

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 24, 1995

95-233 The meeting was called to order at 8:07 p.m., by Council Chairman Daniel S. Paletko.

Roll Call showed the following:

Present: Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Margaret M. Horvath, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko, Councilman Sutika, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, Administrative Assistant Zadikian, Corporation Counsel Berry-Harris, Corporation Counsel Assistant Heise, City Clerk Sheridan, Comptroller Barrow, Assessor Welch, Building & Engineering Director Salatka, Personnel Director Sullivan, Police Chief Webber, Fire Chief Lewis, Deputy Fire Chief Langlois, Recreation Director Grybel, Public Service Superintendent Swain.

The Pledge of Allegiance was led by Councilman Robert L. Brown.

95-234 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the Agenda for the Regular Meeting of May 24, 1995, be approved with the addition of Agenda item 9-I Lot Split Request (Hawthorne Golf View Subdivision).

Motion unanimously adopted.

95-235 Motion by Councilman Kosinski, supported by Councilman Sutika, that the Minutes from the Regular Meeting of May 9, 1995, be approved as submitted.

Motion unanimously adopted.

95-236 Motion by Councilman Kosinski, supported by Councilman Brown, that Fund Transfer 6-A and Current Claims 6-1 through 6-18 be approved as submitted.

A. \$1,600.00 from A/C 101-130-804-000 (Court Trial Fees) to A/C 101-130-981-000 (Court Capital Outlay) to cover the cost of the used cash register from the City of Dearborn.

1. ARCOM CONSTRUCTION CO. - Water Main Phase X - Final Cert., #7, dated 04/28/95. From A/C 103-960-925-093 (Water Main) \$1,000.00. Community Devel.
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Materials delivered April, 1995. Inv. dated 05/01/95. From A/C 101-200-810-000 (Sanitation) \$110,988.91. General Govt.
3. D.O.C. CONTRACTING - 1994 Sanitary Sewer Rehab. Cert. #1, dated 05/01/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$36,349.65. Water Dept.
4. E & N CEMENT - Pavement Repairs. Inv. dated 05/13/95. From A/C 101-440-880-000 (Road Repairs) \$52,121.88. DPW-Highway.
5. GLASCO CORPORATION - Handicapped Entrance Door Berwyn Center. Inv. 20800, dated 04/27/95. From A/C 103-960-963-094 (Berwyn Improvements) \$22,401.00. ENC. Community Devel.
6. JOHN A. REARDON & ASSOCIATES - Incident Command Training Course. Ck. req. dated 04/27/95. From A/C 101-335-962-000 (Fire Training) \$2,900.00. Fire Dept.
7. MARION HILL MISSION - Water Main Improvements Marion Hill Missions. Letter dated May 8, 1995. From A/C 592-XXX-255-000 (Jobs in Progress) \$43,409.39. Water Dept.

8. MICHIGAN MUNICIPAL LEAGUE - Annual Dues
6/1/95-05/31/96. From A/C 101-200-958-000 (Dues,
Membership, Subscriptions) \$8,915.00. General Govt.
9. M.M.R.M.A. - Contribution to Retention Fund. Inv.
R206, dated 05/10/95. From A/C 101-200-911-000
(Insurance) \$90,022.40. See Budget Amendment.
General Govt.
10. PAINTER & RUTHENBERG - Roll-Off Services April, 1995.
Inv. 6141, dated 04/30/95. From A/C 101-200-810-000
(Sanitation) \$2,800.00. General Govt.
11. QUAD-TRAN OF MICHIGAN - Data Processing Services May,
1995. Inv. 1749, dated 04/28/95. From A/C
101-130-818-000 (Contractual Services) \$2,273.04 and
from A/C 101-130-728-000 (Office Supplies) \$74.00.
District Court.
12. STANLEY'S ADVERTISING - Circulars Distributed, Yard
Waste Laws. Inv. 42885, dated 04/29/95. From A/C
101-200-810-000 (Sanitation) \$2,160.00. ENC. General
Govt.
13. WADE-TRIM/ASSOCIATES - 1994 Sanitary Sewer Rehab -
Downriver. Inv. 46788, dated 05/01/95. From A/C
592-537-973-000 (Sewers Capital Outlay) \$3,736.69.
Water Dept.
14. WADE-TRIM/ASSOCIATES - Dudley Street Bridge Removal.
Inv. 46667, dated 04/25/95. From A/C 103-960-946-094
(Bridge Removals) \$427.67. Community Devel.
15. WADE-TRIM/ASSOCIATES - FY 1995-96 Assist CDBG Program
Administration. Inv. 46807, dated 05/05/95. From A/C
103-960-918-094 (Administration) \$2,590.00. Community
Devel.
16. WADE-TRIM/ASSOCIATES - NH/RV Project Phase II Local
Improvements. Inv. 46620, dated 04/19/95. From A/C
592-537-973-000 (Sewers Capital Outlay) \$642.22.
Water Dept.
17. WADE-TRIM/ASSOCIATES - Water Main Phase X Inspection.
Final Inv. 46787, dated 05/01/95. From A/C
103-960-925-093 (Water Main) \$1,604.43. Community
Devel.
18. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - 1st, 2nd, 3rd
Quarter Charges for Retention Basin. Inv. 57045, dated
05/02/95. From A/C 592-537-927-000 (Ecorse Creek
Basin) \$74,930.75 and from A/C 592-XXX-124-000
(Prepaid Expenses) \$149,861.50. See Budget
Amendment. Water Dept.

Motion unanimously adopted.

- 95-237 Motion by Councilman Brunell, supported by Councilman
Zulinski, that the low bid from Gametime/Seavey Corporation,
PO Box 1409, Holland, MI 49422 for the purchase and
installation of one (1) Powerscape Play Structure for the
Weddel Park site, funds allocated in the 1994-95 CDBG
program in the amount of \$18,987.00, and payment thereof, be
approved, per Recreation Director Grybel, communication
dated May 17, 1995. Further, that the Treasurer be
authorized to return bid deposits to the unsuccessful
bidders.

Motion unanimously adopted.

- 95-238 Motion by Councilman Kosinski, supported by Councilman
Brown, that the low bid from Dan's Excavating, Inc., 12955
23 Mile Road, Shelby Township, MI 48315 for the Red Run
Relief Sewer Project (open cut) in the amount of
\$1,497,249.51, and payment thereof, be approved, per Public
Service Administrator Blackburn, communication dated May 17,
1995. Further, that the Treasurer be authorized to return
bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

95-239 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves Supplement #3 to the Downriver Sewage Disposal System Financing Plan and Final Judgment including the Resolution adopting Supplement #3 Improvements (Exhibit C3) per, Corporation Counsel, communication dated May 11, 1995. Further, that Mayor Canfield and City Clerk Sheridan sign the documents.

AYES: Councilman Brown, Councilman Brunell, Councilwoman Horvath, Councilman Kosinski, Council Chairman Paletko, Councilman Zulinski.

NAYS: Councilman Sutika.

ABSENT: None.

Motion adopted.

95-240 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves the three percent (3%) wage increase for the Court Administrator, Probation Director and Chief Deputy Court Clerk as signed by Judge Foran effective July 1, 1994 per, Comptroller Barrow communication dated May 16, 1995. This increase reflects the amount given to union personnel in clerical positions at the same date.

Motion unanimously adopted.

95-241 Motion by Councilman Brown, supported by Councilman Kosinski, that the City Counsel concurs with and approves the following budget amendment to cover an additional contribution to our retention fund:

Increase Revenues	Appropriate from Fund Balance
#101-000-699-000	\$ 19,825.00

Increase Expenditures	General Government Insurance
#101-200-911-000	\$ 19,825.00

per, Comptroller Barrow, communication dated May 17, 1995.

Motion unanimously adopted.

95-242 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the City Counsel concurs with and approves the following budget amendment to cover additional cost for the operation, maintenance and reserve for replacement on the Ecorse Creek Basin that is located in the City of Taylor:

Increase Revenues	Appropriate from Fund Balance
#592-000-699-592	\$ 6,000.00

Increase Expenditures	Ecorse Creek Basin
#592-537-927-000	\$ 6,000.00

per, Comptroller Barrow, communication dated May 17, 1995.

Motion unanimously adopted.

95-243 Motion by Councilman Brown, supported by Councilman Kosinski, that the City Council concurs with and approves the sale of City owned property Lot 29, Dearborn Manor Subdivision to Mr. Albert Walker, owner of lots adjoining to the south, in the amount of \$6,000.00 per, Assessor Welch, communication dated May 16, 1995. Further, purchaser to assume all costs of the sale and the sale must be consummated prior to December 31, 1995.

Motion unanimously adopted.

- 95-244 Motion by Councilman Brunell, supported by Councilman Zulinski, that the City Council concurs with and approves the sale of City owned property Lot 785, Dearborn Grove Subdivision #1 to Mr. Ronald O. Bain, in the amount of \$3,201.00 per, Assessor Welch, communication dated May 16, 1995. Mr. Bain was the only bidder for the purchase of this property.

Motion unanimously adopted.

- 95-245 Motion by Councilman Kosinski, supported by Councilman Brunell, that the City Council concurs with and approves the Pepsi-Cola Indemnification Agreement for the Spirit '95 Festival per, Recreation Director Grybel, communication dated May 17, 1995. Further, that Mayor Canfield and City Clerk Sheridan sign the agreement.

Motion unanimously adopted.

- 95-246 Motion by Councilman Brown, supported by Councilman Zulinski, that the communication dated May 15, 1995 from Public Service Administrator Blackburn re: the Beech Daly Road Improvements Railroad Crossing Reconstruction Agreement with Conrail and the City of Dearborn Heights be referred to Corporation Counsel for review.

Motion unanimously adopted.

- 95-247 Motion by Councilman Kosinski, supported by Councilman Zulinski, the the City Council concurs with and approves the lot split request from James and Debra Anderson, owners of parcel 33-004-001-0448-301 Hawthorne Golf View Subdivision as follows:

The south 49' of Lots 448 through 454 also the north 1/2 adjacent vacated alley;

The south 52' of the north 61' of Lots 448 through 454; and

The north 9' of Lots 448 through 454 also the south 1/2 adjacent abandoned street,

per, Assessor Welch communication dated May 22, 1995.

Motion unanimously adopted.

- 95-248 Motion by Councilman Brown, supported by Councilman Zulinski, that proposed Ordinance H-95-5, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SUBSECTION 4 (a) TO SECTION 36-84 (Zoning) CITY CODE CONCERNING MAINTENANCE OF PROTECTIVE SCREENING WALLS, be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

- 95-249 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the communication from the Crestwood School District informing the City Council of intent to name school district property in front of Hillcrest Elementary School as Shields Drive in honor of Marilyn Shields, principal for 28 years be received, contents noted and filed.

Motion unanimously adopted.

- 95-250 Motion by Councilman Brown, supported by Councilman Brunell, that tabled CM 95-206 (Advertise for bids for a dump truck) be brought back on the table.

Motion unanimously adopted.

- 95-251 Motion by Councilman Brown, supported by Councilman Zulinski, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) L 8000 Dump Truck (or equal) (Current Model Year) with trade-in, per the request of Public Service Administrator Blackburn, communication dated May 3, 1995.

Motion unanimously adopted.

- 95-252 Motion by Councilman Brunell, supported by Councilman Kosinski, that the Indemnification Agreement between the City of Dearborn Heights and Thorne Elementary School for the Summer Park Site Program be referred back to Administration.

Motion unanimously adopted.

- 95-253 Motion by Councilman Brunell, supported by Councilwoman Horvath, that the City Council to adopt the Letter of Understanding between the City of Dearborn Heights and the Dearborn Heights Firefighters Union as follows:

This letter of Understanding is between the City of Dearborn Heights, hereinafter "City", and Local #1355 of the International Association of Firefighters a/k/a Dearborn Heights Professional Firefighters Union, Local 1355, AFL-CIO, hereinafter "Firefighters Union".

The position of Chief of Fire Department may only be filled by a member of the Firefighters Union.

Effective July 1, 1994, the City must provide any former member of the Firefighters Union, promoted to the position of Fire Chief, with Retirement System benefits under the Act 345 Retirement System which are the greater of: (1) Benefits under Act 345 as modified by the collective bargaining agreement with the Firefighters Union; or (2) Retirement Benefits afforded to the City Chief of Police under the law.

Furthermore, that the City of Dearborn Heights will require that the incoming Fire Chief, should he/she desire to submit to a 2.8 percent retirement pension factor, be required to pay the amount commensurate with the 2.8 percent pension rate that is currently paid by members of the Police Department under their collective bargaining agreement with the City of Dearborn Heights.

The parties represent that no promise, inducement or agreement not expressed in this Agreement has been made; that this Agreement contains the entire agreement between the parties; and that under no condition has the Firefighters Union undertaken any duty to provide retirement benefits to the Fire Chief or to take any action to ensure that the benefits are provided to the Fire Chief.

AYES: Councilman Brown, Councilman Brunell, Councilwoman Horvath, Council Chairman Paletko, Councilman Zulinski.
NAYS: Councilman Kosinski, Councilman Sutika.
ABSENT: None.

Further, that Mayor Canfield and City Clerk Sheridan sign the agreement.

Motion adopted.

- 95-254 Motion by Councilman Brunell, supported by Councilman Zulinski, that the request for renewal of 1995 business licenses for Confetti Lounge, 3932 Pelham; Msgr. Hunt K of C, 7080 Garling; Pitcher's Pub, 5990 N Telegraph; Pizza Hut #407062, 22024 Van Born; Pvt. J Lyskawa VFW #7546, 6828 Waverly; Dearborn Heights Moose Lodge, 27225 Warren; Carl E. Stitt Post #232, 23850 Military, be approved.

Motion unanimously adopted.

95-255 Motion by Councilwoman Horvath, supported by Councilman Brown, that the meeting be adjourned.

Motion unanimously adopted.

The meeting closed at 9:10 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL