

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 8, 2009

09-446 The meeting was called to order at 8:02 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilwoman Margaret M. Horvath, Councilman Roy Pilot, Councilwoman Margaret M. Van Houten.

Absent: None.

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

The Pledge of Allegiance was led by 20th District Court Judges Mark Plawecki and David Turfe.

Swearing In Ceremony was conducted by Judge Mark Plawecki and Judge David Turfe. Judge Plawecki swore in City Clerk Judy Dudzinski, Mayor Dan Paletko and Treasurer John Riley.

Judge Turfe swore in Councilwoman Janet Badalow, Councilwoman Margaret Van Houten, Councilwoman Margaret Horvath and Councilman Thomas Berry.

09-447 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Agenda for the Regular Meeting of December 8, 2009, be approved as submitted.

Motion unanimously adopted.

09-448 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the Minutes from the Regular Meeting of November 24, 2009, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the Abandonment of Sylvia Street South of Annapolis and North of Powers, was called to order at 8:09 p.m. by Council Chairman Kenneth R. Baron.

Council Chairman Baron asked the City Clerk to read the published Notice of a Public Hearing.

City Clerk Dudzinski: "PLEASE TAKE NOTICE THAT A Public Hearing will be held on Tuesday, December 8, 2009, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan at 8:00 pm EST for the purpose of hearing objections, if any, to the request for the abandonment of SYLVIA STREET SOUTH OF ANNAPOLIS AND NORTH OF POWERS, 30 FEET WIDE, adjacent to Lots 53 thru 74 inclusive, Burnett Boulevard Subdivision as recorded in Liber 43 of Plats, Page 36, Wayne County Records.

This Notice is published by direction of the City Council under and by virtue of the City Clerk.

Written comments and/or objections to the proposed abandonment may be directed to the City Clerk's Office, 6045 Fenton, Dearborn Heights, Michigan 48127 until 4:00 pm EST on the date of the hearing. S. Judith Dudzinski, Clerk, City of Dearborn Heights, published November 29, 2009 and December 6, 2009.

Corporation Counsel Miotke submitted Proof of Service to all property owners in the area. Ordinance Office Dave Novak posted the "Notice of Public Hearing" on the following telephone poles: Powers at Sylvia; Powers at Inkster; Inkster at Annapolis, Annapolis/fence/Sylvia in the alley at Sylvia behind the house at 4912 Hazel. No further communications Mr. Chair."

Council Chairman Baron "Thank You. At this particular time everyone who wishes to speak please come up here to the microphone. Please give your name, the street you live on and the City."

Due to the length of this Public Hearing the full text of the hearing is on file in the City Clerk's office.

Brief synopsis:

The City Council voiced their concerns on the proposed abandonment because if it was granted it

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cannot revert back. The petitioner was not present. The City Council wanted to hear from the petitioner as to reason why he wanted the abandonment.

Tammy Sanfilippo, Hazel Street and her mom have an objection to the proposed abandonment until further information is available.

A decision will be made at the January 12, 2010 Council meeting.

- 09-449** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the Public Hearing for the proposed abandonment of Sylvia Street be closed.

The Public Hearing closed at 8:28 pm.

Motion unanimously adopted.

- 09-450** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that Current Claims 6-1 through 6-21, be approved as submitted.

1. BROADSPIRE – Claims Service Fee 2009-2010 – Inv. 53876 from A/C 101-200-724-000 (Workers Comp) \$11,478.00. See Budget Amendment. General Govt.
2. CANNON EQUIPMENT – Parts & Services – Inv. 11488A and 11488B dated 09/23/09 from A/C 592-xxx-111-000 (Inventory) \$1,740.00. Water Dept.
3. COMPUTER TECHNOLOGIES, INC. – Data Processing – Inv. 70512 dated 11/20/09 from A/C 101-258-932-000 (Repair/Maint) \$1,307.50 and A/C 592-536-932-000 (Repair/Maint) \$1,640.00. General Govt.
4. E & N CEMENT – Pavement Repairs – Inv. dated 12/01/09 from A/C 592-537-818-000 (Contract Services) \$36,723.40. Water Dept.
5. ELECTRICAL POWER & DESIGN – Yearly Generator Maint – Inv. 7309A dated 10/21/09 from A/C 101-300-818-000 (Contract Services) \$852.00 and A/C 101-130-818-000 (Contract Services) \$852.00. Police/Court
6. FIFTH THIRD BANK – Finance Payment FINAL – Telephones – Inv. 16698 dated 11/13/09 from A/C 101-200-853-000 (Telephones) \$27,429.30. General Govt.
7. GAMETIME – Punched Steel Ramp – Inv. 777177 dated 09/16/09 from A/C 101-691-728-000 (Supplies) \$2,077.90. Encumbered. Recreation
8. JENKINS CONSTRUCTION, INC. – 2009 Water Main Project – Cert. #3 dated 11/12/09 from A/C 103-960-925-207 (Water Main) \$38,628.49. CDBG
9. JOHNSON CONTROLS – Quarterly Billing for Contract – Inv. 39349 and 39332 dated 11/02/09 from A/C 101-265-818-000 (Contract Services) \$12,985.00. Building Maint
10. MCMULLEN SYSTEMS – Winter 2009 Tax Bills Processing – Inv. 91026-016 and 91026-015 dated 11/30/09 from A/C 101-253-728-000 (Supplies) \$1,699.16. Treasurer's Office
11. NAGEL CONSTRUCTION, INC. – Sewer Cleaning Program – Inv. 2727 dated 11/24/09 from A/C 592-540-818-030 (Contract Services) \$22,296.10. Water Dept.
12. QUAD-TRAN OF MICHIGAN – Data Processing December 2009 - Inv. 5606 and 5607 dated 11/30/09 from A/C 101-130-818-000 (Contract Services) \$4,500.00; A/C 101-130-728-000 (Supplies) \$1,328.45 and A/C 101-200-728-000 (Supplies) \$2,275.68. District Court
13. QUALITY ONE CONSTRUCTION & DEVELOPMENT – Entrance Door Project – Inv. dated 10/01/09 from A/C 103-960-963-208 (Berwyn) \$12,863.00. CDBG
14. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging October 2009 – Inv. dated 11/11/09 from A/C 101-200-868-000 (Prisoners) \$4,525.90. General Govt.
15. THE LIBRARY NETWORK – Menu Services – Acquisitions – Inv. 40245 dated 11/20/09 from A/C 738-738-827-000 (Library Network) \$5,044.46. Libraries
16. VANOVERBEKE, MICHAUD AND TIMMONY – Legal Services Health Plan Trust – Inv. dated 11/02/09 from A/C 101-200-817-000 (Prof/Consult) \$2,431.00. General Govt.
17. WADE TRIM ASSOCIATES – Flow Monitoring, Rain Garden, Flooding, Bridges, Water Main, Street Repair, House Grade, Parking Lot Review – Inv. 99520, 99517, 99521, 99523, 99522, 99466, 99518, 99525 and 99526 dated 11/20/09 from A/C 101-371-809-000 (Engineering) \$1,046.25; A/C 202-202-880-300 (Streets) \$3,458.25; A/C 592-536-818-000 (Contract Services) \$40,060.20 and A/C 274-673-930-500 (CMI Grant) \$1,100.00. General Govt.
18. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow Downriver System – Inv. 251825 dated 12/01/09 from A/C 592-537-929-000 (Sewage) \$27,309.00. Water Dept.
19. CUMMINGS, MC CLOREY, DAVIS & ACHO – Legal Services October 2009 – Inv. 172910 dated 11/20/09; 172860, 172862, 172861, 172843, 172842 and 172841 dated 11/17/09 from A/C 101-200-817-000 (Prof/Consult) \$7,780.80 and A/C 592-536-817-000 (Prof/Consult) \$5,839.70. General Govt.

20. GARY MIOTKE – Legal Services November 2009 – Inv. dated 12/02/09 from A/C 101-210-826-000 (Counsel Services) \$10,612.42. Corporation Counsel
21. SECREST, WARDLE, LYNCH... - Legal Services October 2009 – Inv. dated 12/02/09 from A/C 101-210-826-000 (Counsel Services) \$8,997.00. Corporation Counsel

Motion unanimously adopted.

- 09-451** Motion by Councilman Pilot, seconded by Councilwoman Horvath, 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, with amended dates for the Watershed Stewards Commission, Community & Cultural Relations Commission, and removal of Justice Center for Commission on Disability Concerns Commission, per City Clerk Dudzinski, communication dated December 1, 2009.

Motion unanimously adopted.

- 09-452** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the Community and Economic Development Department (CEDD) be authorized to solicit bids for completion of the FY 2010-15 Consolidated Plan, assistance with FY 2010-2015 Environmental Review Records (ERR) and CDBG Professional Services for Community Development Block Grant (CDBG) Program, per Community and Economic Development Director Amen, communication dated November 24, 2009.

Motion unanimously adopted.

- 09-453** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the Budget Amendment to cover a recent settlement of a workers compensation case be approved as follows:

Increase Revenues	Appropriate Fund Balance
A/C 101-00-699-0	\$75,000.00
Increase Expenditures	Workers Compensation
A/C 101-200-724-0	\$75,000.00

Per, Comptroller Barrow, communication dated December 1, 2009.

Motion unanimously adopted.

- 09-454** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the bid from Cannon Equipment, 51761 Dansview Tech. Ct., Shelby Twp, MI 48315 for the purchase and installation of four (4) replacement dump bodies and hoist assemblies, in the amount of \$22,722.00, \$21,989.00, \$21,989.00 and \$22,722.00, for a grand total of \$89,422.00 and payment thereof, be approved, per Public Service Administrator Franzil, communication dated December 1, 2009. Quotes are municipal pricing and approved in the 2009-2010 Water Department Capital Outlay account.

Motion unanimously adopted.

- 09-455** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the bid from Jorgensen Ford, 8333 Michigan Avenue, Detroit, MI 48210 for the purchase of one 2010 Ford F550 4 x 2 Diesel service truck, in the amount of \$53,790.00, and payment thereof, be approved, per Public Service Administrator Franzil, communication dated December 1, 2009. Quote for this vehicle is a State of Michigan Co-op bid and approved in the 2009-2010 Water Department Capital Outlay account.

Motion unanimously adopted.

- 09-456** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the communication from the Local Officers Compensation Commission re: the non-recommendation for no increase in salary for the years of 2010 and 2011 for elected officials, be received, contents noted and filed.

Motion unanimously adopted.

- 09-457** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the business license renewal for Livernois Vehicle/Motorsports, 2500 S Gulley, be approved.

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Motion unanimously adopted.

- 09-458** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the request from Walgreen Co. (an Illinois Corporation), c/o Eric Lyles, License Specialist New Stores, Tax Department, 104 Wilmot Road, Deerfield, IL 60015, for a new SDM License, with additional language as presented in Agenda Item 13D, Drive-up window (without alcoholic beverage sales) to be located at 25700 Ford Road, Dearborn Heights, MI 48127, Wayne County, be approved and the Liquor Control Commission be so notified. Request ID # 523104.

Motion unanimously adopted.

- 09-459** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the request from Walgreen Co. (an Illinois Corporation), c/o Eric Lyles, License Specialist New Stores, Tax Department, 104 Wilmot Road, Deerfield, IL 60015, for a new SDM License, with additional language as presented in Agenda Item 13D Drive-up window (without alcoholic beverage sales) to be located at 8706 N Telegraph, Dearborn Heights, MI 48127, Wayne County, be approved and the Liquor Control Commission be so notified. Request ID # 523106.

Motion unanimously adopted.

- 09-460** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the request from Walgreen Co. (an Illinois Corporation), c/o Eric Lyles, License Specialist New Stores, Tax Department, 104 Wilmot Road, Deerfield, IL 60015, for a new SDM License, with Drive-up window (without alcoholic beverage sales) to be located at 5709 S Telegraph, Dearborn Heights, MI 48125, Wayne County, be approved and the Liquor Control Commission be so notified. Request ID #521846.

Motion unanimously adopted.

- 09-461** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Amendment No. 1 to the Water Service Contract between the City of Detroit and City of Dearborn Heights, with all Exhibits, per Patrick B. McCauley, Giarmarco, Mullins & Horton, PC, Attorneys and Counselors at Law, Tenth Floor Columbia Center, 101 West Big Beaver, Troy, MI 48084-5280, communication dated December 1, 2009 and Laurie A. Koester, Assistant Corporation Counsel for the City of Detroit, 660 Woodward Avenue, 1650 First National Building, Detroit, MI 48226-3535, communication dated November 23, 2009. Further, that the Mayor and City Clerk be authorized to sign the Amendment on behalf of the City.

Motion unanimously adopted.

- 09-462** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:12 PM

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY