

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

APRIL 13, 2010

10-113 The meeting was called to order at 8:01 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, 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 (arrived at 8:07 pm).

The Pledge of Allegiance was led by City Clerk Judy Dudzinski.

10-114 Motion by Councilwoman Badalow, seconded by Councilman Pilot, that the Agenda for the Regular Meeting of April 13, 2010, be approved with the amended copy of the Agenda (original missing items 13A and 13B).

Motion unanimously adopted.

10-115 Motion by Councilman Berry, seconded by Councilwoman Horvath, that the Minutes from the Regular Meeting of March 23, 2010, be approved as submitted.

Motion unanimously adopted.

10-116 Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that Current Claims 6-1 through 6-20, be approved as submitted.

1. CITY OF TAYLOR – Disposal of Compost March 2010 – Inv. 200901462 dated 4/01/10 from A/C 101-200-810-000 (Sanitation) \$2,311.94. General Govt.
2. COMPUTER TECHNOLOGIES, INC. – Data Processing – Inv. 70577 dated 3/19/10; 70579 dated 3/27/10 and 70585 dated 4/02/10 from A/C 101-258-932-000 (Repair/Maint) \$4,422.50 and A/C 592-536-932-000 (Repair/Maint) \$935.00. Data Processing
3. DSS CORPORATION – Recorder Maint Agreement – Inv. 10550 dated 4/14/10 from A/C 101-330-818-000 (Contract Services) \$4,150.00. Police Dept.
4. TIMOTHY W DEHART – Workers Compensation Claim – Ck. Req. Dated 4/01/10 from A/C 101-200-724-000 (Work Comp) \$7,749.00. General Govt.
5. HYDRODESIGNS – Cross Connection Program – Inv. 21308-IN dated 2/28/10 from A/C 592-537-818-000 (Contract Services) \$2,623.00. Water Dept.
6. NAGEL CONSTRUCTION, INC. – Sewer Cleaning Program – Inv. 2755 dated 4/05/10 from A/C 592-540-818-030 (Contract Services) \$32,794.34. Water Dept.
7. PRINTING SYSTEMS, INC. – Optical Scan Poll Books & Application to Vote – Inv. 63453 dated 3/23/10 from A/C 101-190-730-000 (Supplies) \$2,157.97. Elections
8. QUAD-TRAN OF MICHIGAN – Data Processing March 2010 – Inv. 5568 and 5569 dated 3/31/10 from A/C 101-130-818-000 (Contract Services) \$4,500.00; A/C 101-130-728-000 (Supplies) \$1,328.45 and A/C 101-220-728-000 (Supplies) \$2,074.60. District Court
9. RKA PETROLEUM COS., INC. – Unleaded Gasoline & Diesel – Inv. 660814 dated 3/01/10; 661927 dated 3/09/10 and 663334 dated 3/24/10 from A/C 101-335-867-000 (Fuel) \$3,364.57. Fire Dept.
10. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging February 2010 – Inv. dated 3/15/10 from A/C 101-200-863-000 (Prisoners) \$3,122.10. General Govt.
11. US BANK – Principal & Interest for Bond Payments – Due Date 5/01/10 from A/C 738-738-991-738 (Principal) \$175,000.00 and A/C 738-738-998-500 (Interest) \$181,401.26. Libraries
12. WADE-TRIM ASSOCIATES – Engineering Assistance, Right-of-Way; Prepare CCR, Water Main, CSO Phase II, Flow Monitoring – Inv. 100141, 100137, 100138, 100134 and 100133 dated 3/22/10 and 100157 dated 3/23/10 from A/C 101-209-818-000 (Contract Services) \$177.50; A/C 101-371-809-000 (Engineering) \$830.00; A/C 592-xxx-154-000 (Sewers) \$15,001.25 and A/C 592-537-818-000 (Contract Services) \$4,754.96. Building/Engineering, Assessor and Water.

Minutes **APRIL 13, 2010** Continued

13. WAYNE COUNTY – ACCOUNTS RECEIVABLE – Traffic Signal Maintenance November 2009 – Inv. 1004561 dated 3/12/10 from A/C 101-440-925-000 (Signals) \$5,284.12. DPW-Highway
14. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow Downriver System 4/10 – Inv. 251829 dated 4/01/10' Excess Flow Rouge Valley 1/03/10 – Inv. 255260 dated 3/01/10 from A/C 592-537-929-000 (Sewers) \$280,845.52. Water Dept.
15. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Refunding Interest, Downriver Revenue Principal/Interest – Inv. 255384 and 255358 dated 3/23/10 from A/C 592-905-993-002 (Principal/Interest) \$168,822.44. Water Dept.
16. ALLEN BROTHERS – Legal Services NSP Program – Inv. 1219-006M dated 3/25/10 from A/C 274-673-930-091 (NSP) \$4,367.25. Misc. Grants
17. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Matter, Brown & Loose Suits – Inv. 176180 dated 3/23/10 and 175995 and 175996 dated 3/15/10 from A/C 101-200-817-000 (Prof/Consult) \$2,889.00 and A/C 101-xxx-067-999 (Act 345 Medical) \$4,084.50. General Govt.
18. GARY MIOTKE – Legal Services March 2010 – Inv. dated 4/06/10 from A/C 101-210-826-000 (Counsel Services) \$8,472.00. Corporation Counsel
19. GIARMARCO, MULLINS & HORTON – Water/Sewer Legal Issues February 2010 – Inv. 88397-000B and 88397-001B dated 3/16/10 from A/C 592-537-818-000 (Contract Services) \$2,066.00. Water Dept.
20. SECREST, WARDLE, LYNCH ... - Legal Services February 2010 – Inv. dated 4/06/10 from A/C 101-210-826-000 (Counsel Services) \$6,432.00. Corporation Counsel

Motion unanimously adopted.

- 10-117** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the low bid from A.S Contrera, LLC, 26673 Lawrence, Centerline, MI 48015, for a Garage Ventilation/Exhaust System at the Department of Public Works building, in the amount of \$30,495.00, and payment thereof, be approved, per Public Service Administrator Franzil, communication dated March 25, 2010. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 10-118** Motion by Councilman Pilot, seconded by Councilwoman Agius, that the City Council concurs with and approves the North Dearborn Heights Baseball League Annual Opening Day Parade and route on Saturday, May 8, 2010 beginning at 10:00 am at the Field of Dreams, then proceeding east on Clairview, south on Amboy, west on Kennedy and north on Inkster ending at the sidewalk, per Mayor Paletko, communication dated March 22, 2010 and Lori DeWitt, NDHBL Publicist, communication dated March 12, 2010. Further that the Police and Fire to provide services as requested.

Motion unanimously adopted.

- 10-119** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council accept the legal opinion from Corporation Counsel, dated March 12, 2010 re: Mr. Abdel-Hak's Complaint dated March 9, 2010, and be numbered 108 and placed in the Legal Opinion Book of record.

Motion unanimously adopted.

- 10-120** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Spirit 2010 Primary Sponsorship Agreement between the City and Antonio's of Dearborn Heights, Inc., per Recreation Director Grybel, communication dated April 6, 2010. Further, that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 10-121** Motion by Councilwoman Badalow, seconded by Councilman Pilot, that the City Council concurs with and approves the purchase of one Slashbuster SG240 Stump Grinder, from Munn Tractor Sales, Inc., 3700 Lapeer Road, Auburn Hills, MI 48326, at a cost of \$19,000.00, and payment thereof, per Public Service Administrator Franzil, communication dated April 6, 2010. This purchase is Michigan State Bid pricing and approved in the 2009-2010 Capital Outlay Account.

Motion unanimously adopted.

- 10-122** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves Wade Trim Associates Inc., 25251 Northline, PO

Box 10, Taylor, MI 48180 to administer and manage the Energy Efficiency and Conservation Block Grant Program (EECBG), at a cost not-to-exceed \$45,000.00, per Superintendent Zimmer, communication dated March 30, 2010.

Motion unanimously adopted.

- 10-123** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves Change Order #8 with Lanzo Lining Services Inc., 28137 Groesbeck Highway, Roseville, MI 48066, for Sanitary & Combined Storm Sewers Pipeline Rehabilitation on Ann Arbor Trail, in the amount of \$237,154.00, per Public Service Administrator Franzil, communication dated March 25, 2010. Funding for this project will come from the 2009-2010 Water Department budget, A/C 592-540-818-040.

Motion unanimously adopted

- 10-124** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the sale of one (1) 1991 L8000 cab and chassis to Cannon Truck Equipment, 51761 Danview Technology Ct., Shelby Twp., MI 48315, for a \$1300.00 credit on account towards future service work, per Public Service Administrator Franzil, communication dated April 6, 2010.

Motion unanimously adopted.

- 10-125** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the Petition from resident Mr. Zouher Abdel-Hak re: Violations against the Charter, be received, contents noted and filed.

Motion unanimously adopted.

- 10-126** Motion by Councilwoman Badalow, seconded by Councilman Berry, that proposed Ordinance H-10-02, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS AMENDING CHAPTER 36 OF THE CITY CODE PERTAINING TO ZONING, TO PROVIDE FOR PERIODIC ADMINISTRATIVE REVIEW FOR FESTIVALS SEEKING A LICENSE WHERE THE APPEALS AND TO PROVIDE THE ZONING BOARD OF APPEALS WITH THE AUTHORITY TO REVIEW AND APPROVE TEMPORARY USE PERMITS FOR FESTIVALS UPON THE REFERRAL OF THE BUILDING OFFICAL, AND AMENDING CHAPTER 8 OF THE CITY CODE PERTAINING TO BUSINESS LICENSING, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 10-127** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the Resolution from the City of Southgate re: Publication of Legal Notices, be received, contents noted and filed.

Motion unanimously adopted.

- 10-128** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the Business License Renewal for The Whiskey Bar & Grill, 24735 Warren, be approved.

Motion unanimously adopted.

- 10-129** Motion by Councilman Berry, seconded by Councilwoman Badalow, that Current Claim 6-9, Computer Technologies, Inc., submitted February 23, 2010, be brought back to the table.

Motion unanimously adopted.

- 10-130** Motion by Councilman Berry, seconded by Councilwoman Horvath, that Current Claim 6-9, Computer Technologies, Inc., be approved as submitted:

9. COMPUTER TECHNOLOGIES, INC. – Data Processing – Inv. 70542 dated 1/23/10 and 70545 dated 1/29/10 from A/C 101-258-932-000 (Repair/Maint) \$4,580.00 and A/C 592-536-932-000 (Repair/Maint) \$595.00. Data Processing

Motion unanimously adopted.

- 10-131** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that Referred CM-10-089 re: POAM Contract, be brought back to the table.

Motion unanimously adopted.

Minutes **APRIL 13, 2010** Continued

- 10-132** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Police Officers Association of Michigan Agreement (POAM) as outlined.

Ayes: Councilwoman Agius.

Nays: Councilwoman Badalow, Council Chairman Baron, Councilman Berry, Councilwoman Horvath, Councilman Pilot, Councilwoman Van Houten

Absent: None.

Motion defeated.

- 10-133** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that Referred CM-10-089 re: DROP Program, be brought back to the table.

Motion unanimously adopted.

- 10-134** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that the Deferred Retirement Option Plan (DROP) for the Police and Fire Departments be approved.

Ayes: Councilwoman Agius.

Nays: Councilwoman Badalow, Council Chairman Baron, Councilman Berry, Councilwoman Horvath, Councilman Pilot, Councilwoman Van Houten

Absent: None.

Motion defeated.

- 10-135** Motion by Councilman Berry, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:00 PM.

S. JUDITH DUDZINSKI
CITY CLERK

MARIA E. LAWRENCE
COUNCIL SECRETARY

KENNETH R. BARON
COUNCIL CHAIRMAN