

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 13, 2011

11-415 The meeting was called to order at 8:05 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, Councilman Tom Berry, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: City Clerk Prusiewicz, Mayor Paletko, Treasurer Riley, Assessor McDermott, Building & Engineering Director Sobh, Community & Economic Development Director Amen, 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 Zimmer.

The Pledge of Allegiance was led by Councilwoman Elizabeth Agius.

Proclamations were presented to the TIFA Board from Mayor Paletko, State Rep. Constan, Governor Snyder, and Senator Hunter.

Swearing In Ceremony was conducted by Judge Mark Plawecki and Judge David Turfe. Judge Plawecki swore in City Clerk Walter Prusiewicz and Councilman Ned Apigian. Judge Turfe swore in Councilman Ken Baron and Councilwoman Lisa Hicks-Clayton.

11-416 Motion by Councilman Berry, seconded by Councilwoman Agius, that the Agenda for the Regular Meeting of December 13, 2011, be approved as submitted.

Motion unanimously adopted.

11-417 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of November 22, 2011, be approved as submitted.

Motion unanimously adopted.

11-418 Motion by Councilwoman Horvath, seconded by Councilman Berry, that Current Claims 6-1 through 6-45, be approved as submitted.

1. ACCUMED BILLING, INC. – Ambulance billing for Nov 2011, Inv. dated 12/01/11 from A/C 101-000-626.000, Ambulance Runs, \$6,108.52. Fire.
2. BELL EQUIPMENT COMPANY – Replacement Side Broom & Pro Strip Broom, Inv. 81250, dated 11/16/11; Inv. 81251, dated 11/14/11 from A/C 101-440-728.000, Office Supplies, \$2,692.00. Hwy.
3. BELLE TIRE – Vehicle Repair, Inv. 20091504, 10/31/11 from A/C 101-335-932.000, Repair Maint. Eqpt., \$1,569.96. Fire.
4. BELLE TIRE – Vehicle Repairs: Inv. 20213937, 11/23/11; Inv. 20117842, 11/02/11; Inv. 20185326, 11/16/11; Inv. 19890986, 09/14/11; Inv. 19895205, 09/23/11 from A/C 592-XXX-110.000, Inventory/Auto Parts Purch., \$3,542.46. Water.
5. BEST ASPHALT – Bid #1, 5664-5670 Telegraph Rd., Bid #2, Giant Burger/Monroe Bridge, Inv. 17519, dated 11/18/11 from A/C 592-537-818.000, Contractual Serv., \$3,900.00. Water.
6. BILL'S GARAGE TOWING & REPAIRS – Vehicle Repairs: Inv. 22788, 09/02/11; Inv. 23032, 10/19/11; Inv. 23061, 10/24/11; Inv. 23133, 11/12/11; Inv. 23187, 11/12/11; Inv. 23193, 11/14/11 from A/C 592-xxx-110.000, Inventory/Auto Parts, \$1,732.83. Water.
7. BROADSPIRE – Workers Comp. Claim Service Fee, 07/01/11 – 06/30/12 from A/C 101-200-724.000, Workers Comp., \$11,301.00. Gen. Govt.
8. CANNON ENGINEERING & EQUIPMENT CO., LLC – Vehicle Repairs, Inv. M11959, 11/30/11 from A/C 592-110.000, Inventory, \$1,762.02. Water.
9. CRIMBOLI LANDSCAPE, INC. – Retention due from 2011 Tree Planting, Inv. 113, 11/21/11 from A/C 101-440-820.000, Tree Removal/Maint., \$2,755.00. Treasurer.
10. CUMMINGS, McCLOREY, DAVIS & ACHO – Legal Services, Various Invs. for Oct 2011 from A/C 592-536-817.000, Prof. Services, \$5,489.00. Water.
11. CUMMINGS, McCLOREY, DAVIS & ACHO – Legal Services, Inv. 190579, 11/28/11 from A/C 101-200-817.000, Prof. Fees, \$4,293.00, Gen. Gov't.
12. DEARBORN, CITY OF – Water & Sewage Charges, Cust. No. 9000031, 11/01/11 from A/C 592-537-929.000, Sewage Disposal, \$21,469.76 and A/C 592-537-928.000, Water Purchased, \$2,088.16. Water.
13. DEARBORN TREE SERVICE – Tree Stump Removal, Inv. 13884, 11/17/11 from A/C 101-440-820.000, Tree Removal/Maint., \$3,850.00. Hwy.

14. DBN. HEIGHTS RAIDERS YOUTH FOOTBALL ALLOTMENT – Youth Allotment, Inv. dated 11/15/11 from A/C 101-691-887.000, Recreation, \$8,190.00. Recreation.
15. DBN. HEIGHTS REDSKINS YOUTH FOOTBALL ASSOC. – Youth Allotments, Inv. dated 11/15/11 from A/C 101-691-887.000, \$4,200.00. Recreation.
16. E&N CEMENT – Pavement Repairs Inv. dated 12/06/11 from A/C 592-537-818-000, Contr. Service - \$32,604.24 Water.
17. FILEONQ – Software Maintenance & Support, Inv. 3329, 10/19/11 from A/C 101-300-818-000, Contr. Service \$6,403.50. Police.
18. FIORE ENTERPRISES LLC – MDOT Street Paving Repairs, Inv. 11-23-01, 11/18/11 from A/C 592-537-818.000, Contr. Service, \$44,723.00. Water.
19. GIASIOREK, MORGAN, GRECO & McCAULEY, PC. – Professional Services-Variou Invoices dated Nov/Dec 2011 from A/C 592-536-817-000. Prof. Serv., \$7,171.50. Water.
20. HYDRO DESIGNS, INC. – Cross Connection Program, Inv. 25587-IN, 11/30/11; Inv. 25493-IN, 10/31/11 from A/C 592-536-817.000, Prof./Consult, \$5,246.00. Water.
21. LEMMEN OIL – Diesel Fuel, Inv. 623854, 11/30/11 from A/C 592-110-005, Fuel, \$33,785.21 Water.
22. LIBRARY NETWORK, THE – Monthly Book & Subscriptions/Fiber Optic Costs, Inv. 45298, 11/10/11, Inv. 45253, 11/08/11, Inv. 45341, 11/11/11 from A/C 738-738-853-000, Telephones, \$7,145.50 & A/C 738-738-827.100, Libnetwork \$16,119.58. Gen Library.
23. MICHIGAN METER TECHNOLOGY – New Water Meter Gun and Misc. Meter Parts-Invoices dated Mar. thru Nov. 2011 from A/C 592-xxx-110.002, Inventory/Parts, \$15,775.36. Water.
24. MIOTKE, GARY – Legal Serv. Nov. 2011, Inv. 12/05/11 from A/C 101-210-826.000, Legal Services, \$9,946.00. Corp. Counsel.
25. NAGEL CONSTRUCTION – Sewer Cleaning Program, Inv. 3065, 11/30/11 from A/C 592-540-818-030 Contr. Service, \$22,825.61. Water.
26. PELTZ SODDING INC. – Misc. Sod/Pallet Deposits, Inv. 80130, 12/01/11 from A/C 592-537-791-000 Water/Meter Splys., \$2,995.00. Water.
27. PELTZ SODDING INC. – Misc. Sod/Pallet Deposits, Inv. 80066, 11/01/11 from A/C 592-537-791-000, Water/Meter Splys., \$2,133.50. Water.
28. SECREST, WARDLE – Legal Serv. Oct. 2011, Inv. 11/15/11 from A/C 101-210-816.000, Legal Services, \$6,470.00. Corp. Counsel.
29. SYSTEMP CORPORATION – Labor/Material Inspection & CSD-1, Inv. 12908, 11/10/11 from A/C 101-300-818-000 Contr. Service \$1,417.00 & A/C 101-130-932-000, Rpr Maint Eqpt., \$763.00 Police & Court.
30. SYSTEMP CORPORATION – Labor/Material Inspection & CSD-1, Inv. 12792, 10/27/11 from A/C 101-300-818-000 Contr. Service, \$1,651.65 & A/C 101-130-932-000, Rpr Maint Eqpt. \$889.35. Police & Court.
31. STANARD & ASSOCIATES – Written Examination for Fire Inspector and Fire Marshal, Inv SA000018967, 12/02/11 from A/C 101-221-817.000, Prof/Consult. \$1,615.00. Human Resources.
32. STATE OF MICHIGAN DEPT. OF TRANSPORTATION – Telegraph Road and Ford Road, Inv. AS 339735, 11/14/11 from A/C 202-202-880.500 Street Repair/Maint, \$3,105.02, Major Streets.
33. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging October 2011, Inv. 111110, 11/11/11 from A/C 101-200-868-000 Prisoner Lodging \$4,276.16. Gen. Govt.
34. TARGET SAFETY – Renewal of Annual User License and Subscription fee for Target Solutions Online Risk Management Program 9/01/11 through 8/31/12, Inv. TSC7882, 10/24/11 from A/C 101-335-962.000, Training, \$3,000.00. Fire.
35. TONY ANGELO CONCRETE CONSTRUCTION CO. – 2011 Paving Program – Gulley Road Certificate #1 dated 11/10/11 from A/C 202-202-880.500, Street Repair/Maint, \$422,230.37. DPW-Hwy.
36. TONY ANGELO CONCRETE CONSTRUCTION CO. – 2011 Paving Program – Gulley Road Certificate #2 dated 12/01/11 from A/C 202-202-880.500 Street Repair/Maint, \$44,714.58. DPW-Hwy.
37. W.L. BOWLES TRUCKING, INC. – Top Soil and Sand, Inv. 8175, 11/08/11; Inv. 8178, 11/19/11; Inv. 2015, 11/25/11 from A/C 592-111-002, Inventory-Piping, \$10,840.00. Water.
38. WADE TRIM & ASSOC. – Prof. Serv. EECBG, Inv. 102941, 10/28/11 from A/C 274-673-930.600, EECBG Grant, \$3,097.50. Misc. Grants.
39. WADE TRIM & ASSOC. – Parkland Pump Station, Inv. 048140, 11/29/11 from A/C 592-154.000, Sewer System, \$1,585.97. Water.
40. WADE TRIM & ASSOC. – Prof. Serv. rendered thru 10/30/11, Inspection Serv.-Clippert Ave WM, Clipper Ave. Watermain Repair, Cont. Admin. City Hall/Lafayette WM, Inv. 103053, Inv. 103064, Inv. 103058, Inv. 103060, all dated 11/22/11 from A/C 592-152.000, Water System, \$28,979.25. Water.
41. WADE TRIM & ASSOC. – 2011 Paving Program – Gulley Rd., Cert. #1, 2011 Bridge Inspect. Program, Inspection Clipper Ave. WM, Bridge Maint. Prog., 2011 Paving Program: Inv. 103051, Inv. 103050, Inv. 103062, Inv. 103063, all dated 11/22/11 from A/C 202-202-880.500, Street Repair/Maint. \$34,655.00 and A/C 202-202-880.600, Bridge Rpr/Maint., \$11,227.50. DPW-Hwy.
42. WADE TRIM & ASSOC. – Prof. Serv. EECBG Construction and RA Young Parking Lot & Rain Garden; Inv. 103061, Inv. 103057, dated 11/22/11 from A/C 274-673-930.600, EEC Block Grant, \$1,293.75 and A/C 274-673-930.500, CMI Grant, \$481.25. Misc. Grants.

43. WADE TRIM & ASSOC. – Wayne County Hype Rec. Ctr. WM Inspection, Inv. 103055, 11/22/11 from A/C 592-255.001, Escrow, \$5,740.00. Water.
44. WAYNE COUNTY DEPT. OF ENVIRONMENT – Excess Flow, Inv. 263306, 11/15/11 from A/C 592-537-929.000, Sewage, \$23,433.00. Water.
45. WAYNE COUNTY DEPT. OF ENVIRONMENT – Road Repairs, Inv. 263143, Inv. 263172, Inv. 263180, all dated 11/09/11 from A/C 202-202-880.500, Str. Repair/Maint., \$100,116.39. DPW/Hwy.

Motion unanimously adopted.

- 11-419** Motion by Councilman Apigian, seconded by Councilwoman Van Houten, that the City Comptroller be authorized to advertise for bids, per specifications, for demolition of 21913 Powers, per the request of Building Director Sobh, communication dated November 16, 2011.

Motion unanimously adopted.

- 11-420** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the proposal from BS & A, for upgraded and new software. Further, the Mayor be authorized to sign agreement, per Mayor Paletko, communication dated December 5, 2011.

Motion unanimously adopted.

- 11-421** Motion by Councilman Apigian, seconded by Councilwoman Agius, that the City Council concurs with and approves extending the deadline for the AFSCME Letter of Understanding for Section 4 and Section 5. This will extend the deadline from December 31, 2011 to March 31, 2012. The original Letter of Understanding was approved on September 27, 2011.

Motion unanimously adopted.

- 11-422** Motion by Councilman Berry, seconded by Councilwoman Agius, that the City Council concurs with and approves the Administrative Order appointing Yvonna Charlie Abraham to the position of Magistrate for the 20th District Court, effective December 19, 2011. Per Chief Judge Plaweck, communication dated December 5, 2011.

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

Nays: Councilwoman Badalow.

Absent: None.

Motion adopted.

- 11-423** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the final version of the Amended Meetings Notice as required under Public Act No. 267 Public Acts of 1976 in the City's official newspaper of record, the Dearborn Press & Guide, per City Clerk Prusiewicz, communication dated December 1, 2011.

Motion unanimously adopted.

- 11-424** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the reappointments of Mr. Theodore Monolidis and Mr. Dwight Vincent to the Dearborn Heights Canvassing Board. Appointments to expire December 31, 2015.

Motion unanimously adopted.

- 11-425** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves Treasurer Riley to enact interfund loans as needed, at an interest rate of .25% per annum, between the funds listed below and the general fund at the maximum loan amounts listed:

Water – Enterprise Fund	\$ 6,500,000
Major Street Fund	1,500,000
Local Street Fund	1,500,000
Library Fund	<u>2,000,000</u>
	\$11,500,000

Also, to direct Corporation Counsel Miotke to draft a promissory note for the City of Dearborn Heights to borrow up to \$2,000,000 from the Tax Increment Finance Authority. It is the intent that all of the above loans shall be repaid by the general fund on or before September 1, 2012. Per Treasurer Riley, communication dated December 6, 2011.

Motion unanimously adopted.

- 11-426** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Council concurs with and approves reappointing Treasurer John J. Riley II as delegate and Mayor Daniel Paletko as alternate to the Central Wayne County Sanitation Authority Board. Terms to expire December 31, 2013. Per Treasurer Riley, communication dated December 5, 2011.

Motion unanimously adopted.

- 11-427** Motion by Councilwoman Van Houten, seconded by Councilman Apigian, that the City Council concurs with and approves reappointing Treasurer John J. Riley II and Councilwoman Janet Badalow, to the General Government Pension Committee. Terms to expire December 31, 2013. Per Treasurer Riley, communication dated December 31, 2013.

Motion unanimously adopted.

- 11-428** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council formally accept the audit report of the financial statements of the City of Dearborn Heights for the year ended June 30, 2011, prepared by Plante & Moran. Per Comptroller Macari, communication dated December 13, 2011.

Motion unanimously adopted.

- 11-429** Motion by Councilman Apigian, seconded by Councilwoman Badalow, that the City Council concurs with and approves Police Chief Gavin's request to auction the nine vehicles listed in his communication dated November 28, 2011.

Motion unanimously adopted.

- 11-430** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the City Council concurs with and approves the budget transfer request from Fire Chief Gurka as follows:

\$14,519.14	from	Fire Dept. Training Account	101-335-962.000
	to	Act 78 Consult./Prof. Services	101-221-817.000

Per Fire Chief Gurka, communication dated November 22, 2011.

Motion unanimously adopted.

- 11-431** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, to deny the request for the Acting Deputy Fire Chief to take home a Fire Department vehicle.

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

Motion defeated.

- 11-432** Motion by Councilman Berry, seconded by Councilwoman Van Houten, that the request for the Acting Deputy Fire Chief to take home a Fire Department vehicle, be referred to a study session.

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

Motion adopted.

- 11-433** Motion by Councilman Apigian, seconded by Councilwoman Agius, that the City Council concurs with and approves the payment to Fiore Enterprises, LLC, for concrete repairs on Ford and Telegraph Roads due to main breaks, in the amount of \$18,557.72.

Motion unanimously adopted.

- 11-434** Motion by Councilwoman Badalow, seconded by Councilman Apigian, that the City Council concurs with and approves Contract Change Order No. 1 prepared by Wade Trim for the 2011 Paving Program. The Change Order represents a decrease of \$23,584.75 in the contract amount.

Motion unanimously adopted.

- 11-435** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the split of Lot 63a2a and 63a1 of "Supervisor's Dearborn Plat No. 2" Subdivision.

Motion unanimously adopted.

- 11-436** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that Proposed Ordinance H-11-13, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 2-182, ADDING SECTION 2-183, AND ADDING SECTION 2-236 REGARDING RETIREMENT BENEFITS, be referred back to Administration.

Motion unanimously adopted.

- 11-437** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, to approve and adopt the Michigan Community Resolution to Manage Floodplain Development for the National Flood Insurance Program. Further, to authorize the Mayor and City Clerk to sign the resolution. Per Corporation Counsel Miotke, communication dated December 5, 2011.

Motion unanimously adopted.

- 11-438** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that Proposed Ordinance H-11-14, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTIONS 7-26 AND 7-28 (WHICH PREVIOUSLY ADOPTED THE MICHIGAN BUILDING CODE 2009, HAD THE CITY ASSUME RESPONSIBILITY FOR ENFORCEMENT OF PUBLIC ACT NO. 230 OF 1972 AND OF SAID CODE, AND DESIGNATED AN ENFORCING AGENCY), AND BY AMENDING SECTIONS 7-29 AND 7-31 (WHICH PREVIOUSLY ADOPTED THE MICHIGAN RESIDENTIAL CODE 2009, HAD THE CITY ASSUME RESPONSIBILITY FOR ENFORCEMENT OF PUBLIC ACT NO. 230 OF 1972 AND OF SAID CODE, AND DESIGNATED AN ENFORCING AGENCY) IN ORDER TO ADOPT FURTHER PROVISIONS REGARDING FLOODPLAIN MANAGEMENT AND TO DESIGNATE REGULATED FLOOD HAZARD AREAS UNDER THE STATE CONSTRUCTION CODE ACT, PUBLIC ACT NO. 230 OF 1972, AS AMENDED, be considered read for the 1st time.

Motion unanimously adopted.

- 11-439** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that Proposed Ordinance H-11-15, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTIONS 2-270 AND 2-324(A), regarding Re-employment of Retirees and Re-hired employees, be considered read for the 1st time and be referred to a study session.

Motion unanimously adopted.

- 11-440** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that Business License renewals for Mexican Fiesta, 24310 Ford Rd., and Tailgaters dba Whiskey Creek Tavern, 25380 Van Born, be approved.

Motion unanimously adopted.

- 11-441** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:35 p.m.

WALTER PRUSIEWICZ
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

EVE SCHAFER
COUNCIL SECRETARY