

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

OCTOBER 23, 2001

01-572 The meeting was called to order at 8:05 p.m. by Council Chairwoman Margaret M. Horvath.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Kenneth R. Baron, Council Chairwoman Margaret M. Horvath, Councilwoman Jumana Judeh, Councilman Daniel S. Paletko, Councilman David D. Turfe, Councilwoman Margaret M. Van Houten.

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley (arrived at 8:16 p.m.), Comptroller Barrow, Assessor Pargo, Deputy Assessor Cooper, Building Inspector Whitehead, Human Resources Director Sullivan, Police Chief Gust, Fire Chief Barnett, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilwoman Judeh.

01-573 Motion by Councilwoman Judeh, seconded by Councilman Baron, that the Agenda for the Regular Meeting of October 23, 2001, be approved as submitted.

Motion unanimously adopted.

01-574 Motion by Councilwoman Van Houten, seconded by Councilwoman Judeh, that the Minutes from the Regular Meeting of October 9, 2001, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the Vacation of the east/west alley west of Telegraph and south of Hass between 6235 N Telegraph and 6221 N Telegraph was called to order at 8:05 p.m. by Council Chairwoman Margaret M. Horvath.

Council Chairwoman Horvath waived the reading of the official notice of the Public Hearing (see below).

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, October 23, 2001, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan at 8:00 p.m. E.S.T. for the purpose of hearing objections, if any, to the request for the vacation of the east/west alley west of Telegraph and south of Hass between 6235 N Telegraph and 6221 N Telegraph, more specifically and legally described as: the east/west 20 foot wide alley bounded on the north by Lots 59 through 64; bounded on the east by Telegraph Road; bounded on the south by Lot 266; and bounded on the west by Mayburn Avenue; all contained within Murphy's Brothers Martin Park Subdivision as recorded in Liber 53, Page 16 of Wayne County Records.

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. Joyce A. Robbins, Clerk, City of Dearborn Heights. Published October 11, 2001 and October 18, 2001.

Corporation Counsel submitted the original Notice of Public Hearing as submitted for

Minutes OCTOBER 23, 2001 - Continued

publication along with a map and Proof of Service.

Council Chairwoman Horvath asked "Assessor Pargo is there anything we need to know?"

Assessor Pargo "The only thing that I know of is that the Water and Sewer Department said we need to keep the sewer easement and there are no objections from any City departments about this vacation."

Councilwoman Van Houten "We didn't actually get the request, we got all the other back-up but we didn't get the request."

Council Chairwoman Horvath "Of course you got it was several weeks ago when it was on the agenda to establish the public hearing."

Councilwoman Van Houten "Okay, when it comes to Public Hearing time can you give us the request again. It's hard to keep track of all the Public Hearings and the requests."

Chairwoman Horvath "Make a file and put them in there and take it out the day of the hearing."

Mayor "Save a tree."

Chairwoman Horvath "Is there anyone in the audience who has a question on this?"

Business owner on Telegraph near Hass "Can you explain it?"

Assessor "There's an alley behind Mike's Party Store that is not a usable alley but its legally there and that means it can be vacated which means that the ownership of the alley will be split right down middle half to Mike, the other half to the medical center. Then they can extend their parking into that half of the alley."

Business owner "Is there a building on that land right now?"

Assessor "No and there will not be. It can't be built on."

Mayor "It's not an alley that runs like Mayburn. The alley is actually between the health care center and Mike's."

Chairwoman Horvath asked if there were any other questions or comments, hearing none, she asked for a motion to close the public hearing.

01-575 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the Vacation of the east/west alley west of Telegraph and south of Hass closed at 8:10 p.m.

01-575 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Public Hearing for the Vacation of the east/west alley west of Telegraph and south of Hass closed at 8:10 p.m.

Motion unanimously adopted.

01-576 Motion by Councilman Baron, seconded by Councilwoman Judeh, that Current Claims

Minutes OCTOBER 23, 2001 - Continued

6-1 through 6-22, be approved as submitted.

1. ABC PAVING COMPANY - Parkland Park Phase III - Cert. #4 dated 09/21/01 from A/C 274-673-930-200 (Parkland Park) \$57,577.50. Misc. Grants.
2. ACCUMED BILLING INC. - Ambulance Billing September 2001 - Inv. dated 10/11/01 from A/C 101-000-626-000 (Ambulance) \$2,796.53. General Govt.
3. BRANDON ROGERS & ASSOCIATES - Planning Commission Meeting and Zoning Review - Inv. dated 09/04/01 and Inv. dated 09/03/01 from A/C 101-801-817-000 (Consult) \$3,261.43. Planning.
4. CITYSCAPE ARCHITECTS INC. - Cable Room Expansion - Inv. 374 dated 09/28/01 from A/C 101-809-981-000 (Capital Outlay) \$11,514.47. Cable.
5. E & N CEMENT - Pavement Repairs - Two (2) Inv.'s dated 10/13/01 from A/C 101-440-880-000 (Road Repairs) \$9,621.63 and A/C 592-537-818-000 (Contract Serv.) \$62,141.25. DPW-Water.
6. J.Q. INC. - Weed Cutting - Various Invoices from A/C 101-200-963-000 (Weeds) \$13,300.00. General Govt.
7. LACARIA CONCRETE CONSTRUCTION - 2001 Sidewalk Replacement Program - Inv. dated 10/10/01 and Inv. dated 10/12/01 from A/C 101-200-963-000 (Sidewalks) \$316,347.79. Building/Eng.
8. LANS LINING SERVICES - Sewer Lining Program Ann Arbor Trail and Hines - Inv. No. 3 from A/C 592-540-818-040 (Contract Lining) \$148,176.00. Water Dept.
9. M.M.R.M.A. - First Installment Liability Insurance - Inv. 61703-1 dated 10/09/01 from A/C 101-200-911-000 (Insurance) \$698,826.00. General Govt.
10. MIKE BYRNE ADVERTISING - Dearborn Heights Today Newsletter - Inv. 1815 dated 10/15/01 from A/C 103-960-918-200 (Adman.) \$9,005.00. CDBG.
11. MICHIGAN HEART - Heart Testing Larry Dauphin - Inv. dated 09/02/01 from A/C 101-300-818-000 (Contract) \$2,086.00. Police Dept.
12. OAKLAND COUNTY CLEMIS - Install & Participation Fees - Inv. dated 09/30/01 from A/C 274-673-950-096 (Grant) \$5,725.00. Misc. Grant.
13. PLANTE & MORAN - Audit and Accounting Services - Inv. 769281, 778497, 779170, 778494, 778493, 778495 from A/C 101-200-817-000 (Professional/Consult) \$36,135.00 and A/C 592-536-817-000 (Professional/Consult) \$16,375.00. General Govt.
14. QUAD-TRAN OF MICHIGAN - Data Processing October 2001 from A/C 3697 dated 10/28/01 from A/C 101-130-818-000 (Contract) \$3,200.00 and A/C 101-130-728-000 (Supplies) \$735.70. District Court.
15. S.L.C. METERS - 3" Meter Purchase - Inv. 167513 dated 09/14/01 from A/C 592-XXX-001-000 (Inventory) \$2,133.46. ENC. Water Dept.
16. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging - Inv. dated 08/31/01 from A/C 101-200-868-000 (Prisoners) \$7,858.75. General Govt.
17. WADE-TRIM/ASSOCIATES - Heather Lane Bridge - Inv. 70847 dated 10/01/01 from A/C 103-960-967-201 (Heather Lane) \$1,018.51. CDBG.
18. WADE-TRIM/ASSOCIATES - Warren Avenue Streetscape Parking - Inv. 70861 dated 09/28/01 from A/C 103-960-944-099 (Streetscape) \$3,123.76. CDBG.
19. WADE-TRIM/ASSOCIATES - Downriver Tech, Road Improve, NPDES Permit - Inv. 70864 dated 09/28/01; Inv. 70852 dated 10/01/01 and Inv. 70849 dated 09/26/01 from A/C 101-440-818-000 (Contract) \$521.64 and A/C 592-XXX-154-000 (Sewers) \$1,113.98. DPW-Water.
20. WADE-TRIM/ASSOCIATES - Lead Base Paint & Housing Rehab - Inv. 70914 dated 10/08/01 from A/C 103-960-900-201 (Rehab) \$342.50. CDBG.
21. WESTLAND TREE SERVICE - Tree Trimming/Removals - Inv. 31257 from A/C 101-440-820-000 (Trees) \$2,314.68. DPW-Highway.
22. WESTLAND TREE SERVICE - Tree Trimming Kinloch Park - Inv. 31249 from A/C 103-690-964-200 (Kinloch) \$12,000.00. CDBG.

Motion unanimously adopted.

Minutes OCTOBER 23, 2001 - Continued

- 01-577** Motion by Councilman Turfe, seconded by Councilman Baron, that the City Council concurs with and approves the Interagency Agreement with the City of Detroit for the Resurfacing of Evergreen Road between Ann Arbor Trail and Ford Road, at the total project cost of \$271,100.00 with the City of Dearborn Heights local share being \$34,833.00, and payment thereof, per Mayor Canfield, communication dated October 12, 2001. Further, that the Mayor and City Clerk be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 01-578** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Resolution Proclaiming November 2001 as "Family Caregiver's Month" in the City of Dearborn Heights be adopted as follows:

WHEREAS, family caregivers are family members, friends and neighbors who stand by loved ones confronted by chronic illness or disability; and,

WHEREAS, there are approximately 18 to 25 million unpaid family caregivers in America, representing 10 percent of the adult population, providing some 80 percent of home care duties, with an estimated value of over \$96 billion; and,

WHEREAS, family caregivers come from all ages and walks of life and have become caregivers out of necessity or a desire to help others; and,

WHEREAS, most family caregivers have substantial out-of-pocket costs, suffer from long-term depression and sleeplessness, do not receive any consistent help from others and frequently report frustrations with provided care to others; and

WHEREAS, more than 70 endorsing organizations have joined together with the National Family Caregiver's Association to improve the overall quality of life of America's care givers;

NOW, THEREFORE, BE IT RESOLVED, that the City of Dearborn Heights, Michigan, hereby proclaims the month of November 2001 as "Family Caregiver's Month", and asks all residents to consider the extraordinary, outstanding and often unsung efforts of America's family caregivers, and those of the National Family Caregiver's Association, to help meet the needs of this very special group of people, per Mayor Canfield, communication dated October 8, 2001. Further, that the Mayor and City Clerk be authorized to sign the resolution on behalf of the City.

Motion unanimously adopted.

- 01-579** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the appointment of Ms. Laura Berry Harris, 26503 Simone to the Local Officers Compensation Commission, to fill the term of Exie Markowsky, term to expire May 2003, per Mayor Canfield, communication dated October 17, 2001.

Motion unanimously adopted.

- 01-580** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the communication from Mayor Canfield, dated October 10, 2001 re: The reappointments of Judy Dekko, Barbara Lemecha, Michelle Remily and Lila Szedlus to the City Beautiful Commission, terms to expire September 2004, be received, contents noted and filed.

Motion unanimously adopted.

- 01-581** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the communication from Mayor Canfield, dated October 10, 2001 re: the Reappointment of Jim Briggs to the Housing Commission, term to expire July 2006, be received, contents noted and filed.

Motion unanimously adopted.

- 01-582** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council accept the recommendation from Plante & Moran and adjust the water and sewer rate structure effective for bills mailed after October 31, 2001.

Motion unanimously adopted.

- 01-583** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that Proposed Ordinance H-01-24, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 7-201 AND BY REPEALING SECTIONS 7-202 THROUGH 7-300 REGARDING MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; SAID ORDINANCE TO BE KNOWN AS THE "INTERNATIONAL PROPERTY MAINTENANCE CODE 2000", be considered read for the first time. Further, that said ordinance be referred to Corporation Counsel for review.

Motion unanimously adopted.

- 01-584** Motion by Councilwoman Judeh, seconded by Councilwoman Van Houten, that the communication from Executive Assistant Heise, dated October 23, 2001 re: An Electric Purchasing Program be received, contents noted and filed.

Motion unanimously adopted.

- 01-585** Motion by Councilwoman Van Houten, seconded by Councilwoman Judeh, that the City Council concurs with and approves the 2000-2005 Dearborn Heights Police Officers Association (DHPOA) Collective Bargaining Agreement, per Executive Assistant Heise, communication dated October 17, 2001. Further that the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 01-586** Motion by Councilman Baron, seconded by Councilman Turfe, that the City Council concurs with and approves the SMART Municipal and Community Credit Contract for FY 2002, per Community Development Director Oliverio, communication dated October 12, 2001. The City will receive \$54,755 in Municipal Credit monies and \$46,647 in Community Credit monies. Further, that the Mayor and City Clerk sign the Contract on behalf of the City.

Motion unanimously adopted.

- 01-587** Motion by Councilwoman Judeh, seconded by Councilman Baron, that the City Council concurs with and approves the selling through auction of the following vehicles at J & D Auto Auction, Detroit:

1988 Ford Escort

1FAPP219JW218774

Minutes OCTOBER 23, 2001 - Continued

1983 Oldsmobile SW	1G3AP35Y1DXHN207215
1987 Pontiac Firebird	1G2FW21FXHN207215
1993 Ford Tempo	1FAPP31X8PK188066
1984 Ford Pickup	2FTEF15H4E0B19730 and
1987 Ford Escort	1FAPP2198HW336478

per, Police Chief Gust, communication dated October 11, 2001. Further, that the proceeds be placed in the Narcotics Forfeiture account.

Motion unanimously adopted.

- 01-588** Motion by Councilman Paletko, seconded by Councilwoman Agius, that the City Council accept the Local Law Enforcement Block Grant awarded by the Bureau of Justice Assistance to the Dearborn Heights Police Department, in the amount of \$58,732 which requires a City match of \$6,526, for a grand total of \$65,258, per Police Chief Gust, communication dated October 10, 2001.

Motion unanimously adopted.

- 01-589** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Clerk establish a Public Hearing on November 13, 2001 at 8:00 p.m. to hear objections, if there be any, for FY 2001 Local Law Enforcement Block Grant allocations, per the request of Police Chief Gust, communication dated October 10, 2001.

Motion unanimously adopted.

- 01-590** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concurs with and approves the "Memorandum of Understanding between Wayne County and the City of Dearborn Heights for the Renovation of the Old Orchard Pond and the Construction of a Wetland in Hines Park", per Executive Assistant Heise, communication dated October 18, 2001. This Memorandum of Understanding allows our City Engineers, Wade-Trim to perform the contract bidding, arrange for the award of the contract, administer the contract and pay the contractor for services rendered for the project, including the wetland with an agreement the County will reimburse us for their share of expenses.

Motion unanimously adopted.

- 01-591** Motion by Councilwoman Judeh, seconded by Councilman Turfe, that the Resolution Opposing the Creation of a State Oversight Contracting Board relative to Detroit Metropolitan Airport, be adopted as follows:

WHEREAS, the Michigan Senate's committee on Detroit Metropolitan Airport has introduced legislation which calls for the State to institute an Oversight Contracting Board at the Wayne County Detroit Metropolitan Airport; and

WHEREAS, Wayne County has successfully operated Metro Airport since its inception 70 years ago, and the Airport will soon open a new \$1.2 billion terminal increasing safety and comfort of travelers, a sixth runway to reduce flight delays, and a new south access road; and

WHEREAS, the State proposal would create an unnecessary layer of bureaucracy not accountable to the citizens of the region at an estimated cost of \$3 million; and

WHEREAS, throughout history, our citizens have shown a strong preference for local control in government, and the proposed legislation usurps the authority of the elected

representatives of Wayne County; and

WHEREAS, the citizens of Wayne County have adopted a Home Rule Charter for the County, and as a home-ruled entity, Wayne County has been able to balance its budget or end each of its fiscal years with a surplus for well over a decade; and

WHEREAS, Wayne County's priority at the present time should be safety and security for all travelers, not dealing with state government politics; and

WHEREAS, to reduce any concerns citizens have about contract oversight, the County has established a Stakeholders Committee to review contracts, budgets, policies and other issues at Metro Airport, and the committee will include representatives from the airlines, airport concessions, labor unions, Michigan Bureau of Aeronautics, and the Chamber of Commerce; and

WHEREAS, the State's intrusion into local government is unwanted and unjustified, may delay improvements and will create an instability that this region cannot afford right now.

THEREFORE, BE IT RESOLVED, that the City of Dearborn Heights opposes the adoption of the State's airport oversight legislation and any other legislation that weakens "home rule" or usurps the authority of local elected officials and that a copy of this resolution be sent to Governor Engler, U. S. Senators Levin and Stabenow, U.S. Congressman Dingell, Congresswoman Rivers, Congressman Conyers, State Senator Hart, and State Representative Brown.

AYES: Councilwoman Agius, Councilman Baron, Council Chairwoman Horvath,
Councilwoman Judeh, Councilman Paletko, Councilman Turfe.
NO: Councilwoman Van Houten.
ABSENT: None.

Motion adopted.

- 01-592** Motion by Councilwoman Agius, seconded by Councilwoman Judeh, that the request from Dynamic Investment Group, LLC to transfer ownership of 2001 Class C licensed business with Dance Permit, located at 16515 W Outer Drive, Dearborn Heights, MI 48127, Wayne County, from Roger Kalski, Inc., be approved and the Liquor Control Commission be so notified.

Motion unanimously adopted.

- 01-593** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the business license for Lucky 13, 21350 Van Born Road, be approved.

Motion unanimously adopted.

There being no further business to come before the Council, Council Chairwoman Horvath adjourned the meeting at 8:45 p.m.

JOYCE A. ROBBINS
CITY CLERK

MARGARET M. HORVATH, CHAIRWOMAN
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY