

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 24, 2012

12-014 The meeting was called to order at 8:40 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilman Ned Apigian, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilwoman Hicks-Clayton, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: City Clerk Prusiewicz, Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz, Assessor McDermott, Building & Engineering Director Sobh, Community & Economic Development Director Amen, Comptroller Macari, Corporation Counsel Miotke, Emergency Management Director Ankrapp, Human Resource Director Sobota-Perry, Library Director McCaffery, Police Chief Gavin, Public Service Administrator Zimmer, Recreation Director Grybel.

The Pledge of Allegiance was led by City Beautiful Award winners.

Karen Kasprzyk, City Beautiful Chairperson, presented awards for Christmas Lighting.

12-015 Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the Agenda for the Regular Meeting of January 24, 2011, be approved with the addition of Item 11-D.

Motion unanimously adopted.

12-016 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Minutes from the Regular Meeting of January 10, 2011, be approved as submitted.

Motion unanimously adopted.

12-017 Motion by Councilwoman Van Houten, seconded by Councilman Apigian, that Current Claims 6-1 through 6-26, be approved as submitted.

1. ACCUMED BILLING, INC. – Ambulance Billing Dec. 2011, Inv. dated 01/01/12 from A/C 101-000-626.000, Ambulance Runs, \$4,400.02. Fire.
2. AM-DYN-IC FLUID POWER, INC. – Hoses, Fittings and Hydrant Supplies, BPO 12-09, Inv. P-35133-0, 12/20/11, Inv. P-34423-0, 12/06/11, Inv. P-34941-0, 12/15/11 from A/C 592-110.000, Inventory Parts Prch., \$1,630.65. Water.
3. ATLAS OIL CO. – Motor Fuel Fire Dept., Inv. 10602867, 12/15/11; Inv. 10524976, 12/31/11 from A/C 101-335-867.000, Motor Fuel, \$2,140.19. Fire.
4. BELLE TIRE – Vehicle Repairs, Inv. 20285449, 12/08/11; Inv. 20285858, 12/08/11; Inv. 20314621, 12/13/11; Inv. 20317867, 12/13/11 from A/C 592-110.000, Inventory-Parts, \$2,364.55. Water.
5. COMPUTER TECHNOLOGIES, INC. – Data Processing, Inv. 71033 from A/C 101-258-932.000, Repairs, \$1,105.00 and A/C 592-536-932.000, Repairs, \$850.00. Data Processing.
6. CUMMINGS, McCLOREY, DAVIS & ACHO – Legal Services, Inv. 191143, 12/20/11; Inv. 191240, 12/22/11 from A/C 592-536-817.000, Prof. Serv., \$10,809.50. Water.
7. EAST JORDAN – Fire Hydrants and Parts, Inv. 3443501, 12/02/11; Inv. 3446632, 12/14/11 from A/C 592-111.002, Inventory-Piping, \$2,989.13. Water.
8. MATT'S AUTO SERVICE – Vehicle Repairs, Dec. 2011, Various Invs. BPO 12-77 from A/C 101-300-932.000, Repair/Maint. Eqpt., \$3,228.97, Police.
9. MICHIGAN METER TECHNOLOGY – Misc. Meter Parts, BPO 12-82, Invs. dated Dec. 2011 from A/C 592-XXX-110.002, Invent./Parts, \$11,388.86. Water.
10. NAGEL CONSTRUCTION – Sewer Cleaning Prog., Inv. 3074, 12/30/11 from A/C 592-540-818.030, Contr. Serv., \$21,321.19. Water.
11. NAGEL CONSTRUCTION – Sewer Cleaning Prog., Inv. 3077, 01/13/12 from A/C 592-540-818.030, Contr. Service, \$12,588.33. Water.
12. NEW IMAGE BUILDING SERVICES, INC. – Cleaning Services, Jan. 2012, Inv. 74502, 01/01/12 from A/C 738-738-818.000, Contr. Serv., \$2,214.00. Library.
13. PLANTE & MORAN – Prof. Serv., Inv. 677631, 01/06/12 from A/C 101-200-818.000, Prof./Consult., \$3,510.00. Gen. Gov't.
14. PRIZM PAIN SPECIALISTS, PLLC – Workmans Comp., Service dated 08/18/11 thru 09/19/11 from A/C 101-200-724.000, Workmans Comp., \$2,733.37. Gen. Gov't.
15. QUAD-TRAN OF MICHIGAN – Data Processing for Dec. 2011, Postage-Dec 2011, Inv. 5866, 12/30/11; Inv. 5868, 12/30/11 from A/C 101-130-818.000, Contractual Serv., \$4,500.00 and A/C 101-200-728.000, Office Supplies, \$1,767.92; and A/C 101-130-728.000, Office Supplies, \$1,344.35. District Court.

16. QUALITY BUSINESS SYSTEM – Misc. File Folders, Inv. 12598, 12/29/11, PO 12-369; Inv. 12597, 12/29/11, PO 12-368 from A/C 101-130-728.000, Office Supplies, \$2,240.00. District Court.
17. R & R FIRE TRUCK REPAIR – Repairs to fire vehicles, Various Invs. dated Dec. 2011 from A/C 101-335-932.000, Repair/Maint. Eqpt., \$3,167.66. Fire.
18. SEMCOG – Annual Membership Dues 2012, Inv. dated 12/28/11 from A/C 101-200-958.000, Dues/Membership, \$6,674.00. Gen. Gov't.
19. W.L. BOWLES TRUCKING, INC. – Dispose Water Main Break Spoils, Inv. 2020, 12/30/11 from A/C 592-111.002, Inventory-Piping, \$2,047.50. Water.
20. ANTLER CONSTRUCTION, INC.. – Prof. Serv. EECBG Improvements, Cert. No. 4 from A/C 274-673-930.600, EEC Block Grant, \$66,099.00. Misc. Grants.
21. WADE TRIM & ASSOC. – Prof. Serv. rendered thru 11/26/11, Lower Rouge CSO Design Eng. Serv., Inv. 103257 and Inv. 103252, both dated 12/28/11 from A/C 592-152.000, Water System, \$35,775.75. Water.
22. WADE TRIM & ASSOC. – Engineering Asst. from 10/30/11 thru 11/26/11, Inv. 103249, 12/29/11 from A/C 592-536-818.000, Contr. Serv., \$2,626.25. Water.
23. WADE TRIM & ASSOC. – 2011 Paving Program Inspect. Serv., 10/30/11 thru 11/26/11, 2011 Bridge Inspection Prog. Inv. 103256, Inv. 103255, Inv. 103246, all dated 12/28/11 from A/C 202-202-880.500, Street Repair/Maint., \$15,320.55 and A/C 202-202-880.600, Bridge Rpr./Maint., \$5,347.50. DPW-Hwy.
24. WAYNE COUNTY DEPT. OF ENVIRONMENT – Excess flow, Jan. 2012, Excess fixed and Excess flow, Jan. thru Mar. 2012, Inv. 263744, and Inv. 263755 both dated 01/04/12 from A/C 592-537-929.000, Sewage Disposal, \$547,420.80. Water.
25. WINDER POLICE EQUIPMENT – Equipment Installation, BPO 12-124, Inv. 20113749, 12/21/11, Inv. 20113640, 12/14/11, Inv. 20113833, 12/30/11; BPO 11-791, Inv. 20113548, 12/08/11, Inv. 20113554, 12/08/11, Inv. 20113834, 12/30/11 from A/C 101-300-932.000, Repair/Maint. Eqpt., \$6,133.63. Police.
26. WRIGHT & FILIPPIS, INC. – Workmans Comp. Serv., 10/27/11 from A/C 101-200-724.000, Workers Comp., \$1,676.83. Gen. Gov't.

Motion unanimously adopted.

- 12-018** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the City Council concur with and approve the request for the Property Tax Abatement Agreement between The Armored Group, LLC, 2727 S. Beech Daly, and the City of Dearborn Heights be granted and the Resolution be approved.

A Hearing was opened at 9:00 p.m. to allow any taxing agencies an opportunity to speak on the abatement. The taxing agencies were notified by certified mail, and were afforded the opportunity to respond in writing or in person regarding this tax abatement. None of the agencies responded in writing. Council Chairman Baron asked for comments concerning the abatement. No comments or objections were heard.

WHEREAS, The Armored Group, LLC has filed an Application for Exemption of New Personal Property (hereafter "Application") with the Clerk of the City of Dearborn Heights pursuant to Public Act Number 328 of 1998, as amended (hereafter "Act 328") with respect to property located at 2727 S. Beech Daly, Dearborn Heights, Michigan 48125 (hereafter "the subject property");

WHEREAS, the City Clerk has notified in writing the Assessor of the City of Dearborn Heights and the legislative bodies of each taxing unit that levies ad valorem property tax within the eligible district within the City of Dearborn Heights wherein the subject property is located so that they were afforded an opportunity to be heard at a public hearing to determine whether the Application should be approved or disapproved;

WHEREAS, said public hearing was held on the 24th day of January, 2012 at a regularly scheduled meeting of the City Council;

WHEREAS, comments on granting the Application were heard and considered;

WHEREAS, the City of Dearborn Heights established a tax increment finance authority and district known as the Tax Increment Finance Authority of the City of Dearborn Heights (hereafter "the T.I.F.A.") on December 29, 1986, following a public hearing, as required by Public Act Number 450 of 1980;

WHEREAS, the T.I.F.A. is an "eligible district" pursuant to Act 328;

WHEREAS, the City of Dearborn Heights is an "eligible local assessing district" pursuant to Act 328;

WHEREAS, it is hereby found and determined by the City Council of the City of Dearborn Heights that The Armored Group, LLC is an "eligible business" pursuant to Act 328;

WHEREAS, the new personal property was not placed in the facility within the qualified district prior to approval of the exemption by the City Council of the City of Dearborn Heights;

WHEREAS, the taxable value of the property proposed to be exempt under PA 328 of 1998 considered together with the aggregate total taxable value of property previously exempt and currently in force under PA 328 of 1998, shall not have the effect of substantially impeding the operation of the City of Dearborn Heights or impairing the financial soundness of an affected taxing unit;

WHEREAS, the applicant The Armored Group, LLC is not delinquent on any taxes related to the facility, including taxes owed on existing personal property; and

WHEREAS, the City Council of the City of Dearborn Heights has further determined that granting the Application of The Armored Group, LLC will reduce unemployment, promote economic growth, and increase capital investment in the City of Dearborn Heights and the T.I.F.A. district;

NOW, THEREFORE, BE IT RESOLVED that the Application for Exemption of New Personal Property of The Armored Group, LLC is hereby approved subject to all of the following conditions:

(1) The period of time for which the exemption of new personal property shall remain in effect shall be five (5) years, beginning December 31, 2011, and ending December 30, 2016.

(2) The Application and this Resolution must be approved by entities and officials of the State of Michigan as required by Act 328, specifically Section 211.9f(2) and (3) of the Michigan Compiled Laws.

(3) The Armored Group, LLC must enter into the Property Tax Abatement Agreement (hereafter "Agreement") with the City of Dearborn Heights that is approved below.

(4) The conditions set forth at paragraph 2 in the Agreement must be met and must continue to be met throughout the period applicable to the exemption.

BE IT FURTHER RESOLVED that the Property Tax Abatement Agreement between The Armored Group, LLC and the City of Dearborn Heights is approved and that Mayor Paletko and City Clerk Prusiewicz are authorized to execute the Agreement on behalf of the City of Dearborn Heights.

Motion unanimously adopted.

- 12-019** Motion by Councilman Apigian, seconded by Councilwoman Van Houten, that the City Council concurs with and approves waiving the 3% penalty on all Winter 2011 Tax Bills paid on February 15, 2012, giving the taxpayers a one day extension. Per Treasurer Riley, communication dated January 18, 2012.

Motion unanimously adopted.

- 12-020** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Amended 2011-2012 TIFA Budget, per Chairperson Markowsky, communication dated January 17, 2012.

Motion unanimously adopted.

- 12-021** Motion by Councilwoman Badalow, seconded by Councilwoman Hicks-Clayton, that the City Council concurs with and approves the annual Safety Award Program year end prize program. Per Public Service Administrator Zimmer, communication dated January 9, 2012.

Motion unanimously adopted.

- 12-022** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that Proposed Ordinance H-12-01, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 20-248 REGARDING NARCOTICS PARAPHERNALIA TO IMPROVE IT, be considered read for the first time and be referred to a study session.

Motion unanimously adopted.

- 12-023** Motion by Councilwoman Badalow, seconded by Councilman Berry, that Proposed Ordinance H-12-02, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 7-308 REGARDING COLLECTION BOXES, be considered read for the first time and be referred to a study session.

Motion unanimously adopted.

12-024 Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that Proposed Ordinance H-11-14, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTIONS 7-26 AND 7-28 (WHICH PREVIOUSLY ADOPTED THE MICHIGAN BUILDING CODE 2009, HAD THE CITY ASSUME RESPONSIBILITY FOR ENFORCEMENT OF PUBLIC ACT NO. 230 OF 1972 AND OF SAID CODE, AND DESIGNATED AN ENFORCING AGENCY), AND BY AMENDING SECTIONS 7-29 AND 7-31 (WHICH PREVIOUSLY ADOPTED THE MICHIGAN RESIDENTIAL CODE 2009, HAD THE CITY ASSUME RESPONSIBILITY FOR ENFORCEMENT OF PUBLIC ACT NO. 230 OF 1972 AND OF SAID CODE, AND DESIGNATED AN ENFORCING AGENCY) IN ORDER TO ADOPT FURTHER PROVISIONS REGARDING FLOODPLAIN MANAGEMENT AND TO DESIGNATE REGULATED FLOOD HAZARD AREAS UNDER THE STATE CONSTRUCTION CODE ACT, PUBLIC ACT NO. 230 OF 1972, AS AMENDED, be considered read for the 2nd time and become effective upon publication in the City's official newspaper.

Motion unanimously adopted.

12-025 Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that Proposed Ordinance H-11-13, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 2-182, ADDING SECTION 2-183, AND ADDING SECTION 2-236 REGARDING RETIREMENT BENEFITS, be considered read for the 2nd time and become effective upon publication in the City's official newspaper.

Motion unanimously adopted.

12-026 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that Tabled Council Motion 11-398, be brought back on the table.

Motion unanimously adopted.

12-027 Motion by Councilwoman Badalow, seconded by Councilman Berry, to accept the Report for the Actuarial Calculation of the pension costs for Letter of Understanding between the City and AFSCME, which also includes non-union, and to forward to the Pension Committee.

Motion unanimously adopted.

12-028 Motion by Councilman Apigian, seconded by Councilwoman Badalow, that the Business License Renewal for Rouge Park Bar, 16515 Outer Dr., be approved.

Motion unanimously adopted.

12-029 Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Application for Solicitation License from Lyskawa VFW Post 7546 to solicit for their annual Buddy Poppy Sale on May 10, 11, and 12, 2012 at Ford and Telegraph, Warren and Telegraph, Joy and Telegraph and various businesses north of Michigan Avenue per, David V. Kline, application dated January 5, 2012.

Motion unanimously adopted.

12-030 Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:40 p.m.

WALTER J. PRUSIEWICZ
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

EVE SCHAFFER
COUNCIL SECRETARY