

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 27, 1994

94-634 The meeting was called to order at 8:01 p.m., by Council Chairman Daniel S. Paletko.

Roll call showed the following:

Present: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Margaret M. Horvath, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, Administrative Assistant Zadikian, Corporation Counsel Berry-Harris, Corporation Counsel Assistant Heise, City Clerk Sheridan, Deputy Clerk Robbins, Treasurer Riley, Assessor Welch, Building & Engineering Director Salatka, Police Captain Webber, Fire Chief Lewis, Deputy Fire Chief Langlois, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Blackburn.

Mayor Canfield and Council Chairman Paletko presented plaques to City employees retiring effective December 31, 1994.

Jackie Warner and Dick Roberts were in attendance and received plaques. Public Service Administrator Preston received a Proclamation from the elected officials to thank him for his service to the City. Elinor Monson, Deputy Comptroller, was unable to attend the meeting but will receive a plaque as well.

94-635 Motion by Councilman Kosinski, supported by Councilman Brown, that the Agenda for the Regular Meeting of December 27, 1994, be approved as submitted.

Motion unanimously adopted.

94-636 Motion by Councilman Brunell, supported by Councilwoman Horvath, that the Minutes from the Regular Meeting of December 13, 1994, be approved as submitted.

Motion unanimously adopted.

94-637 Motion by Councilman Brunell, supported by Councilwoman Horvath, that the Minutes from the Special Meeting of December 15, 1994, be approved as submitted.

Motion unanimously adopted.

94-638 Motion by Councilman Blackburn, supported by Councilman Kosinski, that Current Claims 6-1 through 6-13 be approved as submitted.

94-639 Motion by Councilman Brunell, supported by Councilman Zulinski, that Current Claim 6-10 (Wade-Trim/Associates Strategic Plan Assistance) be tabled.

Motion unanimously adopted.

1. CITY OF DEARBORN - Citizens not connected to Dbn. Hts. Sewers. Inv. 38940, dated 12/13/94. From A/C 592-537-929-000 (Sewage Disposal) \$3,673.98 and from A/C 592-537-938-000 (Water Purchased) \$1,007.25. Water Dept.
2. FLORENCE CEMENT CO. - Valley Park Sub Reconstruction. Cert. #7, dated 12/15/94. From A/C 203-203-880-300 (Street Construction) \$2,083.21. DPW-Highway.
3. GARY MIOTKE - Legal Services for November, 1994. Inv. dated 12/12/94. From A/C 101-210-826-000 (Counsel Services) \$3,268.00. Corporation Counsel.

4. LAURA BERRY-HARRIS - Legal & Labor Services for November, 1994. Inv. 12/07/94 and 12/12/94. From A/C 101-210-826-000 (Counsel Services) \$5,484.25 and from A/C 101-200-817-000 \$1,075.25. Corporation Counsel.
5. NAGEL CONSTRUCTION CO. - 1994 Sanitary Sewer Cleaning Program. Cert. #2, dated 12/15/94. From A/C 592-540-818-000 (Contractual Services) \$14,719.35. Water Dept.
6. PAINTER & RUTHENBERG - Newsprint collected July thru November, 1994. Inv. 195, 196, 199, 201, 203, dated 12/01/94. From A/C 101-200-810-000 (Sanitation) \$7,897.50. General Govt.
7. PAINTER & RUTHENBERG - Roll off Services for November, 1994. Inv 3946, dated 12/01/94. From A/C 101-200-810-000 (Sanitation) \$6,300.00. General Govt.
8. QUAD-TRAN OF MICHIGAN - Data Processing Service for December, 1994. Inv. 1593, dated 11/30/94. From A/C 101-130-818-000 (Contractual Services) \$2,704.02 and from A/C 101-130-728-000 (Office Supplies) \$624.00. District Court.
9. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging October and November, 1994. Inv. dated 10/31/94, \$5,720.17; Inv. dated 11/30/94, \$6,680.71. From A/C 101-200-868-000 (Prisoner Food & Lodging) \$12,400.88. General Govt.
11. WADE-TRIM/ASSOCIATES - CDBG Program Admin. Assist. Inv. 45857, dated 12/09/94. From A/C 103-960-918-094 (Administration) \$930.70. Community Devel.
12. WADE-TRIM/ASSOCIATES - Sewer Rehabilitation Construction. Inv. 45679, dated 11/16/94. Job DHT 2311-08T. From A/C 592-540-818-000 (Contractual Services) \$1,074.50. Water Dept.
13. WESTLAND TREE - Tree Trimming & Removals. Inv. 12/16/94. From A/C 101-440-820-000 (Tree Trimming & Removals) \$6,297.82. DPW-Highway.

Motion unanimously adopted.

- 94-640 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for the sale of thirteen vehicles, per the request of Acting Police Chief Webber, communication dated December 19, 1994.

Motion unanimously adopted.

- 94-641 Motion by Councilman Brunell, supported by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for replacement windows for the Intelligence Bureau building, per the request of Acting Chief of Police Webber, communication dated December 12, 1994. Monies will be drawn from drug forfeiture funds.

Motion unanimously adopted.

- 94-642 Motion by Councilman Kosinski, supported by Councilman Brown, that the low bid from Glasco Corporation, 18205 Weaver, Detroit, MI 48228 for the Door Replacement Project for the Berwyn Sr. Citizen Center in the amount of \$22,401.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated December 19, 1994. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 94-643 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves a five (5) year contract extension with Painter & Ruthenberg, Inc., for refuse pick-up, term to expire June 30, 2000 per, Mayor Canfield, communication dated December 19, 1994.

Motion unanimously adopted.

94-644 Motion by Councilman Brown, supported by Councilman Blackburn, that the City Council concurs with and approves the water and sewer rate structure recommended by Plante & Moran to become effective January 31, 1995, as follows:

Residential/Bi-monthly Billing	
Water Rate per 1,000 cubic feet	\$ 7.55
Sewer Rate per 1,000 cubic feet	17.00

Commercial-Monthly Billing	
Water Rate per 1,000 cubic feet	\$ 7.55
Sewer Rate per 1,000 cubic feet	17.00

communication dated December 19, 1994.

Motion unanimously adopted.

94-645 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Council concurs with Mayor Canfield and approves the Central Wayne County Sanitation Authority recommendation to select Constellation Energy, Inc., as the successful bidder to the RFP (Request for Proposals) and to adopt the Interlocal Agreement as follows:

WHEREAS, the Central Wayne County Sanitation Authority (CWCSA) is an interlocal municipal authority authorized by the laws of the State of Michigan;

WHEREAS, the City of Dearborn Heights has been a participant in the CWCSA since its inception;

WHEREAS, the City of Dearborn Heights approved the extension of the original Interlocal Agreement for an additional thirty (30) year period in 1992; and

WHEREAS, the CWCSA has entered previously into a Development Agreement with Central Wayne Energy Recovery, Limited Partnership (Partnership) and is in the process of negotiating a Service Agreement with the Partnership, to attempt to institute a waste to energy program regarding the disposal of solid waste generated within the City of Dearborn Heights and other member communities;

WHEREAS, the Service Agreement is predicated upon a Power Purchase Agreement between the Partnership and Detroit Edison which requires an extension of the existing Interlocal Agreement to cover a period of forty (40) years;

WHEREAS, the State of Michigan has revised the enabling legislation for Interlocal Agreements to allow the duration of such agreements for forty years;

WHEREAS, the CWCSA has elected to pursue the waste to energy concept as the most cost effective and environmentally sound method for the disposal of solid waste in the long term;

BE IT THEREFORE RESOLVED:

That the City of Dearborn Heights approves the extension of the existing Interlocal Agreement regarding the CWCSA for a period not to exceed forty (40) years, conditioned upon the CWCSA and the Partnership successfully concluding the negotiations regarding the Service Agreement for the waste to energy project and the ratification of the Service Agreement by the member communities of the CWCSA pursuant to the terms of the Development Agreement and the relevant ordinances of the CWCSA and its member communities.

That in the event the Service Agreement is not completed and ratified as outlined hereinabove, that this Resolution shall be null and void and the existing Interlocal Agreement shall remain in full force and effect.

Motion unanimously adopted.

94-646 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with Mayor Canfield and approve the Execution by Central Wayne County Sanitation Authority of a Long-Term Agreement between the Authority and Central Wayne Energy Recovery Limited Partnership as follows:

WHEREAS, the City of Dearborn Heights (the "City") and the Central Wayne County Sanitation Authority (the "Authority") have entered into a Solid Waste Service and Disposal Agreement dated April 1, 1992 (the "Solid Waste Disposal and Service Agreement"), which provides for the delivery of refuse collected in the City to the Authority for disposal at the Authority's municipal solid waste incinerator facility located in Dearborn Heights, Michigan (the "Plant").

WHEREAS, Section 9 of the Solid Waste Disposal and Service Agreement requires that the City pay its specified share of disposal charges established by the Authority sufficient to pay debt service and operation and maintenance expenses of the Plant, which shall include any amounts required to be paid by the Authority to public or private entities for pollution control service for the Plant, to the extent set forth in long-term contracts that are approved by resolution adopted by the legislative body of the City.

WHEREAS, the Authority has determined to enter into a long-term Construction, Operation and Service Agreement with Central Wayne Energy Recovery Limited Partnership (the "Partnership") in order to provide for (i) installation of air pollution control equipment at the Plant necessary to achieve emission levels required by the Clean Air Act Amendments of 1990, (ii) stabilization of tipping fees for the Member Cities, (iii) refurbishment of the Facility's third incineration line, and (iv) the installation and operation of equipment to covert heat generated by the incineration of refuse at the Plant to energy in the form of electricity to be sold to Detroit Edison.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEARBORN HEIGHTS THAT:

Section 1. The Construction, Operation and Service Agreement between the Authority and the Partnership in the form attached hereto as Exhibit 1, with such changes as are approved by an authorized official of the Authority, (the "Agreement") is hereby approved, and the Authority's Agreement accordingly shall include (without limitation) amounts required to be paid by the Authority to the Partnership pursuant to the Agreement.

Section 2. The Mayor is hereby authorized to take any and all actions necessary to implement the terms of this Resolution.

Section 3. This Resolution shall be in full force and effect immediately upon its adoption.

Motion unanimously adopted.

94-647 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Council concurs with Council Chairman Paletko and approves the appointment of Jackie Warner to fill the unexpired term of Gerald Hinton, to the Commission on Aging, term to expire April, 1996.

Motion unanimously adopted.

94-648 Motion by Councilman Blackburn, supported by Councilman Brunell, that the City Council concurs with and approves the Dearborn Heights Supervisors Association contract from July 1, 1993 through June 30, 1996, per Administrative Assistant Zadikian, communication dated December 19, 1994. Further, that Mayor Canfield and Clerk Sheridan be authorized to sign the agreement.

AYES: Councilman Blackburn, Councilman Brown, Councilman Brunell, Councilwoman Horvath, Council Chairman Paletko, Councilman Zulinski.

NAYS: Councilman Kosinski.

ABSENT: None.

Motion adopted.

94-649 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Council concurs with and approves the purchase of five (5) Chevrolet Caprice Police vehicles from Shaheen Chevrolet, 3901 S Martin Luther King Blvd., Lansing, MI 48313, in the amount of \$16,084.65, per vehicle, totaling \$80,423.25, and payment thereof, be approved, per Acting Chief of Police Webber, communication dated December 13, 1994. Further, these vehicles were bid under the Oakland County Contract and funds approved in the current budget, Capital Outlay Account #300-981.

Motion unanimously adopted.

94-650 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Council concurs with and approves the reappointments of Ronald Bukowski, George Landry, Fred O'Leary and John Nicholl to the Recreation Commission, terms to expire September, 1997.

Motion unanimously adopted.

94-651 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the City Council concurs with and approves the Consolidated Contributions Contract Authority, in the amount of \$338,810.00 for the additional fifty (50) Section 8 Housing Vouchers. This addition brings the total fiscal Budget Authority to \$1,694,050.00, per Dearborn Heights Housing Commission Director Oliverio, communication dated December 8, 1994.

Motion unanimously adopted.

94-652 Motion by Councilman Brown, supported by Councilman Brunell, to accept the resignation of honorable Councilman Blackburn from the Dearborn Heights City Council effective December 31, 1994.

Motion unanimously adopted.

94-653 Motion by Councilman Brown, supported by Councilman Blackburn, that proposed ordinance H-94-11 (Retirement Benefits for Spouses of Employees) AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 2-249 PROVIDING FOR RETIREMENT BENEFITS FOR THE SPOUSE OF EMPLOYEES WHO RETIRE DUE TO A DISABILITY AFTER COMPLETING 25 YEARS OF ACTUAL SERVICE WITH THE CITY, be considered read for the second time, to become effective upon publication in the City's official newspaper, as provided by law.

AYES: Councilman Blackburn, Councilman Brown,
Councilwoman Horvath, Council Chairman Paletko,
Councilman Zulinski.

NAYS: Councilman Brunell, Councilman Kosinski.

ABSENT: None.

Motion adopted.

94-654 Motion by Councilman Kosinski, supported by Councilman Zulinski, that Permanent Traffic Control Device Request T-38 "Stop" Signs for north bound Charlesworth at Lawrence, south bound Rosemary at Timber Trail and East bound Kingswood at Rosemary be approved.

Motion unanimously adopted.

94-655 Motion by Councilman Kosinski, supported by Councilman Zulinski, that Permanent Traffic Control Device Request T-39 "No Left Turn" with supplement plate "Except Busses" for Annapolis and Vassar, driveways to Pardee School; south west corner of west driveway and south west and south east corner of east driveway be approved.

Motion unanimously adopted.

94-656 Motion by Councilman Brunell, supported by Councilman Kosinski, that Permanent Traffic Control Device Request T-40 "Left" and "Right" arrows for north bound Mayburn at Kennedy and east bound Kennedy at Mayburn be approved.

Motion unanimously adopted.

94-657 Motion by Councilman Blackburn, supported by Councilman Brown, that the request to vacate an alley at 4925-2929 S. Telegraph, legally described as Lots 318-323 inclusive, DEARBORN-TELEGRAPH TOWNLIN SUB NO I., be denied.

AYES: Councilman Blackburn, Councilman Brown, Councilman Brunell, Councilman Kosinski, Council Chairman Paletko, Councilman Zulinski.

NAYS: Councilwoman Horvath.

ABSENT: None.

Motion adopted.

94-658 Motion by Councilman Kosinski, supported by Councilman Brunell, that the request for renewal of 1994 business license for Stefan's, 23900 Warren and Varsity Club Lounge, 24676 Ford Road be approved.

Motion unanimously adopted.

94-659 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves the proposed maximum fee summary (approximately two (2) percent increase) for the June 30, 1995 audit report, payable in fiscal year 1995-96, per the communication from Plante & Moran, dated December 16, 1994.

Motion unanimously adopted.

94-660 Motion by Councilman Blackburn, supported by Councilman Brown, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:18 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL