

Southgate City Council Agenda

Council Chambers

Wednesday February 17, 2016

6:30pm

Work Study Session

1. Officials Reports
2. Discussions regarding agenda items.
3. Discussions regarding Proposed Ballot Language

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7:00 pm

Regular Meeting

Pledge of Allegiance

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

Minutes:

1. Work Study Session Minutes dated February 3, 2016.
2. Regular City Council Meeting Minutes dated February 3, 2016.

Scheduled Persons in the Audience:

Consideration of Bids:

Scheduled Hearings:

Communications "A" –

1. Memo from Administrator; Re: Resolution to rescind the 2004 City Council Resolution Adopting the agency specific records and retention and disposal schedule
2. Memo from Administrator; Re: Fundraising request by the Bernard P. O'Brien Council
3. Memo from Administrator; Re: March 2016 Board of Review Schedule

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Communications "B" – (Receive and File)

Ordinances:

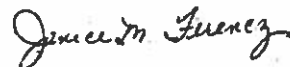
Old Business:

New Business:

Unscheduled Persons in the Audience:

Claims & Accounts: Warrant # 1299 – see warrant

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 -

SHERYL D. DENMAN
Council President

JOHN GRAZIANI

KAREN E. GEORGE

PATRICIA C. GANZBERGER

MARK FARRAH

BILL COLOVOS

DALE W. ZAMECKI

Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: 10 February 2016
Re: Proposed Ballot Language

At the regular City Council meeting, held on February 3, 2016, the Council adopted a resolution directing the Administration to draft ballot language to amend the terms of office for elected offices to three (3) consecutive four (4) year terms, to be placed on either the August 2 or November 8, 2016 election.

The administration respectfully submits the attached Attorney correspondence.

Bryce Kelley, City Administrator

Law Offices of
HOWARD L. SHIFMAN, P.C.

Howard L. Shifman
E-mail: hshifman@howardlshifmanpc.com

Brandon Fournier
E-mail: bfournier@howardlshifmanpc.com

February 10, 2016

Mr. Bryce Kelley
City Administrator
14400 Dix-Toledo
Southgate, MI 48195

Re: Proposed Charter Amendment

Mr. Kelley,

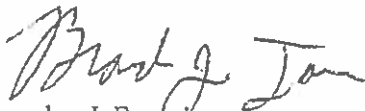
At the City Council Meeting held on February 3, 2016 the City Council directed the Administration to structure a ballot proposal, which would; 1.) amend the length of an elected officials term of office 2.) adjust term limits for elected officials.

In accordance with that request I have prepared the following question which is consistent with that parameters discussed that evening:

Shall Section 37, Section 56, Section 79 of the Southgate City Charter be amended to establish four year terms of office for the Mayor, City Clerk, City Treasurer, and City Council members who will then be prohibited from seeking reelection after having served three consecutive four year terms of office?

I do believe that the above proposed question encapsulates the issues being discussed by the City Council and should serve to assist the discussion of February 17, 2016. Should you have any additional questions please do not hesitate to contact me.

Very Truly Yours


Brandon J. Fournier
Assistant City Attorney

CC: Edward M. Zelenak

370 E. Maple Road
Suite 200
Birmingham, MI 48009

Phone: (248) 642-2383

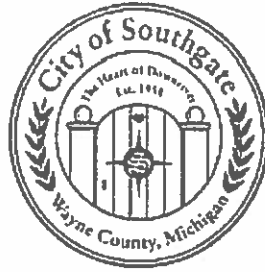
Fax: (248) 642-1932

Robert Nyovich - Of Counsel

JOSEPH C. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



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PHILLIP J. RAUCH
CHRISTOPHER P. ROLLET

Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: 25 January 2016
Re: Resolution to rescind the 2004 City Council Resolution adopting the agency specific records and retention and disposal schedule adopted in 2004.

The retention and disposal of public agency records are regulated by state and local policy and statutes. In 2004 City Council adopted an agency specific records and retention policy for the Police Department. Subsequently in 2011 Council adopt the State's General Schedule (GS) #11 in 2012 with the intent to replace the agency specific policy.

The State's Department of Technology, Management and Budget, Records Management Services requires that Council rescind the 2004 resolution before the Police Department can use the State's GS 11 schedule.

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

Sincerely,

Bryce Kelley, City Administrator

City of Southgate

County of Wayne, State of Michigan

No. 048-11

Resolution

At a Regular Meeting of the Southgate City Council called to order by Council President Phillip J. Rauch on April 6, 2011 at 8:00 P.M. the following resolution was offered:

Moved by Ferencz, supported by George,

RESOLVED, that the City of Southgate adopts *nunc pro tunc* the Records Management Handbook and Guidelines and Approved Retention Disposal Schedules for cities and villages in the State of Michigan, a copy of which shall be kept on file at the Office of the City Clerk for public review, effective April 7, 2011.

Vote on motion:	yeas –	Batko, Ferencz, Ganzberger, George, Rauch, Rollet.
	nays –	None.
	absent-	Zamecki.

Motion carried unanimously.

I, Thomas M. Alexander, City Clerk of Southgate, do hereby certify that the foregoing is a true, correct and complete copy of a resolution adopted by the Southgate City Council at a regular meeting held on April 6, 2011.


City Clerk

cc: Mayor, All Departments, files.

STATE ARCHIVES OF MICHIGAN
MICHIGAN HISTORICAL CENTER
P. O. 30740
LANSING, MI 48909-8240

APPROVALS
(SIGNATURES)

NOTE: RECORD SERIES NOTED "TRANSFER TO STATE ARCHIVES" MUST BE TRANSFERRED TO THE STATE ARCHIVES OF MICHIGAN, DEPARTMENT OF HISTORY, ARTS AND LIBRARIES

CERTIFIED RETENTION AND DISPOSAL SCHEDULE

CHECK ALL APPLICABLE: COUNTY CITY/VILLAGE COURT
 TOWNSHIP AUTHORITY OTHER

GOVERNMENT UNIT NAME

City of Southgate

AGENCY/OFFICE

DIVISION

Police Depart.

MICHIGAN HISTORICAL CENTER

DATE

3/18/04

STATE ADMINISTRATIVE BOARD

DATE

4/6/04

THE RECORDS SCHEDULED FOR DESTRUCTION AS THEY REACH THE AGE SPECIFIED HEREIN CERTIFIED TO BE NO LONGER REQUIRED FOR THE EFFECTIVE OPERATION OF THE AGENCY; TO HAVE NO FURTHER LEGAL, ADMINISTRATIVE, OR FISCAL VALUE TO THE AGENCY, AND ARE NO LONGER REQUIRED TO PROTECT THE RIGHTS OF THE INDIVIDUAL OR THE PUBLIC.

INSTRUCTIONS:

1. PREPARE AND SIGN THE SCHEDULE
2. MAIL TO STATE ARCHIVES AT ADDRESS PRINTED AT THE TOP LEFT SIDE OF THIS FORM.

LEGAL COUNSEL HAS ADVISED THE AGENCY AS TO LEGAL VALUE

DIRECTING AUTHORITY: Signature

Date

3-15-04

DISTRIBUTION: APPROVED SCHEDULES

1. ORIGINAL - STATE ARCHIVES OF MICHIGAN
2. COPIES - STATE ADMINISTRATIVE BOARD; LOCAL AUDIT; ORIGINATING UNIT.

ITEM NO.	RECORD(S) SERIES TITLE AND DESCRIPTION: LIST EACH RECORD SERIES, BY TITLE, AS A SEPARATE ITEM. DESCRIBE RECORD(S) SERIES FUNCTION AND CONTENT. CITE THE STATUORY BASIS FOR THE RECORD(S) SERIES.	RETENTION PERIOD (MONTHS OR YEARS)	FOR USE BY APPROVING AGENCIES
1	911 Tapes	3 Months	
2	Accident Reports (Including Investigative Files/Photos/Negatives)	Greater Of 7 Years Or, If Involves a Minor, Keep To Age Of 18 1/2	
3	Administrative Investigations (Citizen Complaints/Internal Investigations)	5 Years	
4	Annual Reports (Department & Divisions)	Permanent	
5	Arrest Jackets: Felony/Misdemeanor (Convicted) Felony/Misdemeanor (Non-Convicted) Warrants From Other Jurisdictions	Death/75 Years/Expunged Destroy Immediately	
6	Auction Paperwork For Vehicles	1 Year	
7	Bicycle Registrations	Current Year + 1 Year	
8	Breathalyzer Logs	5 Years	
9	Budget - Annual	7 Years	
10	Budget - Data	5 Years	
11	Citation Book Cards/Log Sheets	Current Needs	
12	Correspondence/Memoranda: Policy Non-Policy	Audit + 1 Year Permanent 2 Years	
13	Crossing Guard Applications	1 Year	
14	Daily Dispatch Logs	2 Years	
15	Dispatch and Telephone Tapes	3 Months	
16	Employee Folder: Current/Separated Employees	Permanent	
17	Equipment Records (Current Inventory)	While In Use	
18	False Alarm Paperwork	1 Year	
19	FOIA Requests	1 Year	

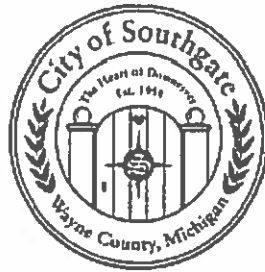
CERTIFIED RETENTION and DISPOSAL SCHEDULE (con't.)

ITEM NO.	RECORDS TITLE and DESCRIPTION (See page 1 for instruction)	RETENTION PERIOD	(For use by approving agencies)
20	General Incident Reports: Felony	25 Years	
21	Misdemeanor and Non-Criminal Gun Registrations	7 Years Permanent Until Gun Is Transferred/ Destroyed	
22	In-Car Videos	3 Months	
23	Jail Logs	Current Year + 10 Years	
24	Juvenile Records	Until 17th Birthday	
25	Liquor Establishment Files	Until License Is Cancelled/Transferred	
26	MICR Reports	Current Year	
27	Monthly Reports (Divisions)	2 Years	
28	Patrol Assignment Logs	2 Years	
29	Pawn Shop Tickets	Current Year + 2 Years	
30	Radar/Laser Maintenance Logs	Current Year + 1 Year	
31	Receipts For Services Provided: Example: False Alarms/FOIA's/Photos/Videos	2 Years	
32	Sex Offenders' Registration Forms	Death/75 Years (Whichever is First)	
33	Station Security Monitoring Tapes	14 Days	
34	Taxi Cab Permits	Current Year + 1 Year	
35	Tow Tags for Impounded Vehicles	Current Year + 1 Year	
36	TR 52's (Vehicle Impound Notifications)	Current Year + 1 Year	
37	Vehicle Impound Logs	Current Year + 1 Year	
38	Voided: Temporary Plates and Citations	Current Year	
39	Warrant Cancellation Hard Cards: No Incident/No Arrest	30 Days	

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



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DALE W. ZAMECKI
PHILLIP J. RAUCH
CHRISTOPHER P. ROLLET

Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: 8 February 2016
Re: Fundraising Request by the Bernard P. O'Brien Council #3956 of St. Pius X Parish, Southgate, MI

The Bernard P. O'Brien Council of the St. Pius Knights of Columbus is requesting permission to conduct its annual "Tootsie Roll Drive" fundraising event to support programs that assist the mentally impaired citizens of our area. The Council is one of many Michigan K of C Councils that does this annually as part of the Tootsie Roll Drive to Support Mentally Impaired Citizens.

K of C Council members will stand in the streets and in front of businesses soliciting donations. This year the event will be held on Palm Sunday weekend, March 18th-19th. K of C volunteers will work from 8 a.m. to 7 p.m. and solicit at the following intersections:

- Dix/Toledo and Eureka Rd
- Trenton and Eureka Rd
- Dix/Toledo and Northline Rd
- Fort St and Eureka Rd (south and west bound only)

The Departments of Public Safety and Public Services are aware of the event. The letter requesting permission and the Council's Certificate of Insurance for the event are attached.

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

Sincerely,

Bryce Kelley, City Administrator

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Knights of Columbus

Bernard P. O'Brien Council #3956

St. Pius X Parish
Southgate, Michigan

Ray J. Bilyk
Grand Knight
E-Mail:
raybilyk@kofc3956.org

February 2, 2016

The Honorable City Council
14400 Dix-Toledo
Southgate, MI 48195

Dear Mayor Kuspa and Honorable City Council Members:

Last year, thanks to your permission, the Bernard P. O'Brien Council #3956 Knights of Columbus was able to go out and raise over \$600.00 for programs to assist the mentally impaired citizens of our area. Our council is just one of many K of C Councils in the Great State of Michigan that does this on an annual basis as part of our Tootsie Roll Drive to Support Mentally Impaired Citizens. We raise these funds by standing out in the streets and in front of businesses and soliciting donations. We provide a Tootsie Roll candy as a token of our appreciation.

Our Council is respectfully requesting that we be allowed to solicit donations on March 18th and 19th (Palm Sunday weekend) to raise funds needed to support programs that assist the mentally impaired citizens of our area.

We would like to solicit after sunrise and before sunset (8AM to 7PM ET), and would like to solicit at the following intersections (provided we have the volunteers to support this):

- Dix/Toledo and Eureka Rd
- Trenton and Eureka Rd
- Dix/Toledo and Northline Rd
- Fort St and Eureka Rd (south and west bound only)

According to Section 862.06 of the City Ordinance, no person licensed under these provisions shall have any exclusive right to any location in the public streets or right-of-way, nor shall he or she be permitted to operate in any congested area where his or her operations impede or inconvenience the public. For purposes of this section, we will defer to the judgement of a police officer, exercised in good faith, as to whether the area is congested or the public impeded or inconvenienced.

I have also attached a copy of our Certificate of Liability Insurance, which is purchased by our State Council.

My MI (Tootsie Roll) Drive Chairman and I would be willing to attend your meeting to answer any questions or concerns that you may have.

Thank you for your consideration and our K of C Council (proud to be the only one in our great city) continue to pray for all of you and for our city's success!

Sincerely,


Ray J. Bilyk
Grand Knight

Ron Wagner
MI (Tootsie Roll) Drive Chairman



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/29/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

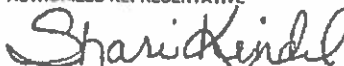
PRODUCER Regency Insurance Group 1690 Watertower Pl East Lansing MI 48823	CONTACT NAME: Shari Kindel PHONE (A/C, No, Ext): 517-664-2770 E-MAIL ADDRESS: skindel@regency-group.com	FAX (A/C, No): 517-664-2787
	INSURER(S) AFFORDING COVERAGE	
INSURED KNIGH-1 Knights of Columbus Michigan State Council 6025 Wall St Sterling Heights MI 48312	INSURER A: CAPITOL SPECIALTY INS CORP INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 10328

COVERAGES **CERTIFICATE NUMBER:** 1062800640 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y		CS026311968-01	3/10/2016	4/4/2016	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COMP/OP AGG	\$2,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS	OTHER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER General Purpose	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
----------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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JOSEPH G. KUSPA
Mayor

JANICE M.FERENCZ
City Clerk

JAMES E. DALLOS
Treasurer



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DALE W. ZAMECKI

Memorandum

To: Mayor and City Council
From: Bryce Kelley, City Administrator *BK*
Date: 9 February 2016
Re: March 2016 Board of Review Schedule

In accordance with the Southgate City Charter, the City Assessor has forwarded the following recommended 2016 Board of Review meeting dates and rates of compensation for the Board members:

- Tuesday, March 8th from 9 AM – 7 PM
- Tuesday, March 15th from NOON - 9 PM
- Tuesday, March 22th from 9 AM – 7 PM
- Thursday, March 20th from 9 AM – 7 PM*
*only to meet if necessary

The current rate of compensation for Board of Review members is \$150.00 per day and \$75.00 per half day, with an additional \$75 per day set aside for necessary expenses. The Assessor recommends the rate of compensation remain unchanged in 2016.

City Council's favorable consideration is recommended by the Administration.

Bryce Kelley, City Administrator

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
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MEMORANDUM

TO: Bryce Kelley, City Administrator

FROM: Esther Graves, Deputy City Assessor 

DATE: February 8, 2016

RE: March Board of Review – 2016

This communication is to request that City Council approve the following dates for the 2016 March Board of Review:

Tuesday, March 8th from 9 AM until 7 PM
Tuesday, March 15th from 12 PM until 9 PM
Tuesday, March 22nd from 9 AM until 7 PM

The following date may be utilized if necessary:

Thursday, March 24th from 9 AM until 7 PM

The Board of Review will meet each day for up to ten hours per day with a one hour and 30 min break, if possible. Appointments will be scheduled 5-10 people per hour. Additionally, petitioners will be given the opportunity to appeal by mail if they are unable to appeal in person.

In 2002, Council set compensation for each Board of Review member at \$150.00 per day, with \$75.00 per half day. This office requests that additional expenses again be set at \$75.00 per day.

Thank you for your immediate attention to this request.

cc: D. Angileri, Finance Director