

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 14, 2004

04-291 The meeting was called to order at 8:07 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilwoman Janet S. Badalow, Councilman Kenneth R. Baron, Councilwoman Ann Brown, Councilman Bob Constan, Councilwoman Catherine L. Heise, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Paletko, Administrative Assistant Kramarz, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Riedel, Interim Building & Engineering Director Sobh, Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community Development Director Jamal.

The Pledge of Allegiance was led by Commissioner Phil Cavanagh.

04-292 Motion by Councilman Baron, seconded by Councilman Constan, that the Agenda for the Regular Meeting of September 14, 2004, be approved as submitted.

Motion unanimously adopted.

04-293 Motion by Councilwoman Brown, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of August 24, 2004, be approved as submitted.

Motion unanimously adopted.

04-294 Motion by Councilwoman Van Houten, seconded by Councilman Constan, that Fund Transfer 6-A and Current Claims 6-1 through 6-26, be approved as submitted:

- A. \$281.00 transferred from A/C 101-200-997-000 (Contingency) to A/C 101-215-818-000 (Clerk's Contract Services) to cover additional cost of supplement pages for Code of Ordinance books.
1. A.A.D. CONTRACTING – Swapka Park Comfort Station – Cert. #5 dated 08/20/04 from A/C 103-960-964-204 (Swapka Park) \$15,000.00. CDBG.
 2. A LAND CONSTRUCTION – Sidewalk Ramp Reconstruction – Two (2) Inv.'s dated 08/04/04 from A/C 103-960-972-203 (Sidewalks) \$3,325.00. CDBG.
 3. ACCUMED BILLING, INC. – Ambulance Billing August 2004 – Inv. dated 09/02/04 from A/C 101-000-626-000 (Ambulance) \$4,198.17. Fire Dept.
 4. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Monthly Debt and Services July/August 2004 – Inv. dated 08/28/04 from A/C 101-200-810-000 (Sanitation) \$158,940.04. Gen. Govt.
 5. CENTURY CEMENT COMPANY – Street Repair Program – Cert. #5 dated 09/02/04 from A/C 202-202-880-300 (Street Construction) \$99,532.97. DPW-Highway.
 6. ELLEFSON BUILDING DEMO. – Load/Haul Debris – Inv. 4013 and 4014 dated 09/05/04 from A/C 101-200-810-000 (Sanitation) \$9,430.00 and A/C 592-537-818-000 (Contract Services) \$4,500.00. DPW-Water.
 7. E & N CEMENT – Pavement Repairs – Inv. dated 09/07/04 from A/C 101-440-880-000 (Road Repairs) \$87,111.43. DPW-Highway.
 8. GENERAL FUND – Curb Cut Replacement Program – Inv. dated 08/17/04 from A/C 103-960-972-203 (Sidewalks) \$2,910.60. CDBG.
 9. HEIGHTS TREE SERVICE – Tree Trimming/Removals – Inv. 44 dated 08/29/04 from A/C 101-440-820-000 (Trees) \$23,790.00. DPW-Highway.
 10. J.Q. INC. – Grass/Weed Cutting Charges – Inv. dated 08/27/04 from A/C 101-200-963-000 (Weeds) \$12,080.00. Gen. Govt.
 11. JOHNSON CONTROLS – Maintenance/Service Agreement Fee – Inv. 52463235 dated 08/25/04 from A/C 101-265-818-000 (Contract Services) \$16,906.75. Building/Maintenance.
 12. MUNICIPAL CODE CORPORATION – Supplemental Pages Code Books – Inv. 64158 dated 08/26/04 from A/C 101-215-818-000 (Contract Services) \$2,980.87. (See Fund Transfer) City Clerk.
 13. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 1974 dated 08/27/04 from A/C 592-540-818-030 (Contract Services) \$10,553.60. Water Dept.
 14. NEW WORLD SYSTEMS – Annual Software Maintenance Agreement – Inv. 27692 dated 06/01/04 from A/C 101-258-932-000 (Repair/Maint.) \$40,455.00. Data Processing.
 15. PAINTER & RUTHENBERG – Roll off Service August 2004 – Inv. 10222 dated 08/31/04 from A/C 101-200-810-000 (Sanitation) \$3,198.00. Gen. Govt.
 16. QUAD-TRAN OF MICHIGAN – Data Processing September 2004 – Inv. 4436 and 4437 dated 08/31/04 from A/C 101-130-818-000 (Contract Services) \$3,600.00; A/C 101-130-

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- 728-000 (Supplies) \$676.75 and A/C 101-200-728-000 (Supplies) \$1,638.36. District Court.
17. STANDARD FEDERAL – Bond Payment Fire Station Bonds – Inv. dated 08/17/04 from A/C 101-200-996-004 (Fire Bonds) \$150,836.90. General Govt.
 18. STATEWIDE SECURITY TRANSPORT – Prisoner Food/Lodging July 2004 – Inv. dated 08/16/04 from A/C 101-200-868-000 (Prisoners) \$2,947.00. Gen. Govt.
 19. TODAYLINK, LLC – DHOL Services August/September 2004 – Inv. 1059 dated 09/01/04 from A/C 101-200-819-999 (Internet) \$4,236.20. Gen. Govt.
 20. WADE-TRIM/ASSOCIATES – Prepare Final Report – CSO Phase II – Inv. 83800 dated 08/25/04 from A/C 592-XXX-154-000 (Sewers) \$5,620.25. Water Dept.
 21. WADE-TRIM/ASSOCIATES – Street Repair Program – Const. Admin/Survey – Inv. 83548 dated 08/12/04 from A/C 202-202-880-300 (Street Construction) \$16,347.41. DPW-Highway.
 22. WADE-TRIM/ASSOCIATES – Street Repair Program – Construction Insp. – Inv. 83830 dated 09/02/04 from A/C 202-202-880-300 (Street Construction) \$11,832.00. DPW-Highway.
 23. WADE-TRIM/ASSOCIATES – Tech Assistance - May 2004 Flooding – Inv. 83801 dated 08/25/04 from A/C 592-536-818-000 (Contract Services) \$250.00. Water Dept.
 24. WAYNE COUNTY DEPARTMENT OF HEALTH – Cross Connections 04/04-06/04 – Inv. 223221 dated 08/11/04 from A/C 592-536-818-000 (Contract Services) \$6,948.00. Water Dept.
 25. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Downriver Excess Flow 08/04 – Inv. 223489 dated 08/25/04 from A/C 592-537-929-000 (Sewage Disposal) \$20,300.00. Water Dept.
 26. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Interest Rouge Valley SRF Bonds – Inv. 223310 dated 08/16/04 from A/C 592-905-992-000 (Interest) \$19,462.50. Water Dept.

Motion unanimously adopted.

- 04-295** Motion by Councilman Baron, seconded by Councilman Constan, that the second lowest bidder meeting all specifications Engan-Tooley-Doyle & Associates, 1749 Hamilton Road #202, Okemos, MI 48864, for the installation of one (1) Play Structure for Parkland Park, in the amount of \$47,905.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated September 2, 2004. Funding for this project has been appropriated in the form of a \$50,000 contribution from Wayne County Parks Millage fund thanks to Commissioner Cavanagh. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 04-296** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council adopt the 2004-05 Water Department Budget, in the amount of \$17,103,063.00.

Motion unanimously adopted.

- 04-297** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council adopt the 2004-05 Major Streets Budget, in the amount of \$3,145,390.00.

Motion unanimously adopted.

- 04-298** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council adopt the 2004-05 Local Streets Budget, in the amount of \$1,627,314.00.

Motion unanimously adopted.

- 04-299** Motion by Councilwoman Brown, seconded by Councilman Constan, that the City Council concurs with and approves the Traffic Signal Agreement with the County of Wayne for a new traffic signal to be installed on Van Born Road and Bailey, in front of the new JFK Library, at the estimated installation fee of \$50,500.00, per Mayor Paletko, communication dated September 8, 2004. Further, that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City. The City is also assigned 25 percent of all future maintenance and energy fees based on the City's portion of jurisdiction at the intersection.

Motion unanimously adopted.

- 04-300** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request from Crestwood High School Assistant Principal Neubecker, 1501 N Beech Daly, to conduct their annual Homecoming Parade on Friday, October 1, 2004 at 5:30 p.m., along the requested route:

Highview Elementary School, west on Richardson to Gulley, south on Gulley to Wilson Drive, west on Wilson Drive to Beech Daly, then north on Beech Daly to the north Crestwood High School parking lot or with Wayne County approval to close Beech Daly from Riverside Middle School to Crestwood High School, per Mayor Paletko, communication dated August 25, 2004. Further, that the Police Department and Fire Department to provide escort and assistance as needed.

BE IT RESOLVED:

By the City of Dearborn Heights, that the Crestwood High School Homecoming Parade scheduled for Friday, October 1, 2004 be granted approval from the Wayne County Board of Commissioners to close Beech Daly from the parking lot of Riverside Middle School just north of Warren on Beech Daly Road to the parking lot of Crestwood High School on Beech Daly Road, 5:30 p.m. to 6:00 p.m. until the street or road is returned to normal operations.

BE IT FURTHER RESOLVED:

The City of Dearborn Heights will provide the necessary police supervision, establish and post necessary detour signs, according to the Michigan Manual of Uniform Traffic Control Devices and assume liability for claims which may arise as a result of the closure or partial closure and that Mayor Daniel S. Paletko is hereby designated to sign the road closure permit on behalf of the City.

Motion unanimously adopted.

- 04-301** Motion by Councilman Constan, seconded by Councilman Baron, the City Council concurs with and approves the reappointments to the Watershed Stewards Commission of Barbara Goryca, 25547 Tireman, Steven Ray, 6665 Parkland, Edmund Sperkowski, 7350 Inkster #105, Donald Titus, 24452 Hanover and Tom Tracy, 4161 Polk, terms to expire September, 2007 and the appointment of John Zadikian, 23515 Powers, term to expire September 2007, per Mayor Paletko, communication dated September 3, 2004.

Motion unanimously adopted.

- 04-302** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated September 3, 2004 re: Change in term for Board of Review member Bruce Edwards to expire July, 2007, be received, contents noted and filed.

Motion unanimously adopted.

- 04-303** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated September 7, 2004 re: The reappointment of Douglas Nicoll, 6203 Norborne and Allan Schulz, 4222 Huron to the Cable Commission, terms to expire August, 2007, be received, contents noted and filed.

Motion unanimously adopted.

- 04-304** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated September 3, 2004 re: The reappointment of Brenda Randles, 7010 Charlesworth to the Commission on Disability Concerns, term to expire July, 2005, be received, contents noted and filed.

Motion unanimously adopted.

- 04-305** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the communication from Councilwoman Badalow, dated September 8, 2004 re: Facility Usage Study be referred to the Administration for review and that the a Committee of the Whole Study Session be scheduled to discuss this issue within the next month.

Motion unanimously adopted.

- 04-306** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the communication from Councilwoman Badalow, dated September 8, 2004 re: Motor Vehicle Noise be referred to the Administration and a representative from the Police Department and further that a Committee of the Whole Study Session be scheduled to discuss this issue by the end of November.

Motion unanimously adopted.

- 04-307** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the City Council

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concurs with and approves the request to purchase one (1) HP printer/fax and (1) digital camera with battery recharging dock, at a price not-to-exceed \$730.00, per Assessor Riedel, communication dated August 31, 2004.

Motion unanimously adopted.

- 04-308** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the "Resolution Accepting Long Term Maintenance of Storm Water Management System, Dearborn Career Technology Center" and the "Agreement for Maintenance of Storm Water Management System, Dearborn Career Technology Center" including Exhibit "A" and Exhibit "B" per, Interim Building Director Sobh, communication dated September 8, 2004. Further, that the Mayor and City Clerk be authorized to sign the documents on behalf of the City.

Motion unanimously adopted.

- 04-309** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the "Request for Release of Funds and Certification" for the Community Development Block Grant 2004 Residential Rehabilitation Program, for the proposed transfer of \$72,505.35 from prior program year projects into the 2004-05 Residential Rehabilitation Program, per Community Development Director Jamal, communication dated September 7, 2004. Further, that the Mayor be authorized to sign the document on behalf of the City.

Motion unanimously adopted.

- 04-310** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the renewal of the Contract with Michigan Department of Community Health for the Michigan Elder Prescription Insurance Coverage contract for the Berwyn and Eton Senior Citizen Centers, per Recreation Director Grybel, communication dated August 31, 2004. Further that the Mayor be authorized to sign the contracts on behalf of the City.

Motion unanimously adopted.

- 04-311** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the request to purchase miscellaneous accessories for the TASER system from Michigan Taser Distributing, 401 South Jackson Street, Jackson, MI 49201, at a cost of \$6,285.66, and payment thereof, be approved, per Police Chief Gust, communication dated September 1, 2004. Funding for this purchase to come from the State 302 Training fund (A/C 101-300-926-010) in the amount of \$5,389.67 and the balance from City Training fund (A/C 101-300-926-000), in the amount of \$895.99. Michigan Taser Distributing is the sole authorized provider in Michigan for this product.

Motion unanimously adopted.

- 04-312** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the request to purchase an integrated Digital Mug Shot System, including hardware, software and installation, for a total cost of \$18,895.00, and payment thereof, be approved, per Police Chief Gust, communication dated August 24, 2004. This purchase is part of the Oakland County CLEMIS bid and is compatible with current system and the Local Law Enforcement Block Grant funds will be used for this purchase.

Motion unanimously adopted.

- 04-313** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the request to purchase three (3) Mobile Vision System 7 Video Camera Systems and seven (7) Voice Link Plus Wireless Microphones from Mobile Vision, Inc., 90 Fanny Road, Boontown, NJ 07005, at a total purchase price of \$15,435.00, and payment thereof, be approved, per Police Chief Gust, communication dated August 24, 2004. Funds for this purchase to be allocated from the 2002-2003 Local Law Enforcement Block Grant.

Motion unanimously adopted.

- 04-314** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves Change Order No. 47 Contract extension with Nagel Construction Company, P O Box 10, Moline, MI 49335-0010 for the 2004 Sanitary Sewer Cleaning and Catch Basin Cleaning Program, at the contract price of \$256,618.51, per Public Service Administrator Franzil, communication dated August 30, 2004. Further, that the Mayor and Clerk be authorized to sign the documents on behalf of the City.

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Motion unanimously adopted.

- 04-315** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the Lot Split request from Hassan Jawad, 220 Beech Daly, Inkster, MI 48141 in Brand Acres Subdivision, be denied.

Motion unanimously adopted.

- 04-316** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-04-04, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-87 OF THE ZONING ORDINANCE REGARDING SITE PLAN SUBMISSIONS TO REQUIRE FEDERAL, STATE AND/OR COUNTY ACKNOWLEDGEMENT AS AN ELEMENT OF A COMPLETE SITE PLAN WHEN THE DEVELOPMENT ABUTS ANY SIDE OF A FEDERAL, STATE OR COUNTY HIGHWAY OR ROAD, be referred to a Committee of the Whole Study Session.

Motion unanimously adopted.

- 04-317** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-04-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-182(6) OF THE ZONING ORDINANCE REGARDING AREA LIMITATIONS FOR ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS, be referred to a Committee of the Whole Study Session.

Motion unanimously adopted.

- 04-318** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-04-06, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-69 OF THE ZONING ORDINANCE REGARDING ACCESSORY BUILDINGS TO PROVIDE A MINIMUM THREE (3) FOOT SETBACK FROM ANY SIDE YARD OR REAR YARD PROPERTY LINE TO ALLOW ENOUGH ROOM TO MAINTAIN THE STRUCTURE, be referred to a Committee of the Whole Study Session.

Motion unanimously adopted.

- 04-319** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-04-07, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING ARTICLE V OF THE ZONING ORDINANCE REGARDING PARKING AND LOADING REQUIREMENTS AND ARTICLE 1, DEFINITIONS, be referred to a Committee of the Whole Study Session.

Motion unanimously adopted.

- 04-320** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the request to transfer ownership of 2003 Class C licensed business with dance-entertainment permit from Face-Off Properties, Inc., and request a new SDM license to be held in conjunction (Step II), be tabled and referred to the Clerk's office.

Motion unanimously adopted.

- 04-321** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the request from the Dearborn Heights Kiwanis Club, c/o Mr. Al Schulz, P O Box 205, Dearborn Heights, MI 48127 to conduct their annual peanut sale on September 17, 18 and 19, 2004 on Telegraph and Ford Roads and Beech Daly and Ford Roads, per Donald F. Killion, communication dated August 30, 2004.

Motion unanimously adopted.

- 04-322** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the new business license for Puck's Bar, 25950 Ford Road, be tabled.

Motion unanimously adopted.

- 04-323** Motion by Councilman Constan, seconded by Councilwoman Van Houten, that the City Council "approves above all others" Mr. Omar Mohamad Jbara, 6906 N Vernon, Dearborn Heights, MI 48127 a NEW Class C license at 6200 and 6208 N Telegraph Road, Dearborn Heights, MI 48127, and the Liquor Control Commission be so notified.

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Motion unanimously adopted.

- 04-324** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the recommendation from Plante & Moran, PLLC, 27400 Northwestern Highway, P O Box 307, Southfield, MI 48037-0307 to adjust the water and sewer rates for bills mailed after December 1, 2004 as follows:

	Current Rate	Proposed Rate	Percent Change
Residential/Bi-monthly Billing			
Water rate per 1,000 cubic feet	\$ 18.30	\$ 19.40	6.0
Sewer rate per 1,000 cubic feet	24.50	25.97	6.0
Meter maintenance and billing charge	4.50	4.50	
Minimum Bill (based on 400 cubic feet)	\$ 21.62	\$ 22.65	
Commercial-Monthly Billing			
Water rate per 1,000 cubic feet	\$ 18.30	\$ 19.40	6.0
Sewer rate per 1,000 cubic feet	24.50	25.97	6.0
Meter maintenance and billing charge:			
3/4 " and 5/8" meter	2.25	2.25	
1" meter	3.00	3.00	
1 1/2" meter	4.05	4.05	
2" meter	5.45	5.45	

The minimum commercial monthly billings will be based on 800 cubic feet, per Gordon Krater, Plante & Moran, Auditors.

Motion unanimously adopted.

- 04-325** Motion by Councilman Constan, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:41 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY