

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 11, 2001

- 01-629** The meeting was called to order at 8:07 p.m. by Council Chairwoman Margaret M. Horvath.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Kenneth R. Baron, Councilman Bob Constan, Council Chairwoman Margaret M. Horvath, Councilman Daniel S. Paletko, Councilman David D. Turfe, Councilwoman Margaret M. Van Houten (arrived at 8:12 p.m.).

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Assessor Pargo, Building & Engineering Inspector Whitehead, Human Resources Director Sullivan, Police Chief Gust, Fire Chief Barnett, Fire Marshall Mc Donagh, Community Development Director Oliverio.

The Pledge of Allegiance was led by Karolynn Pargo, Kurt Heise, Christina Sullivan and David Turfe.

- 01-630** Motion by Councilman Paletko, seconded by Councilman Baron, that the Agenda for the Regular Meeting of November 11, 2001, be approved with the addition of items 8-A, (City Assessor Position) and 9-J (WCCC Resolution).

Motion unanimously adopted.

- 01-631** Motion by Councilman Turfe, seconded by Councilwoman Agius, that the Minutes from the Regular Meeting of November 27, 2001, be approved as submitted.

Motion unanimously adopted.

- 01-632** Motion by Councilwoman Van Houten, seconded by Councilman Turfe, that Current Claims 6-1 through 6-19, be approved as submitted.

1. BAKER COLLEGE EMS DIVISION - Paramedic Training - Inv. 230 dated 11/20/01 from A/C 101-335-962-335 (Paramedic) \$6,210.00. Fire Dept.
2. BILL JAMES PLUMBING SERVICES - Water Heater Replacement Eton Center - Inv. S2471 dated 11/08/01 from A/C 101-265-818-000 (Contract Services) \$4,432.09. ENC. Building/Maint.
3. BEST ASPHALT - Repairs from Water Mains - Inv. 14459 dated 11/16/01 from A/C 592-537-818-000 (Contract Services) \$6,750.00. Water Dept.
4. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt and Services November/October - Inv. dated 11/28/01 from A/C 101-200-810-000 (Sanitation) \$218,963.09. General Govt.
5. CUMMINGS, MC CLOREY, DAVIS, ACHO... - Labor Attorney Fees 09-10/01 - Inv. 27560 dated 11/14/01 and Inv. 27579 dated 10/15/01 from A/C 101-200-817-000 (Professional/Consult) \$3,545.97. General Govt.
6. DISTRICT #7 DAD'S CLUB - Youth Hockey Allotment - Ck. Req. dated 11/21/01 from A/C 101-691-887-000 (Programs) \$9,975.00. Recreation.
7. E & N CEMENT - Pavement Repairs - Two (2) Inv's dated 11/30/01 and 11/17/01

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- from A/C 592-537-818-000 (Contract Services) \$122,402.46. Water Dept.
8. FANNING/HOWEY ASSOCIATES - J F Kennedy Library Study - Inv. 1090560 dated 11/28/01 from A/C 738-738-807-000 (Misc.) \$7,776.00. Library.
 9. LACARIA CONCRETE CONSTRUCTION - 2001 Sidewalk Replacement Program - Inv. dated 12/04/01 from A/C 101-200-963-000 (Sidewalks) \$50,528.49. General Govt.
 10. MUNICIPAL CODE CORPORATION - Code of Ordinances Supplement Pages - Inv. 42537 dated 11/21/01 from A/C 101-215-818-000 (Contract Services) \$3,373.05. Clerk.
 11. STATEWIDE SECURITY TRANSPORT - Prisoner Food/Lodging October 2001 - Inv. dated 11/16/01 from A/C 101-200-868-000 (Prisoners) \$5,965.55. General Govt.
 12. TODAYLINK - Internet Services November/December - Inv. 1026 dated 12/03/01 from A/C 101-200-819-999 (Internet) \$7,104.60. General Govt.
 13. WADE-TRIM/ASSOCIATES - DHT/Downriver Tech Assistance - Inv. 71441 dated 11/13/01 from A/C 592-XXX-154-000 (Sewers) \$375.50. Water Dept.
 14. WADE-TRIM/ASSOCIATES - Phase II CSO Planning Services - Inv. 71485 dated 11/13/01 from A/C 592-XXX-154-000 (Sewers) \$4,850.81. Water Dept.
 15. WADE-TRIM/ASSOCIATES - Plans/Specs Heather Lane Bridge - Inv. 71435 dated 11/13/01 from A/C 103-960-967-201 (Heather Lane) \$8,155.52. Community Devel.
 16. WADE-TRIM/ASSOCIATES - Right-of-Way Ordinance - Inv. 69311 dated 05/10/01 from A/C 101-371-818-000 (Contract Services) \$789.00. Building/Eng.
 17. WADE-TRIM/ASSOCIATES - Right-of-Way Review, Grading, Site Plan - Inv. 71551, 71058, 71548, 71550, 71444 from A/C 101-371-809-000 (Eng. Services) \$2,874.38. Building/Eng.
 18. WADE-TRIM/ASSOCIATES - Warren Streetscape Parking Study - Inv. 71677 dated 11/19/01 from A/C 103-960-944-099 (Warren Streetscape) \$13,787.58. Community Devel.
 19. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow Downriver 11/01 - Inv. 204569 dated 11/27/01 from A/C 592-537-929-000 (Disposal) \$23,838.00 and A/C 592-905-992-004 (Bond Principal) (\$1,000.00). Water Dept.

Motion unanimously adopted.

- 01-633** Motion by Councilman Turfe, seconded by Councilman Constan, that the City Council concurs with and approves the appointment of Vicki Riedel to the position of Assessor replacing retiring Assessor Karolynn Fargo, per Mayor Canfield, communication dated December 11, 2001.

Motion unanimously adopted.

- 01-634** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the reappointment of Mr. Charles Geiger and Ms. Carolyn Jackson to the Dearborn Heights Canvassing Board, terms to expire December 31, 2005, per City Clerk Robbins, communication dated December 3, 2001.

Motion unanimously adopted.

- 01-635** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concurs with and approves the Michigan Municipal Risk Management Authority (MMRMA) to proceed with the Electric Choice Program on behalf of the City of Dearborn Heights based on the "Energy Management Services Agreement" signed between the Michigan Municipal Risk Management Authority (MMRMA) and Kimball

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Power Company, LLC, for a period ending December 31, 2002, per Executive Assistant Heise, communication dated November 28, 2001. Further, that the City Council be provided with quarterly reports on the program savings.

Motion unanimously adopted.

- 01-636** Motion by Councilwoman Agius, seconded by Councilman Paletko, that the City Council concurs with and approves the "Interagency Agreement for the Housing of Stray and Surrendered Animals" with the City of Taylor, at a cost of \$23,750.00, and payment thereof, per Executive Assistant Heise, communication dated December 4, 2001. This will take us from April 1, 2001 through July 1, 2002. Further, that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 01-637** Motion by Councilman Paletko, seconded by Councilman Constan, that proposed Ordinance H-01-27, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY ADDING SECTION 1-9 TO SAID CODE REGARDING THE AUTHORITY OF CITY EMPLOYEES TO ISSUE APPEARANCE TICKETS, be considered read for the first time.

Motion unanimously adopted.

- 01-638** Motion by Councilman Paletko, seconded by Councilman Constan, that proposed Ordinance H-01-27, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY ADDING SECTION 1-9 TO SAID CODE REGARDING THE AUTHORITY OF CITY EMPLOYEES TO ISSUE APPEARANCE TICKETS, be declared an emergency and be considered read for the second time and become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

- 01-639** Motion by Councilman Paletko, seconded by Councilman Constan, that proposed Ordinance H-01-28, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY ADDING SECTION 1-10 TO SAID CODE REGARDING MUNICIPAL CIVIL INFRACTIONS, be considered read for the first time.

Motion unanimously adopted.

- 01-640** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the Lot Split Request from Ruby Van Assche, 4633 Monroe and create the following parcels in Fordson Manor Subdivision:

- Part 1. Lot 42 except the west 10 feet, also the south 35 feet of Lot 43;
Part 2. The north 5 feet of Lot 43, also Lots 44 and 45, per Assessor Pargo, communication dated November 28, 2001.

Motion unanimously adopted.

- 01-641** Motion by Councilman Baron, seconded by Councilwoman Agius, that the City

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Council concurs with and approves Change Order Request No. 2 with Richo Construction, Inc., 4706 Kingston, Dearborn Heights, MI 48125 for the Berwyn Senior Citizens Center Parking Lot Improvement Project, in the amount of \$4,215.28, and payment thereof, per Recreation Director Grybel, communication dated November 20, 2001. Further that the Mayor and City Clerk be authorized to sign the Change Order on behalf of the City. Monies to cover this request are available in the project contingency account.

Motion unanimously adopted.

- 01-642** Motion by Councilman Turfe, seconded by Councilwoman Van Houten, that the City Council forego the bid process and accept the low bid from Paper Express, 2300 Meijer Drive, Troy, MI 48084, for fifty thousand (50,000) Uniform Traffic Law Citations, in the amount of \$5,497.50, and payment thereof, per Police Chief Gust, communication dated November 29, 2001.

Motion unanimously adopted.

- 01-643** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the disposal of the following obsolete test equipment:

Two (2) - Volt-OHM Meters - Tag # 6608 and 6609; One (1) 12 V Power Supply - Tag # 6599; One (1) Hickok Scope - Tag #6650; Cushman Radio Tester - Tag #6409; Motorola Radio Tester - Tag # 6600; Pace Soldering Iron - Tag #6606; RF Load - Tag #6591; RF Watt Meter - Tag #6607 and Epson 286 Laptop - Tag #6598 per, Police Chief Gust, communication dated December 5, 2001.

Motion unanimously adopted.

- 01-644** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the appointment of Mr. Larry Zahra to the Zoning Board of Appeals, term to expire May 2004, per Council Chairwoman Horvath, communication dated December 6, 2001. Mr. Zahra replaces Michael Bragg who resigned due to relocation.

Motion unanimously adopted.

- 01-645** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council adopt the Wayne County Community College Millage Resolution as follows:

WHEREAS, the WCCC millage request only garnered 15.44% of the November, 2001 vote in Dearborn Heights (1150-6299), failed in all suburban communities by a 4-to-1 margin, and passed district wide by fewer than 2,900 votes, a 1% margin;

WHEREAS, THE SAME 1.5 MILL WCCC request failed in the November, 2000 general election by a 52% to 48% margin, when there was almost double the voter turnout and roughly equal representation by both the city and suburbs in voter turnout due to the Presidential election;

WHEREAS, significantly more students from Dearborn Heights choose community colleges other than WCCC even though they must pay out of district tuition rates and drive further to those other institutions;

WHEREAS, the new 1.5 mill levy added to the existing 1 mill levy will annually raise

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\$2.7 million in Dearborn Heights (\$4,684 for every one of our 5800 residents), an amount equal to 55% of the City budget for the entire Fire Department;

WHEREAS, the 2000 and 2001 election results clearly signify a dissatisfaction with WCCC and lack of service by WCCC to Dearborn Heights and the other suburban communities;

NOW, THEREFORE BE IT RESOLVED, that the Dearborn Heights City Council calls on the WCCC Board of Trustees to pass a resolution supporting the concept of allowing communities to "opt out" of the WCCC district, and further not to collect the additional 1.5 mill authorized levy.

This resolution shall be forwarded to State Representatives Bob Brown, William O'Neil and Bruce Patterson, State Senator George Hart, Governor John Engler, all members of the Wayne County Community College Board, and mayors/supervisors and council/township board members of all of the communities which comprise the WCCC district and all major media outlets in Wayne County, per Council Chairwoman Horvath, communication dated December 11, 2001.

Motion unanimously adopted.

- 01-646** Motion by Councilman Paletko, seconded by Councilman Baron, that proposed Ordinance H-01-26, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE REVISED BY REPEALING SECTION 26-10(5)(C), PERMITTED SIGNS, be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

- 01-647** Motion by Councilwoman Van Houten, seconded by Councilman Turfe, that proposed Ordinance H-01-25, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OR ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 28, ARTICLE II DIVISION I OF SAID CODE, REGARDING SIDEWALKS, be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

- 01-648** Motion by Councilman Baron, seconded by Councilwoman Agius, that the request from the County of Wayne to drop 400 Monroe Group, Inc. As co-licensee and add MX3, Inc. as co-licensee in 2000 Class C licensed business with Dance Permit, located at 26116 W Warren, Dearborn Heights, MI 48127, Wayne County; and request a new Entertainment Permit, be denied and the Liquor Control Commission be so notified. Req # 61180.

Motion unanimously adopted.

- 01-649** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the business license for Safway Market, 3976 Pelham, be approved.

Motion unanimously adopted.

- 01-650** Motion by Councilman Paletko, seconded by Councilman Constan, that the City

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Council request from Captain James Kotlarek, Fire Department, for an age waiver, be approved.

Motion unanimously adopted.

There being no further business to come before the Council, Council Chairwoman Horvath adjourned the meeting at 8:55 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

**MARGARET M. HORVATH, CHAIRWOMAN
CITY COUNCIL**

**MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY**