

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

NOVEMBER 28, 2006

06-414 The meeting was called to order at 8:04 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present: Council Chair Elizabeth J. Agius, Councilwoman Janet S. Badalow, Councilman Kenneth R. Baron, Councilman Tom Berry, Councilman Bob Constan, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.
Absent: None.
Also Present: Mayor Paletko, Administrative Assistant Kramarz, Corporation Counsel Miotke, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Riedel, Building & Engineering Director Sobh, Fire Chief Gurka, Deputy Fire Chief Klovski, Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community & Economic Development Director Jamal, Librarian Deller, Assistant Emergency Coordinator Ankrapp.

The Pledge of Allegiance was led by Rose Solak.

Mayor Paletko, Rose Solak and Maria Ellul Langlois presented certificates to several area schools, businesses and residents who participated in tributes to veterans. Mrs. Krupa's 2nd Grade class at Kinloch Elementary School read acrostic poems. St. Anselm's Youth Group, Lou Ann Houser, Aco Hardware Heights Shopping Center, Ken Baron Florist, Walker's Speakeasy, Randy's Bar & Grill, Oxford Bowling Lanes, Postnet, Cutler Safe & Lock Company, Petco Animal Supplies, Studz Hardware and All American Ice Cream Shop & Deli.

Annual Garage Sale certificates to Jackie Mossaco, Linda Cavanagh, Wally Cavanagh, Joyce Schirra, Mike Reid, Walter Polskoy, Anthony & Kim Rzucidlo, John Sultana, Suzanne Todd, Richard Todd, Jennifer Johnson, Ted Bilou, John Espen, Sandy Bentley, Theresa Pertelli.

06-415 Motion by Councilman Baron, seconded by Councilman Constan, that the Agenda for the Regular Meeting of November 28, 2006, be approved as submitted.

Motion unanimously adopted.

06-416 Motion by Councilman Constan, seconded by Councilman Baron, that the Minutes from the Regular Meeting of November 14, 2006, be approved as submitted.

Motion unanimously adopted.

06-417 Motion by Councilwoman Horvath, seconded by Councilman Berry, that Current Claims 6-1 through 6-22, be approved excluding 6-3 (Electrical Power & Design, Inc.) be referred to a Study Session with all parties requested to attend (EP & D, Court, Police, Comptroller).

1. UNIVERSITY ORTHOPAEDICS – Service 03/09 – 06/27/06 – Inv. 9000646851 dated 10/23/06 from A/C 101-200-724-000 (Workers Comp) \$5,207.62. General Govt.
2. BEST ASPHALT – Pavement Repairs Ann Arbor Trail – Inv. Number 16141 dated 11/09/06 from A/C 203-203-880-500 (Street Repair) \$20,300.00 Local Streets
4. FILEONQ – Software Maintenance & Support – Inv. 1683 dated 11/04/06 from A/C 101-300-818-000 (Contr. Service) \$4,394.25. Police Dept.
5. HAMILTON ANDERSON ASSOCIATES, INC. – Services Provided For Master Plan – Inv. #7 dated 10/31/06 from A/C 103-960-918-206 (Admin) \$4,986.15. CDBG
6. HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. Number 104 dated 11/17/06 from A/C 101-440-820-000 (Trees) \$8,919.90. DPW-Highway
7. HYDRO DESIGNS, INC. – Cross Connection Program – Inv. Number 0014632-IN dated 10/31/06 from A/C 592-536-817-000 (Prof. Service) \$3,074.00. Water Dept
8. GARY MIOTKE – Legal Services for October 2006 – Inv. dated 11/17/06 from A/C 101-210-826-000 (Counsel Serv.) \$8,654.25. Corporation Counsel
9. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. Number 2312 dated 11/16/06 from A/C 592-540-818-030 (Sewer Cleaning) \$13,279.00. Water Dept.
10. NEW IMAGE BUILDING SERVICES, INC. – Cleaning Services – Inv. Number 35707 dated 11/01/06 from A/C 738-738-931-000 (Bldg. Maint.) \$2,214.00. Library
11. PLANTE & MORAN – Accounting & Auditing Services – Inv. Number 195101 dated 11/08/06 from A/C 592-536-817-000 (Prof. Consult.) \$2,175.00. Water
12. PRITULA & SONS – Emergency Sewer Repair – Inv. 1206 & 1207 dated 10/22/06 from A/C 592-540-818-020 (Contr. Serv.) \$16,168.00. Water Dept.
13. R & R FIRE TRUCK REPAIR – Repairs to Fire Vehicles – Inv. Number 030418 dated 10/27/06 from A/C 101-335-932-000 (Repairs) \$6,438.05. Fire Dept.
14. SECREST, WARDLE – Legal Services for October 2006 – Inv. dated 11/10/06 from A/C 101-210-826-000 (Counsel Serv.) \$7,443.83. Corporation Counsel
15. SOMMERS, SCHWARTZ – Professional Services for Water/Sewer Oct 2006 – Inv. Number 199914 dated 11/07/06 from A/C 592-536-817-000 (Prof/Consult) \$1,872.00. Water Dept.

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16. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging October 2006 – Inv. dated 11/09/06 from A/C 101-200-868-000 (Prisoners) \$5,444.95. General Govt.
17. THE LIBRARY NETWORK – Book Charges – Inv. Number A34132 dated 10/24/06 from A/C 738-738-827-100 (Library Books) \$1,670.36. Library Dept.
18. TMP ARCHITECTURE – Professional Services Berwyn Center Plumbing – Inv. Number 20270 dated 10/31/06 from A/C 103-960-963-204 (Berwyn Improv.) \$3,024.00. CDBG
19. TRYBUSKI'S LANDSCAPING – Grass & Weed Cutting Charges – Various Inv. dated November 2006 from A/C 101-200-963-000 (Grass/Weed) \$4,366.41. Bldg. Eng.
20. VANOVERBEKE, MICHAUD & TIMMONY – Legal Services for July - Sept 2006 – Inv. dated 10/30/06 from A/C 101-200-817-000 (Prof Serv.) \$2,503.25. General Govt.
21. WASTE MANAGEMENT – Roll Off Services for DPW – Inv. Number 2752049 dated 11/01/06 from A/C 101-200-810-000 (Sanitation) \$1,500.00. General Govt.
22. WAYNE COUNTY – ACCOUNTS RECEIVABLE – Library Charges for March – June 2006 – Inv. Number 2235511 dated 09/08/06 and Inv. Number 235510 dated 09/08/06 from A/C 738-202-000 (Accts Payable) \$131,501.83. Library

Motion unanimously adopted.

- 06-418** Motion by Councilman Baron, seconded by Councilman Berry, that the communication from Mayor Paletko, dated November 20, 2006 re: Library Advisory Board Appointments of:

Tim Powers, 8467 Riverdale, term to expire February 2009; John Zadikian, 23515 Powers, term to expire February 2007; Emmy Peck, 6739 Plainfield, term to expire February 2007; Sherry Kosko, 4165 Katherine, term to expire February 2008 and Eulalia Colon, 6805 Country Lane, term to expire February 2008, be received, contents noted and filed.

Motion unanimously adopted.

- 06-419** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council adopts the 2006-07 Water Department Budget, in the amount of \$18,935,396.00, per Mayor Paletko, communication dated November 20, 2006.

Motion unanimously adopted.

- 06-420** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Council concurs with and approves the U.S. Department of the Interior U.S. Geological Survey Joint Funding Agreement for Water Resources Investigations to maintain the operation of a steamgaging station on the Ecorse River, from October 1, 2006 to September 30, 2007, for a cost of \$13,600.00, per Mayor Paletko, communication dated November 20, 2006. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 06-421** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council adopts the Resolution in Opposition to House Bills 6410 through 6413 Legalization of Fireworks for Public Use as follows:

WHEREAS, the City of Dearborn Heights receives numerous complaints about the use of illegal fireworks; and

WHEREAS, THE City of Dearborn Heights has done many education programs, many in conjunction with the County of Wayne on the danger connected to illegal fireworks; and

WHEREAS, House Bills 6410-6413, in their current form, will legalize too many fireworks for the general public use and/or which could cause injury to individuals and damage to property; and

WHEREAS, the Downriver Fire Chiefs, Michigan State Marshall and the Michigan Association of Fire Chiefs oppose this legislation as currently written;

THEREFORE, BE IT RESOLVED, that the Mayor and the City Council of the City of Dearborn Heights goes on record as opposing House Bills 6410 through 6413 relating to the legalizing the public use of certain fireworks; and

FURTHER BE IT RESOLVED, a copy of this Resolution is sent to our Michigan Legislators representing the City of Dearborn Heights and surrounding communities, per Mayor Paletko, communication dated November 20, 2006.

Motion unanimously adopted.

- 06-422** Motion by Councilwoman Badalow, seconded by Councilman Baron, that the City Council concurs with and approves the Fire Department Flashover Training Program, provided by

Oakland Community College CREST (Combined Regional Emergency Services Training), at a cost of \$7,800.00, and payment thereof, per Mayor Paletko, communication dated November 20, 2006.

Motion unanimously adopted.

- 06-423** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council concurs with and approves ADP, 16901 Michigan Avenue, Dearborn, MI 48126, to handle the City's payroll needs and to implement the start up, at a cost of \$4,000.00, per Comptroller Barrow, communication dated November 20, 2006.

Aye: Council Chair Agius, Councilwoman Badalow, Councilman Baron, Councilman Berry, Councilman Constan, Councilwoman Van Houten.

Nays: None.

Absent: None.

Abstain: Councilwoman Horvath.

Motion adopted.

- 06-424** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves amending the request to purchase twenty-two (22) Ready Buckle Kits to thirty-eight (38) Ready Buckle Kits, which will include an additional \$4,000.00 to cover the cost for all 38 cars, from the sole provider of this equipment, Cynergy Wireless, 2300 Bellingham Drive, Troy, MI 48083, at a cost of \$250.00 each, total cost \$9,500.00, and payment thereof, per Police Chief Gust, communication dated November 14, 2006. Funds for this purchase are allocated in the departments Capital Outlay account and an MMRMA Grant Program reimbursement. The Administration to come up with the additional \$4,000.00 shortfall.

Motion unanimously adopted.

- 06-425** Motion by Councilman Berry, seconded by Councilman Constan, that the City Council concurs with and approves Permanent Traffic Control Device Request T-167, replacement of existing speed limit signs from 25 miles per hour to "30 Miles Per Hour" between Outer Drive and Garling Drive. The Police Department has received many requests from citizens to increase speed limit.

Motion unanimously adopted.

- 06-426** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the following rates for legal services provided by Secrest Wardle and Gary T. Miotke to the City:

1. Half-day District Court: \$400.00;
2. Full-day District Court: \$650.00;
3. All other services other than District Court: \$120.00 per hour, per Corporation Counsel Miotke, communication dated November 8, 2006. Further, such rates would continue to be charged consistent with existing customs pertaining to the billing for legal services. New rates effective November 1, 2006.

Motion unanimously adopted.

- 06-427** Motion by Councilman Constan, seconded by Councilwoman Van Houten, that the City Council concurs with the recommendation and appoints Mr. Ed Schulte, 5356 Jackson, Dearborn Heights, MI 48125 to the Parks & Recreation Commission, term to expire September 30, 2009, per Recreation Director Grybel, communication dated November 6, 2006.

Motion unanimously adopted.

- 06-428** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs and approves amending the 2005-2011 Recreation Master Plan to include the Central Park Baseball Field Modification Project in the year 2006-2007, per Recreation Commission President O'Sullivan, communication dated November 7, 2006. Further, that a copy of this motion be forwarded to the Michigan Department of Natural Resources to be included in the Plan on file with the State.

Motion unanimously adopted.

- 06-429** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council accept the resignation of Councilman Bob Constan, effective December 31, 2006.

Motion unanimously adopted.

- 06-430** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the City Council concurs with and approves the printing and mailing of fliers announcing the Water Bill Automatic Payment Program by The Markers Group, P O Box 47, Northville, MI 48167, in the amount of \$1,627.00 for 30,000 copies, and payment thereof, per Treasurer John J. Riley, communication dated November 17, 2006. Estimated cost for mailing \$3,093.09, mailings outside Dearborn Heights \$275.00 for an total estimate of \$5,000.00.

Motion unanimously adopted.

- 06-431** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves the following adjustments to water and sewer bills for residential and commercial users, mailed after December 1, 2006 as follows:

Residential/Bi-monthly Billing	Current	Proposed	% Change
Water rate per 1,000 cubic feet	\$19.40	\$22.25	14.69%
Sewer rate per 1,000 cubic feet	28.70	29.20	1.74%
Meter maintenance & billing charge	4.50	4.50	
Minimum Bill (based on 400 cubic feet)	\$23.74	\$25.08	
Commercial-Monthly Billing	Current	Proposed	% Change
Water rate per 1,000 cubic feet	\$19.40	\$22.25	14.69%
Sewer rate per 1,000 cubic feet	28.70	29.20	1.74%
Meter maintenance & billing charge:			
3/4" and 5/8" meter	2.25	2.25	
1" meter	3.00	3.00	
1 1/2" meter	4.05	4.05	
2" meter	5.45	5.45	

The minimum commercial monthly billings will be based on 800 cubic feet, per Plante & Moran, PLLC, 27400 Northwestern Highway, P O Box 307, Southfield, MI 48037-0307, communication dated November 10, 2006.

Motion unanimously adopted.

- 06-432** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Proposed Maximum Audit Fees for June 30, 2007 Audit to be Paid in Fiscal Year Ending June 30, 2008, \$83,960.00, per Plante & Moran, PLLC, 27400 Northwestern Highway, P O Box 307, Southfield, MI 48037-0307, communication dated November 10, 2006. Further, Statements on Auditing Standards #99 and recurring GAS #34 \$6,950 - \$8,670.00 and any special services based on hourly rates which average \$134.00 per hour.

Motion unanimously adopted.

- 06-433** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the business license renewal for Tailgaters Sports Bar & Grill, 25380 Van Born Road, be approved.

Motion unanimously adopted.

- 06-434** Motion by Councilman Berry, seconded by Councilman Constan, that the City Council concurs with and approves the rezoning request at the northeast corner of Drexel and George Streets, specifically Lots 226 to 228 and 249 to 256 Murphy Brothers Martin Subdivision and west 1/2 adjacent vacated alley from R-1A (single family residential) to RM/RMA (multiple family residential). PC-06-03

Motion unanimously adopted.

- 06-435** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that Corporation Counsel be authorized to prepare the proper ordinance (H-06-07) for the rezoning of Lots 226 to 228 and 249 to 256 Murphy Brothers Subdivision.

Motion unanimously adopted.

- 06-436** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:09 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
COUNCIL CHAIR

MARIA E. LAWRENCE
COUNCIL SECRETARY