

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

AUGUST 24, 2004

04-270 The meeting was called to order at 8:06 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 Dudziński, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Riedel, Acting Building & Engineering Director Sobh, Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community Development Director Jamal, Grants Coordinator Klimchak.

The Pledge of Allegiance was led by Deputy Clerk Donna Pawlukiewicz.

04-271 Motion by Councilman Baron, seconded by Councilman Constan, that the Agenda for the Regular Meeting of August 24, 2004, be approved with the addition of 8-E (Mid-America Shows Contract) and the change of time of the CDBG Program Public Hearing now item 5-A.

Motion unanimously adopted.

04-272 Motion by Councilwoman Brown, seconded by Councilman Constan, that the Minutes from the Regular Meeting of August 10, 2004, be approved as submitted.

Motion unanimously adopted.

The Community Development Block Grant Program public hearing opened at 8:08 p.m. by Council Chair Agius.

Chair Agius waived the reading of the official Notice of Public Hearing (see below).

The City of Dearborn Heights is performing an evaluation of its 2003-04 Community Development Block Grant (CDBG) program.

The purpose of this public hearing is to receive public comments on the 2003-04 Community Development Block Grant program in Dearborn Heights. Information from this public hearing will be used in the Consolidated Annual Performance and Evaluation Report (CAPER), a report to be filed with the US Department of Housing and Urban Development on September 24, 2004. The Consolidated Annual Performance and Evaluation Report (CAPER) will also include a description of the resources made available, the geographic distribution and location of investments, the families and persons assisted (including the racial and ethnic status of persons assisted), actions to affirmatively further fair housing, and other actions indicated in the CDBG 2003-04 Action Plan.

The Community Development Department, per its Citizen Participation Plan, encourages all parties to contribute their views and comments in person at a Public Hearing on Tuesday, August 24, 2004, at 7:30 p.m. at the City Hall Council Chambers, 6045 Fenton Avenue, Dearborn Heights, Michigan.

In addition, the City will make adequate provisions to assist non-English speaking residents in interpreting program opportunities and provisions on a by-case basis, as well as, provide auxiliary aides and services for individuals with disabilities. Requests for special accommodations must be made with reasonable advance notice.

Citizen comments are welcome and may be given in person at the Public Hearing or in writing, by addressing the City Clerk, Dearborn Heights City Hall, 6045 Fenton Avenue, Dearborn Heights, Michigan 48127. Written answers to complaints and grievances will be provided within 15 working days where practicable.

Further information may be obtained by calling or writing: Community Development Director, City of Dearborn Heights, 26155 Richardson, Dearborn Heights, Michigan, 48127, telephone number 313-277-7844.

Council Chair Agius asked Community Development Director Jamal for his opening remarks.

Community Development Director Jamal "Good evening everybody. This is a public hearing regarding informing the public and you about the activities of the CDBG, that's the Community

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Development Block Grant during 2003-2004 fiscal year, which starts July 1, 2003 and ended July 30, 2004. As I dispensed the hand out to you, you can see its self explanatory. You can see all the activities including financial reporting. If anyone in the public also need a hand out Chris has them for you. In short, it tells you how and when we started the project, what the project is, how much we started with, how much we actually spent and how much we are left with.

Residential Rehabilitation - That's normal project carried over, we rehabilitate houses based on low and moderate income. Administration - We manage and we administer the programs. The ADA Curb Cut - That's a program we facilitate and make sure that we are compliant with the American's with Disability Act so they have access to our local driveways and sidewalks.

As we move down the handout the Strategic Plan we still have \$5,000 available for the administration to carry out our portion for Strategic Plan.

The Swapka Park - We did partially, actually Ken knows that we are waiting for Parks and Recreations to finish that project. We anticipate that this project will be done this year. Warren Avenue Streetscape, - As we see we don't have any money left from that year, 98% of that project is almost done, we are struggling to move with the 2% left. First Step - Is a service to domestic violence and battery assault victims and homeless. Crime Prevention - Is under the custody of the Chief of Police in Dearborn Heights. They do prevent a unit for prevention, education and activity to improve the safety of the citizens in the CDBG area.

Berwyn Center Parking Lots - A little bit of activity there. Under the shaded area several accounts are closed. We are actually in the process of moving some money right now to be used and the zeros will be closed.

The City of Dearborn Heights also manages in partnership with the Plymouth Housing Commission the Section 8 Program. It's about a two million dollar program that is fully utilized. The capacity is at 100%, 359 vouchers issued and they are all used. We have 3000 applicants on a waiting list. We need more money there.

As you can see at the end during 2003-2004, which I was part of it since January 2004 actually we met all the requirements by HUD. There are certain caps we have to meet and to stay under. Some of them are Administration, which is under 20%, public services is under 15% and we mandated by HUD to stay within 70% low and moderate income service to the City of Dearborn Heights and we did, actually it was at least 81% to my knowledge. With that I hope that I have informed you about activities regarding that program. I thank you for listening. We will have a complete version of the report available to the public at the offices of the Department of Community and Economic Development by September 15. We are required by HUD to provide the complete report 15 days prior to the submission of the final report. Thank you very much and it's open for questions any questions regarding this particular information.

Council Chair Agius asked if anyone at the table had any questions, hearing none from the table or audience I'll take a motion to close the public hearing.

04-273 Motion by Councilman Baron, seconded by Councilman Constan, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing closed at 8:15 p.m.

04-274 Motion by Councilman Baron, seconded by Councilwoman Badalow, Current Claims 6-1 through 6-20, be approved as submitted.

1. ACCUMED BILLING, INC. – Ambulance Billing July 2004 – Inv. dated 08/02/04 from A/C 101-000-626-000 (Ambulance) \$3,861.20. Fire Dept.
2. CITY OF DEARBORN – AFIS Evidence Processing – Inv. 94490 dated 07/30/04 from A/C 101-300-818-000 (Contract Ser.) \$1,980.00. Police Dept.
3. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Attorney July 2004 – Inv. 626836 dated 08/13/04 from A/C 101-200-817-000 (Prof/Consult) \$3,312.39. General Govt.
4. GARY MIOTKE – Legal Services July 2004 – Inv. dated 08/16/04 from A/C 101-210-826-000 (Counsel Ser.) \$8,023.50. Corp. Counsel.
5. SOMMERS, SCHWARTZ, SILVER & SCHWARTZ – Legal Services July 2004 – Inv. 182693 dated 08/06/04 from A/C 592-536-817-000 (Prof/Consult) \$4,037.00. General Govt.
6. E & N CEMENT – Pavement Repairs – Two (2) Inv.'s. dated 08/17/04 from A/C 101-440-880-000 (Road Repairs) \$44,549.96 and A/C 592-537-818-000 (Contract Ser.) \$10,325.15. DPW/Water.
7. ELLEFSON BUILDING DEMO – Load/Haul Debris – Inv. 4011 and 4012 dated 08/15/04 from A/C 101-200-810-000 (Sanitation) \$4,500.00 and A/C 592-537-818-

- 000 (Contract Ser.) \$3,250.00. DPW/Water.
8. FRIENDS OF THE ROUGE – Annual Membership Fee – Inv. dated 08/05/04 from A/C 592-536-818-000 (Contract Ser.) \$2,600.00. Water Dept.
 9. HEIGHTS TREE SERVICE – Tree Trimming/Removals – Inv. 43 and 41 dated 08/15/04 from A/C 101-440-820-000 (Trees) \$6,230.00. DPW-Highway.
 10. J Q INC. – Grass/Weed Cutting Services – Inv.'s dated 08/15/04; 08/10/04 and 08/05/04 from A/C 101-200-963-000 (Weeds) \$18,760.00. Bldg./Eng.
 11. MEDTRONIC PHYSIO-CONTROL – Annual Maintenance Agreement – Inv. pc480377 dated 08/09/04 from A/C 101-335-818-000 (Contract Ser.) \$1,800.00. Fire Dept.
 12. MICHIGAN MUNICIPAL LEAGUE – Dues 2004-05 – Inv. dated 04/02/04 from A/C 101-200-958-000 (Dues) \$12,162.00. General Govt.
 13. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 1965 dated 08/12/04 from A/C 592-540-818-030 (Contract Ser.) \$12,492.50. Water Dept.
 14. PAINTER & RUTHENBERG – Storm Clean Up Flood Damage Collection – Inv. 9329 dated 06/23/04 from A/C 101-XXX-202-000 (Accounts Payable) \$62,531.29. General Govt.
 15. PLANTE & MORAN – Accounting Services July 2004 – Inv. 999874 dated 08/11/04 from A/C 101-200-817-000 (Prof/Consult) \$595.00 and A/C 592-536-817-000 (Prof/Consult) \$895.00. General Govt.
 16. QUAD-TRAN OF MICHIGAN – Data Processing August 2004 – Inv. 4416 and 4417 dated 07/30/04 from A/C 101-130-818-000 (Contract Ser.) \$3,600.00; A/C 101-130-728-000 (Supplies) \$683.25 and A/C 101-200-728-000 (Supplies) \$1,507.75. District Court.
 17. RMS ASSOCIATES – Telephone System Consulting Services – Inv. 04-1784 dated 08/09/04 from A/C 101-XXX-202-200 (Accounts Payable) \$1,570.00. General Govt.
 18. TELECOM TECHNICIANS, INC. – Progress Billing New Telephone System – Inv. 76657 dated 07/31/04 from A/C 101-XXX-202-200 (Accounts Payable) \$50,714.22. General Govt.
 19. WADE-TRIM/ASSOCIATES – Plan Review, Plot Plans, House Grade, R of W Review, Site Plan – Inv.'s 83221, 83328, 83339, 83338, 83329, 83336, 83333, 83332, 83331, 83327 from A/C 101-371-809-000 (Eng. Fees) \$6,473.40. Bldg. Dept.
 20. WAYNE COUNTY ACCOUNTS RECEIVABLE – Traffic Signal Maintenance May 2004 – Inv. 1001040 dated 07-28-04 from A/C 101-XXX-202-000 (Accounts Payable) \$4,086.63. DPW-Highway.

Motion unanimously adopted.

- 04-275** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the communication from Mayor Paletko, dated August 17, 2004 re: The reappointments of Lee Warmack, 4458 West Point and Jim Williamson, 6062 Fenton to the Demolition Board of Appeals, terms to expire July, 2007, be received, contents noted and filed.

Motion unanimously adopted.

- 04-276** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the resolution supporting "Make a Difference Day" be adopted as follows:

WHEREAS, "Make a Difference Day" was created in 1992 by the USA Today Newspapers and the Points of Light Foundation and to encourage volunteerism in every community in America; and

WHEREAS, In the City of Dearborn Heights, volunteers from local veterans, civic and charitable organizations have joined hands to lend assistance to a worthy cause in our area; and

WHEREAS, The Detroit Veterans Center, an organization dedicated to helping homeless veterans with basic human needs, job training, and financial assistance needs the help of volunteers; and

WHEREAS, The men and women served by the Detroit Veterans Center need basic items like toothbrushes, combs, shampoo, socks and soap in their daily lives – items we can donate as part of "Make a Difference Day" on Dearborn heights,

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Mayor and City Council support "Make a Difference Day", Saturday, October 23, 2004, in the City of Dearborn Heights, and encourage all residents to donate needed items to the Detroit Veterans Center, to help homeless veterans in the Metro Detroit area, and to show our support for all veterans who have defended and who continue to defend our Nation against terrorism and other evils around the world, per Mayor

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Paletko, communication dated August 17, 2004. Further, that the Mayor and Clerk be authorized to sign the resolution on behalf of the City.

Motion unanimously adopted.

- 04-277** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the Dearborn Heights Redskins Junior Football League request for a parade on Saturday, October 2, 2004 at 10:30 am starting at Mayfair parking lot, down Annapolis to Chirop Field, per Jennifer Bustamante, Parade Committee Chairman, communication dated August 4, 2004 and Mayor Paletko, communication dated August 18, 2004. Further, that the Police and Fire Departments to provide assistance and escort as needed.

Motion unanimously adopted.

- 04-278** Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, 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 considered read for the first time.

Motion unanimously adopted.

- 04-279** Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, 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 considered read for the first time.

Motion unanimously adopted.

- 04-280** Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, 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 considered read for the first time.

Motion unanimously adopted.

- 04-281** Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, that proposed Ordinance H-04-01 AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-3 OF THE ZONING ORDINANCE REGARDING DEFINITION OF THE WORD "BLOCK", be considered read for the second time and become effective upon publication in the City's official newspaper or record.

Motion unanimously adopted.

- 04-282** Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, 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 considered read for the first time.

Motion unanimously adopted.

- 04-283** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the contract between Mid-America Shows, Inc., and the City for Amusement Rides and Midway for the 2005 Festival to be held June 8-12, 2005, per Recreation Director Grybel, communication dated August 16, 2004 and Mayor Paletko, communication dated August 23, 2004. Further, that the Mayor be authorized to sign the contract on behalf of the City.

Motion unanimously adopted.

- 04-284** Motion by Councilwoman Heise, seconded by Councilman Baron, that the City Council adopt the Resolution Supporting House Bills 5709, 5710 and 5711 regarding Tax Incentives for Infected Ash Tree Removal and Replacement, per Councilwoman Heise, communication dated August 11, 2004.

Aye: Councilman Baron, Councilwoman Heise.

Nays: Councilwoman Agius, Councilwoman Badalow, Councilwoman Brown, Councilman Constan, Councilwoman Van Houten.

Absent: None.

Motion defeated.

- 04-285** Motion by Councilwoman Heise, seconded by Councilwoman Van Houten, be referred to the Administration for his consideration and scheduling and research a study session whereby we can discuss the emerald ash borer and what we as a City, the Council, the Mayor, the Administration, our City officials and any interested people could participate in on October 19, 2004.

Motion unanimously adopted.

- 04-286** Motion by Councilman Baron, seconded by Councilman Constan, that the following pending council motions be referred to file:

CM 03-043 Fence Ordinance; CM 03-428 Revisions to Fence Ordinance; CM 03-454 Canfield Ice Arena Contract Extension and CM 04-025 Current Claim 6-8 National League of Cities Membership, per Council Chair Agius, communication dated August 18, 2004.

Motion unanimously adopted.

- 04-287** Councilwoman Badalow, seconded by Councilman Constan, that the City Council concurs with and approves the quotation from Morton Salt, Customer Service, 10335 Flora Street, Detroit, MI 48209-2596 for the 2004-05 winter season at a cost per ton of \$28.65, per Public Service Administrator Franzil, communication dated August 17, 2004.

Motion unanimously adopted.

- 04-288** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the acceptance of the Federal Bureau of Justice Assistance Local Law Enforcement Block Grant Award for fiscal year 2004 in the amount of \$11,167.00, which requires a City match payment of \$1,241.00 available thru the Police Department's Special Operations Abatement Fund, per Deputy Chief Lazar, communication dated August 12, 2004.

Motion unanimously adopted.

- 04-289** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the request from the Girl Scouts of Metro Detroit, 500 Fisher Building, 3011 W Grand Boulevard, Detroit, MI 48202-3012 to solicit for their annual Calendar/Nut Sale & Cookie Sale starting September 20 through November 14, 2004 for Calendar/Nut sales and December 13, 2004 through March 13, 2005 for Cookie sales, be approved.

Motion unanimously adopted.

- 04-290** Motion by Councilman Constan, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:10 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY