

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 23, 2003

03-348 The meeting was called to order at 8:05 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilman Kenneth R. Baron, Councilwoman Janet S. Badalow, Councilwoman Janet L. Blackburn, Councilman Bob Constan.
Absent: Councilwoman Margaret M. Van Houten (arrived at 8:06 p.m.).
Also Present: Mayor Canfield, Executive Assistant Horvath, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Deputy Comptroller Macari, Assessor Riedel, Building & Engineering Director Kissinger, Police Chief Gust, Fire Marshall McDonagh, Recreation Director Grybel, Public Service Administrator Blackburn, DPW Supervisor Franzil, Community Development Director Oliverio.

The Pledge of Allegiance was led by Deputy Clerk Pawlukiewicz.

03-349 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the Agenda for the Regular Meeting of September 23, 2003, be approved as submitted.

Motion adopted.

03-350 Motion by Councilman Baron, seconded by Councilman Constan, that the Minutes from the Regular Meeting of September 10, 2003, be approved as submitted.

Motion adopted.

03-351 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that Current Claims 6-1 through 6-24, be approved as submitted.

1. A LAND CONSTRUCTION, INC. - Curb Drops and Sidewalk Ramps - Inv. dated 09/12/03 from A/C 103-960-972-203 (ADA Access) \$70,738.00. CDBG
2. ACCUMED BILLING, INC. - Ambulance Services August 2003 - Inv. dated 09/09/03 from A/C 101-000-626-000 (Ambulance) \$3,401.07. General Govt.
3. CI Web Design Inc. - DHOL Web Pages and Calendar - Inv. 176 dated 02/03/03 from A/C 101-XXX-202-000 (Payables) \$2,000.00. General Govt.
4. CITY OF DEARBORN - Water & Sewage 6/19/03-08/26/03 - Inv. 86665 dated 09/05/03 from A/C 592-537-929-000 (Sewage) \$5,647.73 and A/C 592-537-928-000 (Water) \$1,354.92. Water Dept.
5. COMERICA SECURITIES - Energy Bonds & Police Radios - (2) Inv's. dated 09/08/03 from A/C 101-200-965-000 (Energy Bonds) \$12,862.50 and A/C 101-200-831-100 (E-911) \$7,320.00. General Govt.
6. CORONA CONSTRUCTION - Central Park Comfort Station - Inv. 1819 dated 09/05/03 from A/C 103-960-941-201 (Central Park) \$16,393.00. CDBG.
7. E & N CEMENT - Pavement Repairs - (2) Inv's. dated 09/13/03 from A/C 101-440-880-000 (Road Repairs) \$70,783.92 and A/C 592-537-818-000 (Contract Serv.) \$13,779.64. DPW-Water.
8. ELLEFSON BUILDING DEMO - Load & Haul Debris - Inv. 311 dated 09/15/03 from A/C 101-200-810-000 (Sanitation) \$16,980.00. General Govt.
9. EMPCO, INC. - Written Promotional Exam - Inv. 1176 dated 08/05/03 from A/C 101-221-817-000 (Prof/Consult) \$2,142.00. Act 78.
10. HEIGHTS TREE SERVICE - Tree Trimming & Removals - Inv. 24 from A/C 101-440-820-000 (Trees) \$8,350.00. DPW-Highway.
11. HUNSACKER, JAMES - Workers Comp Redemption - Ck. Req. dated 09/03/03 from A/C 101-200-724-000 (Workers Comp) \$3,750.00. General Govt.
12. J Q INC. - Grass/Weed Cutting Services - Various Inv's from A/C 101-200-963-000 (Weeds) \$8,937.50. General Govt.
13. MUNICIPAL CODE CORP. - Updating Code of Ordinances - Inv. 55631 dated 07/31/03 from A/C 101-215-818-000 (Contract Serv.) \$4,656.84. City Clerk.
14. NAGEL CONSTRUCTION INC. - Sewer Cleaning Program - Inv. 1845 dated 09/11/03 from A/C 592-540-818-030 (Contract Serv.) \$10,190.94. Water Dept.
15. PAINTER & RUTHENBERG - Roll-Off Services August 2003 - Inv. 3951 dated 09/02/03 from A/C 101-200-810-000 (Sanitation) \$9,909.00. General Govt.
16. PLANTE & MORAN - Professional Services Accounting/Audit - Inv. 92717 and 927178 dated 09/10/03 from A/C 101-200-817-000 (Prof/Consult) \$1,645.00 and A/C 592-536-817-000 (Prof/Consult) \$2,665.00. General Govt.
17. QUAD-TRAN OF MICHIGAN - Data Processing September 2003 - Inv 4178 and 4179 dated 08/29/03 from A/C 101-130-818-000 (Contract Serv.) \$3,600.00; A/C 101-200-728-000 (Supplies) \$1,668.33 and A/C 101-130-728-000 (Supplies) \$865.00. Dist. Court.
18. STANDARD FEDERAL - Fire Station Bonds & Justice Center Land Purchase Bonds - (2)

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- Invs. dated 08/18/03 from A/C 101-200-996-004 (Bonds) \$152,499.40 and A/C 105-105-996-005 (Bonds) \$205,505.00. General Govt.
19. TMP ARCHITECTURE - Swapka Park Comfort Station - Inv. 12251 dated 08/29/03 from A/C 103-960-964-203 (Swapka Park) \$3,284.48. CDBG.
 20. THOMSON WEST - Miscellaneous Publications - Inv. 155017 dated 08/24/03 from A/C 101-130-978-000 (Legal Library) \$1,756.00. District Court.
 21. WADE-TRIM/ASSOCIATES - Phase II CSO Control Sewer Design - Inv. 79247 dated 08/19/03 from A/C 592-XXX-154-000 (Sewers) \$24,311.72. Water Dept.
 22. WADE-TRIM/ASSOCIATES - Residential Rehab - Inv. 79518 dated 08/27/03 from A/C 103-960-900-202 (Residential Rehab) \$385.00. CDBG.
 23. WADE-TRIM/ASSOCIATES - Swapka Park Comfort Station - Inv. 79487 dated 08/26/03 from A/C 103-960-964-203 (Swapka Park) \$5,794.00. CDBG.
 24. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow Down River August 2003 - Inv. 217782 dated 08/29/03 from A/C 592-537-929-000 (Sewage) \$22,765.00. Water Dept.

Motion adopted.

- 03-352** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the low bid from AAD Contracting Company, 2001 Melborn, Dearborn, MI 48128, for the construction of a comfort station at Swapka/Powers Park with ADA accessible walkways; ADA accessible maintenance driveway and the re-coating and stripping of the parking lots that service Swapka/Powers Park, in the amount of \$272,900.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated September 17, 2003. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 03-353** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the 2003-2004 Water Department Budget for fiscal year 2003-2004, in the amount of \$17,680,015.00, be adopted.

Motion adopted.

- 03-354** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Major Streets Budget for fiscal year 2003-2004, in the amount of \$3,422,500.00 and the Local Streets Budget for fiscal year 2003-2004, in the amount of \$1,283,250.00, be adopted.

Motion adopted.

- 03-355** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the communication from Mayor Canfield, dated September 10, 2003 re: The reappointment of Mr. Art Shy, 621 N John Daly, to the Library Advisory Board, term to expire February 2006 be received, contents noted and filed.

Motion adopted.

- 03-356** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the request from Mr. Frank Lisjak, Student Council Moderator, Divine Child High School, 1001 N Silvery Lane, Dearborn, MI 48128 to have their annual Homecoming Day Parade, Saturday October 18, 2003, per Mayor Canfield, communication dated September 15, 2003. The parade to start in front of Divine Child High School, turn north on N Silvery Lane and continue north to Lawrence, then west to Lawrence crossing Beech-Daly Road to Crestwood High School football field. The Police and Fire Departments to provide escort and assistance as needed.

Motion adopted.

- 03-357** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the request from Mrs. Pamela Harris, Principal for Robichaud High School Homecoming, scheduled for Friday, October 3, 2003, per Mayor Canfield, communication dated September 10, 2003. The parade to start at Robichaur west on Penn to Beech Daly; south on Beech Daly to Annapolis; east on Annapolis to Gulley; north on Gulley to Carlisle; west on Carlisle to Janet and north on Janet back to Robichaud. The Police and Fire Departments to provide escort and assistance as needed.

Motion adopted.

- 03-358** Motion by Councilwoman Badalow, seconded by Councilman Constan, table the 2001-2005 Dearborn Heights Police Supervisors Association Collective Bargaining Agreement.

Ayes: Council Chair Agius, Councilwoman Badalow, Councilman Baron, Councilman Constan.

Nays: Councilwoman Blackburn, Councilwoman Van Houten.
Absent: None.

Motion adopted.

- 03-359** Councilwoman Blackburn, seconded by Councilwoman Van Houten, that the communication from Council Chair Agius, dated September 17, 2003 re: CM 00-289 - Central Wayne Energy Recovery Limited Partnership Wastewater Exemption; CM 00-455 - Council Selection Process for Vacated Council Seat(s); CM 02-432 - Commission on Aging By-Laws and CM 03-058 - Council Meeting Time Change, be referred to file.

Motion adopted.

- 03-360** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Lot Split Request and Recombination from Mr. Robert Foucher, 14896 Euclid, Allen Park, MI 48101 for three parcels on the northeast corner of Powers and Sylvia, creating the following parcels in Burnett Boulevard Subdivision:

Parcel A: 33-039-01-0072-300 - the East 66.80 ft of Lots 72, 73 and 74 Burnett Blvd. Sub, T2S, R10E, L43, P36, WCR;

Parcel B: 33-039-01-0072-301 - Lots 72, 73 and 74 exc the East 66.80 ft Burnett Blvd. Sub., T2S, R10E, L43, P36, WCR, per Deputy Assessor Cooper, communication dated September 9, 2003.

Motion adopted.

- 03-361** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the correction to legal descriptions for two parcels in Dearborn Warren Sub. No. 1 owned by Mr. Richard Stinson, 7507 Nightingale as follows:

Parcel # 33-005-01-0739-300 Lot 739 and Lot 740 except the north 2 ft., also east ½ adjacent vacated alley Dearborn Warren Sub. No. 1, T2S, R10E, L52, P73, WCR;

Parcel # 33-005-01-0740-300 North 2 ft of Lot 740 also Lot 741 and east ½ adj. vac. alley Dearborn Warren Sub. No. 1, T2S, R10E, L52, P73, WCR, per Deputy Assessor Cooper, communication dated September 9, 2003.

Motion adopted.

- 03-362** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the Wayne County Permit fee for the Warren Avenue Streetscape sign project, in the amount of \$800.00, per Community Development Director Oliverio, communication dated September 15, 2003. Further, that the Comptroller be authorized to issue a check drawn from CDBG program account.

Motion adopted.

- 03-363** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the communication from Comptroller Barrow, dated September 17, 2003 Re: Water and sewer rate increases, be tabled.

Ayes: Council Chair Agius, Councilwoman Badalow, Councilman Baron, Councilwoman Blackburn, Councilman Constan.

Nays: Councilwoman Van Houten.

Absent: None.

Motion adopted.

Council Chair Agius discussed the previously adopted Water Budget and the need to suspend rules and reconsider that motion.

- 03-364** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, to reconsider Agenda Item 8-A (2003-2004 Water Department Budget), be tabled.

Motion adopted.

- 03-365** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the proposed Inmate Telephone Agreement with Michigan Paytel, Inc., 30800 Telegraph Road, Suite 2930, Bingham Farms, MI 48025 and the City of Dearborn Heights, for inmate and other pay phones at the Justice Center, per Corporation Counsel Miotke, communication dated September 16, 2003. Further, that the Mayor be authorized to sign the

Agreement on behalf of the City.

Motion adopted.

- 03-366** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the Joint Funding Agreement with the US Department of the Interior, US Geological Survey, Water Resources Division and the City of Dearborn Heights, for the operation of a streamgaging station on the Ecorse Creek, at a cost of \$10,600 for the period October 1, 2003 through September 30, 2004, per Deputy Fire Chief McElroy, communication dated September 18, 2003. Further, that the Comptroller be authorized to issue the annual fee and the Mayor be authorized to sign the Agreement on behalf of the City.

Motion adopted.

- 03-367** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the quote from Morton Salt, Ice Control Marketing, 123 N Wacker Drive, Chicago, IL 60606-1743, for deicing salt for the 2003-2004 winter season ending April 30, 2004, in the amount of \$28.64 per semi truckload delivered, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated September 16, 2003. Further, that the Mayor be authorized to sign the Acceptance on behalf of the City.

Motion adopted.

- 03-368** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the request from Wayne County, Department of Environment, 3501 Henry Ruff Road, Westland, MI 48186, of an increase in spending on drain maintenance for the Ecorse Creek Drainage District to \$125,000.00, per Public Service Administrator Blackburn, communication dated September 5, 2003. The average assessment to approximately 4,500 properties in the entire Drainage District is \$1.50 per household on the Winter tax bill.

Motion adopted.

- 03-369** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the Amendment to the Clean Michigan Initiative - Recreation Bond (CMI) Project Agreement for the removal of soccer field bleachers from the scope of the Parkland Park Phase III Renovation Project, per Recreation Director Grybel, communication dated September 5, 2003. Further that the Mayor be authorized to sign the Project Amendment Agreement with the MDNR.

Motion adopted.

- 03-370** Motion by Councilman Constan, seconded by Councilwoman Van Houten, that proposed Ordinance H-03-14, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-62 REGARDING NONCONFORMING LOTS, be considered read for the first time.

Motion adopted.

- 03-371** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that per the request of the Cable TV Regulatory Commission, dated September 11, 2003, the law firm O'Reilly, Rancilio, Nitz, Andrews, Turnbull & Scott, PC, One Sterling Town Center, 12900 Hall Road, Suite 350, Sterling Heights, MI 48313-1151, turn over all active and inactive files pertaining to the City of Dearborn Heights to Neil J. Lehto, 4035 Iverness Lane, West Bloomfield, MI 48323 and authorize Mayor Canfield to sign a letter submitted by Neil J. Lehto, former attorney and counselor at O'Reilly, Rancilio, Nitz, Andrews, Turnbull & Scott, PC. Mr. Lehto will be representing the City of Dearborn Heights Cable TV Regulatory Commission effective August 16, 2003.

Motion adopted.

- 03-372** Motion by Councilwoman Badalow, seconded by Councilman Constan, that tabled CM 03-345, Michigan Inter-governmental Trade Network (MITN) By-Laws, be brought back on the table.

Motion adopted.

- 03-373** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council concurs with and approves membership into the Michigan Inter-governmental Trade Network (MITN) and accept the By-Laws and further authorizes Mayor Canfield to sign on behalf of the City.

Motion adopted.

- 03-374** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that tabled CM 03-

346, BidNet Agreement for Services, be brought back on the table.

Motion adopted.

- 03-375** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves a no-cost Agreement between BidNet, a division of International Data Base Corporation, 20 A Railroad Avenue, PO Box 5600, Albany, New York 12205-0600 and the City of Dearborn Heights for Services which includes the E-procurement System necessary to meet the needs of the Michigan Intergovernmental Trade Network (MITN) and authorizes Mayor Canfield to sign the Agreement on behalf of the City.

Motion adopted.

- 03-376** Motion by Council Chair Agius, seconded by Councilwoman Badalow, that the BidNet Agreement be approved pending final contract review by Corporation Counsel.

Motion adopted.

- 03-377** Motion by Councilman Baron, seconded by Councilman Constan, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:15 p.m.

JOYCE A. ROBBINS
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY