

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

APRIL 14, 2009

09-122 The meeting was called to order at 8:12 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, Building & Engineering Director Sobh, Building Maintenance Superintendent Zimmer, 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, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by Councilman Brown.

09-123 Motion by Councilman Brown, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of April 14, 2009, be approved with the addition of Agenda items 9-I (Technology Assessment) and 9-J (Local Governing Body Resolution for Charitable Gaming License) and the removal of 8-A (Tree Ordinance Moratorium).

Motion unanimously adopted.

09-124 Motion by Councilman Berry, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of March 24, 2009, be approved as submitted.

Motion unanimously adopted.

09-125 Motion by Councilman Berry, seconded by Councilman Brown, that Current Claims 6-1 and 6-3 through 6-20, be approved with Current Claim 6-2 (Computer Technologies, Inc.) tabled.

1. ADVANCED CARDIAC EDUCATION – Renewal Courses March 2009 – Inv. dated 03/25/09 from A/C 101-335-962-000 (Training) \$1,800.00. Fire Dept.
3. CONTROL SCREENING LLC – Annual Maintenance Agreement – Ck. Req. dated 03/10/09 from A/C 101-130-932-000 (Repair/Maint) \$5,400.00. District Court
4. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Matters – Inv. 165662 dated 03/17/09 from A/C 101-200-817-000 (Prof/Consult) \$2,241.00. General Govt.
5. EC LINK – Annual Maintenance & Hosting of WEB Site – Inv. 7991 dated 03/01/09 from A/C 101-258-932-000 (Repair/Maint) \$4,380.00. Data Processing
6. LASERTEC – Assessment Notices and Postage – Inv. dated 03/17/09 from A/C 101-209-818-000 (Contract Services) \$8,293.06. See Budget Amendment. Assessor
7. MANDO CONSTRUCTION, INC. – Van Houten Park Improvements – Req. #1 dated 03/31/09 from A/C 103-960-938-206 (Park Improvements) \$54,877.00. CDBG
8. MICHIGAN MUNICIPAL LEAGUE – Unemployment Compensation 1st Quarter 2009 from A/C 101-200-725-000 (Unemploy. Comp.) \$17,364.69. See Budget Amendment. General Govt.
9. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2589 dated 04/03/09 from A/C 592-540-818-030 (Contract Services) \$22,029.32. Water Dept.
10. PLANTE & MORAN CRESA – Feasibility Study Improvements – Inv. 417649 dated 03/23/09 from A/C 101-200-817-000 (Prof/Consult) \$10,053.22. General Govt.
11. QUAD-TRAN OF MICHIGAN – Data Processing April 2009 – Inv. 5397 and 5398 dated 03/31/09 from A/C 101-130-818-000 (Contract Services) \$4,350.00; A/C 101-130-728-000 (Supplies) \$1,422.45 and A/C 101-200-728-000 (Supplies) \$2,639.70. District Court
12. SEMCOG – Annual Dues 2009-2010 – Inv. dated 01/01/09 from A/C 101-200-958-000 (Dues) \$6,939.00. General Govt.
13. STATE OF MICHIGAN – MDOT – Telegraph Road Construction – Inv. AP314584 dated 03/27/09 from A/C 202-202-880-300 (Construction) \$3,230.65. Major Streets
14. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging February 2009 – Inv. dated 03/11/09 from A/C 101-200-868-000 (Prisoners) \$2,549.62. General

Govt.

15. SYSTEMP – Services Performed – Inv. 8187 dated 03/13/09 from A/C 101-300-818-000 (Contract Services) \$1,594.28 and A/C 101-130-818-000 (Contract Services) \$803.12. Justice Center
16. THE LIBRARY NETWORK – Quarterly Charges Acquisitions – Inv. 38389 dated 01/06/09 from A/C 738-738-827-000 (Library Network) \$7,256.50. Libraries
17. US BANK – Library Bonds – Inv. 05/01/09 from A/C 738-738-991-738 (Principal) \$92,160.00 and A/C 738-738-998-500 (Interest) \$105,869.53. Libraries
18. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Excess Flow 04/09, CSO Bonding, NHRV Bonding – Inv. 250273, 250269 and 250282 dated 03/25/09 and Inv. 246053 dated 04/01/09 from A/C 592-537-929-000 (Sewage) \$28,965.00; A/C 592-905-992-004 (Interest) \$171,650.00; A/C 592-905-993-900 (Prin./Interest) \$14,308.05; A/C 592-905-991-000 (NHRV Principal) \$503,280.00 and A/C 592-905-995-000 (NHRV Interest) \$15,098.40. Water Dept.
19. GARY MIOTKE – Legal Services March 2009 – Inv. dated 04/07/09 from A/C 101-210-826-000 (Counsel Services) \$10,747.94. Corporation Counsel
20. SECREST, WARDLE, LYNCH... - Legal Services February 2009 – Inv. dated 04/07/09 from A/C 101-210-826-000 (Counsel Services) \$11,860.75. Corporation Counsel

Motion unanimously adopted.

- 09-126** Motion by Councilman Brown, seconded by Councilman Berry, that the City Comptroller be authorized to advertise for bids, per specifications, for legal printing, per the request of Comptroller Barrow, communication dated April 6, 2009.

Motion unanimously adopted.

- 09-127** Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the City Comptroller be authorized to advertise for bids, per specifications, for 11 (eleven) HP Compaq dc7900 – KR668UT computers and 11 (eleven) 19" LCD monitors – L1950g, or equivalent, per the request of Court Administrator Zeppa, communication dated April 6, 2009.

Motion unanimously adopted.

- 09-128** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Comptroller be authorized to advertise for bids, per specifications, for Server Upgrade for the 20th District Court, per the request of Court Administrator Zeppa, communication dated April 6, 2009.

Motion unanimously adopted.

- 09-129** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the low bid from Sehi Computer Products, 2930 Bond Street, Rochester Hills, MI 48309, for fourteen (14) HP DC5800 computers with L2208W monitors at \$798.00 each (\$11,172.00; thirteen (13) Canon LIDE 2000 Scanners at \$88.00 each (\$1,144.00 and one hundred (100) Symantec End Point Protection Upgrade at \$32.50 each (\$3,250.00, in total amount of \$15,566.00, and payment thereof, be approved, per Police Chief Gavin, communication dated April 1, 2009. Funding is allocated from the Law Enforcement JAG Grant of \$15,547.00, the remaining \$19.00 to be paid from the OWI Forfeiture Account. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 09-130** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the City Council concurs with and approves membership into the United States Conference of Mayors, per Mayor Paletko, communication dated April 1, 2009. Further, that Comptroller Barrow be authorized to pay the membership dues in the amount of \$5,269.00.

Motion unanimously adopted.

- 09-131** Motion by Councilman Berry, seconded by Councilwoman Agius, that the City Council concurs with and approves the Canine Handler Agreement between the Dearborn Heights Police Department and the City of Dearborn Heights, per Mayor Paletko, communication dated April 7, 2009. Further, that Mayor Paletko and Chief of Police Gavin be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

Minutes - April 14, 2009 Continued

- 09-132** Motion by Councilman Brown, seconded by Councilwoman Van Houten, that the Resolution in Support of Film Studio Project in the City of Allen Park be adopted as follows:

WHEREAS, as economic times are handing a financial blow to the Downriver Communities on a scale that has not been seen since the Great Depression with no relief in sight,

WHEREAS, our Downriver Communities are directly affected by each action and contraction that occurs with the automotive industry,

WHEREAS, all of our Downriver Communities would benefit from the diversification and existence of a new industry that is immune to recession,

WHEREAS, each Downriver Community, its businesses, and its residents would directly and/or indirectly benefit from such a major employer being located within our immediate vicinity,

THEREFORE BE IT RESOLVED, that this Mayor is asking the City Council to unanimously approve this resolution in public support of the proposed Film Studio Project to be located in the City of Allen Park,

BE IT FURTHER RESOLVED, that by this Resolution, we request that the Wayne County Executive Robert Ficano and the State of Michigan to proactively commit their resources, services and finance-based incentive programs in assistance to the City of Allen Park to make this opportunity a reality,

BE IT FURTHER RESOLVED, that this Mayor, Council and our entire constituency wish to make their support publicly known and therefore ask that certified copies of this resolution be immediately sent to the Mayor of Allen Park, Wayne County Executive Robert Ficano, Wayne County Economic Development Department Director Turkia Mullins, and the Office of Governor Jennifer Granholm, per Mayor Paletko, communication dated April 1, 2009.

Motion unanimously adopted.

- 09-133** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the City Council concurs with and approves the appointment of Mr. Steve Lahaie, 5628 Gertrude to the Watershed Steward Commission, replacing Mr. Tom Tracy, term to expire September 2010 and the appointment of Mr. Mike Reid, 25553 New York to replace Ms. Rose Tripepi, term to expire September 2011, per Mayor Paletko, communication dated April 7, 2009.

Motion unanimously adopted.

- 09-134** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the reappointment of Ms. Christine Sullivan, 20747 Annapolis and Mr. Curtis Whitmore, 8128 Hazelton to the Watershed Stewards Commission, terms to expire September 2011, per Mayor Paletko, communication dated April 1, 2009.

Motion unanimously adopted.

- 09-135** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Budget Amendment to cover the higher cost of unemployment compensation to the MML as follows:

Increase Revenues
\$10,750.00

Contra Fringe Benefit
#101-000-698-000

Increase Expenditures
\$10,750.00

Gen. Gov. Unemployment Comp.
#101-200-725-000

per, Comptroller Barrow, communication dated April 6, 2009.

Motion unanimously adopted.

- 09-136** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Budget Amendment to cover the cost of part time appraisers and assessment notices as follows:

Increase Revenues

Appropriate Fund Balance

Minutes - April 14, 2009 Continued

\$25,000.00

#101-000-699-000

Increase Expenditures
\$25,000.00

Assessor Contractual Services
#101-200-818-000

per, Comptroller Barrow, communication dated April 6, 2009.

Motion unanimously adopted.

- 09-137** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the City Council concurs with and approves the disposal of 46 Turn-Out Coats and 51 Turn-Out Pants, per Fire Chief Gurka, communication dated April 1, 2009.

Motion unanimously adopted.

- 09-138** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves layout/printing/mailling services from Walt Kempinski Graphics and Grand Blanc Printing for the Spring/Summer 2009 Dearborn Heights Today Newsletter, per Emergency Manager Ankrapp, communication dated March 30, 2009. Further, that the following expenses for Walt Kempinski Graphics for design/layout \$2,000.00 and Grand Blanc Printing for pre-press, printing and delivery \$5,200.00 be pre-approved at the total not-to-exceed \$7,200.00.

Motion unanimously adopted.

- 09-139** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the City Council concurs with and approves Change Order #1, for the Van Houten Comfort Station/Storage Facility Renovation Project with Mando Construction, Inc., 12383 15 Mile Road, Sterling Heights, MI 48312, for an increase of \$7,200.00, per Recreation Director Grybel, communication dated March 31, 2009. Further, that the Mayor be authorized to sign the Change Order on behalf of the City.

Motion unanimously adopted.

- 09-140** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the City Council concurs with and approves an Agreement between the City of Dearborn Heights and TMP Associates, Inc., 1191 West Square Lake Road, Box 289, Bloomfield Hills, MI 48303 for the Schematic Design Phase for the proposed new Community Recreation Center, in an amount not-to-exceed \$136,500.00, per Recreation Director Grybel, communication dated March 31, 2009. Further that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 09-141** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves the quotes from SCION Steel, 21555 Mullin Avenue, Warren, MI 48089 for replacement grating, in the amount of \$3,435.00 and Network Construction and Development Inc., 3649 Orchardview Avenue, Rochester Hills, MI 48037 for the replacement of a floor drain in the DPW garage, per Public Service Administrator Franzil, communication dated March 31, 2009. This project was budgeted in the 2008-2009 Water Department Capital Outlay account.

Motion unanimously adopted.

- 09-142** Motion by Councilman Berry, seconded by Councilwoman Badalow, that Mayor Paletko schedule a meeting with two or three council members, the Superintendent of Crestwood schools and a few interested Crestwood School Board members for the purpose of establishing a proposed agreement between the City of Dearborn Heights and the Crestwood School District concerning the mutual use of buildings and properties owned and operated by the school district.

Motion unanimously adopted.

- 09-143** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Technology Assessment be tabled to a Committee of the Whole.

Motion unanimously adopted.

- 09-144** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council recognizes the Dearborn Heights Chamber of Commerce as a non-profit organization and further approves the Local Governing Body Resolution for Charitable Gaming License, per Councilwoman Horvath, communication dated April 10, 2009.

Motion unanimously adopted.

- 09-145** Motion by Councilwoman Badalow, seconded by Councilman Brown, that proposed Ordinance H-09-02, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 7-26 THROUGH 7-28 IN ORDER TO REPEAL THE ADOPTION OF THE MICHIGAN BUILDING CODE 2000 AND TO ADOPT THE MICHIGAN BUILDING CODE 2006 RELATING TO NON-RESIDENTIAL STRUCTURES, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 09-146** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that proposed Ordinance H-09-03, Maximum Impervious Surface Lot Coverage Standard, be referred to a Committee of the Whole Study Session and ask the Planning Commission to be in attendance.

Motion unanimously adopted.

- 09-147** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that proposed Ordinance H-09-04, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 4-4 IN ORDER TO ADOPT AN ORDINANCE SUBSTANTIALLY CORRESPONDING TO STATE LAW REGARDING THE PURCHASE, CONSUMPTION, OR POSSESSION OF ALCOHOLIC LIQUOR BY PERSONS UNDER 21 YEARS OF AGE, be considered read for the second time and become effective upon publication in the City's official newspaper of record..

Motion unanimously adopted.

- 09-148** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that proposed Ordinance H-09-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 33-54 (Specific Notice by First Class Mail to Owner to Abate) IN ORDER TO IMPROVE IT IN SEVERAL WAYS, be considered read for the first time.

Motion unanimously adopted.

- 09-149** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that proposed Ordinance H-09-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 33-54 (Specific Notice by First Class Mail to Owner to Abate) IN ORDER TO IMPROVE IT IN SEVERAL WAYS, and that it be declared an emergency and be considered read for the second time and become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

- 09-150** Motion by Councilman Berry, seconded by Councilwoman Horvath, that proposed Ordinance H-09-06, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING A NEW "YOUTH TOBACCO ORDINANCE" WHICH SHALL PROHIBIT THE USE OF TOBACCO PRODUCTS BY MINORS, PROHIBIT THE SALE OF TOBACCO PRODUCTS TO MINORS, AND OTHERWISE PROVIDE REGULATIONS RELATED TO MINORS AND TOBACCO, AND WHICH SHALL BE CODIFIED AS SECTIONS 20-420 THROUGH 20-425 UNDER A NEW DIVISION 3 UNDER ARTICLE IX OF CHAPTER 20 OF THE CODE, be considered read for the first time. Further that Chairman Baron schedule a Committee of the Whole Study Session to discuss hookah tobacco.

Motion unanimously adopted.

- 09-151** Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the business license renewals for Cariera's Cucina Italiana, 6565 N Telegraph, Antonio's Cucina Italiana, 26356 Ford and Confetti Liquor Box, 3932 Pelham, be approved.

Motion unanimously adopted.

- 09-152** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the meeting be adjourned.

Minutes - April 14, 2009 Continued

Motion unanimously adopted.

The meeting adjourned at 9:36 PM

**S. JUDITH DUDZINSKI
CITY CLERK**

**MARIA E. LAWRENCE
COUNCIL SECRETARY**

**KENNETH R. BARON
COUNCIL CHAIRMAN**