

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 9, 2007

07-001 The meeting was called to order at 8:17 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilwoman Janet S. Badalow, Councilman Kenneth R. Baron, Councilman Tom Berry, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.
Absent: None.
Also Present: Mayor Paletko, Administrative Assistant Kramarz, Corporation Counsel Miotke, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Riedel, Building & Engineering Director Sobh, Fire Chief Gurka, Deputy Police Chief Lazar, Recreation Director Grybel, Public Service Administrator Franzil, Community & Economic Development Director Jamal, Librarian Deller.

The Pledge of Allegiance was led by Community & Economic Development Director Jamal.

At this time I will accept nominations for Chair Pro Tem of the Dearborn Heights City Council, a second is not necessary. I will accept all nominations in the order in which they are received. I will then call the vote for the candidates. The first candidate to receive a majority vote of the members will be Council Chair Pro Tem.

Councilwoman Horvath nominated Councilman Baron.

Council Chair Agius nominated Councilman Berry.

Councilwoman Badalow nominated Councilwoman Badalow.

Council Chair Agius asked if there were any other nominations, any other nominations, and other nominations?

07-002 Motion by Councilwoman Van Houten, seconded by Councilman Baron, to close the nominations for Chair Pro Tem.

Motion unanimously adopted.

Council Chair Agius took a roll call vote.

Councilwoman Van Houten - Baron
Councilman Baron - Baron
Councilman Badalow - Badalow
Councilwoman Horvath - Baron
Council Chair Agius - Berry
Councilman Berry - Berry

Council Chair Agius announced no majority vote for any nominee. Council Chair Agius stated the matter of Pro Tem to be moved to the meeting of January 23, 2007.

07-003 Motion by Councilman Baron, seconded by Councilman Berry, that the Agenda for the Regular Meeting of January 9, 2007, be approved as submitted.

Motion unanimously adopted.

07-004 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of December 12, 2006, be approved as submitted.

Motion unanimously adopted.

07-005 Motion by Councilwoman Horvath, seconded by Councilman Baron, that Fund Transfer 6-A and Current Claims 6-1 through 6-28, be approved with the exclusion of Claim 6-4 (Electric Power & Design Invoices).

A. \$20,000 Transfer from #738-738-997-000 (Library Contingency) to #738-738-818-000 (Library Contractual Services to cover the cost of Cleaning Services for the two libraries.

1. Allen Brothers - CDBG Attorney Fees - Inv. dated 12/21/06 from A/C 103-960-900-205 (Residential Rehab) \$2,022.00 and A/C 103-960-938-205 (Municipal Park Improvements) \$120.00. CDBG

Minutes **JANUARY 9, 2007** Continued

2. Central Wayne County Sanitation Authority – November Debt & Admin. – Inv. dated 11/30/06 from A/C 101-200-810-000 (Sanitation) \$139,452.60. General Govt.
3. City of Dearborn – Water Charges July 2006-September 2006 – Inv. 111785 dated 11/17/06 from A/C 592-537-928-000 (Water) \$1,673.60. Water Dept.
5. FIRST STEP – Annual Contribution to Program – Inv. 12/11/06 from A/C 103-960-927-206 (First Step) \$1,500.00. CDBG
6. GRAND BLANC PRINTING – Dearborn Heights Today Newsletter – Inv. 37808 dated 10/17/06 from A/C 101-200-728-000 (Supplies) \$4,800.00. ENC. General Govt.
7. HAMILTON ANDERSON ASSOCIATES, INC. – Dearborn Heights Master Plan – Inv. #8 dated 11/30/06 from A/C 103-960-918-206 (Admin) \$7,075.98. CDBG
8. HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. 106 dated 01/02/07 from A/C 101-440-820-000 (Trees) \$25,948.80. DPW-Highway
9. HYDRO DESIGNS – Cross Connection Program – Inv. 15100-IN dated 11/30/06 and Inv. 15297-IN dated 12/30/06 from A/C 592-536-817-000 (Prof/Consult) \$6,148.00. Water Dept.
10. MMRMA – Liability Insurance Premium – Inv. 91437-2 dated 09/21/06 from A/C 101-200-911-000 (Insurance) \$343,098.00. General Govt.
11. MC KENNA ASSOCIATES – Invoice for Planning Commission – dated 12/14/06 from A/C 101-801-817-000 (Prof/Consult) \$2,446.01. See Budget Amendment. General Govt.
12. MARC J MILIA, MD – Work Comp Surgery – Ck. Req. Dated 12/04/06 from A/C 101-200-724-000 (Work Comp) \$1,711.19. See Budget Amendment. General Govt.
13. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2323 dated 12/29/06 from A/C 592-540-818-030 (Contract Serv.) \$22,589.00. Water Dept.
14. NEW IMAGE BUILDING SERVICES – Maintenance of Libraries – Inv. 36095 dated 12/01/06 from A/C 738-738-818-000 (Contract Serv.) \$2,214.00. See Fund Transfer. General Govt.
15. OTIS – Elevator Maintenance Charges 2007 – Inv. 08517 dated 12/20/06 from A/C 101-300-818-000 (Contract Serv.) \$1,764.01 and A/C 101-130-818-000 (Contract Serv.) \$2,352.01. Police/Court
16. PLANTE & MORAN – Services November 16-30, 2006 – Inv. 201759 dated 12/08/06 from A/C 592-536-817-000 (Prof/Consult) \$1,655.00. Water Dept.
17. PRITULA & SONS – Emergency Sewer Repairs – Inv. 1214, 1213, 1216, 1215, 1212 and 1217 dated 11/29/06 from A/C 592-537-818-020 (Contract Serv.) \$13,112.00. Water Dept.
18. SEMCOG – Annual Dues for Membership – Inv. dated 01/01/07 from A/C 101-200-958-000 (Dues) \$7,950.00. General Govt.
19. STATE OF MICHIGAN – MDOT – Local Billing – Telegraph-Hines & Rouge River – Inv. AP291195 dated 12/06/06 from A/C 202-202-880-300 (Street Construction) \$1,760.46. Major Streets
20. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging November 2006 – Inv. dated 12/14/06 from A/C 101-200-868-000 (Prisoners) \$5,154.34. General Govt.
21. WADE-TRIM/ASSOCIATES – Ann Arbor Trail Improvements – Inv. 92184 dated 12/18/06 from A/C 202-202-880-300 (Street Construction) \$994.50. Major Streets
22. WADE-TRIM/ASSOCIATES – Phase II CSO Control Sewer – Inv. 92183 dated 12/18/06; sewer mapping Inv. 92250 dated 12/22/06 from A/C 592-537-818-000 (Contract Serv.) \$35,238.00 and A/C 592-xxx-154-000 (Sewers) \$379.84. Water Dept.
23. WADE-TRIM/ASSOCIATES – Plot Plan, Right-of-Way Reviews – Inv. 91753 dated 10/25/06; 91988 dated 11/29/06 and 91990 dated 11/29/06 from A/C 101-371-809-000 (Engineering Serv.) \$1,291.90. Building Engineering
24. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Drain Assessments for Repairs – Inv. 237340 dated 12/07/06 from A/C 101-200-988-000 (Drains at Large) \$21,241.00. See Budget Amendment. General Govt.
25. WAYNE COUNTY – ACCOUNTS RECEIVABLE – Traffic Signal Maint November 2006 – Inv. 1002747 dated 12/12/06 from A/C 101-440-925-000 (Signal Maint) \$3,836.82. DPW-Highway
26. WAYNE COUNTY – DEPT. OF ENVIRONMENT – Excess Flow January 2007 Downriver – Inv. 236560 dated 01/01/07 from A/C 592-537-929-000 (Sewage) \$33,886.00. Water Dept.
27. WOLVERTON TRANSPORT, INC. – Hauling Debris DPW Yard – Inv. dated 12/16/06 from A/C 101-200-810-000 (Sanitation) \$5,542.50. General Govt.
28. CUMMINGS, MC CLOREY, DAVIS & ACHO – Labor Attorney November 2006 – Inv. 129680 dated 12/13/06 from A/C 101-200-817-000 (Prof/Consult) \$3,841.90. General Govt.
29. SOMMERS SCHWARTZ – Attorney Fees November 2006 – Inv. 200504 dated 12/06/06 from A/C 592-536-817-000 (Prof/Consult) \$2,388.00. Water Dept.

Motion unanimously adopted.

- 07-006** Motion by Councilman Berry, seconded by Councilman Baron, that the City Council concurs with and approves the Deferred Retirement Option Plan (DROP) as ratified by the Police Supervisors Association and the Police Officers Association, per Mayor Paletko, communication dated January 3, 2007. Further, that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City.

Aye: Council Chair Agius, Councilman Baron, Councilman Berry, Councilwoman Horvath, Councilwoman Van Houten.

Nays: Councilwoman Badalow.

Absent: None.

Motion adopted.

- 07-007** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Letter of Understanding between the City of Dearborn Heights and the Dearborn Heights Communication Officers, per Mayor Paletko, communication dated January 3, 2007. Further, that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 07-008** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Council concurs with and approves the 2005-2008 Dearborn Heights Supervisors Association Contract, per Mayor Paletko, communication dated January 3, 2007. Further, that the Mayor and City Clerk be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 07-009** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the appointment of Dr. Nouredine Saab, 26156 Timber Trail, to the Community & Cultural Relations Commission to fill the unexpired term of Toni Emerson, term to expire December 2008, per Mayor Paletko, communication dated January 3, 2007.

Motion unanimously adopted.

- 07-010** Motion by Councilman Berry, seconded by Councilman Baron, that the City Council concurs with and approves the reappointment of Angela Altomonte, 20650 Crestmont and Nour Elsheick, 26467 Doxtator to the Dearborn Heights Youth Commission, terms to expire January 2010, per Mayor Paletko, communication dated January 3, 2007.

Motion unanimously adopted.

- 07-011** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the appointment of Christine Sullivan, 20747 Annapolis and Steve Roberts, 24337 Pennie to the Watershed Stewards Commission, terms to expire September 2008 and September 2007 respectively, per Mayor Paletko, communication dated January 4, 2007.

Motion unanimously adopted.

- 07-012** Motion by Councilman Berry, seconded by Councilman Baron, that the City Council concurs with and approves the reappointment of Councilwoman Janet Badalow to the Library Advisory Board as Council "ex-officio", per Council Chair Agius, communication dated December 15, 2006.

Motion unanimously adopted.

- 07-013** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the reappointment of Mayor Paletko and Councilwoman Badalow to the Southeastern Michigan Conference of Governments (SEMCOG), terms to expire December 2007.

Motion unanimously adopted.

- 07-014** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the reappointment of Ms. Katie Mifsud to the Dearborn Heights Youth Commission, term to expire January 2010, per Council Chair Agius, communication dated December 15, 2006.

Motion unanimously adopted.

- 07-015** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the publication of the "Amended Meetings Notice to Comply with Public Act No. 267 of 1976", per City Clerk Dudzinski, communication dated January 2, 2007.

Motion unanimously adopted.

Minutes **JANUARY 9, 2007** Continued

- 07-016** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the City Council concurs with and approves the lot split request from Mr. Michael Jordan, 6268 N Gulley in Comeford's Ford Road Subdivision creating the following descriptions:

ID# 33-017-01-0477-301 – Lot 477 also S ½ adjacent vacated alley, also the North 11 feet of Lot 478; also West ½ adjacent vacated alley Comeford's Ford Road Subdivision, T2S, R10E, L51, P78, WCR and

ID# 33-017-01-0478-301 – Lot 478 except the North 11 feet also Lot 479 and the N 15 feet of Lot 480; also West ½ adjacent vacated alley Comeford's Ford Road Subdivision, T2S, R10E, L51, P78, WCR, per Deputy Assessor Cooper, communication dated December 27, 2006.

Motion unanimously adopted.

- 07-017** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the FY 2007 McKenna Professional Fee Schedule for CDBG related activities as outlined in the communication from Community & Economic Development Director Jamal, communication dated December 29, 2006.

Motion unanimously adopted.

- 07-018** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the following Budget Amendments:

Increase Revenues 101-00-699-0	Appropriate Fund Balance \$68,741.00
Increase Expenditures 101-200-724-0	Workers Compensation \$40,000.00
Increase Expenditures 101-200-988-0	Drains-at-Large \$13,741.00
Increase Expenditures 101-801-817-0	Plan Comm Prof/Consult \$15,000.00

to cover the cost of additional Workers Comp, Drains-at-Large invoice greater than anticipated and Planning Commission consultant additional work, per Comptroller Barrow, communication dated January 3, 2007.

Motion unanimously adopted.

- 07-019** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the quote from Kustom Signals, Inc., Lenexa, KS 66215-3347 for the purchase of eight (8) Eagle II Speed Control Devices with single KA DCM antenna at \$879.00 each and two (2) ProLaser III with battery and charger at \$2,588.00 each, for a grand total of \$12,208.00, and payment thereof, per Police Chief Gust, communication dated December 29, 2006. This quote is under the State of Michigan contract #071B30011227 and funds are allocated in Capital Outlay #300-981 for \$12,000 with balance of \$208 to be paid from supplies account #300-728.

Motion unanimously adopted.

- 07-020** Motion by Councilman Baron, seconded by Councilman Berry, that proposed Ordinance H-06-08, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS AMENDING SECTION 17-35 OF THE CITY CODE PERTAINING TO RECEPTACLES FOR RUBBISH, GARBAGE AND TRASH, be considered read for the second time striking the second and third sentences from paragraph 2 and become effective upon publication in the official newspaper of record.

Motion unanimously adopted.

- 07-021** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that proposed Ordinance H-06-07, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 36-27 OF SAID CODE REGARDING ELEVEN (11) LOTS AND PORTIONS OF THE ADJACENT VACATED ALLEY, LOCATED ON THE EAST SIDE OF DREXEL AVENUE, NORTH OF GEORGE STREET, SPECIFICALLY, LOTS 226 THROUGH 228, INCLUSIVE, INCLUDING THE WEST ½ OF THE VACATED ALLEY ADJACENT TO THE EAST BOUNDARY OF EACH SUCH LOT AND LOTS 249 THROUGH 256, INCLUSIVE, INCLUDING THE EAST ½ OF THE VACATED ALLEY ADJACENT TO THE WEST BOUNDARY OF EACH SUCH LOT, MURPHY BROTHERS MARTIN PARK SUBDIVISION, TO

EFFECT THEIR REZONING FROM R-1B (SINGLE FAMILY RESIDENTIAL DISTRICT) TO RM/RMA (MULTIPLE FAMILY DISTRICT), be considered read for second time and become effective upon publication in the City official newspaper of record.

Motion unanimously adopted.

- 07-022** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Wayne County Commission Mentoring Month Resolution, be received, contents noted and filed.

Motion unanimously adopted.

- 07-023** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Wayne County Commission Global Warming Resolution, be received, contents noted and filed.

Motion unanimously adopted.

- 07-024** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Commission on Aging Annual Report, be received, contents noted and filed.

Motion unanimously adopted.

- 07-025** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the business license renewal for Mexican Fiesta, 24310 Ford Road, be approved.

Motion unanimously adopted.

- 07-026** Motion by Councilman Baron, seconded by Councilman Berry, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:53 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
COUNCIL CHAIR

MARIA E. LAWRENCE
COUNCIL SECRETARY