

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

FEBRUARY 12, 2002

02-060 The meeting was called to order at 8:08 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 Reidel, Acting Building & Engineering Director Lamontagne, Police Chief Gust, Fire Chief Barnett, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilwoman Van Houten.

Council Chair Dan Paletko, Mayor Ruth Canfield and Councilwoman Liz Agius, read a narration of the events that precipitated the presentation of a Council Citation to Police Officer Bruce Krot, who for his actions in the safe apprehension of a double homicide suspect on November 5, 2001 is honored.

02-061 Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the Agenda for the Regular Meeting of February 12, 2002, be approved as submitted.

Motion unanimously adopted.

02-062 Motion by Councilwoman Badalow, seconded by Councilman Constan, that the Minutes from the Regular Meeting of January 22, 2002, be approved as submitted.

Motion unanimously adopted.

02-063 Motion by Councilman Baron, seconded by Councilwoman Agius, that Current Claims 6-1 through 6-26, be approved as submitted.

1. ABC PAVING COMPANY - Parkland Park Renovation - Cert. #5 dated 01/31/02 from A/C 274-693-930-200 (Parkland Park) \$86,022.52. Misc. Grants.
2. B S & A SOFTWARE - Assessment Software Service Contract - Inv. 20200 dated 01/01/02 and Inv. 20096 dated 02/01/02 from A/C 101-209-818-000 (Contract Serv.) \$4,300.00. Assessor.
3. BON SECOURS-ST. JOSEPH - Knee Replacement - Ck. Req. dated 01/14/02 from A/C 101-200-724-000 (Workers Comp.) \$18,381.20. General Govt.
4. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt & Services 01-02 Inv. dated 01/23/02 from A/C 101-200-810-000 (Sanitation) \$157,762.56. General Govt.
5. D & R EXPERT TREE SERVICE - 2002 Storm Tree Trimming/Removals - Inv. dated 02/04/02 from A/C 101-440-820-000 (Trees) \$17,235.00. DPW-Highway.
6. D & R EXPERT TREE SERVICE - Tree Trimming/Removals - Inv. dated 01/25/02 from A/C 101-440-820-000 (Tree Trimming/Removals) \$4,850.00. DPW-Highway.
7. DUKES SALES & SERVICE - Jet Power II - Sewer Degreaser - Inv. 9178, 9179 dated 01/07/02 from A/C 592-540-740-000 (Supplies) \$3,000.00. ENC. Water Dept.

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8. ELLEFSON BUILDING DEMO - Hauling Downed Trees - Storm - Various Inv's. from A/C 101-200-810-000 (Sanitation) \$11,360.00. General Govt.
9. LACARIA CONCRETE CONSTRUCTION - 2001 Sidewalk Replacement Program - Inv. dated 02/05/02 from A/C 101-200-963-000 (Sidewalks) \$98,053.48. See Budget Amendment. General Govt.
10. MMRMA - Additional Sewer Coverage - Inv. 61837-1 from A/C 592-536-911-000 (Insurance) \$14,658.00. See Budget Amendment. Water O/M.
11. MUNICIPAL CODE CORP. - Supplemental Pages/Updating - Inv. 43932 dated 01/25/02 from A/C 101-215-818-000 (Contract Serv.) \$2,595.79. See Budget Amendment. City Clerk.
12. MIOTKE, GARY - Legal Services January 2002 - Inv. dated 02/06/02 from A/C 101-210-826-000 (Counsel Serv.) \$7,562.25. Corp. Counsel.
13. SECREST, WARDLE, LYNCH.... - Legal Services December 2001 - Inv. dated 02/06/02 from A/C 101-210-826-000 (Counsel Serv.) \$2,713.50. Corp. Counsel.
14. NAGEL CONSTRUCTION - 2002 Sewer Cleaning Program - Inv. 1521 dated 01/24/02 from A/C 592-540-818-030 (Contract Serv.) \$41,459.51. Water Dept.
15. PLANTE & MORAN - Account Services 12/16/01 - 12/31/01 - Inv. 796995 dated 01/18/02 from A/C 101-200-817-000 (Professional/Consult) \$2,685.00 and A/C 592-536-817-000 (Professional/Consult) \$1,895.00. General Govt.
16. PLANTE & MORAN - Final Billing Single Audit CDBG - Inv. 794004 dated 01/03/02 from A/C 103-960-918-200 (Admin.) \$1,900.00. CDBG.
17. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging December 2001 Inv. dated 01/22/02 from A/C 101-200-868-000 (Prisoners) \$3,785.20. General Govt.
18. TODAYLINK, LLC - Internet Services 01-02 and 02-02 - Inv. 1028 dated 02/05/02 from A/C 101-200-819-999 (Internet) \$7,328.70. General Govt.
19. WADE-TRIM - Assist CDBG Program 2001-2002 and 2002-2003 - Inv. 72220 dated 01/18/02 and Inv. 71503 dated 11/14/01 from A/C 103-960-918-200 (Admin.) \$2,194.00. CDBG.
20. WADE-TRIM/ASSOCIATES - Berwyn Parking Lot Admin. - Inv. 70863 dated 09/28/01 and Inv. 72040 dated 12/19/01 from A/C 103-960-921-200 (Berwyn Parking Lot) \$905.81. CDBG.
21. WADE-TRIM/ASSOCIATES - Evergreen Road Pavement Rehab - Inv. 72350 dated 01/22/02 from A/C 202-202-880-500 (Street Repairs) \$1,665.80. Major Streets.
22. WADE-TRIM/ASSOCIATES - Grading Certification Review - Inv. 72037 dated 12/19/01 from A/C 592-XXX-154-000 (Sewers) \$298.38. Water Dept.
23. WADE-TRIM/ASSOCIATES - Lead Base Paint Rehab - Inv. 72219 dated 01/18/02 from A/C 103-960-900-201 (Housing Rehab) \$927.50. CDBG.
24. WADE-TRIM/ASSOCIATES - Plot Plan Reviewing 10/24/01-11/24/01 - Inv. 72038 dated 12/19/01 from A/C 101-371-809-000 (Engineering Services) \$440.75. Bldg. Eng.
25. WADE-TRIM/ASSOCIATES - Warren Avenue Streetscape Admin & Parking - Inv. 72356 and 72398 dated 01/22/02 from A/C 103-960-944-099 (Warren Avenue) \$52,088.38. CDBG.
26. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow Downriver - Inv. 205595 dated 01/29/02 from A/C 592-537-929-000 (Sewage Disposal) \$23,838.00. Water Dept.

Motion unanimously adopted.

- 02-064** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the sole bidder meeting all specifications on a re-bid, Knapheide Truck Equipment, 4103 Holiday Drive, Flint, MI 48507, for three (3) front mounted snow plows, in the amount of \$8,796.00, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated January 21, 2002. Funding for this purchase to come

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from Water A/C 592-536-981-000.

Motion unanimously adopted.

- 02-065** Motion by Councilman Baron, seconded by Councilwoman Agius, that the City Council concurs with and approves the Letter of Understanding for the 1999-2002 Collective Bargaining Agreement with DPW Supervisor's Union, per Executive Assistant Heise, communication dated January 28, 2002. Further, that the Mayor and City Clerk be authorized to sign the Amendment on behalf of the City. This amendment allows the determining average monthly pension compensation to be based on the employee's best 3 out of 5 years of service for employees retiring July 1, 1999 and thereafter.

Motion unanimously adopted.

- 02-066** Motion by Councilwoman Horvath, seconded by Councilman Constan, that the City Council concurs with and approves the extension of the winter tax collection from February 16, 2002 through February 28, 2002 which includes waiving of the 3% Administration Fee, per Treasurer Riley, communication dated February 6, 2002.

Motion unanimously adopted.

- 02-067** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the quote from Fidler Doubleday Inc., 6255 Technology Avenue, Kalamazoo, MI 49009, for Change of Assessment Notices, in the amount of \$2,860.00, and payment thereof, be approved, per Assessor Riedel, communication dated February 1, 2002.

Motion unanimously adopted.

- 02-068** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the alley north of Van Born Road, west of West Point and east of Telegraph abutting Lots 45-57, 60, 68-71 of DEARBORN TELEGRAPH TOWNLINE SUBDIVISION, as recorded in Liber 48, Page 37, Wayne County Records, be abandoned.

Motion unanimously adopted.

- 02-069** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Comptroller be authorized to decrease CDBG Program Income account \$120,000 and increase CDBG Central Park Improvement account \$120,000 per, Community Development Director Oliverio, communication dated January 21, 2002.

Motion unanimously adopted.

- 02-070** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the Budget Amendment to cover the cost of additional flood insurance coverage be approved as follows:

INCREASE REVENUES	APPROP. FUND BALANCE
#592-000-699-592	\$ 25,000.00
INCREASE EXPENDITURES	INSURANCE
#592-536-911-000	\$ 25,000.00

per, Comptroller Barrow, communication dated February 5, 2002.

Motion unanimously adopted.

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- 02-071** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the Budget Amendment to cover the cost of additional supplement for the Code of Ordinance book be approved as follows:

INCREASE REVENUES	APPROP. FUND BALANCE
#101-000-699-000	\$ 1,875.00
INCREASE EXPENDITURES	CLERK CONTRACT SERVICES
#101-215-818-000	\$ 1,875.00

per, Comptroller Barrow, communication dated February 5, 2002.

Motion unanimously adopted.

- 02-072** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the Budget Amendment to cover the cost of the 2001 Sidewalk Replacement Program be approved as follows:

INCREASE REVENUES	SIDEWALKS
#101-000-628-000	\$150,000.00
INCREASE EXPENDITURES	SIDEWALKS
#101-200-963-000	\$150,000.00

per, Comptroller Barrow, communication dated February 5, 2002.

Motion unanimously adopted.

- 02-073** Motion by Councilwoman Agius, seconded by Councilwoman Constan, that the quote from a single source provider, Pneumatic Pump Supply & Service, PO Box 114, Roseville, MI 48066, for the equipment and installation of two (2) Graco 50' oil reel with electronic meter and one (1) 50" Graco grease reel with z-swivel and valve, in the total amount of \$5,020.78, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated January 17, 2002. This item was approved in the Water Department Capital Outlay account.

Motion unanimously adopted.

- 02-074** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the Detroit Edison Underground Easement (Right of Way) No. Right of Way #RFW360593Red for the Municipal Park Electrical Project, per Recreation Director Grybel, communication dated January 29, 2002. Further, that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 02-075** Motion by Councilwoman Agius, seconded by Councilman Constan, that the City Council concurs with and approves TMP Associates, Inc., 1191 W Square Lake Road, Bloomfield Hills, MI 48303, for architectural services for the new ADA approved Central Park Comfort Station, in the proposed fee amount of 9% of the construction costs, per Recreation Director Grybel, communication dated February 5, 2002. Further, that the Mayor and Clerk be authorized to sign the proposal on behalf of the City. Monies to fund this project have been approved in the CDBG Program.

Motion unanimously adopted.

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- 02-076** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council accept the recommendation from the Spirit Festival Committee to cancel the Spirit 2002 parade.

Motion unanimously adopted.

- 02-077** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the "Standard Form of Agreement between Owner and Architect for a Small Project" that being the Canfield Ice Arena Lobby Renovation Project with TMP Associates, Inc., 1191 W Square Lake Road, Bloomfield Hills, MI 48302, per Recreation Director Grybel, communication dated February 5, 2002. Further, that the Mayor and Clerk sign the agreement on behalf of the City.

Motion unanimously adopted.

- 02-078** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council authorize the Police Department to accept the Byrne Memorial Grant through CLEMIS and authorize the purchase of a compatible live-scan fingerprint device, in the amount of \$41,300.00, and payment thereof, per Police Chief Gust, communication dated January 24, 2002. The grant requires a 25% City match of \$10,325.00, payable through the Special Operations Abatement fund.

Motion unanimously adopted.

- 02-079** Motion by Councilman Baron, seconded by Councilman Constan, that proposed ordinance H-02-02, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-27 OF SAID CODE REGARDING FOUR (4) LOTS ON THE WEST SIDE OF WEST POINT NORTH OF VAN BORN, SPECIFICALLY, LOTS 68 THROUGH 71, DEARBORN TELEGRAPH TOWNSHIP SUBDIVISION, TO EFFECT THEIR REZONING FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO C-2 (GENERAL BUSINESS DISTRICT), be considered read for the first time.

Motion unanimously adopted.

- 02-080** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the request from Tailgators Sports Bar and Grill LLC, 25380 Van Born Road, Dearborn Heights, MI 48125 to transfer membership interest (2000 licensing year) in 2001 Class C-SDM licensed business with Dance-Entertainment Permit and Outdoor Service (1 area) by adding Michael D. Cloyd as member with 33 1/3% interest through transfer of 16 1/2% interest (each) from existing members Joseph Bozynski and Gregory A. Cloyd, be approved and the LCC be so notified.

Motion unanimously adopted.

- 02-081** Motion by Councilwoman Van Houten, seconded by Councilwoman Constan, that Agenda Item 13-B, Kildare's Bar & Grill, 22120 Van Born Road, be referred back to Administration.

Motion unanimously adopted.

- 02-082** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the meeting be adjourned.

Motion unanimously adopted.

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The meeting adjourned at 8:53 p.m.

JOYCE A. ROBBINS
CITY CLERK

DANIEL S. PALETKO, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY