

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

AUGUST 14, 2007

07-297 The meeting was called to order at 8:07p.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, Councilman Tom Berry, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz, Building & Engineering Director Sobh, Community & Economic Development Director Jamal, Comptroller Barrow, Deputy Clerk Pawlukiewicz, Emergency Management Assistant Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Co-Directors Mc Caffery and Wrona, Police Chief Gust, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by Comptroller Don Barrow.

07-298 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Agenda for the Regular Meeting of August 14, 2007, be approved with the removal of 9-A (DROP Program) and 9-M (Motorcycle Financing).

Motion unanimously adopted.

07-299 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of July 24, 2007, be approved as submitted.

Motion unanimously adopted.

Council Chair Agius announced the next item on the Agenda was the Public Hearing for Special Land Use at ACO Hardware.

Council Chair Agius dispensed with the reading of the Notice of a Public Hearing (see below).

07-300 Motion by Councilwoman Badalow, seconded by Councilman Baron to open the Public Hearing, time 8:11 p.m.

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, August 14, 2007, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan at 8:00 p.m. EST for the purpose of hearing comments, if any, to the proposed Special Land Use Request from ACO Hardware to permit permanent open-air business uses, which is designated a permitted use after special approval pursuant to the City of Dearborn Heights Zoning Ordinance, section 36-283(8), to be located in The Heights shopping center at 26520 Ford Road in the City of Dearborn Heights, Michigan, legally described as: 07J1A1 PT OF SW 1/4 OF SE 1/4 SEC 7 T2S R10E D~~E~~SC AS BEG AT S 1/4 COR SEC 7 TH N0DEG 12M 00S E 1315.36FT TH N89DEG 51M 40S E 818FT TH S0DEG 12M 00S W 1314.97FT TH S89DEG 50M 00S W 818FT TO POB EXC S 60FT THEREOF 23.57 AC. Parcel ID #33 014 99 0001 001

This Notice is published by direction of the City Council under and by virtue of the City Clerk.

Written comments may be directed to the City Clerk's Office, 6045 Fenton, Dearborn Heights, Michigan 48127. Written objections to the proposed special land use may be submitted to the City Clerk's Office until 4:00 p.m. on the date of the hearing. Judy Dudzinski, Clerk, City of Dearborn Heights, published July 25, 2007. Mayor's office submitted Proof of Service, no other communications.

Council Chair Agius asked if there was anyone from ACO Hardware in the audience or does anyone have any questions on the public hearing?

Councilwoman Van Houten "What are you proposing for outdoor sales? Is it the usual?"

ACO Hardware Representative "Seasonal, flowers, mulch, rock salt."

Councilwoman Van Houten "The usual stuff that has been out there for years."

Council Chair Agius "And all of that is always on pallets. It's always off the ground."

ACO Hardware Representative "Always on pallets and we try and keep it just a little bit away from the building and we have like 6 feet between the pallets and the curb."

Council Chair Agius "I've never noticed an issue of it not being clean or anything. I think that is what

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people worry about is that some of those outdoor products might attract critters.”

Councilwoman Badalow “I have a question. Since we had our planning advisor, whatever, more involved this year was there something different after consulting with our department and I believe McKenna that you had to change this year?”

Ann Pape “That we had to change? No, I just think they are opting to go for a more permanent permit than coming back.”

Councilwoman Horvath “First of all we need your name.”

“My name is Ann Pape.”

Councilwoman Horvath “So this means that you can do this every year now on your own?”

AMs. Pape “Correct.”

Councilwoman Van Houten “As long as your complying with requirements the Planning Commission put out for you.”

Councilman Baron “I will echo your comments. I’ve never seen anything. It’s always been very neat and organized and there is plenty of room and plenty of sidewalk and all.”

Council Chair Agius asked if there were any other discussion. Ms. Pape, thank you for coming.

07-301 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, to close the Public Hearing.

Motion unanimously adopted.

Council Chair Agius “The approval will be on the next Agenda.

The Public Hearing for the Special Land Use requested by ACO Hardware closed at 8:14 p.m.

07-302 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that Current Claims 6-1 through 6-36, be approved with the removal of 6-17 (McKenna & Associates).

1. A-LAND CONSTRUCTION – Sidewalk Replacement Program – Cycle #1 dated 08/08/07 from A/C 101-200-963-000 (Sidewalks/Weeds) \$21,785.10. General Govt.
2. ACCUMED BILLING, INC. – Rescue Runs July 2007 – Inv. dated 08/01/07 from A/C 101-000-626-000 (Rescue Runs) \$5,957.09. Fire Dept.
3. BS & A SOFTWARE – Annual Maintenance, Service/Support for Equalizer – Inv. 47294 dated 08/01/07 from A/C 101-209-818-000 (Contract Services) \$6,360.00. Assessor
4. BEST ASPHALT – Resurfacing of Charlesworth – Inv. 16316 dated 08/07/07 from A/C 202-202-880-300 (Street Repair) \$74,715.00. Major Streets
5. CIPPARRONE CONTRACTING – Sidewalk Replacement Program – Inv. 05-10135 dated 07/20/07 from A/C 101-200-963-000 (Sidewalks/Weeds) \$70,105.69. General Govt.
6. COMPRISE TECH, INC. – Smart Access Manager Software – Inv. 20707/271 dated 07/18/07 from A/C 738-738-818-000 (Contract Services) \$7,638.00. Libraries
7. E & N CEMENT – Pavement Repairs – Two (2) Inv.’s dated 08/06/07 from A/C 101-440-880-000 (Road Repairs) \$112,273.27 and A/C 592-537-818-000 (Contract Services) \$2,236.60. DPW-Water
8. ELECTIONS SYSTEMS & SOFTWARE – Primary Computer Systems – Inv. 645302 dated 06/29/07 from A/C 101-101-730-000 (Supplies) \$2,142.22. ENC. Elections
9. GARDEN CITY HOSPITAL – Work. Comp Injury – Ck. Req. Dated 07/23/07 from A/C 101-200-724-000 (Work Comp) \$1,800.26. General Govt.
10. GODDARD COATING – Acrylic/Sand Crack Filler – Central & Swapka Parks – Inv. 7394 dated 06/18/07 and Inv. 7979 dated 07/18/07 from A/C 101-xxx-202-200 (Accounts Payable) \$7,250.00. Recreation
11. HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. 121 dated 08/06/07 from A/C 101-440-820-000 (Trees) \$6,531.75. DPW-Highway
12. HYDRO DESIGNS – Cross Connection Program – Inv. 16626 dated 07/31/07 from A/C 592-536-817-000 (Prof/Consult) \$3,074.00. Water Dept.
13. INFINISOURCE – COBRA Compliance System – Inv. 10492 dated 07/16/07 from A/C 101-200-818-000 (Contract Services) \$2,160.00. General Govt.
14. JOHNSON CONTROLS – Service on Boiler – Berwyn Center/Service of Compressor – CK Library/Service at Fire Headquarters – Inv. 707120778 dated 07/12/07; Inv. 707101323 dated 07/10/07 and Inv. 707132207 dated 07/13/07 from A/C 101-265-931-000 (Rep. Maint.) \$11,011.71 and A/C 738-738-818-000 (Contract Services) \$5,470.00. General Govt.
15. L & M INDUSTRIES – Grinding of Branches – Inv. 8126 dated 07/24/07 from A/C 101-200-

- 810-000 (Sanitation) \$9,975.00. General Govt.
16. MBM COMPUTER SYSTEM SOLUTIONS – Wiring New Equipment in Library – Inv. 891 dated 07/26/07 from A/C 738-738-827-100 (Library Network) \$2,370.00. Libraries
 18. MOORE MEDICAL – Medical Supplies – Inv. 94773048 dated 07/10/07 from A/C 101-335-730-020 (Medical Supplies) \$1,609.48. ENC. Fire Dept.
 19. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 2387 dated 08/03/07 from A/C 592-540-818-030 (Contract Services) \$13,437.92. Water Dept.
 20. NEW IMAGE BUILDING SERVICES – Cleaning Services July 2007 – Inv. 38704 dated 07/01/07 from A/C 738-738-818-000 (Contract Services) \$2,214.00. Libraries
 21. OAKLAND COUNTY – Financial Services – CLEMIS System Fees April-June 2007 – Inv. 926 dated 06/30/07 from A/C 101-300-818-000 (Contract Services) \$11,508.25. Police Dept.
 22. PLANTE & MORAN – Accounting Services, Audit and Health Review – Inv. 266560 dated 07/19/07; Inv. 264972 dated 07/12/07; Inv. 264983 dated 07/12/07 and Inv. 267688 dated 07/30/07 from A/C 101-200-817-000 (Prof/Consult) \$17,130.00; A/C 101-440-818-000 (Contract Services) \$1,265.00 and A/C 592-536-817-000 (Prof/Consult) \$650.00. General Govt.
 23. PRITULA & SONS – Sewer Repairs – Inv. 1279 and 1280 dated 07/21/07 from A/C 592-540-818-020 (Contract Services) \$10,307.00. Water Dept.
 24. QUAD-TRAN OF MICHIGAN – Data Processing July & August 2007 – Inv. 5072 and 5073 dated 06/29/07 and Inv. 5091 and 5092 dated 07/31/07 from A/C 101-130-818-000 (Contract Services) \$7,200.00; A/C 101-130-728-000 (Supplies) \$2,444.55 and A/C 101-200-728-000 (Supplies) \$5,640.37. District Court
 25. STATE OF MICHIGAN – MDOT – Progress Billing Telegraph Road & Bridge – Inv. 297133 dated 07/16/07 and Inv. 297283 dated 07/19/07 from A/C 202-202-880-300 (Road Repairs) \$11,230.58. Major Streets
 26. STATE OF MICHIGAN – Second Injury Fund – 2006 Assessment – Ck. Req. Dated 07/25/07 from A/C 101-200-724-000 (Work Comp.) \$2,198.99. General Govt.
 27. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging June 2007 – Inv. dated 07/18/07 from A/C 101-xxx-202-002 (Accounts Payable) \$2,118.50. General Govt.
 28. THE LIBRARY NETWORK – Telecommunications & Automation Services – Inv. 35373 dated 07/25/07 and Inv. 35307 dated 07/12/07 from A/C 738-738-827-100 (Library Network) \$13,028.81. Libraries
 29. TRYBUSKI LANDSCAPING – Grass/Weed Cutting Program – Various Invoices from A/C 101-200-963-000 (Grass/Weeds) \$24,929.40. General Govt.
 30. WADE-TRIM ASSOCIATES – Eng. Review, Right-of-Way, Elevation, Plot Plan – Inv. 94164, 94183, 94166, 94165 and 94162 dated 07/23/07 from A/C 101-371-809-000 (Eng. Services) \$3,103.35. Building/Engineering
 31. WADE-TRIM ASSOCIATES – Storm Water Items, Gully Road Project, CSO Phase II, Downriver Tech Assist, 2007 Water Main Improvements – Inv. 94171, 94163, 94167, 94168 and 94170 dated 07/23/07 from A/C 592-xxx-154-000 (Water/Sewers) \$15,638.91 and A/C 202-202-880-300 (Roads) \$6,130.00. DPW-Water
 32. WAYNE COUNTY – ACCOUNTS RECEIVABLE – Traffic Signal Maintenance May 2007 – Inv. 1003047 dated 07/27/07 from A/C 101-xxx-200-200 (Accounts Payable) \$4,400.49. DPW-Highway
 33. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Sewage Disposal Rouge Valley, Downriver and CSO Area 3 – Inv. 240848 dated 07/19/07; Inv. 240853 dated 07/20/07 and Inv. 240501 dated 08/01/07 from A/C 592-537-929-000 (Sewage Disposal) \$263,882.07. Water Dept.
 34. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Attorney Fees June 2007 – Inv. 139482 dated 07/26/07 from A/C 101-xxx-202-200 (Accounts Payable) \$2,220.50. General Govt.
 35. GARY MIOTKE – Legal Services July 2007 – Inv. dated 08/06/07 from A/C 101-210-826-000 (Counsel Services) \$6,444.00. Corporation Counsel
 36. SECREST, WARDLE, LYNCH ... - Legal Services May & June 2007 – Inv. dated 07/23/07 and 08/06/07 from A/C 101-xxx-202-200 (Accounts Payable) \$14,265.71. Corporation Counsel.

Motion unanimously adopted.

- 07-303** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the communication from Mayor Paletko, dated August 9, 2007 re: Reappointments of Mark Parrinello, 25637 Michigan Avenue, Jim Nagy 635 N Gully and Jane Coon, 8188 Nightingale to the Commission on Disability Concerns, terms to expire July 2010, be received, contents noted and filed.

Motion unanimously adopted.

- 07-304** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the proposed Medicare Advantage Consulting Agreement between Cornerstone Group and the City of Dearborn Heights, at a cost of \$3,750.00, per Mayor Paletko, communication dated August 8, 2007. Further, that the Mayor be authorized to sign

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the agreement on behalf of the City.

Motion unanimously adopted.

- 07-305** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council concurs with and approves the Letter of Agreement for the proposed DROP Program with Local #1355 of the International Association of Fire Fighters, per Mayor Paletko, communication dated August 8, 2007. Further, that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 07-306** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council concurs with and approves the Addendum Amendment to Collective Bargaining Agreement for the proposed DROP Program with Local #1355 of the International Association of Fire Fighters, per Mayor Paletko, communication dated August 8, 2007. Further, that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City

Motion unanimously adopted.

- 07-307** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the Lot Split Request from Mr. Michael Jordan, 6268 Gulley Road creating the following descriptions in Comefords Ford Road Subdivision:

33-017-01-0477-302 – Lot 477 also the S ½ adjacent vacated alley, also the N 15 feet of Lot 478, also W ½ adjacent vacated alley Comefords Ford Road Sub.

33-017-01-0478-302 – Lot 478 excluding the N 15 feet, also Lot 479 and the N 15 feet of Lot 480, also W ½ adjacent vacated alley Comefords Ford Road Sub., per Deputy Assessor Cooper, communication dated August 3, 2007.

Motion unanimously adopted.

- 07-308** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the low quote from J & J Collision, 6528 N Telegraph for corrosion repair to Fire Engine #3, 1996 Pierce Quantum), in the amount of \$2,773.48/Labor Rate \$35.00 per hour, and payment thereof, be approved, per Fire Chief Gurka, communication dated August 3, 2007. Funding for this repair is budgeted in the 2007-08 Capital Outlay account #335-981.500.

Motion unanimously adopted.

- 07-309** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the communication from Human Resource Director Sobota-Perry, dated August 8, 2007 re: Act 78 Fire & Police Civil Service Commission Appointment of Mr. George J. Bedrosian, 17701 W Outer Drive, Dearborn Heights, MI 48127, by the Commission members, term expiring November 2009, be received, contents noted and filed. Mr. Bedrosian is replacing Tom Miles who has moved out of the City.

Motion unanimously adopted.

- 07-310** Motion by Councilwoman Baron, seconded by Councilman Berry, that the City Council concurs with and approves the Agreement between the County of Wayne and the City for Funding Allocation for Spray/Splash Park, in the amount of \$100,000 contribution from Wayne County for the construction of the Spray/Splash Park to be located at Municipal Park, per Recreation Director Grybel, communication dated August 7, 2007. Further that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 07-311** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Comptroller be authorized to solicit RFP's (Request for Proposals) for Professional Design Services for Municipal Park, Daly Park and Weddell Park Improvement Projects, per specifications, per the request of Recreation Director Grybel, communication dated August 7, 2007. Funding for these projects is available in CDBG Program and TIFA funds.

Motion unanimously adopted.

- 07-312** Motion by Councilman Baron, seconded by Councilman Berry, that the bid #2 from Wolverine Truck Sales Inc., 3550 Wyoming, Dearborn, MI 48120, for one (1) Single Rear Axle Dump Truck with Loader/Bucket, in the amount of \$109,369.00, less trade in of \$6,500.00, grand total \$102,869.00, and payment thereof, be approved, per Public Service Administrator Franzil,

communication dated August 6, 2007. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders. This item is budgeted in the 2006-07 Water Department Capital Outlay account.

Motion unanimously adopted.

- 07-313** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the quote from Jorgensen Ford, 8333 Michigan Avenue, Detroit, MI 48210, for one (1) 2006 Ford F450 Diesel Dump Truck with Plow, per City of Detroit Coop Bid Program, in the amount of \$40,172.00, and payment thereof, be approved, per Public Service Administrator Franzil, communication dated July 26, 2007. This item is budgeted in the Department of Public Works Capital Outlay 2007-08 Budget.

Motion unanimously adopted.

- 07-314** Motion by Councilwoman Horvath, seconded by Councilwoman Baron, that the City Council concurs with and approves the proposal from Wade Trim Associates, Inc., 25251 Northline Road, P O Box 10, Taylor, MI 48180 to prepare a Water System Master Plan for the City at a cost not-to-exceed \$125,000.00, per Public Service Administrator Franzil. Further that Mayor Paletko be authorized to sign on behalf of the City.

Motion unanimously adopted.

- 07-315** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the request to auction the following vehicles:

	VIN #
1996 Ford	1FASP15JXTW153374
1994 Ford	1FTEX15N2RKB73306
1988 Lincoln	1LNBM82F1JY826528
1992 Ford	1FRDF15N9NLA65722
1986 Chevrolet	1G1BL69H3GX180614
1992 GMC	1GKDM15Z4NB513559
1991 Dodge	1P3XA4635MF711121
1996 Dodge	2B3HD46T1TH284630
1992 Mitsubishi	4A3CS34T0NE035853

per, Police Chief Gust, communication dated July 26, 2007.

Motion unanimously adopted.

- 07-316** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the 2007 Bridge Inspection Program to be prepared by Wade Trim Associates, Inc., 25251 Northline Road, P O Box 10, Taylor, MI 48180, at a cost not-to-exceed \$26,000.00, which includes inspection and photography of each structure, completion of required MDOT inspection forms, preparation of report and submittal to the City, per Public Service Administrator Franzil, communication dated July 31, 2007 and Daniel R. Brooks, PE, Wade Trim Associates, Inc., communication dated July 30, 2007.

Motion unanimously adopted.

- 07-317** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the purchase of six (6) Harley Davidson FLHTPI Police motorcycles from American Harley Davidson in Ann Arbor, Michigan, for a total cost of \$61,938.00, and payment thereof, per Police Chief Gust, communication dated August 6, 2007. Monies for this purchase to be appropriated from Fund Balance and transferred to Police Capital Outlay as follows:

INCREASE REVENUES	APPROPRIATE FUND BALANCE
# 101-000-690-000	\$54,738.00
INCREASE EXPENDITURES	POLICE CAPITAL OUTLAY
# 101-300-981-000	\$54,738.00

Motion unanimously adopted.

- 07-318** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves Bone Yard 1, Inc., request for a new Class C license with Official Permit (Food) to be located at 7010 N Telegraph, Dearborn Heights, MI 48127, applicant Stojce Djordjeski, Stockholder, 37660 Cherry Hill, Farmington Hills, MI 48331, and the Liquor Control Commission be so notified. ID# 415760

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Motion unanimously adopted.

07-319 Motion by Councilwoman Horvath, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:30 PM

S. JUDITH DUDZINSKI
CITY CLERK

MARIA E. LAWRENCE
COUNCIL SECRETARY

ELIZABETH J. AGIUS, CHAIR
COUNCIL CHAIR