

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 11, 2010

10-153 The meeting was called to order at 8:02 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilwoman Margaret M. Horvath, Councilman Roy Pilot, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: City Clerk Dudzinski, Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz, Assessor McDermott, Building & Engineering Director Sobh, Community & Economic Development Director Amen, Comptroller Barrow, Deputy Comptroller Macari, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, 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 resident, Rose Bogaert.

10-154 Motion by Councilman Berry, seconded by Councilwoman Agius, that the Agenda for the Regular Meeting of May 11, 2010, be approved as submitted.

Motion unanimously adopted.

10-155 Motion by Councilman Pilot, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of April 27, 2010, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the 2010-2011 Corporate Fund Budget was called to order at 8:03 p.m. by Council Chairman Kenneth R. Baron. Council Chairman Baron asked the City Clerk to read the Notice of a Public Hearing.

City Clerk Dudzinski "Please take Notice that a Public Hearing will be held on Tuesday, May 11, 2010 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 fiscal year 2010-2011.

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 notice is published and posted by direction of the City Council under and by virtue of the City Clerk, S. Judith Dudzinski, Clerk, City of Dearborn Heights. Publish: April 7, 2010 and April 14, 2010. No communications Mr. Chair."

Council Chairman Baron "Is there anyone in the audience who wishes to speak? State your name, street and city."

Rose Bogaert, 25613 Rouge River Drive "I've been attending the budget hearings and as you know I am opposed to the DROP Program and I'm going to tell you right now that I'm going to be organizing some, not only local opposition to it but also statewide opposition to it. This situation has been occurring across the state causing trouble not only with 345 but 312 and a number of different pieces of legislation that this state has approved and it's causing a great deal of discomfort to the taxpayers of the state increasing their liability. Again, I am going to state one more time that I think that the DROP Program is not a good program for the citizens of Dearborn Heights. I realize that you are committed to those people who have already participated in the DROP Program. I wish you would negotiate it out of the contract or any linkup it has with any future contract if that's your intention. I think it's only fair to the citizens of Dearborn Heights. Any other reductions in the budget I would assume that you'll have to take them on a line item by line item basis because I realize that there is difficulty in terms of funding and the funding you're not only receiving from the State but from the community because so many people are in desperate straits that housing is declined, they are losing their houses so the tax base is diminished so I'm hoping that you will take all this into consideration when you're considering next years budget."

Council Chairman Baron "Thank you. Anybody else?"

Robert Hadous, Beech Daly, Dearborn Heights, Michigan "I obviously echo what Rose has said about this DROP Program again and I also state that our Police and Fireman deserve a good

pension and so forth but the DROP Program itself, I mean, I know I may be rehashing a little bit but it's sort of ridiculous to think that a person can retire, they really don't retire, they get 25 years of service and they can stop working, enter a DROP Program, keep working, collect their wages and so forth, go out issue tickets, as seems to be the case in this city, to increase their pay and again use the highest three years of their last 10 years to up that. And then to have this money put off in a kitty and there's one or two council people that I talked to that are under the illusion that they are not collecting their pension. That's the most ludicrous thing I've ever heard that they are not collecting their pension. They are putting it off in a kitty that earns 4%, at least 4% as a minimum and when they leave this DROP Program, which I guess currently is at 5 years they'll take this money and assuming that they had an average of \$80,000 pay scale since the max I guess right now is about 60 or 61 thousand and if you add overtime it could be anywhere from 75 to 80 thousand, maybe even higher per year. If I take average and come up with about an 80 thousand dollar average for my highest three years, you take that figure and you multiply it by their number of years service, which is 25 and comes to around I think 2,000 and you have a multiplier, which is more than almost double, excuse me I think it is double what the Michigan teachers earn. They have a 1.5 multiplier but our police when you add it all together are at 3.0 on their multiplier which means at that figure they are getting about at least 6,000 dollars a month in pension. Correct me if I'm wrong but I guess that's the math on it unless I'm missing something. Then they are going to take this money out at the end of five years. It could be anywhere from 300 to 500 thousand dollars. Let's say if we take 5 times let's say their pension amount, whatever, if their pension amount is 6000 and so forth, do the numbers on it. They may end up with 300 to 500 thousand dollars. Depending on how they choose to use that I believe they have one of six options they get to select when they go into this program. They are going to take that money out at the end of it, roll it into an annuity possibly and maybe end up with a pension 8 or 9 thousand a month and the rest of it kicks in when they go on social security. They really are in a sweetheart deal and of course I'd love to have something like that but in fairness let's get something that's on par with what's happening in private industry. Can you imagine the Ford Motor Company or General Motors or any of the big three doing something like that. They are already screaming and it almost put them bankrupt all three of them. Thank God Ford didn't have to go into it and look what happened to them. Now could you imagine what would happen to them if their guys got to keep working and collect a pension. We are already screaming about health benefits and I know this administration has stated that there may be some health savings and that may be true but I'll wager and I'll wager any day of the week that the money we're expending ok, or saving will nowhere match the money that we are going to have to put into this program. Again, what this program has also done it's given officers and tell me where it hasn't, it gives officers an incentive to go out there and give tickets and drive their wages up so that they are going to have a higher pension. Look at the domino effect it's had on this community. I'm hearing horror stories from people about police officers that have stopped them for traffic tickets and so forth. That's a result of

Council Chairman Baron "Can we just stick to the budget."

Robert Hadous "That is the budget isn't it? That's an offshoot of the budget. It isn't? Alright then I guess I'll take and stick to it but that's the budget. I'll tie it together real quick because if anybody knows about section 1983 of Police Abuse of Constitutional Rights that would have a direct impact if those suits were successful against the City and I promise you that would have an impact on the budget of this city and if you don't believe me ask anyone that's familiar with that. There is also, Rose is right, there is a movement hopefully across the state and I don't know what happened with this. I know one thing I was online looking and I haven't done enough research, there was a Senate Bill in 2009, 642 that was introduced by a Senator Michael Switowski, I guess it was referred to appropriations committee on June 17, 2009 and that bill was to repeal the State Police DROP Program. I don't know what happened with that or if there is anything new on that but I promise you that I'll do some more research on that and will see where we are heading with this but again this DROP Program is insane. Again and I'll repeat I don't think any police officer or fireman especially if they lived in this city, and I don't know that all the policemen or fireman are here would support something like that. Basically that's all I have to say with respect to the DROP Program. I don't know what Mr. Barrow would probably, is he the Comptroller, he's probably, I don't have numbers from him and I haven't talked with him but I will be trying to seek some numbers from him and get an idea of how many people are entering this DROP Program. I don't know if the Council has already asked these questions of Mr. Barrow, if so it would be enlightening to the rest of the community if somebody would apprise this community of what's going on because a lot of people are out there working and they can't come in here, as a few of us can I guess and state our objections or opposition to what's going on with this budget. Thank you."

Council Chairman Baron "Is there anyone else that would like to speak on the budget, if not a motion is in order."

10-156 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, seeing no more comments from the Public Hearing I move that the Public Hearing be closed.

Motion unanimously adopted.

The Corporate Fund Budget Public Hearing closed at 8:14 pm.

10-157 Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that Fund Transfer 6-A and Current Claims 6-1 through 6-22, be approved as submitted.

- A. \$272.00 Transferred from Police Contract Services (A/C 101-300-818-000) to Police Ammo. (A/C 101-300-744-000) to cover the cost of ammo purchased. See Current Claim CMP Distributors.
1. ALLEN BROTHERS –Various Items for the NSP Program – Inv.35715 dated 04/26/10 from A/C 274-673-930-091 (NSP) \$2,484.00. Misc. Grants
2. BS&A SOFTWARE – Annual Service/Maint Cash Receipting, Tax System & Water Billing – Inv. 66124, 66385 and 65627 dated 05/01/10 from A/C 101-253-818-000 (Contract Serv.) \$3,325.00 and A/C 592-537-818-000 (Contract Serv.) \$8,300.00. Treasurer/Water
3. CMP DISTRIBUTORS – Misc. Ammo for Police – Inv. 20159, 20160, 20162, 20158 and 20161 dated 04/26/10 from A/C 101-300-744-000 (Ammo.) \$6, 640.00. Police Dept.
4. COMPUTER TECHNOLOGIES, INC. – Data Processing – Inv. 70594 dated 04/16/10 from A/C 101-258-932-000 (Repair/Maint.) \$1,742.50 and Inv. 70596 dated 04/24/10 from A/C 592-536-932-000 (Repair/Maint.) \$1,487.50. Data Processing
5. CORNERSTONE BENEFITS – Quarterly Consulting Fee – Health Reform – Inv. 22048 dated 04/20/10 from A/C 101-200-817-000 (Prof/Consult.) \$10,000.00. General Govt.
6. CRUISERS – Misc Police Repair/Parts – Inv. 23864 dated 03/26/10, Inv. 23884 dated 03/31/10, Inv. 23925 dated 04/05/10, Inv. 23951 dated 04/13/10, Inv. 23953 dated 04/13/10, Inv. 24008 dated 04/22/10 and Inv. 24009 dated 04/26/10 from A/C 101-300-932-000 (Repair/Maint.) \$3,591.25. Police Dept.
7. CUMMINGS, MC CLOREY DAVIS & ACHO – Current Claim 6-17 Agenda 04/13/10 Claim Shorted 2,853.50 – Inv. 175995 dated 03/15/10 shorted \$2,833.50 and Inv. 175996 dated 03/15/10 shorted \$20.00 from A/C 101-xxx-067-999 (ACT 345 Medical) \$2,853.50. General Govt.
8. CUMMINGS, MC CLOREY DAVIS & ACHO – Sewers Claims and Labor Issues – Inv 176872, 176871, 176868 and 176869 dated 04/23/10 and Inv. 176571 dated 04/19/10 from A/C 592-536-818-000 (Contract Serv.) \$8,827.50 and A/C 101-200-817-000 (Prof/Consult.) \$1,309.50. General Govt.
9. ELECTIONS SYSTEM & SOFTWARE – Auto Mark Ballot Faces & Coding – Inv. 738285 dated 04/20/10 from A/C 101-190-818-000 (Contract Serv.) \$1,606.08. City Clerk
10. E & N CEMENT – Pavement Repairs – Inv. dated 05/04/10 from A/C 592-537-818-000 (Contract Serv.) \$82,671.41. Water Dept.
11. GARY MIOTKE – Legal Services for April 2010 – Inv dated 05/04/10 from A/C 101-210-826-000 (Counsel Serv.) \$9,262.65. Corporation Counsel
12. LIBERTY GROUP – MICHIGAN, INC. – Liability Insurance for Spirit Festival – Inv. 10160 dated 04/27/10 from A/C 101-691-891-000 (Spirit) \$3,850.00. Recreation
13. MATT'S AUTO SERVICE – Misc. Repairs on Police Vehicles – Inv. 16825 dated 01/19/10, Inv. 17076, 17077, 17079, 17078 dated 03/26/10, Inv. 17092 dated 03/30/10, Inv. 17095 dated 03/31/10, Inv. 17149 and 17154 dated 04/13/10, Inv. 17171 dated 04/19/10, Inv. 17182 dated 04/20/10, Inv. 17189 dated 04/22/10 and Inv. 17195 dated 04/24/10 from A/C 101-300-932-000 (Repair/Maint) \$2,841.46. Police Dept.
14. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2763 dated 05/03/10 from A/C 592-540-818-030 (Contract Serv.) \$20,259.01. Water Dept.
15. OAKLAND COUNTY – CLEMIS System – Inv. CLM002495 dated 03/31/10 from A/C 101-300-818-000 (Contract Serv.) \$16,554.00. Police Dept.
16. PRINTING SYSTEMS, INC. – Business Cards & Snow Ordinance Warnings – Inv. 63858 and 63857 dated 04/22/10 from A/C 101-300-728-000 (Supplies) \$1,551.00. Police Dept.
17. QUAD-TRAN OF MICHIGAN – Data Processing for April 2010 – Inv. 5586 and 5587 dated 04/30/10 from A/C 101-130-818-000 (Contract Serv.) \$4,500.00, A/C 101-130-728-000 (Supplies) \$1,328.45 and A/C 101-200-728-000 (Supplies) \$1,855.48. District Court
18. SECREST, WARDLE, LYNCH – Legal Services for March 2010 – Inv. dated 05/04/10 from A/C 101-210-826-000 (Counsel Serv.) \$8,306.00. Corporation Counsel
19. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging March 2010 – Inv. dated 04/15/10 from A/C 101-200-868-000 (Prisoners) \$5,015.90. General Govt.
20. THE LIBRARY NETWORK – Shared Technology Services & Subscriptions – Inv. 40645 dated 03/12/10 and Inv. 40619 dated 03/15/10 from A/C 738-738-853-000 (Telephones) \$6,279.98 and A/C 738-738-981-000 (Capital Outlay) \$6,715.77. Libraries

Minutes **MAY 11, 2010** Continued

21. WADE TRIM & ASSOC. – Water Main Construction, Flow Monitoring, Rain Garden, Action Plan & Environmental Review – Inv. 100258 and 100257 dated 04/20/10, Inv. 100243, 100244 and 100241 dated 04/16/10 from A/C 592-537-818-000 (Contract Serv.) \$4,237.50, A/C 274-673-930-500 (CMI Grant) \$1,683.25 and A/C 103-960-918-209 (Admin.) \$2,107.50. General Govt.
22. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Excess Flow Downriver 05/10 – Inv. 251830 dated 05/03/10 from A/C 592-537-929-000 (Sewage) \$27,309.00. Water Dept.

Motion unanimously adopted.

- 10-158** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the communication dated May 5, 2010 from Building & Engineering Director Sobh re: Proposed Increase in Fees for Municipal Civil Infractions be tabled.

Motion unanimously adopted.

- 10-159** Motion by Councilwoman Horvath, seconded by Councilman Pilot, that the City Council concurs with and approves the FY2010 CDBG Action Plan, per Community & Economic Development Director Amen, communication dated May 3, 2010. Further, that the Mayor be authorized to sign the Certifications and SF-424 Application.

Ayes: Councilwoman Agius, Council Chairman Baron, Councilman Berry, Councilwoman Horvath, Councilman Pilot, Councilwoman Van Houten.
Nays: Councilwoman Badalow.
Absent: None.

Motion adopted.

- 10-160** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the communication dated May 3, 2010 from Court Administrator Zeppa re: Request to advertise for bids to purchase twenty two (22) monitors and computers, be tabled.

Motion unanimously adopted.

- 10-161** Motion by Councilwoman Agius, seconded by Councilman Pilot, that the City Comptroller be authorized to advertise for bids, per specifications, for two (2) Cardiac Monitor/Defibrillators, per the request of Fire Chief Gurka, communication dated May 3, 2010.

Motion unanimously adopted.

- 10-162** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the contract extension with Cornerstone Municipal Advisory Group, LLC, 1450 Long Lake Road, Suite 250, Troy, MI 48098, for Healthcare & Benefits Consulting Services, per, Human Resource Director Sobota-Perry, communication dated May 4, 2010. Further, that the Consulting Agreement be contingent upon review and approval of Corporation Counsel Miotke.

Motion unanimously adopted.

- 10-163** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, 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 9, 2010, ending no later than 2:00 AM on Sunday, June 13, 2010, per Recreation Director Grybel, communication dated April 29, 2010.

Ayes: Councilwoman Agius, Councilwoman Badalow, Council Chairman Baron, Councilwoman Horvath, Councilman Pilot, Councilwoman Van Houten.
Nays: Councilman Berry.
Absent: None.

Motion adopted.

- 10-164** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that proposed Ordinance H-10-03 Re: Noise from Church Bells, Chimes and Carillons, be referred to a Study Session with an invitation to Corporation Counsel Miotke and the residents in the St. Sebastian Church area to attend.

Motion unanimously adopted.

- 10-165** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the

City Council concurs with and approves an amendment to the Vista Maria NSP Grant Agreement, to complete repairs in the leaking basement wall at 8424 Grayfield, in the amount of \$8,262.00, per McKenna Associates, communication dated May 3, 2010.

Motion unanimously adopted.

- 10-166** Motion by Councilwoman Agius, seconded by Councilman Pilot, that business license renewals for Varsity Club Lounge, 24676 Ford; Puck's Bar, 25950 Ford; Stefan's, 23900 Warren; Antonio's Cucina Italiana, 26356 Ford and Denny's Gin Mill, 4901 S Telegraph, be approved.

Motion unanimously adopted.

- 10-167** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the communication from Seventh-Day Adventist Church, PO Box 19009, Lansing, MI 48901-9009, re: Door-to-door missionary work during the months of June, July and August 2010 be received, contents noted and filed.

Motion unanimously adopted.

- 10-168** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the City Council concurs with and approves the Application for Solicitation License from the Polish Legion of American Veterans, Post 16, to solicit "Buddy Poppies" for hospitalized and needy veterans on May 13, 14 and 15 at the corners of Warren Avenue and Beech Daly, Warren Avenue and Inkster Road and Joy and Beech Daly, per Commander Edward Tabor, application dated on May 4, 2010. Further, that the Police Department be so notified.

Motion unanimously adopted.

- 10-169** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:35 PM.

S. JUDITH DUDZINSKI
CITY CLERK

MARIA E. LAWRENCE
COUNCIL SECRETARY

KENNETH R. BARON
COUNCIL CHAIRMAN