

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JUNE 23, 2009

09-248 The meeting was called to order at 8:10 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilman Bob Brown, Councilwoman Margaret M. Horvath.

Absent: Councilwoman Margaret M. Van Houten.

Also Present: City Clerk Dudzinski, Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz, Assessor McDermott, Building & Engineering Director Sobh, Comptroller Barrow, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, Emergency Management Director Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Director Mccaffrey, Police Captain LaBenne, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by Dan Brooks, Engineer, Wade Trim Associates.

09-249 Motion by Councilwoman Badalow, seconded by Councilman Brown, that the Agenda for the Regular Meeting of June 23, 2009, be approved as submitted.

Motion adopted.

09-250 Motion by Councilman Berry, seconded by Councilwoman Horvath, that the Minutes from the Regular Meeting of June 9, 2009, be approved as submitted.

Motion adopted.

09-251 Motion by Councilman Brown, seconded by Councilwoman Agius, that Fund Transfer 6-A, 6-B and Current Claims 6-1 through 6-25, be approved as submitted.

A. \$5,000.00 Transferred from Fire Capital Outlay A/C 101-335-981-500 to Fire Medical Supplies A/C 101-335-730-020 to maintain balanced line items in the Fire Department Budget.

B. \$5,000.00 Transferred from Library Part Time A/C 738-738-707-100 to Library Contractual Services A/C 738-738-818-000 to cover cost of cleaning service, security service and HVAC issues.

1. ACCUMED BILLING, INC. – Rescue Billing May 2009 – Inv. dated 06/01/09 from A/C 101-000-626-000 (Rescue) \$4,956.87. General Govt.
2. ALLIANCE OF ROUGE COMMUNITIES – Annual Membership Dues – Inv. 200964 dated 06/01/09 from A/C 592-536-802-000 (Dues/Membership) \$8,912.00. Water Dept.
3. E & N CEMENT – Pavement Repairs – Inv. dated 06/16/09 from A/C 592-537-818-000 (Contractual Services) \$137,198.56. Water Dept.
4. EAGER BEAVER – Grass/Weed Cutting Services – Inv. dated 06/10/09 and 06/12/09 from A/C 101-200-963-000 (Grass/Weed) \$5,219.05. General Govt.
5. GABRIEL ROEDER SMITH & COMPANY – Actuarial Service for Negotiations – Inv. 108460 and 108459 dated 05/29/09 from A/C 101-200-817-000 (Prof/Consult) \$15,000.00. General Govt.
6. GODDARD COATING – Repair/Touch Up of Tennis Courts – Inv. 8310 dated 05/26/09 and Inv. 8303 dated 05/20/09 from A/C 101-691-932-000 (Repair/Maint) \$9,755.00. ENC. Recreation
7. HYDRODESIGNS – Cross Connection Project – Inv. 19899-IN dated 05/31/09 from A/C 592-536-817-000 (Prof/Consult) \$3,074.00. Water Dept.
8. LANZO LINING SERVICES – 2009 Sewer Lining Project – Inv. #1 dated 06/12/09 from A/C 592-540-818-040 (Lining) \$289,623.08. Water Dept.
9. MAGICAL TOUCH – Grass/Weed Cutting Services – Inv. dated 06/05/09 from A/C 101-200-963-000 (Grass/Weeds) \$8,246.41. General Govt.
10. MC KENNA ASSOCIATES – Military Park Action Plan – Inv. dated 06/05/09 from A/C 103-960-918-208 (Admin.) \$2,696.01. CDBG
11. MC MULLEN SYSTEMS – Summer Tax Bills – Inv. 90422-004 and 90422-005 dated 06/11/09 from A/C 101-253-728-000 (Supplies) \$1,753.54. ENC. Treasurer's Office
12. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 2632 dated 06/15/09 from A/C 592-540-818-030 (Contractual Services) \$9,111.14. Water Dept.
13. NEW IMAGE SERVICES – Cleaning Service June 2009 – Inv. 53777 dated 06/01/09 from A/C 738-738-818-000 (Contractual Services) \$2,214.00. See Fund Transfer. Libraries

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14. PLANTE & MORAN – Accounting Services 06/01/09 to 06/19/09 – Inv. 444232 dated 06/19/09 from A/C 101-200-817-000 (Prof/Consult) \$12,195.00. General Govt.
15. PLANTE & MORAN CRESA – Evaluation City Hall, DPW and Rec. Center – Inv. 444000 dated 06/08/09 from A/C 274-673-938-090 (City Hall) \$7,050.60. Misc. Grants
16. PRIORITY ONE EMERGENCY – Removal of Light Bar/Gun Racks – Inv. 17676 and 17679 dated 05/13/09 and Inv. 17797 dated 05/21/09 from A/C 101-300-932-000 (Repair/Maint) \$2,035.74. ENC. Police Dept.
17. R & R FIRE TRUCK REPAIR – Repair Rescue – Inv. 35472 dated 05/06/09 from A/C 101-335-932-000 (Repair/Maint) \$4,570.32. ENC. Fire Dept.
18. SYSTEMP – Misc. Repairs Justice Center – Inv. 8330 dated 04/28/09 from A/C 101-300-818-000 (Contractual Services) \$2,686.10. Police Dept.
19. TMP ARCHITECTURE – Professional Services New Rec Center – Inv. 31127 dated 05/29/09 from A/C 274-673-757-093 (Rec. Center) \$20,475.00. Recreation
20. THE LIBRARY NETWORK – Monthly Books/Subscriptions & Acquisitions – Inv. 38779 dated 04/02/09 and Inv. 39020 dated 06/02/09 from A/C 738-738-981-000 (Cap. Out.) \$15,243.35 and A/C 738-738-827-100 (Library Network) \$7,256.50. Libraries
21. TRYBUSKI LANDSCAPING – Grass/Weed Cutting Services – Inv. dated 05/28/09-06/06/09; Inv. dated 05/19/09-05/29/09 and 06/01/09-06/12/09 from A/C 101-200-963-000 (Grass/Weed) \$15,070.55. General Govt.
22. WASTE MANAGEMENT – Roll Off Services May 2009 – Inv. 1717-2 and 1717-4 dated 06/01/09 from A/C 101-200-810-000 (Sanitation) \$3,018.75. General Govt.
23. GARY MIOTKE – Legal Services May 2009 – Inv. dated 06/06/09 from A/C 101-210-826-000 (Counsel Services) \$9,825.17. Corporation Counsel
24. SECREST, WARDLE, LYNCH- Legal Services April/May 2009 – Inv. dated 06/16/09 from A/C 101-210-826-000 (Counsel Services) \$11,537.50. Corporation Counsel
25. COMPUTER TECHNOLOGIES INC. – Data Processing – Inv. 70418 dated 05/08/09; 70420 dated 05/15/09; 70426 dated 05/22/09; 70430 dated 06/05/09 and 70432 dated 06/12/09 from A/C 101-258-932-000 (Repair/Maint) \$6,618.75 and A/C 592-536-932-000 (Repair/Maint) \$6,618.75. Data Processing

Motion adopted.

- 09-252** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Contract Extension of the Dearborn Heights Police Supervisors Association on a day to day basis until a new agreement has been reached and approved, per Mayor Paletko, communication dated June 23, 2009.

Motion adopted.

- 09-253** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Contract Extension of the Dearborn Heights Police Officers Association on a day to day basis until a new agreement has been reached and approved, per Mayor Paletko, communication dated June 23, 2009.

Motion adopted.

- 09-254** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Contract Extension of the AFSCME Local 290 on a day to day basis until a new agreement has been reached and approved, per Mayor Paletko, communication dated June 23, 2009.

Motion adopted.

- 09-255** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Contract Extension of the Dearborn Heights Communications Officers Association on a day to day basis until a new agreement has been reached and approved, per Mayor Paletko, communication dated June 23, 2009.

Motion adopted.

- 09-256** Motion by Councilman Brown, seconded by Councilwoman Agius, that the communication from Mayor Paletko dated June 16, 2009 re: Appointment of Mr. Roger Blum, 7135 N Gulley to the City Beautiful Commission term to expire June 2012, be received, contents noted and filed.

Motion adopted.

- 09-257** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the communication from Comptroller Barrow re: 2009-2010 Major and Local Streets Budget, be tabled to a Study Session.

Motion adopted

- 09-258** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Budget Amendments to cover balancing out accounts for year end as outlined in the communication from Comptroller Barrow, dated June 23, 2009.

Motion adopted.

- 09-259** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Council concurs with and approves Change Order Request #5, for Van Houten (Municipal) Park Renovation Project, as submitted by Koala-T Construction, Inc., 424 Ferry Avenue, Pontiac, MI 48341, in the amount of \$2,586.35 for the installation of the extended in-line skate rink netting at the south end of the rink, for an increase to the project, per Recreation Director Grybel, communication dated June 17, 2009. Further, that the Mayor be authorized to sign the Change Order on behalf of the City.

Motion adopted.

- 09-260** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves Change Order Request #6, for Van Houten (Municipal) Park Renovation Project, as submitted by Koala-T Construction, Inc., 424 Ferry Avenue, Pontiac, MI 48341, in the amount of \$2,915.00 for the installation of an additional permanent ADA picnic table located near the basketball courts adjacent to City Hall, for an increase to the project, per Recreation Director Grybel, communication dated June 17, 2009. Further, that the Mayor be authorized to sign the Change Order on behalf of the City.

Motion adopted.

- 09-261** Motion by Councilman Brown, seconded by Councilman Berry, that the City Council concurs with and approves Change Order Request #6, for Van Houten (Municipal) Park Comfort Station/Storage Facility Renovation Project, as submitted by Mando Construction Inc., 12383 15 Mile Road, Sterling Heights, MI 48312, in the amount of \$1,500.00 for the installation of sod around the Comfort Station, for an increase to the project, per Recreation Director Grybel, communication dated June 17, 2009. Further, that the Mayor be authorized to sign the Change Order on behalf of the City.

Motion adopted.

- 09-262** Motion by Councilman Berry, seconded by Councilwoman Agius, that the City Council concurs with and approves the Certificate of Substantial Completion for the Van Houten Park Comfort Station/Storage Facility Project with Mando Construction, Inc., 12383 15 Mile Road, Sterling Heights, MI 48312, per Recreation Director Grybel, communication dated June 16, 2009. Further, that the Mayor be authorized to sign the Certificate on behalf of the City.

Motion adopted.

- 09-263** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Certificate of Substantial Completion for the Van Houten Renovation Project with Koala-T Construction, Inc., 424 Ferry Avenue, Pontiac, MI 48341, per Recreation Director Grybel, communication dated June 16, 2009. Further, that the Mayor be authorized to sign the Certificate on behalf of the City.

Motion adopted.

- 09-264** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Council concurs with and approves Certificate for Payment No. 3 with Century Cement Company, Inc., 12600 Sibley Road, Riverview, MI 48192 for the 2008-2009 Street Repair Program, in the amount of \$190,083.25, and payment thereof, and Change Order No. 13, in the amount of \$13,772.66 which reflects reconciling contract quantities for work done on Avondale Avenue from Gulley Road to Beech Daly, per Public Service Administrator Franzil, communication dated June 12, 2009 and Daniel Brooks, Wade Trim Associates, Inc., 25251 Northline Road, P O Box 10, Taylor, MI 48180. Further, that the Mayor and Public Service Administrator Franzil sign the documents on behalf of the City.

Motion adopted.

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- 09-265** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that proposed Ordinance H-09-08, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 33-52, 33-53, AND 33-54 IN ORDER TO IMPROVE THEM IN SEVERAL WAYS, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Ayes: Councilwoman Agius, Councilwoman Badalow, Council Chairman Baron, Councilwoman Horvath.

Nays: Councilman Berry, Councilman Brown.

Absent: Councilwoman Van Houten.

Motion adopted.

- 09-266** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that Traffic Control Device Request NO. T-85-012, removal of "No Parking with Support Plate 8 am-8 pm" for north and southbound Whitefield South of Warren, south from alley, per Capt. J.W. LaBenne, communication dated June 1, 2009, be approved.

Motion adopted.

- 09-267** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that Traffic Control Device Request NO. T-86-05, removal of "Two Hour Parking 9 am – 9 pm" for northbound Whitefield from alley south of Warren to Warren Avenue, per Capt. J.W. LaBenne, communication dated June 1, 2009, be approved.

Motion adopted.

- 09-268** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Agreement for Maintenance of Storm Water Management System, Star International Academy, 24425 Hass Avenue, Dearborn Heights, MI 48127, including Exhibit A, Exhibit B and Exhibit C, as drafted by Corporation Counsel Miotke, communication dated June 18, 2009. Further, that the Mayor and City Clerk be authorized to sign the agreement

Motion adopted.

- 09-269** Motion by Councilwoman Badalow, seconded by Councilman Berry, that tabled CM 08-268, Transfer of Ownership of 2006 Class C licensed business with Entertainment Permit 8120 N Telegraph (Wheat & Rye) be brought back on the table.

Motion adopted

- 09-270** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the request to transfer ownership of 2006 Class C Licensed Business with Entertainment Permit only, located in escrow at 8120 N Telegraph, Dearborn Heights, MI 48127, Wayne County, from K.H.A. Enterprises & Investment, Inc., to Wheat & Rye Dearborn Heights, Inc., be approved and the Liquor Control Commission be so notified. ID #421536 - Step 1).

Motion adopted.

- 09-271** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the request to transfer ownership 2007 Class C licensed business, with Entertainment Permit only, located at 8120 N Telegraph, Dearborn Heights, Michigan 48127, Wayne County, from Wheat & Rye Dearborn Heights, Inc. to LLW Enterprises, Inc., be approved and the Liquor Control Commission be so notified. ID #469473 - Step 2).

Motion adopted.

- 09-272** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that Business License Renewals for Famous Auto Center, 25996 Van Born, Cherry Hill Lanes, 300 N Inkster Road, Red Lobster Inn #124, 6850 N Telegraph, Lyskawa Post #7546, 6828 Waverly and Varsity Club Lounge, 24676 Ford Road, be approved.

Motion adopted.

- 09-273** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:11 PM

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**S. JUDITH DUDZINSKI
CITY CLERK**

**KENNETH R. BARON
COUNCIL CHAIRMAN**

**MARIA E. LAWRENCE
COUNCIL SECRETARY**