

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

NOVEMBER 26, 2002

02-469 The meeting was called to order at 8:01 p.m. by Council Chair Daniel S. Paletko.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Kenneth R. Baron, Councilwoman Janet S. Badalow, Councilman Bob Constan, Councilwoman Margaret M. Horvath, Council Chair Daniel S. Paletko, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Canfield, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Comptroller Barrow, Assessor Riedel, Interim Building & Engineering Director Lamontagne, Police Chief Gust, Deputy Fire Chief McElroy, Recreation Director Grybel, Public Service Administrator Blackburn.

The Pledge of Allegiance was led by Councilwoman Janet Badalow.

02-470 Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the Agenda for the Regular Meeting of November 26, 2002, be approved as submitted.

Motion unanimously adopted.

02-471 Motion by Councilwoman Agius, seconded by Councilman Baron, that the Minutes from the Regular Meeting of November 12, 2002, be approved as submitted.

Motion unanimously adopted.

02-472 Motion by Councilman Baron, seconded by Councilwoman Agius, that Current Claims 6-1 through 6-27, be approved as submitted.

1. ACCUMED BILLING, INC. - Ambulance Billing October 2002 - Inv. dated 11/07/02 from A/C 101-000-626-000 (Ambulance) \$3,326.44. General Govt.
2. ANGELO IAFRATE CONSTRUCTION - Warren Avenue Streetscape Construction - Cert. #2 dated 11/19/02 from A/C 103-960-944-200 (Warren Ave.) \$402,700.64. CDBG.
3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt and Services October/November - Inv. dated 11/13/02 from A/C 101-200-810-000 (Sanitation) \$194,042.14. General Govt.
4. CUMMINGS, MCCLOREY, DAVIS.... - Legal Matter Water October 2002 - Inv. 38451 dated 11/06/02 from A/C 592-536-817-000 (Prof/Consult) \$4,755.00. General Govt.
5. CUMMINGS, MCCLOREY, DAVIS.... - Legal Matter August 2002 - Inv. 35991 dated 09/09/02 from A/C 101-210-826-000 (Counsel Serv.) \$3,306.00. Corp. Counsel.
6. GARY MIOTKE - Legal Matters October 2002 - Inv. dated 11/05/02 from A/C 101-210-826-000 (Counsel Serv.) \$8,318.75. Corp. Counsel.
7. SECREST, WARDLE, LYNCH - Legal Matters August/September 2002 - Inv. 1056139 dated 09/18/02 and Inv. 1060222 dated 10/14/02 from A/C 101-210-826-000 (Counsel Serv.) \$6,439.00. Corp. Counsel.
8. E & N CEMENT - Pavement Repairs (2) Inv.'s dated 11/02/02 and 11/16/02 from A/C 203-203-880-300 (Streets) \$44,003.65 and A/C 592-537-818-000 (Contract Services) \$60,477.81. DPW-Highway.
9. ELLEFSON BUILDING DEMO - Clean Up 20534 Annapolis and Debris Removal - Inv. 1165 dated 11/13/02; 1164 dated 11/01/02 and 1166 dated

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- 11/18/02 from A/C 101-200-810-000 (Sanitation) \$28,000.00 and A/C 101-371-818-010 (Demo) \$5,825.00. General Govt.
10. GARDEN CITY HOSPITAL - Leg Surgery R Smith - Ck. Req. Dated 10/31/02 from A/C 101-200-724-000 (Workers Comp.) \$6,081.12. General Govt.
 11. HEIGHTS TREE SERVICE - Tree Trimming & Removals - Inv. #2 dated 11/03/02 and Inv. #3 dated 11/17/02 from A/C 101-440-820-000 (Trees) \$7,090.00. DPW-Highway.
 12. IDEAL SHIELD - Various Street Signs - Various Inv.'s from A/C 101-440-787-000 (Street Signs) \$12,076.50. ENC. DPW-Highway.
 13. J & B PAVING - Resurface/Stripe Two (2) Parking Lots - 24522 Warren and 24518 Warren from A/C 101-371-818-010 (Demo) \$4,503.70. Bldg./Eng.
 14. PIPELINE MAINTENANCE - Catch Basin & Storm Sewers Warren Avenue - Inv. 10248 dated 11/15/02 from A/C 103-960-944-200 (Warren Ave.) \$5,250.00. CDBG.
 15. PLANTE & MORAN - Accounting Services & Act 312 ARB Work - Inv. 862699 and 862701 dated 11/11/02 from A/C 101-200-817-000 (Prof/Consult) \$5,715.00 and A/C 592-536-814-000 (Prof/Consult) \$2,360.00. General Govt.
 16. R & R TRUCK REPAIR - Repair Unit DH-1221 - Inv. 20700 dated 11/05/02 from A/C 101-335-932-000 (Repairs) \$2,630.23. Fire Dept.
 17. RED HOLMAN PONTIAC - Replace Two (2) Sensor - Inv. 364953 dated 11/14/02 from A/C 101-335-932-000 (Repairs) \$1,860.61. ENC. Fire Dept.
 18. REHABILITATION INSTITUTE - Rehab Rod Smith - Ck. Request dated 10/25/02 from A/C 101-200-724-000 (Workers Comp.) \$2,848.35. General Govt.
 19. STATE OF MICHIGAN - MDOT - Progress Billing Evergreen & Southfield - Inv. AP 249673 and AP 249620 dated 11/05/02 from A/C 202-202-880-300 (Streets) \$21,733.85. Major Streets.
 20. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging October 2002 - Inv. dated 11/12/02 from A/C 101-200-868-000 (Prisoners) \$8,203.80. General Govt.
 21. WADE-TRIM/ASSOCIATES - Berwyn & Eton Parking Lots - Inv. 75945 dated 11/15/02 from A/C 103-960-963-202 (Berwyn) \$3,269.62 and A/C 103-960-962-202 (Eton) \$3,269.62. CDBG.
 22. WADE-TRIM/ASSOCIATES - Warren Ave. Streetscape Inspector Days - Inv. 75854 dated 11/19/02 from A/C 103-960-944-200 (Warren Ave.) \$27,695.00. CDBG.
 23. WADE-TRIM/ASSOCIATES - Warren Ave. Facade Pattern Amendment - Inv. 75870 dated 11/13/02 from A/C 103-960-944-200 (Warren Ave.) \$700.00. CDBG.
 24. WADE-TRIM/ASSOCIATES - Southfield Service Drive Contract - Inv. 75734 dated 10/21/02 from A/C 202-202-880-300 (Streets) \$9,896.82. Major Streets.
 25. WADE-TRIM/ASSOCIATES - Downriver Technical Assistance - Inv. 75746 dated 01/21/02 dated 01/21/02 from A/C 592-XXX-154-000 (Sewers) \$863.00. Water Dept.
 26. WADE-TRIM/ASSOCIATES - Site Review, Engineering Services, Plot Plan - Inv. 75810 and 75813 dated 10/29/02 and Inv. 75739 and 75740 dated 10/21/02 from A/C 101-371-809-000 (Eng. Services) \$3,515.10. Bldg./Eng.
 27. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Area 3 Sewage Disposal - Inv. 212967 dated 11/12/02 from A/C 592-537-929-000 (Disposal) \$12,770.67. Water Dept.

Motion unanimously adopted.

- 02-473** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Water Department Budget for fiscal year 2002-2003 in the amount of \$16,741,036.00; the Major Streets Budget for fiscal year 2002-2003 in the amount of \$6,218,846.00 and the Local Streets Budget for fiscal year 2002-

2003 in the amount of \$1,696,500.00, per Mayor Canfield, communication dated November 20, 2003.

Motion unanimously adopted.

- 02-474** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the minimum water and sewer rate increases necessary to maintain sufficient working capital as follows:

	Current Rate	Proposed Rate	Percent Change
Residential/Bi-monthly Billing			
Water rate per 1,000 cubic feet	\$15.45	\$17.45	12.9%
Sewer rate per 1,000 cubic feet	20.26	22.90	13.0
Meter maintenance & billing change	4.50	4.50	
Minimum Bill	\$25.93	\$28.71	
Commercial-Monthly Billing			
Water rate per 1,000 cubic feet	\$15.45	\$17.45	12.9%
Sewer rate per 1,000 cubic feet	20.26	22.90	13.0%
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	

per, Plante & Moran and Mayor Canfield, communication dated November 15, 2002 and November 20, 2002. This rate increase will become effective with billings mailed after November 30, 2002.

Motion unanimously adopted.

- 02-475** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Dearborn Heights Supervisors Association contract effective July 1, 2002 through June 30, 2005, per Mayor Canfield, communication dated November 20, 2002. Further, the Mayor and Clerk be authorized to sign on behalf of the City.

Motion unanimously adopted.

- 02-476** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the Michigan Suburbs Alliance Resolution in Support of Joining the Michigan Suburbs Alliance and the Fix it First Infrastructure Policy for the State of Michigan, and payment thereof, be adopted as follows:

Resolution In Support of Joining the Michigan Suburbs Alliance

WHEREAS: The State of Michigan's municipal finance, infrastructure and economic development policies have encouraged unending outward expansion via the construction of new subdivisions and shopping centers in areas that were until recently farmlands and open space;

WHEREAS: Southeast Michigan's rapid outward development encourages racial and economic segregation and threatens the viability of numerous established cities, which are losing population, business activity and tax base as residents are induced to move to new subdivisions on the region's fringe;

WHEREAS: Older suburbs in southeast Michigan are at a crossroads similar to the situation that confronted Detroit a generation ago, as they struggle to maintain their quality of life in the face of aging infrastructure, growing numbers of needy residents and diminished revenues;

WHEREAS: The deteriorating fiscal condition of government at all levels requires communities to work together more closely to ensure that taxpayer resources are invested wisely and with a maximum return in the form of needed services that promote a livable community for every resident;

WHEREAS: The Michigan Suburbs Alliance (MSA) has organized for the purpose of:

- Enabling cities to cooperate in addressing the root causes of the social, economic, fiscal and environmental crisis in our regions,
- Informing collective understanding about the challenges facing older urban and suburban areas, and
- Developing policy solutions to equip the region to meet the needs of our communities on a long-term basis;

WHEREAS: The MSA seeks to harness the political power of 1.5 million people residing in Detroit's suburbs to demand a stop to the systematic disinvestment in older cities and to insist on fairness and wisdom in the allocation of federal, state and local resources;

WHEREAS: The MSA seeks broader alliances based on numerous areas of common interest that can unite the city of Detroit and the established suburbs in support of policies that recognize the value of our communities.

Now, Therefore be it Resolved that the City Council of the City of Dearborn Heights:

Authorizes the Mayor to join the Michigan Suburbs Alliance on behalf of the City of Dearborn Heights, to participate in the activities of the MSA and to pay annual dues to the MSA in the amount of 5 cents per capital of City population.

City Council Resolution in Support of a Fix It First Infrastructure Policy for the State of Michigan

WHEREAS: The number of cities in southeast Michigan experiencing severe fiscal stress, including zero or negative fund balances and the potential for insolvency, has risen substantially in the past two years and is expected to increase further during the next decade;

WHEREAS: To address fiscal shortfalls, cities across southeast Michigan face the prospect of severe budget cuts that will result in reduction or elimination of vital municipal services, including police, fire, emergency response, public health, recreation and numerous other programs;

WHEREAS: In the aftermath of the tragedy of September 11, 2001, the federal government has stated that local governments are this nation's first line of defense in Homeland Security and, accordingly, has allocated (without sufficient funding) increased responsibility to local government to protect our citizens and communities from terrorist attack;

WHEREAS: In southeast Michigan during the past 10 years, the area of developed land grew by 30% while the population of the region rose by just 6%, drastically expanding the scope of regional development and the expected cost of serving that development with public infrastructure and services;

WHEREAS: The cost of building, maintaining and repairing Metro Detroit's road, bridge, sewer and water infrastructure during the next 20 years will exceed available state and local revenues by \$76 billion, according to the Southeastern Michigan Council of Governments (SEMCOG);

WHEREAS: Nearly 30% of bridges in southeast Michigan are classified as being in "poor" condition or worse, according to a comprehensive inventory of bridges in the region released by SEMCOG in 2002, and Michigan was ranked 9th worst in the nation at maintaining its bridges;

WHEREAS: An aging sewerage and water system that is plagued by capacity shortfalls and other problems has contributed significantly to river and lake pollution, flooded basements, insufficient water pressure and numerous sewer line breaks;

WHEREAS: The massive burden of maintaining and repairing southeast Michigan's existing infrastructure threatens the financial future of many communities, which are already under heavy fiscal pressure;

WHEREAS: Infrastructure and economic development policies pursued by the State of Michigan have encouraged unending outward expansion via the construction of new subdivisions and shopping centers in areas that were until recently farmlands and open space;

WHEREAS: Southeast Michigan's rapid outward development, which is encouraged by road expansions, sewer line extensions and other public infrastructure investments, threatens the future viability of numerous mature urban and suburban cities, which are losing population, business activity and tax base as individuals and families are induced to move to newer subdivisions on the region's fringe;

WHEREAS: According to a study conducted by the Wharton School of Business Administration at the University of Pennsylvania, the average cost of building a new home that required new roads and water and sewer extensions is \$50,000 more than the cost of building the same new home in an area served by existing roads, sewers and water systems;

WHEREAS: The State of Michigan and its communities can no longer afford to promote inefficient and extravagant development patterns associated with building new infrastructure to support outward expansion that far exceeds the needs of current or projected population growth.

Now, Therefore be it Resolved that the City Council of the City of Dearborn Heights:

Calls on all candidates for the Office of Governor of the State of Michigan, State Representative, State Senate, U.S. House of Representatives and U.S. Senate to commit to supporting enactment and implementation of a Fix It First Policy regarding the use of federal and state funds in the State of Michigan for road, bridge, sewerage and water system infrastructure, which contains the following elements:

1. 90% of all state infrastructure spending shall be dedicated to repairing,

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rebuilding and maintaining existing roads, bridges, sewerage systems and water systems in Michigan;

2. Establishment of a mechanism to ensure that all new commercial and residential developments in the State of Michigan pay 100 percent of the costs of any new road building or water or sewer service extensions required by such development;
3. Creation of Priority Development Areas that focus economic development activities, such as infrastructure enhancements and investment incentives, on established Metro Detroit cities, per Mayor Canfield, communication dated November 20, 2002.

Motion unanimously adopted.

- 02-477** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the City Council concurs with and approves the extension of the Downriver Sewer System Joint Management Committee Memorandum of Understanding, per Mayor Canfield, communication dated November 20, 2002.

Motion unanimously adopted.

- 02-478** Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that the Library Recommendation Resolution be adopted as follows:

Whereas, the Dearborn Heights Library Advisory Board has asked the Mayor and City Council for direction on the construction and location of a library or libraries in the City of Dearborn Heights; and

Whereas, the Mayor and the City Council met on Friday, November 8, 2002 to discuss the request and receive reports from the City Attorney, the Architect and the Tax Increment Finance authority (TIFA), and other interested parties;

Therefore Be It Resolved, the Dearborn Heights City Council is prepared to make the following recommendations to the Dearborn Heights Library Advisory Board:

1. The City Council would recommend the construction of two facilities with the John F. Kennedy library being expanded to approximately 12,000 square feet and a new facility be built on the site of the Caroline Kennedy library to a size of approximately 30,000 square feet.
2. The facility at the current John F. Kennedy, Jr. library would not be a duplicate of the main facility but rather a unique technological facility, which would be constructed using TIFA funds.
3. The main facility would be located at the current Caroline Kennedy library site.

Be It Further Resolved, this recommendation is a result of two attorney letters which indicate the ballot language called for libraries and would require us to have multiple facilities, the fact a site plan for the Canfield Center did not permit the construction of a library at the site without significant disruption to existing facilities and the library to be constructed at the site, and the commitment which was made by TIFA, and finally it was our desire not to fund duplicate facilities, per Council Chair Paletko, communication dated November 20, 2002. Further, a progress report be presented to the City Council by the Library Advisory Board in March 2003.

Motion unanimously adopted.

- 02-479** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Lot

Split Request from Eric Watland, 4430 Polk and Anthony Indelecato, 4402 Polk for parcels 33-050-01-0565-302; 33-050-01-0566-300 and 33-050-01-0567-300 all contained in Watsonia Park Sub., Liber 49, Page 20 and 21, Wayne County Records and create the following parcels in Watsonia Park Sub.:

1. Lot 565 also S ½ Lot 566 also E ½ of adjacent vacated alley Watsonia Park Sub., T2S, R10E, L 49, P 20, 21 WCR;
2. Lot 566 excluding the S ½ also Lot 567 also E ½ of adjacent vacated alley Watsonia Park Sub., T2S, R10E, L 49, P 20,21, WCR, per Deputy Assessor Cooper, communication dated November 19, 2002.

Motion unanimously adopted.

- 02-480** Motion by Councilman Constan, seconded by Councilwoman Horvath, that the City Council concurs with and approves Certificate Payment Request #7 for the Parkland Park Phase III Renovation Project to ABC Paving Company 2650 Van Born Road, Trenton, MI 48183, in the total amount of \$36,431.24, and payment thereof, per Recreation Director Grybel, communication dated November 8, 2002. Monies for this payment request are available thru the MDNR CMI Grant. Further, this is the final payment and completion of Phase III.

Motion unanimously adopted.

- 02-481** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the City Council concurs with and approves an Equipment Lease Agreement with Ricoh Business Systems, Inc., 2119 Austin Avenue, Rochester Hills, MI 48309, for one AFICIO 1027 copier for the Canfield Community Center, in the amount of \$188.80 per month for 36 months, per Recreation Director Grybel, communication dated November 19, 2002. Further that the Mayor be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 02-482** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council rescind CM 02-048 (Equipment Lease Agreement Model 1022 Copier with Ricoh Business Systems, Inc.), per Recreation Director Grybel, communication dated November 19, 2002.

Motion unanimously adopted.

- 02-483** Motion by Councilwoman Badalow, seconded by Councilman Baron to approve the revised Lease Agreement with Ricoh Business Systems, Inc., 2119 Austin Avenue, Rochester Hills, MI 48309, for one AFICIO 1022 copier for the Eton Senior Citizen Center, in the amount of \$172.00 per month for 48 months, per Recreation Director Grybel, communication dated November 19, 2002.

Motion unanimously adopted.

- 02-484** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the CLEMIS Live Scan Agreement between Oakland County (1200 N Telegraph Road, Department 421, Pontiac, MI 48341-0421) and the City of Dearborn Heights, at an annual fee of \$5,500.00, for the maintenance service and preventative maintenance service, of said equipment, per Police Chief Gust, communication dated October 29, 2002. Further, that the Mayor and City Clerk sign the Agreement on behalf of the City.

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Motion unanimously adopted.

- 02-485** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves a contract extension with E & N Cement Company, 23938 Woodham, Novi, MI 48374, for repairs and replacement of concrete and structures at various locations throughout the City, commencing July 1, 2003 through June 30, 2006 with a 2% increase each year on July 1, 2003, July 1, 2004 and July 1, 2005, per Public Service Administrator Blackburn, communication dated November 18, 2002.

Motion unanimously adopted.

- 02-486** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the communication from the Tax Increment Finance Authority, dated November 19, 2002 re: Support and commitment to the improvements at the John F. Kennedy Library, be received, contents noted and filed.

Motion unanimously adopted.

- 02-487** Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the transfer of ownership of 2000 Class C Licensed Business (in escrow) with Official Permit (Food) from Miroljub Mitkovski (Regal Family Dining) be referred to Treasurer Riley and Corporation Counsel Miotke.

Motion unanimously adopted.

- 02-488** Motion by Councilwoman Badalow, seconded by Councilman Constan, that the City Council accept Council Chairman Daniel S. Paletko's resignation as Chairman of the City Council effective this evening, November 26, 2002.

Motion unanimously adopted.

At this time, City Clerk Robbins asked the Council for nominations to replace Chairman Paletko.

Councilman Paletko nominated Councilwoman Agius.

Councilwoman Van Houten nominated Councilwoman Horvath. Councilwoman Horvath declined.

Councilwoman Horvath nominated Councilman Baron.

City Clerk Robbins asked if there were any other nominations, any other nominations, any other nominations. A vote was called.

Councilwoman Van Houten voted Baron.

Councilman Constan voted Agius.

Councilwoman Horvath voted Baron.

Councilman Paletko voted Agius.

Councilwoman Badalow voted Agius.

Councilwoman Agius voted Agius.

Councilman Baron voted Baron.

Clerk Robbins announced by a vote of 4 to 3 that Councilwoman Agius was the new Council Chairwoman.

Council Chairwoman Agius opened nominations for the position of Council Pro Tem.

Councilwoman Horvath nominated Councilman Baron.

- 02-489** Motion by Councilman Paletko, seconded by Councilwoman Horvath, to close nominations and that a unanimous vote be given to Councilman Ken Baron for the position of Chairman Pro Tem.

Motion unanimously adopted.

- 02-490** Motion by Councilman Paletko, seconded by Councilman Baron, that the meeting be adjourned.

The meeting adjourned at 9:01 p.m.

JOYCE A. ROBBINS
CITY CLERK

DANIEL S. PALETKO, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY