

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 24, 2005

05-166 The meeting was called to order at 8:19 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilwoman Janet S. Badalow, Councilman Kenneth R. Baron, Councilman Bob Constan, Councilwoman Catherine L. Heise, Councilwoman Margaret M. Van Houten.
Absent: Councilwoman Ann Brown.
Also Present: Mayor Paletko, Administrative Assistant Kramarz, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Riedel, Building & Engineering Director Sobh, Deputy Fire Chief Klovski, Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community & Economic Development Director Jamal.

The Pledge of Allegiance was led by Mr. Steven Ray, Watershed Stewards Commission member.

05-167 Motion by Councilman Constan, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of May 24, 2005, is approved as submitted.

Motion adopted.

05-168 Motion by Councilman Baron, seconded by Councilman Constan, that the Minutes from the Regular Meeting of May 10, 2005, are approved as submitted.

Motion adopted.

05-169 Motion by Councilman Constan, seconded by Councilman Baron, that the Minutes from the 2005-06 Corporate Fund Budget Public Hearing Minutes, be approved as submitted.

Motion adopted.

05-170 Motion by Councilman Baron, seconded by Councilman Constan, that Fund Transfer 6-A and Current Claims 6-1 through 6-19, is approved as submitted.

A. \$2,000.00 Transferred from Fire Schooling (A/C 101-335-825-335) to Fire Contractual Services (A/C 101-335-818-000) to cover cost of contractual service agreement generator maintenance at Station #1.

1. ACCUMED BILLING, INC. – Ambulance Runs April 2005 – Inv. dated 05/02/05 from A/C 101-000-626-000 (Ambulance) \$5,882.64. Fire Dept.
2. BEST ASPHALT – Misc. Pavement Repairs for Water Main Breaks, Haul Away Debris – Inv. 15556, 15544, and 15543 dated 05/13/05 from A/C 101-200-810-000 (Sanitation) \$13,655.00 and A/C 592-537-818-000 (Contract Serv.) \$32,770.75. DPW/Water.
3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Monthly Debt & Service April/May 2005 – Inv. dated 05/14/05 from A/C 101-200-810-000 (Sanitation) \$124,328.37. General Govt.
4. E & N CEMENT – Pavement Repairs – Inv. dated 05/16/05 from A/C 592-537-818-000 (Contract Serv.) \$70,525.22. Water Dept.
5. INLAND PRESS – May 3, 2005 Crestwood Election – Inv. 37650 dated 04/30/05 from A/C 101-190-730-000 (Materials) \$1,934.00. ENC. Elections.
6. JOHNSON CONTROLS – Maintenance Heating Systems – Inv. 52874154 dated 05/03/05 from A/C 101-265-818-000 (Contract Serv.) \$16,906.75. Building Maint.
7. LIBERTY GROUP MICHIGAN INC. – Rain Insurance/Liability Spirit Fest – Inv. 3539 and 3541 dated 05/17/05 from A/C 101-691-891-000 (Spirit Fest.) \$5,692.00. Recreation.
8. MC KENNA ASSOCIATES – Professional Services EER Plan – Inv. dated 05/09/05 from A/C 103-960-918-204 (Admin.) \$4,100.00. CDBG.
9. NTH CONSULTANTS, LTD – West Dearborn Feasibility Study for CSO – Billing #2 dated 04/27/05 from A/C 592-xxx-154-000 (Sewers) \$13,434.01. Water Dept.
10. NAGEL CONSTRUCTION, INC. – Sewer Cleaning Program – Inv. 2081 dated 05/13/05 from A/C 592-540-818-030 (Contract Serv.) \$16,520.72. Water Dept.
11. PAINTER & RUTHENBERG – Roll Off Service April 2005 – Inv. 14769 dated 05/02/05 from A/C 101-200-810-000 (Sanitation) \$3,370.00. General Govt.
12. PHOENIX STONE CO. – Red Clay for Ball Fields – Inv. 97450 dated 04/20/05 from A/C 101-265-728-000 (Supplies) \$1,871.20. ENC. Building Maint.
13. QUAD-TRAN OF MICHIGAN – Data Processing May 2005 – Inv. 4595 and 4596 dated

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- 04/29/05 from A/C 101-130-818-000 (Contract Serv.) \$3,600.00; A/C 101-130-728-000 (Supplies) \$737.15 and A/C 101-200-728-000 (Supplies) \$1,669.44. District Court.
14. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging March 2005 – Inv. dated 04/01/05 from A/C 101-200-868-000 (Prisoners) \$5,979.60. General Govt.
15. TODAYLINK, LLC – Conversion of DHOL Contract – Ck. Req. dated 05/18/05 from A/C 101-200-819-999 (Internet) \$17,299.00. Cable TV.
16. WADE-TRIM/ASSOCIATES – Site Improve, Grade Review, Plot Plan – Inv. 86197; 86190; 86189 dated 04/11/05 and Inv. 83121 dated 03/25/05 from A/C 101-371-809-000 (Eng. Serv.) \$3,235.50. Building Eng.
17. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Operation/Maint. & Reserve/Replacement CSO ECPAD O & M FY 05 – Inv. 227363 and 227371 dated 05/02/05 from A/C 592-537-927-100 (CSO Basin) \$94,523.25 and A/C 592-537-927-000 (Ecorse Creek) \$81,777.00. Water Dept.
18. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Matters April 2005 – Inv. 74853 dated 05/11/05 from A/C 101-200-817-000 (Profess/Consult) \$2,628.56. General Govt.
19. SOMMERS, SCHWARTZ – Attorney Cost Water & Sewer Issues – Inv. 188758 dated 05/06/05 from A/C 592-536-817-000 (Prof/Consult) \$2,123.00. Water Dept.

Motion adopted.

- 05-171** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the sole bid from Press & Guide Newspaper, for legal printing for 2005-06, in the amount of \$6.25 per column inch for ads submitted on disk or e-mailed and \$12.00 per inch for ads not submitted on disk or e-mailed, be approved, per Comptroller Barrow, communication dated May 18, 2005.

Motion adopted.

- 05-172** Motion by Councilman Baron, seconded by Councilman Constan, that the bids for the Berwyn Senior Citizen Roof Replacement Project be rejected and that the City Comptroller be authorized to re-advertise for bids, per specifications, for the Berwyn Senior Citizen Roof Replacement Project, per the request of Recreation Director Grybel, communication dated May 19, 2005.

Motion adopted.

- 05-173** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the communication from Mayor Paletko, dated May 18, 2005 re: Reappointment of Mr. James Quinn, 27155 Timber Trail to the Civil Service Commission, term to expire 2008, be received, contents noted and filed.

Motion adopted.

- 05-174** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the communication from Mayor Paletko, dated May 18, 2005 re: Appointment of Mr. William Roberts, 4622 Merrick to the Planning Commission, term to run through May 2008, be received, contents noted and filed.

Motion adopted.

- 05-175** Motion by Councilman Constan, seconded by Councilman Baron, that the City Council concurs with and approves the request from St. Albert the Great, 4672 Parker, Dearborn Heights, MI 48125 to conduct their Community Parade on Saturday, June 11, 2005 starting at 11:00 a.m., per Mayor Paletko, communication dated May 18, 2005. Further that the Police and Fire Departments to provide escort and assistance as needed.

Motion adopted.

- 05-176** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the request from St. Sabina Church, 25605 Ann Arbor Trail, Dearborn Heights, MI 48127 to conduct their annual Bike Parade, on Saturday, June 11, 2005 starting at noon, per Mayor Paletko, communication dated May 12, 2005. Further that the Police and Fire Departments to provide escort and assistance as needed.

Motion adopted.

- 05-177** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council concurs with and approves the proposal from Waste Management, 48797 Alpha Drive, Suite 100, Wixom, MI 48393 for solid waste and yard waste collection services, at a rate of \$6.49 per home per month for the first year, with a yearly rate adjustment of 3% per year increase after year one, per Mayor Paletko, communication dated May 20, 2005. Further, that the Mayor be authorized to negotiate an agreement with Waste Management.

Aye: Councilwoman Agius, Councilwoman Badalow, Councilman Constan, Councilwoman Heise.

Nays: Councilman Baron, Councilwoman Van Houten.

Absent: Councilwoman Brown.

Motion adopted.

- 05-178** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves various Budget Amendments as outlined in a communication from Comptroller Barrow, dated May 17, 2005. The amendments are needed to balance out accounts for year end.

Motion adopted.

- 05-179** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the lot split request from Stojce Djordjeski, 7010 N Telegraph, Dearborn Heights, MI 48127 for parcel #33-020-02-0077-002 in Maxwells Warren Telegraph Subdivision, T2S R10E L51 P53, Wayne County Records and create the following legal description:

Parcel 1 – Commencing at the SW corner of Lot 3 of Maxwells Warren Telegraph Sub thence S 89D 36M 00 SEC E 125.94 ft to the point of beg thence S 89D 36M 00SEC E 109.97 ft thence S 00D 05 M 00SEC E 60.07 ft thence S 49D 46M 30SEC E 20.98 ft thence S 00D 05M 00 SEC E 54.21 ft thence N 88D 21M 07SEC W 126.02 ft thence N 00D 05M 00SEC W 124.97 ft to the point of beg Maxwells Warren Telegraph Sub T2S R10E L51 P 53 WCR .34 acres.

Parcel 2 – Commencing at the SW corner of Lot 3 of Maxwells Warren Telegraph Sub thence S 89D, 36M, 00SEC E 125.94 ft thence S 00D, 05M, 00SEC E 124.97 ft to the point of beg thence S 88D 21M 07 SEC E 126.02 ft thence S 00D 05M 00SEC E 45.04 ft thence N 89D 36M 00SEC W 53.56 ft thence N 49D 46 M 30 SEC W 31.22 ft thence N 89 D 36M 00 SEC W 48.56 ft thence N 00D 05M 00SEC W 27.79 ft. to the point of beg Maxwells Warren Telegraph Sub, T2S R10E L 51 P53 WCR .11 acres per, Deputy Assessor Cooper, communication dated May 16, 2005.

Motion adopted.

- 05-180** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council concurs with and approves the transfer of \$2,500.00 from A/C 807.100 (Cable Exp.) \$700.00 and A/C 932.000 (Rep/Maint) \$1800.00 to A/C 981.000 (WDHT Capital Outlay), per Community and Economic Development Director Jamal, communication dated May 18, 2005.

Motion adopted.

- 05-181** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the sale of the following Police Department used vehicles in an as-is condition at the monthly auction:

1997 Silver Taurus 1FALP52U4VG279270; 1995 Red Oldsmobile 1G3AJ554XSC427082; 1994 Tan Caprice 1G1BL52W9RR154416; 1997 Black Taurus 1FALP52U6VG279268 and 1997 Black Taurus 1FALP52U6VG279269, per Police Captain LaBenne, Administrative Services Division, communication dated May 16, 2005.

Motion adopted.

- 05-182** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council approves the adoption of the "Resolution Authorizing Administrative Fee Collection" as follows:

WHEREAS, the City of Dearborn Heights is authorized to collect up to 1% Administration Fee, a/k/a a collection 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, a/k/a a collection for fiscal year 05-06, said collection rate need only be set at .8%.

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, a/k/a collection fee, pursuant to MCL 211.44 with respect to taxes to be collected for the Summer 2005 and Winter 2005 only, with the stipulations that the imposition of any future Property Tax Administration Fee, a/k/a a collection fee will require a

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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.

Aye: Councilwoman Agius, Councilman Baron, Councilman Constan, Councilwoman Van Houten.

Nays: Councilwoman Badalow, Councilwoman Heise.

Absent: Councilwoman Brown.

Motion adopted.

- 05-183** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves Traffic Control Device Request T-157, two (2) "Stop" signs be installed on northbound and southbound Campbell at Eton, making intersection a 4-Way stop, per Police Captain LaBenne, Administrative Services Division, communication dated May 16, 2005.

Motion adopted.

- 05-184** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council adopt the General Government Fiscal 2005-06 balanced budget in the amount of \$34,765,590.00.

Aye: Councilwoman Agius, Councilman Baron, Councilman Constan, Councilwoman Van Houten.

Nays: Councilwoman Badalow, Councilwoman Heise.

Absent: Councilwoman Brown.

Motion adopted.

- 05-185** Motion by Councilwoman Heise, seconded by Councilman Baron, that the tax levy for the 2005-06 fiscal year be set at 6.3847 mills.

Motion adopted.

- 05-186** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that 1.7775 mills be levied to finance the voter approved Act 345 Fire and Police Pension Plan for fiscal year 2005-06 in the amount of \$ 2,434,322.00.

Motion adopted.

- 05-187** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council levy an additional 2.2314 mills on the Taxable Valuation for financing garbage and rubbish disposal for fiscal year 2005-06.

Motion adopted.

- 05-188** Motion by Councilwoman Heise, seconded by Councilwoman Badalow to suspend rules to allow Council Chair Agius to make the following motion.

Motion adopted.

- 05-189** Motion by Councilwoman Agius, seconded by Councilman Constan, that the City Council levy an additional 1.5005 mills on the Taxable Valuation of Public Safety, as approved by the voters of the City of Dearborn Heights for fiscal year 2005-06.

Motion adopted.

- 05-190** Motion by Councilman Constan, seconded by Councilman Baron, that the millage approved for solid waste disposal by the electorate in May, 2000, be levied at .7316 mills.

Motion adopted.

- 05-191** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council approve the 2005-06 lump sum budget for the 20th District Court, in the amount of \$ 1,577,691.00. Salaries not-to-exceed amount specified in the budget.

Motion adopted.

- 05-192** Motion by Councilwoman Heise, seconded by Councilman Baron, that the City Council levy an additional assessment of 2.2635 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.

- 05-193** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council levy an additional .9277 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.

- 05-194** Motion by Councilman Baron, seconded by Councilman Constan, that business license renewals for Cherry Hill Lanes, 300 N Inkster, Denny's Gin Mill, 4901 S Telegraph, Pizza Hut of America, 22024 Van Born, Red Lobster Inn, 6850 N Telegraph and Carl E. Stitt Post #232, 23850 Military, be approved.

Motion adopted.

- 05-195** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the communication from Clean Water Action, 205 ½ N Main Street, Ann Arbor, MI 48104 re: Soliciting in the City beginning June 6, 2005 until September 6, 2005, be received, contents noted and filed.

Motion adopted.

- 05-196** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the request to transfer ownership of 2004 Class C-SDM licensed business from Potato Investments Inc; and request a new official permit (food) to Three B's, LLC, 24735 W Warren, Dearborn Heights, MI 48127, be approved and the Liquor Control Commission be so notified. ID # 259562.

Motion adopted.

- 05-197** Motion by Councilman Constan, seconded by Councilman Baron, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:17 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY