

Southgate City Council Agenda

Council Chambers

14400 Dix-Toledo Rd., Southgate, Michigan 48195

Wednesday May 21, 2025

6:30pm Work Study Session

1. Officials Reports
2. Discussion of Agenda Items

7:00 pm Regular Meeting

Pledge of Allegiance

Roll Call: Araj, Ayres-Reiss, Gawlik, George, Graziani, Kuspa, Rauch

Minutes:

1. Work Study Meeting Minutes dated May 7, 2025	Page 2
2. Regular City Council Meeting Minutes dated May 7, 2025	Page 3
3. Public Hearing Rate Increase Meeting Minutes Dated May 7, 2025	Page 6
4. Public Hearing Millage Rates Meeting Minutes Dated May 7, 2025	Page 7
5. Public Hearing SWDD Meeting Minutes Dated May 7, 2025	Page 8

Scheduled Persons in the Audience:

Consideration of Bids:

Scheduled Hearings:

Communications "A"

- | | |
|--|---------|
| 1. Memo from ACA/Finance Dir.; Re: Approval 2025/2026 Budget & Millage Rates | Page 9 |
| 2. Memo from ACA/Finance Dir.; Re: 2025 Poverty Exemption Guidelines and Application | Page 14 |
| 3. Memo from ACA/Finance Dir.; Re: 2025-2026 SWDD User Charges | Page 18 |
| 4. Memo from ACA/Finance Dir.; Re: 2025/2026 Water & Sewer Rates | Page 23 |
| 5. Letter from Mayor; Re: Appointments to Library Commission | Page 24 |
| 6. Letter from Mayor; Re: Appointments to EDC and Brownfield Redevelopment Corp. | Page 25 |
| 7. Memo from Administrator; Re: Amendment to MI-MABAS Inter-local Agreement | Page 26 |

Communications "B" – (Receive and File):

Ordinances:

- | | |
|--|---------|
| 1. Memo from Administrator; Re: Second Reading of Amendment to City Code Chapter 620 | Page 41 |
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Old Business:

New Business:

Unscheduled Persons in the Audience:

Claims & Accounts: Warrant #1521 \$ 2,264,076.01

Adjournment:



Janice M. Ferencz, City Clerk

Work Study Session

May 7, 2025

An Informal Meeting of the Council of the City of Southgate was held on May 7, 2025 at 6:30 P.M. and called to order by Council President Zoey Kuspa.

Present: Victoria Araj, Priscilla Ayres-Reiss, Edward Gawlik, Jr., Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch

Also Present: Mayor Joseph G. Kuspa, City Attorney Edward Zelenak, City Administrator Dan Marsh, Assistant City Administrator/Finance Director Doug Drysdale, City Clerk Janice Ferencz, City Treasurer Chris Rollet, City Engineer John Miller, Police Chief Mark Mydlarz, Fire Chief Justin Graves

Mayor Kuspa announced the Arbor Day Poster Contest Winners.

Mayor Kuspa proclaimed June as Migraine and Headache Awareness Month.

Discussed the following agenda items:

- Award Bid for Municipal Complex Recreational Improvements
- Award Bid for Kennedy Field Concessions Building Demolition
- Award Bid for Municipal Weed Cutting, Grass Cutting, Rubbish Removal
- Award Bid for Parks Maintenance
- Scheduled Hearing for Proposed Water/Sewer Rate Increase
- Scheduled Hearing for User Charge System for Southgate/Wyandotte Drainage District
- Scheduled Hearing for Mayor's Proposed 2025/26 Budget
- Waive the Bid Process and Approve Extension for the 2026 Lead Water Service Replacement Program
- Waive the Bid Process and Approve the Renewal of Security Awareness Training Subscription
- Approve Proposal for CSO Treatment Facility-Data Review & Recommendations
- Waive the Bid Process and Approve the Purchase of 64-Gallon Recycling Containers
- 1st Reading of Amendment to City Code Chapter 1044.18 Failure to Respond
- 1st Reading of Amendment to City Code Chapter 620 Drugs

This meeting ended at 6:59 p.m.

City of Southgate

Regular City Council Meeting

May 7, 2025

A Regular Meeting of the Council of the City of Southgate was held on Wednesday, May 7, 2025 in the Southgate City Hall Council Chambers and was called to order at 7:00 PM by Council President Zoey Kuspa.

This meeting began with the Pledge of Allegiance.

Present: Victoria Araj, Priscilla Ayres-Reiss, Edward Gawlik, Jr., Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch

Also Present: Mayor Joseph G. Kuspa, City Attorney Edward Zelenak, City Administrator Dan Marsh, Assistant City Administrator/Finance Director Doug Drysdale, City Clerk Janice Ferencz, City Treasurer Chris Rollet, City Engineer John Miller, Police Chief Mark Mydlarz, Fire Chief Justin Graves

Minutes:

Moved by Ayres-Reiss, supported Rauch, RESOLVED, that the minutes of the City Council Work Study Session dated April 16, 2025 be approved as presented. Carried unanimously.

Moved by Ayres-Reiss, supported by Gawlik, RESOLVED, that the minutes of the Regular City Council Meeting dated April 16, 2025 be approved as presented. Carried unanimously.

Consideration of Bids:

1. Letter from Mayor; Re: Municipal Complex Recreational Improvements moved by Ayres-Reiss, supported by George, RESOLVED THAT the Southgate City Council award bid for Municipal Complex Recreational Improvements to Best Asphalt, Inc. in the amount of \$1,535,579.44, plus 10% contingency in the amount of \$153,557.94, for a total amount of \$1,689,137.38. Motion carried unanimously.
2. Letter from Mayor; Re: Kennedy Field Concessions Building Demolition moved by George, supported by Ayres-Reiss, RESOLVED THAT the Southgate City Council award bid for the demolition of the former baseball concession building to Mierzwa Construction LLC in the amount of \$11,749.00, plus 10% contingency in the amount of \$1,174.90. Motion carried unanimously.
3. Letter from Mayor; Re: Municipal Weed Cutting, Grass Cutting, Rubbish Removal moved by Araj, supported by Rauch, RESOLVED THAT the Southgate City Council award bid for municipal weed cutting, grass cutting, rubbish removal, and additional as-needed work/ordinance cuts to Davey Tree Experts as the primary vendor, at the rates per attached bid sheet, through December 31, 2026. Motion carried unanimously.
4. Letter from Mayor; Re: Parks Maintenance moved by Gawlik, supported by George, RESOLVED THAT the Southgate City Council award bid for municipal parks maintenance to DJ's Landscape Management for a two-year period ending December 31, 2026, at the rates per the attached bid sheet. Motion carried unanimously.

Scheduled Hearings:

1. Memo from ACA/Finance Director; Re: Proposed Water/Sewer Rate Increase moved by Rauch, supported by Ayres-Reiss, RESOLVED that the Southgate City Council hereby enters into a public hearing at 7:08 p.m. in order to entertain comments from interested individuals regarding the Proposed Water and Sewer Rates to become effective July 1, 2025. Motion carried unanimously.

page 3

Mayor Kuspa explained how the rate increase isn't only from increased operations, but also from phasing in our correct portion that was reestablished three years ago.

Regular City Council Meeting May 7, 2025

There were no further comments or questions from the audience.

Moved by Rauch, supported by George, RESOLVED that the Southgate City Council adjourn the public hearing at 7:09 p.m.

Motion carried unanimously.

2. Memo from ACA/Finance Director; Re: User Charge System for Southgate/Wyandotte Drainage District moved by Rauch, supported by George, RESOLVED that the Southgate City Council hereby enters into a public hearing at 7:13 p.m. in order to entertain views and comments from interested individuals regarding the Special Assessment Costs Associated with the Southgate-Wyandotte Operation and Maintenance and Capital Improvement Charges. Motion carried unanimously.

There were no comments or questions from the audience.

Moved by Rauch, supported by George, RESOLVED that the Southgate City Council adjourn the public hearing at 7:14 p.m.

Motion carried unanimously.

3. Memo from ACA/Finance Director; Re: Mayor's Proposed 2025/26 Budget and Millage Rates moved by George, supported by Ayres-Reiss, RESOLVED that the Southgate City Council hereby enters into a public hearing at 7:16 p.m. in order to obtain comments from the public on the Proposed 2025/26 Budget. Motion carried unanimously.

There were no comments or questions from the audience.

Moved by George, supported by Ayres-Reiss, RESOLVED that the Southgate City Council adjourn the public hearing at 7:17 p.m.

Motion carried unanimously.

Communications "A":

1. Letter from the Mayor; Re: Ext. of Agreement 2026 Lead Water Services Replacement Program-Waiver of Bid moved by Araj, supported by Ayres-Reiss, RESOLVED THAT the Southgate City Council waive the city bid process and approve extension for the 2026 Lead Water Service Replacement Program (fiscal year 2025/26) with RVP Construction, Inc. at the proposed 4% increase to the contract rates approved by City Council on July 5, 2023. Motion carried unanimously.
2. Letter from the Mayor; Re: Renewal of Security Awareness Training Subscription-Waiver of Bid moved by Gawlik, supported by Araj, RESOLVED THAT the Southgate City Council waive the bid process and approve the renewal of the KnowBe4 Security Awareness Training subscription with Dewpoint, LLC for a one-year term of May 23, 2025 through May 22, 2026, in the total amount of \$2,755.50. Motion carried unanimously.
3. Memo from Administrator; Re: Proposal of CSO Treatment Facility Data, moved by Araj, supported by Rauch, RESOLVED THAT the Southgate City Council approve the proposed professional services agreement with Cornerstone Environmental Group, LLC, a Tetra Tech Company, in the total amount of \$89,000, for data review and recommendations related to the CSO Treatment Facility maintained by

Regular City Council Meeting May 7, 2025

the Southgate-Wyandotte Relief Drain District, with Southgate's share being \$44,500. Motion carried unanimously.

4. Letter from the Mayor; Re: Approval of Purchase of 64-Gallon Recycling Containers-Waiver of Bid moved by George, supported by Rauch, RESOLVED THAT the Southgate City Council waive the city bid process and approve proposal from Cascade Engineering, Inc. for the purchase of 10,000 64-gallon recycling containers in the amount of \$578,200.00, under the Sourcewell Contract #041521-CEI. Motion carried unanimously.

Ordinances:

1. Memo from Administrator; Re: First Reading of Amendment to City Code Chapter 1044.18 Moved by Ayres-Reiss, supported by Gawlik, RESOLVED THAT the Southgate City Council hereby approves to waive the second reading and approve to amend City Code 1044.18 Failure to Respond. Motion carried unanimously.
2. Memo from Administrator; Re: First Reading of Amendment of City Code Chapter 620 Drugs First reading, no action taken.

Unscheduled Persons In Audience

1. Ron Sheridan, 15247 Ludington, voiced his concerns regarding cable providers no longer having a Public Access Channel.

Claims and Accounts:

Moved by Rauch, supported by George, RESOLVED, that Claims and Accounts be paid as outlined on Warrant #1520 for \$2,212,160.14. Motion carried unanimously.

Adjournment:

Moved by Ayres-Reiss, supported by George, RESOLVED THAT this Regular Meeting of the Southgate City Council be adjourned at 7:30 P.M. Carried unanimously.

Zoey Kuspa
Council President

Janice M. Ferencz
City Clerk

City of Southgate
PUBLIC HEARING
May 7, 2025

REGARDING: Proposed Water/Sewer Rate Increase

A Public Hearing of the Council of the City of Southgate was held on Wednesday, May 7, 2025 and was called to order at 7:08 P.M. by Council President Zoey Kuspa.

Present: Victoria Araj, Priscilla Ayres-Reiss, Edward Gawlik, Jr., Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch

Also Present: Mayor Joseph G. Kuspa, City Attorney Edward Zelenak, City Administrator Dan Marsh, Assistant City Administrator/Finance Director Doug Drysdale, City Clerk Janice Ferencz, City Treasurer Chris Rollet, City Engineer John Miller, Police Chief Mark Mydlarz, Fire Chief Justin Graves

The purpose of this public hearing, duly advertised, is to consider views and comments from interested individuals on the Proposed Water/Sewer Rate Increase.

Moved by Rauch, supported by Ayres-Reiss, RESOLVED, that Council enters the public hearing.

Mayor Kuspa explained how the rate increase isn't only from increased operations, but also from phasing in our correct portion that was reestablished three years ago.

No further questions or comments from Council or audience.

Moved by Rauch, supported by George, RESOLVED that the Southgate City Council adjourn the public hearing at 7:09 p.m.

Carried unanimously.

Zoey Kuspa
Council President

Janice M. Ferencz
City Clerk

City of Southgate
PUBLIC HEARING
May 7, 2025

REGARDING: Mayor's Proposed 2025/26 Budget & Millage Rates

A Public Hearing of the Council of the City of Southgate was held on Wednesday, May 7, 2025 and was called to order at 7:16 P.M. by Council President Zoey Kuspa.

Present: Victoria Araj, Priscilla Ayres-Reiss, Edward Gawlik, Jr., Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch

Also Present: Mayor Joseph G. Kuspa, City Attorney Edward Zelenak, City Administrator Dan Marsh, Assistant City Administrator/Finance Director Doug Drysdale, City Clerk Janice Ferencz, City Treasurer Chris Rollet, City Engineer John Miller, Police Chief Mark Mydlarz, Fire Chief Justin Graves

The purpose of this public hearing, duly advertised, is to consider views and comments from interested individuals on the Mayor's Proposed 2025/26 Budget & Millage Rates.

Moved by George, supported by Ayres-Reiss, RESOLVED, that Council enters the public hearing.

No questions or comments from Council or audience.

Moved by George, supported by Ayres-Reiss, RESOLVED that the Southgate City Council adjourn the public hearing at 7:17 p.m.

Carried unanimously.

Zoey Kuspa
Council President

Janice M. Ferencz
City Clerk

City of Southgate
PUBLIC HEARING
May 7, 2025

REGARDING: User Charge System for Southgate-Wyandotte Drainage District

A Public Hearing of the Council of the City of Southgate was held on Wednesday, May 7, 2025 and was called to order at 7:13 P.M. by Council President Zoey Kuspa.

Present: Victoria Araj, Priscilla Ayres-Reiss, Edward Gawlik, Jr., Karen George, Christian Graziani, Zoey Kuspa, Phil Rauch

Also Present: Mayor Joseph G. Kuspa, City Attorney Edward Zelenak, City Administrator Dan Marsh, Assistant City Administrator/Finance Director Doug Drysdale, City Clerk Janice Ferencz, City Treasurer Chris Rollet, City Engineer John Miller, Police Chief Mark Mydlarz, Fire Chief Justin Graves

The purpose of this public hearing, duly advertised, is to consider views and comments from interested individuals on the User Charge System for Southgate-Wyandotte Drainage District.

Moved by Rauch, supported by George, RESOLVED, that Council enters the public hearing.

No questions or comments from Council or audience.

Moved by George, supported by Ayres-Reiss, RESOLVED that the Southgate City Council adjourn the public hearing at 7:14 p.m.

Carried unanimously.

Zoey Kuspa
Council President

Janice M. Ferencz
City Clerk

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

City of Southgate

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Douglas Drysdale, Assistant City Administrator/Finance Director **DWD**
DATE: May 9, 2025
RE: Adoption of Proposed Fiscal Year 2025/26 Budget & Millage Rates

Pursuant to the Proposed Budget Hearing held on May 7, 2025, the following are the proposed millage rates to be levied for the 2025/26 Fiscal Year Budget:

Description	2024/25 Approved	2025/26 Proposed
General Operating	9.9581	9.8864
Rubbish	2.3896	2.3723
Act 345 Retirement	10.3882	10.8940
Library Operating	0.8800	0.8800
Parks & Rec of 2017	0.9824	0.9753
Act 359 of 1925	0.0500	0.0540
Roads	1.8993	1.8856
Total Summer Levy	26.5476	26.9476

The 2025 Headlee Millage Reduction Factor for Southgate was 0.9928, resulting in a decrease of 0.1105 to the city's overall operating millages. Act 345 Retirement levies is exempt from Headlee rollbacks. Act 359 of 1925 Levy restricts the tax levy to no more than \$50,000 per year; as such that millage has been adjusted accordingly.

In addition, relative to the proposed budget, a motion is required in order to levy the 1% Administration Fee for all taxes to be levied and collected during the Fiscal Year commencing July 1, 2025 through June 30, 2026.

A resolution is attached adopting the Proposed Budget for fiscal year 2025/26; also a resolution authorizing the establishment of the above Millage rates and the 1% administration fee is requested.

Proposed Motion

Adopt the Fiscal Year 2025/26 proposed operating budget and proposed millage rates as presented, and authorize the 1% administration fee for all taxes to be levied and collected during the fiscal year commencing July 1, 2025 through June 30, 2026.

City of Southgate

County of Wayne, State of Michigan

No.

RESOLUTION

At a meeting of the Southgate City Council called to order by Council President Zoey Kuspa on May 21, 2025 at 7:00 P.M. the following resolution was offered:

Moved by _____, supported by _____

RESOLVED, that Council concurs with the recommendation of Administration and hereby authorizes a 1% Administrative Fee be established as part of the FY 2025/26 Budget; and,

FURTHER BE IT RESOLVED, authorization that the following Millage Rates be levied for the 2025/26 Fiscal year Budget:

General Operating	9.8864
Rubbish	2.3723
Act 345 Retirement	10.8940
Library Operating	0.8800
Parks & Rec of 2017	0.9753
Act 359 of 1925	0.0540
Roads	1.8856
Total Summer Levy	26.9476

WHEREAS, the Mayor's proposed budget for fiscal year 2025/26 was submitted on April 4, 2025 to the City Council of Southgate and a copy thereof filed with the City Clerk's Office for Public Review; and,

WHEREAS, on May 7, 2025 the City Council of Southgate held a public hearing on the proposed budget for fiscal year 2025/26; and,

WHEREAS, THE City Council, based on a recommendation from the Mayor, established the tax rates for General Fund operations and indebtedness.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Article 5, Section 97, of the City of Southgate Charter that the City Council of Southgate hereby approves the fiscal year 2025/26 operating budget by activity, as presented by the Mayor and revised by Council and implemented through the following policies and specifications as the official budget for the City of Southgate for the fiscal year beginning July 1, 2025.

1. ADOPTION BY FUND, AND ACTIVITY WITHIN EACH FUND

The budget is hereby adopted by fund and department within each fund as follows:

101 General Fund Revenues

Property Taxes	\$22,056,459
Licenses & Permits	974,600
Federal Sources	40,000
State Sources	4,369,707
Charges for Services	841,000
Other Revenue	85,000
Contributions from Local Govts	164,957
Fines & Forfeitures	920,224
Investment Income & Rentals	1,250,000

Transfers In	1,290,000
Total Revenues	\$31,991,947

101 General Fund Expenditures

Dept #	Dept Name	Budget
101	City Council	\$49,236
171	Administration	318,541
215	City Clerk	253,835
219	General Government	3,799,541
220	Municipal Employees Civil Service Commission	650
221	Police & Fire Civil Service Commission	10,500
223	Finance Department	543,195
228	Information Technology	401,321
253	Treasurer	368,594
257	Assessor	279,205
262	Elections	73,270
266	Attorney	200,705
286	District Court	1,431,137
301	Police Department	10,660,719
336	Fire Department	6,399,621
371	Building Department	891,668
426	Police Reserves	0
441	Public Services	2,776,129
442	Garage	566,570
521	Sanitation	2,088,440
672	Senior Citizen Center	81,465
701	Planning Commission	35,000
751	Recreation Department	725,821
803	Historic Commission	2,000
966	Transfers Out	600,000
	Total Expenditures	\$32,557,163

Fund #	Fund Name	Budgeted Expenditures
202	Major Streets Fund	\$1,847,728
203	Local Streets Fund	1,237,717
204	Municipal Streets Fund	1,752,520
208	Parks & Recreation Fund	2,366,967
211	Southgate / Wyandotte O&M Fund	1,375,810
247	Tax Increment Finance Authority Fund	1,204,484
248	Downtown Development Authority Fund	479,884
260	Michigan Indigent Defense Fund	166,815
271	Library Fund	935,836
284	Opioid Settlement Fund	20,000
369	Building Authority Fund	666,900
401	Capital Project Fund	150,000
404	District Court Capital Improvement Fund	25,000
584	Golf Course Fund	394,950

592	Water & Sewer Fund	10,606,836
677	Workers Comp Fund	200,100
734	Severance Reserve Fund	296,040

II. APPROPRIATION NOT A MANDATE TO SPEND

Appropriations will be considered the maximum authorization to incur expenditures and not a mandate to spend.

III. LIMIT ON OBLIGATIONS AND PAYMENTS.

No obligation shall be incurred against and no payment shall be made from any appropriation account unless there is sufficient unencumbered balance in the appropriation, and sufficient funds are or will be available to meet this obligation.

IV. No obligation shall be incurred against and no payment shall be made from any appropriation account for additional full time and/or part time employees, unless sufficient funding is first appropriated to meet this obligation.

V. CONFORMITY WITH PERVIOUS ACTIONS.

The City Council rescinds any prior actions not in conformity with the above stated policies and specifications.

Yeas:

Absent:

Nays:

Motion:

I, Janice M. Ferencz, Clerk of Southgate, do hereby certify that the foregoing is a true, correct and complete copy of a resolution passed by the Southgate City Council at a regular meeting held on May 21, 2025.

City Clerk

cc: Executive, Attorney, Finance, Wayne Co Assess & Equalization Div, Treasurer, files

L-4029

2025 Tax Rate Request (This form must be completed and submitted on or before September 30, 2025)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes Wayne	2025 Taxable Value of ALL Properties in the Unit as of 05-27-2025 \$925,219,547
Local Government Unit Requesting Millage Levy City of Southgate	For LOCAL School Districts: 2025 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2025 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2024 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2025 Current Year "Headlee" Millage Reduction Fraction	(7) 2025 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
City Charter	General Operating	1968	12.5000	9.9581	0.9928	9.8864	1.0000	9.8864	9.8864		
PA 298/1917	Rubbish Collection	N/A	3.0000	2.3896	0.9928	2.3723	1.0000	2.3723	2.3723		
PA 345/1937	Police & Fire Retiree	N/A	No Limit	N/A	1.0000	N/A	1.0000	10.8940	10.8940		
PA 164/1877	Library Operating	1994	1.0000	0.9495	0.9928	0.9426	1.0000	0.9426	0.8800		
Extra Voted	Roads Construction	2021	1.9266	1.8993	0.9928	1.8856	1.0000	1.8856	1.8856		
Extra Voted	Parks & Rec Operating	2017	1.0000	0.9824	0.9928	0.9753	1.0000	0.9753	0.9753		
PA 359/1925	Public Relations	N/A	\$50,000/ 4.0000	N/A	1.0000	0.0630	1.0000	0.0630	0.0540		

Prepared by Douglas Drysdale	Telephone Number (734) 258-3017	Title of Preparer Asst City Administrator / Finance	Date 05/21/2025
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CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

☒ Clerk
☐ Secretary

Signature

Print Name
Janice M. Ferencz

Date
05/21/2025

☒ Chairperson
☐ President

Signature

Print Name
Joseph G. Kuspa

Date
05/21/2025

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

**** IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2023 for instructions on completing this section.

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag., Qualified Forest and Industrial Personal	
For Commercial Personal	
For All Other	

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

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PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Douglas Drysdale, Assistant City Administrator / Finance Director *DWD*

DATE: May 12, 2025

RE: Request to Revise the 2025 Poverty Exemption Guidelines and Application

I have reviewed the above with the Deputy City Assessor, and concur with their request for City Council to approve the revised 2025 Poverty Exemption Guidelines and Application. The revision involves the removal of a clause in the Asset Level Guidelines for Poverty Exemption, referring to "shall not have ownership interest in any other real estate other than the primary residence". The revision to remove this clause was at the recommendation of the State Tax Commission auditor while performing a routing audit of our assessing office.

Proposed Motion

Approve the Revised 2025 Poverty Exemption Guidelines and Application, based on guidance from the Michigan State Tax Commission.

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

TO: Doug Drysdale, Finance Director

FROM: Esther Graves, Deputy City Assessor

DATE: May 9, 2025

RE: Council Resolution – 2025 Poverty Guidelines

The purpose of this communication is to request that the City Council adopt a resolution to approve the enclosed, revised 2025 Poverty Exemption Guidelines & Application.

Per Public Act 660, the State Tax Commission is required to perform audits of every assessing office in the State of Michigan. The audits take place every five years, and are used to determine if our Assessing Office is in compliance with PA 660. The City of Southgate was audited this year, and we were found to be in compliance with all substantial items. There was one minor correction that the auditor has asked us to correct, and that is to remove one line from our poverty guidelines.

The clause (page 2, last sentence of the asset test) "shall not have ownership interest in any other real estate other than the primary residence" needs to be removed.

Thank you for your consideration.

City of Southgate Application for Poverty Exemption
For 2025

GUIDELINES AND INSTRUCTIONS FOR POVERTY EXEMPTION

- If granted an exemption, it is for the current year only. The Poverty exemption is intended to be a temporary form of assistance.
- Per, MCL 211.7u(3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. Board of Review dates are posted annually and may also be found at www.southgatemi.org or by calling (734) 258-3007. This application can be made by mail, if received one day prior to the last session of the Board of Review.
- The application must be filled out in its entirety and all requested documentation must be attached. If an area does not apply to the applicant, "N/A" must be used. If the application is not complete or requested documentation is not included, the Board of Review will deny the exemption. All pages included with this application must be returned when the application is submitted for review.
- Per MCL 211.7u(7), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.

Required Documentation to be Attached to Poverty Exemption Application

- Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence must be included with the application including any property tax credit returns. The tax returns may be from the current or preceding tax year. **If any person in the household is not required to file federal or state tax returns, the included affidavit, form 4988, must be completed by each person that does not file taxes.**
- The most recent statement for all bank accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. The statement submitted must be complete with no missing pages and submitted for all persons residing in the home.
- Proof of Income/assets from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.
- The most recent mortgage statement of the primary residence under review, including any reverse mortgages.
- If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.

Common Reasons for Denial of Poverty Exemption Application

Below are common reasons (but not an exhaustive list) of why a claim for Poverty Exemption is denied:

- Failure to fill out all areas of the application, including "N/A" in areas not applicable to the applicant or signing the application.
- Failure to include State and Federal income taxes or property tax credit returns for current or one preceding year for all persons residing in the home. **Please note that the property tax credit returns are required to be filed with this application. Property tax credit returns (such as Michigan 1040CR) can still be filed with the State of Michigan even if the applicant does not file income taxes.**
- Failure to include complete banking/investment account and mortgage statements for all persons residing in the home. All pages must be submitted.

INCOME GUIDELINES FOR POVERTY EXEMPTION

This amount published annually by the US Dept. of Health and Human Services

**Per Michigan State Tax Commission Bulletin number 17 of 2024, "Procedural changes for 2025, November 19, 2024*

Number in Family	Income
1 Member	\$15,060
2 Members	\$20,440
3 Members	\$25,820
4 Members	\$31,200
5 Members	\$36,580
6 Members	\$41,960
7 Members	\$47,340
8 members	\$52,720
For each additional add:	\$5,380

According to the US Census Bureau, "income" includes:

- Money, wages, and salaries before any deductions
- Net receipts from non-farm self-employment. (These are receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses.)
- Net receipts from farm self-employment. (The same provisions as above for self-employment.)
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments and public assistance.
- Alimony, child support, and military family allotments.
- Private pensions, governmental pensions, and regular insurance or annuity payments.
- College or university scholarships, grants, fellowships, and assistantships.
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

ASSET LEVEL GUIDELINES FOR POVERTY EXEMPTION

The Asset Level does not include the primary residence for which exemption is being sought. It does include, but is not limited to:

- A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
- Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
- Jewelry, antiques, artwork, equipment, and other personal property of value.
- Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
- Withdrawals of bank accounts and borrowed money.
- Gifts, loans, lump-sum inheritances, and one-time insurance payments.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.
- The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.)

Maximum total allowed assets, including amounts in banking/investment accounts may not exceed the amount of the federal poverty guideline for the number of persons in the household. See above for what is considered an asset.

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Douglas Drysdale, Assistant City Administrator / Finance Director *DWD*
DATE: May 8, 2025
RE: Approval of Proposed 2025/26 Southgate-Wyandotte Drainage District User Charges

A public hearing was held on May 7, 2025 for discussion and comments regarding the proposed Southgate-Wyandotte Drainage District 2025/26 special assessments.

It is recommended that City Council adopt a resolution, which approves the 2025/26 fiscal year apportionment for the City of Southgate, in the amount of \$1,575,810.00.

Proposed Motion:

Approve the 2025/26 fiscal year apportionment of costs related to the operations, maintenance, and replacement of facilities constructed by the Southgate-Wyandotte Relief Drain Drainage District, in the amount of \$1,575,810.00.

City of Southgate

County of Wayne, State of Michigan

No.

RESOLUTION

At a meeting of the Southgate City Council called to order by Council President Zoey Kuspa on May 21, 2025 at 7:00 P.M. the following resolution was offered:

Moved by _____, supported by _____,

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; 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 7, 2025 and notice given to all the residents within the benefitting 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, 2025 through June 30, 2026,

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:

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	 100.000%

BE IT FURTHER RESOLVED, that the City of Southgate:

- a) Affirms that the County's cost of operating and maintaining the Southgate-Wyandotte Drainage District for fiscal year October 1, 2024 through September 30, 2025 is estimated to be \$5,208,785, including \$2,725,835 for capital projects and engineering fees; and,

- b) 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 July 1, 2025 through June 30, 2026 are estimated to be \$1,575,810; and,
- c) Assess such annual costs less excess Fund Balance to benefitting property owners in compliance with the user charge formula as identified in Exhibit A and attached hereby and incorporated herein by reference; and,
- d) 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 Road, to Reeck Road, to I-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 herein 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 the City Council. The City Council shall deny, affirm, or modify such user charges in accordance with its rules.

Yeas:

Absent:

Nays:

Motion:

I, Janice M. Ferencz, Clerk of Southgate, do hereby certify that the foregoing is a true, correct and complete copy of a resolution passed by the Southgate City Council at a regular meeting held on May 21, 2025.

City Clerk

EXHIBIT A - USER CHARGE FORMULA

For each parcel of land within the Southgate-Wyandotte Drainage District, the following formula will be applied to determine the annual user charge to be assigned to each parcel so situated.

1. Each Southgate parcel within the Southgate-Wyandotte Drainage District will be assigned to one of the following eight use categories:

1. Residential

- a. R1=0 to .359 acres
- b. R2=.360 to .750 acres
- c. R3=Over .750 acres

2. Churches
3. Commercial
4. Industrial
5. Schools
6. Municipal Complex
7. Streets & Alleys
8. Undeveloped (any user class)

2. Each of the eight categories has been assigned a runoff co-efficient as follows:

1. A. .503
- b. .314
- c. .258

2. .517
3. .802
4. .635
5. .351
6. .330
7. .612
8. .200

3. Each Southgate parcel in the Southgate-Wyandotte Drainage District will be assigned a figure, which represents the actual acreage of each parcel.

4. The acreage for each parcel will be multiplied by the runoff co-efficient assigned to that parcel's category.
5. The product of the acreage multiplied by the runoff co-efficient shall be the impervious acreage per parcel in the Southgate-Wyandotte Drainage District.
6. Areas in the Southgate-Wyandotte Drainage District with storm water runoff which flows elsewhere than Pump Station No. 5 or the Pine Street Pump Station, will be given a 95% reduction in the total impervious acreage assigned to that parcel.
7. The annual operation and maintenance along with Capital costs assigned to the Southgate-Wyandotte Drainage District by Wayne County.
8. The annual operation and maintenance will multiplied by 42.708% plus the cost of Capital Improvements to determine the total Southgate share of the Southgate-Wyandotte District costs.
9. The total Southgate share of the Southgate-Wyandotte Drainage District costs will be divided by the total impervious acreage in the Southgate portion of the Southgate-Wyandotte Drainage District to yield a unit cost per impervious acre.
10. The impervious acreage for each Southgate parcel in the Southgate-Wyandotte Drainage District will be multiplied by the product of the calculation in #9 hereinabove.
11. The result of the product derived from #10 hereinabove shall be the annual fee charged to each Southgate parcel in the Southgate-Wyandotte Drainage District.

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Douglas Drysdale, Assistant City Administrator / Finance Director *DWD*
DATE: May 8, 2025
RE: Approval of Proposed 2025/26 Water & Sewer Rates

Each year during the budget process, administration reviews the water & sewer rates based on the budgeted expenditures and volumes, and proposes adjustments to allow the rates to cover operations, management, and capital requirements of the system. The proposed rates, along with the current rates, are outlined below. The proposed rates represent approximately a 9.5% increase over the current rates for residential usage.

	Current	Proposed	% Change
Water	\$ 35.70	\$ 39.27	10.0%
Sewer	\$ 46.00	\$ 50.60	10.0%
Capital	\$ 9.00	\$ 9.45	5.0%
Combined	\$ 90.70	\$ 99.32	9.5%
Non-Residential	\$ 1.53	\$ 1.53	0.0%

Note: Rate is per metered thousand (1,000) cubic feet

Administration is requesting that City Council adopt a resolution establishing the new Water Rate at \$39.27, the new Sewer Rate at \$50.60, the Capital Rate at \$9.45, and the Non-Residential User Rate at \$1.53 per 1,000 cubic feet (MCF). The proposed rates will be sufficient to cover the operations, management, and capital requirements of the system.

The proposed rates were discussed with City Council at the April 12, 2025 budget session, and a public hearing was held on May 7, 2025 to receive comments on the proposed rates. The adopted rates will be effective July 1, 2025.

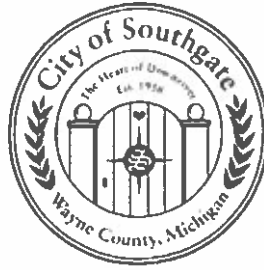
Proposed Motion:

Approve the 2025/26 proposed Water Rate at \$39.27, the proposed Sewer Rate at \$50.60, the proposed Capital Rate at \$9.45, and the Non-Residential User Rate at \$1.53 per 1,000 cubic feet, with the rates effective July 1, 2025.

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
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PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

May 14, 2025

To The Honorable
Southgate City Council
Southgate, Michigan 48195

Re: Appointment to Boards/Commissions

Ladies and Gentlemen:

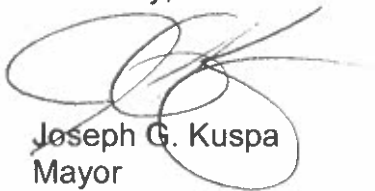
Please be advised I have made the following appointments:

Library Commission – for a term expiring April 2028

Elizabeth Altizer
Haley Zayac

Your concurrence on these appointments is greatly appreciated.

Sincerely,



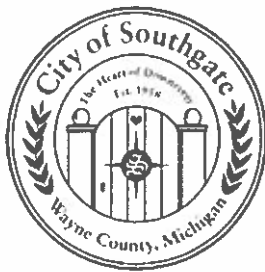
Joseph G. Kuspa
Mayor

Cc: City Clerk

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

May 14, 2025

To The Honorable
Southgate City Council
Southgate, Michigan 48195

Re: Appointment to Boards/Commissions

Ladies and Gentlemen:

Please be advised I have made the following appointments:

Brownfield Redevelopment Corp. – for a term expiring June 2031

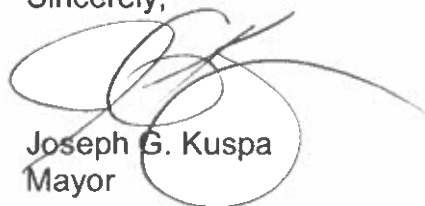
Tony DiCarlo

Economic Development Corp. – for a term expiring June 2031

Tony DiCarlo

Your concurrence on these appointments is greatly appreciated.

Sincerely,



Joseph G. Kuspa
Mayor

Cc: City Clerk

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

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KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

Memorandum

To: Honorable City Council Members

From: Dan Marsh, City Administrator 

Date: May 16, 2025

Re: Amendment to Michigan Mutual Aid Box Alarm System (MI-MABAS)
Inter-Local Agreement

In January 2015 City Council approved the Michigan Mutual Aid Box Alarm System (MABAS) Inter-local Agreement. Participation in the MI-MABAS Inter-local agreement allows the City to receive additional resources from outside the Downriver area when needed during emergency scenarios.

In 2016 the MI-MABAS Board updated the section regarding Compensation for Aid (section 8) of the Inter-Local Agreement. The MI-MABAS board recognized it had not received updated signed agreements from the member communities and is requesting the 2016 amended agreement be signed by each community's chief executive officer.

The City attorney has reviewed the attached amended Inter-Local Agreement and has no objection. Therefore, I respectfully request the City Council adopt a resolution to authorize the Mayor to sign the attached agreement on behalf of the City.

Please contact me if you have any questions.

Proposed Motion: To authorize the Mayor to sign the 2016 amended Michigan Mutual Aid Box Alarm System (MI-MABAS) Inter-Local Agreement



Southgate Fire Department

14730 Reaume Parkway
Southgate, Michigan 48195

(734) 258-3080 / FAX (734) 246-1352

Justin Graves, Fire Chief

(734) 258-3070

jgraves@southgatemi.gov



To: City Administrator Marsh
From: Fire Chief Justin Graves
Re: Re-signing of MABAS
Date: 05/16/2025

Administrator Marsh,

I am writing to express my strong support for the continued participation in the Mutual Aid Box Alarm System (MABAS) and to urge the re-signing of the MABAS agreement.

MABAS provides our community with access to critical emergency response resources during times of large-scale incidents, including fires, hazardous materials events, natural disasters, and other emergencies that may exceed the capabilities of our local departments. It ensures that we are both supported by and able to support neighboring communities in times of need—strengthening public safety across the region.

Re-signing this agreement reaffirms our commitment to interagency cooperation, disaster preparedness, and the safety of both our residents and first responders. The standardized, organized nature of the MABAS system enhances response times, resource coordination, and overall effectiveness during emergencies.

I respectfully urge the Council to approve the renewal of our MABAS agreement. It is a vital tool in maintaining a resilient, responsive, and well-supported emergency services infrastructure.

Thank you for your time and consideration.

Respectfully,

Justin Graves

Fire Chief

**AMENDED (2016) MICHIGAN MUTUAL AID BOX ALARM SYSTEM ASSOCIATION
AGREEMENT**

Effective Date: _____

BETWEEN

**PARTICIPATING POLITICAL SUBDIVISIONS AS SIGNATORIES
TO THIS INTERLOCAL AGREEMENT**

This Agreement is entered into between the participating units of local government "Parties" that execute this Agreement and adopt its terms and conditions as provided by law. This Agreement supersedes any and all prior Agreements and amendments to the Michigan Mutual Aid Box Alarm System Association Agreement.

WHEREAS, the Constitution of the State of Michigan, 1963, Article VII, Section 28, authorizes units of local government to contract as provided by law; and,

WHEREAS, the Urban Cooperation Act, of 1967, 1967 PA 7, MCL 124.501, et seq., provides that any political subdivision of Michigan or of another state may enter into interlocal agreements for joint exercise of power, privilege, or authority that agencies share in common and might each exercise separately; and,

WHEREAS, the Parties have determined that it is in their best interests to enter into this Agreement to secure to each the benefits of mutual aid in fire protection, suppression, rescue and emergency medical assistance, hazardous materials control, technical rescue and/or other emergency support for an Emergency, Disaster, or other Serious Threat to Public Health and Safety; and,

WHEREAS, the Parties have determined that it is in their best interests to form an association to provide for communications procedures, training, and other functions to further the provision of said protection of life and property during an Emergency, Disaster, or other Serious Threat to Public Health and Safety; and

WHEREAS, the Constitution and people of the State of Michigan have long recognized the value of cooperation by and among the state and its political subdivisions;

NOW, THEREFORE, the Parties agree as follows:

SECTION ONE

Purpose

It is recognized and acknowledged that in certain situations, such as natural disasters and man-made catastrophes, no political subdivision possesses all the necessary resources to cope with every possible Emergency, Disaster or Serious Threat to Public Safety, and an effective, efficient response can be best achieved by leveraging collective resources from other political subdivisions. Further, it is acknowledged that coordination of mutual aid through the Michigan Mutual Aid Box Alarm System Association (MI-MABAS) is most effective for best practices and efficient provision of mutual aid.

SECTION TWO

Definitions

The Parties agree that the following words and expressions, as used in this Agreement, whenever initially capitalized, whether used in the singular or plural, possessive or non-possessive, either within or without quotation marks, shall be defined and interpreted as follows:

- A. "Agreement" means the MI-MABAS Agreement.
- B. "Michigan Mutual Aid Box Alarm System" ("MABAS") means a definite and prearranged plan whereby response and assistance is provided to a

Requesting Party by an Assisting Party in accordance with the system established and maintained by MI-MABAS Members;

- C. "Party" means a political subdivision which has entered into this Agreement as a signatory;
- D. "Requesting Party" means any Party requesting assistance under this agreement;
- E. "Assisting Party" means any Party furnishing equipment, personnel, and/or services to a Requesting Party under this agreement;
- F. "Emergency" means an occurrence or condition in a Party's jurisdiction which results in a situation of such magnitude and/or consequence that it cannot be adequately handled by the Requesting Party and such that a Requesting Party determines the necessity of requesting aid;
- G. "Disaster" means an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, or similar occurrences resulting from terrorist activities, riots, or civil disorders;
- H. "Serious Threats to Public Health and Safety" means other threats or incidents such as those described as Disasters, of sufficient magnitude that the necessary public safety response threatens to overwhelm local resources and requires mutual aid or other assistance;

- I. "Division" means the geographically associated Parties which have been grouped for operational efficiency and representation of those Parties;
- J. "Training" means the regular scheduled practice of emergency procedures during non-emergency drills to implement the necessary joint operations of MI-MABAS;
- K. "Executive Board" means the governing body of MI-MABAS composed of Division representatives.
- L. "Effective Date" means the date on which the Agreement is first filed with the Department of State, the Office of the Great Seal, and each county where Parties are located.
- M. "Special Operations Teams" means MI-MABAS recognized teams of personnel with the requisite training and skill for Hazardous Materials Response, Technical Rescue Response (including Strike Teams and Michigan Task Force 1) and Incident Management Teams.

SECTION THREE

Establishment of the Association, the Divisions and Executive Board of MI-MABAS

A. Establishment of the Association

1. The Parties intend and agree that MI-MABAS is established as a separate legal entity and public body corporate pursuant to the Michigan Urban Cooperation Act of 1967, 1967 PA, MCL 124.505(c) and this Agreement.
2. Name of MI-MABAS. The formal name of the Association is "Michigan Mutual Aid Box Alarm System Association".

3. Federal Tax Status. The Parties intend that MI-MABAS and all Divisions shall be exempt from federal income tax under Section 115(1) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future tax code
4. State and Local Tax Status. The parties intend that the MI-MABAS and all Divisions shall be exempt from all State and local taxation including, but not limited to, sales, use, income, single business, and property taxes under the applicable provisions of the laws of the State.
5. Title to MI-MABAS Property. All property is owned by MI-MABAS as a separate legal entity. MI-MABAS may hold any of its property in its own name or in the name of one (1) or more of the Parties or Divisions, as determined by the Parties.
6. Principal Office. The principal office of the Association ("Principal Office") shall be at such locations determined by the MI-MABAS Executive Board.

B. Establishment of the Executive Board.

An Executive Board shall be established to consider, adopt, and amend needed rules, procedures, by-laws and any other matters deemed necessary by the Parties. The Executive Board shall consist of a member elected from each Division of MI-MABAS who shall serve as the voting representative of said Division of MI-MABAS matters, and may appoint a designee from his or her Division to serve temporarily in his or her stead. Such designee shall have all rights and privileges attendant to a representative of the Division. A President and Vice President shall be elected from the representatives of the

Parties and shall serve without compensation. The President and other officers shall coordinate the activities of the MI-MABAS Association.

SECTION FOUR

Duties of the Executive Board

The Executive Board shall meet regularly to conduct business and to consider and publish the rules, procedures, and bylaws of the MI-MABAS Association, which shall govern the Executive Board meetings and such other relevant matters as the Executive Board shall deem necessary.

SECTION FIVE

Rules and Procedures

Rules, procedures, and bylaws of the MI-MABAS Association shall be established by the Member Units via the Executive Board as deemed necessary for the purpose of administrative functions, the exchange of information, and the common welfare of the MI-MABAS.

SECTION SIX

Authority and Action to Effect Mutual Aid

- A. The Parties hereby authorize and direct their respective Fire Chief or his or her designee to take necessary and proper action to render and/or request mutual aid from the other Parties in accordance with the policies and procedures established and maintained by the MI-MABAS Association.

- B. Upon a Fire Department's receipt of a request from another Party for Fire Services, the Fire Chief, the ranking officer on duty, or other officer as designated by the Fire Chief shall have the right to commit the requested Firefighters, other personnel, and Fire Apparatus to the assistance of the requesting Party. The aid rendered shall be to the extent of available personnel and equipment not required for adequate protection of the territorial limits of the Responding Party. The judgment of the Fire Chief, or his or her designee, of the Responding Party shall be final as to the personnel and equipment available to render aid.
- C. An authorized representative of the Party which has withheld or refused to provide requested assistance under this Agreement shall immediately notify the Requesting Party, and shall submit an explanation for the refusal.

SECTION SEVEN

Jurisdiction Over Personnel and Equipment

Personnel dispatched to aid a party pursuant to this Agreement shall at all times remain employees of the Assisting Party, and are entitled to receive benefits and/or compensation to which they are otherwise entitled to under the Michigan Workers' Disability Compensation Act of 1969, any pension law, or any act of Congress. Personnel dispatched intrastate to assist a party pursuant to this Agreement continue to enjoy all powers, duties, rights, privileges, and immunities as provided by Michigan Law. When Parties are dispatched pursuant to the Emergency Management Assistance Compact (EMAC), the Parties shall adhere to all provisions of the EMAC. Personnel rendering aid shall report for direction and assignment at the scene of the emergency to the Incident Commander of the Requesting Party.

SECTION EIGHT

Compensation for Aid

Equipment, personnel, and/or services provided pursuant to this Agreement, absent a state or federal declaration of emergency or disaster, excluding resources for Special Operations Teams, shall be at no charge to the Requesting Party for the first eight hours. Any expenses recoverable from third parties shall be equitably distributed among Responding Parties. Requests for a response from any MI-MABAS Special Operations Team may require full and complete reimbursement to the responding Team for all expenses, including but not limited to, expenses for equipment, personnel, management and administration, and all other services provided at an incident. The Executive Board shall adopt fee schedules that establish rates for Special Operations Team responses. Nothing herein shall operate to bar any recovery of funds from any state or federal agency under any existing statutes. The Parties reserve the right to waive any charges to a Requesting Party.

SECTION NINE

Insurance

Each Party shall procure and maintain, at its sole and exclusive expense, insurance coverage, including comprehensive liability, personal injury, property damage, worker's compensation, and, if applicable, emergency medical service professional liability, with minimum limits of \$1,000,000 auto and \$1,000,000 combined single limit general liability and professional liability. The obligations of the Section may be satisfied by a Party's membership in a self-insurance pool, a self-insurance plan, or arrangement with an insurance provider approved by the state of jurisdiction. The Executive Board

may require that copies or other evidence of compliance with the provisions of this Section be provided by the Parties to the Executive Board.

SECTION TEN

Liability

Each Party will be solely responsible for the acts of its own employees, agents, and subcontractors, the costs associated with those acts, and the defense of those acts. The Parties shall not be responsible for any liability or costs associated with those acts and the defense of those acts for Parties outside of their political jurisdictions. It is agreed that none of the Parties shall be liable for failure to respond for any reason to any request for Fire Services or for leaving the scene of an Incident with proper notice after responding to a request for service.

SECTION ELEVEN

No Waiver of Governmental Immunity

All of the privileges and immunities from liability, and exemptions from laws, ordinances and rules, and all pensions, relief, disability, worker's compensation and other benefits which apply to the activity of Parties, officers, agency, or employees of any public agents or employees of any public agency when performing their respective functions within the territorial limits for their respective agencies, shall apply to the same degree and extent to the performance of such functions and duties of such Parties, officers, agents, or employees extraterritorially under the provision of this Agreement. No provision of the Agreement is intended, nor shall any provision of this Agreement be construed, as a waiver by any Party of any governmental immunity as provided by the Act or otherwise under law.

SECTION TWELVE

Term

- A. The existence of MI-MABAS commences on the Effective Date and continues until terminated in accordance with this Section.
- B. Any Party may withdraw, at any time, from this Agreement for any reason, or for no reason at all, upon thirty (30) days written notice to the Association. The withdrawal of any Party shall not terminate or have any effect upon the provisions of this Agreement so long as the MI-MABAS remains composed of at least two (2) Parties. Parties withdrawing from MI-MABAS and subsequently requesting a mutual aid resource from a MI-MABAS member may be subject to reasonable fees for that resource according to the fee schedule established, and periodically reviewed and updated, by the Executive Board.

- C. This Agreement shall continue until terminated by the first to occur of the following:
- (i) The Association consists of less than two (2) Parties; or,
 - (ii) A unanimous vote of termination by the total membership of the Executive Board.

SECTION THIRTEEN

Miscellaneous

- A. Entire Agreement. This Agreement sets forth the entire agreement between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any party. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement.
- B. Severability of Provisions. If a Court of competent jurisdiction finds any provision of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.
- C. Governing Law/Consent to Jurisdiction and Venue. This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced, and governed under the laws of the State of Michigan.
- D. Captions. The captions, headings, and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement.

- E. Terminology. All terms and words used in this Agreement, regardless of the numbers or gender in which they are used, are deemed to include any other number and any other gender as the context may require.
- F. Recitals. The Recitals shall be considered an integral part of this Agreement.
- G. Amendment. The Agreement may be amended or an alternative form of the Agreement adopted only upon written agreement and approval of the governing bodies of all Parties. Amendments to this Agreement shall be filed with the Department of State, the Office of the Great Seal, each county of the State where a Party is located, and any other governmental agency, office, and official required by law. The undersigned unit of local government or public agency hereby adopts, subscribes, and approves this Agreement to which this signature page will be attached, and agrees to be a party and be bound by the terms.
- H. Compliance with Law. The Association shall comply with all federal and State laws, rules, regulations, and orders applicable to this Agreement.
- I. No Third Party Beneficiaries. Except as expressly provided herein, this Agreement does not create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right of indemnification (i.e., contractual, legal, equitable, or by implication) right of subrogation as to any Party's rights in this Agreement, or any other right of any kind in favor of any individual or legal entity.
- J. Counterpart Signatures. This Agreement may be signed in counterpart. The counterparts taken together shall constitute one (1) agreement.
- K. Permits and Licenses. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations for its employees and/or agents

necessary to perform all its obligations under this Agreement. Upon request, a Party shall furnish copies of any permit, license, certificate or governmental authorization to the requesting party.

- L. No Implied Waiver. Absent a written waiver, no fact, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
- M. Notices. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid to the person appointed to the governing board by the governing body of the participating agency.

Political Entity

Signature Chief Executive Official

Printed Name - Chief Executive Official

Date

JOSEPH G. KUSPA
Mayor

JANICE M. FERENCZ
City Clerk

CHRISTOPHER P. ROLLET
Treasurer



City of Southgate

- CITY COUNCIL -

ZOEY KUSPA
Council President

CHRISTIAN GRAZIANI

KAREN E. GEORGE

PHILLIP J. RAUCH

PRISCILLA AYRES-REISS

ED GAWLIK JR.

VICTORIA ARAJ

Memorandum

To: Honorable City Council Members

From: Dan Marsh, City Administrator

Date: May 16, 2025

Re: Second Reading of Amendment to City Code Chapter 620 Drugs

The Administration recommends amending City Code Chapter 620 Drugs to include the attached language. The addition of the proposed section 620.11 will allow the City to prosecute for inhalation or consumption of chemical agents.

Please contact me with any questions.

Proposed Motion: To approve the attached proposed amendment to City Code Chapter 620 Drugs.

620.11(1) Chemical agent, definition.

Sec. 1. As used in this act, "chemical agent" means any substance containing a toxic chemical or organic solvent or both, having the property of releasing toxic vapors. The term includes, but is not limited to, glue, acetone, toluene, carbon tetrachloride, hydrocarbons and hydrocarbon derivatives.

620.11(2) Inhalation or consumption of chemical agent prohibited; anesthesia inhalation excepted.

Sec. 2. No person shall, for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction or dulling of the senses or nervous system, intentionally smell or inhale the fumes of any chemical agent or intentionally drink, eat or otherwise introduce any chemical agent into his or her respiratory or circulatory system. This shall not prohibit the inhalation of any anesthesia for medical or dental purposes.

620.11(2a) Sale or distribution of device containing nitrous oxide to person under age of 18; civil fine; sale or distribution of device containing or dispensing nitrous oxide; prohibition; exceptions; violation; penalty; definitions.

Sec. 2a. (1) Except for a person described in subsection (3)(c) or (d) acting in the course of his or her duties, a person shall not sell or otherwise distribute a device that solely contains nitrous oxide to a person under the age of 18 for any purpose unless the person under the age of 18 is accepting delivery of a device containing nitrous oxide or a device used to dispense nitrous oxide in his or her capacity as an employee.

(2) A person who knowingly sells or distributes a device that solely contains nitrous oxide to a person who is under the age of 18 in violation of subsection (1), or who fails to make diligent inquiry as to whether the person is a minor, is liable for a civil fine and may be ordered to pay not more than \$500.00.

(3) A person shall not sell or otherwise distribute to another person any device that contains any quantity of nitrous oxide or sell or otherwise distribute a device to dispense nitrous oxide for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses or nervous system. This subsection does not apply to nitrous oxide that has been denatured or otherwise rendered unfit for human consumption or to any of the following:

(a) A person licensed under chapter VII of the food law, 2000 PA 92, MCL 289.7101 to 289.7137, who sells or otherwise distributes the device as a grocery product.

(b) A person engaged in the business of selling or distributing catering supplies only or food processing equipment only, or selling or distributing compressed gases for industrial or medical use who sells or otherwise distributes the device in the course of that business.

(c) A pharmacist, pharmacist intern, or pharmacy as defined in section 17707 of the public health code, 1978 PA 368, MCL 333.17707, who dispenses the device in the course of his or her duties as a pharmacist or pharmacist intern or as a pharmacy.

(d) A health care professional.

(4) A person who violates subsection (3) is guilty of a crime as follows:

(a) Except as provided in subdivisions (b) and (c), the person is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(5) As used in this section:

(a) "Diligent inquiry" means a diligent good-faith effort to determine the age of a person, which includes at least an examination of an official Michigan operator's or chauffeur's license, an official Michigan personal identification card, a military identification card, or any other bona fide picture identification that establishes the identity and age of the person.

(b) "Prior conviction" means a previous violation of this section or a law of another state, a law of a local unit of government of this state or another state, or a law of the United States substantially corresponding to this section.

620.11(2b) Action to recover civil fine under Section 620.11(2a)

Sec. 2b. The prosecuting attorney for the City of Southgate in which the violation occurred may bring an action to recover a civil fine under Section 2a.

620.11(3) Violation as misdemeanor; penalty.

Sec. 3 Except as provided in section 2a, a person who violates this Section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.