REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 22, 2008

08-022 The meeting was called to order at 8:20 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, Building & Engineering Director Sobh, Community & Economic Development Director Jamal, Comptroller Barrow, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, Emergency Management Assistant Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Director McCaffrey, Police Chief Gust, Deputy Police Chief Gavin, Public Service Administrator Franzil.

The Pledge of Allegiance was led by Council Secretary Maria Lawrence.

08-023 Motion by Councilwoman Badalow, seconded by Councilman Brown, that the Agenda for the Regular Meeting of January 22, 2008, be approved with the removal of Agenda Item 11-A, 1st Reading of Proposed Ordinance H-08-01, Draft of Business Registration Ordinance.

Motion unanimously adopted.

08-024 Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of January 8, 2008, be approved as submitted.

Motion unanimously adopted.

08-025 Motion by Councilwoman Horvath, seconded by Councilman Berry, that Fund Transfer 6-A, Current Claims 6-1 through 6-25, be approved as submitted.

A. $35,000 Fund Transfer from Library Contingency (738-738-997-000) to Library Contract Services (738-738-818-000) to Cover Cost of Heating Problems in the Library and Computers.

1. ACCUMED BILLING, INC. – Rescue Run Billing December 2007 – Inv. dated 01/01/08 from A/C 101-000-626-000 (Rescue) $5,125.07. Fire Dept.
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Disposal & Administration – Inv. dated 01/15/08 from A/C 101-200-810-000 (Sanitation) $56,946.14. General Govt.
3. CENTURY CEMENT CO. – Gulley Road Reconstruction – Cert. #2 dated 12/20/07 from A/C 202-202-880-300 (Streets) $227,071.40. Major Streets
4. CITY OF DEARBORN – Water/Sewer Charges – Inv. 508 dated 01/09/08 from A/C 592-537-928-000 (Water) $2,847.75 and A/C 592-537-928-000 (Sewage) $18,883.66. Water Dept.
5. COMERICA INSURANCE – Workers Compensation Insurance – Inv. 34721 dated 01/01/08 from A/C 101-200-724-000 (Work. Comp.) $7,500.00. General Govt.
6. DEARBORN HEIGHTS RAIDERS – Youth Football Allotments – Ck. Req. dated 01/02/08 from A/C 101-691-887-000 (Recreation Programs) $8,100.00. Recreation
7. E & J PLUMBING & SEWER CLEANING – Repair Boiler at Eton Center – Inv. dated 01/02/08 from A/C 101-265-931-000 (Repairs) $4,340.00. ENC. Building Maint.
8. EAST JORDAN IRON WORKS – Hydrant Parts – Inv. 3001658, 3001660, 3001661, 3001663 and 3001665 dated 12/20/07 from A/C 592-xxx-111-002 (Inventory) $6,306.16. Water Dept.
9. FIRST STEP – Admin. Services First Step Program for Residents – Inv. 01/14/08 from A/C 103-960-927-207 (First Step) $1,500.00. CDBG
10. HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. 120 dated 01/13/08 from A/C 101-440-820-000 (Trees) $8,109.00. DPW-Highway
11. MICHIGAN DEPARTMENT OF TRANSPORTATION – Local Progress Billing Telegraph Road Project – Inv. 302297 and 302298 dated 12/27/07 from A/C 202-202-880-300 (Roads) $13,652.42. Major Streets
12. NEW IMAGE BUILDING SERVICES – Cleaning Services January 2008 – Inv. 40868 dated 01/01/08 from A/C 738-738-818-000 (Contract Services) $2,214.00. See Fund Transfer. Library
13. OTIS ELEVATOR – Service Agreement for Elevators – Inv. 85108 dated 12/20/07 from A/C 101-300-818-000 (Contract Services) $1,865.46 and A/C 101-130-932-000 (Repairs) $2,487.20. Police/Court

14. QUAD-TRAN OF MICHIGAN – Data Processing January 2008 – Inv. 5169 and 5170 dated 12/28/07 from A/C 101-130-818-000 (Contract Services) $3,600.00; A/C 101-130-728-000 (Supplies) $1,900.70 and A/C 101-200-728-000 (Supplies) $2,671.15. District Court
15. R & R FIRE TRUCK REPAIR – Repairs of International Rescue – Inv. 32822 dated 12/14/07 from A/C 101-335-932-000 (Repairs) $1,781.65. ENC. Fire Dept.
16. REDSKINS YOUTH FOOTBALL – Youth Football Allotments – Ck. Req. dated 01/02/08 from A/C 101-691-887-000 (Recreation Programs) $4,425.00. Recreation
17. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging November and December 2007 – Inv.'s dated 12/14/2007 and 01/11/2008 from A/C 101-200-868-000 (Prisoners) $7,846.80. General Govt.
18. THE CASPER CORPORATION – Spacesaver Mobile Storage System – Inv.'s. 59414 and 59415 dated 12/20/07 from A/C 101-130-932-000 (Repairs) $2,570.00. ENC. District Court
19. THE LIBRARY NETWORK – Monthly Services December 2007/Menu Serv. Acquisition, Shared TECH Serv. – Inv. 36349 dated 01/01/08; Inv. 36411 dated 01/04/08 and Inv. 36486 dated 01/11/08 from A/C 738-738-827-100 (Library Network) $20,773.47 and A/C 738-738-853-000 (Telephone) $16,762.67. Libraries
20. VARIOUS SENIOR CLUBS – 2008 Senior Citizen Club Allotments – Ck. Req. dated 01/09/08 from A/C 101-691-885-000 (Seniors) $2,290.00. Recreation
21. WADE-TRIM ASSOCIATES – 2007 Bridge Inspection/Water Master Plan/CSO Phase II/DWSD Contract – Inv. 35384, 95387 and 95388 dated 12/28/07 and Inv. 95268 dated 12/20/07 from A/C 101-440-818-000 (Contract Services) $590.00; A/C 592-xxx-154-000 (Sewers) $10,683.70 and A/C 592-536-818-000 (Contract Services) $1,127.60. DPW-Water
22. WOLVERINE TRANSPORT INC. – Remove Debris for DPW – Inv. dated 12/19/07 from A/C 101-200-810-000 (Sanitation) $8,527.50. General Govt.
23. CUMMINGS, MCCLOREY, DAVIS & ACHO – Legal Services November 2007 – Inv. 145457 dated 12/20/07 from A/C 101-200-817-000 (Prof/Consult) $1,962.50. See Budget Amendment. General Govt.
24. GARY MIOTKE – Legal Services December 2007 – Inv. dated 01/15/08 from A/C 101-210-826-000 (Corp. Counsel) $6,022.50. Corp. Counsel
25. WASTE MANAGEMENT – Roll-Off Service December 2007 – Inv. 1717-5 dated 01/01/08 from A/C 101-200-810-000 (Sanitation) $1,545.00. General Govt.

Motion unanimously adopted.

08-026 Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Comptroller be authorized to advertise for bids, per specifications, for removal of existing floor and installation of new tile floor into the Berwyn Senior Citizen Exercise Room, per the request of Recreation Director Grybel, communication dated January 16, 2008.

Motion unanimously adopted.

08-027 Motion by Councilman Berry, seconded by Councilwoman Agius, that the low bid from Advanced Networking Group, 15310 West Mc Nichols, Detroit, MI 48235-7722, for CEDD Computers and Server Replacement Project, in the amount of $19,972.83, and payment thereof, be approved, per Community & Economic Development Director Jamal, communication dated January 15, 2008. Further, that the Mayor and City Clerk be authorized to sign the Services Agreement between the City and Advanced Networking Group and that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

08-028 Motion by Councilwoman Badalow, seconded by Councilman Brown, that the low bid from Minuteman Power Boss Factory Direct, 25920 Northline Commerce Drive, Suite #400, Taylor, MI 48180, for one (1) Minuteman E20 Brush Drive Floor Scrubber, in the amount of $3,382.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated January 15, 2008. This item is budgeted in Recreation Capital Outlay #691-981.

Motion unanimously adopted.

08-029 Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Comptroller be authorized to advertise for bids, per specifications, for Security System Monitoring/Maintenance at both City libraries, per the request of Michael McCaffery, communication dated January 14, 2008.

Motion unanimously adopted.

08-030 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Resolution in Support of the Alliance of Downriver Watersheds (ADW) and Alliance of Rouge Communities (ARC) Comments on the Proposed NPDES Storm Water Discharge General Permit, No.

MIG61000 be adopted as follows:

A RESOLUTION IN SUPPORT OF THE ALLIANCE OF DOWNRIVER WATERSHEDS (ADW) AND ALLIANCE OF ROUGE COMMUNITIES (ARC) COMMENTS ON THE PROPOSED NPDES STORM WATER DISCHARGE GENERAL PERMIT, No. MIG610000

WHEREAS the Michigan Department of Environmental Quality (MDEQ) has proposed new watershed-based and jurisdictional storm water general permits which regulate storm water discharges from municipal separate storm sewer systems in compliance with the Federal Water Pollution Control Act; and,

WHEREAS the proposed watershed-based permit places new costly, cumbersome and prescriptive measures on communities and counties that will add to operating costs but will not allow members of the Alliance of Downriver Watersheds and Alliance of Rouge Communities to continue their documented progress toward achieving water quality standards using the flexible practices incorporated to date; and,

WHEREAS the proposed watershed-based permit emphasizes extensive individual documentation and reporting rather than achieving measurable, watershed-wide improvements through innovative, cost-effective solutions with watershed partners; and,

WHEREAS the proposed permit severely limits local control and decision-making that has been a guiding principle of the watershed permit while discouraging implementation of alternative, cost-effective approaches based on existing watershed conditions; and,

WHEREAS municipal government budgets across the state are strained and these added duties constitute mandates on municipal departments that cannot be financially absorbed;

NOW THEREFORE BE IT RESOLVED that the City of Dearborn Heights requests that the MDEQ and its Director allow flexible, yet enforceable municipal storm water permit requirements that will lead to improved water quality;

BE IN FURTHER RESOLVED that the City of Dearborn Heights support the written comments on the draft permit submitted to MDEQ by the Alliance of Rouge Communities and SEMCOG and the Phase II Storm Water Re-issuance Focus Group. We also support the position that incorporating Total Maximum Daily Loads (TMDLs) especially those of e. coli into this permit will cause inherent noncompliance with the permit

BE IT FURTHER RESOLVED that the MDEQ and its Director institute water quality control measures that target the water quality challenges at a given location.

BE IT FURTHER RESOLVED that the MDEQ reinstitute the existing Storm Water Pollution Prevention Initiative (SWPPI) process that allowed the MDEQ sufficient oversight and control to assure that all regulated communities and agencies were making progress.

BE IT FURTHER RESOLVED that the MDEQ return to a municipal storm water permit that allows sufficient flexibility to permit the state's watersheds to identify their most pressing issues and to address them.

Per, Mayor Paletko, communication dated January 11, 2008.

Motion unanimously adopted.

08-031 Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the purchase of the Mayor's former 2005 Ford Police Car from Emkay, Inc., 805 W Thorndale Avenue, Itasca, IL 60143, in the amount of $8,700.00, and payment thereof, per Mayor Paletko, communication dated January 16, 2008. Further, that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

08-032 Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the Annual Permit and Performance Resolution for Work to Be Performed on County Road Right-of-Ways during 2008, per Mayor Paletko, communication dated January 16, 2008. Further, that Public Service Administrator Franzil be authorized to sign the documents on behalf of the City.

Motion unanimously adopted.

08-033 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the

communication from Mayor Paletko, dated January 16, 2008 re: Appointment of Mr. Ron Krochmalny, 441 S Beech Daly Road to the Board of Review, term to expire July 2008, be received, contents noted and filed.

Motion unanimously adopted.

08-034 Motion by Councilman Brown, seconded by Councilman Berry, that the City Council concurs with and approves the appointment of Ms. Rose Tripepi, 4455 Tulane, to the Tax Increment Finance Authority, term to expire December 2008. Ms. Tripepi replaces Ms. Natalie McLaughlin.

Motion unanimously adopted.

08-035 Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the following Tabled, Pending and Referred Council Motions be referred to file:

06-238 Agenda 06/27/06 – Refer to Study Session – 457 Services for City Employees from Mayor
07-254 Agenda 06/26/07 – Refer to Administration – North Branch of Ecorse Creek Flood Mitigation Plan Resolution from Mayor
07-302 Agenda 08/14/07 – McKenna Associates Current Claim 6-17 (Planning Services Jan., March, May & June 2007)
07-377 Agenda 10/09/07 – Request for Legal Opinion (Interpretation of Charter Sections 5.3(f), (g) (m) and Section 8.7) (Access to Info, etc.), per Council Chairman Baron, communication dated January 17, 2008.

Motion unanimously adopted.

08-036 Motion by Councilwoman Van Houten, seconded by Councilman Brown, that the City Council concurs with and approves the reappointment of Mayor Paletko as Delegate and Councilwoman Badalow, as Alternate to SEMCOG (Southeast Michigan Conference of Governments) to another one (1) year term to expire December 2008, per Council Chairman Baron, communication dated January 17, 2008.

Motion unanimously adopted.

08-037 Motion by Councilman Berry, seconded by Councilwoman Agius, that the City Council concurs with and approves the appointment of Councilman Bob Brown to the General Government Pension Board, two year term to expire December 2009, per Council Chairman Baron, communication dated January 17, 2008.

Motion unanimously adopted.

08-038 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council concurs with and approves the reappointment of Councilwoman Margaret Van Houten, as "ex-officio" on the Community & Cultural Relations Commission, term to expire February 28, 2009.

Motion unanimously adopted.

08-039 Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the reappointment of Ms. Vicki Ashker, 650 Berwyn to the Community and Cultural Relations Commission, term to expire December 2010.

Motion unanimously adopted.

08-040 Motion by Councilman Brown, seconded by Councilwoman Agius, that the City Council concurs with and approves the following Budget Amendment:

INCREASE REVENUES #101-000-699-000	APPROPRIATE FUND BALANCE $30,000.00
INCREASE EXPENDITURES #101-200-817-0	GEN. GOVT. PROF/CONSULT $30,000.00

to cover the cost of additional services and the retiree Medicare lawsuit, per Comptroller Barrow, communication dated January 16, 2008.

Motion unanimously adopted.

08-041 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the following Budget Amendment:

INCREASE REVENUES #101-000-699-000	APPROPRIATE FUND BALANCE $183,926.00
INCREASE EXPENDITURES #101-335-981-000	GEN. GOVT. PROF/CONSULT $183,926.00

to cover the cost of the Fire Department Rescue Squad, per Comptroller Barrow, communication dated January 16, 2008.

Motion unanimously adopted.

08-042 Motion by Councilman Berry, seconded by Councilwoman Agius, that the City Council concurs with and approves McKenna Associates Incorporated, 235 East Main Street, Suite 105, Northville, MI 48167, to prepare the Analysis of Impediments to Fair Housing Choice and the Senior Housing Market Analysis, per Community & Economic Development Director Jamal, communication dated January 15, 2008. Further, that the Comptroller be authorized to pay accordingly.

Motion unanimously adopted.

08-043 Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the City Council concurs with and approves a Municipal Lease Purchase Agreement with Motorola, for the purchase of 34 Motorola MW810 computers, at a total cost of $167,620.00, to be financed over three (3) years, per Police Chief Gust, communication dated January 16, 2008. Further, that the Comptroller be authorized to make the first installment of $59,288.37.

Motion unanimously adopted.

CORRECTED - 2-12-08 TO SHOW #235,820.00 NEW # 08-077 mel

08-044 Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the request for authorization to enter into a Purchase Agreement with Jorgenson Ford, 5333 Michigan Avenue, Detroit, MI 48210, for six (6) 2008 Crown Victoria patrol vehicles ($20,844.50 each), three (3) 2008 Ford Explorer 4 x 2's ($20,521.00 each) and two (2) 2008 Ford Expeditions ($24,595.00 each), total purchase price, $235,520.00, and payment thereof, per Police Chief Gust, communication dated January 15, 2008. This is an Oakland County bid specification and award. Funds have been budgeted in the current 2007-2008 capital outlay account.

Motion unanimously adopted.

08-045 Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the request to purchase one (1) F-550 Dump Truck ($46,400.00), one (1) F-150 Pick-up Truck ($15,000.00) and one (1) F-150 XLT Truck ($20,149.95), total purchase amount $81,549.95 from Jorgensen Ford, 8333 Michigan Avenue, Detroit, MI 48210, and payment thereof, per Public Service Administrator Franzil, communication dated January 15, 2008. This is a City of Detroit bid and budgeted in the 2007-2008 Capital Outlay account.

Motion unanimously adopted.

08-046 Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves the following amounts for the Safety Award Program ending 2007:

1st Place $500.00; 2nd Place $300.00 and 3rd Place $200.00, per Public Service Administrator Franzil, communication dated January 11, 2008.

Motion unanimously adopted.

08-047 Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the City Council concurs with and approves the Permanent Traffic Control Device Request T-174, "Do Not Enter", Left Turn Only", "Right Turn Only" and "One Way" signs to parking lot at Star Academy & International Learning Academy to control traffic patterns around the school allowing for less congestion and greater safety during school arrival and dismissal.

Motion unanimously adopted.

08-048 Motion by Councilwoman Horvath, seconded by Councilman Berry, that the business license renewals for Livernois Vehicle/Motorsports, 2500 S Gulley and The Hooch, 5157 S Telegraph, be approved.

Motion unanimously adopted.

08-049 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that tabled CM-07-436, Legal Opinion re: City Council Access to Information and/or Documents, be brought back to the table.

Motion unanimously adopted.

08-050 Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council accept Legal Opinion #101 as prepared by Corporation Counsel Miotke, communication dated November 13, 2007, relative to City Council Access to Information and/or Documents.

Ayes: Councilwoman Agius, Council Chair Baron, Councilman Berry, Councilman Brown, Councilwoman Horvath, Councilwoman Van Houten.
Nays: Councilwoman Badalow.
Absent: None.

Motion adopted.

08-051 Motion by Councilwoman Van Houten, seconded by Councilman Berry, that tabled CM 08-020, Engineering Services Rate Adjustment, be brought back to the table.

Motion unanimously adopted.

08-052 Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Wade Trim Billing Rate Schedule as outlined in a communication from Daniel R. Brooks, PE, Wade Trim Associates, Inc., 25251 Northline Road, PO Box 10, Taylor, MI 48180, communication dated November 13, 2007.

Motion unanimously adopted.

08-053 Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:25 PM.

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY