

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 28, 2003

03-023 The meeting was called to order at 8:02 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, Comptroller Barrow, Assessor Riedel, Interim Building & Engineering Director Lamontagne, Police Chief Gust, Fire Marshal McDonagh, Recreation Director Grybel (arrived at 8:07 p.m.), Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Treasurer Riley.

03-024 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Agenda for the Regular Meeting of January 28, 2003, be approved with the addition of 11-E (National Electrical Code Ordinance).

Motion adopted.

03-025 Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of January 14, 2003, be approved as submitted.

Motion adopted.

03-026 Motion by Councilwoman Horvath, seconded by Councilman Baron, that Current Claims 6-1 through 6-12, be approved as submitted.

1. ACCUMED BILLING, INC. - Ambulance Billing December 2002 - Inv. dated 01/09/03 from A/C 101-000-626-000 (Ambulance) \$4,576.97. General Govt.
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt, Admin. and Waste - Inv. dated 01/13/03 from A/C 101-200-810-000 (Sanitation) \$168,935.52. General Govt.
3. CUMMINGS, MC CLOREY, DAVIS... - Legal Matter December 2002 - Inv. 40100 dated 01/06/03 from A/C 592-536-817-000 (Profess/Consult) \$2,973.50. Water Dept.
4. EDGE CRAFT, INC. - Canfield Ice Arena Improvements - Cert. #3 dated 01/14/03 from A/C 103-960-930-202 (Canfield) \$20,201.13. CDBG.
5. IBM - Computer Maintenance 2003 - Inv. 1305265 dated 01/02/03 from A/C 101-300-818-000 (Contract Serv.) \$3,515.88. Police Dept.
6. MICHIGAN STATE POLICE - Team Training Classes - Inv. 180547 dated 12/26/02 from A/C 101-300-962-010 (Training-State) \$2,400.00. Police Dept.
7. PRESSURE VESSEL TESTING - Service on Compressor - Inv. 2732 dated 01/02/03 from A/C 101-335-818-000 (Contract Serv.) \$1,928.00. Fire Dept.
8. OAKLAND COUNTY-CLEMIS - Usage Fee Oct-Dec 2002 - Inv. 212066 & 212065 from A/C 101-300-818-000 (Contract Serv.) \$5,447.00. Police Dept.
9. PLANTE & MORAN - Professional Services 12/15/02-12/31/02 - Inv. 873183 dated 01/10/03 from A/C 101-200-817-000 (Profess/Consult) \$3,200.00 and A/C 592-536-817-000 (Profess/Consult) \$1,225.00. General Govt.
10. RSKCO - Service Fee Workers Comp. - Inv. 119005 dated 01/01/03 from A/C 101-200-724-000 (Worker Comp) \$19,750.00. General Govt.
11. SLC METER SERVICES, INC. - 6" Protectus Meter - Vista Maria - Inv. 179102 dated 12/11/02 from A/C 592-539-791-000 (Meter Supplies) \$13,700.00. ENC Water Dept.

Minutes January 28, 2003 - Continued

12. WADE-TRIM/ASSOCIATES - Southfield Service Drive Construction Engineering - Inv. 76366 dated 12/11/02 from A/C 202-202-880-300 (Streets Construct) \$6,553.10. Major Streets.

Motion adopted.

- 03-027 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the appointment of Kurt Heise, 8465 Berwyn to the Tax Increment Finance Authority, term to expire December, 2005, per Mayor Canfield, communication dated January 22, 2003. Mr. Heise is replacing Randolph Ericson who resigned.

Motion adopted.

- 03-028 Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the appointment of George Booth, 8216 Grayfield to the Commission on Aging, term to expire April, 2005, per Mayor Canfield, communication dated January 22, 2003. Mr. Booth is replacing Patricia Cheeseman.

Motion adopted.

- 03-029 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the following motions be referred to file:

CM 01-292 - Cost Recovery Ordinance Language; CM 01-362 - Special Land Use Request Sprint PCS Monopole; CM 01-445 - Competitive Bidding Ballot Language; CM 01-515 - Charter Amendments re: Competitive Bidding; CM 02-039 - Formulation of Ethics Commission; CM 02-094 - Senior Citizen Housing Ordinance; CM 02-142 - Traffic Signal Ford & John Daly; CM 02-156 - Ameritech Agreement; CM 02-296 - Charter Amendments Bidding Requirements; CM 02-327 - Duty Weapons; CM 02-367 - Alley Vacation Dearborn Homes Sub #4; CM 02-349 - Swapka/Powers Park Pavilion Contract CM 02-373 - Telegraph Corridor Design Plan; CM 02-408 - Cummings, McClorey Claim CM 02-487 - License Transfer Ford Road per, Council Chair Agius, communication dated January 22, 2003.

Motion adopted.

- 03-030 Motion by Councilman Baron, seconded by Councilwoman Badalow, that the communication dated January 22, 2003 from Council Chair Agius Re: Publication Notice of Council Vacancy, be received, contents noted and filed.

Motion adopted.

- 03-031 Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves the following changes and additions to the user fee schedule for business licensing:

Apartments from \$25.00 to \$50.00; Antique Shop from \$25.00 to \$30.00; Auctioneer Sale per Day from \$10.00 to \$15.00; Auto New/Used Council Approval from \$50.00 to \$65.00; Automotive Wash from \$25.00 to \$30.00; Billiard Room from \$50.00 to \$75.00; Billiard Room Tables (after 4) \$10.00 each; Boat Dealer New, Used, Parts from \$50.00 to \$75.00; Christmas Tree Dealer from \$25.00 to \$30.00; Convalescent Home 1-25 Beds from \$25.00 to \$30.00; Convalescent Home 25-50 Beds from \$75.00 to \$90.00; Convalescent Home 51-Over Beds from \$100.00 to \$120.00; Distributor - Owns Amusement from \$25.00 to \$30.00; Dance Studio from \$25.00 to \$30.00; Estate Sale Per Day from \$10.00 to \$15.00; Exercise/Tan/Figure Salon from \$25.00 to \$30.00; Hotel/Motel from \$50.00 to \$65.00; Junk Dealer \$15.00; Landscape Vehicle \$10.00; Massage Therapist from \$25.00 to \$30.00; Motor Fuel Supply Station from \$25.00 to \$35.00; Motor Vehicle Repair Station from

Minutes January 28, 2003 - Continued

\$25.00 to \$35.00; Auto/Truck for Hire \$50.00; Physical Therapist from \$25.00 to \$30.00; Retail/Service Store from \$25.00 to \$30.00; Banquet Hall \$40.00 and Tobacco from \$5.00 to \$10.00 per, City Clerk Robbins, communication dated January 28, 2003.

Motion adopted.

- 03-032** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves a three year Grass and Weed Cutting Contract extension with J. Q. Inc., 4406 Merrick, Dearborn Heights, MI 48125, beginning January 1, 2003 and ending December 31, 2005 with the existing fees as provided on Proposal #2, Items 1 through 7 and Proposal #2 removal of debris fee schedule as proposed in a letter dated January 16, 2003 per, Interim Building Director Lamontagne, communication dated January 22, 2003. Further, that the Mayor be authorized to sign the Agreement Regarding Right to Cancel Contract Upon 30 Days Written Notice to Other Party.

Motion adopted.

- 03-033** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves a three year contract extension with Ellefson Building & Demolition Co., Inc., 26276 Van Buren, Dearborn Heights, MI 48125, beginning January 1, 2003 through December 31, 2005 with the existing fees as provided on the Demolition Bid Price Fee Schedule, per Interim Building Director Lamontagne, communication dated January 22, 2003. Further, that the Mayor be authorized to sign the Agreement Regarding Right to Cancel Contract Upon 30 Days Written Notice to Other Party.

Motion adopted.

- 03-034** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves a three year contract extension with Lacaria Concrete Construction, 3720 Central Avenue, Detroit, MI 48210, for the 2003 Sidewalk Repair Program, beginning January 1, 2003 through December 31, 2005 with extension of the 2001 unit prices for sidewalks and approaches as stated in a letter dated November 27, 2002, per Interim Building Director Lamontagne, communication dated January 22, 2003. Further, that the Mayor be authorized to sign the Agreement Regarding Right to Cancel Contract Upon 30 Days Written Notice to Other Party.

Motion adopted.

- 03-035** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the disposal of the following equipment:

Seven (7) - 5 Drawer File Card Cabinets (Tags 1177, 1174, 1173, 1178, 1175, 1335); One (1) - 5 Drawer Letter File Cabinet (Tag 2033) and One (1) - IBM Wheelwriter 5 Typewriter (Tag 3804) per, Interim Building Director Lamontagne, communication dated January 21, 2003.

Motion adopted.

- 03-036** Motion by Councilwoman Horvath, seconded by Councilman Constan, that the City Council concurs with and approves a three (3) Year Lease Agreement with Fairlane Ford for three (3) XL regular cab rangers and one (1) Supercab 4 x 2 ranger, for \$243.00 per month for XL rangers and \$265.00 per month for the Supercab 4 x 2, per Comptroller Barrow, communication dated January 22, 2003. Vehicles are for the Water Department Meter Reading Division.

Motion adopted.

Minutes January 28, 2003 - Continued

- 03-037** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Comptroller be authorized to transfer \$2,289.84 for Parkland Park Phase III Renovation Project and \$15,000 for the Canfield Ice Arena Lobby/Entryway Renovation Project from the CDBG Program Income Account, for a total amount of \$17,289.84, per Community Development Director Oliverio, communication dated January 22, 2003.

Motion adopted.

- 03-038** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the Mayor and Clerk to sign the AIA Document A107-1997 Abbreviated Standard Form of Agreement between the City of Dearborn Heights and Corona Construction, Inc., for the Central Park Comfort Station, per Recreation Director Grybel, communication dated January 16, 2003.

Motion adopted.

- 03-039** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the request to auction a 1991 Chevrolet - Vehicle # 2G1WL54T0M1110729 seized by the Special Operations Bureau, per Police Chief Gust, communication dated January 10, 2006.

Motion adopted.

- 03-040** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the "Resolution of Acceptance of Membership in the Interlocal Agreement Forming the Northern Michigan Law Enforcement Training Group, be adopted as follows:

WHEREAS, the Northern Michigan Law Enforcement Training Group (the "Training Group") was established under the Michigan Constitution of 1963, Article VII, Section 28 and the urban Cooperation Act, 1967 P.A. 7, extra session. Governor John Engler approved the intergovernmental agreement establishing the Training Group as a separate public body on May 14, 2001. MCL124.501 *et seq*; and

WHEREAS, the purpose of the Training Group is to provide law enforcement training opportunities and training resources in such areas as, but not limited to, jail and lockup training facility, driving simulator and facility, small arms ranges, building search, SWAT tactical training, canine training, marine training and other training events utilizing available resources; and

WHEREAS, the Training Group has entered into an agreement with the Michigan Department of Military and Veterans Affairs to utilize existing small arms ranges, buildings, classrooms, sleeping quarters, dining facilities and training areas at Camp Grayling at reduced costs; and

WHEREAS, by utilizing established military facilities, savings can be passed on to law enforcement agencies that become a member of the Training Group and training costs can be reduced saving valuable public funds.

THEREFORE BE IT RESOLVED that the City of Dearborn Heights does hereby accept the invitation to become a member of the Northern Michigan Law Enforcement Training Group, per Police Chief Gust, communication dated January 22, 2003. Further, that the Mayor and City Clerk be authorized to sign.

Motion adopted.

- 03-041** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves Change Order No. 46 with Nagel Construction Company, PO

Minutes January 28, 2003 - Continued

Box 10, Moline, Michigan 49335-0010 for the 2003 Sanitary Sewer Cleaning & Catch Basin Cleaning Program, scheduled for Inkster Road to Hazelton between Warren and Joy Roads and Ann Arbor Trail to Warren Road between Ann Arbor Trail and Heyden, in the amount of \$154,403.33, per Public Service Administrator Blackburn, communication dated January 21, 2003. Further, that the Mayor and Clerk sign on behalf of the City.

Motion adopted.

- 03-042** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that proposed Ordinance H-03-01, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING CHAPTER 26 OF SAID CODE, REGARDING SIGNAGE REGULATION, be considered read for the first time.

Motion adopted.

- 03-043** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that proposed Ordinance H-03-02, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING CHAPTER 13 OR THE CODE PROVIDING FOR FENCE REGULATIONS, be considered read for the first time.

Motion adopted.

- 03-044** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, 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 first time.

Motion adopted.

- 03-045** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Resolution from the City of Taylor re: Wayne County Metropolitan Airport, be received, contents noted and filed.

Motion adopted.

- 03-046** Motion by Councilwoman Van Houten, seconded by Councilman Constan, 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 first time.

Motion adopted.

- 03-047** Motion by Councilman Baron, seconded by Councilman Constan, the City Council concurs with and approves a 35' height variance for an addition to the existing building located at 26960 Van Born Road (Resetar Equipment), owned by Mr. Mike Resetar, per the Planning Commission, communication dated January 21, 2003. SPR-02-39. Further, no outside storage allowed and all violations reported on a communication from the Wayne County Department of Environment, dated January 28, 2003 be completed within thirty (30) days.

Minutes January 28, 2003 - Continued

Motion adopted.

- 03-048** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the business license renewals for Rose Garden Restaurant, 5680 N Telegraph, Wheat & Rye, 8120 N Telegraph and Mexican Fiesta, 24310 Ford Road, be approved.

Motion adopted.

- 03-049** Motion by Councilwoman Horvath, seconded by Councilman Constan, that the request from POTSOS, Inc., stockholders Clair Certo, 6215 Ardmore Park Circle, Dearborn Heights, MI and Matthew R. Landfair, 6210 Charlesworth, Dearborn Heights, MI to transfer ownership of 2002 Class C licensed business with Dance Permit, located at 5990 N Telegraph, Dearborn Heights, MI 48127, Wayne County, from WLJ, Inc., be approved and the Liquor Control Commission be so notified.

Motion adopted.

- 03-050** Motion by Councilman Baron, seconded by Councilman Constan, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 8:35 p.m.

JOYCE A. ROBBINS
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIE E. LAWRENCE
COUNCIL/CLERK SECRETARY