

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

NOVEMBER 9, 2005

05-373 The meeting was called to order at 8:03 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, Councilwoman Ann Brown, Councilman Bob Constan, Councilwoman Catherine L. Heise, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Paletko, Corporation Counsel Miotke, City Clerk Dudzinski, Comptroller Barrow, Assessor Riedel, Building & Engineering Director Sobh, Fire Chief Gurka, Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community & Economic Development Director Jamal.

The Pledge of Allegiance was led by Police Chief Gust.

05-374 Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, that the Agenda for the Regular Meeting of November 9, 2005, be approved as submitted.

Motion unanimously adopted.

05-375 Motion by Councilwoman Brown, seconded by Councilwoman Badalow, that the Minutes from the Regular Meeting of October 25, 2005, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the Special Land Use Request to erect an oil change facility at the corner of Van Born Road and Weddel opened at 8:05 P.M., by Council Chair Agius:

Council Chair Agius dispensed with the reading of the official Notice of a Public Hearing (see below).

PLEASE TAKE NOTICE that a Public Hearing will be held on Wednesday, November 9, 2005, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan at 8:00 p.m. EST for the purpose of hearing comments, if any, to the proposed Special Land Use Request from AACC, Inc. and Champs Auto Care Specialists to erect an oil change facility, which is designated a permitted use after special approval pursuant to the City of Dearborn Heights Zoning Ordinance, section 36-283(5), to be located at the corner of Van Born and Weddell in the City of Dearborn Heights, Michigan, legally described as:

34N654A2 TO 658A W 1/2 OF THE N 83 FT OF LOT 654 ALSO
THE N 83 FT OF LOTS 655 TO 658 INCL DEARBORN HOMES
SUB NO. 4 T2S R10E L45 P2 WCR. Parcel ID #33-052-02-
0654-004

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

Written comments may be directed to the City Clerk's Office, 6045 Fenton, Dearborn Heights, Michigan 48127. Written objections to the proposed special land use may be submitted to the City Clerk's Office until 4:00 p.m. on the date of the hearing. Judy Dudzinski, Clerk, City of Dearborn Heights, published October 26, 2005.

Assistant Corporation Counsel submitted "Proof of Service".

Council Chair Agius asked if there was anyone in attendance for the proposed oil change facility.

Mr. Louis El Zoghbi, builder and Sam Haidar, property owner introduced themselves.

Councilwoman Badalow asked if Planning Commission had addressed the three points referred to in a communication from Dearborn Heights Planning Consultant Brandon Rogers, dated August 26, 2005. The items in question relate to the Site Plan Review which included front yard screening along Van Born Road; use of concrete block vs face brick; HVAC clarification and new curb cut on Van Born.

Assistant Corporation Counsel responded the site plan issues had been addressed by the Planning Commission and referred to the Building Department.

Building Director Sobh confirmed that the Planning Commission has referred the conditions to the Building Department and they are working with the Architect on all items except the curb cut issue. Wayne County needs to approve the curb cut.

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Council Chair Agius asked if there was anyone in the audience for or against the proposed oil change facility.

No one responded.

Councilwoman Van Houten asked about the landscape plan to include ash trees.

Building Director Sobh said the trees were changed.

05-376 Motion by Councilwoman Badalow, seconded by Councilman Constan, to close the Public Hearing.

The Public Hearing for the proposed special land use on Van Born and Weddel closed at 8:13 p.m.

05-377 Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, that Current Claims 6-1 through 6-29 be approved as submitted.

1. A-LAND CONSTRUCTION – Sidewalk Curb Cuts – Inv. 1, 2 and 3 from A/C 103-960-972-204 (Curb Cuts) \$38,170.26 and A/C 103-960-963-204 (Berwyn) \$4,185.20. CBDG
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – September Administration, Debt and Waste – Inv. dated 09/30/05 from A/C 101-200-810-000 (Sanitation) \$135,632.69. General Govt.
3. CITY OF DEARBORN – Water/Sewer Quarterly Billing – Inv. 103429 dated 10/28/05 from A/C 592-537-928-000 (Water) \$1,787.40 and A/C 592-537-928-000 (Sewage) \$6,529.55. Water Dept.
4. CITY OF TAYLOR – Animal Processing – Inv. 20400334 dated 06/03/05 from A/C 101-200-806-000 (Animal Processing) \$19,950.00. General Govt.
5. E & N CEMENT – Pavement Repairs – (2) Inv.'s dated 11/01/05 from A/C 101-440-880-000 (Road Repairs) \$28,128.50 See Budget Amendment and A/C 592-537-818-000 (Contract Serv.) \$49,207.49. DPW-Water
6. FIRST STEP – Services Rendered September 2005 – Inv. dated 10/24/05 from A/C 101-300-818-000 (Contract Serv.) \$4,108.42. Police Dept.
7. FIRST STEP – Services Rendered September 2005 – Inv. dated 10/26/05 from A/C 103-960-927-204 (First Step) \$1,288.77. CDBG
8. HEIGHTS TREE SERVICE – Tree Trimming & Removals - Inv. 74 dated 10/30/05 from A/C 101-440-820-000 (Trees) \$18,682.50. DPW-Highway.
9. HURON VALLEY HOSPITAL – Workers Comp Surgery – Ck. Req. dated 10/19/05 from A/C 101-200-724-000 (Work. Comp.) \$4,523.87. General Govt.
10. INLAND PRESS – Ballots for General Election – Inv. 38306 dated 09/30/05 from A/C 101-190-730-000 (Materials) \$4,577.00. ENC Elections
11. J.Q. INC. – Grass & Weed Cutting – (2) Inv.'s dated 10/21/05 from A/C 101-200-963-000 (Weeds) \$5,300.00. General Govt.
12. M.W. MORSS ROOFING INC. – Berwyn Re-roofing Project – Cert. #1 dated 10/14/05 from A/C 103-960-963-204 (Berwyn) \$167,940.00. CDBG
13. MC KENNA ASSOCIATES – HOME Grant Application Services – Inv. dated 10/25/05, Project 20503B from A/C 103-960-900-204 (Rehab) \$2,120.00. CDBG
14. GARY MIOTKE – Legal Services October 2005 – Inv. dated 01/01/05 from A/C 101-210-826-000 (Counsel Serv.) \$6,884.50. Corp. Counsel
15. NTH CONSULTANTS – West Dearborn CSO Study – Inv. 537016 dated 10/25/05 from A/C 592-xxx-154-000 (Sewers) \$29,942.83. Water Dept.
16. NAGEL CONSTRUCTION INC. – Sewer Cleaning Program – Inv. 2162 dated 10/13/05 and Inv. 2170 dated 10/27/05 from A/C 592-540-818-030 (Contract Serv.) \$25,110.56. Water Dept.
17. OAKLAND COUNTY – CLEMIS Usage Fee, Livescan Admin, MDC-DEH Usage Fourth Quarter – Inv. 509064, 509173 and 509063 from A/C 101-300-818-000 (Contract Serv.) \$10,175.50. Police Dept.
18. PLANTE & MORAN – Audit Services thru October 20, 2005 – Inv. 100046 and 100045 dated 10/25/05 from A/C 101-200-817-000 (Prof/Consult) \$6,030.00 and A/C 592-537-817-000 (Prof/Consult) \$2,290.00. General Govt.
19. ROBERT ANKRAPP – Services Rendered September 2005 – Inv. dated 10/07/05 from A/C 101-300-818-000 (Contract Serv.) \$4,020.00. Police Dept.
20. TMP ARCHITECTURE – Berwyn Roof Re-bid – Inv. 17170 dated 07/29/05 from A/C 103-960-963-204 (Berwyn) \$2,324.59. CDBG
21. UNITED STATES DEPARTMENT OF THE INTERIOR – Expenses Joint Funding Agreement – Inv. 6-2445-00016 dated 10/23/05 from A/C 592-xxx-154-000 (Sewers) \$11,200.00. Water Dept.
22. STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION – Ford Road Inkster to Vernon; Ford Over Hines Drive – Inv. AP280568 and AP 280761 dated 10/17/05 from A/C 202-202-880-300 (Street Repairs) \$2,319.50. Major Streets
23. STATEWIDE SECURITY TRANSPORT – Prisoner Food & Lodging September 2005 – Inv.

- dated 10/12/05 from A/C 101-200-868-000 (Prisoners) \$5,406.00. General Govt.
24. TRI-COUNTY INTERNATIONAL TRUCK – Repair Fire Vehicles – Inv. 980005-1 dated 10/25/05 from A/C 101-335-932-000 (Repair/Maint) \$1,534.26. Fire Dept.
 25. WADE TRIM ASSOCIATES – 2005 Bridge Inspections – Inv. 88075 dated 10/18/05 from A/C 101-440-818-000 (Contract Serv.) \$5,182.50. DPW-Highway.
 26. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Annual Sewage Disposal CSO Area 3 – Inv. 230394 dated 10/20/05 from A/C 592-537-929-000 (Disposal) \$16,889.88. Water Dept.
 27. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT – Excess Flow Down River and Rouge Valley – Inv. 230198 and 229983 dated 10/01/05 from A/C 592-537-929-000 (Sewage) \$187,830.17. Water Dept.
 28. ANGELO IAFRATE CONSTRUCTION COMPANY – Final Acceptance Warren Avenue Streetscape Cert #11 dated 10/18/05 from A/C 103-960-944-202 (Streetscape) \$23,434.09 and A/C 274-673-935-093 (Streetscape) \$13,472.66. CDBG
 29. QUAD-TRAN OF MICHIGAN – Data Processing November 2005 – Inv. 4714 and 4715 dated 10/31/05 from A/C 101-130-818-000 (Contract Serv.) \$3,600.00; A/C 101-130-728-000 (Supplies) \$962.75 and A/C 101-200-728-000 (Supplies) \$2,322.49. District Court.

Motion unanimously adopted.

- 05-378** Motion by Councilman Baron, seconded by Councilwoman Heise, that the City Council concurs with and approves the Acceptance of Membership and Adoption of Bylaws of the Alliance of Rouge Communities (ARC) Resolution as follows:

THEREFORE BE IT RESOLVED THAT THE City of Dearborn Heights City Council formally adopts bylaws for, and accepts membership in the Alliance of Rouge Communities.

FURTHER BE IT RESOLVED THAT CONSISTENT WITH THE TERMS OF THE Alliance of Rouge Communities bylaws, the City of Dearborn City Council formally appoints Kristina Kramarz, Assistant to the Mayor as its designated representative to the Alliance of Rouge Communities, and Public Service Administrator Franzil as the alternate representative, and authorizes Mayor Paletko to designate additional persons to represent the City of Dearborn Heights, if needed, as an alternate to assure voting representation.

FINALLY, BE IT RESOLVED that the City of Dearborn Heights continuing membership will be evidenced by payment of its voluntary assessment on an annual basis to the Alliance of Rouge Communities. Resolution adopted this 9th day of November, 2005, per Mayor Paletko, communication dated November 2, 2005.

Motion unanimously adopted.

- 05-379** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated November 1, 2005 re: Liquor Licensing, be received, contents noted and filed.

Motion unanimously adopted.

- 05-380** Motion by Councilwoman Badalow, seconded by Councilman Constan, to place the Ram's Horn application on the next agenda.

Motion unanimously adopted.

- 05-381** Motion by Councilman Baron, seconded by Councilwoman Brown, that the City Council concurs with and approves the Budget Amendment to cover the cost of road repairs by E & N Cement Company as follows:

INCREASE REVENUES
101-000-676-000

M.V.H.F.
\$20,030.00

INCREASE EXPENDIURES
101-440-880-000

ROAD REPAIRS
\$20,030.00

per, Comptroller Barrow, communication dated November 2, 2005.

Motion unanimously adopted.

- 05-382** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the City Council concurs with and approves the disposal of obsolete, unusable and damaged equipment as outlined, per Community & Economic Development Director Jamal, communication dated November 1, 2005.

Minutes **NOVEMBER 9, 2005** Continued

Motion unanimously adopted.

- 05-383** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the City Council concurs with and approves the disposal of WDHT Government Access Cable obsolete, unusable and damaged equipment as outlined, per Community & Economic Development Director Jamal, communication dated November 1, 2005.

Motion unanimously adopted.

- 05-384** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the field engineering, contract administration and construction testing services with Wade Trim Associates, Inc., 25251 Northline Road, P O Box 10, Taylor, MI 48180 for the 2005 CDBG Water Main Improvement Project, in the amount of \$42,200.00, per Public Service Administrator Franzil, communication dated November 2, 2005.

Motion unanimously adopted.

- 05-385** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves a three year contract extension with E & N Cement Company for repair and replacement of concrete sections at various locations throughout the City, per Public Service Administrator Franzil, communication dated November 2, 2005. This extension is from July 1, 2006 through June 30, 2009 and represents an increase of 2% per year of contract.

Motion unanimously adopted.

- 05-386** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the communication from Corporation Counsel Miotke, dated October 25, 2005 re: Proposed Sale of Old Fire Station Property to Star International Academy, be received, contents noted and filed and re-advertise the property for sale with request for proposals in the ad.

Motion unanimously adopted.

- 05-387** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that proposed Ordinance H-05-05 AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY AMENDING SECTION 1-9 OF SAID CODE REGARDING THE AUTHORITY OF CITY EMPLOYEES AND REPRESENTATIVES TO ISSUE APPEARANCE TICKETS, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 05-388** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that business license renewals for Stefan's and Lone Star Steakhouse, be approved.

Motion unanimously adopted.

- 05-389** Motion by Councilman Constan, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:38 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL SECRETARY