

MINUTES JULY 23, 2019 **REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL**

19-274 The meeting was called to order at 8:06 p.m. by Council Chairwoman Malinowski Maxwell.

Roll Call showed the following:

Present: Council Chairwoman Denise Malinowski Maxwell, Councilman Dave Wassim Abdallah, Councilman Bill Bazzi, Councilman Robert Constan, Councilwoman Lisa Hicks-Clayton, Councilman Ray Muscat, Councilman Tom Wencel.

Absent: None.

Also Present: City Clerk Prusiewicz, Mayor Paletko, Treasurer Riley, Comptroller Vance, Corporation Counsel Miotke, DPW Director Selmi, Emergency Management Director Gavin, Fire Chief Brogan, Human Resource Director Sobota-Perry, Library Director McCaffery, Ordinance Enforcement Director McIntyre, Police Chief Voltattorni, Parks & Recreation Director Haddad, TIFA/Brownfield Administrator Rosco.

The Pledge of Allegiance was led by Council Chairwoman Denise Malinowski Maxwell.

19-275 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Abdallah that the Amended Agenda for the Regular Meeting of July 23, 2019, be approved as submitted.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdallah, Councilman Bazzi, Councilwoman Hicks-Clayton, Councilman Muscat, Councilman Wencel.

Nays: Councilman Constan.

Absent: None.

Motion adopted.

19-276 Motion by Councilman Abdallah, seconded by Councilwoman Hicks-Clayton that the Minutes from the Regular Meeting of July 9, 2019, be approved as submitted.

Motion unanimously adopted.

19-277 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Bazzi that Current Claims 6-1 through 6-35, be approved, with the removal of Claim 6-21, as submitted.

1	A Land Construction, Inc.	Cont. Services	\$33,958.00	DPW
2	A Land Construction, Inc.	Sidewalk/Weed	\$11,650.00	Ordinance
3	A Land Construction, Inc.	Sidewalk/Weed	\$17,155.00	Ordinance
	A Land Construction, Inc.	Rep/Maint	\$10,060.00	Building & Mtce
	A Land Construction, Inc.	Cont. Services	\$10,236.00	Water
4	Accumed Group, The	Rescue Runs	\$7,848.44	Fire
5	Ajax Materials Corp.	Road Supply	\$2,063.10	Highway
6	Artistic Lawn Service	Sidewalk/Weed	\$5,060.70	Ordinance
	Artistic Lawn Service	City Grass Cutting	\$18,700.00	Highway
7	Bowles Brothers Services, Inc.	Inv-piping/Trans	\$1,920.00	Water
8	Cummings, McClorey, Davis & Acho	Prof/Con	\$1,575.00	Water
9	D&D Water & Sewer	Water System	\$114,500.00	Water
10	Dearborn, City of	Trf Light Maint	\$2,926.09	DPW-Highway
11	Dearborn Tree Service	Tree Removal	\$4,100.00	Highway
12	Downriver Utility Wastewater Authority	Sewer Disposal	\$38,062.00	Water
13	E&N Cement	Cont. Services	\$95,094.77	DPW
14	Etna Supply	Water/Mtr Supp	\$10,805.00	Water
15	Great Lakes Water Authority	Notes Payable	\$8,576.00	Water

16	Ibex Insurance Agency	Work Comp	\$45,245.00	General Govt
17	Innovative Buildings Inc.	Building Permits	\$10,415.00	Bldg/Ordinance
18	Image Trend	Capital Outlay	\$3,605.00	Fire
19	Johnson Controls	Maint/Repair	\$1,785.29	Building & Mtce
20	Library Network, The	Capital Outlay	\$8,446.85	Library
21	McMillian Group, Inc.	Cont. Services	\$50,375.00	Water
22	National Tactical Officers Association	Training	\$3,006.00	Police
23	New Image Building Services, Inc.	Cont. Services	\$2,395.71	Library
24	OverDrive	Capital Outlay	\$1,599.19	Library
25	Pipetek Infrastructure Services, LLC	Cont. Services	\$5,702.51	Water
26	Quad-Tran of Michigan	Cont. Services	\$4,500.00	District Court
	Quad-Tran of Michigan	Office Supplies	\$1,772.00	District Court
	Quad-Tran of Michigan	Office Supplies	\$3,523.97	District Court
27	Tire Discount House, Inc.	Rep/Maint	\$3,014.70	Police
28	Village Ford	Rep/Maint Equip	\$2,840.88	Police
29	Wade Trim & Assoc	Cont. Services	\$17,431.25	Water
30	Wade Trim & Assoc	Street Repair	\$37,952.81	DPW
31	Wayne County	Traffic Light Maint	\$1,512.57	DPW-Highway
32	Wayne County Dept of Environment	Sewer Disposal	\$350,202.52	Water
33	Wayne County Dept of Environment	CSO Basin	\$130,087.44	Water
34	Western Wayne County Fire Dept Mutual Aid	Dues Member	\$8,355.14	Fire
35	Winder Police Equipment	Rep/Maint Equip	\$20,305.16	Police

Motion unanimously adopted.

- 19-278** Motion by Councilman Constan, seconded by Councilman Bazzi to concur with the appointment of Dyala Rammal as Honorary Student Commissioner to the Watershed Stewards Commission. This is a three-year term and will expire September 2022, as outlined in 8-A. Per Mayor Paletko communication dated July 10, 2019.

Motion unanimously adopted

- 19-279** Motion by Councilman Abdallah, seconded by Councilman Constan, to authorize the purchase and subsequent payment of 13 homes and land in the amount of \$60,461.82 from the Wayne County Tax Foreclosure List noting that the Tax Increment Finance Authority (TIFA) plans to purchase 0 S. Beech Daly from the City and the funds will be reimbursed to the City, as outlined in 8-B. Per Mayor Paletko communication dated July 16, 2019.

Motion unanimously adopted.

- 19-280** Motion by Councilwoman Hicks-Clayton, seconded by Councilman Abdallah to receive, note and file the Investment of Funds Report for June 30, 2019 as recommended by Plante Moran, as outlined in 9-A. Per Treasurer Riley communication dated July 15, 2019.

Motion unanimously adopted.

- 19-281** Motion by Councilman Abdallah, seconded by Councilwoman Hicks-Clayton to concur and approve the 2019-2020 Brownfield Budget, as outlined in Item 9-B. Per Brownfield Administrator Rosco communication dated July 16, 2019.

Motion unanimously adopted.

- 19-282** Motion by Councilman Constan, seconded by Councilman Muscat to approve the payment of Invoice #9061 from Inner City Contracting, LLC in the amount of \$26,828.00 for the FY 2015 CDBG Good Neighbor Program, 26115 Powers, 26166 Powers and 24759 Hopkins demolitions, as outlined in 9-C. Per Community and Economic Development Director Hachem communication dated July 15, 2019.

Motion unanimously adopted.

- 19-283** Motion by Councilman Abdallah, seconded by Councilwoman Hicks-Clayton to award the contract for HVAC service at City Hall and other City Buildings in the amount of \$57,024.00 annually and to authorize the Mayor to sign the contract, as outlined in 9-D. Per DPW Director Selmi communication dated July 16, 2019.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdallah, Councilman Bazzi, Councilman Constan, Councilwoman Hicks-Clayton, Councilman Wencel.

Nays: Councilman Muscat.

Absent: None.

Motion adopted.

- 19-284** Motion by Councilman Abdallah, seconded by Councilman Muscat to authorize Wade Trim to proceed with the preparation of design plans and specifications for the 2019-2020 Street Reconstruction program, as listed in the approved 2019-2020 Local and Major Streets budget, acquire the necessary permits for construction and advertise for bids in the amount not to exceed \$148,000.00, as outlined in 9-E. Per DPW Director Selmi communication dated July 19, 2019.

Motion unanimously adopted.

- 19-285** Motion by Councilwoman Hicks-Clayton, seconded by Councilman Muscat to approve the purchase of six (6) Microsoft Surface Pro LTE tablet packages for the Building Department Inspectors in the amount of \$15,749.94 from CDW Government, 75 Remittance Drive, Suite 1515, Chicago, IL, payable upon receipt. Also to approve the use of American Express points to purchase a Dell Optiplex Desktop Computer with Intel Core for the Building Department, not to exceed \$850.00, as outlined in 9-F. Per Ordinance Enforcement and Animal Control Director McIntyre communication dated July 16, 2019.

Motion unanimously adopted.

- 19-286** Motion by Councilman Bazzi, seconded by Councilman Wencel to move to a Closed Study Session and Special City Council Meeting scheduled for Wednesday, July 24, 2019, the Resolution to Authorize the retention of Ottenwess, Taweel & Schenk, PLC as Special Legal Counsel of counsel to the Corporation Counsel and to authorize the firm to file action necessary, as outlined in 11-A. Per Council Chairwoman Malinowski Maxwell and Chair Pro-Tem Bazzi communication.

WHEREAS The 2018-2019 budget for the City of Dearborn Heights included \$35,000 set aside for legal services for the City Council; and

WHEREAS The 2019-2020 budget provided additional funding in support of this effort; and

WHEREAS The City Council recently approved a resolution calling for a financial review of certain city operations; and

WHEREAS The City Council has voted on at least six occasions to hire the firm of Ottenwess, Taweel & Schenk, PLC to perform services as special legal counsel to the City Council including votes to file mandamus actions to enforce the contract and votes to override mayoral vetoes related to the same; and

WHEREAS The Court confirmed that the City Council has authority to retain special legal counsel to serve of counsel to the corporation counsel on behalf of the City Council under circumstances that are outlined in the City Charter; and

WHEREAS While the City Council disagrees with the opinion of the Court and intends to appeal that decision, it has also requested a revised retainer agreement with the firm Ottenwess, Taweel & Schenk, PLC that incorporates relevant provisions related to the Court's interpretation of Charter Section 5.13J; and

WHEREAS Without waving any objection related to the City Council's belief that Corporation Counsel Gary Miotke has a legal conflict of interest related to the Council's desire to perform a financial review of city operations and/or the engagement of Ottenwess, Taweel & Schenk, PLC.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdallah, Councilman Bazzi, Councilwoman Hicks-Clayton, Councilman Muscat, Councilman Wencel.
Nays: Councilman Constan.
Absent: None.

Motion adopted.

19-287 Motion by Councilwoman Bazzi, seconded by Councilman Wencel to concur with the Planning Commission's recommendation and deny the application for the proposed Zoning Ordinance amendment in regards to SPR 19-04, an application to re-zone two properties, 26659 and 26705 Ford Road, from the current CX District to the more intense C2 District, as outlined in 12-A. Per Mark S. Roberts, Secrest Wardle, communication dated July 2, 2019.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdallah, Councilman Bazzi, Councilman Constan, Councilwoman Hicks-Clayton, Councilman Wencel.
Abstain: Councilman Muscat.
Absent: None.

Motion adopted.

19-288 Motion by Councilman Muscat, seconded by Councilman Bazzi that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 10:35 p.m.

WALTER J. PRUSIEWICZ
CITY CLERK

DENISE MALINOWSKI MAXWELL
COUNCIL CHAIRWOMAN

LYNNE SENIA
COUNCIL SECRETARY