

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 13, 2003

03-161 The meeting was called to order at 8:03 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilman Kenneth R. Baron, Councilwoman Janet S. Badalow, Councilwoman Janet L. Blackburn, Councilman Bob Constan, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Horvath, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Riedel, Deputy Assessor Cooper, Deputy Police Chief Lazar, Deputy Fire Chief McElroy, Fire Marshall Mc Donough, Recreation Director Grybel, Deputy Recreation Director Constan, Public Service Administrator Blackburn, Community Development Director Oliverio, Human Resource Specialist Remily.

The Pledge of Allegiance was led by Exie Markowsky.

03-162 Motion by Councilman Baron, seconded by Councilwoman VanHouten, that the Agenda for the Regular Meeting of May 13, 2003 with the addition of 13B (Proposed Ordinance 03-06 providing for retirement benefits) and 13C (Request for solicitation, Deeper Life Church), be approved as submitted.

Motion adopted.

03-163 Motion by Councilwoman VanHouten, seconded by Councilwoman Blackburn, that the Minutes from the Regular Meeting of April 22, 2003, be approved as submitted.

Motion adopted.

The Public Hearing for the proposed 2003-2004 Corporate Fund Budget was called to order at 8:07 p.m. by Council Chairwoman Elizabeth Agius.

Clerk Robbins read the official notice of the Public Hearing as follows:

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, May 13, 2003 at 8:00 P.M., in the Council Chambers located at 6045 Fenton, Dearborn Heights, Michigan, for the purpose of hearing objections, if any, to the proposed budget for the City of Dearborn Heights for the fiscal year 2003-2004.

The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing. A copy of the budget will be available for inspection at the office of the City Clerk, 6045 Fenton, Dearborn Heights, Michigan.

This was published in the newspaper of record on April 9, 2003. No further communication, Madam Chair.

03-164 Motion by Councilwoman Blackburn, seconded by Councilman Baron, that the Public Hearing be closed.

Motion adopted.

The Public Hearing for the 2003-2004 Corporate Fund Budget closed at 8:50 p.m.

03-165 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that Current Claims 6-1 through 6-26, with the correction to 6-19, be approved as submitted.

1. B S & A SOFTWARE - One Year Maintenance Agreement - Inv. 23999 dated 05/01/03 from A/C 101-253-818-000 (Contract) \$2,120.00. Treasurer.
2. BEST ASPHALT - Road Repairs Water Main Breaks - Various Inv's from A/C 592-537-818-000 (Contract) \$4,931.17. Water Dept.
3. CUMMINGS, MC CLOREY, DAVIS.... - Legal Services February 2003 - Inv. dated 04/10/03 from A/C 101-210-826-000 (Counsel Serv.) \$2,099.50. Corp. Counsel.
4. GARY MIOTKE - Legal Services March 2003 - Inv. dated 04/10/03 from A/C 101-210-826-000 (Counsel Serv.) \$10,760.25. Corp. Counsel.
5. SECREST, WARDLE, LYNCH.... - Legal Services Jan/Feb 2003 - Inv. dated 04/10/03 from A/C 101-210-826-000 (Counsel Serv.) \$5,481.50. Corp. Counsel.
6. DECISION ONE - Annual Maintenance Charges - Inv. 3500195 dated 05/01/03 from A/C 101-130-932-000 (Repair/Maint.) \$1,963.44. District Court.
7. E & N CEMENT - Pavement Repairs - Two Inv's dated 05/03/03 from A/C 101-440-880-000 (Road Repairs) \$38,753.49 and A/C 592-537-818-000 (Contract) \$106,604.70. DPW-Highway.
8. ELLEFSON BUILDING DEMO - Load and Haul Away Debris - Inv. 307 dated 04/30/03 from A/C 101-200-810-000 (Sanitation) \$17,450.00. General Govt.
9. FIRST STEP - Assistance First Step Program - Inv. dated 03/03/03 from A/C 103-960-927-202 (First Step) \$2,648.18. CDBG.
10. LIBERTY GROUP - MICH INC. - Insurance Spirit Festival - Ck. Req. dated 04/16/03 from A/C 101-691-891-000 (Spirit) \$4,762.00. Recreation.
11. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1774 dated 04/24/03 from A/C 592-540-818-030 (Contract) \$16,119.51. Water Dept.
12. PLANTE & MORAN - Accounting Services March and 04/01-04/15/03 - Inv. 897428 dated 04/23/03 and Inv. 892932 dated 04/10/03 from A/C 101-200-817-000 (Prof/Consult) \$2,525.00 and A/C 592-536-817-000 (Prof/Consult) \$5,910.00. General Govt.
13. PRIORITY ONE EMERGENCY - Radio Equipment Installation - Ck. Req. dated 04/15/03 from A/C 265-330-831-265 (Misc.) \$2,566.85. Police Dept.
14. QUAD-TRAN OF MICHIGAN - Data Processing and Postage May 2003 - Inv. 4097 and 4098 dated 04/30/03 from A/C 101-130-818-000 (Contract) \$3,600.00; A/C 101-200-728-000 (Supplies) \$1,661.30 and A/C 101-130-728-000 (Supplies) \$829.40. District Court.
15. STANLEY'S ADVERTISING - Delivery of Newsletter - Inv. 50489 dated 04/22/03 from A/C 103-960-918-202 (Admin.) \$3,105.00. CDBG.
16. STATE OF MICHIGAN - Telegraph Road Bridge Over Creek - Final - Inv. AF 254467 dated 05/01/03 from A/C 202-202-880-300 (Streets) \$5,285.67. Major Streets.
17. STATE OF MICHIGAN - Telegraph Road Turn Arounds - Final - Inv. AF 254466 dated 05/01/03 from A/C 202-202-880-300 (Streets) \$3,267.89. Major Streets.
18. STATEWIDE SECURITY TRANSPORT - Prisoner Food/Lodging March 2003 - Inv. dated 04/18/03 from A/C 101-200-868-000 (Prisoners) \$5,799.00. General Govt.
19. CORONA CONSTRUCTION INC. - Central Park Comfort Station - Cert. #2 from A/C 103-960-941-201 (Central Park) \$48,010.00. CDBG.

20. TODAYLINK, LLC - Internet Services April/May 2003 - Inv. 1043 dated 05/03/03 from A/C 101-200-819-999 (Internet) \$6,451.10. General Govt.
21. WADE-TRIM/ASSOCIATES - 2003-2004 CDBG Assistance - Inv. 777555 dated 04/11/03 from A/C 103-960-918-202 (Admin.) \$3,117.80. CDBG.
22. WADE-TRIM/ASSOCIATES - Berwyn/Eton Parking Lots - Inv. 77846 dated 04/15/03 from A/C 103-960-962-202 (Eton Parking Lot) \$328.00. CDBG.
23. WADE-TRIM/ASSOCIATES - Water Main Serene Estates - Inv. 77850 dated 04/15/03 from A/C 592-XXX-255-000 (Jobs-in-Progress) \$9,449.73. Water Dept.
24. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow Downriver - Inv. 215903 dated 04/25/03 from A/C 592-537-929-000 (Sewage) \$21,910.00. Water Dept.
25. WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES - Traffic Signal Maintenance - Feb/March 2003 - Inv. 1000208 dated 04/16/03 and Inv. 1000259 dated 04/24/03 from A/C 101-440-925-000 (Traffic Signal) \$5,995.10. DPW-Highway.
26. WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES - Outer Drive Reconstruction - Final Payment - Inv. 215769 dated 04/21/03 from A/C 202-202-880-300 (Streets) \$78,049.04. Major Streets.

Motion adopted.

- 03-166** Motion by Councilman Baron, seconded by Councilman Constan, that the sole bid from the Press & Guide Newspapers, 15340 Michigan Avenue, Dearborn, MI 48126, for the City's Legal Printing, in the amount of \$5.50 per inch (submitted on disk) and \$12.11 per inch (if not submitted on disk), be approved, per Comptroller Barrow, communication dated May 7, 2003.

Motion adopted.

- 03-167** Motion by Councilman Baron, seconded by Councilwoman VanHouten, that the lowest bidder meeting specifications, Munn Tractor Sales, Inc., 3700 Lapeer Road, Auburn Hills, MI 48326, for one (1) tractor/loader/backhoe with concrete breaker attachment with trade-in, in the amount of \$59,418.00 less trade of \$10,418.00 for a total due of \$49,000.00, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated May 1, 2003. Further, return all bid bonds to unsuccessful bidders. Funding for this purchase will come from Water Department, A/C #592-537-981-000.

Motion adopted.

- 03-168** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the Rouge River National Wet Weather Demonstration Project Round IV Grants for Combined and Sanitary Sewer Overflow Projects Dearborn Heights Phase II CSO Design and Construction (IV-11) Interagency Agreement between Wayne County and the City of Dearborn Heights which provides funds for Round IV Project "Dearborn Heights Phase II CSO Design and Construction", per Mayor Canfield, communication dated May 6, 2003.

Further, Mayor and Clerk to sign agreement on behalf of the City.

Motion adopted.

- 03-169** Motion by Councilman Constan, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the parade routes for:

St. Sebastian Festival Parade, Saturday, May 17, 2003 at 11:00 a.m.
Pvt. John Lyskawa Post Memorial Day Parade, Monday, May 26, 2003 at 9:30 a.m. and St. Albert the Great Community Parade, Saturday, May 31, 2003 at 11:00 a.m., per Mayor Canfield, communication dated May 7, 2003. Further, that the Police and Fire Departments to provide assistance as necessary.

Motion adopted.

- 03-170** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, to table Agenda Item 9A (instituting the 1% Administration Fee on the City's summer and winter tax bills) to the end of the meeting.

Motion adopted.

- 03-171** Motion by Councilman Baron, seconded by Councilwoman Van Houten, to direct council to establish a study session with the potential of considering a millage to be placed on the November 2003 ballot.

Motion adopted.

- 03-172** Motion by Councilman Constan, seconded by Councilwoman Badalow that the City Council concurs with and approves the request to dispose of one (1) lateral hanging file, tab #4250, per Clerk Robbins, communication dated May 7, 2003.

Motion adopted.

- 03-173** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Lot Split Request from Nabil Beydoun and Najla Beydoun, 22236 Dolphin Court, Dearborn Heights for Parcel #33-019-03-0058-006 in Supervisors Dearborn Plat No. 2 creating the following parcels:

Parcel A - 82-33-019-03-0058-301, that part of Lot 58 described as beg at a point on the E line of said lot distant N 01D 53M 51SEC W 821.37 FT from the SE cor of Lot 58 and proceeding th N 01D 53M 51SEC W along said E line 192.88 FT th N 86D 06M 02SEC W along the Nly line of said Lot 60.00 FT th S 01D 53M 51SEC E 189.72 FT th S 83D 07M 44SEC E 60.40 FT to the POB Supervisors Dearborn Plat No 2 T2S R10E L65 P50 WCR .26 AC;

Parcel B - 82-33-019-03-0058-302, that part of Lot 58 described as beg at a point on the E line of said lot distant N 01D 53M 51SEC W 821.37 FT and N 83D 07M 44SEC W 60.40 FT from the SE cor of Lot 58 and proceeding th N 01D 53M 51SEC W 189.72 FT th N 86D 06M 02SEC W along the Nly line of said lot 60.00 FT th S 01D 53M 51SEC E 186.57 FT th S 83D 07M 44SEC E 60.40 FT to the POB Supervisors Dearborn Plat No 2 T2S R10E L65 P50 WCR .26 AC and

Parcel C - 82-33-019-03-0058-303, 09C58D2C that part of Lot 58 described as beg at a point on the E line of said lot distant N01D 53M 51SEC W 821.37 FT and N 83D 07M 44SEC W 120.80 FT and proceeding th N 01D 53M 51SEC W 186.75 FT th N 86D 06M 02SEC W along the Nly line of said lot 121.30 FT th S 29D 20M 37SEC E 220.75 FT th S 83D 07M 44SEC E 19.20 FT to the POB Supervisors Dearborn Plat No 2 T2S R10E L65 P50 WCR .30 AC, per Deputy Assessor Cooper, communication dated April 28, 2003.

Lot split not to be completed until Corporation Counsel determines that this is

not in violation of existing ordinances.

Motion adopted.

- 03-174** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Budget Amendments to balance out accounts as follows:

INCREASE REVENUES:

Sidewalks	101-000-628-000	\$ 181,810.00
Reimbursement SMART	101-000-682-000	43,000.00
Domestic Violence Grant	101-000-636-035	22,111.00

INCREASE EXPENDITURES:

Misc. Grant Contr.	101-200-846-000	\$ 22,111.00
SMART Bus	101-200-900-999	36,000.00
Contractual Service	101-209-818-000	600.00
Capital Outlay	101-215-981-500	710.00
Utilities	101-300-745-000	15,000.00
Overtime	101-335-709-000	140,000.00
Rep/Maint.	101-335-932-000	25,000.00
Clothing	101-371-713-000	600.00
Rep/Maint.	101-371-932-000	1,500.00
Motor Fuel	101-691-867-000	700.00
Eton Utilities	101-691-942-000	4,500.00
Telephones	101-809-853-000	200.00

per, Comptroller Barrow, communication dated May 8, 2003.

- 03-175** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the Budget Amendments needed for GASB 34 Financial Statement Reporting as follows:

INCREASE/(DECREASE) EXPENDITURES:

E-911	101-200-831-100	\$ (125,000.00)
Energy Plan	101-200-965-000	(18,000.00)
Ecorse Creek	101-200-994-000	(6,600.00)
Police Radios	101-200-995-500	90,000.00
Fire Station Bonds	101-200-996-004	(163,000.00)
Interest	101-200-998-500	222,600.00

per, Comptroller Barrow, communication dated May 8, 2003.

Motion adopted.

- 03-176** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the 2003-2004 Community Development Block Grant Action Plan and Application, per Community Development Director Oliverio, communication dated April 21, 2003. Further, that the Mayor be authorized to sign and submit the Application on behalf of the City.

Motion adopted.

- 03-177** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the Architectural/Engineering Services Agreement with TMP Associates, Inc., 1191 West Square Lake Road, Box 289,

Bloomfield Hills, MI 48303, for developing the bid specifications and to bid out the project after specs completed, for the Swapka Park Comfort Station, per Recreation Director Grybel, communication dated April 28, 2003. Monies for this project have been allocated in the CDBG program.

Motion adopted.

- 03-178** Motion by Councilman Constan, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Liquor License Application to sell beer and wine at the City's Spirit 2003 Festival and offers the following resolution:

Resolved: "That the City of Dearborn Heights, through the signing of this application by the Mayor and Clerk, make application to the Liquor Control Commission for a Special License for the sale of beer and wine, for consumption on the grounds of the Canfield Community Center from Wednesday, June 18, 2003, ending no later than 2:00 a.m. on Sunday, June 22, 2003."

Per, Recreation Director Grybel, communication dated May 5, 2003.

Motion adopted.

- 03-179** Motion by Councilwoman Badalow, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the request to auction Special Operations Vehicles as follows:

1985 Buick 2 door - 1G4EZ57Y6FE428716; 1989 Ford 2 door - 1FAPP6046KH164878; 1989 Chevy 2 door - 1G1JF31W3K7186952; 1995 Mercury 4 door - 1MELM50U0SG609616 and 1989 Honda 2 door - JHMED8368KS024013, per Police Chief Gust, communication dated April 29, 2003.

Motion adopted.

- 03-180** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that Resolution Accepting Long Term Maintenance of Storm Water Management System at Vista Maria be adopted as follows:

1. The City Council approves the Resolution Accepting Long Term Maintenance of Storm Water Management System, Vista Maria and authorizes Mayor Ruth A. Canfield to execute Permit No. R02-067, if execution of the permit by the City is deemed necessary by Wayne County.
2. The City Council approves the Agreement for Maintenance of Storm Water Management System, Vista Maria and authorizes the Mayor and the Clerk to sign same.
3. The foregoing shall only be effective upon Corporation Counsel being of the opinion that Vista Maria has acted in conformity with its articles of incorporation and bylaws. Upon issuance of Corporation Counsel's opinion that Vista Maria has complied with its articles of incorporation and bylaws, the approvals of the Resolution and Agreement and the signatures for same shall take place.

Motion adopted.

- 03-181** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the proposed ordinance amending Chapter 26 of the Code of Ordinances which

governs signs, be considered read for the second time and become effective upon publication in the City's official newspaper of record. Further, Section 26-20 through Section 26-40 be considered summary for publication purposes.

Motion adopted.

- 03-182** Motion by, Councilwoman Van Houten, seconded by Councilman Baron, that the business license renewals for Dearborn Heights Moose Lodge, 27225 Warren, Crystal Lounge, 8701 N. Beech Daly, Trail Bar, 22738 Ford, Leo's Coney Island, 26540 Ford, Pvt. J. Lyskawa VFW #7546, 6828 Waverly, Warren Valley Golf and Banquet, 26116 Warren, Wheat & Rye, 8120 N. Telegraph, Ford Lanes Inc., 23100 Van Born, and Carl E. Stitt Post #232, 23850 Military, be approved.

Motion adopted.

- 03-183** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the Proposed Ordinance 03-06 providing for retirement benefits for persons retiring between June 1, 2003, and December 31, 2003, be considered read for the first time.

Motion adopted.

- 03-184** Motion by Councilman Baron, seconded by Councilman Constan, that the communication from Deeper Life Church, 6611 Maxwell, Detroit, MI 48213 for solicitation be received, noted and filed.

Motion adopted.

- 03-185** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, to remove Agenda Item 9A from the table.

Motion adopted.

- 03-186** Motion by Councilman Baron, Seconded by Councilwoman Van Houten, that the City Council concurs with and approves the following.

WHEREAS, the City of Dearborn Heights is authorized to collect a 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 1% administration fee a/k/a a collection fee;

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/ a collection fee pursuant to MCL 211.44 with respect to taxes to be collected for the Summer 2003 and Winter 2003 only, with the stipulations that the imposition of any future property tax administration fee a/k/a/ a collection 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.

Per Councilman Baron, communication dated May 6, 2003.

AYES: Councilwoman Agius, Councilman Baron, Councilwoman

Minutes **MAY 13, 2003** - Continued

Blackburn, Councilman Constan, Councilwoman Van Houten.
NAYS: Councilwoman Badalow.
ABSENT: None.

Motion adopted.

03-187 Motion by Councilman Baron, seconded by Councilman Constan, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:38 p.m.

JOYCE A. ROBBINS
CITY CLERK

ELIZABETH J. AGIUS
CITY COUNCIL CHAIR

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY