would prohibit the legislature from taking action requiring a consolidation in the future. Such an action might be similar to the one identified in Public Act 58 or it might require a less preferable arrangement. The consolidation of courts has been a priority of the Supreme Court and it does not appear to be diminishing. If the creation of the 26th District Court appears to be a preferable arrangement to other possibilities, the municipalities may wish to be proactive in this effort.

Finally, many of the potential benefits of consolidation can also be addressed through a concurrent jurisdiction plan. If the two judges identify common interests that can benefit both courts as they are currently configured, they may wish to explore this path.

{THANK YOU!}

plante moran

audit • tax • consulting • wealth management

For more information contact:

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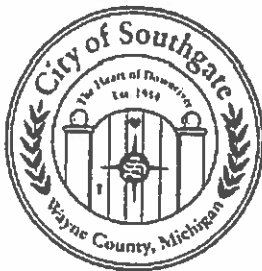
Adam.rujan@plante Moran.com

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JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



City of Southgate
NORMA J. WURMLINGER
MUNICIPAL BUILDING

- CITY COUNCIL -

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Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: December 4, 2015
Re: Second Reading for Adoption of Zoning Ordinance Amendment -
1298.17 EXTERIOR BUILDING WALL MATERIALS.

This is the second reading of an amendment to the City of Southgate Zoning Ordinance recommended by the Planning Commission.

This amendment proposes adding language to clarify Part Twelve, Planning and Zoning Code, Section 1298.17, Exterior Building Wall Materials. The amendment adds "Painting of brick or facebrick" to the list of prohibited exterior materials in the City's non-residential zoning districts.

The first reading of this amendment was held at the City Council meeting of December 2, 2015. If adopted by City Council the amendment will become effective immediately.

Your favorable consideration would be greatly appreciated.

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

Sincerely,

Bryce Kelley, City Administrator

First Reading to Amend the Codified Ordinances of the City of Southgate

ORDINANCE NO. 15-_____

**AN ORDINANCE TO AMEND PART TWELVE, PLANNING AND ZONING CODE,
SECTION 1298.17, EXTERIOR BUILDING WALL MATERIALS OF THE CODIFIED
ORDINANCES OF THE CITY OF SOUTHGATE.**

Preamble

An Ordinance to amend Part Twelve, Planning and Zoning Code, Section 1298.17, Exterior Building Wall Materials of the Codified Ordinances of the City of Southgate.

BE IT ORDAINED by the City Council of the City of Southgate, Michigan, that Part Twelve, Planning and Zoning Code, Section 1298.17, Exterior Building Wall Materials of the Codified Ordinances of the City of Southgate be amended.

RESOLVED, that the Code of the City of Southgate Section 1298.17 (4) and (5) be amended by adding language as shown:

(a) The purpose of this section is to serve as a guideline for the establishment of a harmonious exterior building wall appearance for all the walls of a building that are designed so as to create, enhance and promote a uniform, qualitative visual environment throughout the City.

C. Materials other than those specifically outlined in paragraph (d)(2)B. hereof shall be prohibited. Materials specifically prohibited include:

1. Concrete masonry units (CMU), such as block, pattern and fluted.
2. Tarred paper, tin, corrugated iron, porcelain clad and steel flat sheets.
3. Pressed or laminated wood products.

4. *Painting of brick or facebrick.*

4.-5. Similar products or materials.

CITY OF SOUTHGATE
PLANNING COMMISSION RESOLUTION

At a meeting of the Southgate Planning Commission called to order by Joseph Charney on September 8, 2014 at 7:30 p.m. the following resolution was offered:

Moved by Lamos, supported by Lemerand, to forward to City Council for approval the proposed ordinance change to Part Twelve, Planning and Zoning Code, Section 1298.17 Exterior Building Wall Materials (d) (2) Non-Residential Buildings, C. 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 September 8, 2014.


Chairman

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

City of Southgate Planning Commission Meeting

September 8, 2014

This meeting of the Planning Commission was held in the Municipal Council Chambers, 11400 Dix-Toledo Highway, Southgate, Michigan on Monday, September 8, 2014 and called to order by Chairman Joseph Charney, at 7:30 p.m.

PRESENT: Anna Renaud, Joseph Charney, Marie Henegar, Tom Holme, Patricia Anderson, Peter Heggie, Rick Lamos, Elizabeth Ridenour, Marcy Lemerand

ALSO PRESENT: Council Member John Graziani, Plan Consultant Laura Kreps, Building Inspections Director Bob Casanova, City Attorney Fred Frank, City Administrator Brandon Fournier

Minutes:

The first order of business is approval of the minutes from the July 14, 2014 Planning Commission meeting.

Moved by Heggie, supported by Henegar, that the minutes of the Planning Commission Meeting dated July 14, 2014 be approved, noting that Elizabeth Ridenour and Marcy Lemerand were both excused at this meeting. MOTION APPROVED UNANIMOUSLY.

Public Hearings:

1. Rezoning request by Reverend Billy Walker of Calvary Baptist Church, 15221 Eureka Road, rezone from R-1B, One-Family to RO-1, Restricted Office. (PC003-2014).

Moved by Anderson, supported by Ridenour, to open the Public Hearing for a rezoning request, to rezone from R-1B to RO-1, for Calvary Baptist Church, 15221 Eureka Road. MOTION APPROVED UNANIMOUSLY.

Plan Consultant Kreps explained the applicant is requesting to rezone the Calvary Baptist Church property from R-1B, One-Family to RO-1, Restricted Office, in order to convert the existing church facility into an office space for Arkay Incorporated. They are recommending approval of the rezoning, based on the findings that the surrounding site are primarily commercial, and is in conformance with the Master Plan and is not contrary to existing land use patterns.

Reverend Billy Walker of Calvary Baptist Church, explained they have grown in the years, and are looking for a new location to better suit their needs. They are very excited about the new business coming in.

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

Moved by Ridenour, supported by Anderson, to recommend the City Council approve the rezoning request by Reverend Billy Walker of Calvary Baptist Church, 15221 Eureka Road, rezone from R-1B, One-Family to RG-1, Restricted Office. (PC003-2014).

AYES: Renaud, Charney, Holme, Anderson, Heggie, Lames, Ridenour, Lemerand
NAYS: Henegar (decision to vote no based on number of vehicles parked at other location)
MOTION APPROVED.

2. Proposed Ordinance change to Part Twelve, Planning and Zoning Code, Section 1280 C-3 Thoroughfare Service Districts.

Moved by Anderson, supported by Heggie, to open the Public Hearing for a proposed ordinance change to Part Twelve, Planning and Zoning Code, Section 1280 C-3, Thoroughfare Service Districts. MOTION APPROVED UNANIMOUSLY.

Plan Consultant Kreps explained revisions are being made to Chapter 1280, Thoroughfare Service District related to principal permitted uses and uses permitted subject to special conditions, renaming it as Special Purpose Commercial District.

No public comments were offered.

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

Moved by Renaud, supported by Ridenour, to forward to City Council for approval the proposed ordinance change to Part Twelve, Planning and Zoning Code, Section 1280 C-3 Thoroughfare Service Districts. Revisions will be made and sent to Board Members for review. MOTION APPROVED UNANIMOUSLY.

3. Proposed Ordinance change to Part Twelve, Planning and Zoning Code. Section 1298.17, Exterior Building Wall Materials, (2) Non-Residential Buildings.

Moved by Ridenour, supported by Lames, to open the Public Hearing for a proposed ordinance change to Part Twelve, Planning and Zoning Code, Section 1298.17, Exterior Building Wall Materials (d) (2) Non-Residential Buildings, C. MOTION APPROVED UNANIMOUSLY.

Plan Consultant Kreps explained the revisions are being made to Section 1298.17, Exterior Building Wall Materials, for Non- Residential Buildings, at the request of the BZA.

No public comments were offered.

Moved by Lamos, supported by Heggie, to close this Public Hearing. MOTION APPROVED UNANIMOUSLY.

Moved by Lamos, supported by Lemerand, to forward to City Council for approval the proposed ordinance change to Part Twelve, Planning and Zoning Code, Section 1298.17 Exterior Building Wall Materials (d) (2) Non-Residential Buildings, C. MOTION APPROVED UNANIMOUSLY.

Officials' Reports: None

Correspondence: None

Old Business: None

New Business:

1. Vacation of McCann right of way located south of Goddard Road between I-75 and Old Goddard. (PC004-2014).

Plan Consultant Kreps explained the applicant, Marco Salinas, 24263 Charles, Brownstown, MI, is submitting a petition seeking to vacate the east one-half (1/2) of the remaining McCann Street right-of-way, and combine it with the adjacent parcel to the west. The western one-half (1/2) of the McCann Street right-of-way was vacated by City Council on March 18, 2009, and combined with the adjacent parcel to the east.

Moved by Ridenour, supported by Renaud, to forward to City Council for approval the request, by Marco Salinas, 24263 Charles, Brownstown, MI, to vacate the east one-half (1/2) of the remaining McCann Street right-of-way, and combine it with the adjacent parcel to the west. (PC004-2014). MOTION APPROVED UNANIMOUSLY.

Adjournment:

Moved by Ridenour, supported by Lamos, that this meeting of the Planning Commission be adjourned at 8:15 p.m. MOTION APPROVED UNANIMOUSLY.

Joseph Charney
Chairman, Planning Commission

as

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AFFIDAVIT OF PUBLICATION
48 West Huron Street • Pontiac, MI 48342

SOUTHGATE CITY OF
14400 DIX TOLEDO RD

SOUTHGATE, MI 48195-2598
Attention: Michelle Gendron

STATE OF MICHIGAN,
COUNTY OF WAYNE

The undersigned Barbara J. Street, being duly sworn the
he/she is the principal clerk of The News-Herald, thenewsherald.com, the-newsherald.
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:

SOUTHGATE CITY OF
Published in the following edition(s):

The News-Herald	08/24/14
thenewsherald.com	08/24/14
thenewsherald.com2	08/24/14

**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, September 8, 2014 at 7:30 P.M. in the Municipal Council
Chambers, 14100 Dix Toledo Highway, Southgate, Michigan

The Purpose of said hearing shall be to consider:

1. Rezoning of property at 12221 Euclid from R-1B (Single Family
Residences) to R-D-1 (Restricted District);
2. Proposed changes to section 1289 C-3 Thoroughfare Service
District;
3. Proposed changes to section 128A17 Exterior Building
Wall Material

A copy of the proposed rezoning and ordinance changes are available for
public inspection at 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 aid and service
to individuals with disabilities at the meeting upon advanced
notice in the City of Southgate by writing or calling the Building
Department, 14100 Dix Toledo Highway, Southgate, Michigan 48195,
and (734) 536-2533

JANICE M. FERENCZ, City Clerk
Southgate, Michigan
Published August 24, 2014

Sworn to the subscribed before me this 08/21/14

Michelle Gendron
Notary Public, State of Michigan
Acting In County of Wayne

JANICE T. SCHWALBBERG
Notary Public, Macomb County
State of Michigan
Acting In Wayne County
My Commission Expires 07/31/2016

7/1/2014 10:10:10 AM

Client Id: 640703

Ad Id: 359926

PO:

Total: \$117.00

page 14

page 34

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



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NORMA J. WURLINGER
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DALE W. ZAMECKI

PHILLIP J. RAUCH

CHRISTOPHER P. ROLLET

Memorandum

To: Mayor and City Council

From: Bryce Kelley, City Administrator

Date: 11 December 2015

Re: Contract Modification; Grant Forgiveness Program

In 2011 Southgate received a grant of \$61,169.92 to install an 8 kW electric generation system that includes 32 panels on the roof of the Public Safety Building. The project is installed and saves the City approximately \$1,500.00 annually in electricity costs. As part of the grant agreement the City repays the grant in an amount equal to 80% of the documented savings in electric power billing annually. Under the current agreement it will take the City approximately 30 years to repay the balance of the grant funding.

The Grantor – the Michigan Suburbs Alliance, now known as the Southeast Michigan Regional Energy Office (SEMREO) is offering the City a Grant Forgiveness Program by which the balance of the grant would be reduced by 39.8%.

Under this contract modification Southgate will pay SEMREO 50% of the reduced contract amount immediately, if approved, and the balance no later than July 15, 2016.

I recommend the City Council take advantage of the Grant Forgiveness Program by the Southeast Michigan Regional Energy Office and authorize the Mayor and Clerk to execute all necessary documents.

As always I look forward to your questions and comments.

Sincerely,

Bryce Kelley, City Administrator

**ADDENDUM 2
TO THE GRANT AGREEMENT
BETWEEN METRO MATTERS, FORMERLY THE MICHIGAN SUBURBS ALLIANCE,
AND THE CITY OF SOUTHGATE**

**ARTICLE 1.
RECITALS**

- 1.1 Metro Matters, formerly the Michigan Suburbs Alliance, ("Grantor") and the City of Southgate, MI ("Grantee"), together (the "Parties") executed a Grant Agreement as of 2011 ("the Agreement").
- 1.2 The Agreement provided that the Grantor would provide Grantee funding for energy efficiency and renewable energy projects, and when Grantee received those funds, Grantee would pay an amount equal to the value of that funding based on eighty (80) percent of the energy costs savings realized by the project based on annual kilowatt hours generated and valued against Grantee's best eligible block rate for electricity for the year as determined by the Grantor.
- 1.3 The Grantee received such funding in an amount of \$61,169.92 on 6/1/2011.
- 1.4 The Parties now wish to amend the Payment Schedule.

**ARTICLE 2.
AMENDED PAYMENT SCHEDULE**

- 2.1 Grantor wishes to accelerate the grant repayment schedule and is offering a **GRANT FORGIVENESS PROGRAM** to the Grantee, modifying that repayment schedule agreed to in the First Addendum to the original Grant Agreement.
- 2.2 Grantor is willing to reduce the remaining balance of \$57,949.53 by 39.8 % leaving payoff balance of \$34,885.62; the Grantee will realize a savings of \$23,063.91.
- 2.3 The Grantee wishes to take advantage of the proposed grant forgiveness program and will pay 50% of the reduced balance immediately after approval of this Addendum and the remaining 50% no later than July 15, 2016.

**ARTICLE 3.
MISCELLANEOUS PROVISIONS**

- 3.1 This Addendum is hereby incorporated and made part of the Agreement.
- 3.2 The Agreement and Addendum shall continue in full force and effect and the duties and liabilities of the Parties and all the terms, conditions, and provisions shall continue to be fully operative until the amount specified, \$34,868.80, in paragraph 2.2 of this Addendum has been paid in full.
- 3.3 This Addendum may be executed in any number of counterparts, all of which shall constitute a single executed copy of this Addendum.

IN WITNESS WHEREOF, the parties have caused this Addendum to be executed as of the date set forth below:

Metro Matters

GRANTOR

Dated: _____, 2015

By:

GRANTEE

Approved as to substance:

Dated: _____, 2015

By: Joseph G. Kuspa

Its: Mayor

Approved as to substance:

Dated: _____, 2015

By: Janice M. Ferencz

Its: Clerk