

City of Allen Park Regular Council Meeting Minutes
Tuesday, July 14, 2015

Mayor William B. Matakas called the Meeting to order at 6:00 PM

Roll Call showed present: Councilman Bob Keenan, Councilman Angelo Americo DeGiulio, Councilwomen Tina Gaworecki, Councilman Dennis Hayes, Councilman Harry Sisko, and Councilman Larry Templin;
Also present: City Attorney Joe Couvreur, City Administrator Robert Cady, Treasurer Maureen Armstrong, Interim Assistant City Administrator Mark Kibby and Interim Deputy City Clerk James Grose.

Motion by DeGiulio

Supported by Gaworecki

RESOLVED, to approve the Agenda with the following changes.

Motion by DeGiulio

Supported by Hayes

Resolve to have Claims and Accounts separated the Consent Agenda and voted on separately.

Unanimous.

Motion by Gaworecki

Supported by Hayes

Resolve to remove from the Agenda, Application for Seller/Solicitor/Distributors Permit

Unanimous.

Resolve to add request for Emergency Roof Repair at the Community Center.

MOTION ADOPTED – 15-0714-0166

Motion by DeGiulio

Supported by Keenan

RESOLVED, to approve the Minutes for the Regular Meeting of June 23, 2015

MOTION ADOPTED – 15-0714-0167

Motion by Sisko

Supported by Gaworecki

RESOLVED, to accept and File the City Administrators operational updates/reports/documents and submissions for the previous period.

MOTION ADOPTED – 15-0714-0168

Motion by DeGiulio

Supported by Hayes

RESOLVED, to approve Claims and Accounts as presented.

MOTION ADOPTED – 15-0714-0169

Motion by Keenan

Supported by DeGiulio

RESOLVED, to approve the following Consent Agenda Items:

A. Purchasing Actions

1 Payroll Report

B. Finance Actions

1 Finance Overview for June 2015

2 Budget to Actual Report

3 Balance Sheet for June 2015

4 Cash Flow for June 2015

MOTION ADOPTED – 15-0714-0170

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Motion by Hayes

Supported by Keenan

RESOLVED, to approve the amended articles of incorporation of the Downriver Utility Wastewater Authority.
MOTION ADOPTED – 15-0714-0171

Motion by Hayes

Supported by Templin

RESOLVED, to approve the continuation of the Downriver Wastewater Treatment System Joint Management Committee.
MOTION ADOPTED – 15-0714-172

Motion by Keenan

Supported by Hayes

RESOLVED, to table the approval and awarding of the Community Center Lighting upgrade project (Roll Call) Yes; Keenan, Hayes, No; DeGiulio, Gaworecki, Sisko Templin, Matakas.
MOTION FAILED – 15-0714-173

Motion by DeGiulio

Supported by Gaworecki

RESOLVED, approve and award Lighting Upgrades, Item 1 and Item 2, and to reject all bids and proposals for Items 3, 4, 5, and 6.
(Roll Call) Yes; DeGiulio, Gaworecki, Sisko Templin, Matakas No; Keenan, Hayes,
MOTION ADOPTED – 15-0714-0174

Motion by Sisko

Supported by Templin

RESOLVED, to Lease a portion of Champaign Park between the City of Allen Park as Landlord and the Allen Park Public Schools as tenant.
MOTION ADOPTED – 15-0714-0175

Motion by Hayes

Supported by DeGiulio

Whereas, on September 9, 2014, a Memorandum of Understanding Regarding the Formation of the Great Lakes Water Authority was adopted by the City of Detroit, the State of Michigan and the counties of Wayne, Oakland and Macomb; and

Whereas, the Memorandum of Understanding required, among other things, that the City of Detroit and the counties of Wayne, Oakland and Macomb adopt Articles of Incorporation no later than October 10, 2014, and that the City of Detroit and the Great Lakes Water Authority execute a lease agreement regarding the operation and management of the Detroit water supply and sewage disposal systems; and

Whereas, on October 10, 2014, the City of Detroit and the counties of Wayne, Oakland and Macomb adopted the Articles of Incorporation of Great Lakes Water Authority; and

Whereas, on June 12, 2015, the City of Detroit and the Great Lakes Water Authority executed two 40-year lease agreements regarding (1) the operation and management of the Detroit water supply system (“Water Lease”) and (2) the operation and management of the Detroit sewage disposal system; and

Whereas, Pursuant to Sections 4.1(a)(i), 4.1(d) and 4.4 of the Water Lease, the City of Detroit assigned and the Great Lakes Water Authority assumed all of Detroit’s rights, duties, liabilities, responsibilities and obligations under the wholesale customer water contracts without any impairment to said contracts; and

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Whereas, Article III of the Water Lease provides that the effective date of the Water Lease is dependent upon the satisfaction of certain conditions precedent, including obtaining the consent of the wholesale water customers to the assignment of their 30-year water service contracts to the Great Lakes Water Authority pursuant to Section 3.2(j) of the Water Lease; and

Whereas, pursuant to the Water Lease, and as provided in Article 13 of the Water Service Contract, the City of Detroit has presented an Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority and this community for the assignment of the Water Service Contract with the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority with a request for approval; and

Whereas, this Honorable Body finds it is in the best interests of this community to consent to the assignment of the Water Service Contract to the Great Lakes Water Authority;

NOW THEREFORE BE IT RESOLVED, that the attached Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority, and the City of Allen Park is approved; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution and the executed Agreement to Assign Wholesale Customer Water Service Contract be returned to the City of Detroit Water and Sewerage Department within seven (7) days of the date of this Resolution.

MOTION ADOPTED – 15-0714-176

Motion by Templin
Supported by Sisko

Whereas, on September 9, 2014, a Memorandum of Understanding Regarding the Formation of the Great Lakes Water Authority was adopted by the City of Detroit, the State of Michigan and the counties of Wayne, Oakland and Macomb; and

Whereas, the Memorandum of Understanding required, among other things, that the City of Detroit and the counties of Wayne, Oakland and Macomb adopt Articles of Incorporation no later than October 10, 2014, and that the City of Detroit and the Great Lakes Water Authority execute a lease agreement regarding the operation and management of the Detroit water supply and sewage disposal systems; and

Whereas, on October 10, 2014, the City of Detroit and the counties of Wayne, Oakland and Macomb adopted the Articles of Incorporation of Great Lakes Water Authority; and

Whereas, on June 12, 2015, the City of Detroit and the Great Lakes Water Authority executed two 40-year lease agreements regarding (1) the operation and management of the Detroit water supply system, and (2) the operation and management of the Detroit sewage disposal system (“Sewer Lease”); and

Whereas, Pursuant to Sections 4.1(a)(i), 4.1(d) and 4.4 of the Sewer Lease, the City of Detroit assigned and the Great Lakes Water Authority assumed all of Detroit’s rights, duties, liabilities, responsibilities and obligations under the wholesale customer wastewater disposal services contracts without any impairment to said contracts; and

Whereas, Article III of the Sewer Lease provides that the effective date of the Sewer Lease is dependent upon the satisfaction of certain conditions precedent, including obtaining the consent of the wholesale sewer customers to the assignment of their 30-year wastewater disposal services contracts to the Great Lakes Water Authority pursuant to Section 3.2(j) of the Sewer Lease; and

Whereas, pursuant to the Sewer Lease, and as provided in Article 13 of the Wastewater Disposal Services Contract, the City of Detroit has presented an Agreement to Assign Wholesale Customer Wastewater Disposal Services Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority and this community for the assignment of the Wastewater Disposal Services Contract with the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority with a request for approval; and

Whereas, this Honorable Body finds it is in the best interests of this community to consent to the assignment of the Wastewater Disposal Services Contract to the Great Lakes Water Authority;

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NOW THEREFORE BE IT RESOLVED, that the attached Agreement to Assign Wholesale Customer Wastewater Disposal Services Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority, and the City of Allen Park is approved; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution and the executed Agreement to Assign Wholesale Customer Wastewater Disposal Services Contract be returned to the City of Detroit Water and Sewerage Department within seven (7) days of the date of this Resolution.

MOTION ADOPTED – 15-0714-177

Motion by Templin

Supported by Keenan

RESOLVED, to table the Sale of Vacant City Property.

MOTION ADOPTED 15-0714-178

Motion by Keenan

Supported by DeGiulio

RESOLVED, table the purchase of foreclosed properties from Wayne County for the transfer to Global Reality at the same price.

MOTION ADOPTED – 15-0714-0179

(A Special Meeting was requested for July 20th to discuss the purchase of foreclosed properties from Wayne County.)

Motion by Keenan

Supported by Sisko

RESOLVED, to approve the purchase of two senior vans. Funding through the Community Development Block Grant (CDBG).

MOTION ADOPTED – 15-0714-0180

(Councilman DeGiulio asked to be excused from the meeting for personal reasons at 7:34 p.m.)

Motion by Sisko

Supported by Keenan

RESOLVED, to accept the two year \$1,134,000 SAFER grant for the retention of personnel in the Fire Department.

MOTION ADOPTED – 15-0714-0181

Motion by Keenan

Supported by Sisko

RESOLVED, to approve the hiring of two(2) additional Ordinance Officer within the Building Department.

MOTION ADOPTED – 15-0714-182

Motion by Hayes

Supported by Gaworecki

RESOLVED, to approve Al's Asphalt Paving as the lowest bidder for the Park Street Resurfacing and to use Major Street Funds to account for the Grant funding shortfall.

MOTION ADOPTED – 15-0714-183

Motion by Gaworecki

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Supported by Templin

RESOLVED, to confirm that the City will implement and conform to the adopted provisions of the FY 2015-2016 Budget.

(Roll Call), Yes; Matakas, Keenan, Sisko, Templin, Gaworecki. No; Hayes

MOTION ADOPTED – 15-0714-184

Motion by Sisko

Supported by Gaworecki

RESOLVED, to approve the contract between the City of Dearborn and the City of Allen Park for Detainee Lodging, pending verification of liability insurance coverage

MOTION ADOPTED – 15-0714-185

Motion by Keenan

Supported by Templin

RESOLVED, to approve emergency repairs to the Community Center Roof.

MOTION ADOPTED – 15-0714-186

Motion by Gaworecki

Supported by Keenan

RESOLVED, to adopt the 1st & 2nd Reading of Proposed Ordinance #04 – 2015, an Ordinance to Amend Chapter 18 “Fire Prevention and Protection” Article 1, “in General, Section 18-1 “Definitions” and adding Section 18-8 “Sky Lanterns” to prohibit the use of Sky Lanterns in the City.

MOTION ADOPTED – 15-0714-187

Motion by Sisko

Supported by Keenan

RESOLVED, to have, for the next regular council meeting, ballot proposal language prepared addressing the repair and maintenance of local streets and sidewalks.

MOTION ADOPTED – 15-0714-188

Motion by Sisko

Supported by Templin

RESOLVED, to convene into Executive Session at 8:45 p.m. to discuss pending litigation as permitted by MCL 15.268 (e), and labor negotiation as permitted by MCL 15.268 (c).

Yes; Matakas, Keenan, Hayes, Sisko, Templin and Gaworecki. No;

MOTION ADOPTED – 15-0714-189

Motion by Sisko

Supported by Hayes

RESOLVED, to reconvene to regular session.

MOTION ADOPTED – 15-0714-190

Motion by Hayes

Supported by Gaworecki

RESOLVED, to approve the proposed settlement as recommend by legal counsel.

MOTION ADOPTED – 15-0714-191

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Motion by Gaworecki

Supported by Templin

RESOLVED, to accept the tentative agreement with both Police bargaining units as discussed in closed session, subject to RTAB and Actuarial approval.

MOTION ADOPTED – 15-0714-192

Motion by Keenan

Supported by Hayes

RESOLVED, to adjourn Regular Council Meeting at 10:25 p.m.

MOTION ADOPTED – 15-0714-193

William B. Matakas – Mayor

James B. Grose – Interim Deputy City Clerk