

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

FEBRUARY 11, 2003

03-052 The meeting was called to order at 8:09 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilman Kenneth R. Baron, Councilwoman Janet S. Badalow, Councilman Bob Constan, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Canfield, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Deputy Comptroller Macari, Assessor Riedel, Police Chief Gust, Fire Marshal McDonagh, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio, Human Resource Representative Remily.

The Pledge of Allegiance was led by Art Shy.

03-053 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Agenda for the Regular Meeting of February 11, 2003, be approved with addition of Agenda item 13-B, District 7 Dad's Club resolution.

Motion adopted.

03-054 Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of January 28, 2003, be approved as submitted.

Motion adopted.

03-055 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that Fund Transfer 6-A and Current Claims 6-1 through 6-28, be approved as submitted.

A. \$146.00 from Contingency (A/C 101-200-997-000) to Drains at Large (A/C 101-200-988-000) to cover additional cost of drains repaired by Wayne County.

1. BRIAN MUAWAD - Workers Compensation Settlement - Check dated 2/04/03 from A/C 101-200-724-000 (Workers Comp) \$1,908.70. Gen. Govt.
2. BS & A SOFTWARE - Software Maint. For Assessor - Invoice 23439 dated 2/01/03 from A/C 101-209-818-000 (Contract Serv.) \$2,965.00. Assessor.
3. CUMMINGS, MCCLOREY, DAVIS... - Labor Matters for December 2002 - Invoice 40259 dated 1/09/03 from A/C 101-200-817-000 (Professional/Consult.) \$820.00. Gen. Govt.
4. DEANNA RHEINSCHMIDT - Payment for Workers Compensation Settlement - Check Request dated 2/04/03 from A/C 101-200-724-000 (Workers Compensation) \$8,091.30. Gen. Govt.
5. ELLEFSON BUILDING DEMOLITION - Loaded & Haul Away Debris - Invoice 301 dated 2/03/03 from A/C 101-200-810-000 (Sanitation) \$21,900.00. Gen. Govt.
6. EMPCO, INC. - Promotional Exams Police Lieutenant - Invoice 1151 dated 12/02/02 from A/C 101-221-817-000 (Professional/Consult.) \$1,962.00. Act 78
7. F.E.T.N. - Satellite Subscription for Fire Department Training - Invoice 368107 dated 1/07/03 from A/C 101-335-818-000 (Contract. Serv.) \$2,304.00. Fire Department.
8. FIRST STEP - Monthly Charges for Assistance - Invoice dated 1/22/03 from A/C 103-960-927-202 (First Step) \$2,258.74. CDBG.
9. HEIGHTS TREE SERVICE - Tree Trimming & Removals - Invoices 10 & 11

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from A/C 101-440-820-000 (Trees) \$4,920.00. DPW-Highway.

10. MUNICIPAL CODE CORPORATION - Supplement Page & Updating of Ordinances - Invoice 51447 dated 1/10/03 from A/C 101-215-818-000 (Contract. Serv.) \$4,071.00. Clerk.
11. NAGEL CONSTRUCTION INC. - Sewer Cleaning Program - Invoice 1746 dated 1/23/03 from A/C 592-540-818-030 (Cleaning) \$14,500.00. Water Department.
12. OAKLAND COUNTY - Livescan Maintenance 12/23/02 - 6/30/03 - Invoice 1292003A from A/C 101-300-818-000 (Contract Services) \$2,218.05. Police Department.
13. PAINTER & RUTHENBERG - Roll Off Service for January 2003 - Invoice 54076 dated 1/31/03 from A/C 101-200-810-000 (Sanitation) \$3,096.00. Gen. Govt.
14. PLANTE & MORAN - Accounting Fees for 1/01/03 - 1/15/03 - Invoice 876389 dated 1/29/03 and Invoice 876388 dated 1/29/03 from A/C 101-200-817-000 (Professional/Consult.) \$7,065.00 and from A/C 592-536-817-000 (Professional/Consult.) \$1,250.00. Gen. Govt.
15. RICHMAR CONSTRUCTION, INC. - Swapka Park Pavilion Replacement - Certificate #2 dated 1/28/03 from A/C 103-960-964-201 (Swapka Park) \$6,000.00. CDBG.
16. SEMCOG - Annual Dues for 2003 - Invoice 1/06/03 from A/C 101-200-958-000 (Dues) \$7,870.00. Gen. Govt.
17. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging for December 2002 - Invoice dated 1/16/03 from A/C 101-200-868-000 (Prisoners) \$5,564.00. Gen. Govt.
18. TODAYLINK, LLC - Internet Connect for Jan/Feb 2003 - Invoice 1040 dated 2/03/03 from A/C 101-200-819-999 (Internet) \$7,200.78. Gen. Govt.
19. WADE/TRIM ASSOCIATES - Wayne County Wetland #10 Design - Invoice 76367 dated 12/11/02 and Invoice 76189 dated 11/26/02 from A/C 592-XXX-154-000 (Sewers) \$3,541.50. Water Dept.
20. WADE/TRIM ASSOCIATES - Heather Lane Bridge Replacement - Invoice 76748 dated 1/20/03 from A/C 103-960-967-201 (Heather Lane) \$43.00. CDBG.
21. WADE/TRIM ASSOCIATES - 2002-2003 CDBG Assistance - Invoice 76808 dated 1/20/03 and Invoice 76805 dated 1/20/03 from A/C 103-960-918-201 (Admin) \$1,972.80. CDBG.
22. WADE/TRIM ASSOCIATES - Storm Water Street Sweeping Program - Invoice 76940 dated 1/29/03 from A/C 592-XXX-154-000 (Sewers) \$3,130.00. Water Department.
23. WADE/TRIM ASSOCIATES - Downriver Technical Assistance, Storm Water Permit - Invoice 76755 dated 1/20/03 and Invoice 76739 dated 1/20/03 from A/C 592-XXX-154-000 (Sewers) \$1,277.92. Water Department.
24. WADE/TRIM ASSOCIATES - Serene Estates Waterline - Invoice 76749 dated 1/20/03 from A/C 592-XXX-255-000 (Jobs In Progress) \$1,845.50. Water Department.
25. WADE/TRIM ASSOCIATES - Southfield Service Drive Construction - Invoice 76741 dated 1/20/03 from A/C 202-202-800-300 (Streets) \$3,457.51. Major Streets.
26. WADE/TRIM ASSOCIATES - Central Park Improvements - Invoice 76751 dated 1/21/03 from A/C 103-960-941-201 (Central Park) \$1,991.60. CDBG.
27. WAYNE COUNTY - DEPARTMENT OF ENVIRONMENT - F/Y 03 ECPAD O & M 2ND Quarter - Invoice 214110 dated 1/14/03 from A/C 592-537-927-000 (Ecorse Creek) \$77,436.58. Water Department.
28. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Wayne County Drain Repairs - Invoice 213845 dated 1/07/03 from A/C 101-200-988-000 (Drains at Large) \$10,145.09. Gen. Govt.

Motion adopted.

03-056 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City

Council concurs with and approves the reappointment of Angelo Batsakis and Bruce Edwards on the Board of Review, terms to expire January 2005, per Mayor Canfield, communication dated February 5, 2003.

Motion adopted.

- 03-057** Motion by Councilman Constan, seconded by Councilman Baron, that the Military Duty Resolution be adopted as follows:

WHEREAS, American troops are preparing to possibly engage in a grave and life threatening conflict in Iraq, and

WHEREAS, Several nations are banding together to stop the outright aggression over a fellow nation, and

WHEREAS, Dearborn Heights supports our troops that are preparing for or at war with Iraq, and

WHEREAS, That support includes all troops called back to active duty from a status of reserve duty, and

WHEREAS, The City itself has an employee who has been called back to active duty, and

WHEREAS, This duty has caused undue financial burdens on many of those serving in the armed forces and reserves compared to their normal employment, and

WHEREAS, It is recognized that no amount of financial restitution can compensate for the hardships suffered by these service personnel and their families,

NOW, THEREFORE, BE IT RESOLVED, I, Mayor Ruth A. Canfield, together with the City Council want to ensure those City employees that are being asked to serve in preparation for war with Iraq, that it will make those employees whole in any City paid salary discrepancies due to that service, and

BE IT FURTHER RESOLVED, that this action is not precedent as to future actions on similar subjects and must have no bearing on any union or contract issue, and

BE IT FURTHER RESOLVED, that the City will base this payment on the employees base salary, with pay increases due the employee during the week preceding being called back to active service and this shall continue as long as the individual is considered an employee of the City of Dearborn Heights, and

BE IT FURTHER RESOLVED, that the City Clerk, Joyce A. Robbins forward a copy of this resolution to the City Administration, City Treasurer John Riley, Governor Jennifer Granholm, State Senator Burton Leland, State Representatives Daniel Paletko and Jim Plakas, County Executive Robert Ficano, County Commissioner Philip Cavanagh, Congressmen John Dingell and Thaddeus McCotter and all surrounding communities, per Mayor Ruth Canfield, communication dated February 5, 2003.

Motion adopted.

- 03-058** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the matter regarding Meeting Time Change be referred to Corporation Council for a legal opinion.

Ayes: Council Chair Agius, Councilman Baron, Councilman Constan, Councilwoman Horvath, Councilwoman Van Houten.

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Nays: Councilwoman Badalow.
Absent: None.

Motion adopted.

Council Chair Agius asked for nominations for the Council vacancy.

Councilwoman Badalow/Councilman Constan, nominates Janet Blackburn.
Councilwoman Horvath/Councilwoman Van Houten, nominates Karolyn Pargo.

Councilman Constan nominated Anthony Perry.

Councilwoman Van Houten/Councilman Constan closed the nominations.
City Clerk Robbins took a roll call vote for Ms. Blackburn.
VanHouten - No
Constan - Yes
Horvath - No
Badalow - Yes
Baron - No
Agius - Yes
Clerk Robbins states 3 yes votes.

City Clerk Robbins took a roll call vote for Ms. Pargo.

Constan - No
Horvath - Yes
Baron - Yes
Van Houten - Yes
Badalow - No
Agius - No
Clerk Robbins states 3 yes votes.

Roll Call vote for Mr. Perry.
Badalow - Yes
Baron - No
Constan - Yes
Horvath - No
Van Houten - No
Agius - Yes
Clerk Robbins states 3 yes votes.

There was a brief discussion by Corporation Counsel advising Council of their previous election procedures and with that suggestion, City Clerk Robbins called for another vote.

Van Houten voted - Pargo
Constan voted - Blackburn
Badalow voted - Blackburn
Baron voted - Pargo
Horvath voted - Blackburn
Agius voted - Blackburn
City Clerk Robbins said "Madam Chair, Janet Blackburn has 4 votes."

- 03-059** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the quote from Lasertec, 33472 Sterling Ponds Blvd., Sterling Heights, MI 48312-5808, for the printing of Assessment Change Notices and Assessment Roll, in the amount of \$2,480.00 plus postage, and payment thereof, per Assessor Riedel, communication dated January 27, 2003. Further, that Mayor Canfield be authorized to sign the quote on behalf of the City.

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Motion adopted.

- 03-060** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves Change Order #1 with Richmar Construction, Inc., P. O. Box 924, Novi, MI 48376, for the Swapka/Powers Park Pavilion Replacement Project, in the amount of \$1,262.50, and payment thereof, per Community Development Director Oliverio, communication dated February 5, 2003. Further, that the Mayor and Clerk be authorized to sign the Change Order on behalf of the City.

Motion adopted.

- 03-061** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the purchase of the following items from Wm. F. Sell & Son, 16555 S. Telegraph, Taylor, Mi 48180, per quote:

Two (2) WDP30X 3" diaphragm trash pumps \$2,478.00; one (1) WT3XK3C 3" centrifugal trash pump \$1,178.00; three (3) CHPW83020B pump hoses \$269.85 and three (3) ST300RH hose strainers \$53.55, for a total of \$3,979.40, and payment thereof, per, Public Service Administrator Blackburn, communication dated, January 28, 2003. This is the only known local dealer and these items were approved in the Water Department Capital Outlay account.

Motion adopted.

- 03-062** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the purchase of the following items from Mobile Vision, Inc., 90 Fanny Road, Boontown, NJ 07005:

Four (4) Mobile Vision System 7 Video Equipment \$15,980.00; four (4) Optional Overhead Control Consoles with 3" Monitor \$800.00; four (4) Optional Solid State Cooling \$600.00; four (4) 1 year Extended Service Agreements \$1,000.00; four (4) Voice Link Microphone Systems \$1,180.00 and sixteen (16) Voice Link Microphone Systems \$6,640.00, for a total of \$26,200.00, and payment thereof, per Police Chief Gust, communication dated February 3, 2003. This is a one-source item and need not be re-bid. Funding has been approved in the 2002-2003 Local Law Enforcement Block Grant.

Motion adopted.

- 03-063** Motion by Councilman Constan, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the purchase of five (5) Toughbook 28 Mobile Data Computers with Hardware from EDS Client Server Group, 5400 Legacy Drive, M/S: H4-1E-40, Plano, TX 75024-3199, at a cost of \$24,143.10, and payment thereof, per Police Chief Gust, communication dated February 3, 2003. This purchase will be under the EDS/State of Michigan Contract Pricing and paid through the 2002-2003 Local Law Enforcement Block Grant.

Motion adopted.

- 03-064** Motion by Councilman Baron, seconded by Councilman Constan, that proposed Ordinance H-03-03, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING A NEW SECTION 570 TO CHAPTER 2 OF THE CODE PROVIDING FOR A COMMISSION ON DISABILITY CONCERNS, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion adopted.

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- 03-065** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that proposed Ordinance H-03-04, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 7-46 THROUGH 7-48 AND BY REPEALING SECTIONS 7-49 THROUGH 7-106 IN ORDER TO REPEAL THE ADOPTION OF THE 1993 EDITION OF THE NATIONAL ELECTRIC CODE AND TO EFFECTIVELY ADOPT THE 1999 EDITION OF THE NATIONAL ELECTRIC CODE, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion adopted.

- 03-066** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the fee of \$110.00 per hour for Patrick B. McCauley of Sommers, Schwartz, Silver & Schwartz, P.C., 2000 Town Center, Suite 900, Southfield, MI 48075, as the City's Assistant Attorney for water and sewer matters, per Corporation Counsel Miotke, communication dated February 6, 2003.

Motion adopted.

- 03-067** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council adopt the Local Governing Body Resolution for Gaming Licenses issued by the Michigan Lottery, recognizing the District 7 Dad's Club as a non-profit organization, per the request of Mayor Canfield and Mr. Gary Barkoff, Treasurer, District Seven Dad's Club, communication dated February 10, 2003.

Motion adopted.

- 03-068** Motion by Councilman Baron, seconded by Councilman Constan, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 8:48 p.m..

JOYCE A. ROBBINS
CITY CLERK

ELIZABETH J. AGIUS
CITY COUNCIL CHAIR

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY