

**MINUTES DECEMBER 10, 2019
REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL**

19-450 The meeting was called to order at 8:00 p.m. by Council Chairwoman Malinowski Maxwell.

Roll Call showed the following:

Present: Council Chairwoman Denise Malinowski Maxwell, Councilman Dave Wassim Abdallah, Councilman Bill Bazzi, Councilman Robert Constan, Councilwoman Lisa Hicks-Clayton, Councilman Ray Muscat, Councilman Tom Wencel.

Absent: None.

Also Present: City Clerk Prusiewicz, Mayor Paletko, Treasurer Riley, Building Director Domski, Chief of Staff Laslo, Community & Economic Development Director Hachem, Comptroller Vance, Corporation Counsel Miotke, DPW Director Selmi, Emergency Management Director Gavin, Fire Chief Brogan, Human Resource Director Sobota-Perry, Library Director McCaffery, Ordinance Enforcement Director McIntyre, Parks & Recreation Director Haddad, Police Chief Petri.

The Pledge of Allegiance was led by Lisa Farrens Oshanski.

20th District Court Judge David Turfe administered the Oath of Office to recently re-elected officials, Councilman David Wassim Abdallah, Councilwoman Lisa Hicks-Clayton and Councilman Ray Muscat.

The State of Michigan and the City of Dearborn Heights honored Mike Makki and Ahmad Hammoud with a Tribute Presentation.

19-451 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Bazzi that the December 10, 2019 Regular Meeting Agenda be approved, noting the corrected backup for item 12-A, as presented.

Motion unanimously adopted.

19-452 Motion by Councilman Abdallah, seconded by Councilman Muscat that the Minutes from the Regular Meeting of November 26, 2019 be approved as outlined in 4-A.

Motion unanimously adopted.

19-453 Motion by Councilman Constan, seconded by Councilman Abdallah that Current Claims 6-1 through 6-36, be approved as submitted.

1	A Land Construction	Sidewalk/Weed	\$14,275.00	Ordinance
2	Air Tool Service Co.	Rep/Maint	\$1,656.25	Water
3	Anglin Civil, LLC	Pond Restoration	\$308,337.26	Water
4	Bound Tree Medical LLC	Medical Sup	\$2,601.84	Fire
5	Bowles Brothers Services, Inc.	Rep/Maint	\$16,800.00	Water
6	Cadillac Asphalt, LLC	Street Const.	\$710,138.58	Major Strts/DPW
7	Central Wayne County Sanitation Authority	Sanitation	\$63,701.48	General Govt
8	Cummings, McClorey, Davis & Acho	Prof/Con	\$4,504.50	Water
9	D & D Water & Sewer, Inc.	Cont. Services	\$7,600.00	Water
10	D7 Dad's Club	Recreation	\$1,500.00	Recreation
11	Dearborn Heights Redskins	Recreation	\$3,015.00	Recreation
12	Dearborn Tree Service	Tree Removal	\$14,650.00	Highway
13	Downriver Utility Wastewater Authority	Sewer Disposal	\$38,062.00	Water
14	E & N Cement	Cont. Services	\$15,423.82	DPW
15	Grainger	Rep/Maint	\$3,747.96	Library
16	Hydro Corp	Cont. Services	\$2,976.00	Water

17	Lardner Elevator Company	Rep/Maint	\$1,600.00	Building Mtce
18	Library Network, The	Dues - Member	\$4,646.41	Library
19	Library Network, The	Capital Outlay	\$12,676.36	Library
	Library Network, The	Dues - Member	\$14,511.50	Library
20	Lighting Supply	Rep/Maint	\$3,445.27	Building Mtce
21	M.M.R.M.A.	Insurance	\$202,748.47	General Govt
	M.M.R.M.A.	Insurance	\$52,799.13	General Govt
	M.M.R.M.A.	Insurance	\$5,702.44	Library
	M.M.R.M.A.	Insurance	\$99,823.96	Water
22	Michigan Humane Society	Animal Pro	\$3,423.00	Ordinance
23	Miotke, Gary T.	Coun. Services	\$10,877.00	General Govt
24	Network Services Company	Rep/Maint	\$1,980.09	Building Mtce
25	Personnel Assessment Systems, Inc.	Prof/Con	\$6,000.00	HR Dept.
26	Physio-Control, Inc.	Cont. Services	\$2,948.76	Fire
27	Pipetek Infrastructure Services, LLC	Cont. Services	\$9,334.64	Water
28	Quad-Tran of Michigan	Cont. Services	\$4,600.00	District Court
	Quad-Tran of Michigan.	Supplies	\$1,702.00	District Court
	Quad-Tran of Michigan	Supplies	\$2,754.94	District Court
29	Secrest, Wardle, Lynch, Hampton et al	Coun. Services	\$17,558.00	General Govt
30	Statewide Security Transport, Inc.	Pris. Exps.	\$2,100.00	District Court
31	Tredroc Tire Services	Rep/Maint	\$3,481.85	Fire
32	Wade Trim & Assoc.	Cont. Services	\$8,909.90	Water
33	Wade Trim & Assoc.	Bridge Repair	\$7,022.50	Major Strts/DPW
34	Wade Trim & Assoc.	Street Const.	\$61,132.80	Major Strts/DPW
35	Wade Trim & Assoc.	Pond Restoration	\$12,380.50	Water
36	RKA Petroleum, Inc.	Motor Fuel	\$14,774.60	DPW

Ayes: Councilman Abdallah, Councilman Constan.

Nays: Council Chairwoman Malinowski Maxwell, Councilman Bazzi, Councilwoman Hicks-Clayton, Councilman Muscat, Councilman Wencel.

Absent: None.

Motion defeated.

19-454 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Bazzi that Current Claims 6-1, 3, 4, 6, 7, 10, 11, 12, 14, 15, 17-26 and 28-36, be approved as submitted.

1	A Land Construction	Sidewalk/Weed	\$14,275.00	Ordinance
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33	Wade Trim & Assoc.	Bridge Repair	\$7,022.50	Major Strts/DPW
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35	Wade Trim & Assoc.	Pond Restoration	\$12,380.50	Water
36	RKA Petroleum, Inc.	Motor Fuel	\$14,774.60	DPW

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Bazzi, Councilman Constan, Councilman Muscat, Councilman Wencel.

Nays: Councilman Abdallah.

Absent: None.

Motion adopted.

19-455 Motion by Councilman Abdallah, seconded by Councilman Muscat to accept and award the bid for the roof at the Parkland Park Concession building to Howell Construction Services LLC in the amount of \$8,200.00 plus \$1.50 per square foot of decking replacement as needed, payment upon successful completion of the job and to return all bid bonds back to all unsuccessful bidders, as outlined in 7-A. Per DPW Director Selmi communication dated November 25, 2019.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Bazzi, Councilman Constan, Councilman Muscat.

Nays: Councilman Abdallah, Councilwoman Hicks-Clayton, Councilman Wencel.

Absent: None.

Motion adopted.

19-456 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Bazzi to accept and award the bid for the repair of the Eton Senior Center Boiler to Conti Corporation for \$10,400.00 with possible additional costs not to exceed \$18,200.00, payment upon successful completion of repair and to return all bid bonds back to all unsuccessful bidders, as outlined in 7-B. Per DPW Director Selmi communication dated December 2, 2019.

Motion unanimously adopted.

19-457 Motion by Councilman Abdallah, seconded by Councilman Muscat to the approve the moratorium on new used car lots effective December 10, 2019 and, as stated and added to the motion at the meeting, an ending date of June 30, 2020, as outlined in 8-A. Per Mayor Paletko communication dated December 3, 2019.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdallah, Councilman Constan, Councilwoman Hicks-Clayton, Councilman Muscat, Councilman Wencel.

Nays: Councilman Bazzi.

Absent: None.

Motion adopted.

19-458 Motion by Councilman Abdallah, seconded by Councilman Muscat to approve the Mayoral appointment of Rose Tripepi to the Commission on Aging for a term to ending April 2022, as outlined in 8-B. Per Mayor Paletko communication dated December 3, 2019.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdallah, Councilman Constan, Councilman Muscat, Councilman Wencel.

Nays: Councilman Bazzi, Councilwoman Hicks-Clayton.

Absent: None.

Motion adopted.

19-459 Motion by Councilman Abdallah, seconded by Councilman Bazzi to authorize the Annual Publication of the Amended Notice of Meetings as required under Public Act No. 267, Public Acts of 1976, on the City's website, as outlined in 9-A. Per City Clerk Walter Prusiewicz communication dated December 2, 2019.

Motion unanimously adopted.

19-460 Motion by Councilman Muscat, seconded by Councilman Constan to approve the reappointment of Vince Macari, for a term to expire on December 31, 2021, and Treasurer John J. Riley II, for a term until at least April 30, 2020, to the General Government Pension Committee, as outlined in 9-B. Per Treasurer Riley communication dated December 3, 2019.

Motion unanimously adopted.

19-461 Motion by Councilwoman Constan, seconded by Councilman Abdallah to approve the reappointment of Treasurer John J. Riley II, for a term expiring April 30, 2020, as delegate, and Mayor Daniel S. Paletko, for a term expiring December 31, 2021, as alternate, to the Central Wayne County Sanitation Authority Board, as outlined in 9-C. Per Treasurer Riley communication dated December 3, 2019.

Motion unanimously adopted.

19-462 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Abdallah to accept John J. Riley II's formal notification of his resignation as the Treasurer for the City of Dearborn Heights. His last day with the City will be April 30, 2020, as outlined in 9-D. Per Treasurer Riley communication dated December 3, 2019.

Motion unanimously adopted.

19-463 Motion by Councilman Abdallah, seconded by Councilman Bazzi to approve the Tentative Agreement between the City of Dearborn Heights and the 20th District Court Employees represented by the Police Officers Association of Michigan (POAM) which covers the period of July 1, 2019 through June 30, 2022, as outlined in 9-E. Per Chief Judge Turfe communication dated December 2, 2019.

Motion unanimously adopted.

- 19-464** Motion by Councilman Abdallah, seconded by Councilman Constan to concur with the Administrative Order for the 20th District Court non-union employees and grant the extension of the City of Dearborn Heights and the 20th District Court Employees represented by the Police Officers Association of Michigan (POAM) benefits of the 2019-2022 agreement to all non-union employees, as outlined in Item 9-F. Per Chief Judge Turfe communication dated December 2, 2019.

Motion unanimously adopted.

- 19-465** Motion by Councilman Abdallah, seconded by Councilman Muscat to concur and authorize Wade Trim to update the CSO Area L-43 Program to update the Sanitary/Storm Separation design plans and specifications, add the water main design, acquire the necessary permits for construction and advertise for construction bids in an amount not to exceed \$96,000.00, as outlined in 9-G. Per DPW Director Selmi communication dated November 27, 2019.

Motion unanimously adopted.

- 19-466** Motion by Councilman Constan, seconded by Councilman Abdallah to concur and approve the amendment to the current D&D Water & Sewer Contract as presented in change order in the amount of \$1,284,270.00 as prepared by Wade Trim Associates, Inc. for the 2018-2019 Water Main Replacement Program. D&D Water & Sewer has agreed to hold their 2014 contract prices. This motion further approves a construction engineering budget for Wade Trim Associates, Inc. in the amount of \$130,000.00 and authorizes the Mayor and Clerk to sign the Change Order on behalf of the City, as outlined in 9-H. Per DPW Director Selmi communication dated November 27, 2019.

Motion unanimously adopted.

- 19-467** Motion by Councilman Abdallah, seconded by Councilman Constan to concur and approve the proposal and addendum between the City of Dearborn Heights and Architectural Intelligence LLC to improve the WDHT Studio and authorize the Mayor and Clerk to sign the agreement on behalf of the City, as outlined in 9-I. Per Emergency Management Director Gavin communication dated December 3, 2019.

Ayes: Councilman Abdallah.

Nays: Council Chairwoman Malinowski Maxwell, Councilman Bazzi, Councilman Constan, Councilwoman Hicks-Clayton, Councilman Muscat, Councilman Wencel.

Absent: None.

Motion defeated.

- 19-468** Motion by Councilwoman Hicks-Clayton, seconded by Councilman Muscat to move to a study session the proposal and addendum between the City of Dearborn Heights and Architectural Intelligence LLC to improve the WDHT Studio, as outlined in 9-I. Per Emergency Management Director Gavin communication dated December 3, 2019.

Motion unanimously adopted.

- 19-469** Motion by Councilman Muscat, seconded by Councilman Abdallah to approve and further retain Plante Moran Group Benefit Advisors (PMGBA) and to sublicense with HCM File to implement reporting provisions (Section 6055/6056) that the City of Dearborn Heights has under the Affordable Care Act (ACA), as outlined in Item 9-J. Per Human Resource Director Sobota-Perry communication dated November 26, 2019.

Motion unanimously adopted.

- 19-470** Motion by Councilman Constan, seconded by Councilman Bazzi to concur with the Quarterly Service Agreement with Motorola for September 1, 2019 through November 30, 2019 for a cost of \$15,338.19, as outlined in 9-K. Per former Police Chief Voltattorni communication dated October 24, 2019.

Motion unanimously adopted.

19-471 Motion by Councilman Abdallah, seconded by Councilman Muscat to authorize the purchase and payment of five (5) 2020 Ford Police Interceptor Utility AWD Patrol Vehicles at \$32,989.00 each and two (2) 2020 Ford Police Interceptor Utility AWD Admin Vehicles at \$34,139.00 each for a total cost of \$233,223.00 from Capital Outlay, all prices are per the Macomb County bid price, as outlined in 9-L. Per former Police Voltattorni communication dated November 4, 2019.

Motion unanimously adopted.

19-472 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Bazzi to approve the final payment for portable radios that were purchased in 2018 through a lease plan with Motorola Solutions, as outlined in 9-M. Per Police Chief Petri communication dated November 20, 2019.

Motion unanimously adopted.

19-473 Motion by Councilman Muscat, seconded by Councilman Bazzi to concur and accept the Fiscal Year 2018-2019 Financial Statement Audit Report completed by Plante & Moran, PLLC and to file the audit report with the State of Michigan, as outlined in Item 9-N. Per Plante Moran communication dated November 14, 2019.

Motion unanimously adopted.

19-474 Motion by Councilman Bazzi, seconded by Councilman Muscat to approve the City of Dearborn Heights Council Resolution in regards to Smoking Lounges, City of Dearborn Heights' City Council has adopted Ordinance No. H-19-06 dealing with smoking lounges; and the City Council determined that it was in the best interest of the City to extend the de facto temporary license to continue operating for an additional period of 120 days following the expiration of the initial 180 days provided for in Sec 8-66 (a) to the seven (7) businesses, as outlined in 11-A. Per Councilman Bazzi communication.

Motion unanimously adopted.

19-475 Motion by Councilman Bazzi, seconded by Councilwoman Hicks-Clayton to approve the City of Dearborn Heights Council Resolution requesting a legal opinion on the legality of Ordinance NO. H-16-06, Sec 2-239,- Program for select employees providing for in-service distribution of normal retirement benefit, allows for select employee and an elected official to receive pension benefits without having to resign from their city job as employees or from their elected seat as elected officials to continue receiving salaries/employment compensation at the same time. The City Council authorizes the presiding chairwoman to seek legal assistance according to the charter, to prepare and submit ASAP a Request for Legal Opinion from Michigan Attorney General, on the legality of ordinance NO. H-16-06, Sec 239 and the possible remedy if found to be in violation of any applicable laws and regulations, in an amount not to exceed five thousand dollars from the FY 2018-2019 council legal fund, as outlined in 11-B. Per Councilman Bazzi and Councilwoman Hicks-Clayton communication dated December 3, 2019.

Councilman Bazzi amended his motion, Councilwoman Hicks-Clayton seconded to remove "the majority" from the Resolution, that "an amount not exceed five thousand dollars" be changed to an amount up to two thousand dollars and to add with the concurrence of Council.

Motion unanimously adopted.

19-476 Motion by Councilman Muscat, seconded by Councilman Constan to approve the Proposed Maximum Fee Summary for the Audit of Funds listed for the year ending June 30, 2020 to be paid in the fiscal year 2020-2021, as outlined in 12-A. Per Plante and Moran, PLLC communication dated November 26, 2019.

Motion unanimously adopted.

19-477 Motion by Councilman Muscat, seconded by Councilman Constan that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 10:33 p.m.

WALTER J. PRUSIEWICZ
CITY CLERK

LYNNE SENIA
COUNCIL SECRETARY

DENISE MALINOWSKI MAXWELL
COUNCIL CHAIRWOMAN