

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

March 24, 2009

09-099 The meeting was called to order at 8:08 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, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by Councilman Berry.

09-100 Motion by Councilman Brown, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of March 24, 2009, be approved as submitted.

Motion unanimously adopted.

09-101 Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the Minutes from the Regular Meeting of March 10, 2009, be approved as submitted.

Motion unanimously adopted.

09-102 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that Fund Transfer 6-A and Current Claims 6-1 through 6-22, be approved as submitted.

A. \$483.00 Transferred from Fire Capital Outlay (A/C 101-335-981-500) to Fire Capital Outlay Over \$5,000 (A/C 101-335-891-000) to cover funding of EMS Hardware. Fire Department

1. ACCUMED BILLING – Rescue Runs February 2009 – Inv. dated 03/02/09 from A/C 101-000-626-000 (Rescue Runs) \$5,378.77. General Govt.
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Disposal and Administration for 02/09– Inv. dated 02/28/09 from A/C 101-200-810-000 (Sanitation) \$45,408.99. General Govt.
3. CITY OF DEARBORN – Sewage & Water 2nd Quarter Billing – Inv. 7245 dated 02/26/09 from A/C 592-537-928-000 (Water) \$1,762.30 and A/C 592-537-929-000 (Sewage) \$19,729.10. Water Dept.
4. COMPUTER TECHNOLOGIES, INC. – Data Processing Services - Inv. 70381 dated 02/28/09; Inv. 70386 dated 03/06/09; Inv. 70379 dated 02/28/09 and Inv. 70389 dated 03/13/09 from A/C 101-258-932-000 (Repair/Maint) \$3,461.25 and A/C 592-536-932-000 (Repair/Maint) \$3,461.25. Data Processing
5. CUMMINGS, MC CLOREY, DAVIS & ACHO – Sewer Flooding Case, Employments Matters, Loose & Brown Matter – Inv. 165450 dated 03/11/09; Inv. 164737 dated 02/17/09; Inv. 165519, 165520, 165521 and 165522 dated 03/12/09 from A/C 592-536-817-000 (Prof/Consult) \$1,053.00 and A/C 101-200-817-000 (Prof/Consult) \$5,286.50 (See Budget Amendment). General Govt.
6. DSS CORPORATION – Maintenance Contract 04/14/09 thru 04/13/10 – Inv. 9354 dated 04/14/09 from A/C 101-300-818-000 (Contract Services) \$3,925.00. Police Dept.
7. GARDEN CITY HOSPITAL – Workers Compensation Surgery – Ck. req. dated 02/27/09 from A/C 101-200-724-000 (Work Comp.) \$1,790.43. General Govt.
8. GIARMARCO, MULLINS & HORTON – Labor Water & Sewer Issues 02/09 – Inv. 26 dated 03/11/09 from A/C 592-536-817-000 (Prof/Consult) \$456.00. Water Dept.
9. HYDRODESIGNS – Cross Connection Project – Inv. 19522-IN dated 02/28/09 from A/C 592-536-817-000 (Prof/Consult) \$3,074.00. Water Dept.
10. LASERTEC – Assessment Notices and Postage – Inv. 22704 dated 02/27/09 from A/C 101-209-818-000 (Contract Services) \$2,480.00 See Budget Amendment and A/C 101-200-728-000 (Supplies) \$7,883.54. Assessor
11. MCKENNA ASSOCIATES – Planning Services February 2009 – Inv. dated 03/06/09 from A/C 101-801-817-000 (Prof/Consult) \$3,310.00. Planning Commission

12. MICHIGAN DEPARTMENT OF TRANSPORTATION – Progress Billing Telegraph Road – Inv. AP-313791 dated 02/23/09 from A/C 202-202-880-300 (Streets) \$3,243.47. Major Streets
13. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2586 dated 03/13/09 from A/C 592-540-818-030 (Contract Services) \$21,694.85. Water Dept.
14. NEW IMAGE BUILDING SERVICES INC. – Building Cleaning March 2009 – Inv. 51855 dated 03/01/09 from A/C 738-738-818-000 (Contract Services) \$2,214.00. Libraries
15. QUAD-TRAN OF MICHIGAN – Data Processing March 2009 – Inv. 5378 and 5379 dated 02/26/09 from A/C 101-130-818-000 (Contract Services) \$4,350.00; A/C 101-130-728-000 (Supplies) \$1,483.85 and A/C 101-200-728-000 (Supplies) \$2,171.40. 20th District Court.
16. SCHOOLCRAFT COLLEGE – 2009 Training Consortium – Inv. 88153 and 88154 dated 03/05/09 from A/C 101-300-962-000 (Training) \$2,150.00. Police Dept.
17. SYSTEMP – Repair and Labor Justice Center – Inv. 8093 dated 02/18/09 from A/C 101-300-818-000 (Contract Services) \$1,662.50 and A/C 101-130-932-000 (Repair/Maint) \$837.50. Police/Court
18. TMP ARCH. – First Installment New Recreation Center Project – Inv. 30723 dated 03/11/09 from A/C 101-200-817-000 (Prof/Consult) \$34,125.00. See Budget Amendment. General Govt.
19. THE LIBRARY NETWORK – Monthly Books & Subscriptions – Inv. 38660 dated 03/04/09 from A/C 738-738-981-000 (Capital Outlay) \$8,713.14. Libraries
20. US BANK – Fire Headquarters Bonds, Justice Center Land Bonds & CSO Basin Bonds – Principal & Interest from A/C 101-200-996-004 (Fire Bonds) \$57,643.75; A/C 105-105-998-500 (Building Fund Bonds) \$42,997.50; A/C 592-905-991-002 (CSO Principal) \$560,000.00 and A/C 592-905-995-002 (CSO Interest) \$27,422.50. Bonds
21. WADE TRIM ASSOCIATES – Street Repair, Eng. Review, Grade Reviews, Right-Way, Storm Water, Eng. Assistance, Water Main – Inv. 98040, 98034, dated 03/13/09; Inv. 97919, 97910, 97912 dated 02/24/09; Inv. 98038 dated 03/13/09; Inv. 97915 dated 02/24/09; Inv. 98033, 98037 and 98039 dated 03/13/09 and Inv. 97911 dated 02/24/09 from A/C 101-371-809-000 (Eng. Services) \$5,818.63; A/C 202-202-880-300 (Streets) \$2,958.04 and A/C 592-xxx-154-000 (Water/Sewers) \$16,287.50. Comptroller
22. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Bond Interest – Inv. 249729 dated 03/02/09 from A/C 592-905-993-006 (Interest) \$2,144.27. Water Dept.

Motion unanimously adopted.

- 09-103** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the 2009 Resolution on the Spending of Federal Economic Renewal Grants to the City of Dearborn Heights, be adopted as follows:

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment, and

WHEREAS, those same Americans are the taxpayers that provide the revenue needed to operate essential government services, and

WHEREAS, Congress and President Obama are planning a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects and other projects that will require manufactured components, and

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of our communities, and

WHEREAS, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy, and

WHEREAS, any economic recovery plan spending should – to every extent possible – include a commitment from the City of Dearborn Heights to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.

THEREFORE, BE IT RESOLVED THAT, we the undersigned will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help

keep Americans employed.

BE IT FURTHER RESOLVED THAT, we the undersigned will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed.

BE IT FURTHER RESOLVED THAT, we commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to the City of Dearborn Heights by the American taxpayers, AND

BE IT FURTHER RESOLVED THAT, as legislator of the City of Dearborn Heights, we commit to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program.

Motion unanimously adopted.

- 09-104** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the reappointments of Ms. Edith Abramczyk, 8056 Grayfield and Ms. Mary Jurkiewicz, 5923 Cambourne to the Commission on Aging, terms to expire April 2012, per Mayor Paletko, communication dated March 19, 2009.

Motion unanimously adopted.

- 09-105** Motion by Councilwoman Van Houten, seconded by Councilman Brown, that a Public Hearing be scheduled on Tuesday, May 12, 2009 at 8:00 pm in Council Chambers for the purpose of hearing objections, if any, to the proposed budget for the City of Dearborn Heights for fiscal year 2009-2010. Further, that the City Clerk be authorized to publish the Notice of Public Hearing in the City's official newspaper of record, per City Clerk Dudzinski, communication dated March 18, 2009.

Motion unanimously adopted.

- 09-106** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the modifications to the Grass Cutting Program as follows:

<u>Bid Amount</u>	<u>Current</u>	<u>Proposed</u>
\$80.00	Lots of 5,000 sq. ft. or less (per cutting)	\$80.00
\$5.00	Lots more than 5,000 sq. ft. (per 100 sq. ft. of lot area per cutting)	\$2.00
\$35.00	Lawn area of 0 to 200 sq. ft. (per cutting)	\$35.00
\$2.75	Lawn area of more than 200 sq. ft. (per 10 sq. ft. of lawn area per cutting)	\$2.00
\$41.50	Removal of debris/brush (per cubic yard)	\$41.50
\$1.25	Weeding (not weed wacking) of planting beds (per sq. ft.)	N/A
* City area to be divided into 3 sections for the grass cut program		
with one section designated to each contractor		

Per, Building & Engineering Director Sobh, communication dated March 18, 2009.

Motion unanimously adopted.

- 09-107** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council concurs with and approves a \$30.00 fee for "Letters for Closing Only", per Building & Engineering Director Sobh, communication dated March 18, 2009.

Motion unanimously adopted.

- 09-108** Motion by Councilwoman Agius, seconded by Councilman Brown, that the City Council concurs with and approves the Budget Amendment to cover the cost of Loose/Brown vs Dearborn Heights Medicare issue and Architecture work for the new Recreation Center as follows:

Minutes **MARCH 24, 2009** Continued

Increase Revenues #101-000-699-000	Appropriate Fund Balance \$150,000.00
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Increase Expenditures #101-20-817-0	GG Prof/Consult \$150,000.00
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Per Comptroller Barrow, communication dated March 18, 2009.

Motion unanimously adopted.

- 09-109** Motion by Councilwoman Agius, seconded by Councilman Brown, that the City Council concurs with and approves the Budget Amendment to cover additional cost of part time appraisers and printing assessment notices as follows:

Increase Revenues #101-000-699-000	Appropriate Fund Balance \$15,000.00
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Increase Expenditures #101-209-818-0	Assessor Contract Services \$15,000.00
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Per Comptroller Barrow, communication dated March 18, 2009.

Motion unanimously adopted.

- 09-110** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that the City Council concurs with and approves prohibiting the selling of products and/or services on the grounds of the Canfield Community Center during the Spirit 2009 Festival unless prior approval has been granted by the Spirit 2009 Festival Committee. This includes Beech Daly Road that runs parallel to the festival grounds, per Recreation Director Grybel, communication dated March 10, 2009.

Motion unanimously adopted.

- 09-111** Motion by Councilman Brown, seconded by Councilwoman Agius, that the City Council concurs with and approves the request to auction the following vehicles:

1994 Ford 4 door	3FALP73W9RX203538
1995 Pontiac 2 door	1G2NE15M5SM536337
1987 Oldsmobile 2 door	1G3GR11Y4HP324697
2002 Saturn 4 door	1G8JW54R72Y524009
1989 Ford Station Wagon	1FDEE14H3KHB79504
1996 Mercury 4 door	1MELM6530TK626615
1993 Pontiac 4 door	1G2WH54TXPF245792
1997 Chevrolet 4 door	1G1JC5243V7263034
2003 Chevrolet Station Wagon	1GNCS18X73K181208

per, Police Chief Gavin, communication dated March 9, 2009.

Motion unanimously adopted.

- 09-112** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the communication from Treasurer Riley, dated March 18, 2009 re: Retiree Health Care Benefits Plan and Trust, be referred to Corporation Counsel.

Motion unanimously adopted.

- 09-113** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council declare Military Park Neighborhood area as defined in CM 08-460, dated December 1, 2008 a "Blighted Area: and authorize Community and Economic Development Department to proceed with implementation of the action plan projects #1 (DTE Street Lighting Project) #7 (Additional Signage) and #11 (Street Tree Planting), as defined in chapter two of Neighborhood Action Plan, pages 12-16 as part of the CDBG FY 2009 Action Plan, per Community and Economic Development Director Jamal, communication dated March 17, 2009.

Motion unanimously adopted.

- 09-114** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the City Council concurs with and approves the Resolution Authorizing Installment Purchase Financing Agreement, drafted by Miller Canfield, the City's Bond Counsel for financing of the new police in-car video equipment from LC Communications Mobile-Vision, Inc. and financed through Comerica Bank, in the amount of \$191,466.08, and payment thereof, per Treasurer Riley, communication dated March 18, 2009. The financing rate

for this purchase is 3.4% versus previously approved rate of 10% as outlined in CM 09-018.

Motion unanimously adopted.

- 09-115** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that Council Motion 09-018 be amended to authorize the purchase and payment upon delivery of an in-car video system and related equipment from L3 Communications Mobile Vision, Inc., in the amount of \$191,466.08, per Police Chief Gavin, communication dated March 18, 2009.

Motion unanimously adopted.

- 09-116** Motion by Councilman Brown, seconded by Councilwoman Badalow, 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 first time.

Motion unanimously adopted.

- 09-117** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, 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 first time.

Motion unanimously adopted.

- 09-118** Motion by Councilman Brown, seconded by Councilwoman Agius, 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 first time.

Motion unanimously adopted.

- 09-119** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the request from PALS, Inc., 6500 Inkster Road, Dearborn Heights, MI 48127 be recognized as a non-profit 501(c)(3) status and approves the Local Governing Body Resolution for Charitable Gaming Licenses, be approved to conduct a "Texas Hold Em" Tournament on behalf of PALS, Inc..

Motion unanimously adopted.

- 09-120** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the business license renewal for Livernois Vehicle/Motorsport, 2500 S Gulley and Uncle Ray's Place, 24502 Warren, be approved.

Motion unanimously adopted.

- 09-121** Motion by Councilman Berry, seconded by Councilwoman Horvath, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:21 PM

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY