

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 14, 2002

02-191 The meeting was called to order at 8:14 p.m. by Council Chair Daniel S. Paletko.

Roll Call showed the following:

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

Absent: None.

Also Present: Mayor Canfield, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Riedel, Acting Building & Engineering Director Lamontagne, Deputy Police Chief Lazar, Fire Chief Barnett, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio, Grants Coordinator Klimchalk.

The Pledge of Allegiance was led by Councilman Bob Constan.

02-192 Motion by Councilman Baron, seconded by Councilman Constan, that the Agenda for the Regular Meeting of May 14, 2002, be approved as submitted.

Motion unanimously adopted.

02-193 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of April 23, 2002, be approved as submitted.

Motion unanimously adopted.

02-194 Motion by Councilwoman Agius, seconded by Councilman Baron, that Current Claims 6-1 through 6-28, be approved as submitted.

1. CUMMINGS, MCCLOREY, DAVIS... - Labor Matters 01/02; 02/02; 03/02 - Various Inv's. from A/C 101-200-817-000 (Prof/Consult) \$8,280.00. General Govt.
2. CUMMING, MCCLOREY, DAVIS...Sewer Matters 04/02 - Inv. 32589 dated 05/07/02 from A/C 592-536-817-000 (Profess/Consult) \$2,897.50. Water Dept.
3. GARY MIOTKE - Legal Services March & April 2002 - Inv's dated 05/07/02 from A/C 101-210-826-000 (Counsel Serv.) \$14,165.00. Corp. Counsel.
4. ACCUMED BILLING, INC. - Ambulance Billing March 2002 - Inv. dated 04/16/02 from A/C 101-000-626-000 (Ambulance) \$3,914.01. General Govt.
5. BRATCHER ELECTRIC INC. - Install New Electric Service - Inv. 10609 dated 04/09/02 from A/C 103-960-964-201 (Swapka Park) \$3,080.00 ENC - CDBG.
6. BS & A SOFTWARE - Maintenance Fee Equalizer Software - Inv. 20446 dated 05/01/02 from A/C 101-258-932 (Repair/Maint) \$2,000.00. Data Processing.
7. D N R TREES - Tree Trimming & Removals - Inv. dated 05/06/02 from A/C 101-440-820-000 (Trees) \$11,525.00. DPW-Highway.
8. DECISIONONE - Maintenance Contract Computer Systems - Inv. 2500181 dated 05/01/02 from A/C 101-130-932-000 (Repair/Maint) \$1,963.44. District Court.
9. DEPARTMENT OF TRANSPORTATION - Final - Telegraph Crossovers - Inv. AF2430232 dated 05/03/02 from A/C 202-202-880-100 (Street Construction) \$21,420.51. Major Streets.
10. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1557 dated 04/23/02 from A/C 592-537-818-000 (Contract Serv) \$10,500.00. Water Dept.
11. PAINTER & RUTHENBERG - Roll-Off Services April 2002 - Inv. 50825 dated

Minutes MAY 14, 2002 - Continued

- 05/01/02 from A/C 101-200-810-000 (Contract Serv) \$3,328.00. General Govt.
12. PLANTE & MORAN - Accounting Services 03/01-03/15/02 - Inv. 819221 dated 04/24/02 from A/C 101-200-817-000 (Prof/Consult) \$2,345.00 and A/C 592-536-817-000 (Prof/Consult) \$1,890.00. General Govt.
 13. QUAD-TRAN OF MICHIGAN - Data Processing May 2002 - Inv. 3845, 3846 dated 04/30/02 from A/C 101-130-818-000 (Contract Serv.) \$3,200.00; A/C 101-200-728-000 (Supplies) \$1,655.46 and A/C 101-130-728-000 (Supplies) \$982.80. District Court.
 14. REHAB CENTERS OF MICHIGAN - Work Comp Injury - Ck. Req. dated 04/22/02 from A/C 101-200-724-000 (Work Comp) \$4,154.69. General Govt.
 15. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging March 2002 - Inv. dated 04/18/02 from A/C 101-200-868-000 (Prisoners) \$8,289.30. General Govt.
 16. TMP ARCHITECTURE - Services Rendered April 2002 - Inv. 9546A and 9545A dated 04/30/02 from A/C 103-960-930-201 (Central Park) \$7,422.25. CDBG.
 17. TODAYLINK, LLC - Connect/Support May 2002 - Inv. 1031 dated 05/06/02 from A/C 101-200-819-999 (Internet) \$7,476.30. General Govt.
 18. WADE-TRIM/ASSOCIATES - Storm Water Permit Projects/Street Sweeping - Inv. 73157 and 73158 dated 03/27/02 from A/C 592-XXX-154-000 (Sewers) \$2,863.22. Water Dept.
 19. WADE-TRIM/ASSOCIATES - 2002-2003 CDBG Assistance - Inv. 73253 dated 04/15/02 from A/C 103-960-918-200 (Admin) \$1,266.33. CDBG.
 20. WADE-TRIM/ASSOCIATES - Central Park Improvements Design - Inv. 73544 dated 04/24/02 from A/C 103-960-941-201 (Central Park) \$2,827.00. CDBG.
 21. WADE-TRIM/ASSOCIATES - 2001 Bridge Inspection Program - Inv. 73285 dated 04/16/02 from A/C 101-440-818-000 (Contract Serv) \$18,594.63. DPW-Highway.
 22. WADE-TRIM/ASSOCIATES - Lead Base Paint Rehab - Inv. 73248 dated 04/15/02 from A/C 103-960-900-201 (Rehab) \$1,986.38. CDBG.
 23. WADE-TRIM/ASSOCIATES - Site Plan, Right-of-Way, Permits - Inv. 73205, 73206; 73213 dated 03/27/02; Inv. 72191 dated 01/17/02; Inv. 72653 dated 02/20/02 from A/C 101-371-809-000 (Eng. Services) \$4,002.11. Bldg. Eng.
 24. WADE-TRIM/ASSOCIATES - GASB 34 Evaluations - Inv. 73534 dated 04/24/02 from A/C 101-200-817-000 (Prof/Consult) \$522.00. General Govt.
 25. WADE-TRIM/ASSOCIATES - Heather Lane Park Contract Admin. - Inv. 73541 dated 04/24/02 from A/C 103-960-967-201 (Heather Lane) \$1,246.00. CDBG.
 26. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow Downriver 04/02 - Inv. 207761 dated 05/01/02 from A/C 592-537-929-000 (Disposal) \$23,838.00. Water Dept.
 27. WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICE - Traffic Signal Maintenance 09/01 and 03/02 - Inv. 207323 dated 04/16/02 and 203767 dated 09/30/01 from A/C 101-440-925-000 (Traffic Signals) \$5,854.56. DPW-Highway.
 28. WAYNE COUNTY - ACCOUNTS RECEIVABLE - Library Charges March 2002 - Inv. 207668 and 207670 dated 04/25/02 from A/C 738-738-827-100 (Misc Charges) \$39,978.64. Libraries.

Motion unanimously adopted.

- 02-195** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Comptroller be authorized to advertise the sale of Lot 740 Rougelvania Sub; Lot 848 Dearborn Grove Sub #1 and all other buildable lots, per the request of Assessor Riedel, communication dated May 9, 2002.

Motion unanimously adopted.

- 02-196** Motion by Councilman Baron, seconded by Councilwoman Agius, that the City Council concurs with and approves an Easement Agreement for Electric Services with Detroit

Edison for DPW Yard Cellular Tower Site, per Mayor Canfield, communication dated May 8, 2002. Further, that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 02-197** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the BS & A Software Support Agreement and Licensing Agreement for the Equalizer Permit System used by the Building Department per, Mayor Canfield, communication dated May 8, 2002. Further, that the Mayor be authorized to sign the Agreements on behalf of the City.

Motion unanimously adopted.

- 02-198** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the parade route for the Crestwood Little Baseball League scheduled for May 18, 2002 commencing at the Warren Valley Fields on Inkster Road north to Clairview, east to Amboy, south to Kennedy, west to Inkster to the field entrance, per Mayor Canfield, communication dated May 8, 2002. Further, that the Police and Fire Departments to provide assistance during the parade as requested.

Motion unanimously adopted.

- 02-199** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the Veterans Memorial Day Parade and Services at St. Hedwig's Cemetery, May 27, 2002 at 9:30 am commencing at the Post to St. Hedwig Cemetery per the request of the Pvt. John Lyskawa Post and Mayor Canfield, communication dated May 8, 2002. Further, that the Police and Fire Departments to provide escort and assistance as requested.

Motion unanimously adopted.

- 02-200** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request to increase fees for condos, mobile homes, two-family incomes, strip malls and multi-use buildings from \$50.00 to \$75.00 per, Interim Building Director Lamontagne, communication dated April 30, 2002.

Motion unanimously adopted.

- 02-201** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request to change the format of Building, Sign, Fence and Demolition Permit fees to combine all columns to make the schedule easier for citizens and contractors to read per, Interim Building Director Lamontagne, communication dated April 30, 2002. This change does not constitute an increase in fees.

Motion unanimously adopted.

- 02-202** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the request to purchase one (1) Niton XL-390 XRF Spectrum Analyzer, from the Niton Corporation, 900 Middlesex Turnpike, Building 8, Billerica, MA 01821, in the amount of \$18,785, and payment thereof, per Interim Building Director Lamontagne, communication dated April 29, 2002 and Community Development Director Oliverio, communication dated April 30, 2002. Further, funding for this single source provider to be allocated from the CDBG Rehabilitation Account.

Motion unanimously adopted.

Minutes MAY 14, 2002 - Continued

- 02-203** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the 2002-2003 Community Development Action Plan and authorize the Mayor to sign and submit the Application per, Community Development Director Oliverio, communication dated April 22, 2002.

Motion unanimously adopted.

- 02-204** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Budget Amendment to balance accounts for year-end be approved as follows:

INCREASE/(DECREASE) EXPENDITURES:

FICA Expense	A/C 101-200-715-000	\$80,000.00
Hospitalization	A/C 101-200-716-000	50,000.00
Longevity	A/C 101-200-721-000	71,000.00
Workers Comp	A/C 101-200-724-000	30,000.00
Contra Fringe	A/C 101-200-998-000	(231,000.00)

per, Comptroller Barrow, communication dated May 8, 2002.

Motion unanimously adopted.

- 02-205** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Budget Amendments to balance out account for year-end be approved as outlined in Agenda Item 9-F, per Comptroller Barrow, communication dated May 8, 2002.

Motion unanimously adopted.

- 02-206** Motion by Councilwoman Agius, seconded by Councilman Constan, 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 19, 2002 and ending no later than 2:00 am on Sunday, June 23, 2002.

Motion unanimously adopted.

- 02-207** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request to prohibit the selling of products and/or services on the grounds of the Canfield Community Center during the Spirit 2002 Festival unless prior approval has been granted by the Spirit 2002 Festival Committee, per Recreation Director Grybel, communication dated May 7, 2002. Further, this also includes the area of Beech Daly Road that runs parallel to the Festival grounds.

Motion unanimously adopted.

- 02-208** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves the quote from Plante & Moran to review the credit card policy, for a fee not to exceed \$750.00 per, Council Chair Paletko, communication dated May 7, 2002. Further, that Treasurer Riley and Comptroller Barrow or his designee prepare a credit card policy and submit it to Plante & Moran for review.

Motion unanimously adopted.

- 02-209** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the Resolution in Opposition to the Fast-Track expansion of the Countywide Landfill in Gibraltar be adopted as follows:

WHEREAS: The Wayne County Solid Waste Siting Committee met and denied the Fast Track/Expansion of Countywide Landfill in Gibraltar, and

WHEREAS: The City of Dearborn Heights, as part of the Wayne County Solid Waste Plan supports the Wayne County siting process, therefore

RESOLVE: Denial of Fast Track/Expansion of the Countywide Landfill Appeal and uphold the Wayne County Siting Committee denial of January 23, 2002 per, Councilwoman Badalow, communication dated May 9, 2002.

Motion unanimously adopted.

- 02-210** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-19, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 33-38 PROVIDING FOR TREE PLANTING AND MAINTENANCE REGULATIONS, be considered read for the first time.

Motion unanimously adopted.

- 02-211** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-20, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 33-39 PROVIDING FOR SOD PLANTING AND MAINTENANCE REGULATIONS, be considered read for the first time.

Motion unanimously adopted.

- 02-212** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-21, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING VARIOUS PORTIONS OF CHAPTER 36 (Zoning) PROVIDING FOR GENERAL LANDSCAPING STANDARDS, be considered read for the first time.

Motion unanimously adopted.

- 02-213** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-08, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 3-21 (Merchant Equally Liable) TO CLARIFY THAT ONE WHO VIOLATES IT IS RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-214** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-09, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 6-86 (Cruelty to Animals) IN ORDER TO MAKE VIOLATION OF IT A MISDEMEANOR, be considered read for the first time.

Motion unanimously adopted.

- 02-215** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-10, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING

Minutes MAY 14, 2002 - Continued

THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 6-148 (Rabid Animals) IN ORDER TO MAKE VIOLATION OF IT A MISDEMEANOR, be considered read for the first time.

Motion unanimously adopted.

- 02-216** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-11, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 7-303 (Violation) IN ORDER TO MAKE EVERY VIOLATION OF ARTICLE VII OF CHAPTER 7 (Building & Building Regulations) A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-217** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-12, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 7-443 TO PRESCRIBE THE NATURE OF VIOLATIONS OF ARTICLE VIII OF CHAPTER 7 (Building & Building Regulations), be considered read for the first time.

Motion unanimously adopted.

- 02-218** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-13, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 7-657 (Failure or Refusal to Comply with Order), be considered read for the first time.

Motion unanimously adopted.

- 02-219** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-14, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 8-15 (Liability of Violator) IN ORDER TO MAKE EVERY VIOLATION OF CHAPTER 8 (Business Licensing) A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-220** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-15, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 17-30 (Penalty; Violation) IN ORDER TO MAKE EVERY VIOLATION OF ARTICLE II OF CHAPTER 17 (Garbage, Rubbish & Litter) A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-221** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-16, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 32-818 (Penalty) IN ORDER TO MAKE EVERY VIOLATION OF ARTICLE VI OF CHAPTER 32 (Traffic & Motor Vehicles) A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-222** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-17, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 33-56 (Penalty) IN ORDER TO MAKE EVERY VIOLATION OF ARTICLE III OF CHAPTER 33 (Vegetation) A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-223** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-02-18, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-5 (Violations and Penalties) IN ORDER TO MAKE EVERY VIOLATION OF CHAPTER 36 (Zoning) A MUNICIPAL CIVIL INFRACTION, be considered read for the first time.

Motion unanimously adopted.

- 02-224** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the 2002-2003 Tax Increment Finance Authority (TIFA) Budget per the request of TIFA Chairman Titus, communication dated April 22, 2002.

Motion unanimously adopted.

- 02-225** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that Permanent Traffic Control Device Request T-130, International "No Parking" Sign to be posted on the south side of Kennedy between Beech Daly and Elon, be approved.

Motion unanimously adopted.

- 02-226** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that Permanent Traffic Control Device Request T-131, "No Turn on Red" with added notation 7 am-4 pm School Days Only to be posted on the northwest and northeast corners of Ann Arbor Trail and Garling, be approved.

Motion unanimously adopted.

- 02-227** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that Permanent Traffic Control Device Request T-132, "Speed Limit 25" to be posted on Lochdale south of Joy Road, be approved.

Motion unanimously adopted.

- 02-228** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that Permanent Traffic Control Device Request T-133, "Stop" Sign to be posted on the southeast and northwest corners of Lochdale and Constance, be approved.

Motion unanimously adopted.

- 02-229** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that Permanent Traffic Control Device Request T-134, "Stop" Sign to be posted on the northwest corner of Sherborne and Kingswood, be approved.

Minutes MAY 14, 2002 - Continued

Motion unanimously adopted.

- 02-230** Motion by Councilman Baron, seconded by Councilwoman Agius, that business license renewals for George’s Collision, 5664 Daniels; Dearborn Heights Moose Lodge, 27225 Warren; Carl E. Stitt Post #232, 23850 Military; Crystal Lounge, 8701 N Beech Daly; Denny’s Gin Mill, 4901 S Telegraph and Antonio’s Cucina Italiana, 26356 Ford Road, be approved.

Motion unanimously adopted.

- 02-231** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:44 p.m.

JOYCE A. ROBBINS
CITY CLERK

DANIEL S. PALETKO, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY