

*City of Southgate*  
**Regular City Council Meeting**  
*July 1, 2015*

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 1, 2015 and was called to order at 7:00 PM by Council President Sheryl Denman.

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

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Present: Bill Colovos, Sheryl Denman, Mark Farrah, Pat Ganzberger, Karen George, John Graziani Dale Zamecki.

Absent:

Also Present: Mayor Joseph G. Kuspa, City Administrator Bryce Kelley, ACA/Finance Director David Angileri, City Attorney Ed Zelenak, City Engineer John Hennessey, City Treasurer James Dallos, City Clerk Janice Ferencz, Public Safety Director Thomas Coombs, Police Chief Jeff Smith, Building Inspections Director Bob Casanova, Director of Public Services Bob Tarabula and Parks & Recreation Director Dustin Lent.

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### **Minutes:**

Moved by George, supported by Zamecki, RESOLVED, that the minutes of the City Council Work Session dated June 17, 2015 be approved as presented. Carried unanimously.

Moved by Colovos, supported by Ganzberger, RESOLVED, that the minutes of the Regular City Council Meeting dated June 17, 2015 be approved as presented. Carried unanimously.

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

#### **1) Memo from Administrator; Re: Resolution – Downriver Wastewater Treatment - JMA, was read:**

Moved by Ganzberger, supported by Graziani, RESOLVED, that the Southgate City Council adopts a resolution concurring with the Administrator's recommendation and hereby extends the JMA Memorandum of Understanding and its revisions and/or amendment through December 31, 2015 per the following resolution:

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

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

WHEREAS, the System has undergone a major expansion and renovation as a result of United States of America EPA and Michigan Department of Environmental Quality mandates which were set forth in a Consent Decree dated May 24, 1994 in the matter of *United States of America, et al vs. Wayne County Michigan, et al*, Civil Action No. 87-7-992, filed in the U.S. District Court, Eastern District of Michigan, Southern Division, and

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

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

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

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

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

WHEREAS, the Municipalities and the County extended the terms of the MOU on several occasions with the most recent extension running until December 31, 2014, and

WHEREAS, the Downriver Communities have expressed interest in extending the operation and existence of the 2014 MOU including all its terms and conditions as contained in the original MOU and its revisions and/or amendment through December 31, 2015,

NOW, THEREFORE, BE IT RESOLVED THAT:

The City of Southgate hereby approves of and authorizes the full and necessary participation in the Joint Management Committee as extended through December 31, 2015 pursuant to terms and conditions set forth in Exhibit 1.

The City hereby designates Joseph G. Kuspa as its JMC representative, and Bryce Kelley as its alternate representative.

Discussion took place.

Motion carried unanimously.

## **2) Memo from Administrator; Re: Amended Articles of Incorporation - DUWA, was read:**

Moved by Zamecki, supported by Colovos, RESOLVED, that the Southgate City Council concurs with the recommendation of the City Administrator and hereby adopts a resolution approving the amended articles of incorporation as follows:

WHEREAS, the Downriver Wastewater System (the "System") provides sewage treatment and conveyance for wastewater generated in thirteen communities (the "Downriver Communities"), including Allen Park, Belleville, Brownstown Charter Township, Dearborn Heights, Ecorse, Lincoln Park, River Rouge, Riverview, Romulus, Southgate, Taylor, Van Buren Charter Township, and Wyandotte, and;

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WHEREAS, the System was operated by Wayne County pursuant to the Downriver Sewage Disposal System Contract (the "Contract") as amended, which was approved and placed into effect as of March 1, 1962, and;

WHEREAS, the Contract had a 50-year term which expired on March 1, 2012, and;

WHEREAS, in the year 2010 the communities of Allen Park, Belleville, Brownstown Charter Township, Dearborn Heights, Ecorse, River Rouge, Riverview, Romulus, Southgate, Taylor, Van Buren Charter Township, and Wyandotte created the Downriver Utility Wastewater Authority, and;

WHEREAS, the Downriver Communities have expressed interest in amending the terms and conditions of the Articles of Incorporation for the Downriver Utility Wastewater Authority so as to admit the City of Lincoln Park as a constituent community, and;

WHEREAS, the City of Lincoln Park has now requested to become a constituent community by joining the Authority, and;

WHEREAS, the Authority and each constituent member agree to admit the City of Lincoln Park to the Authority as a constituent community by action of their respective legislative bodies approving the Amended Articles of Incorporation (attached as Exhibit A hereto) and upon the payment by the City of Lincoln Park of the organizational fee of Three Thousand Dollars (\$3,000.00) with said sum to be delivered to the treasurer of "DUWA" and;

WHEREAS, upon the approval of these Amended Articles of Incorporation of the Downriver Utility Wastewater Authority, by all thirteen communities, they shall be filed and published in the manner provided for in Act 233 of 1955.

NOW THEREFORE BE IT RESOLVED that the City of Southgate hereby approves the attached Amended Articles of Incorporation of the Downriver Utility Wastewater Authority, and;

BE IT FURTHER RESOLVED that the City of Southgate hereby authorizes its Mayor and Clerk to execute the Articles of Incorporation, and;

BE IT FURTHER RESOLVED that the said amended Articles of Incorporation shall be filed and published pursuant to Act 233, and as provided by the amended Articles of Incorporation.

Discussion took place.

Motion carried unanimously.

### **3) Letter from Mayor; Re: Purchase of Two Pickup Trucks – Water Department, was read:**

Moved by George; supported by Zamecki, RESOLVED, that the Southgate City Council hereby waives the bid procedure and authorizes purchase of two (2) pick-up trucks for the Water Department to Southgate Ford (16501 Fort St, Southgate, MI 48195) in the amount of \$45,660, which matches the State Bid pricing. FURTHER RESOLVED THAT adequate funds are available in the Water Department budget for this purchase.

Motion carried unanimously.

### **4) Letter from City Clerk; Re: Ballot Question, was read:**

Moved by Zamecki; supported by Graziani; RESOLVED, that the Southgate City Council hereby adopts a resolution to allow the City Clerk submit ballot wording to the Attorney General asking the voters to amend the City Charter of the City of Southgate to "eliminate terms limits" for the Mayor and City Council,

OBJECTION TO MOTION

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## Roll Call Vote on Motion

Zamecki	Yeah
Colovos	No
Farrah	Yeah
Ganzberger	No
George	No
Graziani	Yeah
Denman	Yeah

MOTION FAILS 4 – 3 *Must be a super majority to pass vote.*

Moved by Farrah, supported by Zamecki; RESOLVED, that the Southgate City Council hereby adopts a resolution to allow the City Clerk submit ballot wording to the Attorney General asking the voters to amend the City Charter Sections 37 and 56 to amend the term of office for Mayor, City Clerk, City Treasurer and City Council to four (4) years from two (2) years,

## OBJECTION TO MOTION

## Roll Call Vote on Motion

Denman	Yeah
Graziani	Yeah
George	No
Ganzberger	No
Farrah	Yeah
Colovos	No
Zamecki	Yeah

MOTION FAILS 4 – 3 *Must be a super majority to pass vote.*

## **Persons in Audience (unscheduled):**

- 1) John Bojanowski, 16000 Waverly, Southgate spoke on the recent Council discussions on the proposed Charter Amendments.
- 2) Ken Maniak, 12603 Second Avenue South, Southgate requested update on the outstanding items in his community.
- 3) Christopher Hall, 12379 First Avenue South, Southgate gave a brief scenario of items he was involved in within his community.

## **Claims and Accounts:**

Moved by Ganzberger, supported by Zamecki, RESOLVED, that Claims and Accounts be paid as outlined on Warrant #1284 in the amount of \$2,326,125.02.

Carried unanimously.

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## **Adjournment:**

Moved by Ganzberger, supported by George, RESOLVED, that this Regular Meeting of the Southgate City Council be adjourned at 8:27 P.M. Carried unanimously.

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Sheryl Denman  
Council President

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Janice M. Ferencz  
City Clerk

Mk 7/02/15