

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 24, 2011

11-181 The meeting was called to order at 8:15 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilman Ned Apigian, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: Councilwoman Elizabeth J. Agius.

Also Present: City Clerk Prusiewicz, Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz, Assessor McDermott, Building & Engineering Director Sobh, Community & Economic Development Director Amen, Comptroller Macari, Corporation Counsel Miotke, Emergency Management Director Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Director Mccaffery, Police Chief Gavin, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by the two residents awarded Council Citations and 5 Crestwood High School students.

Council Citations were awarded to the two residents whose actions resulted in the apprehension of suspicious persons in the City of Dearborn Heights.

11-182 Motion by Councilman Berry, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of May 24, 2011, be approved as submitted.

Motion adopted.

11-183 Motion by Councilwoman Badalow, seconded by Councilman Apigian, that the Minutes from the Regular Meeting of May 10, 2011, be approved as submitted.

Motion adopted.

11-184 Motion by Councilwoman Van Houten, seconded by Councilman Berry, that Fund Transfer 6-A and Current Claims 6-1 through 6-17, be approved as submitted.

A. \$3,500.00 Transferred from Contractual Services: 101-335-818.000 to Schooling: 101-335-825.000, \$1,500.00 and Medical Supplies: 101-335-730.020, \$2,000.00 to cover additional tuition and supplies costs.

1. A LAND CONSTRUCTION, INC. – Pavement Repairs, Inv. dated 05/09/11 from A/C 592-537-818.000, Contr. Serv. \$13,643.00. Water.
2. ACCUMED BILLING, INC. – Ambulance Billing for Apr. 2011, Inv. dated 05/02/11 from A/C 101-000-626.000, Ambulance Runs \$8,182.77. Fire.
3. AMERICAN FRATERNAL AGENCY – Liability Insurance for Spirit Festival, Inv. 1654, dated 06/01/11 from 101-691-891.000, Spirit Festival \$3,143.00. Recreation.
4. COMPUTER TECHNOLOGIES, INC. – Data Processing, Inv. 70854 & 70856 from A/C 101-258-932.000 Repairs \$3,341.56 and A/C 592-536-932.000, Repairs \$3,001.57. Data Processing.
5. DEARBORN, CITY OF – Water and Sewer charges thru 04/01/11, Inv. 16410, dated 05/06/11 from A/C 592-537-928.000, Water \$1,314.24 and A/C 592-537-929.000, Sewer \$25,546.71. Water.
6. DSS CORPORATION – Maintenance Agreement, Apr. 2011-2012, Inv. 11495, dated 04/14/11 from A/C 101-300-818.000, Contr. Serv. \$4,400.00. Police.
7. E & N CEMENT – Pavement Repairs, Inv. dated 05/17/11 from A/C 592-537-818.000, Contr. Service \$79,392.79. Water.
8. GIASIOREK, MORGAN, GRECO & McCAULEY, PC. – Prof. Services, Inv. 1105, dated 05/02/11 from A/C 592-536-817.000, Prof. Serv. \$2,292.00. Water.
9. GRAND BLANC PRINTING, INC. – Printing & Design of Newsletter, Inv. 47673, dated 05/04/11 from A/C 101-809-807.500, Newsletter Expense \$4,575.00. Cable.
10. INLAND PRESS – May 3, 2011 School Elections, Inv. 47071, dated 04/29/11 from A/C 101-190-730.000, Material Splys. \$2,288.00. Clerk.
11. JFR ARCHITECTS, PC – Municipal Park Bid Package #7, Drinking Fountain, Inv. 0338, dated 05/01/11 from A/C 103-960-938.210, Municipal Park \$1,960.00. CDBG.
12. LIBRARY NETWORK, THE – Monthly Subscriptions, Inv. 43036, dated 05/03/11 from A/C 738-738-981.000, Capital Outlay \$9,289.97. Gen. Library.
13. MICHIGAN METER TECHNOLOGY – Meters and Parts, Various Invoices, dated Feb. through Apr. 2011 from A/C 592-537-981.000, Meter Parts. \$15,127.13. Water.

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14. NEW IMAGE BUILDING SERVICES, INC. – Cleaning Services, May 2011, Inv. 69476, dated 05/01/11 from A/C 738-738-818.000, Contr. Services \$2,214.00. Library.
15. TROELSEN EXCAVATING CO. – City Hall and Lafayette Water Main, Certificate #2, dated 04/20/11 from A/C 592-152.000, Water Main \$98,722.00. Water.
16. WALT KEMPSKI GRAPHICS – Design Layout Spring/Summer '11 Newsletter, Inv. dated 04/20/11 from A/C 101-809-807.500, Newsletter Expense \$2,035.00. Cable.
17. WASTE MANAGEMENT – Roll Off Services, Apr. 2011, Inv. 7204070, dated 05/01/11 from A/C 101-200-810.000, Sanitation \$1,705.68. Gen. Gov't.

Motion adopted.

- 11-185** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Comptroller be authorized to advertise for bids, per specifications, for Card Room & Adjoining Hallway Tile Replacement Project and Library Carpet Tile Replacement Project, for the Berwyn Sr. Citizen Center; and the Library Tile Replacement Project for the Eton Sr. Citizen Center, per the request of Recreation Director Grybel, communications dated May 16, 2011.

Motion adopted.

- 11-186** Motion by Councilwoman Horvath, seconded by Councilman Apigian, to authorize the preparation of specifications and authorize the City Comptroller to advertise for bids, per specifications, for Van Houten Park, In-Line Skating Rink Backstop Extension, per the request of Recreation Director Grybel, communication dated May 16, 2011.

Motion adopted.

- 11-187** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Merchant Services Agreement and authorize the Mayor to sign the Client Applications for Point and Pay, per Treasurer Riley, communication dated May 17, 2011.

Motion adopted.

- 11-188** Motion by Councilwoman Badalow, seconded by Councilman Apigian, that the City Council concurs with and approves the new 60 month lease with Neopost for a Is440 Mail Machine at a cost of \$164.28 per month which also includes rate protection. Further, the Mayor be authorized to sign the lease, per Comptroller Macari, communication dated May 24, 2011.

Motion adopted.

- 11-189** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Spirit 2011 Primary Sponsorship Agreement between the City and Antonio's of Dearborn Heights, Inc. and authorize the Mayor to sign the agreement on behalf of the City, per Recreation Director Grybel, communication dated May 12, 2011.

Motion adopted.

- 11-190** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the resolution re: Personal Use of City Issued Vehicles Prohibited, per Councilwoman Van Houten, communication dated May 18, 2011. After discussion, a motion to table was offered.

- 11-191** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the resolution re: Personal Use of City Issued Vehicles Prohibited, be tabled to a Study Session on Tuesday, June 7, 2011.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

11-192 Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves that the cell phone stipend be reduced or eliminated, per Councilwoman Badalow, communication dated May 18, 2011. After discussion, a motion to table was offered.

11-193 Motion by Councilwoman Van Houten, seconded by Councilman Berry, that the communication re: cell phone stipend and cell phone use policy be tabled to a Study Session on Tuesday, June 7, 2011.

Motion adopted.

11-194 Motion by Councilman Apigian, seconded by Councilwoman Van Houten, that proposed Ordinance H-11-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECION 2-235 REGARDING RETIREMENT BENEFITS, be considered read for the first and second time and that it be declared an emergency and become effective upon publication in the City's official newspaper as provided by law.

Motion adopted.

11-195 Motion by Councilwoman Van Houten, seconded by Councilman Apigian, that the proposed Zoning Ordinance Amendment regarding separation distances from residential and commercial, per Planning Commission Chairman Coogan, communication dated May 9, 2011, be referred to a Study Session and ask Corporation Counsel to attend.

Motion adopted.

11-196 Motion by Councilman Apigian, seconded by Councilwoman Badalow, that the business license renewal for Lyskawa VFW Post #7546, 6828 Waverly, be approved.

Motion adopted.

11-197 Motion by Councilman Berry, seconded by Councilman Apigian, that the City Council adopts the General Government Fiscal 2011-12 balanced budget in the amount of \$36,360,646.00.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry,
Nays: Councilwoman Badalow, Councilwoman Horvath, Councilwoman Van Houten.
Absent: Councilwoman Agius.

Motion defeated.

11-198 Motion by Councilwoman Van Houten, seconded by Councilman Berry, that the City Council go into a closed session at 9:40 p.m..

Motion adopted.

11-199 Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the City Council meeting reconvene at 10:07 p.m.

Motion adopted.

11-200 Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council re-consider their vote on the General Government Fiscal 2011-12 balanced budget.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.
Nays: Councilwoman Badalow, Councilwoman Van Houten.
Absent: Councilwoman Agius.

Motion adopted.

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- 11-201** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council adopts the General Government Fiscal 2011-12 balanced budget in the amount of \$36,360,646.00.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-202** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the tax levy for the 2011-12 fiscal year be set at 6.3240 mills.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-203** Motion by Councilman Apigian, seconded by Councilwoman Horvath, that 6.10 mills be levied to finance the voter approved Act 345 Fire and Police Pension Plan for fiscal year 2011-12 in the amount of \$6,732,796.00.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-204** Motion by Councilwoman Horvath, seconded by Councilman Apigian, that the City Council levy an additional 2.2316 mills on the Taxable Valuation for financing garbage and rubbish disposal for fiscal year 2011-12.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-205** Motion by Councilman Berry, seconded by Councilman Apigian, 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 2011-12.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-206** Motion by Councilman Apigian, seconded by Councilman Berry, that the millage approved for solid waste disposal by the electorate in May 2000, be levied at .7436 mills.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-207** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council approve the 2011-12 lump sum budget for the 20th District Court, in the amount of \$1,826,751.00. Salaries not-to-exceed amount specified in the budget.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-208** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the City Council levy an additional assessment of 1.25 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.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath.

Nays: Councilwoman Badalow, Councilwoman Van Houten.

Absent: Councilwoman Agius.

Motion adopted.

- 11-209** Motion by Councilman Apigian, seconded by Councilwoman Horvath, that the City Council levy an additional .9188 mill to fund the City Department for Libraries including new improvements of library buildings as approved by the voters of the City of Dearborn Heights.

Motion adopted.

- 11-210** Motion by Councilman Apigian, seconded by Councilman Berry, that the Resolution approving the Administrative Fee 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 **2011-2012**, said collection rate need only be set at 1.0 %.

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 2011 and Winter 2011** 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.

Ayes: Councilman Apigian, Council Chairman Baron, Councilman Berry, Councilwoman Horvath, Councilwoman Van Houten

Nays: Councilwoman Badalow.

Absent: Councilwoman Agius.

Motion adopted.

- 11-211** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the 328 Tax Abatement application for 5R Processors, LTD (WI), be referred to Administration.

Motion adopted.

- 11-212** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, to approve the MDOT Title VI non-discrimination plan, subject to Corporation Counsel's review and possible changes to comply with the requirements of MDOT.

Motion adopted.

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11-213 Motion by Councilman Berry, seconded by Councilman Apigian, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 10:40 PM

WALTER PRUSIEWICZ
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

EVE SCHAFER
COUNCIL SECRETARY