

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MARCH 9, 2010

10-075 The meeting was called to order at 8:07 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, Administrative Assistant Kramarz, Assessor McDermott, Building & Engineering Director Sobh, Community & Economic Development Director Amen, Comptroller Barrow, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, Emergency Management Director Ankrapp, Fire Chief Gurka, Library Director Mccaffrey, Police Chief Gavin, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by Exie Markowsky.

10-076 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the Agenda for the Regular Meeting of March 9, 2010, be approved as submitted.

Motion unanimously adopted.

10-077 Motion by Councilman Berry, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of February 23, 2010, be approved as submitted.

Motion unanimously adopted.

10-078 Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that Fund Transfer 6-A and Current Claims 6-1 through 6-23, be approved as submitted.

A. \$10,500.00 Transferred from Assessor Salaries (A/C 101-209-706-000) \$7,000.00 and Contract Services (A/C 101-208-808-000) \$3,500.00 to Assessor Part Time (A/C 101-209-707-100 (\$7,000.00); Supplies (A/C 101-209-728-000) \$1,900.00; Dues/Member (A/C 101-209-802-000) \$100.00 and Mileage (A/C 101-209-861-000) \$1,500.00.

1. ALLEN BROTHERS – Attorney Fees for NSP Program January 2010 – Inv. 35167 dated 02/25/10 from A/C 274-673-930-091 (NSP) \$1,775.25. Misc. Grants
2. CITY OF WESTLAND – Maintenance Agreement with Motorola 800 MHZ – Inv. dated 1/23/10 from A/C 101-300-818-000 (Contract Services) \$24,150.73. Police Dept.
3. CONTROL SCREENING LLC – Annual Maintenance Contract X-Ray Scanner – Inv. 30110A dated 3/01/10 from A/C 101-130-932-000 (Repair/Maint) \$5,600.00. District Court
4. DEARBORN ORTHO ASSOC., PC – Workers Compensation Rehab – Ck. Req. dated 1/18/10 from A/C 101-200-724-000 (Workers Comp) \$1,565.06. General Govt.
5. EC LINK – Annual Maint and Hosting of Web Page – Inv. 8538 dated 3/01/10 from A/C 101-258-932-000 (Repair/Maint) \$4,380.00. Data Processing
6. HYDRODESIGNS, INC. – Cross Connection Program – Inv. 21162-IN dated 1/31/10 from A/C 592-537-818-000 (Contract Services) \$2,623.00. Water Dept.
7. JOHNSON CONTROLS – Maintenance Contract City Hall and Other Buildings – Inv. 64612447 and 64612454 dated 2/02/10 from A/C 101-265-818-000 (Contract Services) \$12,985.00. Building Maintenance
8. MCKENNA ASSOCIATES – Professional Services NSP Grant – Inv. dated 8/06/09 from A/C 274-673-930-091 (NSP Grant) \$3,291.60. Misc. Grants
9. METRO AIRPORT TRUCK – Various Repairs/Parts for Vehicles – Inv. 516478, 516479 dated 2/23/10 and 516488 and 516514 dated 2/25/10 from A/C 592-xxx-110-000 (Inventory) \$3,713.50. Water Dept.
10. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 2745 dated 2/26/10 from A/C 592-540-818-030 (Contract Services) \$14,112.26. Water Dept.
11. NEW IMAGE BUILDING SERVICES, INC. – Cleaning Services – Inv. 59219 dated 2/01/10 from A/C 738-738-818-000 (Contract Services) \$2,214.00. Libraries
12. QUAD-TRAN OF MICHIGAN – Data Processing February 2010 – Inv. 5552 and 5553 dated 2/26/10 from A/C 101-130-818-000 (Contract Services) \$4,500.00; A/C 101-130-728-000 (Supplies) \$1,528.45 and A/C 101-200-728-000 (Supplies) \$1,950.52. District Court

13. RIO SUPPLY MICHIGAN METER, INC. – Various Meters and Supplies – Inv. 81374 dated 12/23/09; 81459 dated 1/18/10; 81469 dated 1/20/10; 81545 dated 2/02/10; 81572 dated 2/09/10 and 81624 dated 2/15/10 from A/C 592-xxx-111-002 (Inventory) \$14,170.44. Water Dept.
14. ROWLEY'S WHOLESALE – Washer Solvent & Synthetic Blend Oil – Inv. 3031891 dated 2/02/10 and Inv. 3032919 dated 2/15/10 from A/C 592-xxx-110-000 (Inventory) \$1,529.79. Water Dept.
15. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging January 2010 – Inv. dated 2/12/10 from A/C 101-200-868-000 (Prisoners) \$3,674.40. General Govt.
16. SYSTEMP – Maintenance/Services 1/29/10 – Inv. 9473 dated 2/17/10 from A/C 101-300-818-000 (Contract Services) \$2,421.27 and A/C 101-130-932-000 (Repair/Maint) \$1,219.73. Justice Center
17. US BANK – Bonds for Headquarters Fire Station – Inv. 4/1/10 from A/C 101-200-996-004 (Fire Station) \$55,806.25. General Govt.
18. WADE TRIM ASSOCIATES – EEC Block Grant, Right-of-Way, Rain Garden, Flow Monitoring, Weddel Water Main, Engineering, Eng. Assistance – Inv. 09973, 100007, 099974, 099978, 099977, 099971, dated 2/19/10 and Inv. 098834 dated 7/21/09 from A/C 101-371-809-000 (Eng. Services) \$557.50; A/C 592-xxx-154-000 (Sewers) \$23,509.50; A/C 274-673-930-500 (CMI Grant) \$600.00 and A/C 274-673-930-600 (EEC Block Grant) \$5,250.00. Gen. Govt.
19. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Downriver Excess Flow March 2010 – Inv. 251828 dated 3/01/10 from A/C 592-537-929-000 (Sewage) \$27,309.00. Water Dept.
20. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Rouge Valley SRF Bonds & Interest – Inv. 255050 and 255040 dated 2/25/10 from A/C 592-905-992-001 (SRF Bonds) \$145,000.00 and A/C 592-905-992-002 (SRF Interest) \$30,886.81. Water Dept.
21. CUMMINGS, MCCLOREY, DAVIS & ACHO – Legal Services January 2010 – Inv. 175369 dated 2/17/10, 175402, 175396, 175395 and 175397 dated 2/19/10 from A/C 592-537-818-000 (Contract Services) \$7,584.50. Water Dept.
22. GARY MIOTKE – Legal Billing February 2010 – Inv. dated 3/02/10 from A/C 101-210-826-000 (Counsel Services) \$7,599.81. Corporation Counsel
23. SECREST, WARDLE, LYNCH ... - Legal Billing January 2010 – Inv. dated 3/02/10 from A/C 101-210-826-000 (Counsel Services) \$5,628.00. Corporation Counsel

Motion unanimously adopted.

- 10-079** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Comptroller be authorized to advertise for bids, per specifications, for Certified Residential HVAC Inspection Services; Certified Environmental Testing and Clearance Services Company and Title Search Company, for the Residential Rehabilitation Program, per the request of Community and Economic Development Director Amen, communication dated March 9, 2010.

Motion unanimously adopted.

- 10-080** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated March 2, 2010 re: Reappointment of Angelo Batsakis, 4129 Vassar, to the Board of Review, term to expire July 2012, be received, contents noted and filed.

Motion unanimously adopted.

- 10-081** Motion by Councilman Pilot, seconded by Councilwoman Badalow, that the proposed Resolution Re: Approval of Articles of Incorporation for The Downriver Utility Wastewater Authority be adopted as follows:

WHEREAS the Downriver Wastewater System (the "System") provides sewage treatment and conveyance for wastewater generated in thirteen communities (the "Downriver communities"), including Allen Park, Belleville, Brownstown Charter Township, Dearborn Heights, Ecorse, Lincoln Park, River Rouge, Riverview, Romulus, Southgate, Taylor, Van Buren Charter Township, and Wyandotte, and;

WHEREAS the System is currently operated by Wayne County pursuant to the Downriver Sewage Disposal System Contract (the "Contract") as amended, which was approved and placed into effect as of March 1, 1962, and;

WHEREAS the Contract has a 50-year term which will terminate on March 1, 2012, and;

WHEREAS the Downriver Communities have expressed interest in revising the terms and conditions under which the System is administered so as to ensure the lowest cost

of operation, while still maintaining compliance with all state and federal environmental requirements and duties, and;

WHEREAS THE Downriver Communities, since 1994, have invested over \$300 million in System Improvements pursuant to a Federal Consent Decree, and have continued to invest over \$20 million more in upgrades to the System to improve efficiency and ensure environmental compliance, and;

WHEREAS the Downriver Communities have recently received a report from a consultant indicating that cost savings could potentially be realized through the establishment of a new Utility Authority which would assume ownership, operation and administration of the System after the Contract expires, and;

WHEREAS the City of Dearborn Heights, one of the Downriver communities, has previously adopted a Resolution to pursue the establishment of a Utility Authority pursuant to Act 233 of 1955 the "Sewage Disposal Authority Act: ("Act 233") so as to preserve all options for ensuring that the System is operated as efficiently as possible, including the negotiation of a new service agreement once the current Contract expires, and;

WHEREAS the individuals who represent the City of Dearborn Heights on the Joint Management Committee (the "JMC") have been directed to draft all documents necessary for the creation of the new Downriver Utility Authority with final documents to be presented to the City Council for its approval, and;

WHEREAS Articles of Incorporation for the establishment of the Downriver Utility Wastewater Authority (the "Authority") have been prepared and are required to be approved by each of the Downriver communities desiring to become a member of the Authority, and;

WHEREAS upon approval of the said Article of the Authority, Act 233 requires the filing and publication of the Articles.

NOW THEREFORE BE IT RESOLVED THAT THE City of Dearborn Heights hereby approves the attached Articles of Incorporation of the Downriver Utility Wastewater Authority, and;

BE IT FURTHER RESOLVED that the City of Dearborn Heights hereby authorizes its Mayor and Clerk to execute the Articles of Incorporation, and;

BE IT FURTHER RESOLVED that the said Articles of Incorporation be filed and published pursuant to Act 233, and;

BE IT FURTHER RESOLVED that this Resolution be transmitted to Wayne County CEO Robert A. Ficano, Wayne County Commission Chairman Edward Boike, Wayne County Commission Environment, Drains & Sewers Committee Chairman Tim Killeen, all Wayne County Commissioners representing the JMC member communities, Wayne County DPS Director James Jackson, the Downriver Community Conference, and the Conference of Western Wayne, per Mayor Paletko, communication dated March 3, 2010.

Motion unanimously adopted.

- 10-082** Motion by Councilman Pilot, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Articles of Incorporation of Downriver Utility Wastewater Authority, per Mayor Paletko, communication dated March 3, 2010. Further, that the Mayor and City Clerk be authorized to sign the document on behalf of the City.

Motion unanimously adopted.

- 10-083** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the business license renewal for Hi-Grade Steakhouse, 25240 Ford, be approved.

Motion unanimously adopted.

- 10-084** Motion by Councilwoman Van Houten, seconded by Councilman Pilot, that the City Council concurs with and approves the Justice Center Addendum to Tolling Agreement (Architect) by and between the City of Dearborn Heights and Coquillard, Dundon, Peterson and Argenta, Inc., aka CDPA Architects, Inc., 26600 Telegraph Road, Suite 450, Southfield, MI 48034, per Corporation Counsel Miotke, communication dated March 3, 2010. Further, that the Mayor be authorized to sign the Architect Addendum on behalf of the City of Dearborn Heights.

Minutes **MARCH 9, 2010** Continued

Motion unanimously adopted.

- 10-085** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Neighborhood Stabilization Program Demolition Services Agreement with Jomaa Land Development, 125 Evangeline, Dearborn Heights, MI 48127 to demolish property located at 5947 Colonial, at the bid amount of \$9,300.00, per Assistant Corporation Counsel Elhasan, communication dated March 3, 2010. Further, that Mayor Paletko and Clerk Dudzinski, sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 10-086** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Neighborhood Stabilization Program Demolition Services Agreement with Precision Construction, 22014 Ford Road to demolish property located at 26184 McDonald, at the bid amount of \$9,365.00, per Assistant Corporation Counsel Elhasan, communication dated March 3, 2010. Further, that Mayor Paletko and Clerk Dudzinski, sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 10-087** Motion by Councilman Berry, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:20 PM

S. JUDITH DUDZINSKI
CITY CLERK

MARIA E. LAWRENCE
COUNCIL SECRETARY

KENNETH R. BARON
COUNCIL CHAIRMAN