

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MARCH 27, 2001

- 01-213** The meeting was called to order at 8:03 p.m. by Council Chairwoman Margaret M. Horvath.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Kenneth R. Baron, Council Chairwoman Margaret M. Horvath, Councilwoman Jumana Judeh, Councilman Daniel S. Paletko, Councilman David D. Turfe, Councilwoman Margaret Van Houten.

Absent: None.

Also Present: Mayor Canfield, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Financial Analyst Macari, Assessor Pargo, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Human Resource Specialist Remily, Deputy Police Chief Lazar, Fire Chief Barnett, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman David D. Turfe.

- 01-214** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Agenda for the Regular Meeting of March 27, 2001, be approved with the addition of Agenda Items 9-L (Parkland Park Phase III Contractor's Contract) and 9-M (Traffic Signal Agreement and Reimbursement Agreement). Further that Agenda Item 12-A (Rezoning Request 2096 N Inkster Road) be brought forward.

Motion unanimously adopted.

- 01-215** Motion by Councilwoman Agius, seconded by Councilwoman Judeh, that the Minutes from the Regular Meeting of March 13, 2001, be approved as submitted.

Motion unanimously adopted.

- 01-216** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concur with the Planning Commission, communication dated March 19, 2001 and deny the rezoning request for property located at 2096 N Inkster Road from R1A (Single Family Residential District) to RM (Multi-Family Residential District). PC # 01-01

Motion unanimously adopted.

- 01-217** Motion by Councilman Baron, seconded by Councilwoman Agius, that Fund Transfer 6-A and Current Claims 6-1 through 6-17, be approved as submitted.

A. \$2,500.00 from Assessor's Salaries (101-209-706-000) to Assessor's Part Time (101-209-707-100) to Cover the Cost for Part Time Employee.

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt & Services - Inv. Dated 03/13/01 from A/C 101-200-810-000 (Sanitation) \$141,135.44. General Govt.
2. CITY OF DEARBORN - Water & Sewer Charges 11/29/00-03/13/01 - Inv. 69315 dated 03/13/01 from A/C 592-537-928-000 (Water Charges) \$1,016.28 and A/C 592-537-929-000 (Sewage) \$3,857.03. Water Dept.
3. COMERICA SECURITIES - Energy Saving & Street Sweepers - Inv. Dated 03/08/00 from A/C 101-200-996-001 (Street Sweepers) \$138,813.75 and from A/C 101-200-

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- 965-001 (Energy Plan) \$78,420.00. General Govt.
4. DISCOUNT COMPUTER INC. - Computers - Inv. 180511 dated 03/02/01 from A/C 103-960-962-200 (Senior Center Computers) \$3,210.00. ENC. Community Devel.
 5. DSS - 32 Channel Logging Recorder - Inv. 21142 dated 01/30/99 from A/C 101-300-818-000 (Contract Services) \$3,300.00. Police Dept.
 6. ELLEFSON BUILDING DEMOLITION - Demo 21930 Lehigh - Inv. Dated 03/08/01 from A/C 101-371-818-010 (Demo) \$6,450.00. Building/Eng.
 7. GARY MIOTKE - Legal Services February 2000 - Inv. Dated 03/08/01 from A/C 101-210-826-000 (Counsel Services) \$6,322.00. Corp. Counsel.
 8. SECREST, WARDLE, LYNCH... - Legal Services January 2000 - Inv. Dated 03/08/01 from A/C 101-210-826-000 (Counsel Services) \$4,974.00. Corp. Counsel.
 9. HIGHGATE ELECTRIC - DPW Lighting - Inv. 8029 dated 02/20/01 from A/C 592-537-981-000 (Capital Outlay) \$14,675.00. ENC. Water Dept.
 10. MMRMA - Additional Contribution Insurance - Inv. R449 dated 03/12/01 from A/C 101-200-911-000 (Insurance) \$150,000.00. See Budget Amendment. General Govt.
 11. MOTOROLA - Down Payment New 800 MHZ Radio System - Ck. Req. Dated 03/21/01 from A/C 101-200-831-100 (E-911) \$136,325.90. General Govt.
 12. NAGEL CONSTRUCTION INC. - Sewer Cleaning Program - Inv. 1400 from A/C 592-540-818-030 (Contract Services) \$18,219.33. Water Dept.
 13. PLANTE & MORAN - Accounting Services January & February 2001 - Inv. 729417 & 729413 dated 03/15/01 from A/C 101-200-817-000 (Prof/Consult) \$2,612.00 (See Budget Amendment) and A/C 592-537-817-000 (Prof/Consult) \$5,483.00. General Govt.
 14. STAPLES - Computer Stations - Inv. 3019988726 and 3019988727 dated 03/02/01 from A/C 103-960-962-200 (Senior Center Computers) \$4,475.00. ENC. Community Devel.
 15. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging January 2001 - Inv. Dated 02/28/01 from A/C 101-200-868-000 (Prisoner Food & Lodging) \$8,460.10. General Govt.
 16. WADE-TRIM/ASSOCIATION - CDBG Program Assistance - Inv. 68653 dated 02/28/01 from A/C 103-960-918-099 (Administration) \$270.61. Community Devel.
 17. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow Charges March 2001- Inv. 90497, dated 03/13/01 and Inv. 90514, dated 03/14/01 from A/C 592-537-929-000 (Sewage) \$28,466.97. Water Dept.

Motion unanimously adopted.

- 01-218** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the second lowest bidder meeting all specifications, Forklifts of Detroit, 35777 Genron Court, Romulus, MI 48174 for one (1) lift truck, in the amount of \$24,300.00, less trade-in of \$700.00, for a total of \$23,600.00, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated March 19, 2001. Monies for this purchase have been allocated in Water Department A/C 592-536-981-000.

Motion unanimously adopted.

- 01-219** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves extending the terms and conditions of the 2000-2003 AFSCME Contract to non-union employees with the exception of Chris Hodgins, Freda Stachowiak, Joan Schrocka, Mary Pepper, Michelle Remily and Chris Klimchalk, whose compensation will be in accordance with recommendation of Mayor Canfield, communication dated March 20, 2001.

AYES: Councilwoman Agius, Councilman Baron, Councilwoman Judeh, Councilman Paletko, Councilman Turfe, Councilwoman Van Houten.

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NO: Council Chairwoman Horvath.
ABSENT: None.

Motion adopted.

- 01-220 Motion by Councilwoman Agius, seconded by Councilwoman Judeh, that the City Council concurs with and approves extending the terms and conditions of the 2000-2003 AFSCME Contract to the Deputy Treasurer and the Deputy Clerk per, Treasurer Riley and City Clerk Robbins, communication dated March 20, 2001. This would include the union wage increases of 3% for each year of contract.

Motion unanimously adopted.

- 01-221 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Resolution in Support of Maintaining Equitable Assessments and Uniform Taxation in Michigan requested by the Intergovernment Utility Defense Group be adopted as follows:

WHEREAS, the State Tax Commission is charged with the proper administration of the laws governing assessments and the levying of taxes in this State; and

WHEREAS, Article 9, Section 3 of the Michigan Constitution mandates that the legislature provide for the *uniform* general ad valorem taxation of tangible personal property, provide for the determination of the true cash value of such personal property and provide the proportion of true cash value at which such property shall be *uniformly* assessed; and

WHEREAS, by administrative fiat, the State Tax Commission has adopted special composite multipliers to be used in calculating the ad valorem tax assessment of gas and electrical utility transmission and distribution systems throughout the State of Michigan; and

WHEREAS, in violation of constitutional equal protection and uniformity in taxation requirements, the adopted multipliers unfairly undervalue the taxable property of utility companies; and

WHEREAS, the special utility multipliers effectively grant Michigan utilities millions of dollars in tax breaks that are unavailable to any other Michigan citizen or business; and

WHEREAS, the special utility tax breaks reduce by over one hundred million dollars the local revenues necessary to support essential services provided by schools, community colleges, parks, public safety and other units of local government; and

WHEREAS, the special utility tax breaks unfairly shift significant tax burdens from utilities to other Michigan businesses and citizens, forcing increases in local taxes and/or severe reduction in educational, recreational, public safety or other local governmental services; and

WHEREAS, Court intervention is necessary to stop the ill-advised, inequitable and unconstitutional special utility personal property tax break;

WHEREAS, Local governments, schools and other public agencies have come together as a coalition to support said court intervention to preserve equity in assessments and uniformity in taxation by financially contributing to the **Intergovernmental Utility Defense Fund**:

NOW THEREFORE BE IT RESOLVED, that the City of Dearborn Heights recognizes

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and holds that equity and uniformity are primary tenets in the assessment and taxation of property.'

BE IT FURTHER RESOLVED, that the City of Dearborn Heights hereby endorses and pledges its support of the legal challenge to the State Tax Commissions's action.

BE IT FURTHER RESOLVED, the City of Dearborn Heights appropriates funds made payable to the **Intergovernmental Utility Defense Fund** in the amount of \$2,000, and payment thereof, to help offset legal costs and expenses incurred in this challenge per, Assessor Pargo, communication dated March 14, 2001.

Motion unanimously adopted.

- 01-222** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Comptroller be authorized to advertise the sale of City owned property, specifically Lots 32 through 37 in Burnett Boulevard Sub. located between 26805 and 26845 Annapolis, per specifications, per the request of Assessor Pargo, communication dated March 14, 2001.

Motion unanimously adopted.

- 01-223** Motion by Councilman Baron, seconded by Councilwoman Agius, that the City Council concurs with and approves the sale of City owned properties in Burnett Boulevard Sub., specifically Lot 120, located between 5113 and 5137 Hazel and Lot 123, located between 5149 and 5173 Hazel, for the advertised sale price of \$6,000.00 and \$7,300.00 respectively, per Assessor Pargo, communication dated March 13, 2001. Sale to be consummated by July 31, 2001 and purchaser to assume all costs of sale.

Motion unanimously adopted.

- 01-224** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Budget Amendment to cover the cost of labor attorney invoices, dated fiscal year 1999-2000 be approved as follows:

INCREASE REVENUES	APPROP. FUND BALANCE
# 101-000-699-000	\$ 22,500.00
INCREASE EXPENDITURES	PROFESSIONAL/CONSULT
# 101-200-817-000	\$ 22,500.00

per, Comptroller Barrow, communication dated March 20, 2001.

Motion unanimously adopted.

- 01-225** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Budget Amendment to cover the cost of an additional contribution to the MMRMA be approved as follows:

INCREASE REVENUES	APPROP. FUND BALANCE
# 101-000-699-000	\$ 145,000.00
INCREASE EXPENDITURES	INSURANCE
# 101-200-911-000	\$ 145,000.00

per, Comptroller Barrow, communication dated March 20, 2001.

Motion unanimously adopted.

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- 01-226** Motion by Councilman Paletko, seconded by Councilwoman Agius, that the City Council concurs with and approves adjustments to Building & Maintenance Capital Outlay A/C 265-981-000 as follows:

\$16,000.00 - Two (2) Leaf Machines
\$10,000.00 - 1-3 Axle Trailer
 \$26,000.00
 - \$20,945.00 - Sweep Star 60 Sweeper (one source item)
 Balance \$ 5,055.00 To be transferred to Building & Maintenance Overtime A/C 265-709-000 per, Public Service Administrator Blackburn, communication dated March 13, 2001.

Motion unanimously adopted.

- 01-227** Motion by Councilwoman Judeh, seconded by Councilman Baron, that the City Council concurs with and approves the request to dispose of the following no longer useable equipment:

Item	Tag #	Item	Tag #	Item	Tag #
chair	06209	4 chairs	no tags	hutch	06265
stack file	no tag	2 leather chairs	no tags	file cabinet	06532
file drawer	no tag	humidifier	06625	cabinet	06321
misc. parts	no tag	wet/dry vac	06623	12V compressor	no tag
garage door opener	no tag	space heater	no tag	phone	no tag
tape recorder	no tag	answering mach	no tag	fax machine	06299
receipt maker	06255	printer	no tag	printer	no tag
calculator	06537	calculator	06320	fax machine	no tag
monitor	no tag	monitor	06445	monitor	06376
typewriter	06536	typewriter	1072	Arch. Drawing	
typewriter	06660			Table	no tag
typewriter	4315	typewriter	05910	typewriter	06140
typewriter	06656	typewriter	06708	typewriter	no tag
typewriter	06160	typewriter	no tag	typewriter	06553

per, Police Chief Gust, communication dated March 19, 2001.

Motion unanimously adopted.

- 01-228** Motion by Councilman Baron, seconded by Councilwoman Judeh, that the City Council concurs with the recommendation of the Spirit 2001 Festival Committee and award the beer supplier contract for the 2001 Spirit Festival to O & W Inc., 3974 Jackson, Ann Arbor, MI 48103, for the cost of \$50.00 a barrel for Miller High Life, per Recreation Director Grybel, communication dated March 15, 2001.

Motion unanimously adopted.

- 01-229** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that City Council concurs with and approves the request to purchase one (1) additional food tent from Bomers Stand Rentals, 31619 Carion, Warren, MI 48092, at a cost of \$2,000.00 and payment thereof, per Recreation Director Grybel, communication dated March 20, 2001. Further, that the Budget Amendment to cover the cost of the additional tent, be approved as follows:

DECREASE
 #101-691-709

RECREATION OVERTIME
 \$ 2,000.00

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INCREASE
#101-691-981

RECREATION CAPITAL OUTLAY
\$ 2,000.00

Motion unanimously adopted.

- 01-230** Motion by Councilwoman Judeh, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the request to dispose of one unfixable typewriter, tag # 07290, per Assessor Pargo, communication dated March 12, 2001.

Motion unanimously adopted.

- 01-231** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the Contract with ABC Paving, Inc., 2650 Van Horn Road, Trenton, MI 48183 and the City of Dearborn Heights, for Phase III of Parkland Park Renovation Project, per Recreation Director Grybel, communication dated March 27, 2001. Further, that the Mayor and City Clerk be authorized to sign the contract on behalf of the City.

Motion unanimously adopted.

- 01-232** Motion by Councilwoman Agius, seconded by Councilwoman Judeh, that the City Council approves the Traffic Signal Agreement and Reimbursement Agreement as submitted by Corporation Counsel on March 27, 2001, and that the City Council authorizes the Mayor and Clerk to sign said agreements on behalf of the City.

AYES: Councilwoman Agius, Councilman Baron, Councilwoman Judeh,
Councilman Paletko, Councilman Turfe, Councilwoman Van Houten.
NO: Council Chairwoman Horvath.
ABSENT: None.

Motion adopted.

- 01-233** Motion by Councilman Baron, seconded by Councilwoman Judeh, that a Public Hearing be scheduled on Tuesday, May 8, 2001 at 8:00 p.m. in Council Chambers located at 6045 Fenton Street, Dearborn Heights, Michigan, for the purpose of hearing objections, if any, to the Special Land Use Request from Sprint PCS, to erect a cellular tower at Ford-Tel Shopping Center.

Motion unanimously adopted.

- 01-234** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the request from Stephen F. Farabaugh, 80 N Edgewood, Grosse Pointe Shores, MI 48236 and Keith R. Bernek, 8244 N Pointe Court, Canton, MI 48187 to transfer ownership of 2000 Class C licensed business with Dance-Entertainment permit, from G & B Entertainment, Inc., to Face-Off Properties, Inc., 25950 Ford Road, Dearborn Heights, MI 48127, be approved subject to final inspections by Building Department; Fire Department and a letter from George Bernwanger and that the Liquor Control Commission be so notified. ID #93363

Motion unanimously adopted.

There being no further business to come before the Council, Council Chairwoman Horvath adjourned the meeting at 8:38 p.m.

JOYCE A. ROBBINS
CITY CLERK

MARGARET M. HORVATH, CHAIRWOMAN
CITY COUNCIL