



**CITY OF GARDEN CITY
REGULAR COUNCIL MEETING MINUTES
January 9, 2023**

The Mayor and Council of the City of Garden City met in Regular Session Monday, January 9, 2023, at 7:00 p.m. in the Council Chambers of the Civic Center, 6000 Middlebelt Road, Garden City, Michigan.

REGULAR MEETING

Present were Mayor Jacobs, Mayor Pro-Tem Dold, Councilmembers Karafotis, Squires, DiMichele, Earle & Witt.

Members absent and excused: None

Also present were City Manager Dougherty, City Clerk Miller, City Treasurer Marciniak, Police Chief Gibbons and DPW Director Ohman.

❖ **Item #23-01-001 - Moved by DiMichele ; supported by Witt:**

RESOLVED: To approve the agenda as revised moving item 7A FY 2021-2022 Audit Presentation to the meeting of Monday January 23, 2023:

The agenda consisted of the following:

1. 2022-2023 Sewer Rates
2. Wayne County Veterans Services
3. MDOT Annual Permit Resolution

AYES: Unanimous

ABSENT: None

Motion Passes 7-0

Recognition, Presentations, Community Events, Petitions and Communications

- Mayor Jacobs presented an award to the holiday light decoration home winner the Bandy Family.

Public Hearings

- The City Council held a Public Hearing regarding the 2022-2023 Sewer Rates. City Treasurer Marciniak gave an overview of the proposed sewer rates including a 5.5% reduction.

There were no public comments given.

❖ **Item #23-01-002 - Moved by DiMichele ; supported by Squires :**

RESOLVED: To approve Consent Agenda as presented.

1. Approve Regular Council Meeting Minutes of December 19, 2022
2. Receive, Note, and File Invoices Paid Report: Month of December 2022
3. Receive and File Commission on Aging Minutes of 11/9/22
4. Receive and File Planning Commission Minutes of 7/14/22

AYES: Unanimous

ABSENT: None

Motion Passes 7-0

❖ **Item #23-01-003 - Moved by Dold; supported by Earle:**

RESOLVED: Motion to approve the adoption of the ordinance to amend Section 53.04 of Chapter 53, Title V of the City of Garden City Code providing for rates and charges for sewer service and providing for billing for sewage disposal services effective January 1, 2023.

**STATE OF MICHIGAN, COUNTY OF WAYNE
CITY OF GARDEN CITY**

ORDINANCE 23-001

**ORDINANCE AMENDING THE SEWER RATES
SECTION 53.04 OF CHAPTER 53**

AN ORDINANCE AMENDING THE SEWER RATES AND CHARGES, SECTION 53.04 OF CHAPTER 53 OF TITLE V OF THE CODE OF THE CITY OF GARDEN CITY; PROVIDING FOR RATES AND CHARGES FOR WATER AND SEWER SERVICE; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL OR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

THE CITY OF GARDEN CITY ORDAINS:

SECTION 1. AMENDMENT TO THE CODE.

Section 53.04, of the City Code are hereby amended to read as follows:

53.04. SEWAGE DISPOSAL RATES.

- (A) *Consumption base rate*, including excess sewage: **\$57.210** per 1,000 cubic feet.
- (B) *Annual fixed user charges*: **\$68.89**
- (C) *RV Annual fixed construction charges*: **\$17.51**
- (D) *Sewage disposal rates outside the City*. Charges for sewage disposal service to premises outside the city shall be **100%** of the rates and charges set forth in division (A) and (B) above or as may hereafter be established for sewage disposal service by City Council Resolution.

SECTION 2. VIOLATION AND PENALTY.

Any person or entity that violates any provision of this Ordinance may, upon conviction, be fined not more than Five Hundred (\$500.00) Dollars or imprisoned not more than Ninety (90) days, or both, in the discretion of the court.

SECTION 3. SEVERABILITY.

If any clause, sentence, section, paragraph or part of this Ordinance, or the application thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Ordinance. It is hereby declared to the legislative intent of this body that the Ordinance is severable, and that the Ordinance would have been adopted had such invalid or unconstitutional provision not have been included in this Ordinance.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 5. SAVINGS CLAUSE.

All rights and duties which have matured, penalties which have been incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance.

SECTION 6. PUBLICATION.

The Clerk for the City of Garden City shall cause this Ordinance to be published in the manner required by law.

SECTION 7. EFFECTIVE DATE.

This Ordinance, as amended, shall take full force and effect on **January 1, 2023** after publication as required by law.

AYES: Unanimous
ABSENT: None

Motion Passes 7-0

❖ **Item #23-01-004 - Moved by Squires supported by Karafotis :**

RESOLVED: Motion to approve a three-year Occupancy Agreement with Wayne County regarding the establishment of a Wayne County Veterans Services Office within the Radcliff Center.

AYES: Unanimous
ABSENT: None

Motion Passes 7-0

❖ **Item #22-01-005 - Moved by Earle; supported by Karafotis :**

RESOLVED: Motion to adopt the attached resolution authorizing the execution of MDOT road permits for the 2023 calendar year.

AYES: Unanimous
ABSENT: None

Motion Passes 7-0

Other Business

Redcliff Center Update
The City Manager gave a presentation on the progress at the Radcliff Center.

Mayor Jacobs announced it was time for public comment.

- Mike Jones, spoke regarding the Radcliff Center.
- David Molnar, spoke regarding the Radcliff Center.

❖ **Item #23-01-006 - Moved by Squires supported by Karafotis :**

RESOLVED: To go into closed session regarding a written legal opinion from the City Attorney by a roll call vote at 7:39 p.m.

AYES: Squires, Karafotis, Witt, Earle, DiMichele, Dold, Jacobs

NAYS: None

ABSENT: None

Motion Passes 7-0

❖ **Item #23-01-007 - Moved by DiMichele ; supported by Squires :**

RESOLVED: To return to open session at 8:20 p.m.

AYES: DiMichele, Squires, Witt, Earle, Karafotis, Dold, Jacobs

NAYS: None

ABSENT: None

Motion Passes 7-0

There being no further business before Council, the meeting was then adjourned at 8:21 p.m.

Matthew K. Miller
City Clerk