

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

FEBRUARY 10, 2009

09-051 The meeting was called to order at 8:27 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, Recreation Director Grybel, Building Maintenance Superintendent Zimmer.

The Pledge of Allegiance was led by Councilwoman Horvath.

09-052 Motion by Councilman Berry, seconded by Councilman Brown, that the Agenda for the Regular Meeting of February 10, 2009, be approved as submitted.

Motion unanimously adopted.

09-053 Motion by Councilman Brown, seconded by Councilman Berry, that the Minutes from the Regular Meeting of January 27, 2009, be approved as submitted.

Motion unanimously adopted.

09-054 Motion by Councilwoman Agius, seconded by Councilman Brown, that Current Claims 6-1 through 6-16, be approved as submitted.

1. BS & A SOFTWARE – Annual Permit Assessing and Building Departments – Inv. 57862 and 57653 dated 02/01/09 from A/C 101-209-818-000 (Contract Services) \$3,430.00 and A/C 101-371-818-000 (Contract Services) \$1,835.00. Assessor / Building Dept.
2. COMPUTER TECHNOLOGIES INC. – Data Processing – Inv. 70364 dated 01/16/09 from A/C 101-258-932-000 (Repair/Maint) \$2,181.25 and A/C 592-536-932-000 (Repair/Maint) \$2,181.25. Data Processing
3. ELECTION SYSTEM & SOFTWARE – Coding November 2008 Election – Inv. 695873 dated 10/06/08 from A/C 101-190-818-000 (Contract Services) \$4,964.27. Elections
4. GIARMARCO, MULLINS & HORTON – Legal Services November 2008 – Inv. dated 12/09/08 from A/C 592-536-817-000 (Prof/Consult) \$2,016.00. Water Dept.
5. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2582 dated 01/30/09 from A/C 592-540-818-030 (Contract Services) \$11,246.14. Water Dept.
6. OAKWOOD HOSPITAL – Workers Compensation Injury – Ck. Req. dated 01/12/09 from A/C 101-200-724-000 (Work Comp) \$7,465.50. General Govt.
7. R & R FIRE TRUCK REPAIR – Various Repairs on Fire Vehicles – Inv. 34876, 34888, 34889, 34890, 34891, 34892, 34902, 34903, 34904, 34905, 34906, 34940 from A/C 101-335-932-000 (Repair/Maint) \$2,818.22. Fire Dept.
8. ROGERS AUTOMATIC TRANSMISSION, INC. – Repair F-450 – Inv. 001 and Inv. 002, dated 01/08/09 from A/C 592-xxx-110-000 (Inventory) \$1,784.00. Water Dept.
9. STATE OF MICHIGAN – DEQ – Storm Water Discharge Annual Permit – Inv. 547575 dated 02/01/09 from A/C 592-537-818-000 (Contract Services) \$5,000.00. Water Dept.
10. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging December 2008 – Inv. dated 01/15/09 from A/C 101-200-868-000 (Prisoners) \$3,841.64. General Govt.
11. THE LIBRARY NETWORK – Quarterly Acquisitions – Inv. 38052 dated 10/15/08 from A/C 738-738-827-000 (Library Network) \$7,256.50. Libraries
12. W.L. BOWLES – Fill Sand Water Main Breaks – Inv. 7931 and 7930 dated 01/22/09 from A/C 592-xxx-111-002 (Inventory) \$2,990.00. Water Dept.
13. WADE TRIM ASSOCIATES – Street Repair, Water Master Plan, Stabilization Program, Storm Water Items, ECPAD – Inv. 97766 dated 01/28/09, 97758, 97756, 97762, 97760 and 97759 dated 01/27/09 from A/C 101-200-817-000 (Prof/Consult) \$4,441.00, A/C 202-202-880-300 (Streets) \$7,654.60 and A/C 592-xxx-154-000 (Sewers) \$19,792.50. DPW - Water Dept.

Minutes **FEBRUARY 10, 2009** Continued

14. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Excess Flow Downriver System – Inv. 246051 dated 02/02/09 from A/C 592-537-929-000 (Sewage) \$28,965.00. Water Dept.
15. GARY MIOTKE – Legal Services January 2009 – Inv. dated 02/03/09 from A/C 101-210-826-000 (Counsel Services) \$8,404.75. Corp. Counsel
16. SECREST, WARDLE, LYNCH ...- Legal Services December 2008 – Inv. dated 02/03/09 from A/C 101-210-826-000 (Counsel Services) \$6,431.75. Corp. Counsel

Motion unanimously adopted.

- 09-055** Motion by Councilwoman Badalow, seconded by Councilman Brown, that the City Comptroller be authorized to advertise for bids, per specifications, for 10 (ten) HP Compaq Business Desktop Computers, 10 (ten) HP 20" Monitors, 10 (ten) Canon LiDE200 Scanners and 100 Antivirus Software Updates, or equal, per Police Chief Gavin, communication dated February 2, 2009. Funds are available for this purchase to be paid out of the 2007 JAG Grant.

Motion unanimously adopted.

- 09-056** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the low bid from Mando Construction, Inc., 12383 15 Mile Road, Sterling Heights, MI 48312, for the renovation of the existing Van Houten Park Storage Building into an ADA approved Comfort Station/Storage Facility, in the amount of \$153,943.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated February 3, 2009. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 09-057** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves the proposal from O & W, Inc., 3003 William Avenue, Ypsilanti, MI 48198 for the Spirit 2009 Adult Beverage Supplier, per Spirit 2009 Festival Committee and Recreation Director Grybel, communication dated February 3, 2009.

Motion unanimously adopted.

- 09-058** Motion by Councilwoman Agius, seconded by Councilman Brown, that the City Council concurs with and approves the addition of two full time employees, at entry level pay of \$25,000 plus benefits to administer the Community Development Neighborhood Stabilization Program (NSP) Grant funds, per Mayor Paletko, communication dated February 4, 2009. The Administrative portion of the grant funds are to be used to pay these employees and said employees will be terminated once the grant funds have been exhausted.

Motion unanimously adopted.

- 09-059** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Petition concerning improvements at the Taylor Storm Water Retention Basin and the Jackson Street Pump Station, per Mayor Paletko, communication dated February 4, 2009. Further, that the Mayor and City Clerk be authorized to sign the documents on behalf of the City.

Motion unanimously adopted.

- 09-060** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the proposal from Plante Moran CRESA (PMC), 26300 Northwestern Highway, Southfield, MI 48076 to conduct the Phase 1 Feasibility Services for City Hall and DPW, at a fee of \$42,500 plus reimbursable expenses, per Mayor Paletko, communication dated February 5, 2009. Further, that the Canfield Community Center be included as part of Phase 1 at an estimated fee of \$10,000.00.

Motion unanimously adopted.

- 09-061** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the reappointments of Mayor Paletko, as Delegate and Councilwoman Badalow, as Alternate to SEMCOG, term to expire December 2009, per Council Chairman Baron, communication dated January 30, 2009.

Motion unanimously adopted.

- 09-062** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council accept the 2007-08 Plante & Moran, PLLC, 27400 Northwestern Highway,

PO Box 307, Southfield, MI 48037-0307 Audit Reports, which includes Results of the Audit, Summary of Unrecorded Possible Adjustments, Other Recommendations and Informational Comments, per City Clerk Dudzinski, communication dated January 27, 2009.

Motion unanimously adopted.

- 09-063** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that CM 08-442 (2008-2010 Collective Bargaining Agreement between the City of Dearborn Heights and Local 1355 AFL-CIO of the International Association of Firefighters), be amended to include the omissions as discussed at a Committee of the Whole Study Session, February 3, 2009, and as set forth in the attached documents, per Administrative Assistant Kramarz, communication dated February 4, 2009.

Motion unanimously adopted.

- 09-064** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Mission of Peace Homeownership Counseling "Memorandum of Understanding", per Community and Economic Development Director Jamal, communication dated February 3, 2009. Further, that the Mayor and City Clerk be authorized to sign on behalf of the City.

Motion unanimously adopted.

- 09-065** Motion by Councilman Berry, seconded by Councilman Brown, that the City Council concurs with and approves the Contract between MHM Construction, LLC, 997 Troy Court, Troy, MI 48083 and the City of Dearborn Heights, for the Central Park Softball Field Lighting Project, per Recreation Grybel, communication dated February 3, 2009. Further, that the Mayor be authorized to sign the Contract on behalf of the City.

Motion unanimously adopted.

- 09-066** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that CM 09-041 (Police Dogs/Training) be amended to show \$15,000 for dogs and equipment from the OWI Forfeiture account A/C 266-266-830-060 and the remaining balance of \$9,500.00 from City Training Account 300-962, total cost still remains at \$24,500.00, per Police Chief Gavin, communication dated February 4, 2009.

Motion unanimously adopted.

- 09-067** Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Intergovernmental Agreement between the Charter County of Wayne and the City of Dearborn Heights relative to the City's participation in the County's existing Nuisance Abatement Program, per Corporation Counsel Miotke, communication dated February 3, 2009. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 09-068** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the Resolution to Support the "Big 3" US Automotive Companies be adopted as follows:

WHEREAS, the "Big 3" US Automakers play an important role in creating and sustaining wealth and prosperity for the State of Michigan and its residents, including employees, suppliers and the myriad of consumer industries that these workers patronize;

WHEREAS, the Center for Automotive Research (Ann Arbor, MI) estimates that if the Big 3 were reduced by even 50%, 2.5 million jobs would be lost, resulting in nearly \$50 billion lost tax dollars for the federal and state governments in 2009 alone;

WHEREAS, the Big 3 Automotive Companies are challenged with weak sales (30 – 50% sales declines), unusually restrictive credit lines hampering consumers ability to purchase, and an overall economic downturn;

WHEREAS, many Dearborn Heights residents are employees and/or retirees of the Big 3 Auto companies, and many local business people in turn rely on them;

WHEREAS, the United Auto Workers have made contract concessions and sacrifices in order to save jobs;

WHEREAS, the State of Michigan is making no immediate or substantial contribution to a bailout;

WHEREAS, a sales tax reduction would create an incentive to 'buy American'

WHEREAS, the Big 3 received limited assistance, not from the legislative body which approved banking industry loans, but from President George W. Bush;

WHEREAS, the City Council and the Mayor of Dearborn Heights recognize the importance of the success of the Big 3 for securing economic stability for the city, the State and the nation;

THEREFORE BE IT RESOLVED THAT, the Dearborn Heights City Council and the Mayor of Dearborn Heights officially request that the State of Michigan consider a reduction of the sales and use tax from 6% to 3% on new car purchases for a 12 month period and activate the "Trade in Allowance" program also in order to promote vehicle sales and maintain employment per, Councilman Tom Berry and Councilwoman Elizabeth Agius, communication dated February 2, 2009. Further, that copies of this resolution be sent to Governor Jennifer Granholm, Lt. Governor John Cherry, State Senator Tupac Hunter, State Representative Andy Dillon and State Representative Robert Constan.

Motion unanimously adopted.

- 09-069** Motion by Councilman Brown, seconded by Councilwoman Badalow, that the communication from TIFA Chairman Titus re: TIFA Audit Report for year ended June 30, 2008 prepared by Plante & Moran, be received, contents noted and filed.

Motion unanimously adopted.

- 09-070** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the request to transfer ownership of 2008 SDM Licensed Business from Arbor Drugs, Inc. to Woodward Detroit CVS, LLC at 8710 N Beech Daly, Dearborn Heights, MI 48127; ID# 484090; the request to transfer ownership of 2008 SDM Licensed Business from Arbor Drugs, Inc., to Woodward Detroit CVS, LLC 25682-25672 Van Born, Dearborn Heights, MI 48125, ID #484186 and the final request to transfer ownership of 2008 Escrowed SDD and SDM licensed business from Arbor Drugs, Inc., to Woodward Detroit CVS, LLC, 20515 W Warren, Dearborn Heights, MI 48127, ID # 484831 be approved and the Liquor Control Commission be so notified. Further, the Liquor License for the 20515 W Warren to stay in escrow.

Motion unanimously adopted.

- 09-071** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the business license renewal for the Trail Bar, 22738 Ford Road, be approved.

Motion unanimously adopted.

- 09-072** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the request to transfer ownership of 2007 Class C licensed business, with Dance-Entertainment Permit, located at 25950 Ford, Dearborn Heights, Michigan, 48127, Wayne County, from PMAC, LLC to BB Entertainment, LLC, be approved and the Liquor Control Commission be so notified. ID#469825

Motion unanimously adopted.

- 09-073** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:20 PM

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY