

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

OCTOBER 14, 2008

08-387 The meeting was called to order at 8:03 p.m. by Council Chairman Kenneth R. Baron.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilwoman Janet S. Badalow, Council Chairman Kenneth R. Baron, Councilman Tom Berry, Councilman Bob Brown, Councilwoman Margaret M. Horvath, Councilwoman Margaret M. Van Houten.
Absent: None.
Also Present: City Clerk Dudzinski, Mayor Paletko, Treasurer Riley, Administrative Assistant Kramarz (arrived at 8:07 pm), Assessor McDermott, Building & Engineering Director Sobh, Building Maintenance Superintendent Zimmer, Community & Economic Development Director Jamal, Comptroller Barrow, Corporation Counsel Miotke, Deputy Clerk Pawlukiewicz, Emergency Management Director Ankrapp, Fire Chief Gurka, Human Resource Director Sobota-Perly, Library Director Mccaffrey, Police Chief Gavin, Public Service Administrator Franzil, Recreation Director Grybel, TIFA Administrator Oliverio.

The Pledge of Allegiance was led by Treasurer John Riley.

08-388 Motion by Councilman Brown, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of October 14, 2008, be approved with the removal of 8-C (ZBA Appointment) and addition of 8-E (Municipal Street Lighting Town and Country Condominiums).

Motion unanimously adopted.

08-389 Motion by Councilman Berry, seconded by Councilman Brown, that the Minutes from the Regular Meeting of September 23, 2008, be approved as submitted.

Motion unanimously adopted.

08-390 Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that Current Claims 6-1 through 6-31, be approved as submitted.

1. A-LAND CONSTRUCTION – Sidewalk Replacement Program – Inv. #6 dated 10/06/08 from A/C 101-200-963-000 (Sidewalks) \$50,151.30, A/C 101-440-818-000 (Contract Services) \$2,354.08, A/C 103-960-972-208 (ADA Curb) \$5,351.48 and A/C 103-960-933-208 (Sidewalks) \$7,546.91. Gen. Govt/CDBG
2. ACCUMED BILLING, INC. – Rescue Run Billing August 2008 – Inv. dated 09/02/08 from A/C 101-000-626-000 (Rescue Runs) \$5,987.57. Fire Dept.
3. AMERICAN PROFIT RECOVERY – Recovery Collection Program Rescue Runs – Inv. 104781 dated 09/09/08 from A/C 101-000-626-000 (Rescue Runs) \$6,495.00. Fire Dept.
4. BIO-CARE, INC. – Respiratory Surveillance 09/19/08 – Inv. 15316 dated 09/26/08 from A/C 101-335-818-000 (Contract Services) \$2,775.00. Fire Dept.
5. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Operating & Disposal for Authority – Inv. dated 08/31/08 from A/C 101-200-810-000 (Sanitation) \$59,104.63. Gen. Govt.
6. CITY OF DEARBORN – Water Billing – February 2008 thru September 2008 – Inv. 5738, 5737 and 5739 dated 09/19/08 from A/C 592-537-928-000 (Water) \$6,165.81 and A/C 592-537-929-000 (Sewage) \$53,225.54. Water Dept.
7. COMPUTER TECHNOLOGIES INC. – Data Processing – Inv. 70326 dated 09/26/08 and 70323 dated 09/19/08 from A/C 101-258-932-000 (Repair/Maint. \$2,138.75 and A/C 592-536-932-000 (Repair/Maint.) \$2,138.75. Data Processing
8. CUMMINGS, MCCLOREY, DAVIS & ACHO – Loose & Brown Matter vs Dearborn Heights – Inv. 157513 and 157512 dated 09/23/08 from A/C 101-200-817-000 (Prof/Consult) \$7,438.89. General Govt.
9. CONFERENCE OF WESTERN WAYNE – Annual Dues 2008-2009 – Inv. 09/15/08 from A/C 101-200-958-000 (Dues) \$8,019.00. General Govt.
10. DOWNRIVER COMMUNITY CONFERENCE – Annual Dues 10-08 to 09-09 – Inv. 3282 dated 09/22/08 from A/C 101-200-958-000 (Dues) \$4,750.00. General Govt.
11. E & N CEMENT – Pavement Repairs – Inv. dated 10/07/08 from A/C 101-440-880-000 (Road Repairs) \$104,501.96. DPW-Highway
12. GARDEN CITY HOSPITAL – Two Workers Comp. Surgeries – Ck. Req. dated 09/15/08 from A/C 101-200-724-000 (Work. Comp.) \$3,576.25. General Govt.
13. HEIGHTS TREE SERVICE – Tree Trimming & Removals – Inv. 127 dated 09/21/08 from A/C 101-440-820-000 (Trees) \$6,203.25. DPW-Highway
14. JOHNSON CONTROLS – Maintenance Agreement City Building – Inv. 59121417 and 69161424 dated 09/17/08 from A/C 101-265-818-000 (Contract Services) \$12,985.00. Building Maintenance

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15. MMRMA – Liability Insurance Premium – Inv. 92307-1 dated 09/25/08 from A/C 101-200-911-000 (Insurance) \$723,320.00. General Govt.
16. MCKENNA & ASSOCIATES – CDBG Action Plan Services Rendered August 2008 – Inv. dated 09/23/08 from A/C 103-960-918-208 (Admin.) \$2,803.15. CDBG
17. GARY MIOTKE – Legal Services September 2008 – Inv. dated 10/07/08 from A/C 101-210-826-000 (Counsel Services) \$14,117.50. Corporation Counsel
18. NAGEL CONSTRUCTION – Sewer Cleaning Program – Inv. 2546 dated 10/03/08 from A/C 592-540-818-030 (Contract Services) \$24,203.80. Water Dept.
19. PLANTE & MORAN – Auditing Services Year End June 30, 2008 – Inv. 371898 dated 09/24/08 from A/C 101-200-817-000 (Prof/Consult) \$27,370.00 and A/C 592-536-817-000 (Prof/Consult) \$5,000.00. General Govt.
20. PRITULA & SONS – Sewer Repair & Clean-up – Inv. 1428-2, 1428, 1427-2, 1427, 1430 and 1429 dated 09/15/08 from A/C 592-540-818-020 (Contract Services) \$32,090.00. Water Dept.
21. RKA PETROLEUM – Fuel Delivered – Inv. 604001 dated 09/23/08 and 601181 dated 09/05/08 from A/C 101-335-867-000 (Fuel) \$3,200.88. Fire Dept.
22. STATE OF MICHIGAN MDOT – Telegraph Road Progress Billing – Inv. 309114 dated 09/12/08 from A/C 202-202-880-300 (Streets) \$33,389.83. Major Streets
23. TRYBUSKI LANDSCAPING – Grass & Weed Cutting Services – 2 Invoices from A/C 101-200-963-000 (Weeds/Grass) \$10,820.59. General Govt.
24. US BANK – Bonds - Library Interest, Waste Water and Justice Center Land - from A/C 738-738-998-500 (Library Interest) \$105,869.53, A/C 105-105-996-005 (Justice Principal) \$5,000.00, A/C 105-105-998-500 (Justice Interest) \$39,400.00 and A/C 592-905-995-000 (Interest) \$27,422.50. General Govt.
25. W.L. BOWLES TRUCKING – Crushed Stone, Sand and Misc. Supplies – Inv. 7576, 7574, 7573, 7572, 7571, 7570, 7562, 7561, 7559 and 7560 from A/C 592-xxx-111-000 (Inventory) \$12,756.00. Water Dept.
26. WADE TRIM ASSOCIATES – Plot Plan Review, Grade Engineering, Right-of-Way – Inv. 96985, 96990 and 96986 dated 09/18/08 and Inv. 96734 and 96733 dated 08/19/08 from A/C 101-371-809-000 (Engineering) \$3,878.50. Building Engineering
27. WADE TRIM ASSOCIATES – Water Master Plan, Street Repair, Storm Water Items, Engineering Assistance, DHT/Downriver Tech – Inv. 96992, 96987, 96993, 96994 and 96995 dated 09/18/08 from A/C 592-xxx-154-000 (Sewers) \$2,375.50 and A/C 202-202-880-300 (Streets) \$8,483.93. DPW-Water Dept.
28. WASTE MANAGEMENT – Roll-Off Service September 2008 – Inv. dated 10/01/08 from A/C 101-200-810-000 (Sanitation) \$5,352.00. General Govt.
29. WAYNE COUNTY – ACCOUNTS RECEIVABLE – Traffic Signal Maintenance August 2008 – Inv. 1003797 dated 09/30/08 from A/C 101-440-925-000 (Signals) \$5,345.06. DPW-Highway
30. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Excess Flow DR and Disposal for CSO Area 3 – Inv. 247199 dated 09/18/08 and Inv. 246047 dated 10/01/08 from A/C 592-537-929-000 (Sewage) \$43,508.00. Water Dept.
31. WAYNE COUNTY – DEPARTMENT OF ENVIRONMENT – Interest NHRV, Interest Capital Improvement, CSO Refunding Bonds – Inv. 247300, 247257, 247299 dated 09/22/08 from A/C 592-905-995-000 (Interest) \$21,346.45, A/C 592-905-992-003 (Principal) \$755,000.00 and A/C 592-905-992-004 (Interest) \$187,505.00. Water Dept.

Motion unanimously adopted.

- 08-391** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the low bid from Teachout Security Services, Inc., G-2348 Stone Bridge Drive, Flint, MI 48532, for Security Guard Services at Caroline Kennedy Library, in the amount of \$16,359.20 annually, and payment thereof, be approved, per Library Director Mccaffery, communication dated September 10, 2008.

Motion unanimously adopted.

- 08-392** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the low bid from Nationwide Fence & Supply Company, 53861 Gratiot, Chesterfield, MI 48051, for replacement of existing fence on the "Old Police Station Property" and the adjoining neighborhood, in the amount of \$9,947.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated October 2, 2008. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 08-393** Motion by Councilwoman Horvath, seconded by Councilman Berry, that the communication from Mayor Paletko, dated October 6, 2008 re: Reappointments of Martin O' Sullivan, 23356 N Brookside, Richard Buckholz, 5960 Mayburn and William Eby, 26087 Wilson to the Parks and

Recreation Commission, terms to expire September 2011, be received, contents noted and filed.

Motion unanimously adopted.

- 08-394** Motion by Councilman Brown, seconded by Councilwoman Agius, that the City Council concurs with and approves the reappointment of Richard Coogan, 4475 McKinley, to the Planning Commission, term to expire May 2011, per Mayor Paletko, communication dated October 6, 2008.

Motion unanimously adopted.

- 08-395** Motion by Councilwoman Horvath, seconded by Councilman Brown, that the City Council concurs with and approves the request from Robichaud High School, 3601 Janet, to hold their Homecoming Parade on Friday, October 17, 2008 beginning at 1:00 pm, proceeding from Robichaud west on Penn to Beech Daly; south on Beech Daly to Annapolis, east on Annapolis to Gulley, north on Gulley to Carlisle, west on Carlisle to Janet then north on Janet back to school, per Pamela Harris, Robichaud High School Principal and Mayor Paletko, communication dated October 8, 2008. Further that the Police and Fire Departments to provide any services required.

Motion unanimously adopted.

- 08-396** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the City Council concurs with and approves the DTE Energy, Western Wayne Center, 8001 Haggerty Road, Belleville, MI 48111, Standard Agreement for Municipal Street Lighting to be installed at Town and Country Condominiums, at a cost of \$5,606.00, and payment thereof, per Mayor Paletko, communication dated October 14, 2008. Further that the Mayor be authorized to sign the Agreement, subject to approval of Corporation Counsel.

Motion unanimously adopted.

- 08-397** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that Council Chairman Baron set up a Committee of the Whole Study Session in the near future with the Cable Commission to discuss changes to the Commission's rules and regulations, per the request of Councilwoman Horvath, communication dated September 23, 2008.

Motion unanimously adopted.

- 08-398** Motion by Councilwoman Horvath, seconded by Councilwoman Badalow, that the City Council concurs with and approves the proposal from BS&A Software, 14965 Abbey Lane, Bath, MI 48808 for the Water Department Utility Billing System, which includes software, data conversion and on-site training at an amount not-to-exceed \$55,825.00, per Comptroller Barrow, communication dated October 7, 2008.

Motion unanimously adopted.

- 08-399** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves BS&A Software, 14965 Abbey Lane, Bath, MI 48808 Annual Service and Support Agreement, at a cost of \$7,425.00, per Comptroller Barrow, communication dated October 7, 2008. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 08-400** Motion by Councilman Berry, seconded by Councilwoman Badalow, that the City Council concurs with and approves Change Order #1, with A Land Construction Inc., 22146 Ford Road, for the Approach/Sidewalk/ADA Ramp and Curb Replacement Program for Contract FY 2007-2008 for Locations Outside Program Marking Area and further authorize the Comptroller to pay based on units price, per Community & Economic Development Director Jamal, communication dated October 1, 2008.

Motion unanimously adopted.

- 08-401** Motion by Councilman Brown, seconded by Councilwoman Agius, that the City Council concurs with and approves Change Order #2 from Koala-T Construction, 424 Ferry Avenue, Pontiac, MI 48341, for the net reduction to the Van Houten (Municipal) Park Improvement Project, of \$25,009.00, per Recreation Director Grybel, communication dated October 1, 2008. Further, that the Mayor be authorized to sign the Change Order on behalf of the City.

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Motion unanimously adopted.

- 08-402** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the purchase of one (1) Ballistic Shield from Standard Law Enforcement Supply Company, 4920 East 45th Street, Willoughby, Ohio 44094, in the total amount of \$2,765.00, and payment thereof, per Police Chief Gavin, communication dated October 3, 2008. This item is budgeted from Police Department's Capital Outlay account.

Motion unanimously adopted.

- 08-403** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves an amendment to the 2008-09 TIFA Budget to reflect additional revenue in the amount of \$241,445, thus making the 2008-09 TIFA Budget \$2,964,445.00 per, TIFA Administrator Oliverio, communication dated September 2, 2008.

Motion unanimously adopted.

- 08-404** Motion by Councilwoman Badalow, seconded by Councilman Berry, that the TIFA Board's recommendations for a new line item, Fire Truck, be approved and TIFA begin setting monies aside to purchase a new fire truck for Station #1, per TIFA Administrator Oliverio, communication dated September 2, 2008.

Motion unanimously adopted.

- 08-405** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the proposal from Johnson Controls Inc., 2875 High Meadow Circle, Auburn Hills, MI for the replacement of a compressor and condenser fan motor at the Richard Young Center, in the amount of \$4,100.00, and payment thereof, per Building and Maintenance Superintendent Zimmer, communication dated October 7, 2008. Further, that the Mayor be authorized to sign on behalf of the City. Funds are available in the Building Authority Young Center account.

Motion unanimously adopted.

- 08-406** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the proposal from West Metro Door, 25739 Van Born Road, Taylor, MI 48180 for the purchase and installation of two (2) solid core birch doors at the Richard Young Center, in the amount of \$1,725.00, and payment thereof, per Building Maintenance Superintendent Zimmer, communication dated October 7, 2008. Further, that the Mayor be authorized to sign on behalf of the City. Funds are available in the Building Authority Young Center account.

Motion unanimously adopted.

- 08-407** Motion by Councilwoman Horvath, seconded by Councilwoman Agius, that the City Council concurs with and approves the proposal from West Metro Door, 25739 Van Born Road, Taylor, MI 48180 for the purchase and installation of double doors by the elevator at City Hall, in the amount of \$3,740.00, and payment thereof, per Building Maintenance Superintendent Zimmer, communication dated October 7, 2008. Funds are available in Building Maintenance A/C 265-932. Further, that the Mayor be authorized to sign on behalf of the City.

Motion unanimously adopted.

- 08-408** Motion by Councilman Brown, seconded by Councilwoman Horvath, that proposed ordinance H-08-10, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 7-181 AND 7-182 IN ORDER TO ADOPT THE MICHIGAN MECHANICAL CODE 2006, be considered read for the first time.

Motion unanimously adopted.

- 08-409** Motion by Councilman Brown, seconded by Councilwoman Horvath, that proposed ordinance H-08-11, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 7-156 AND 7-157 IN ORDER TO ADOPT THE MICHIGAN PLUMBING CODE 2006, be considered read for the first time.

Motion unanimously adopted.

- 08-410** Motion by Councilman Brown, seconded by Councilwoman Horvath, that proposed ordinance H-08-12, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE

CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 7-29 THROUGH 7-31 IN ORDER TO ADOPT THE MICHIGAN RESIDENTIAL CODE 2006, be considered read for the first time.

Motion unanimously adopted.

- 08-411** Motion by Councilman Brown, seconded by Councilwoman Horvath, that proposed ordinance H-08-13, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 7-46 THROUGH 7-48 IN ORDER TO ADOPT THE 2005 EDITION OF THE NATIONAL ELECTRIC CODE, be considered read for the first time.

Motion unanimously adopted.

- 08-412** Motion by Councilwoman Agius, seconded by Councilman Brown, that business license renewals for Mickey Cooper's Auto Sales, 20032 Van Born Road, Randy's Robindale Bar, 25122, Fetzers on the Beech, 5127 S Beech Daly and Dawg House, 21350 Van Born Road, be approved.

Motion unanimously adopted.

- 08-413** Motion by Councilwoman Van Houten, seconded by Councilman Berry, that the City Council adopt the Resolution for Continuation of Downriver Treatment System Joint Management Committee together with the Memorandum of Understanding, per Patrick B. McCauley, Giarmarco, Mullins & Horton, Attorneys and Counselors at Law, 101 West Big Beaver Road, Troy, MI 48084-5280, communication dated September 19, 2008. Further, that the Mayor and City Clerk be authorized to sign on behalf of the City.

Motion unanimously adopted.

- 08-414** Motion by Councilwoman Agius, seconded by Councilwoman Horvath, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:58 PM.

**S. JUDITH DUDZINSKI
CITY CLERK**

**KENNETH R. BARON
COUNCIL CHAIRMAN**

**MARIA E. LAWRENCE
COUNCIL SECRETARY**