

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 9, 2006

06-152 The meeting was called to order at 8:17 p.m. by Council Chair Pro Tem Bob Constan.

Roll Call showed the following:

Present: Councilwoman Janet S. Badalow, Councilman Kenneth R. Baron, Councilman Tom Berry, Councilman Bob Constan, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.
Absent: Council Chair Elizabeth J. Agius.
Also Present: Mayor Paletko, Administrative Assistant Kramarz (8:35 p.m.), Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Building & Engineering Director Sobh, Fire Chief Gurka, Police Chief Gust, Police Captain La Benne, Recreation Director Grybel, Public Service Administrator Franzil (arrived at 8:35 p.m.), Community & Economic Development Director Jamal, Librarian Deller, Assistant Emergency Coordinator Ankrapp.

The Pledge of Allegiance was led by Police Chief Gust.

06-153 Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of May 9, 2006, be approved as submitted.

Motion adopted.

06-154 Motion by Councilwoman Van Houten, seconded by Councilman Berry, that the Minutes from the Regular Meeting of April 25, 2006, be approved as submitted.

Motion adopted.

The Public Hearing for the 2006-2007 Corporate Fund Budget was called to order at 8:22 p.m. by Council Chair Pro Tem Robert J. Constan.

06-155 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, to dispense with the reading of the Notice of a Public Hearing (see below).

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, May 9, 2006 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 2006-2007.

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, published April 26, 2006 and May 03, 2006. No other communications.

Council Chair Pro Tem Constan asked if there were any questions or comments on the proposed Corporate Fund Budget for 2006-2007 from the table, hearing none, asked if there was anyone in the audience with questions or comments.

Rose Bogaert, 25613 Rouge River Drive "Oh, I get tired of this not so much because I don't enjoy seeing your lovely faces except that I feel like my requests are falling on deaf ears. Before the meeting started Councilperson Badalow made a comment about the quality of government services. There is no question that there are a lot of services of quality that can be offered in a community. There is not a question of some of the services that maybe I wouldn't be willing to support, that I would be able to support intellectually, that I cannot financially. And that's really the issue at this time and that I am bringing before this Council. Just because things are nice, that things would be nice to have doesn't mean we necessarily need to have them and this Council made a commitment, at least I think three years ago, somebody said it was five years ago, that they would get rid of the Assessment Fee or the Administrative Fee, excuse me, the 1% Administrative Fee and I see it's still on here. We are getting into the third year now when it was supposed to be gone away and it's not gone away and you know I'd like to think, I realize that these decisions are hard to make, these choices are hard but you have to keep in mind the people who are out here in this community who lost their jobs, who haven't gotten significant wages, now I'm not saying statistically maybe incomes have gone up across the country but this is Michigan folks. We are looking pretty bad in Michigan and we are looking bad for a number of reasons and one has been our disregard for the way we spend our money in the past and not putting away or I know we have to have a balanced budget but nobody seems to care about that except you folks in Dearborn Heights do balance your budget even if it's on the backs of the taxpayers in terms of an Administrative Fee but what I am saying is that the State has found ways around the restrictions that the citizens have set. The county

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certainly, they can't keep their books so that anybody can understand what it is and I still can't understand how a Constitution that says you have to balance your budget can give somebody five years to collect the imbalance. So we are making up these laws as we go along and I think that is what Dearborn Heights was doing with the Administrative Fee, making up the laws as they go along. And if your not part of the solution your part of the problem and I consider that part of the problem. So I'm asking you to, at this late date, to reexamine your heart, which I know you won't do because you've just about got this budget decided upon and get rid of that Administrative Fee like you promised. Thank you."

Council Chair Pro Tem "Thank you Rose, anybody else from the audience, anyone else? Mr. Shevchik."

Bill Shevchik, 24330 Pennie Street "Mr. Chair and members of the Council, ladies of the City Hall, with regard to that administrative fee, I had attended the meeting here where the Council talked about that and do you know I think I said at that time if it's not broken don't fix it. I like the quality of services that the City of Dearborn Heights is providing me and if this 1% means keeping that quality and that 1% means maybe \$7.00 a year don't mess with it, if it ain't broke don't mess with it. Thank you."

Council Chair Pro Tem Constan "Anyone else in the audience on the public hearing, anyone else, anyone else on the public hearing, hearing none I'll ask for the motion to close the Public Hearing."

06-156 Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the Public Hearing be closed.

Motion adopted.

The Public Hearing for the 2006-2007 Corporate Fund Budget closed at 8:27 p.m.

06-157 Motion by Councilman Baron, seconded by Councilman Berry, that Current Claims 6-1 through 6-18, be approved as submitted.

1. BEST ASPHALT – Dumping fees, Crack Sealing Parking Lot, Asphalt Repairs – Inv. 15902 dated 04/29/06; 15900 dated 04/28/06 and 15773 dated 10/07/05 from A/C 101-200-810-000 (Sanitation) \$14,327.50; A/C 101-691-981-000 (Rec. Cap. Outlay) \$2,900.00 (ENC.) and A/C 592-537-818-000 (Contract Services) \$20,458.69. DPW/Recreation
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Monthly Debt and Services March 2006 – Inv. dated 03/31/06 from A/C 101-200-810-000 (Sanitation) \$88,000.59. General Govt.
3. CONTROL SCREENING LLC – Maintenance Contract X-Ray/Scanner – Inv. 104054 dated 03/31/06 from A/C 101-130-932-000 (Repair/Maint.) \$4,700.00. (ENC.) District Court
4. DEARBORN HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. 93 dated 04/30/06 from A/C 101-440-820-000 (Trees) \$15,060.00. DPW-Highway
5. E & N CEMENT – Pavement Repairs – Inv. dated 05/02/06 from A/C 592-537-818-000 (Contract Services) \$71,928.66. Water Dept.
6. FIRST STEP – March 2006 Billing – Inv. dated 04/17/06 from A/C 101-300-818-000 (Contract Services) \$3,387.42. Police Dept.
7. NAGEL CONSTRUCTION, INC. – Sewer Cleaning Program – Inv. 2215 dated 04/27/06 and 2212 dated 04/13/06 from A/C 592-540-818-030 (Contract Services) \$29,177.50. Water Dept.
8. RODWAN CONSULTING COMPANY – Actuarial Consulting for Police Supervisors – Inv. 420 dated 04/19/06 from A/C 101-200-817-000 (Prof/Consult) \$2,400.00. See Budget Amendment. General Govt.
9. STATE OF MICHIGAN – MDOT - Progress Billing Ford Road – Inv. AP285093 dated 04/13/06 from A/C 202-202-880-300 (Street Construction) \$1,637.31. Major Streets
10. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging – Inv. dated 04/14/06 from A/C 101-200-868-000 (Prisoners) \$4,727.43. General Govt.
11. WADE TRIM/ASSOCIATES – Ann Arbor Trail Improvements – Inv. 89917 dated 04/18/06 from A/C 202-202-880-300 (Street Construction) \$2,097.50. Major Streets
12. WADE TRIM/ASSOCIATES – Plot Plan, Engineering Services, Right-of-Way, House Grades – Inv's 89611, 89612, 89613 and 89610 dated 03/17/06 from A/C 101-371-809-000 (Engineering Services) \$2,087.50. Building/Engineering
13. WADE TRIM/ASSOCIATES – Renewal CSO NPDES Permit, Prepare Consumer Report, DHT Downriver Technical Assistance, Engineering Storm Water Items, Tech Committee Ecorse Creek – Inv's 89914, 89916, 89913, 89912, 89911 and 89910 dated 04/18/06 from A/C 592-xxx-154-000 (Sewers) \$7,670.35. Water Dept.
14. WAYNE COUNTY ACCOUNTS RECEIVABLE – Traffic Signal Maintenance October & November 2005 – Inv. 1001947 dated 04/26/06 and 1001897 dated 04/19/06 from A/C 101-440-925-000 (Signal Maintenance) \$7,542.70. DPW-Highway
15. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – ECPAD Operation & Maintenance April-June 2006 – Inv. 232908 dated 04/10/06 from A/C 592-537-927-000 (ECPAD O/M) \$79,527.36. Water Dept.
16. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Operation/Maintenance CSO Basin April-June 2006 – Inv. 232902 dated 04/10/06 from A/C 592-937-927-100 (CSO

Basin) \$100,053.00. See Budget Amendment. Water Dept.

17. CUMMING, MC CLOREY, DAVIS AND ACHO – Labor Attorney Fees March 2006 – Inv. 117160 dated 04/19/06 from A/C 101-200-817-000 (Prof/Consult) \$2,650.00. See Budget Amendment. General Govt.
18. SECREST, WARDLE, LYNCH....- Counsel Services March 2006 – Inv. dated 05/03/06 from A/C 101-210-826-000 (Counsel Services) \$7,894.50. Corporation Counsel

Motion adopted.

- 06-158** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the low bid from Howard T. Moriarty Company, 143 Broadway, Toledo, OH 43602, for one (1) Target Mini Planer Model MPL-90HS with one (1) extra 6 mm TC Tungsten carbide head assembly and one (1) wire brush head assembly, in the amount of \$6,163.00, and payment thereof, be approved, per Public Service Administrator Frazil, communication dated May 1, 2006. Funding has been allocated in the Water Department A/C 592-536-981-000.

Motion adopted.

- 06-159** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the reappointment of Mr. Roy Pilot, 26722 Constance to the Local Officers Compensation Commission, term to expire May 2013, per Mayor Paletko, communication dated May 3, 2006.

Motion adopted.

- 06-160** Motion by Councilman Baron, seconded by Councilman Berry, that the City Council concurs with and approves the appointment of Claudette Whitehead, 7780 Gulley to the Demolition Board, term to expire July 2008, per Mayor Paletko, communication dated May 4, 2006.

Motion adopted.

- 06-161** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Lot Split Request from Mike Shehadi and Shadia Turfah, 21355 Hickorywood creating the following descriptions in Dearborn Valley Subdivision:

33-025-01-0018-300 – Lot 18 and the west 15 feet of Lot 19 Dearborn Valley Sub, T2S R10E, L76, P65, WCR

33-025-01-0019-300 – Lot 19 except the west 15 feet thereof Dearborn Valley Sub, T2S, R10E, L76, P65, WCR, per Deputy Assessor Cooper, communication dated April 28, 2006.

Motion adopted.

- 06-162** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Budget Amendment to cover the cost of previous years final cost for Operation and Maintenance of the CSO Basin be approved as follows:

INCREASE REVENUES
592-00-699-0

APPROP. FUND BALANCE
\$220,000.00

INCREASE EXPENDITURES
592-537-927-100

CSO BASIN OPERATION MAINTENANCE
\$220,000.00

per, Comptroller Barrow, communication dated May 3, 2006.

Motion adopted.

- 06-163** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the Budget Amendment to cover the cost of Actuarial Fees/Labor Attorney fees be approved as follows:

INCREASE REVENUES
101-200-699-0

APPROP. FUND BALANCE
\$25,000.00

INCREASE EXPENDITURES
101-200-817-0

G.G. PROF CONSULT FEES
\$25,000.00

per, Comptroller Barrow, communication dated May 3, 2006.

Motion adopted.

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- 06-164** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the budgets for the libraries be referred to a Committee of the Whole Study Session sometime in June.

Motion adopted,

- 06-165** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the City Council concurs with and approves the 2006 CDBG Action Plan as outlined and summarized and further authorize the Mayor to sign the Non-State Grantee Certifications and SF 424 CDBG 2006 Application, per Community & Economic Development Director Jamal, communication dated May 2, 2006.

Motion adopted.

- 06-166** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves the following resolution necessary for the Spirit 2006 Festival Liquor License as follows:

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 7, 2006, ending no later than 2:00 A.M. on Sunday June 11, 2006, per Recreation Director Grybel, communication dated April 24, 2006.

Motion adopted.

- 06-167** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the recommendation of Spirit 2006 Committee members and award the adult beverage supplier for Spirit 2006 Festival to Central Distributors, Inc., 28100 Gorsuch Avenue, Romulus, MI 48174, at a price of \$67.25 per barrel for Budweiser brand beer, per Recreation Director Grybel, communication dated May 2, 2006.

Motion adopted.

- 06-168** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves Change Order No. 2 for the 2005 CDBG Water Main Replacement Program with Richo Contracting, Inc., P O Box 177, Allen Park, MI 48101, for an increase to project in the amount of \$21,723.56, per Wade-Trim Associates, Inc., communication dated May 1, 2006 and Public Service Administrator Franzil, communication dated May 3, 2006. Further, that the Mayor and City Clerk be authorized to sign the Change Order on behalf of the City.

Motion adopted.

- 06-169** Motion by Councilwoman Badalow, seconded by Councilman Baron, that proposed Ordinance H-06-03, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS AMENDING CHAPTER 33, ARTICLE III OF THE CITY CODE PERTAINING TO NOXIOUS WEEDS, GRASS AND VEGETATION, be considered read for the second time and become effective upon publication in the newspaper of record.

Motion adopted.

- 06-170** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Resolution to Establish Fine Schedule for Violation of Chapter 33, Article III of the City Code Pertaining to Noxious Weeds, Grass and Vegetation be adopted as follows:

WHEREAS, the City Council, for the City of Dearborn Heights, adopted Ordinance No. H-06-03, amending Chapter 33, Article III of the City Code pertaining to Noxious Weeds, Grass and Vegetation;

WHEREAS, Ordinance H-06-03, amending Chapter 33, Article III of the City Code pertaining to Noxious Weeds, Grass and Vegetation provides a municipal civil infraction penalty for a violation of the ordinance and states that the fine schedule for any violation of the ordinance shall be established, and may be amended, by a resolution of City Council; and,

WHEREAS, the City Council for the City of Dearborn Heights has determined the fine schedule for any violation of Chapter 33, Article III of the City Code pertaining to Noxious Weeds, Grass and Vegetation should be \$100.00 for a first offense, \$200.00 for a second offense occurring in one calendar year and \$500.00 for a third or subsequent offense occurring in one calendar year.

THEREFORE, BE IT RESOLVED:

1. That the City of Dearborn Heights establishes the fine schedule for any violation of Chapter 33, Article III of the City Code pertaining to Noxious Weeds, Grass and Vegetation as follows:

\$100.00 for a first offense

\$200.00 for a second offense occurring in one calendar year

\$500.00 for a third or subsequent offense occurring in one calendar year

per, Assistant Corporation Counsel Roberts, communication dated April 26, 2006.

Motion adopted.

- 06-171** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Resolution Retaining Local Control of Cable Franchising from the Charter Township of Redford, be received, contents noted and filed.

Motion adopted.

- 06-172** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, 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 C-1 (NEIGHBORHOOD BUSINESS DISTRICT)), be considered read for the first time.

Motion adopted.

- 06-173** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the Resolution from the City of Inkster re: Support of Affirmative Action Programs in Education, Contracting and Employment, be received, contents noted and filed.

Motion adopted.

- 06-174** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the business license renewals for Cariera's Cucina Italiana, 6565 N Telegraph and Dearborn Heights Moose Lodge, 27225 Warren, be approved.

Motion adopted.

- 06-175** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:30 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL SECRETARY