

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 8, 1992

92-601 The meeting was called to order at 8:14 p.m., by Council Chairman Daniel S. Paletko.

Roll call showed the following:

Present: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman David C. Brunell, Councilman Joseph V. Kosinski, Councilman Thomas W. Miles, Council Chairman Daniel S. Paletko.

Absent: Councilwoman Ruth A. Canfield.

Also Present: Mayor Van Houten, Administrative Assistant Hitsky, Corporation Counsel Dadaou, City Clerk Sheridan, Deputy Clerk Robbins, Comptroller Barrow, Assessor Welch, Building & Engineering Director Hamel, Personnel Director Sullivan, Deputy Police Chief Jednacz, Fire Chief Lewis, Recreation Director Grybel, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Thomas W. Miles.

92-602 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the agenda for the Regular Meeting of December 8, 1992, be approved as submitted.

Motion adopted.

92-603 Motion by Councilman Gary P. Blackburn, supported by Councilman David C. Brunell, that the minutes from the Regular Meeting of November 24, 1992, be approved as submitted.

Motion adopted.

92-604 Motion by Councilman Robert L. Brown, supported by Councilman David C. Brunell, that Current Claim 6-26 be tabled.

26. WADE-TRIM/ASSOCIATES - Powers Ave. watermain. Inv. 40656, 11/17/92, Job No. DHT 2345-03. From A/C 537-981 (Capital Outlay) \$2,268.30. Water.

Motion adopted.

92-605 Motion by Councilman Gary P. Blackburn, supported by Councilman Joseph V. Kosinski, that Current Claims 6-1 through 6-25 and 6-27 through 6-33 be approved as submitted.

1. ALLEGAN COUNTY SHERIFF DEPARTMENT - Prisoner Food & Lodging October 1992. Inv. 11/06/92. From A/C 200-868 (Prisoner Food & Lodging) \$5,560.00. Gen. Govt.
2. ARCOM CONSTRUCTION - Watermain Replacement Phase X. Cert. No. 2, 11/20/92, Job No. DHT 2212-36. From A/C 960-925-091 (Watermain Replacement) \$56,325.54. (Enc.) Comm. Dev.
3. BERGSTROM'S, INC. - Boiler replacement at Eton Center. Cert. No. 2, 11/23/92, Job No. DHT 2352-02. From A/C 673-981-091 (Reroofing/Boiler Replacement) \$9,820.00. (Enc.) Recreation.
4. DADAOU & STEVENS - Legal Services for November 1992. Inv. 12/01/92. From: A/C 210-826 (Counsel Services) \$11,795.66; A/C 335-818 (Contractual Services) \$40.00; A/C 536-818 (Contractual Services) \$176.00. Corp. Counsel, Fire, Water.
5. DEARBORN HEIGHTS SOCCER ASSOCIATION - Youth soccer allotments, Ck. request 11/19/92. From A/C 691-887 (Recreation Programs) \$2,394.00. Recreation.

6. D.O.C. CONTRACTING - NH/RV Wastewater Control Systems. Cert. No. 1, 11/13/92, Job No. DHT 2214-20. From A/C 537-973 (Sewers Capital Outlay) \$68,831.00. Water.
7. E T & C - Fall/Winter Dearborn Heights Today Newsletter. Inv. 40595, 11/06/92. From A/C 960-918-091 (Administration) \$2,817.45. (Enc.) Comm. Dev.
8. KARL'S EXCAVATING - Bridge removal & bank stabilization. Cert. No. 1, 11/20/92, Job No. DHT 2313-11. From A/C 960-946-091 (Bridge Removal) \$99,512.55. (Enc.) Comm. Dev.
9. MICHIGAN CONSTRUCTION - Jackson St. Bridge replacement. Cert. No. 1, 11/09/92, Job No. DHT 2313-14. From A/C 440-880 (Road Repairs) \$18,000.00. DPW.
10. M.M.R.M.A. - Final installment on deficit fund balance, C.M. 92-456. From A/C 200-911 (Insurance) \$145,000.00. Gen. Govt.
11. NEW WORLD SYSTEMS - Licensing final payment. Inv. 21704, 4/26/91. From A/C 258-981 (Capital Outlay) \$2,992.00. (Enc.) Data Proc.
12. OAKWOOD HOSPITAL - Worker Comp Physical Therapy Ellen Engberg. Ck. Request 11/12/92. From A/C 200-724 (Worker Compensation) \$1,727.63. Gen. Govt.
13. ROYAL ROOFING COMPANY - Canfield Center reroofing project. Cert. No. 2, 10/27/92, Job No. DHT 2343-02. From A/C 673-981-091 (Boiler/Reroofing) \$3,150.00. (Enc.) Recreation.
14. STAN'S GARAGE - Repair of vehicles. Several invoices. From A/C 371-932 (Repair & Maint) \$1,532.66. Bldg. & Eng.
15. STATE OF MICHIGAN - Resurfacing Telegraph in south end. Inv. AP-152621, 10/30/92. From A/C 440-880 (Road Repairs) \$17,191.00. DPW.
16. WADE-TRIM/ASSOCIATES - 1992 Sanitary Sewer Cleaning Program. Inv. 40650, 11/17/92, Job No. DHT 2224-21. From A/C 540-818 (Contractual Services) \$439.00. Water.
17. WADE-TRIM/ASSOCIATES - Boiler replacement at Eton Center. Inv. 40659, 11/17/92, Job No. 2352-02. From A/C 673-981-091 (Reroofing/Boiler Replacement) \$1,318.50. (Enc.) Recreation.
18. WADE-TRIM/ASSOCIATES - Bridge Removals. Inv. 40653, 11/17/92, Job No. DHT 2313-11. From A/C 960-946-091 (Bridge Removals) \$2,202.70. (Enc.) Comm. Dev.
19. WADE-TRIM/ASSOCIATES - Bridge removal & bank stabilization. Inv. 40726, 11/24/92, Job No. DHT 2313-10. From A/C 960-946-091 (Bridge Removal) \$10,080.48. (Enc.) Comm. Dev.
20. WADE-TRIM/ASSOCIATES - Canfield & Eton reroofing. Inv. 40655, 11/17/92, Job No. DHT 2343-02. From A/C 673-981-091 (Reroofing/Boiler Replacement) \$690.25. (Enc.) Recreation.
21. WADE-TRIM/ASSOCIATES - FY 93 Annual CHAS Report. Inv. 40633, 11/13/92, Job No. DHT 6155-06A. From A/C 960-918-092 (Administration) \$132.00. Comm. Dev.
22. WADE-TRIM/ASSOCIATES - Housing Impediments Study xtras cpys. Inv. 40588, 11/13/92, Job No. DHT 6165-06A. From A/C 960-918-092 (Administration) \$282.49. Comm. Dev.
23. WADE-TRIM/ASSOCIATES - Industrial Lease Bldg. watermain. Inv. 40657, 11/17/92, Job No. DHT 2347-02. From A/C XXX-255 (Jobs in Progress) \$457.75. Bldg & Eng.
24. WADE-TRIM/ASSOCIATES - Jackson St. Bridge replacement, Inv. 40487, 11/10/92, Job No. DHT 2313-13. From A/C 440-880 (Road Repairs) \$2,521.88. DPW.
25. WADE-TRIM/ASSOCIATES - Jackson St. Bridge replacement. Inv. 40654, 11/17/92, Job No. DHT 2313-14. From A/C 440-880 (Road Repairs) \$2,096.75. DPW.
27. WADE-TRIM/ASSOCIATES - Phase X Watermain. Inv. 40649, 11/17/92, Job No. DHT 2212-36. From A/C 960-925-091 (Watermain) \$2,942.00. (Enc.) Comm. Dev.
28. WADE-TRIM/ASSOCIATES - Preparation of Act 51 Report. Inv. 40713, 11/17/92, Job No. DHT 1001-92. From A/C 440-818 (Contractual Services) \$792.90. DPW.

29. WADE-TRIM/ASSOCIATES - Prepare updated Facility Planning Study. Inv. 40664, 11/17/92, Job No. DHT 2311-03. From A/C 536-818 (Contractual Services) \$703.25. Water.
30. WADE-TRIM/ASSOCIATES - Sewer Evaluation Survey & Flow Monitoring. Inv. 40532, 11/13/92, Job No. DHT 2311-04. From A/C 536-818 (Contractual Services) \$10,128.00. Water.
31. WADE-TRIM/ASSOCIATES - Warren Valley Golf Course watermain. Inv. 40492, 11/12/92, Job No. DHT 2357-02T. From A/C XXX-255 (Jobs in Progress) \$2,716.80. Bldg. & Eng.
32. WADE-TRIM/ASSOCIATES - Watermain Replacement Phase X. Inv. 40725, 11/24/92, Job No. DHT 2212-35. From A/C 960-925-091 (Watermain Replacement) \$8,512.54. (Enc.) Comm. Dev.
33. WAYNE COUNTY - GENERAL FUND ACCT - 90/91 Ecorse Creek Pollution Abatement. Inv. 33461, 10/03/91, Inv. 33254, 8/03/91. From A/C 537-927 (Ecorse Creek) \$117,755.52. Water.

Motion adopted.

- 92-606 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the qualified low bid from Johnson's Controls for Phase II of the Eton Senior Center Heating System in the amount of \$15,500.00, and payment thereof, be approved. Further, that the Treasurer be authorized to return bid bonds to the unsuccessful bidders, per Recreation Director Grybel, communication dated December 2, 1992.

Motion adopted.

- 92-607 Motion by Councilman Gary P. Blackburn, supported by Councilman Thomas W. Miles, that the City Council concurs with and approves extending the provisions of Professional Firefighters Union 1992-1996 contract to the Fire Chief, with the exception of the residency clause, per Mayor Van Houten, communication dated December 2, 1992.

Motion adopted.

- 92-608 Motion by Councilman Joseph V. Kosinski, supported by Councilman David C. Brunell, that the City Council concurs with and approves extending the terms and conditions of the 1990-1994 AFSCME contract to all non-union employees except department heads, per Mayor Van Houten, communication dated December 2, 1992.

Motion adopted.

- 92-609 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that

WHEREAS, the City of Dearborn Heights hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all

claims of every kind for injuries to, or death of any and all persons and, for loss of, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY'S facilities and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over, and/or under the State trunkline right of way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, its officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.

2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.

3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting or arising out of the installation, construction, operation, and/or maintenance of the GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.

4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.

5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that John Preston, Public Service Administrator, is hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within state trunkline rights of way on behalf of the GOVERNMENTAL BODY.

Per Mayor Van Houten, communication dated November 30, 1992.

Motion adopted.

92-610 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves designating Public Service Administrator Preston as Street Administrator for State Highway reporting purposes due to the retirement of Jack Sabin, per Mayor Van Houten, communication dated December 1, 1992.

Motion adopted.

92-611 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves disposing of a 24-inch RCA Color Television in use by Fairlane Christian School provided by the Cable Television Franchise Agreement between the City and Continental Cablevision as the television was damaged beyond repair, per Administrative Assistant Hitsky, communication dated December 1, 1992.

Motion adopted.

92-612 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the purchase of a Hewlette-Packard Model 7575A "D" size Computer Plotter from D.S.L. Computers for the Police Department's Administrative Services/Traffic Bureau, in the amount of \$2,700.00, be referred to Administration for review, per Councilman Gary P. Blackburn, communication dated December 3, 1992.

Motion adopted.

92-613 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the petition for the vacating of an alley, south of Warren Avenue, between Kingsbury and Colonial, be received, contents noted and filed.

Motion adopted.

92-614 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves the removal of a traffic signal at Joy Road and Arnold, per recommendation of Wayne County Department of Public Services, Division of Roads, per Captain Seipenko of the Police Department, communication dated November 18, 1992.

AYES: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman David C. Brunell, Councilman Joseph V. Kosinski, Councilman Thomas W. Miles.

NAYS: Council Chairman Daniel S. Paletko.

ABSENT: Councilwoman Ruth A. Canfield.

Motion adopted.

92-615 Motion by Councilman David C. Brunell, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the request from the Knights of Columbus to solicit funds on April 2, 3, and 4, 1993, communication dated November 18, 1992.

Motion adopted.

92-616 Motion by Councilman David C. Brunell, supported by Councilman Gary P. Blackburn, that the request for a new 1992-93 business license for The Arena, 23914 Ford Rd, be approved.

Motion adopted.

92-617 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 8:40 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL