

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

APRIL 28, 2009

09-153 The meeting was called to order at 8:20 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, Councilman Bob Brown, Councilwoman Margaret M. Horvath, 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 Jamal, Comptroller Barrow, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, Emergency Management Director Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Director Mccaffrey, Police Chief Gavin, Police Captain Le Benne, Public Service Administrator Franzil, Recreation Director Grybel, TIFA Administrator Oliverio.

The Pledge of Allegiance was led by One Diverse Community contest winners.

Elizabeth Walker, Chairman of the Community & Cultural Relations Commission, Councilwoman Van Houten, Hassan Jamal, Theresa Beydoun, Secretary of the commission and Mayor Paletko presented certificates and prizes to the One Diverse Community contest winners:

1st Place Aditi Adhikari, Dearborn Heights Montessori School, a Certificate and \$50 Gift Certificate to Borders Books; 2nd Place Mattie Brayer, Thorne Elementary School, Certificate and Four Student Passes to Charles J. Wright Museum and 3rd Place Gina Fern, Clara B. Ford School, Certificate and Six Passes to the Arab American Museum. Honorable Mentions: Nicole Meyers and Mikayla Bryson, Thorne Intermediate received certificates. Each winner will receive student tickets for the rides at Spirit Festival in June.

09-154 Motion by Councilman Brown, seconded by Councilwoman Van Houten, that the Agenda for the Regular Meeting of April 28, 2009, be approved with the removal of Current Claim 6-8 (DSS Corporation) referred back to the administration.

Motion unanimously adopted.

09-155 Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the Minutes from the Regular Meeting of April 14, 2009, be approved as submitted.

Motion unanimously adopted.

09-156 Motion by Councilman Brown, seconded by Councilwoman Agius, that Fund Transfer 6-A, 6-B and Current Claims 6-1 through 6-07 and 6-9 through 6-24, be approved as submitted.

A. \$100,000.00 transferred from Water Sewer Lining (A/C 592-540-818-040) to Water Sewer Cleaning (A/C 592-540-818-303) to cover the cost of sewer cleaning until June 30, 2009.

B. \$6,000.00 transferred from A/C 101-300-802-000 (Subscriptions) \$1,000.00; A/C 101-300-905-000 (Publications) \$500.00; A/C 101-300-931-000 (Special Services) \$500.00; A/C 101-300-932-000 (Secret Witness) \$500.00; A/C 101-300-981-000 (Capital Outlay) \$3,500.00 to A/C 101-300-759-000 (Prisoners) \$2,500.00 and A/C 101-300-932-000 (Repair/Maint) \$3,500.00 to cover negative balances in account.

1. ACCUMED BILLING, INC. – Rescue Runs March 2009 – Inv. dated 04/03/09 from A/C 101-000-626-000 (Rescue Runs) \$6,129.65. Fire Dept.
2. BS&A SOFTWARE – Equalizer Utility Billing System & Conversion – Inv. 59547 dated 04/09/09 from A/C 592-536-932-000 (Repair/Maint) \$48,625.00. Water Dept.
3. CMP DISTRIBUTORS – Ammunition – Inv. 10965 dated 02/28/09 and Inv. 10966 dated 03/02/09 from A/C 101-300-744-000 (Ammo) \$2,700.00. Police Dept.
4. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – March Admin & Operation – Inv. dated 03/31/09 from A/C 101-200-810-000 (Sanitation) \$53,192.56. General Govt.
5. CITY OF DEARBORN – Water & Sewer Charges – Inv. 7513 dated 04/15/09 from A/C 592-537-928-000 (Water) \$2,736.21 and A/C 592-537-929-000 (Sewage) \$21,463.54. Water Dept.

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6. COMPUTER TECHNOLOGIES INC. – Data Processing and Equipment – Inv. P70404 dated 04/09/09; 70409 dated 04/17/09; 70404 dated 04/10/09 and 70402 dated 04/03/09 from A/C 101-258-981-000 (Capital Outlay) \$950.00; A/C 101-258-932-000 (Repair/Maint) \$3,406.25 and A/C 592-536-932-000 (Repair/Maint) \$3,406.25. Data Processing
7. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Matters March & Sewer Issues – Inv. 166441 and Inv. 166435 dated 04/15/09 and Inv. 166396 dated 04/14/09 from A/C 101-200-817-000 (Prof/Consult) \$607.50 and A/C 592-536-911-000 (Insurance) \$1,500.00. General Govt.
9. GIAMARCO, MULLINS & HORTON – Water & Sewer Legal Issues – Inv. 27 dated 04/10/09 from A/C 592-536-817-000 (Prof/Consult) \$3,492.00. Water Dept.
10. HYDRODESIGNS – Cross Connection Program – Inv. 19655-IN dated 03/31/09 from A/C 592-536-817-000 (Prof/Consult) \$3,074.00. Water Dept.
11. LEMMEN OIL – Regular Unleaded Fuel & Diesel – Inv. 607563 dated 03/02/09 from A/C 592-xxx-110-005 (Inventory) \$20,197.79. Water Dept.
12. MCKENNA ASSOCIATES – NSP Services & Prof. Services February 2009 – Inv. dated 04/06/09 and 04/07/09 from A/C 101-801-817-000 (Prof/Consult) \$3,209.01 and A/C 274-673-930-091 (NSP Grant) \$4,353.00. General Govt.
13. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 2592 dated 04/17/09 from A/C 592-540-818-030 (Contract Services) \$14,249.30. See Fund Transfer. Water Department
14. NEW IMAGE BUILDING SERVICES – Cleaning April 2009 – Inv. 52458 dated 04/01/09 from A/C 738-738-818-000 (Contract Services) \$2,214.00. Libraries
15. SOIL & MATERIALS ENGINEERS, INC. – Borings & Laboratory Test for Evaluation Report – Inv. 11677 dated 04/13/09 from A/C 101-200-818-000 (Contract Services) \$4,450.00. ENCUMBERED. Recreation
16. STATEWIDE SECURITY TRANSPORT, INC. – Prisoner Food & Lodging March 2009 – Inv. dated 04/10/09 from A/C 101-200-868-000 (Prisoners) \$2,191.47. General Govt.
17. TMP ARCHITECTURE – New Recreation Center – Inv. 30789 dated 03/31/09 from A/C 101-200-817-000 (Prof/Consult) \$54,600.00. Gen. Govt.
18. THE EBCO COMPANY, LLC – Legal Size Folders, Preprinted – Inv. 9055 and 9054 dated 04/20/09 from A/C 101-130-728-000 (Supplies) \$2,610.50. District Court
19. THE LIBRARY NETWORK – Monthly Subscriptions and Technology – Inv. 38855, 38896 dated 04/09/09 and Inv. 38726 dated 04/02/09 from A/C 738-738-981-010 (Capital Outlay) \$13,333.29; A/C 738-738-853-000 (Telephones) \$7,249.88 and A/C 738-738-827-000 (Library Network) \$12,600.11. Libraries
20. WADE TRIM ASSOCIATES – Weddel Water Main, Storm Water Items, Street Repair – Inv. 98273, 98274 and 98272 dated 04/16/09 from A/C 202-202-880-300 (Road Repair) \$2,338.82; A/C 592-536-817-000 (Prof/Consult) \$1,817.00 and A/C 592-xxx-154-000 (Sewers) \$1,020.00. Highway/Water
21. WASTE MANAGEMENT – Roll-Off Service March 2009 – Inv. 1717-2 and 1717-0 dated 04/01/09 from A/C 101-200-810-000 (Sanitation) \$4,674.75. General Govt.
22. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow April – June 2009 – Inv. 250465 dated 04/15/09 from A/C 592-537-929-000 (Sewage) \$227,010.87. Water Dept.
23. AJAX MATERIALS CORP. – Cold Patch for Roads – Inv. 120052 dated 04/21/09 from A/C 101-440-782-000 (Road Supplies) \$1,665.00. ENCUMBERED. DPW-Highway
24. OAKWOOD HOSPITAL – Emergency Room Service for Work Comp Claim – Ck. Req. dated 03/31/09 from A/C 101-200-724-000 (Work Comp.) \$2,054.00. General Govt.

Motion unanimously adopted.

- 09-157** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the lowest bidder meeting all specifications Rellim Martin, LLC, 12119 Pebblebrook Drive, Houston, TX 77024, for four (4) standard picnic tables with green recycled plastic boards and two (2) ADA compliant picnic tables with green recycled plastic board, in the amount of \$3,285.99, and payment thereof, be approved, per Recreation Director Grybel, communication dated April 20, 2009. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders. Funds for this purchase are available in the Parks & Recreation Capital Outlay account #691-981.

Motion unanimously adopted.

- 09-158** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the low bid from All Pro Exercise, 24166 Haggerty Road, Farmington Hills, MI 48335, for the purchase and installation of flooring into the Berwyn and Eton Center Fitness room, in the amount of \$6,843.00 and payment thereof, be approved, per Recreation Director Grybel, communication dated April 22, 2009. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders. Community Development Block

Grant funds are being used to fund this project.

Motion unanimously adopted.

- 09-159** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Comptroller be authorized to advertise for bids, per specifications, for a Minimizer 2 Plus or equal, per the request of Comptroller Barrow, communication dated April 22, 2009.

Motion unanimously adopted.

- 09-160** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the City Council concurs with and approves the request from the North Dearborn Heights Baseball League to conduct their Opening Day Parade on Saturday, May 2, 2009, per Mayor Paletko, communication dated April 9, 2009 and Lori DeWitt, NDHBL Communication Director, communication dated January 26, 2009. Police and Fire have approved the route and will provide escort and assistance as may be required.

Motion unanimously adopted.

- 09-161** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated April 22, 2009 re: Commission on Disability Concerns Reappointments of Heather Loomis, 17297 Outer Drive and Donna Colias, 25745 Princeton, terms to expire July 2011 and Linda Butler, 25745 Princeton and Cari Arnold, 7 Hickory Court, terms to expire July 2012 and Peg Drake, 26265 McDonald, alternate, term to expire 2010, be received, contents noted and filed.

Motion unanimously adopted.

- 09-162** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves Wade Trim Associates, Inc., 25251 Northline Road, P O Box 10, Taylor, MI 48180 to prepare the application for EECBG (Energy Efficiency and Conservation Block Grant) funding and identify those programs that will be most beneficial to the City, with maps, for a fee not to exceed \$7,000.00, per Mayor Paletko, communication dated April 22, 2009 and Daniel R. Brooks, PE, Wade Trim Associates, Inc., communication dated April 20, 2009.

Motion unanimously adopted.

- 09-163** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Healthcare & Benefits Consulting Services Agreement between the City of Dearborn Heights and Cornerstone Municipal Advisory Group, LLC, 1450 W Long Lake, Suite 250, Troy, MI 48098 upon review and amendments by Corporation Counsel Miotke prior to signing by Mayor Paletko, per Mayor Paletko, communication dated April 22, 2009. As outlined in Exhibit 1, Consulting Fees/Commissions are \$40,000.00.

Motion unanimously adopted.

- 09-164** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the proposed 2009-2010 TIFA Budget, in the amount of \$2,975,000.00, be adopted and the TIFA Board be so notified, per TIFA Administrator Oliverio, communication dated February 16, 2009.

- 09-165** Motion by Councilman Brown, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the disposal of fifty (50) chairs from the Young Recreation Center, per Recreation Director Grybel, communication dated April 22, 2009.

Motion unanimously adopted.

- 09-166** Motion by Councilwoman Badalow, seconded by Councilman Brown, that Council Chair Baron schedule a Committee of the Whole Study Session to discuss City Vehicle logos, per Councilwoman Badalow, communication dated April 22, 2009.

Motion unanimously adopted.

- 09-167** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that legal opinion from Corporation Counsel Miotke, dated April 17, 2009 and to be numbered 105 re: Constitutionality of Two-Year Durational Residency Requirement, be received, contents noted and filed.

Motion unanimously adopted.

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- 09-168** Motion by Councilwoman Badalow, seconded by Councilman Berry, that Council Chair Baron schedule a Committee of the Whole Study Session, after budget sessions are completed, to discuss several aspects of the City's web-site, per Councilwoman Badalow, communication dated April 28, 2009.

Motion unanimously adopted.

- 09-169** Motion by Councilman Brown, seconded by Councilwoman Badalow, that proposed Ordinance H-09-07, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING EXISTING SECTIONS 22-26, AND 22-51 THROUGH 22-58, AND BY ADDING NEW SECTIONS TO BE NUMBERED 22-59 THROUGH 22-63, IN ORDER TO IMPROVE CHAPTER 22 OF THE CODE PERTAINING TO PEDDLERS AND SOLICITORS, be considered read for the first time.

Motion unanimously adopted.

- 09-170** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that proposed Ordinance H-09-03, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS AMENDING CHAPTER 36 OF THE CITY CODE PERTAINING TO ZONING, SECTION 36-106, DIMENSIONAL STANDARDS, TO ESTABLISH A MAXIMUM IMPERVIOUS SURFACE LOT COVERAGE STANDARD FOR FRONT AND REAR YARDS IN ORDER TO PRESERVE GREENSPACE WITHIN THE CITY, be considered read for the second time and become effective upon publication in the City's newspaper of record.

Motion unanimously adopted.

- 09-171** Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the City Council concurs with and approves the Application for Solicitation License from Polish Legion of American Veterans Dearborn Heights Post #16, 25222 W Warren, to solicit in the City on May 14, 15, 16, 2009 on Warren and Beech Daly, Warren and Inkster, Ford and Beech Daly and CVS & Town Center Market at Joy Road and Beech Daly, per Edward Tabor, Poppy Chairman, communication dated April 15, 2009.

Motion unanimously adopted.

- 09-172** Motion by Councilman Brown, seconded by Councilwoman Agius, that the communication from Clean Water Action regarding soliciting in the City through June 30, 2009, from 4 pm – 9 pm Monday through Friday and 10 am – 7 pm Saturdays, be received, contents noted and filed.

Motion unanimously adopted.

- 09-173** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the business licenses renewals for Dearborn Heights Moose Lodge, 27225 Warren, The Whiskey Bar & Grill, 24735 Warren, Erwines Auto Sales, Inc., 23706 Van Born and Polish Legion of American Vets #16, 25222 Warren, be approved.

Motion unanimously adopted.

- 09-174** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the request to transfer rights to renewal of 2008 Class C Licensed business located in escrow at 6200-6208 N Telegraph, Dearborn Heights, MI 48127, Wayne County, from Kaos Night Club and Lounge, Inc. to United Bank and Trust, Washtenaw; with license to be held in escrow, be referred to Corporation Counsel.

Motion unanimously adopted.

- 09-175** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that tabled Current Claim 8-2, Computer Technologies, Inc., be brought on the table.

Motion unanimously adopted.

- 09-176** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that Current Claim 6-2, Computer Technologies, Inc. – Data Processing – Inv. 70396 dated 03/27/09 and Inv. 70392 dated 03/20/09 from A/C 101-258-932-000 (Repair/Maint) \$2,968.75 and A/C 592-536-932-000 (Repair/Maint) \$2,968.75 from Data Processing, be approved.

Motion unanimously adopted.

Minutes APRIL 28, 2009 Continued

09-177 Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:46 PM

**S. JUDITH DUDZINSKI
CITY CLERK**

**MARIA E. LAWRENCE
COUNCIL SECRETARY**

**KENNETH R. BARON
COUNCIL CHAIRMAN**