

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 22, 2002

02-033 The meeting was called to order at 8:05 p.m. by Council Chairman Daniel S. Paletko.

Roll Call showed the following:

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

Absent: None.

Also Present: Mayor Canfield, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Reidel, Acting Building & Engineering Director Lamontagne (arrived at 8:07 p.m.), Police Chief Gust, Fire Marshall McDonagh, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilwoman Elizabeth J. Agius.

City Beautiful Chairman Tom Jenkins, Barbara Lemecha, Judy Demko, Michelle Remily, Co-Chair and Mayor Canfield presented crystal ornaments to the winners of the annual Holiday Decorating Program to Lillie Cagle and Steve Moore, Jackson Street; Michael & Christine Kalis, Lawrence Street and Bill & Delphine Romanycia, Joy Road. Eugene & Betty Laudenslager, Tulane Street could not attend.

Fire Marshall McDonagh, Dick Waggonmaker, Rich Pullman, meteorologists for the National Weather Service and Police Lt. Walter Davis, Michigan State Police Emergency Management District Coordinator presented two "Storm Ready" signs to Mayor Canfield and the City Council. Dearborn Heights is one of only two communities in the State to be certified as a Storm Ready community.

02-034 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Agenda for the Regular Meeting of January 22, 2002, be approved as submitted.

Motion unanimously adopted.

02-035 Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the Minutes from the Regular Meeting of January 8, 2002, be approved as submitted.

Motion unanimously adopted.

02-036 Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that Current Claims 6-1 through 6-24, be approved as submitted.

1. ACCUMED BILLING - Ambulance Billing for December 2001 - Inv. dated 01/10/02 from A/C 101-000-626-000 (Ambulance) \$4,002.04. Fire Dept.
2. BIS COMPUTER SOLUTIONS - Software Maintenance for Quarter beginning 01/02 - Inv. MS0102 dated 12/01/01 from A/C 101-300-818-000 (Contract Services) \$2,640.00. Police Dept.
3. D & J LAWN & SNOW SERVICES - Installation of 375 Trees - Inv. 1612 dated 12/27/01 from A/C 103-960-961-201 (Tree Replacement) \$50,000.00. CDBG.
4. IBM - Maintenance Contract for Power Station 570 - Inv. 1209537 dated 01/03/02 from A/C 101-300-818-000 (Contract Service) \$3,515.88. Police Dept.
5. LACARIA CONCRETE CONSTRUCTION - 2001 Sidewalk Replacement Program - Check Request dated 01/08/02 from A/C 101-200-963-000 (Sidewalks)

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- \$289,231.79. See Budget Amendment. General Govt.
6. GARY MIOTKE - Legal Services for November/December 2001 - Inv. dated 01/08/02 from A/C 101-210-826-000 (Counsel Serv) \$13,589.75. Corp. Counsel.
 7. SECREST, WARDLE, LYNCH...-Legal Services October/November 2001 - Inv. dated 01/08/02 from A/C 101-210-826-000 (Counsel Services) \$7,301.50. Corp. Counsel.
 8. MMRMA - Liability Insurance Additional Contribution - Inv. R488 dated 12/27/01 from A/C 592-536-911-000 (Insurance) \$100,000.00. Water Dept.
 9. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1515 dated 01/04/02 from A/C 592-540-818-030 (Contract Serv) \$56,657.48. Water Dept.
 10. OAKLAND COUNTY CLEMIS - Usage and Participation Fees - Inv. 112034 dated 12/31/01 from A/C 274-673-950-096 (Police Block Grant) \$3,325.00. Police Dept.
 11. PAINTER & RUTHENBERG - Roll Off Services for December 2001 - Inv. 49305 dated 01/02/02 from A/C 101-200-810-000 (Sanitation) \$2,912.00. General Govt.
 12. MICHIGAN HEART - Heart test for Lawrence Duffany - Inv. 04623233 dated 10/19/01 from A/C 101-300-726-000 (Benefits) \$2,086.00. Police Dept.
 13. PLANTE & MORAN - Audit and Acct. Services - Inv. 764005 dated 01/03/02 and Inv. 764006 dated 01/03/02 from A/C 101-200-817-000 (Professional/Consult) \$2,175.00 and A/C 592-536-817-000 (Professional/Consult) \$3,700.00. General Govt.
 14. PLAYSMAST RECREATIONAL CONSTRUCTION - Install Drain & Pea Gravel & Wood Chips - Inv. 166 dated 08/15/01 from A/C 101-691-932-000 (Repairs/Maintenance) \$3,400.00. ENC. Recreation.
 15. QUAD-TRAN OF MICHIGAN - Data Processing Services for January 2002 - Inv. 3757 dated 12/28/01 from A/C 101-130-818-000 (Contract Serv) \$3,200.00 and A/C 101-130-728-000 (Supplies) \$741.30. District Court.
 16. RONALD KACZOROWSKI - Settlement Agreement for Workers Comp - Check Request dated 01/11/02 from A/C 101-200-724-000 (Workers Comp) \$69,900.00. See Budget Amendment. General Govt.
 17. RSK CO. - Service Fee for 01/01/02 - 06/30/02 - Inv. 119003 dated 01/01/02 from A/C 101-200-724-000 (Workers Comp) \$19,750.00. General Govt.
 18. SEMCOG - Annual Dues for Membership - Inv. dated 01/10/02 from A/C 101-200-958-000 (Dues) \$7,740.00. General Govt.
 19. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging December 2001 - Inv. dated 12/20/01 from A/C 101-200-868-000 (Prisoners) \$6,072.20. General Govt.
 20. TODAY LINK, LLC - Internet Service for December and January - Inv. 1027 dated 01/07/02 from A/C 101-200-819-999 (Internet) \$7,198.75. General Govt.
 21. WADE-TRIM/ASSOCIATES - Plans/Spec for Heather Lane - Inv. 72025 dated 12/18/01 from A/C 103-960-967-201 (Heather Lane) \$1,049.64. CDBG.
 22. WAYNE COUNTY - DEPT. OF ENVIRONMENT - Excess Flow Rouge Valley & Downriver - Inv. 205113 dated 12/30/01 and Inv. 205101 dated 12/30/01 from A/C 592-537-929-000 (Disposal) \$205,113.96. Water Dept.
 23. WAYNE COUNTY - D.P.S. - Working Capital for Warren - Beech/Telegraph - Inv. 205307 dated 01/10/02 from A/C 202-202-880-100 (Street Construction) \$30,855.00. Major Streets.
 24. WAYNE COUNTY - DEPT. OF PUBLIC HEALTH - Cross Connection 07/01 - 09/01 - Inv. 205148 dated 01/04/02 from A/C 592-536-818-000 (Contract Serv.) \$13,852.00. Water Dept.

Motion unanimously adopted.

- 02-037** Motion by Councilman Baron, seconded by Councilwoman Agius, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) HP Design Jet 1050C Plus Printer, per the request of Public Service Administrator

Blackburn, communication dated January 4, 2002.

Motion unanimously adopted.

- 02-038** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the reappointment of Mr. Tim Emery and Mr. Peter Zachary to the Tax Increment Finance Authority, terms to expire December 2005, per Mayor Canfield, communication dated January 7, 2002.

Motion unanimously adopted.

- 02-039** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the communication from Council Chair Paletko, dated January 16, 2002, re: Formulation of An Ethics Commission be referred to a Committee of the Whole Study Session.

AYES: Councilwoman Agius, Councilwoman Badalow, Councilman Baron,
Councilwoman Horvath, Council Chair Paletko, Councilwoman Van
Houten.

NO: Councilman Constan.

ABSENT: None.

Motion adopted.

- 02-040** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that the City Council concurs with and approves the following banking institutions as official depositories of City funds as Charter Section 6.14 and Section 8.10 directs:

Bank One
COMERICA Bank
Community Bank of Dearborn (\$550,000 deposit limit)
Dearborn Federal Savings Bank
Fifth Third Bank
Flagstar Bank
National City Bank
Republic Bank
Standard Federal Bank

per, Treasurer Riley, communication dated January 16, 2002.

Motion unanimously adopted.

- 02-041** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves Soil and Materials Engineers, Inc. (SME) 43980 Plymouth Oaks Blvd., Plymouth, MI 48170-2584, to perform geotechnical evaluation services, at an amount not-to-exceed \$4,900.00, and payment thereof, for the John F. Kennedy Jr. Library per, Treasurer Riley, communication dated January 15, 2002. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 02-042** Motion by Councilwoman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the quote from Detroit Edison, Royal Oak Service Center, 3425 Starr Road, Royal Oak, MI 48073-2100, for street lighting for the Warren Avenue Streetscape, at a price of \$211,278.00, and payment thereof, per Community Development Director Oliverio, communication dated January 15, 2002. This item is

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budgeted in the CDBG Warren Avenue account.

Motion unanimously adopted.

- 02-043** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the City Council authorize the Comptroller to decrease CDBG Program Income Account \$9,638.10 and increase CDBG Berwyn Parking Lot Account \$9,638.10, per Community Development Director Oliverio, communication dated January 15, 2002. This increase is due to additional ADA sidewalk requirements.

Motion unanimously adopted.

- 02-044** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the Permanent Line Relocation Billing Agreement with Detroit Edison Company, Redford Service Center, 12000 Dixie, Redford, MI 48235, for the removal of four (4) poles and a transformer along with installation of underground service and transformer at Municipal Park and authorize the Comptroller to decrease CDBG Program Income Account \$12,307.08 and increase CDBG Municipal Park Account \$12,307.08, per Community Development Director Oliverio, communication dated January 15, 2002. This completes necessary electrical work needed at Municipal Park. Further, that the Mayor and Clerk be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 02-045** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Budget Amendment to cover the cost of Workers Compensation Settlement Agreement be approved as follows:

INCREASE REVENUES	APPRO. FUND BALANCE
#101-000-699-000	\$70,000.00
INCREASE EXPENDITURES	WORKERS COMPENSATION
#101-200-963-000	\$70,000.00

per, Comptroller Barrow, communication dated January 16, 2002.

Motion unanimously adopted.

- 02-046** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Budget Amendment to cover additional cost of the 2001 Summer Sidewalk Replacement Program be approved as follows:

INCREASE REVENUES	SIDEWALKS
#101-000-628-000	\$36,700.00
INCREASE EXPENDITURES	SIDEWALKS
#101-200-963-000	\$36,700.00

per, Comptroller Barrow, communication dated January 16, 2002.

Motion unanimously adopted.

- 02-047** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the proposed "Domestic Relations Amendment" to the Deferred Compensation Plan administered by Nationwide

Retirement Services, per Corporation Counsel Miotke, communication dated January 15, 2002. Further, that the Mayor be authorized to sign the Amendment on behalf of the City. This Amendment will allow the Plan to honor domestic relations orders in divorce cases so that assets can be segregated for the benefit of former spouses of City employees.

Motion unanimously adopted.

- 02-048** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the City Council concurs with and approves the Equipment Lease Agreement with Ricoh Business Systems, Inv., 2119 Austin Avenue, Rochester Hills, MI 48309, for a model AFICIO 1022 copier, for the Eton Senior Citizen Center, in the amount of \$172.00 per month for 48 months, per Recreation Director Grybel, communication dated January 16, 2002. Further, that the Mayor be authorized to sign the Agreement on behalf of the City. This lease price is from the State of Michigan Bid Pricing List.

Motion unanimously adopted.

- 02-049** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that CM 01-419 (Architectural Services Agreement with Cityscape Architects, Inc. for the Canfield Ice Arena Lobby Expansion Project) and 01-513 (Cityscape Architect, Inc. Authorization to develop specifications and advertise for bids for the Canfield Ice Arena Renovation Project) be rescinded.

Motion unanimously adopted.

- 02-050** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that the City Council concurs with and approves TMP Architects, Inc., 1191 West Square Lake Road, Box 289, Bloomfield Hills, MI 48303 to provide architectural services for the Canfield Ice Arena Lobby Renovation Project, in the amount of \$20,250.00, and payment thereof, per Recreation Director Grybel, communication dated January 16, 2002. Fees for this project show a reduction of 10% due to much of the schematic design being completed by Cityscape. Further, that the Mayor be authorized to sign the proposal on behalf of the City.

Motion unanimously adopted.

- 02-051** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves Change Order Request #3 for the Parkland Park Phase III Renovation Project with ABC Paving Company, 2650 Van Born Road, Trenton, MI 48183, in the amount of \$13,494.28, and payment thereof, per Recreation Director Grybel, communication dated January 14, 2002. Further, that the Mayor be authorized to sign the Change Order on behalf of the City. Funding for this request is available in the Parkland Park State CMI Grant account.

Motion unanimously adopted.

- 02-052** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council approve the Amusement Ride Midway Contract between the City and Mid America Shows, Inc., for Spirit 2003 Festival, scheduled for June 18-22, 2003, per Recreation Director Grybel, communication dated January 15, 2002. Further that the Mayor sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 02-053** Motion by Councilman Baron, seconded by Councilman Constan, that Communication

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from Recreation Director Grybel, dated January 15, 2002 re: Cancellation of the Spirit 2002 Parade, be tabled until the February 26, 2002 Council Meeting.

AYES: Councilwoman Agius, Councilwoman Badalow, Councilman Baron,
Councilman Constan, Council Chair Paletko, Councilwoman Van Houten.
NO: Councilwoman Horvath.
ABSENT: None.

Motion adopted.

- 02-054** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the quotation from USI, Inc., 98 Forth Path Road, Madison, CT 06443, a single source provider, for one (1) Roll Laminator 42" Rolls and Supplies, in the amount of \$3,550.28, and payment thereof, be approved per, Public Service Administrator Blackburn, communication dated January 8, 2002. This item was approved in the Water Department Capital Outlay account.

Motion unanimously adopted.

- 02-055** Motion by Councilman Baron, seconded by Councilwoman Badalow, that proposed Ordinance H-02-01, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY ADDING SECTION 1-11 TO SAID CODE WHICH SETS FORTH ADDITIONAL PROVISIONS REGARDING MUNICIPAL CIVIL INFRACTIONS, be considered read for the first time, per Corporation Counsel Miotke, communication dated January 15, 2002.

Motion unanimously adopted.

- 02-056** Motion by Councilman Baron, seconded by Councilwoman Horvath, that proposed Ordinance H-01-24, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REPEALING SECTIONS 7-204 THROUGH 7-300 AND BY AMENDING SECTIONS 7-201 THROUGH 7-203 IN ORDER TO REPEAL THE ADOPTION OF THE "BOCA NATIONAL EXISTING STRUCTURES CODE OF 1987" AND TO ADOPT THE "INTERNATIONAL PROPERTY MAINTENANCE CODE 2000", be considered read for the second time to become effective upon publication in the City's official newspaper.

Motion unanimously adopted.

- 02-057** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that the City Council concurs with the recommendation of the Planning Commission and approves the Special Land Use Request from Cingular Wireless, 255 S Old Woodward, Suite 200, Birmingham, MI 48009, to erect a 120' monopole tower and a 12' x 20' equipment shelter, on the north side of Ford Road, westerly of Evergreen Road, be approved.

Motion unanimously adopted.

- 02-058** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Request for Retirement with Age Waiver of two years nine months be granted to Police Lt. Karol Kapelczak.

Motion unanimously adopted.

- 02-059** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, to close the

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meeting.

Motion unanimously adopted.

The meeting adjourned at 9:53 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

**DANIEL S. PALETKO, CHAIR
CITY COUNCIL**

MARIA E. LAWRENCE, COUNCIL/CLERK SECRETARY