

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

NOVEMBER 23, 2010

10-394 The meeting was called to order at 8:35 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Ned Apigian, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilwoman Margaret M. Horvath, 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, Community & Economic Development Director Amen, Comptroller Barrow, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, Emergency Management Director Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perry, Library Director Mccaffery, Police Chief Gavin, Public Service Administrator Franzil, Recreation Director Grybel.

The Pledge of Allegiance was led by the Goodfellows poster contest winners Franco DiPietro, Douaa Khalil, and Ryan Schafrank.

Goodfellow President Lee Gavin and Goodfellow Board Member, John Zadikian presented gift certificates to the top three winners of the Goodfellow Poster Contest.

3rd Place - \$25.00 Target Gift Certificate; 2nd Place - \$50.00 Target Gift Certificate; 1st Place - \$100.00 Target Gift Certificate

10-395 Motion by Councilwoman Badalow, seconded by Councilman Berry, that the Agenda for the Regular Meeting of November 23, 2010, be approved as submitted.

Motion unanimously adopted.

10-396 Motion by Councilwoman Agius, seconded by Councilman Berry, that the Minutes from the Regular Meeting of November 9, 2010, be approved as submitted.

Motion unanimously adopted.

10-397 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that Current Claims 6-1 through 6-22, be approved as submitted.

1. A-LAND CONSTRUCTION – Cement Repairs Water Main Breaks – Inv. dated 10/10 from A/C 592-537-818-000 (Contract Services) \$4,990.00. Water Dept.
2. ACCUMED BILLING, INC. – Rescue Runs October 2010 – Inv. dated 11/01/10 from A/C 101-000-626-000 (Rescue Runs) \$5,813.18. General Govt.
3. AMERICAN EAGLE PRECAST, LLC – Install New I-Beam and C-Channel – Inv. 4624 dated 10/29/10 from A/C 592-536-931-000 (Repair/Maint) \$1,600.00. Encumbered - Water Dept.
4. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Waste Removal & Operation October 2010 – Inv. dated 10/31/10 from A/C 101-200-810-000 (Sanitation) \$70,565.79. General Govt.
5. CITY OF DEARBORN – Water/Sewage Used 1st Quarter Billing – Inv. 14887 dated 11/02/10 from A/C 592-537-929-000 (Sewage) \$20,402.23 and A/C 592-537-928-000 (Water) \$1,864.84. Water Dept.
6. COMPUTER TECHNOLOGIES, INC. – Data Processing – Inv. 70706 dated 11/05/10 and 70707 dated 11/12/10 from A/C 101-258-932-000 (Repair/Maint) \$3,740.00 and A/C 592-536-932-000 (Repair/Maint) \$170.00. Data Processing
7. CORPORATE CLEANING GROUP, INC. – Cleaning Tile Grout and Floors – Inv. 7700 dated 10/28/10 from A/C 101-300-818-000 (Contract Services) \$2,443.88 and A/C 101-130-932-000 (Repair/Maint) \$1,231.12. Justice Center
8. CUMMINS BRIDGEWAY – Repair Fire Vehicle – Inv. 013-48458 dated 11/04/10 from A/C 101-335-932-000 (Repair/Maint) \$1,502.99. Fire Dept.
9. DISTRICT 7 DADS CLUB – 2010 Flagg Football Allotment – Ck. Req. Dated 11/04/10 from A/C 101-691-877-000 (Recreation Programs) \$1,545.00. Recreation
10. E & N CEMENT – Pavement Repairs – Inv. dated 11/16/10 from A/C 592-537-818-000 (Contract Services) \$83,142.36. Water Dept.
11. HENRY FORD HOSPITAL – Workers Compensation Injury – Surgery – Ck. Req. Dated 11/01/10 from A/C 101-200-724-000 (Work Comp) \$7,093.80. General Govt.
12. HYDRODESIGNS – Cross Connection Program – Inv. 23275-IN dated 10/31/10 from A/C 592-536-817-000 (Prof/Consult) \$2,623.00. Water Dept.

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13. JOHNSON CONTROLS – Maintenance Contract Various Buildings – Inv. dated 11/01/10 from A/C 101-265-818-000 (Contract Services) \$7,376.00. Building Maint
14. MICHIGAN DEPARTMENT OF NATURAL RESOURCES/ENVIRONMENT – Annual Fee Water Supply – Inv. 651163 dated 10/30/10 from A/C 592-536-818-000 (Contract Services) \$13,434.97. Water Dept.
15. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2879 dated 11/09/10 from A/C 592-540-818-040 (Contract Services) \$14,908.27. Water Dept.
16. NEW IMAGE BUILDING SERVICES, INC. – Building Cleaning November 2010 – Inv. 65560 dated 11/01/10 from A/C 738-738-818-000 (Contract Services) \$2,214.00. Libraries
17. PLANTE & MORAN – Audit and Accounting Services – Inv. 573203 dated 11/10/10 from A/C 101-200-818-000 (Contract Services) \$6,540.00 and A/C 592-536-818-000 (Contract Services) \$8,670.00. General Govt.
18. QUAD-TRAN OF MICHIGAN – Data Processing October 2010 – Inv. 5672 and 5673 dated 10/29/10 from A/C 101-130-818-000 (Contract Services) \$4,500.00; A/C 101-130-728-000 (Supplies) \$1,262.55 and A/C 101-200-728-000 (Supplies) \$2,286.68. District Court
19. THE LIBRARY NETWORK – Monthly Books, Subscriptions and Technology – Inv. 42167 dated 11/04/10 and Inv. 42205 dated 11/08/10 from A/C 738-738-981-000 (Capital Outlay) \$12,965.33 and A/C 738-738-818-000 (Contract Services) \$1,875.00. Libraries
20. WADE TRIM ASSOCIATES – Parkland Park Pump Station – Inv. 47113 dated 10/20/10 from A/C 592-xxx-154-000 (Sewers) \$3,195.00. Water Dept.
21. WALT KEMPSKI GRAPHICS – Fall/Winter Newsletter Dearborn Heights Today – Inv. dated 10/29/10 from A/C 101-809-807-500 (Productions Exp.) \$1,690.00. Encumbered - Cable
22. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow Nov. 2010 – Inv. 258121 dated 11/08/10 from A/C 592-537-929-000 (Sewage) \$20,337.00. Water Dept.

Motion unanimously adopted.

- 10-398** Motion by Councilwoman Horvath, seconded by Councilman Apigian, that Community & Economic Development Department be authorized to advertise for bids, per specifications, for FY 2010 CDBG Berwyn Senior Center/ADA Restroom Improvements, per the request of CEDD Director Amen, communication dated November 15, 2010.

Motion unanimously adopted.

- 10-399** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the low bid from A Land Construction Inc., 21733 Hickorywood Drive, Dearborn Heights, MI 48127, for FY 2010 CDBG/TIFA/Low Mod Area Curb/Approach Sidewalk Replacement Program, in the amounts of \$3.05 for 4" concrete per square foot; \$3.50 for 6" concrete per square foot; \$4.50 for 8" concrete per square foot; \$18.00 for curb concrete per linear foot; \$760.00 ADA replacement ramps/curb cuts, be approved, per CEDD Director Amen, communication dated November 15, 2010. Further, that the Mayor and City Clerk be authorized to sign the contract on behalf of the City.

Motion unanimously adopted.

- 10-400** Motion by Councilwoman Agius, seconded by Councilman Apigian, that the City Council adopt the 2010-2011 Water Department Budget, in the amount of \$20,244,670.00, per Mayor Paletko, communication dated November 17, 2010.

Ayes: Councilwoman Agius, Councilman Apigian, Councilwoman Badalow, Councilman Baron, Councilwoman Van Houten.
Nays: Councilman Berry, Councilwoman Horvath.

Motion adopted.

- 10-401** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the appointment of Councilwoman Margy Van Houten, to SEMCOG, as delegate and Councilwoman Marge Horvath, alternate, per Council Chairman Baron, communication dated November 10, 2010.

Motion unanimously adopted.

- 10-402** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves referring to file the following council motions:

09-010 Agenda 01/13/09 – Study Session – Current Usage of All City Buildings

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09-203 Agenda 05/27/09 – Administration – Retiree Health Care Benefits Fund/Trust

10-067 Agenda 02/23/2010 – Referred to Corporation Counsel – Memorandum of Understanding (Ford Road corridor, pending approval by MDOT for language developed by Corp Counsel)

10-164 Agenda 5/11/10 – Study Session – Ordinance10-03 - Noise from Church Bells, Etc., per Council chairman Baron, communication dated November 16, 2010.

Motion unanimously adopted.

10-403 Motion by Councilman Apigian, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Search and Rescue Emergency Response Vehicle Resolution/Interlocal Agreement between Oakland County, a Constitutional and Municipal Corporation, 1200 North Telegraph, Pontiac, Michigan 43421 and the City of Dearborn Heights, per Fire Chief Gurka, communication dated November 16, 2010. Further, that the Mayor be authorized to sign the Resolution/Interlocal Agreement on behalf of the City.

Motion unanimously adopted.

10-404 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the communication from Public Service Administrator Franzil, dated November 16, 2010 re: Michigan Department of Transportation State Trunkline Maintenance Contract between the Michigan Department of Transportation and the City of Dearborn Heights, together with Appendix A, B, C, D, E, F, G and H, be referred to Corporation Counsel.

Motion unanimously adopted.

10-405 Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Federal Awards Corrective Action Plan for Community Development Block Grant (CFDA #14.218) finding number 2010-2 reporting significant deficiency in internal control to ensure expenditures are reported in the proper year per Comptroller Barrow, communication dated November 5, 2010.

Motion unanimously adopted.

10-406 Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Federal Awards Corrective Action Plan for US Department of Housing and Urban Development – Neighborhood Stabilization Program – 14.218 finding number 2010-1 reporting significant deficiency in internal control over monitoring the activities of its grant administrator per Comptroller Barrow, communication dated November 9, 2010.

Motion unanimously adopted.

10-407 Motion by Councilwoman Agius, seconded by Councilman Berry, that the City Council concurs with and approves the Miscellaneous Grant Fund Deficit Elimination Plan of \$548,070 in the Miscellaneous Grant Governmental fund per Comptroller Barrow, communication dated November 5, 2010.

Motion unanimously adopted.

10-408 Motion by Councilwoman Badalow, seconded by Councilwoman Agius, that proposed Ordinance H-10-07, AN ORDINANCE TO AMEND THE DEARBORN HEIGHTS ZONING ORDINANCE, CHAPTER 36, AS AMENDED, TO ADD A NEW C-3 COMMERCIAL DISTRICT, ESTABLISH ITS BOUNDARIES AND TO PROVIDE FOR THE REGULATION OF THE USES PERMITTED WITHIN THE C-3 DISTRICT, be considered read for the second time and become effective upon publication in the City's newspaper of record.

Motion unanimously adopted.

10-409 Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Proposed Maximum Fee Summary for the audit of funds listed for the year ending June 30, 2011 and to be paid in fiscal year 2011-2012 as outlined, per Michael J. Swartz, Plante & Moran, PLLC, 27400 Northwestern Highway, PO Box 307, Southfield, MI 48037-0307, communication dated November 23, 2010.

Motion unanimously adopted.

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- 10-410** Motion by Councilwoman Agius, seconded by Councilwoman Badalow, that the City Council concurs with and approves the adjusted water and sewer rates, effective for water and sewer billed after December 1, 2010, as follows:

	Current Rate	Proposed Rate	Percent Change
Residential/Bimonthly Billing			
Water rate per 1,000 cubic feet	\$ 25.50	\$ 26.90	5.49%
Sewer rate per 1,000 cubic feet	36.05	38.95	8.04%
Meter maintenance and billing charge	4.50	4.50	
Minimum bill (based on 400 cubic feet)	\$ 29.12	\$ 30.84	
Average bill (based on 2,700 cubic feet)	\$170.69	\$182.30	

Commercial – Monthly Billing

	Current Rate	Proposed Rate	Percent Change
Residential/Bimonthly Billing			
Water rate per 1,000 cubic feet	\$ 25.50	\$ 26.90	5.49%
Sewer rate per 1,000 cubic feet	36.05	38.95	8.04%
Meter maintenance and billing charge			
¾" and 5/8" meter	2.25	2.25	
1" meter	3.00	3.00	
1 ½" meter	4.05	4.05	
2" meter	5.45	5.45	

Minimum commercial monthly billings will be based on 800 cubic feet, per Plante & Moran, communication dated November 5, 2010.

Ayes: Councilwoman Agius, Councilman Apigian, Councilwoman Badalow, Councilman Baron, Councilwoman Van Houten.

Nays: Councilman Berry, Councilwoman Horvath.

Motion adopted.

- 10-411** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the communication from Mayor Randy Walker, Garden City, dated November 2, 2010 re: Proposed House Bill #6006 and resolution in support of community feasibility study to consolidate the courts, be referred to a Study Session prior to the Council Meeting of December 14, 2010.

Motion unanimously adopted.

- 10-412** Motion by Councilman Apigian, seconded by Councilman Berry, that the business license renewal for Mexican Fiesta, 24310 Ford Road, be approved.

Motion unanimously adopted.

- 10-413** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the communication from the City of Detroit Water and Sewerage Department, Industrial Waste Control Division, 303 S Livernois Avenue, Detroit, MI 48209-3070, dated November 10, 2010 re: Adoption of Modifications and Revision to the local Sewer Use Ordinance be referred to Corporation Counsel.

Motion unanimously adopted.

- 10-414** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:47 PM

S. JUDITH DUDZINSKI
CITY CLERK

KENNETH R. BARON
COUNCIL CHAIRMAN

MARIA E. LAWRENCE
COUNCIL SECRETARY