

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 26, 2009

09-202 The meeting was called to order at 8:22p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: 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: Councilwoman Elizabeth J. Agius.

Also Present: City Clerk Dudzinski, Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz, Assessor McDermott, Building & Engineering Director Sobh, Community & Economic Development Director Jamal, Comptroller Barrow, Corporation Counsel Miotke, 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, Recreation Director Grybel.

The Pledge of Allegiance was led by K-9 Officers Colon and Ross.

City Clerk Dudzinski, Mayor Paletko and Police Chief Gavin stood as K-9 Officers Jeff Colon and Jeff Ross were administered the oath of office for Police Dogs Chase and Ozzy, the newly trained dogs for the City.

09-203 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Agenda for the Regular Meeting of May 26, 2009, be approved with the removal of Agenda Item 8-B (Offer to Purchase Vacant Property) and 11-A (1st Reading of Proposed Ordinance H-09-08 Retiree Health Care Benefits Fund/Trust) referred back to the Administration.

Motion adopted.

09-204 Motion by Councilman Brown, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of May 12, 2009, be approved as submitted.

Motion adopted.

09-205 Motion by Councilwoman Horvath, seconded by Councilman Brown, that Fund Transfers 6-A and 6-B and Current Claims 6-1 through 6-21, be approved as submitted.

- A. \$125,000.00 Transferred from Miscellaneous Income (A/C 101-000-639-000) to Capital Outlay (A/C 101-300-982-000) to cover the purchase of Mobile Video Cameras.
- B. \$4,000.00 Transferred from Fire Part-time (A/C 101-335-707-100) to Fire Motor Fuel (A/C 101-335-867-000) to maintain balanced line items in the Fire Department budget.
- 1. ACCUMED BILLING, INC. – Rescue Runs April 2009 – Inv. dated 05/02/09 from A/C 101-000-626-000 (Rescue Runs) \$6,967.85. General Govt.
- 2. APOLLO FIRE EQUIPMENT – Coat & Pants for Firefighter – Inv. 71770 dated 04/29/09 from A/C 101-335-713-000 (Uniforms) \$1,926.44. Fire Dept.
- 3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Operating & Disposal April 2009 – Inv. dated 04/30/09 from A/C 101-200-810-000 (Sanitation) \$77,677.65. General Govt.
- 4. DEARBORN HEIGHTS SOCCER ASSOCIATION – Spring 2009 Youth Soccer Allotments – Ck. req. dated 05/18/09 from A/C 101-691-887-000 (Recreation Programs) \$4,080.00. Recreation
- 5. E-LIGHT, LLC – Final Payment E-Light System – Inv. dated 04/06/09 from A/C 101-335-818-000 (Contractual Services) \$3,700.00. Fire Dept.
- 6. E & N CEMENT – Pavement Repairs – Inv. dated 05/19/09 from A/C 592-537-818-000 (Contractual Services) \$76,604.89. Water Dept.
- 7. HYDRODESIGNS – Cross Connection Program – Inv. 19766-IN dated 04/30/09 from A/C 592-536-817-000 (Prof/Consult) \$3,074.00. Water Dept.
- 8. IMAGE TREND, INC. – Four (4) EMS Field Bridge License & Support – Inv. 10661 dated 03/30/09 from A/C 101-335-981-000 (Capital Outlay) \$5,200.00. ENC - Fire Dept.
- 9. JOHNSON CONTROLS – Maintenance Contract HVAC – Inv. 61302075 and 61302068 dated 05/02/09 from A/C 101-265-818-000 (Contractual Services) \$12,985.00. Building Maintenance

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10. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 2607 dated 05/15/09 from A/C 592-540-818-030 (Contractual Services) \$17,056.28. Water Dept.
11. NEW IMAGE BUILDING SERVICES – Cleaning May 2009 – Inv. 53158 dated 05/01/09 from A/C 738-738-818-000 (Contractual Services) \$2,214.00. Libraries
12. PLANTE & MORAN CRESA – Evaluation Study for City – Inv. 436665 dated 05/14/09 from A/C 101-200-817-000 (Prof/Consult) \$10,138.97. General Govt.
13. PRIORITY ONE EMERGENCY – Miscellaneous Repairs – Inv. 17525 and 17524 dated 04/28/09 from A/C 101-300-932-000 (Repair/Maint) \$3,518.55. Police Dept.
14. PRITULA & SONS – Sewer Repair Lehigh & Telegraph – Inv. 1529 dated 05/11/09 from A/C 592-540-818-020 (Contractual Services) \$4,690.00. Water Dept.
15. RIO SUPPLY MICHIGAN METER – Purchase of Meters and Supplies – Inv. 80095 dated 03/27/09; 80063 dated 03/25/09; 80066 and 80094 dated 03/27/09 from A/C 592-xxx-111-002 (Inventory) \$4,431.07. Water Dept.
16. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging April 2009 – Inv. dated 05/08/09 from A/C 101-200-868-000 (Prisoners) \$4,578.20. See Budget Amendment – General Govt.
17. THE LIBRARY NETWORK – Monthly Book Subscription – Inv. 68963 dated 05/07/09 from A/C 738-738-981-000 (Capital Outlay) \$13,662.12. Libraries
18. W.L. BOWLES – Haul Away & Dispose Water Main Debris – Inv. 7983 dated 05/11/09 from A/C 592-537-818-000 (Contractual Services) \$8,400.00. Water Dept.
19. WASTE MANAGEMENT – Roll-Off Service April 2009 – Inv. dated 05/01/09 from A/C 101-200-810-000 (Sanitation) \$3,254.50. General Govt.
20. CUMMINGS, MCCLOREY, DAVIS & ACHO – Labor and Water Issues April 2009 – Inv. 167217 dated 05/13/09; 167299 and 167300 dated 05/14/09 from A/C 101-200-817-000 (Prof/Consult) \$769.50 and A/C 592-536-817-000 (Prof/Consult) \$1,555.40. General Govt.
21. GIAMARCO, MULLINS & HORTON – Legal Services April 2009 Water Dept. – Inv. dated 05/13/09 from A/C 592-536-817-000 (Prof/Consult) \$2,892.00. Water Dept.

Motion adopted.

- 09-206** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the lowest bidder meeting all specifications, Automated Business Equipment, 242 Kent Street Portland, MI 48875, for one (1) Minimailer 2 Plus Machine, in the amount of \$6,725.00, and payment thereof, be approved, per Comptroller Barrow, communication dated May 18, 2009. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 09-207** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the sole bid from Press & Guide Newspapers, 48 West Huron, Pontiac, MI 48342, for the City's Legal Printing, in the amount of \$7.28 per column inch for items submitted via email or disk and \$14.56 per column inch for items not emailed or not on disk, and payment thereof, be approved, per Comptroller Barrow, communication dated May 18, 2009.

Motion adopted.

- 09-208** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the lowest bidder meeting all specifications, Tower Computer Services, Inc., 24450 Evergreen, Ste. 100, Southfield, MI 48075, for eleven (11) HP Compaq Business Desktop dc7900 Computers at \$727.00 each, for a total of \$7,997.00 and eleven (11) , HP L1950 LCD 19" Monitors at \$193.00 each, totaling \$2,123.00, for a grand total of \$10,120.00, and payment thereof, be approved, per Court Administrator Zeppa, communication dated May 19, 2009. Further, that the bond from Southern Computer Warehouse, Inc, the low bidder be forfeited and the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 09-209** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the lowest bidder meeting all specifications, Computer Technologies, Inc., 2145 Crooks Road, Suite 90, Troy, MI 48084, for the following upgrade: Kingston RAM, a Microsoft Server 2008 SBS Std with 45 CAL & Backup Exec v12.5, in the amount of \$3,245.00, and payment thereof, be approved, per Court Administrator Zeppa, communication dated May 19, 2009. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 09-210** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Purchase Agreement for the "Incinerator Property" from the Central Wayne County Sanitation Authority (CWCSA), as follows:

Purchase Price	\$1,045,545.00
Less Dearborn Heights Share of Distribution	< 310,182.00 >
Less Proceeds on Deposit with CWCSA (estimated)	< 664,757.00 >

Estimated Cash Payment	\$ 70,606.00
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per, Mayor Paletko, communication dated May 20, 2009. Further that the Mayor be authorized to sign the Purchase Agreement on behalf of the City and approve the cash payment not-to-exceed \$80,000.00 with incidental legal, closing costs and environmental expenses not exceed an additional \$7,500.00.

Motion adopted

- 09-211** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the Revised Letter of Understanding, which includes item No. 6 as defined, between the City of Dearborn Heights and Dearborn Heights Police Officer Association re: shift changes, per Mayor Paletko, communication dated May 20, 2009. Further that the Mayor and City Clerk be authorized to sign on behalf of the City.

Motion adopted.

- 09-212** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Inter-Local Agreement with the City of Dearborn Heights and the Wayne County HOME Consortia be adopted as follows:

WHEREAS: The U.S. Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) was authorized under Title II of the Cranston-Gonzales National Affordable Housing Act (NAHA) for the purpose of providing decent affordable housing to low and moderate income households, and

WHEREAS: NAHA provides for the designation of geographically contiguous units of local government to participate as a consortium and be considered a single unit of local government for the purposes of the HOME Program, and

WHEREAS: The Cities of Dearborn, Dearborn Heights, Lincoln Park, Livonia, Taylor, and the Charter Township of Canton and the County of Wayne are contiguous units of local government and desire to form a consortia (the "Wayne County HOME Consortia") for the purposes of formulating and submitting required plans for the purpose of receiving an allocation and participating in the HOME Program administered by HUD for which they may be eligible, and for the purpose of cooperating to undertake or to assist in the undertaking of housing assistance activities for the HOME Program;

THEREFORE BE IT RESOLVED: That Mayor Daniel S. Paletko is authorized to execute an Inter-Local Agreement defining the City of Dearborn Heights' membership and participation in the Wayne County HOME Consortia for the three year period from July 1, 2010 through June 30, 2013;

BE IT FURTHER RESOLVED: That this resolution be given immediate effect, per Mayor Paletko, communication dated May 20, 2009.

Motion adopted.

- 09-213** Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the communication from Mayor Paletko, dated May 21, 2009 re: Reappointments of Jim Nagy and Genevieve Woods to the Commission on Aging, terms to expire 2012, be received, contents noted and filed.

Motion adopted.

- 09-214** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Intergovernmental Agreement between the County of Wayne and City of Dearborn Heights for the Installation and Testing of Emergency Vehicle Alert System (EVAS) at various intersections in the City, per Mayor Paletko, communication dated May 20, 2009. The City's estimated share of the Project costs are 100% and the final project costs will be adjusted at completion to determine the City's actual costs. Further that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City.

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Motion adopted.

- 09-215** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council concurs with and approves the Budget Amendment to cover Prisoner Food & Lodging for balance of the year as follows:

Increase Revenues A/C 101-00-690-0	Appropriate Fund Balance \$10,000.00
Increase Expenditures A/C 101-200-868-0	General Govt. Prisoners \$10,000.00

per, Comptroller Barrow, communication dated May 19, 2009.

Motion adopted.

- 09-216** Motion by Councilman Brown, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the proposed 2009 CDBG Action Plan as outlined, per CEDD Director Jamal, communication dated May 19, 2009. Further that the Mayor be authorized to sign the documents on behalf of the City and CEDD Director Jamal to submit all documents required.

Motion adopted.

- 09-217** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request to purchase one (1) VX610 Wireless Terminal from First Data Merchant Services, for a purchase price of \$875.00 plus estimated shipping costs of \$20.00, and payment thereof, per Court Administrator Zeppa, communication dated May 20, 2009.

Motion adopted.

- 09-218** Motion by Councilman Brown, seconded by Councilwoman Horvath, that the City Council concurs with and approves the Budget Amendment to cover the CDBG Program from American Recovery and Reinvestment Act of 2009 as follows:

Increase Revenues A/C 103-000-690-000	CDBG Revenues-Recovery Act Funds \$288,822.00
Increase Expenditures A/C 103-960-900-208	CDBG Residential Rehab \$95,499.00
Increase Expenditures A/C 103-960-915-208	CDBG Code Enforcement \$150,000.00
Increase Expenditures A/C 103-960-969-208	CDBG Senior Services \$43,323.00

per, Comptroller Barrow, communication dated May 20, 2009.

Motion adopted.

- 09-219** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the low bid from Jenkins Construction, 985 E Jefferson Avenue, Suite 300, Detroit, MI 48207, for the 2009 CDBG Water Main Improvement Project, in the amount of \$224,149.00, Field Engineering \$36,000.00, Construction Testing \$3,000.00 and Construction Contingencies \$22,500, for a total construction budget of \$285,649.00, per Public Service Administrator Franzil, communication dated May 15, 2009 and Daniel Brooks, PE, Wade Trim Associates, Inc, 25251 Northline Road, PO Box 10, Taylor, MI 48180, communication dated May 13, 2009. Funding to be allocated from CDBG, in the amount of \$200,000.00, balance from City's Water and Sewer funds.

Motion adopted.

- 09-220** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Intergovernmental Agreement between the County of Wayne, City of Inkster, City of Garden City and the City of Dearborn Heights, for the Resurfacing of Inkster Road from Corona Street to Ford Road (M-153) in the amount of \$42,161.00, representing 50% of the City's share of the estimated costs, which \$21,080.00 is currently due to the County, per Public Service Administrator Franzil, communication dated May 20, 2009. Further that Mayor Paletko be authorized to sign the Agreement on behalf of the City.

Motion adopted.

- 09-221** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the Administrative Fee Resolution be adopted as follows:

WHEREAS, the City of Dearborn Heights is authorized to collect up to 1% Administration Fee, pursuant to MCL 211.44, provided the governing body of the City by resolution approves the authorization of the fee;

WHEREAS, the City Council of the City of Dearborn Heights believes that it is necessary to collect said Administration Fee for fiscal year 2009-2010, said collection rate need only be set at .40%.

NOW THEREFORE BE IT RESOLVED that the City of Dearborn Heights approves the imposition of and the Treasurer of the City of Dearborn Heights shall administer the imposition of a Property Tax Administration Fee, pursuant to MCL 211.44 with respect to taxes to be collected for the Summer 2009 and Winter 2009 only, with the stipulations that the imposition of any future Property Tax Administration Fee, will require a new resolution before it may be imposed and that the fee shall be used to offset costs incurred by the City of Dearborn Heights in assessing property values, collecting the property tax levies, and in the review and appeal processes.

Motion adopted.

- 09-222** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council adopts the General Government Fiscal 2009-10 balanced budget in the amount of \$ 38,729,165.00.

Motion adopted.

- 09-223** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the tax levy for the 2009-10 fiscal year be set at 6.3240 mills.

Motion adopted.

- 09-224** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that 2.4440 mills be levied to finance the voter approved Act 345 Fire and Police Pension Plan for fiscal year 2009-10 in the amount of \$3,478,785.00.

Motion adopted.

- 09-225** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the City Council levy an additional 1.8266 mills on the Taxable Valuation for financing garbage and rubbish disposal for fiscal year 2009-10.

Motion adopted

- 09-226** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council levy an additional 1.4875 mills on the Taxable Valuation of Public Safety, as approved by the voters of the City of Dearborn Heights for fiscal year 2009-10.

Motion adopted

- 09-227** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the millage approved for solid waste disposal by the electorate in May, 2000, be levied at .5620 mills.

Motion adopted

- 09-228** Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the City Council approves the 2009-10 lump sum budget for the 20th District Court, in the amount of \$ 2,110,606.00. Salaries not-to-exceed amount specified in the budget.

Motion adopted

- 09-229** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the City Council levy an additional assessment of 2.0 mills for the construction of federally mandated sewer system and combined sewer overflow improvements as approved by the voters of the City of Dearborn Heights.

Motion adopted

- 09-230** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council levy an additional .9188 mill to fund the City Department for Libraries including

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new improvements of library buildings as approved by the voters of the City of Dearborn Heights.

Motion adopted

- 09-231** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:20 PM

**S. JUDITH DUDZINSKI
CITY CLERK**

**MARIA E. LAWRENCE
COUNCIL SECRETARY**

**KENNETH R. BARON
COUNCIL CHAIRMAN**