

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

AUGUST 10, 2004

04-252 The meeting was called to order at 8:22 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilwoman Janet S. Badalow, Councilwoman Ann Brown, Councilman Bob Constan, Councilwoman Catherine L. Heise.
Absent: Councilman Kenneth R. Baron, Councilwoman Margaret M. Van Houten.
Also Present: Mayor Paletko, Administrative Assistant Kramarz, Corporation Counsel Miotke, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Comptroller Barrow, Deputy Comptroller Macari, Acting 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 Don Titus.

04-253 Motion by Councilman Constan, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of August 10, 2004, be approved with the addition of amended 8-C (Allen Park Gate Agreement) and to refer 8-E (Young Center Gutter Replacement Quotations) back to Administration.

Motion adopted.

04-254 Motion by Councilwoman Brown, seconded by Councilman Constan, that the Minutes from the Regular Meeting of July 27, 2004, be approved as submitted.

Motion adopted.

04-255 Motion by Councilman Constan, seconded by Councilwoman Brown, that Current Claims 6-1 through 6-29, be approved as submitted.

1. BELFOR USA – Emergency Services – Inv. 3710-4-11710-1F dated 7/19/04 from A/C 101-202-200 (Accounts Payable) \$3,725.40. Building/Eng.
2. CENTURY CEMENT COMPANY – Street Repair Program – Cert. #4 dated 7/22/04 from A/C 202-202-880-300 (Street Const.) \$192,620.95. Major Streets.
3. CITY OF TAYLOR – Animal Processing – Inv. 200300597 dated 7/29/04 from A/C 101-202-200 (Accounts Payable) \$19,950.00. Gen. Govt.
4. CUMMINGS, MCCLOREY, DAVIS, ACHO – Labor Matters – Inv. 61272 dated 7/20/04 from A/C 101-202-200 (Accounts Payable) \$5,637.00. Gen. Govt.
5. E & N CEMENT – Pavement Repairs – Inv. dated 8/3/04 from A/C 592-537-818-000 (Contr. Ser.) \$24,053.95 and A/C 101-440-880-000 (Road Repairs) \$31,302.28. DPW-Water.
6. ELLEFSON BUILDING/DEMO. – Load/Haul Debris – Inv. 4009 and 4010 dated 8/1/04 from A/C 101-200-810-000 (Sanitation) \$9,400.00 and A/C 592-537-818-000 (Contr. Ser.) \$3,750.00. DPW.
7. HEIGHTS TREE SERVICE – Tree Removal – Inv. dated 8/1/04 from A/C 101-440-820-000 (Tree Removal) \$7,900.00. DPW.
8. INFINISOURCE - COBRA Administrator – Inv. 88073 dated 7/13/04 from AC 101-200-817-000 (Prof. Ser.) \$2,095.00. Gen. Govt.
9. LARDNER ELEVATOR COMPANY – Elevator Repair City Hall – Inv. 142231 dated 7/15/04 from A/C 101-265-931-000 (Repair Building) \$2,750.00. Building Maint.
10. NAGEL CONSTRUCTION – Sewer Cleaning – Inv. 1955 dated 7/29/04 from A/C 592-540-818-030 (Sewer Cleaning) \$19,870.60. Water Dept.
11. I. DENNIS POTOCKY, DDS – Oral Surgery – Inv. F235476388 dated 7/15/04 from A/C 101-202-200 (Accounts Payable) \$4,408.00. Gen. Govt.
12. RMS ASSOCIATES LLC – Telephone Consulting Services – Inv. 04-1772 dated 7/26/04 from A/C 101-200-817-000 (Prof/Consult) \$1,570.00. Gen. Govt.
13. STATEWIDE SECURITY TRANSPORT, INC. – Prisoners June 2004 – Inv. dated 7/19/04 from A/C 101-202-200 (Accounts Payable) \$3,212.00. Gen. Govt.
14. TODAY LINK, LLC – Connection/Support July 2004 – Inv. 1058 dated 8/1/04 from A/C 101-200-819-999 (WEBNET/Revolving) \$4,436.80. Gen. Govt.
15. TROELSEN EXCAVATING COMPANY – Water Main Improvements – Cert. #4 Final, dated 7/20/04 from A/C 103-960-925-203 (Water Main) \$24,547.40. CDBG.
16. WADE-TRIM/ASSOCIATES – 2003 Street Repair Admin/Survey – Inv. 83226 dated 7/16/04 from A/C 202-202-000 (Accounts Payable) \$30,560.10. Major Streets.
17. WADE-TRIM/ASSOCIATES – CSO Phase II Final Report – Inv. 83335 dated 7/26/04 from A/C 592-154-000 (Sewer Services) \$10,614.00. Water Dept.
18. WADE-TRIM/ASSOCIATES – Const. Eng. Dearborn Career Tech Ctr – Inv. 83104 and

- 83228 dated 7/16/04 and 7/29/04 from A/C 592-255-001 (Escrow Const.) \$3,839.50. Building/Eng.
19. WADE-TRIM/ASSOCIATES – Construction Inspection – Inv. 83324 dated 7/22/04 from A/C 202-202-880-300 (Street Const.) \$13,257.41. Major Streets.
 20. WADE-TRIM/ASSOCIATES – Downriver Technical Assistance – Inv. 83334 dated 7/26/04 from A/C 592-154-000 (Sewer Services) \$590.50. Water Dept.
 21. WADE-TRIM/ASSOCIATES – Engineering Services – Various Inv.'s dated 6/2004 from A/C 101-202-200 (Accounts Payable) \$6,105.85. Building/Eng.
 22. WADE-TRIM/ASSOCIATES – Meeting Ecorse Watershed Advisory Group – Inv. 83330 dated 7/26/04 from A/C 592-536-818-000 (Contr. Ser.) \$187.50. Water Dept.
 23. WADE-TRIM/ASSOCIATES – Technical Assistance Town Hall Flood Meeting – Inv. 83337 dated 7/26/04 from A/C 592-536-818-000 (Contr. Ser.) \$1,206.25. Water Dept.
 24. WADE-TRIM/ASSOCIATES – Water/Sanitary Construction – Walgreen's – Inv. 83220 dated 7/16/04 from A/C 592-255-001 (Escrow Const.) \$2,704.50. Water Escrow.
 25. WAYNE COUNTY ACCOUNTS RECEIVABLE – Library Network January 2004 – Inv. 222761 and 22763 dated 7/7/04 from A/C 738-202-000 (Accounts Payable) \$11,309.22. Library Fund.
 26. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Watershed Management Plan Ecorse Creek – Inv. 222859 dated 7/14/04 from A/C 592-536-802-000 (Dues/Sub) \$15,800.00. Water Dept.
 27. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – ECPAD Operation and Maintenance – Inv. 223088 dated 7/28/04 from A/C 592-537-927-000 (Ecorse Creek O/M) \$71,836.88. Water Dept.
 28. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – CSO Basin Operation & Maintenance – Inv. 223062 dated 7/26/04 from A/C 592-537-927-100 (CSO Basin) \$101,648.00. Water Dept.
 29. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow July 2004 – Inv. 223102 dated 7/30/04 from A/C 592-537-929-000 (Sewer Disposal) \$22,765.00. Water Dept.

Motion adopted.

- 04-256** Motion by Councilman Constan, seconded by Councilwoman Brown, that the City Council concurs with and approves the Wayne County Department of Public Services Permit to Construct, Operate, Use, and/or Maintain Maintenance Agreement, which includes Exhibit A (Legal Description) and Exhibit B (Long Term Maintenance of Storm Water Management System) for Eden Park Condos, located south of Warren Avenue, East of Outer Drive, per Mayor Paletko, communication dated August 4, 2004. Further, that the Mayor be authorized to sign the permit on behalf of the City.

Motion adopted.

- 04-257** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the City Council concurs with and approves a three (3) Year Contract Renewal with Johnson Controls for maintenance of the City's heating and cooling systems in various City buildings, at the negotiated increases of 1%, 2% and 2%, with quarterly installments for year one of \$16,906.75; \$17,245.00 second year and \$17,590.00 year three, per Mayor Paletko, communication dated August 2, 2004. Further that the Mayor be authorized to sign the agreement on behalf of the City.

Motion adopted.

- 04-258** Motion by Councilman Constan, seconded by Councilwoman Brown, that the Rosedale-Belmont Flushing Gate Agreement between the City of Dearborn Heights, City of Allen Park and Wayne County, be referred back to Corporation Counsel for revision of the communication dated July 21, 2004 from Wayne County Department of Environment Director Heise to state terms and conditions only.

Motion adopted.

- 04-259** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Resolution to File County Drain Petition Ecorse Creek Drain as follows:

WHEREAS, the City of Dearborn Heights has experienced flooding and recognizes that it is necessary for the public health, convenience and welfare to maintain and improve the Ecorse Creek Drain pursuant to Chapter 8 of the Drain Code of 1956, being Public Act 40 of the Public Acts of 1956, as amended; and

WHEREAS, lands to be benefited by the maintenance and improvement of the Ecorse Creek Drain are within the Cities of Allen Park, Dearborn Heights, Ecorse, Inkster, Lincoln Park, Romulus, Taylor and Westland; and

WHEREAS, THE City recognizes that it will be subject to assessment to pay for a percentage of the costs of the Drain-at-Large;

NOW, THEREFORE BE IT RESOLVED THAT, pursuant to Chapter 8 of the Drain Code of 1956, being Public Act 40 of the Public Acts of 1956, as amended, a Petition for cleaning out, relocating, widening, deepening, straightening, tiling, extending, or relocating along a highway, as well as for maintaining and improving, for the Ecorse Creek Drain is authorized to be executed by the City of Dearborn Heights, and that the Mayor and City Clerk are authorized to sign all documents necessary to effectuate the intent of this Petition.

BE IT FURTHER RESOLVED that the City Clerk shall forward to the Wayne County Drain Commissioner a copy of this Resolution and file the Petition to perform maintenance and improvement of the Ecorse Creek Drain as permitted under the Drain Code of 1956, being Public Act 40 of the Public Acts of 1956, as amended, per Mayor Paletko, communication dated August 4, 2004.

Further, that the Petition for Cleaning Out, Relocating, Widening, Deepening, Straightening, Tiling, Extending, or Relocating Along a Highway, and for Maintaining and Improving a County Drain, Namely the Ecorse Creek Drain be adopted as follows:

TO THE COUNTY DRAIN COMMISSIONER OF THE COUNTY OF WAYNE:

Petitioner, City of Dearborn Heights, hereby petitions for the maintenance and improvement of the Ecorse Creek Drain, which may include cleaning out, relocating, widening, deepening, straightening, tiling, extending, or relocating along a highway as well as maintenance and improvements of a water control structure on the Drain known and designated as the Ecorse Creek, located and established in the cities of Allen Park, Dearborn Heights, Ecorse, Inkster, Lincoln Park, Romulus, Taylor and Westland, in the County of Wayne, State of Michigan.

Petitioner is a city in the Drainage District and this petition has been authorized by its governing body, as evidenced by the attached resolution. The Petitioner is a municipality which will be liable to assessments at large for at least a percentage of the total amount to be assessed for the cost of the drain.

Your Petitioner further shows that the lands benefiting from the Drain which are not currently in the Drainage District and that the said Drain needs maintenance and improvement, which may entail cleaning out, relocating, widening, deepening, straightening, tiling, extending, relocating along a highway or adding one or more branches to reduce the flooding problems within the City, and the said maintenance and/or improvement on such Drain is necessary and conducive to the public health, convenience, or welfare of the cities of Allen Park, Dearborn Heights, Ecorse, Inkster, Lincoln Park, Romulus, Southgate, Taylor, Wayne, Westland and Wyandotte, per Mayor Paletko, communication dated August 4, 2004. Mayor Paletko and Clerk Dudzinski shall be authorized to sign both documents on behalf of the City.

Motion adopted.

- 04-260** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the communication from Mayor Paletko, dated July 29, 2004 re: Commission on Disability Concerns reappointments of Regina Alvarado, 20734 Fairwood Drive, Julia Carter, 3946 Madison and Jim Nagy, 635 N Gulley Road, terms to expire July 2007 and the appointment of Mike Appleton, 5402 Weddell, to fill the unexpired term of Timothy Trahey, term to expire July 2006, be received, contents noted and filed.

Motion adopted.

- 04-261** Motion by Councilman Constan, seconded by Councilwoman Brown, that the City Council concurs with and approves the parade route for the St. Linus Church Festival Bike & Blade Parade, scheduled for Friday, September 10, 2004 at 5:00 p.m. beginning in the St. Linus parking lot right on Hass proceeding west to Evangeline, north on Evangeline to Richardson, east to Gulley then south on Gulley back to Hass then west on Hass to the St. Linus parking lot, per Kathy Osinski, Festival Co-Chairperson and Mayor Paletko, communication dated July 12, 2004. Further, that the Police and Fire to provide escort and assistance as requested.

Motion adopted.

- 04-262** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the City Council concurs with and approves the "Letter of Understand Regarding Early Retirement Option" between the Dearborn Heights Police Supervisors Association and the City of Dearborn Heights, per Mayor Paletko, communication dated August 4, 2004. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Minutes **AUGUST 10, 2004** Continued

Aye: Councilwoman Agius, Councilwoman Badalow, Councilwoman Brown, Councilman Constan.
Nays: Councilwoman Heise.
Absent: Councilman Baron, Councilwoman Van Houten.

Motion adopted.

- 04-263** Motion by Councilman Constan, seconded by Councilwoman Brown, that the City Council concurs with and approves Change Order No. 1 with Troelsen Excavating Company, 1395 Rochester Road, Troy, MI 48083 for a decrease in projects costs of \$6,998.35 for the 2003 CDBG Water Main Improvements Project, per Wade-Trim/Associates, communication dated July 21, 2004 and Community Development Director Jamal, communication dated July 28, 2004.

Motion adopted.

- 04-264** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council concurs with and approves the 2004-05 CDBG Wayne Metropolitan Community Action Agency Agreement per, Community Development Director Jamal, communication dated August 1, 2004. Further that the Mayor and City Clerk be authorized to sign the contract on behalf of the City.

Motion adopted.

- 04-265** Motion by Councilman Constan, seconded by Councilwoman Brown, that the City Council concurs with and approves the 2004-05 CDBG First Step Agreement per, Community Development Director Jamal, communication dated August 1, 2004. Further that the Mayor and City Clerk be authorized to sign the contract on behalf of the City.

Motion adopted.

- 04-266** Motion by Councilwoman Badalow, seconded by Councilwoman Heise, that proposed Ordinance H-04-03, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 20-309 OF SAID CODE REGARDING FLOOD HAZARDS, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion adopted.

- 04-267** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the request for new SDM license for Aldi Inc., 24130 Van Born Road, Dearborn Heights, MI 48125, be approved and the Liquor Control Commission be so notified. RID # 228730.

Motion adopted.

- 04-268** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request from Clean Water Action, 205 ½ N Main Street, Ann Arbor, MI 48104 to conduct door-to-door canvassing in the City beginning July 15, 2004 and ending November 15, 2004.

Motion adopted.

- 04-269** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 10:03 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY