

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JUNE 10, 2008

08-252 The meeting was called to order at 8:15 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, 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 Director Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Director Mccaffrey, Police Chief Gavin, Public Service Administrator Franzil, Deputy Recreation Director Constan.

The Pledge of Allegiance was led by Police Chief Gavin.

08-253 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Agenda for the Regular Meeting of June 10, 2008, be approved as submitted.

Motion unanimously adopted.

08-254 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of May 27, 2008, be approved as submitted.

Motion unanimously adopted.

08-255 Motion by Councilman Brown, seconded by Councilwoman Agius, that Fund Transfer 6-A and Current Claims 6-1 through 6-11, be approved as submitted.

A. \$39,000.00 transferred from Appropriate Fund Balance (A/C 101-000-699-000) to Counsel Service (A/C 101-210-826-000) to cover the cost of Counsel Services.

1. COMPUTER TECHNOLOGIES INC. – Data Processing Charges – Inv. 70257 dated 05/23/08; P70258 dated 05/20/08 and 70256 dated 05/16/08 from A/C 101-258-932-000 (Repairs) \$3,241.75 and A/C 592-536-932-000 (Repairs) \$2,393.75. Data Processing
2. E & N CEMENT – Pavement Repairs – Inv. dated 06/03/08 from A/C 592-537-818-000 (Contract Services) \$63,951.65. Water Dept.
3. HANH COLLISION & FRAME – Repair 1999 Ford F150 4 x 2 – Job 1970 and 1953 from A/C 592-xxx-110-000 (Inventory) \$2,611.76. Water Dept.
4. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2497 dated 05/30/08 from A/C 592-540-818-030 (Contract Services) \$22,387.78. Water Dept.
5. PELTZ SODDING, INC. – Pallets of Sod May 2008 – Various Invoices from A/C 592-537-791-000 (Supplies) \$4,337.25. Water Dept.
6. THE LIBRARY NETWORK – Monthly service April 2008 – Inv. April 2008 from A/C 738-738-981-000 (Capital Out-Lay) \$12,280.17. Libraries
7. TRYBUSKI LANDSCAPING – Grass & Weed Cutting Services – Various Locations completed 05/22-05/28-08 and 05/15 – 05/21/08 from A/C 101-200-963-000 (Grass/Weeds) \$15,582.30. General Govt.
8. WADE-TRIM ASSOCIATES – Gully Road Construction, Ecorse Creek Study, Storm Water Items, Ecorse Creek Meetings, Phase II Water Main, Water Master Plan – Inv. 96310, 96309, 96303, 96306, 96308, and 96307 dated 05/27/08 from A/C 592-xxx-154-000 (Sewers) \$24,453.50 and A/C 202-202-880-300 (Streets) \$11,010.00. Water & Highway
9. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Attorney Fees April 2008 – Inv. 152548 dated 05/27/08 from A/C 101-200-817-000 (Prof/Consult) \$5,425.50. See Budget Amendment. General Govt.
10. GARY MIOTKE – Legal Services May 2008 – Inv. dated 06/03/08 from A/C 101-210-826-000 (Counsel Services) \$6,989.32. See Budget Amendment. Corporation Counsel
11. SECREST, WARDLE – Legal Services April 2008 – Inv. dated 05/13/08 from A/C 101-210-826-000 (Counsel Services) \$8,093.00. See Budget Amendment. Corporation Counsel

Motion unanimously adopted.

08-256 Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the lowest bidder meeting specifications Sehi Computer Products, Inc., 2930 Bond Street, Rochester Hills, MI 48309, for Computers and Monitors for Canfield Community Center and Berwyn Senior Citizen Center, in the amount of \$5,065.90, and payment thereof, be approved, per Recreation Director Grybel, communication dated June 2, 2008. Further, that the Treasurer be authorized

to return bid deposits to the unsuccessful bidders. SMART funds are being used to pay for these computers.

Motion unanimously adopted.

- 08-257** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the Resolution Regarding Telegraph Road Resurfacing between Ann Arbor Trail and Warren Avenue be adopted as follows:

Whereas Telegraph Road is a major north-south arterial serving western Wayne County which accommodates both local and regional traffic, and which is the address of many local businesses, regional employers, and private residences;

Whereas, this main travel corridor is a vital part of service to the City of Dearborn Heights and;

Whereas, work commenced in mid year of 2007 on the Southbound side of Telegraph Road to accomplish the following for North and Southbound traffic;

1. Improve the roadway over the Rouge River and Edward Hines Drive.
2. Improve the roadway surface for traffic north and southbound.
3. Upgrade the appearance of the area and the City as a whole.

Whereas, work ceased on the roadway sometime in early 2008 due to weather conditions, as weather conditions improved work did not begin again until mid May of 2008 and;

Whereas, the Northbound roadway will soon be prepared for work to commence and be coordinated with the Southbound roadway;

Whereas, the Dearborn Heights City Council has held up payment to the Michigan Department of Transportation for lack of progress;

Now, therefore, be it resolved that the Dearborn Heights City Council will follow the progress of work being done and will pay any and all invoices if and when it appears that ongoing progress continues.

Further be it resolved, a copy of this Resolution is sent to the Michigan Department of Transportation (MDOT) and Governor Jennifer Granholm, per Councilwoman Horvath.

Motion unanimously adopted.

- 08-258** Motion by Councilwoman Badalow, seconded by Councilman Berry, that communication from Comptroller Barrow, dated June 4, 2008 re: Major and Local Streets budget for fiscal year 2008-09 be referred to a Committee of the Whole Study Session June 17, 2008.

Motion unanimously adopted.

- 08-259** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the Budget Amendment to cover additional cost of Ordinance Review and Labor Lawsuit be approved as follows:

Increase Revenues # 101-00-699-0	Appropriate Fund Balance \$15,000.00
Increase Expenditures # 101-200-817-0	Gen. Govt. Prof/Consult \$15,000.00

Per Comptroller Barrow, communication dated June 3, 2008.

Motion unanimously adopted.

- 08-260** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the recommendation from the Recreation Commission and hereby renames Municipal Park to Lyle Van Houten Park, in honor of former Mayor Lyle Van Houten, per Councilwoman Horvath, communication dated May 19, 2008.

Motion unanimously adopted.

- 08-261** Motion by Councilman Brown, seconded by Councilman Berry, that the City Council concurs with and approves the AIA Standard Form of Agreement between the City of Dearborn Heights and Koala-T Construction, Inc., 424 Ferry Avenue, Pontiac, MI 48341 for Municipal Park Improvement Project, (Bid Package #4), per Recreation Director Grybel, communication dated

May 29, 2008. Further that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 08-262** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that proposed Ordinance H-08-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT CHAPTER 22 OF THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTION 22-32 REGARDING USE OF NOISEMAKING DEVICES, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 08-263** Motion by Councilwoman Badalow, seconded by Councilman Brown, that proposed Ordinance H-08-06, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT CHAPTER 20 OF THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTION 20-86 REGARDING LARCENY, be considered read for the first time.

Motion unanimously adopted.

- 08-264** Motion by Councilwoman Badalow, seconded by Councilman Brown, that proposed Ordinance H-08-07, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT CHAPTER 20 OF THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTION 20-94 REGARDING BAD CHECKS, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 08-265** Motion by Councilwoman Badalow, seconded by Councilman Brown, that proposed Ordinance H-08-08, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT CHAPTER 20 OF THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTION 20-96 REGARDING RECEIVING, CONCEALING, STOLEN, ETC., PROPERTY, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 08-266** Motion by Councilwoman Badalow, seconded by Councilman Brown, that proposed Ordinance H-08-09, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT CHAPTER 22 OF THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTION 20-116 REGARDING MALICIOUS DESTRUCTION OF PROPERTY GENERALLY, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 08-267** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that the City Council adopts the 2008-2009 Library Budget, in the amount of \$1,751,153.00, per Comptroller Barrow, communication dated May 28, 2008.

Motion unanimously adopted.

- 08-268** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the request to transfer ownership of 2006 Class C licensed business with Entertainment Permit, located in escrow at 8120 N Telegraph, Dearborn Heights, MI 48127, Wayne County, from KHA Enterprises & Investments, Inc. to Wheat & Rye Dearborn Heights, Inc., be tabled.

Motion unanimously adopted.

- 08-269** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that Change Order No. 10, Gulley Road Reconstruction, Michigan Avenue to Avondale Avenue with Contractor Century Cement Company, Inc., 12600 Sibley Road, Riverview MI 48192, in the increased amount of \$640.16, be approved, per Wade-Trim, 25251 Northline Road, Taylor, MI 48180, dated May 21, 2008.

Motion unanimously adopted.

- 08-270** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the Resolution

Adopting a Final Project Plan for Wastewater System Improvements and Designating an Authorized Project Representative be adopted as follows:

WHEARAS, the Charter County of Wayne recognizes the need to make improvements to its existing Rouge Valley Sewage Disposal System; and

WHEREAS, the Charter County of Wayne authorized Orchard, Hiltz & McCliment, Inc. to prepare a Project Plan, which recommends the implementation of a Short-Term Corrective Action Plan to rehabilitate pipelines and siphons, manholes and regulators pursuant to ACO-SW 06-010; and

WHEREAS, said Project Plan stat presented at a Public Hearing to be held on June 10, 2008 and all public comments have been considered and addressed;

NOW THEREFORE BE IT RESOLVED, that the Charter County of Wayne formally adopts said Project Plan and agrees to implement the Short Term Corrective Action Plan.

BE IT FURTHER RESOLVED, that the Director of the Wayne County Department of Environment, a position currently held by Kurt L. Heise, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative per, Giarmarco, Mullins & Horton, PC, Attorneys and Counselors at Law, Tenth Floor Columbia Center, 101 West Big Beaver Road, Troy, MI 48084-5280 and Corporation Counsel Miotke, communication dated May 14, 2008.

Motion unanimously adopted.

08-271 Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:26 PM.

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY