

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 23, 2006

06-176 The meeting was called to order at 8:10 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 Tom Berry, Councilman Bob Constan, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Paletko, Administrative Assistant Kramarz, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Riedel, Fire Chief Gurka, Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community & Economic Development Director Jamal, Librarian Deller, TIFA Administrator Oliverio, Assistant Emergency Coordinator Ankrapp.

The Pledge of Allegiance was led by John Zadikian.

06-177 Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the Agenda for the Regular Meeting of May 23, 2006, be approved with the addition of 9-K (Administrative Fee Resolution); 13-B (Budget Adoption) and 13-C (Clean Water Action), the removal of 9-F (Budget Transfer) further that 2-A (Citizen Citation Presentation) be moved to the end of the meeting.

Motion unanimously adopted.

06-178 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Minutes from the Regular Meeting of May 9, 2006, be approved as submitted.

Motion unanimously adopted.

06-179 Motion by Councilman Baron, seconded by Councilman Constan, that Fund Transfer 6-A, B, and C and Current Claims 6-1 through 6-19, be approved as submitted.

- A. \$20,000.00 transfer from A/C 101-440-709-000 (DPW Overtime) \$10,000.00 and A/C 101-440-932-000 (DPW Repairs) \$10,000.00 to A/C 101-440-820-000 (DPW Trees) \$20,000.00. Public Service Administrator Franzil
 - B. \$4,500.00 transfer from A/C 101-335-825-000 (Fire School) \$4,500.00 to A/C 101-335-932-000 (Fire Repairs) \$3,000.00 and A/C 101-335-728-000 (Fire Supplies) \$1,500.00. Fire Chief Gurka
 - C. \$20,000.00 transfer from A/C 101-265-728-000 (B/M Supplies) \$10,000.00 and A/C 101-265-932-000 (B/M Repairs) \$10,000.00 to A/C 101-265-709-000 (Overtime) \$20,000.00. Public Service Administrator Franzil.
1. ACCUMED BILLING, INC. – Ambulance Billing April 2006 – Inv. dated 05/01/06 from A/C 101-000-626-000 (Ambulance) \$5,230.12. Fire Dept.
 2. BS&A – Equalizer Tax System Annual Service and Support – Inv. 37725 dated 05/01/06 from A/C 101-253-818-000 (Contract Services) \$2,245.00. Treasurer
 3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – April/May 2006 Debt and Services – Inv. dated 04/30/06 from A/C 101-200-810-000 (Sanitation) \$164,741.53. General Govt.
 4. CITY OF WESTLAND – Radio System Maintenance Contract – Ck. Req. dated 04/28/06 from A/C 101-200-831-100 (E-911) \$56,653.53. See Budget Amendment. General Govt.
 5. E & N CEMENT – Pavement Repairs – Inv. dated 05/15/06 from A/C 592-537-818-000 (Contract Services) \$33,008.23. Water Dept.
 6. HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. 94 dated 05/14/06 from A/C 101-440-820-000 (Trees) \$3,975.00. DPW-Highway.
 7. INLAND PRESS – Ballots for School Election – Inv. 39199 dated 04/30/06 from A/C 101-190-730-000 (Material/Supplies) \$1,502.00. Encumbered. Elections
 8. JOHNSON CONTROLS – Quarterly Maintenance Agreement City Buildings – Inv. 53572431 dated 05/02/06 from A/C 101-265-818-000 (Contract Services) \$17,245.00. See Budget Amendment. Building Maintenance
 9. LSL PLANNING, INC. – Recreation Master Plan Payment – Ck. Req. dated 05/01/06 from A/C 101-691-818-000 (Contract Services) \$3,165.65. Recreation
 10. LIBERTY GROUP-MICHIGAN, INC. – Rain Insurance & Liquor Liability Insurance – Inv. 8909 and 8908 dated 05/16/06 from A/C 101-691-891-000 (Spirit Festival) \$5,534.00. Recreation
 11. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program - Inv. 2225 dated 05/12/06 from A/C 592-540-818-030 (Contract Services) \$15,230.45. Water Dept.

12. PLANTE & MORAN – Accounting Services April 2006 – Inv. 154425 dated 05/11/06 from A/C101-440-818-000 (Contract Services) \$1,355.00 and A/C 592-536-817-000 (Prof/Consult) \$1,140.00. General Govt.
13. QUAD-TRAN OF MICHIGAN – Data Processing May 2006 – Inv. 4824 and 4825 dated 04/28/06 from A/C 101-130-818-000 (Contract Services) \$3,600.00; A/C 101-130-728-000 (Supplies) \$891.15 and A/C 101-200-728-000 (Supplies) \$2,122.77. District Court
14. SOMERS SCHWARTZ – Legal Billing April 2006 – Inv. 196440 dated 05/04/06 from A/C 592-536-817-000 (Prof/Consult) \$1,812.00. Water Dept.
15. THE LIBRARY NETWORK – Books, CD and DVD's – Ck. Req. dated 05/11/06 from A/C 738-738-827-100 (Library Network) \$4,723.44. Library
16. WADE-TRIM/ASSOCIATES – 2005 CDBG Water Main Construction – Inv. 89915 dated 04/18/06 from A/C 103-960-925-204 (Water Main) \$1,683.42. CDBG
17. WAYNE COUNTY ACCOUNTS RECEIVABLE – Traffic Signal Maintenance December 2005 – Inv. 1001997 dated 05/03/06 from A/C 101-440-925-000 (Signals) \$3,771.35. DPW-Highway
18. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Downriver Excess Flow May 2006 – Inv. 233180 dated 05/01/06 from A/C 592-537-929-000 (Sewage) \$23,362.00. Water Dept.
19. WAYNE COUNTY DEPARTMENT OF PUBLIC HEALTH – Cross Connections Oct.–Dec. 2005 – Inv. 232980 dated 04/17/06 from A/C 592-536-817-000 (Prof/Consult) \$3,863.00. Water Dept.

Motion unanimously adopted.

- 06-180** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the parade route and request from Judah Community Ministry, 20601 Powers, to hold a Vacation Bible School Parade on Saturday, July 15, 2006 beginning at 12:00 noon and ending around 2:00 p.m., commencing at church going east on Powers to Mayfair, then north to Annapolis, then west on Annapolis to Polk back to church, per Parade Chairperson Georgia Wallace and Mayor Paletko, communication dated May 17, 2006. Fire Chief Gurka's recommendation is to conduct the parade on one side only of Annapolis should emergency vehicles need to access that part of an existing fire route. Police Department to provide escort and assistance as needed.

Motion unanimously adopted.

- 06-181** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the communication from Mayor Paletko, dated May 17, 2006 re: Appointment to Tax Increment Finance Authority, be tabled.

Aye: Council Chair Agius, Councilwoman Badalow, Councilwoman Horvath, Councilwoman Van Houten.

Nays: Councilman Baron, Councilman Berry, Councilman Constan.

Absent: None.

Motion adopted.

- 06-182** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the communication from Mayor Paletko, dated May 17, 2006 re: Planning Commission Reappointments, be tabled.

Aye: Council Chair Agius, Councilwoman Badalow, Councilwoman Horvath, Councilwoman Van Houten.

Nays: Councilman Baron, Councilman Berry, Councilman Constan.

Absent: None.

Motion adopted.

- 06-183** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the communication from Councilman Constan, dated May 15, 2006 re: Zoning Board of Appeals Appointment and Reappointment, be tabled.

Aye: Council Chair Agius, Councilwoman Badalow, Councilwoman Horvath, Councilwoman Van Houten.

Nays: Councilman Baron, Councilman Berry, Councilman Constan.

Absent: None.

Motion adopted.

- 06-184** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the 2006-07

TIFA Budget Adoption, be tabled.

Aye: Council Chair Agius, Councilwoman Badalow, Councilman Berry, Councilwoman Horvath, Councilwoman Van Houten.
Nays: Councilman Baron, Councilman Constan.
Absent: None.

Motion adopted.

- 06-185** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Lot Split Request from Samir Abdallah, 6152 Robindale for property located at 7011 Berwyn and 7023 Berwyn and create the following descriptions in Annis Hawthorne Manor Sub as follows:

33-011-01-0432-300 – south ½ of Lot 432 and the north 29 feet of Lot 433 Annis Hawthorne Manor Sub, T2S R10E, L 54, P 61, WCR;

33-01101-0433-300 – south 11 feet of Lot 433 and the north 38 feet of Lot 434 Annis Hawthorne Manor Sub, T2S R10E, L 54, P61, WCR;

33-011-01-0434-300 – south 2 feet of Lot 434 and all of Lot 435 Annis Hawthorne Manor Sub, T2S R10E, L54, P61, WCR, per Deputy Assessor Cooper, communication dated May 16, 2006.

Motion unanimously adopted.

- 06-186** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the Budget Amendment to cover the additional cost of maintenance on the E-911 System as follows:

INCREASE REVENUES	APPROP. FUND BALANCE
# 101-000-699-000	\$ 6,975.00
INCREASE EXPENDITURES	GEN. GOVT. E-911
# 101-200-831-100	\$ 6,975.00

per, Comptroller Barrow, communication dated May 17, 2006.

Motion unanimously adopted.

- 06-187** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the Budget Amendment to cover the costs of a new roof top air conditioning unit for the Canfield Community Center as follows:

INCREASE REVENUES	APPROP. FUND BALANCE
# 101-00-699-000	\$ 13,000.00
INCREASE EXPENDITURES	BLDG. MAINT CONT. SERVICES
# 101-265-818-0	\$ 13,000.00

per, Comptroller Barrow, communication dated May 17, 2006.

Motion unanimously adopted.

- 06-188** Motion by Councilwoman Horvath, seconded by Councilman Constan, that the City Council concurs with and approves the Spirit 2006 Primary Sponsorship Agreement between the City of Dearborn Heights and Antonio's of Dearborn Heights, Inc., per Recreation Director Grybel, communication dated May 16, 2006. Further, that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 06-189** Motion by Councilman Baron, seconded by Councilwoman Badalow, that a Public Hearing be scheduled for Tuesday, June 13, 2006 at 8:00 P.M. in the Council Chambers, 6045 Fenton, Dearborn Heights, MI 48127 to gather comments to the proposed Five-Year Recreation Master Plan, per Recreation Director Grybel, communication dated May 15, 2006.

Further, that a Committee of the Whole Study Session be held on Tuesday, June 20, 2006 for the purpose of receiving comments from the City Council.

Motion unanimously adopted.

- 06-190** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves a One-Year (1) Lease Agreement with American Harley Davidson, 5436 Jackson Road, Ann Arbor, MI and the City of Dearborn Heights for eight (8) Police Motorcycles, at a cost of \$1,200.00 per motorcycle (\$9,600.00 total), and payment thereof, per Police Chief Gust, communication dated May 17, 2006. Further, that Police Chief Gust be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 06-191** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves the proposal from BS&A Software, 14965 Abbey Lane, Bath, MI 48808, for the purchase of an Equalizer Cash Receipting System with hardware and training, at a cost not-to-exceed \$12,195.00, and payment thereof, per Treasurer Riley, communication dated May 17, 2006. Further, that the Treasurer be authorized to sign the Cash Receipting System proposal.

Motion unanimously adopted.

- 06-192** Motion by Councilwoman Horvath, seconded by Councilman Constan, that the City Council concurs with and approves the quote from Computer Technologies, Inc., 2145 Crooks Road, Suite 90, Troy, MI 48084, for the purchase of two (2) Hewlett Packard Computers and one (1) HP Laser Printer, at a cost not-to-exceed \$2,531.00, and payment thereof, per Treasurer Riley, communication dated May 17, 2006. Further, that the Treasurer be authorized to sign the computer and printer quote.

Motion unanimously adopted.

- 06-193** Motion by Councilman Baron, seconded by Councilman Berry, that the Administration 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 2006-07, said collection rate need only be set at .65%;

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 2006 and Winter 2006 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 unanimously adopted.

- 06-194** Motion by Councilman Constan seconded by Councilman Baron, that Proposed Ordinance H-06-04, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-27 OF SAID CODE REGARDING FOUR (4) LOTS AND THE WEST ½ OF THE ADJACENT VACATED ALLEY, LOCATED ON THE EAST SIDE OF VERNON STREET, NORTH OF FORD ROAD, SPECIFICALLY, LOTS 158 THROUGH 161 GOLDEN ACRES SUBDIVISION ALSO THE WEST ½ OF THE ADJACENT VACATED ALLEY, TO EFFECT THEIR REZONING FROM R-1B (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO C-1 (NEIGHBORHOOD BUSINESS DISTRICT), be considered read for the second time and become effective upon publication in the newspaper of record.

Motion unanimously adopted.

- 06-195** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Resolution to Establish Community and Economic Development Department Appeals Board and Authorizing the Demolition Board of Appeals to Serve as the Community and Economic Development Department Appeals Board be adopted as follows:

WHEREAS, the Community and Economic Development Department is required to provide an appeal procedure as an element of its Residential Rehabilitation Loan Program;

WHEREAS, the City Charter, Section 5.12, authorizes City Council to establish a Board of Appeals to fulfill the Residential Rehabilitation Loan Program's requirements for an appeal procedure;

WHEREAS, the Community and Economic Development Department desires to establish an Appeal Board to provide the required appeal procedure for resolution of disputes that may arise between homeowners and contractors over work performed under the Residential Rehabilitation Loan Program;

WHEREAS, the appeals to be presented to the Appeal Board may involve technical issues regarding home construction design and quality, and may require technical knowledge from experienced construction industry personnel;

WHEREAS, the City's Demolition Board of Appeals is comprised of members with a wide variety of construction industry experience, and would be uniquely qualified to hear and decide appeals arising out of the Community and Economic Development Department's Residential Rehabilitation Loan Program;

THEREFORE, BE IT RESOLVED:

The City of Dearborn Heights hereby establishes the Community and Economic Development Department Appeals Board to hear and decide homeowners-contractor disputes.

The City of Dearborn Heights Demolition Board of Appeals shall serve as the Community and Economic Development Department Appeals Board, per Assistant Corporation Counsel Roberts, communication dated May 18, 2006.

Motion unanimously adopted.

- 06-196** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the business license renewals for Cherry Hill Lanes, 300 N Inkster Road, Britannia Hall Post #92, 5312 S Beech Daly and Livernois Motorsports, 2500 S Gulley Road, be approved.

Motion unanimously adopted.

- 06-197** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council adopt the General Government Fiscal 2006-07 balanced budget in the amount of \$ 36,321,613.00.

Motion unanimously adopted.

- 06-198** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the tax levy for the 2006-07 fiscal year be set at 6.3348 mills.

Motion unanimously adopted.

- 06-199** Motion by Councilwoman Horvath, seconded by Councilman Berry, that 1.7273 mills be levied to finance the voter approved Act 345 Fire and Police Pension Plan for fiscal year 2006-07 in the amount of \$ 2,477,313.00.

Motion unanimously adopted.

- 06-200** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the City Council levy an additional 2.1000 mills on the Taxable Valuation for financing garbage and rubbish disposal for fiscal year 2006-07.

Motion unanimously adopted.

- 06-201** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council levy an additional 1.4887 mills on the Taxable Valuation of Public Safety, as approved by the voters of the City of Dearborn Heights for fiscal year 2006-07.

Motion unanimously adopted.

- 06-202** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the millage approved for solid waste disposal by the electorate in May, 2000, be levied at .7100 mills.

Motion unanimously adopted.

- 06-203** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council approve

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the 2006-07 lump sum budget for the 20th District Court, in the amount of \$ 1,738,381.00. Salaries not-to-exceed amount specified in the budget.

Motion unanimously adopted.

- 06-204** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council levy an additional assessment of 2.25 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.

Motion unanimously adopted.

- 06-205** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council levy an additional .9204 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 unanimously adopted.

- 06-206** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the communication from Clean Water Action, dated May 23, 2006 re: Door-to door canvassing beginning June 1, 2006 thru September 1, 2006 from 4 p.m. to 9 p.m. Monday thru Friday, be received, contents noted and filed.

Agenda Item 2-A – Citizen Citation Presentation be referred to the next City Council Meeting.

Motion unanimously adopted.

- 06-207** Motion by Councilwoman Horvath, seconded by Councilman Constan, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:45 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL SECRETARY