

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 14, 2010

10-415 The meeting was called to order at 8:14 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Ned Apigian, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: Councilman Tom Berry.

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

The Pledge of Allegiance was led by Councilwoman Agius.

10-416 Motion by Councilwoman Badalow, seconded by Councilman Apigian, that the Agenda for the Regular Meeting of December 14, 2010, be approved with the correction to the dollar amount of Current Claim 6-3 (Elliot Beitner, PC invoice) to \$2,015.00 and amendment to 11-B to read 1st Reading of Proposed Ordinance H-11-01 – Medical Marijuana.

Motion adopted.

10-417 Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the Minutes from the Regular Meeting of November 23, 2010, be approved with a correction to CM 10-401 from the word reappointment to appointment.

Motion adopted.

10-418 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that Current Claims 6-1 through 6-26, be approved as submitted with the dollar change to Item 6-3 (Elliot Beitner, PC).

1. A-LAND CONSTRUCTION – Cement Repairs Water Main Breaks – Inv. dated 11/22/10 from A/C 592-537-818-000 (Contract Services) \$1,595.00. Water Dept.
2. ACCUMED BILLING, INC. – Rescue Runs November 2010 – Inv. dated 12/01/10 from A/C 101-000-626-000 (Rescue Runs) \$5,109.12. Fire Dept.
3. ELLIOT BEITNER, PC – Arbitration Statement POAM – Inv. dated 10/29/10 from A/C 101-200-817-000 (Prof/Consult) \$2,015.00. General Govt.
4. BRESSER'S INFORMATION – Bresser's for Dispatch – Inv. 101724 dated 11/01/10 from A/C 101-300-818-000 (Contract Services) \$1,510.00. Police Dept.
5. COMERICA INSURANCE SERVICES – Workers Comp Installment 2 of 2 – Inv. 35592 dated 12/01/10 from A/C 101-200-724-000 (Work Comp) \$7,500.00. General Govt.
6. COMPUTER TECHNOLOGIES, INC. – Data Processing – Inv. 70713 dated 11/19/10; 70714 dated 11/26/10 and 70723 dated 12/03/10 from A/C 101-258-932-000 (Repair/Maint) \$4,432.50 and A/C 592-536-932-000 (Repair/Maint) \$2,432.50. Data Processing
7. CRANE PRINTING – Tax Mailer for Tax Bills – Inv. 997 and 1024 dated 11/22/10 from A/C 101-253-728-000 (Supplies) \$2,324.00. Encumbered. Treasurer
8. E & N CEMENT – Pavement Repairs – Inv. dated 12/07/10 from A/C 592-537-818-000 (Contract Services) \$30,002.46. Water Dept.
9. ELECTRICAL POWER DESIGN – Various Repairs – Inv. 7459A and 7501A dated 11/09/10 from A/C 101-300-818-000 (Contract Services) \$2,682.00 and A/C 101-101-932-000 (Repair/Maint) \$1,245.00. Justice Center
10. JOHNSON CONTROLS – Contract City Hall HVAC – Inv. 1830426822 dated 11/01/10 from A/C 101-265-818-000 (Contract Services) \$5,609.00. Building Maint
11. MMRMA – Liability Insurance Renewal – Inv. dated 01/01/11 from A/C 101-200-911-000 (Insurance) \$387,331.00. See Budget Amendment. General Govt.
12. MICHIGAN METER TECH. – Miscellaneous Meters and Parts – Inv. 83162, 83157 and 83155 dated 11/05/10 from A/C 592-xxx-110-000 (Inventory) \$1,734.80. Water Dept.
13. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2896 dated 12/02/10 from A/C 592-540-818-030 (Contract Services) \$20,820.88. Water Dept.

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14. OAKWOOD HOSPITAL – Workers Compensation Injury-Surgery – Ck. Req. dated 11/01/10 from A/C 101-200-724-000 (Work Comp) \$7,479.22. General Govt.
15. QUAD-TRAN OF MICHIGAN – Data Processing November 2010 – Inv. 5689 and 5690 dated 11/30/10 from A/C 101-130-818-000 (Contract Services) \$4,500.00; 101-130-728-000 (Supplies) \$1,286.10 and 101-200-728-000 (Supplies) \$1,864.28. District Court
16. RODWAN CONSULTING – Changes for Retirement System – Inv. 1236, 1233, 1234 and 1235 dated 11/23/10 from A/C 101-200-817-000 (Prof/Consult) \$5,512.50 and 592-536-817-000 (Prof/Consult) \$1,837.50. General Govt.
17. SLC METER SERVICES – Various Parts & Tools – Inv. 235919 dated 08/05/10; 235989 dated 08/11/10; 236320 and 236321 dated 08/10/10; 236117 dated 08/24/10 and 236438 dated 09/17/10 from A/C 592-xxx-110-000 (Inventory) \$5,712.25. Water Dept.
18. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging – Inv. dated 11/10/10 from A/C 101-200-868-000 (Prisoners) \$4,267.36. General Govt.
19. SYSTEMP CORP. – A/C Repair, RTU Repair – Inv. 10835, 10837, 10838, 10836 dated 11/16/10 from A/C 101-300-818-000 (Contract Services) \$2,560.26 and A/C 101-130-932-000 (Repair/Maint) \$1,289.74. Justice Center
20. WADE-TRIM ASSOCIATES – CDBG Action Plan, Rain Garden, EEC Block Grant, Lefler Ready Study, Basin Study, Storm Water Assistance, NPDES Permits – Inv. 101369, 101373, 101374, 101377, 101375, 047150 dated 11/24/10; 101216, 101215, 101214 dated 10/27/10 and 100560 dated 09/02/10 from A/C 103-960-918-210 (Admin) \$1,183.64; 592-xxx-154-000 (Sewers) \$49,458.35; 274-673-930-500 (Grants) \$7,981.88 and 274-673-930-600 (EEC Grant) \$29,520.98. General Govt.
21. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow August 2010 – Inv. 256806 dated 08/05/10 from A/C 592-537-929-000 (Sewage) \$20,237.00. Water Dept.
22. CUMMINGS, MC CLOREY, DAVIS & ACHO – Loose/Brown Case, Flooding Issues, Labor Matters – Inv. 181816, 181817 and 181818 dated 11/10/10; 181912, 181911, 181910, 181908, 181909 and 181907 dated 11/12/10 from A/C 101-200-817-000 (Prof/Consult) \$8,383.50; 101-xxx-067-999 (Health) \$5,109.50 and 592-536-817-000 (Prof/Consult) \$9,455.70. General Govt.
23. GIARMARCO, MULLINS & HORTON – Legal Services Water Issues – Inv. dated 11/15/10 and 11/11/10 from A/C 592-536-817-000 (Prof/Consult) \$3,691.55. Water Department
24. GARY MIOTKE – Legal Services November 2010 – Inv. 12/08/10 from A/C 101-210-826-000 (Corp. Counsel) \$8,839.08. Corporation Counsel
25. MONAGHAN, PC – Attorney Fees Justice Center – Inv. 21856 dated 10/31/10 from A/C 101-200-817-000 (Prof/Consult) \$1,502.36. General Govt.
26. SECREST, WARDLE, LYNCH... - Legal Services October 2010 – Inv. dated 12/08/10 from A/C 101-210-826-000 (Corp. Counsel) \$6,728.00. Corporation Counsel

Motion adopted.

- 10-419** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves awarding the bid for Tree Removal, Tree Trimming and Stump Removal to Platinum Tree Service, PO Box 251502, West Bloomfield, MI 48325, as primary contractor and Dearborn Tree Service, 36222 Glenwood, Westland, MI 48186, as secondary per, Public Service Administrator Franzil, communication dated December 7, 2010. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 10-420** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the communication from Mayor Paletko, dated December 1, 2010 re: Board of Review Reappointments of Mr. Dennis Sobota, 440 Cronin, and Mr. Frank Mattis, 6242 Kinloch, terms to expire January 2013, further the appointment of Mr. Rick Coogan, 4475 McKinley, to fill the vacancy of Mr. Robert Smyth to the Board of Review, term to expire January 2013, be received, contents noted and filed.

Motion adopted.

- 10-421** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the communication from Mayor Paletko, dated December 1, 2010 re: The reappointment of J. Robert Rock, 24500 Ford Road, Jennifer Schilbe, 8491 Hazelton and Bernard Arko, 4640 Jackson, to the Commission on Aging, terms to expire April 2013, be received, contents noted and filed.

Motion adopted.

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- 10-422** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the communication from Mayor Paletko, dated November 24, 2010 re: The appointment of Ms. Lauren Niziol, 7288 Nightingale, to the City Beautiful Commission, term to expire September 2013, be received, contents noted and filed.

Motion adopted.

- 10-423** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the communication from Mayor Paletko, dated December 7, 2010 re: The appointment of Mrs. Connie Coogan, 4475 McKinley to fill the vacancy of Cari Arnold, to the Commission on Disability Concerns, term to expire July 2012 and the reappointments of Mark Parrinello, 25637 Michigan Avenue, Jane Coon, 8188 Nightingale and Jim Nagy, 635 N Gulley, terms to expire July 2013, be received, contents noted and filed.

Motion adopted.

- 10-424** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the final version of the Amended Meetings Notice to Comply with Public Act No. 2676 of 1976 in the City's official newspaper of record, the Dearborn Press & Guide, per City Clerk Dudzinski, communication dated December 17, 2010.

Motion adopted.

- 10-425** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the Budget Amendment to cover the increase cost of insurance with MMRMA, be approved as follows:

Increase Revenue # 101-00-699-0	Appropriate Fund Balance \$75,000.00
Increase Expenditures # 101-200-911-0	General Govt. Insurance \$75,000.00

Per, Comptroller Barrow, communication dated December 7, 2010.

Motion adopted.

- 10-426** Motion by Councilwoman Van Houten, seconded by Councilman Apigian, that the City Council accept the 2009-2010 June 30, 2010 Audit Report from Plante & Moran, per Comptroller Barrow, communication dated December 7, 2010.

Motion adopted

- 10-427** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves a 12 month Service Agreement with Motorola, 1301 East Algonquin Road, Schaumburg, IL 60196, for Police and Fire Dispatching Services, in the amount of \$36,191.04 and payment thereof, per Police Chief Gavin, communication dated November 16, 2010. Further, that the Mayor be authorized to sign the Service Agreement from January 1, 2011 through December 31, 2011.

Motion adopted.

- 10-428** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the City Council concurs with and approves the quote from Signature Ford Lincoln Mercury, 1960 E Main Street, Owosso, MI 48867, for eighteen (18) 2011 Ford Crown Victoria's, one (1) 2011 Ford Crown Victoria PL and two (2) Taurus SEL, for a total amount of \$441,546.00, per Police Chief Gavin, communication dated November 29, 2010. Further, that Treasurer Riley research finance options. Additionally funds from the Federal Forfeiture Account are to be used for this purchase and the quote is under the Macomb County bid specifications and award.

Motion adopted.

- 10-429** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves L3Mobile-Vision Inc., 90 Fanny Road, Boonton, NJ 07005, a single source vendor, for Digital Recording Equipment and Software as follows: Four (4) DVR2 Systems; flashback2 Digital Video; Four (4) Color Cameras; one (1) DVR2 System Assembly; two (2) option, camera standard; one (1) L3 Mobile-Vision Software with one (1) year factory parts and labor warranty; one (1) software, flashback 2 Vehicle Viewer 2 and five (5) EMA Standard year one, in the amount of \$27,987.50, and payment thereof, be approved, per Police Chief Gavin, communication dated August 3, 2010. Further, funding for this purchase to be paid from the 2007 JAG

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grant of \$57.00; 2009 JAG annual \$25,117.00 and the 2009 Recovery grant \$2,813.50.

Motion adopted.

- 10-430** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that the City Council concurs with and approves authorizing Corporation Counsel Miotke to retain on behalf of the City, the firm of L.F. Callahan Surveying Company, to provide the ALTA/ACSM Class A survey relative to the old incinerator property at 4901 S Inkster Road, for a fee of \$4,500.00 and payment upon receipt of the survey, per Corporation Counsel Miotke, communication dated December 8, 2010.

Motion adopted.

- 10-431** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Justice Center Second Addendum to Tolling Agreement (Architect), per Corporation Counsel Miotke, communication dated December 8, 2010. Further, that the Mayor be authorized to sign the addendum on behalf of the City.

Motion adopted.

- 10-432** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the Department of Natural Resources NPDES CSO Joint Annual Permit Fee with the City of Inkster, 26215 Trowbridge Avenue, Inkster, MI 48141, in the cost sharing amount of \$3,000.00, check to be issued to the City of Inkster, per Public Service Administrator Franzil, communication dated December 8, 2010.

Motion adopted.

- 10-433** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that proposed Ordinance H-10-09, AN ORDINANCE TO AMEND CHAPTER 36, ZONING, ARTICLE VI, USE STANDARDS, DIVISION 6, OTHER USES, OF THE CITY OF DEARBORN HEIGHTS ORDINANCE CODE, AS AMENDED; IN ORDER TO PROVIDE FOR STANDARDS FOR WIND ENERGY, be considered read for the first time and referred to a Committee of the Whole Study Session before the second reading.

Motion adopted.

- 10-434** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that proposed Ordinance H-11-01, Version 2, AN ORDINANCE TO AMEND THE DEARBORN HEIGHTS ZONING ORDINANCE, CHAPTER 36, AS AMENDED, IN THE FOLLOWING RESPECTS: ARTICLE III ZONING STANDARDS, DIVISION 2 GENERAL STANDARDS, SECTION 36-76, PRINCIPAL USES AND SPECIAL USES TO PROHIBIT USES THAT ARE CONTRARY TO FEDERAL, STATE OR LOCAL LAWS OR ORDINANCES AND SECTION 36-77, PROHIBITED USES, TO PROHIBIT USES THAT ARE CONTRARY TO FEDERAL, STATE OR LOCAL LAWS OR ORDINANCES, be considered read for the first time.

Motion adopted.

- 10-435** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that proposed ordinance amending City Code Sections 33-30, 33-37 and 33-39 re: Tree Regulations be referred back to a Committee of the Whole Study Session.

Motion adopted.

- 10-436** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the Metro Act Right of Way Permit Extension with Michigan Bell Telephone Company dba AT&T Michigan, which expires December 31, 2010 for an additional term ending December 31, 2013. Further, that the Mayor be authorized to sign the extension on behalf of the City, per Gary L Dovre, Secrest Wardel, communication dated December 1, 2010.

Motion adopted.

- 10-437** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the City Council concurs with approves Wade Trim Associates, Inc., 25251 Northline Road, PO Box 10, Taylor, MI 48180 to proceed to advertise and receive bids for the City's Energy Efficiency and Conservation Block Grant Program (EECBG) per, Daniel R. Brooks, PE, Wade Trim Associates, Inc., communication dated December 6, 2010.

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Motion adopted.

- 10-438** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the business license renewal for Livernois Vehicle/Motorsports, 2500 S Gulley, be approved.

Motion adopted.

- 10-439** Motion by Councilwoman Badalow, seconded by Councilwoman Horvath, that Agenda Items 13-D through 13-I, NSP Change Orders/Final Payments for properties located at 21128 Brooklawn, 8436 Colonial, 24526 Fordson, 4903 Lincoln, 5975 Silvery Lane, 8273 Silvery Lane and 4903 Lincoln, be referred back to McKenna Associates for additional clarification.

Motion adopted.

- 10-440** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves the NSP Final Payment to Jomaa Land Development, in the amount of \$58,300.00 for rehabilitation services at 20712 Whitlock, per Sarah Traxler, Principal Planner, McKenna Associates, communication dated December 8, 2010. Upon Council approval the project will be finalized, the home appraised for post-rehabilitation value, then marketed for disposition to an eligible NSP buyer.

Ayes: Councilwoman Agius, Councilman Apigian, Councilwoman Badalow, Council Chairman Baron, Councilwoman Van Houten.

Nays: Councilwoman Horvath.

Absent: Councilman Berry.

Motion adopted.

- 10-441** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the City Council concurs with and approves the NSP Change Order and Final Payment from Active Solutions Group, in the amount of \$2,876.00, for numerous items recommended by the City's Building Department, including pouring of cement, repair of stair tread, repair of rotted framing and repair of "drum style" drum traps in kitchen and bathrooms; for rehabilitation services at 5918 Fenton, original approved bid amount \$68,030.00, total amount due \$70,906.00, per Sarah Traxler, Principal Planner, McKenna Associates, communication dated December 8, 2010. Upon approval the project will be finalized, the home appraised for post-rehabilitation value, then marketed for disposition to an eligible NSP buyer.

Ayes: Councilwoman Agius, Councilman Apigian, Councilwoman Badalow, Council Chairman Baron, Councilwoman Van Houten.

Nays: Councilwoman Horvath.

Absent: Councilman Berry.

Motion adopted.

- 10-442** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the communication from Sarah Traxler, Principal Planner, McKenna Associates Incorporated, 235 East Main Street, Suite 105, Northville, MI 48167, dated December 8, 2010 re: Bid Award for NSP Rehabilitation Project at 5687 Drexel, be referred back to administration and McKenna Associates for details.

Motion adopted.

- 10-443** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 10:16 PM

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY