

City of Southgate

Regular City Council Meeting

May 2, 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, May 2, 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, John Graziani, Phillip Rauch, Chris Rollet, Dale Zamecki

Absent: *Karen George, *excused

Also Present: Mayor Joseph G. Kuspa, City Administrator Dustin Lent, City Attorney Brandon Fournier, Assistant City Administrator/Finance Director David Angileri, City Engineer John Hennessey, City Clerk Jan Ferencz, Director of Public Safety Jeff Smith, Police Chief Brett Selby, Fire Chief Mike Sypula, Building Inspections Director Bob Casanova, and Director of Public Services Bob Tarabula.

Minutes:

Moved by Rauch, supported by Colovos, RESOLVED, that the minutes of the City Council Work Study Session dated April 18, 2018 be approved as presented. Carried unanimously.

Moved by Zamecki, supported by Farrah, RESOLVED, that the minutes of the Regular City Council Meeting dated April 18, 2018 be approved as presented. Carried unanimously.

Consideration of Bids:

1. **Letter from Mayor; Re: Reconstruction of McCann Road – Pennsylvania to Leroy,** moved by Farrah, supported by Zamecki, RESOLVED that the Southgate City Council concurs with the Mayor's recommendation and awards the bid for reconstruction of McCann Road – Pennsylvania to Leroy to Great Lakes Contracting Solutions, LLC (2300 Edinburgh, Waterford, MI 48328) in the amount of \$1,281,689.20 plus a 10% contingency for a total cost of \$1,409,885. BE IT FURTHER RESOLVED THAT adequate funds are available in the Municipal Street fund to cover this contract.

Discussion took place.

Motion carried unanimously.

2. **Letter from Mayor; Re: Reconstruction of Fordline Road – Northline to Malcolm,** moved by Rauch, supported by Rollet, RESOLVED that the Southgate City Council concurs with the Mayor's recommendation and awards the bid for reconstruction of Fordline Road – Northline to Malcolm to Great Lakes Contracting Solutions, LLC (2300 Edinburgh, Waterford, MI 48328) in the amount of \$658,516.20 plus a 10% contingency for a total cost of \$724,367.82. BE IT FURTHER RESOLVED THAT adequate funds are available in the Municipal Street Fund to cover this contract.

Discussion took place.

Motion carried unanimously.

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3. **Memo from Administrator; Re: Phase #2 Playground Equipment – Rotary Park**, moved by Zamecki, supported by Rauch, RESOLVED that the Southgate City Council concurs with the Engineer's recommendation and awards the bid for Rotary Park Phase #2 playground equipment to Penchura, L.L.C. (889 S. Old US 23, Brighton, MI 48114) in the amount of \$38,289. BE IT FURTHER RESOLVED THAT funds for this purchase are available from the Community Development Block Grant.

Discussion took place.

Motion carried unanimously.

4. **Memo from Administrator; Re: Rotary Park Phase #2 Shelter Pavilions**, moved by Zamecki, supported by Colovos, RESOLVED that the Southgate City Council concurs with the Engineer's recommendation and awards the bid for Rotary Park Phase #2 shelter pavilions to Penchura, L.L.C. (889 S. Old US 23, Brighton, MI 48114) in the amount of \$24,403.50. BE IT FURTHER RESOLVED THAT funds for this purchase are available from the Community Development Block Grant.

Motion carried unanimously.

Scheduled Hearings:

1. **Memo from ACA/Finance Director; Re: Mayor's 2018/19 Proposed Budget:**

Moved by Rauch, supported by Colovos, RESOLVED THAT the Southgate City Council hereby enters into a public hearing at 7:01 p.m. to discuss Mayor's 2018/19 Proposed Budget.

Moved by Zamecki, supported by Rauch, RESOLVED THAT the Southgate City Council closes the public Hearing at 7:11 p.m.

Motion carried unanimously.

2. **Memo from ACA/Finance Director; Re: User Charge System for Southgate-Wyandotte Drainage District Public Hearing:**

Moved by Rauch, supported by Farrah, RESOLVED THAT the Southgate City Council hereby enters into a public hearing at 7:11 p.m. to discuss User Charge System for Southgate-Wyandotte Drainage District.

Moved by Colovos, supported by Rauch, RESOLVED THAT the Southgate City Council closes the public Hearing at 7:15 p.m.

Motion carried unanimously.

3. **Memo from ACA/Finance Director; Re: Proposed Water/Sewer Rate Increase:**

Moved by Rauch, supported by Colovos, RESOLVED THAT the Southgate City Council hereby enters into a public hearing at 7:15 p.m. to discuss Proposed Water/Sewer Rate Increase.

Moved by Rauch, supported by Zamecki, RESOLVED THAT the Southgate City Council closes the public Hearing at 7:17 p.m.

Motion carried unanimously.

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Communications "A":

1. **Letter from Mayor re: Electrical Repairs and Maintenance**, moved by Farrah, supported by Rauch, RESOLVED that the Southgate City Council hereby concurs with the Mayor's recommendation to extend the current contract with Riney Electrical (1459 Fort St., Wyandotte, MI 48192) for a period of two years at the current rates of \$55.00 per hour (M-F) and \$75.00 per hour Saturday, Sunday and Holidays. BE IT FURTHER RESOLVED THAT sufficient funds are available in the various department budgets to cover costs associated with these maintenance issues.

Motion carried unanimously.

2. **Letter from Mayor re: 2 Ford Police Interceptor Utility Vehicles**, moved by Colovos, supported by Rollet, RESOLVED that the Southgate City Council hereby concurs with the Mayor's recommendation and awards purchase of two (2) Ford Police Interceptor Utility Vehicles to Southgate Ford (16501 Fort St, Southgate, MI 48195) in the amount of \$56,406. that matches the State Bid. BE IT FURTHER RESOLVED THAT sufficient funds are available in the Capital Fund through the sale of the lease on the ATT Tower and sale of land for this purchase.

Discussion took place

Motion carried unanimously.

3. **Memo from ACA/Finance Director; Re: Southgate-Wyandotte Drainage District User Charge**: moved by Farrah, supported by Zamecki, RESOLVED that the Southgate City Council hereby adopts a resolution approving the 2018/2019 fiscal year apportionment for the City of Southgate as follows:

WHEREAS, the costs of operating, maintaining and replacing facilities, constructed by the Southgate-Wyandotte Relief Drain Drainage District have been apportioned by the Wayne County Drainage Board in accordance with Sections 468, 469 and 478 of the Michigan Drain Code, Act 40 of Michigan Public Acts of 1956, as amended and Section 14a of Act 51 of Michigan Public Acts of 1951, as amended, and in accordance with the Federal Water Regulations promulgated there under (Title 40 Code of Federal Regulations, Part 35); and,

WHEREAS, the City of Southgate is empowered by Section 490 of the Michigan Drain Code, Act 40 of Michigan Public Acts of 1956, Section 9 of Act 211 of Michigan Public Acts of 1956, and City of Southgate Charter Section 162 to enact user service charges for the Southgate-Wyandotte Relief Drain Drainage District by ordinance; and,

WHEREAS, the collection of such user service charges is necessary to fund the repair, operation and maintenance of the facilities of the Southgate-Wyandotte Relief Drain Drainage District and is essential to the public health, safety and welfare of users of said Southgate-Wyandotte Relief Drain Drainage District; and,

WHEREAS, a Public Hearing regarding the proposed user service charge apportionments promulgated by the Wayne County Drainage Board and the individual user service charges derived there from was held by the City Council, City of Southgate on May 2, 2018 and notice given to all the residents within the benefiting geographic area by publication in the local newspaper; and,

WHEREAS, such Public Hearing was held by the City Council to entertain views and comments from interested individuals regarding the individual user service charges for fiscal year July 1, 2018 through June 30, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the City of Southgate does hereby adopt the following apportionment of costs of operating, maintaining and replacing facilities constructed by the Southgate-Wyandotte Relief Drain Drainage District as proposed by the Wayne County Drainage Board:

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City of Southgate, MI	42.708 %
City of Wyandotte, MI	50.322 %
State of Michigan	1.804 %
County of Wayne	<u>5.166 %</u>
TOTAL	100.00 %

BE IT FURTHER RESOLVED that the City of Southgate:

- 1) Affirms that the City's cost of operating and maintaining the Southgate-Wyandotte Drainage District for fiscal year July 1, 2018 through June 30, 2019 is estimated to be \$787,183; and,
- 2) Affirms that the City's cost of modernization and automation of the Southgate-Wyandotte Drainage District Treatment Facilities along with the Barberry Relief Sewer for fiscal year 07.01.18 through 06.30.19 are estimated to be \$678,209, and,
- 3) Assesses such annual costs less excess Fund Balance to benefiting property owners in compliance with the user charge formula **as identified in Exhibit A and attached hereby and incorporated herein by reference; and,**
- 4) Confirms the roll for all persons whose name appears on the tax rolls as owning land within the Southgate-Wyandotte Drainage District as prepared by the City Clerk and Finance Department and on file within City Hall incorporated herein by reference in its entirety.

BE IT FURTHER RESOLVED that user charges have been or shall be levied on the summer tax rolls of the owners of real property within the geographic areas as follows:

North: Brest Avenue,
South: Pennsylvania Road,
East: Fort Street, and
West: Generally comprised by the area commencing with McCann (on the south side) to Eureka, to Reeck, tol-75;

BE IT FURTHER RESOLVED, that the City of Southgate does hereby re-adopt the individual user charge formula, which formula is attached hereto as Exhibit A and incorporated herein in its entirety by reference thereto, which formula shall be kept in the Office of the City Clerk for review by any interested party.

BE IT FURTHER RESOLVED, that any individual who is aggrieved by the user charge formula adopted here in or aggrieved by the application of said formula to their property shall file a notice of same with the City Engineer, within twenty-eight (28) days of the annual adoption of the user charge, who shall review the complaint and make a recommendation to the City Council. The City Council shall deny, affirm, or modify such user charges in accordance with its rules. **The effective date of this Resolution shall be May 2, 2018 (the Public Hearing, in this regard, was May 2, 2018.)**

Motion carried unanimously.

4. **Memo from ACA/Finance Director; Re: Water, Sewer and Capital Rate Increase,** moved by Farrah, supported by Zamecki, RESOLVED THAT the Southgate City Council concurs with the recommendation of Administration and establishes a new Water Rate at \$26.53 per 1,000 cubic feet for the fiscal year to be effective July 1, 2018.

Motion carried unanimously.

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5. **Letter from Administrator; Re: Resolution to Authorize DUWA Contract with Wayne County**, moved by Farrah, supported by Zamecki, RESOLVED that the Southgate City Council hereby authorizes the following resolution:

WHEREAS, 1955 PA 233, as amended ("Act 233") authorizes an authority to acquire sewage disposal systems as defined within said act and to improve, enlarge, expand and operate such systems; and

WHEREAS, by the terms of Act 233, the Downriver Utility Wastewater Authority ("DUWA") its constituent municipalities being the cities of Belleville, Ecorse, Lincoln Park, River Rouge, Southgate, Wyandotte, Allen Park, Taylor, Dearborn Heights, Romulus, Riverview, and the Charter Townships of Van Buren and Brownstown ("Communities") are authorized to enter into a contract for the acquisition; improvement, enlargement or extension of a sewage disposal system and for the payment of the cost thereof by the communities, with interest; and

WHEREAS, the DUWA desires to acquire the Downriver Sanitary Disposal System ("System") from the County of Wayne, a Michigan county corporation (the "County"); and

WHEREAS, each of the Communities have a representative on the DUWA Board which will vote May 10, 2018 on the Definitive Transfer Agreement with Wayne County for the acquisition of the system; and

WHEREAS, each of the Communities in 2017 have unanimously approved a Service Agreement with DUWA for the use and charges associated with the System; and

NOW THEREFORE, be it resolved that the City of Southgate ("Municipality") hereby agrees that:

The Municipality's member to the DUWA Board shall vote In Favor of the Definitive Transfer Agreement that has been negotiated with Wayne County for the purchase of the Downriver Sanitary Disposal System.

Discussion took place.

Motion carried unanimously.

Ordinances

Moved by Farrah, supported by Zamecki, RESOLVED that the Southgate City Council gives the first and second reading to adopt an ordinance of the City of Southgate Codified Ordinances to amend Chapter 1246, Section 1246.05 (j) (former Ordinance no. 477). This ordinance will be otherwise known as Ordinance no. 998.

Motion carried unanimously.

Communications "B":

Moved by Farrah, supported by Zamecki, RESOLVED that the Southgate City Council concurs with the Engineer's recommendation and approves the Change Order no. 1 for the Penn-McCann Subdivision Sanitary Sewer Extension in the amount of \$25,300.

Motion carried unanimously.

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Unscheduled Persons In Audience:

State of Michigan Representative Fred Durhal, Director of Corporate and Government Relations, introduced himself to the Council.

Claims and Accounts:

Moved by Farrah, supported by Rollet, RESOLVED, that Claims and Accounts be paid as outlined on Warrant #1352 in the amount of \$4,896,027.98.

Motion carried unanimously.

Adjournment:

Moved by Colovos, supported by Rauch, RESOLVED, that this Regular Meeting of the Southgate City Council be adjourned at 7:38 P.M. Carried unanimously.

John Graziani
Council President

Janice M. Ferencz
City Clerk