

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 27, 2005

05-316 The meeting was called to order at 8:08 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, Administrative Assistant Kramarz, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Deputy Comptroller Macari, Building & Engineering Director Sobh, Fire Marshal Gurka (arrived at 8:19 p.m.), Police Chief Gust, Recreation Director Grybel, Public Service Administrator Franzil, Community & Economic Development Director Jamal.

The Pledge of Allegiance was led by Library Board Member John Zadikian.

05-317 Motion by Councilwoman Brown, seconded by Councilman Constan, that the Agenda for the Regular Meeting of September 27, 2005, be approved as submitted.

Motion unanimously adopted.

05-318 Motion by Councilwoman Brown, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of September 13, 2005, be approved as submitted.

Motion unanimously adopted.

05-319 Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the Minutes from the Special Land Use Public Hearing at 26700 W Warren, be approved as submitted.

Motion unanimously adopted.

05-320 Motion by Councilman Baron, seconded by Councilman Constan, that Current Claims 6-1 through 6-15, be approved as submitted.

1. ALL COURT, INC. – Repair Gym Floor at Young Center – Final Invoice from A/C 101-692-932-000 (Repair/Maint.) \$2,480.00. Recreation.
2. BEST ASPHALT – Truck Rental Fees for Disposal – Invoice Number 15728, 15727 and 15726 dated 09/12/05 from A/C 592-537-818-000 (Contract Serv.) \$9,200.00 and A/C 101-200-810-000 (Sanitation) \$10,917.50. General Govt.
3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY – Waste and Debt for Authority – Invoice Number 08-05 from A/C 101-200-810-000 (Sanitation) \$145,477.17. General Govt.
4. COMERICA BANK – Bonds for Energy Plan – Invoice dated 09/13/05 from A/C 101-200-965-000 (Energy Bonds) \$2,592.50. General Govt.
5. COMERICA BANK – Radio Bonds – Invoice dated 09/13/05 from A/C 101-200-831-100 (E-911 Radios) \$8,085.00. General Govt.
6. DEANGELIS LANDSCAPING, INC. – Rouge River CSO Control – Certificate #5, dated 09/02/05 from A/C 592-xxx-154-000 (Sewers) \$275,397.22. Water O/M.
7. E & N CEMENT – Pavements Repairs – (2) Invoices dated 09/20/05 from A/C 101-440-820-000 (Road Repairs) \$42,929.25 and A/C 592-537-818-000 (Contract Serv.) \$1,708.81. DPW-Water Dept.
8. GARY MIOTKE – Legal Services for August 2005 – Invoice dated 09/20/05 from A/C 101-210-826-000 (Counsel Serv.) \$4,426.05. Corporation Counsel.
9. HEIGHTS TREE SERVICE – Tree Trimming/Removals – Invoice Number 71, dated 09/18/05 from A/C 101-440-820-000 (Trees) \$10,335.00. DPW-Highway.
10. J.Q. INC. – Grass & Weeds Cutting Charges – Invoice dated 09/16/05 from A/C 101-200-963-000 (Weeds) \$11,800.00. General Govt.
11. NAGEL CONSTRUCTION – Sewer Cleaning Program – Invoice Number 2147, dated 09/15/05 from A/C 592-540-818-030 (Contract Serv.) \$12,104.90. Water Dept.
12. ROBERT ANKRAPP – CERT Program Director – Invoice dated 09/19/05 from A/C 101-300-818-000 (Contract Serv.) \$4,020.00. Police Dept.
13. SECREST, WARDLE, LYNCH... – Legal Services for July 2005 – Invoice dated 09/20/05 from A/C 101-210-826-000 (Counsel Serv.) \$6,151.50. Corporation Counsel.
14. WADE TRIM & ASSOC. – Rouge River CSO Control, Inspection Days – Invoice Number 87725, dated 09/02/05 from A/C 592-xxx-154-000 (Sewers) \$16,008.00. Water O/M.
15. WASTE MANAGEMENT – Roll off Service for DPW – Invoice Number 1717-1 and 1717-3 from A/C 101-200-810-000 (Sanitation) \$9,000.00. General Govt.

Minutes **SEPTEMBER 27, 2005** Continued

Motion unanimously adopted.

- 05-321** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the communication from Mayor Paletko, dated September 20, 2005 re: Reappointment of Bill Shevchik to the Watershed Stewards Commission, term to expire September 2008, be received, contents noted and filed.

Motion unanimously adopted.

- 05-322** Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the quote from BS&A Software, 5668 Okemos Road, East Lansing, MI 48823 for Complaint Tracking Software System with training, in the amount of \$8,295.00 and licensing cost of \$1,650.00 for year two and three, per Comptroller Barrow, dated September 20, 2005. Further, that Computer Technologies Inc., 1721 Crooks Road, Suite 100, Troy, Michigan 48084, to provide two (2) Novell Netware User Licenses and one (1) Pervasive Netware for twenty (20) additional users, at a cost of \$2,785.00, and payment there. Funding for this purchase to be split between General Government and Water Department budgets.

Motion unanimously adopted.

- 05-323** Motion by Councilman Baron, seconded by Councilman Constan, that the City Council concurs with and approves the "Intergovernmental Agreement between the City of Dearborn Heights and the County of Wayne" for the 2005 Justice Assistance Grant (JAG) Program per, Police Chief Gust, communication dated September 20, 2005. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 05-324** Motion by Councilwoman Van Houten, seconded by Councilwoman Brown, that the City Council concurs with and approves the USDA TEFAP Commodity Agency Agreement for the Berwyn and Eton Senior Citizen Centers per, Recreation Director Grybel, communication dated September 8, 2005. Further, that the Mayor be authorized to sign the Agreements on behalf of the City.

Motion unanimously adopted.

- 05-325** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Standard Form of Agreement between Owner and Contractor for Construction Projects of Limited Scope between the City of Dearborn Heights and Contractor M.W. Morss Roofing Inc, 15423 Oakwood Drive, Romulus, MI 48174 and Architect TMP Associates, Inc., 1191 W Square Lake Road, Bloomfield Hills, MI 48302 for the Berwyn Senior Citizen Center Roofing Project, per Parks & Recreation Director Grybel, dated September 20, 2005. Further, that the Mayor be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 05-326** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the "Resolution for the Adoption of the National Incident Management System", be adopted as follows:

WHEREAS, the City Council of the City of Dearborn Heights, County of Wayne, Michigan, does hereby find as follows:

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that

Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the city's/county's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-1-1 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City Council of the City of Dearborn Heights, County of Wayne, Michigan, that the National Incident Management System (NIMS) is established as the City standard for incident management, per Deputy Police Chief Lazar, communication dated September 19, 2005.

Motion unanimously adopted.

- 05-327** Motion by Councilwoman Badalow, seconded by Councilwoman Brown, that the City Council concurs with and approves the Lot Split Request in Telegraph Subdivision No. 1, Lots 484 and 485, parcel 33-006-01-0484-000, per Assessor Riedel, communication dated September 9, 2005. Present home to be demolished and two new homes built.

Motion unanimously adopted.

- 05-328** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the reappointment of Carolyn Jackson and Charles Geiger to the Canvass Board, terms to expire December 31, 2009, per S Judith Dudzinski, communication dated September 21, 2005.

Motion unanimously adopted.

- 05-329** Motion by Councilman Constan, seconded by Councilwoman Badalow, that the City Council concurs with and approves the appointment of Mr. Mario Campos to the Recreation Commission, term to expire September 2008, per the recommendation of Recreation Director and Councilman Constan, communication dated September 21, 2005.

Motion unanimously adopted.

- 05-330** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, to amend CM 05-125, 1st reading of proposed Ordinance H-05-02 (International Fire Code) to read H-05-04.

Motion unanimously adopted.

- 05-331** Motion by Councilwoman Badalow, seconded by Councilman Constan, that proposed Ordinance H-05-04, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING CHAPTER 14, ARTICLE III, SECTIONS 14-16 TO 14-48 OF THE CODE TO ADOPT BY REFERENCE THE INTERNATIONAL FIRE CODE 2003 EDITION WITH AMENDMENTS IN THE CITY OF DEARBORN HEIGHTS, be considered read for the second time and become effective upon publication in the City's official newspaper of record.

Motion unanimously adopted.

- 05-332** Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with and approves the Documentation Fees, Permit Fees and Plan Review for Water Based Fire Sprinkler System Pipe Schedule Fees, per Fire Marshal Gurka.

Motion unanimously adopted.

- 05-333** Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Resolution Supporting Local Control Municipal Broadband and Cable Franchising, be adopted as follows:

MUNICIPAL BROADBAND:

WHEREAS, cities/villages have an interest in making available telecommunications technology which is beneficial to all businesses, economic development, municipal service provision, and all residents; and

WHEREAS, cities/villages are developing programs and municipal broadband initiatives to offer high-speed and wireless internet to their citizens; and

WHEREAS, our City believes that internet services are an essential service that should be provided to all residents irrespective of age, race, education, or income level; and

WHEREAS, the goal of these municipal broadband initiatives is to prepare cities/villages and their workforce for the jobs and technology of tomorrow and enhance the ability to attract and retain high-tech jobs; and

WHEREAS, in many cases, Michigan urban and rural areas are underserved and uncompetitive, and in many cases the service is inadequate and unaffordable; and

WHEREAS, this is a local control issue and our residents should be able to request any essential service from their local government; and

WHEREAS, members of the legislature have made inaccurate claims that these municipal broadband initiatives are anti-competitive and has proposed a moratorium on wireless expansion in the State of Michigan in order to stall or derail municipal broadband projects.

CABLE FRANCHISING:

WHEREAS, city/villages have a long and very successful history of supporting the introduction of cable services by the cable industry, a successful deployment made possible in large part by the current system of local cable franchising; and

WHEREAS, SBC and Verizon have been actively advocating across the country that local franchise agreements should be eliminated and replaced with state-wide franchise agreements; and

WHEREAS, local government participation in cable franchising process ensures that all residents irrespective of age, race, education, or income level, receive the same service; and

WHEREAS, cities/villages revenue sharing has been significantly reduced over the last few years, and franchise fee revenue assists cities/villages in providing essential services; and

WHEREAS, franchise agreements assure that the public education channels are provided for the community;

NOW, WHEREAS, a state-wide franchise system would deny consumers local resolution of problems; now

THEREFORE BE IT RESOLVED, that the City Council hereby affirms its support for municipal broadband initiatives creating broadband wireless service.

BE IT FURTHER RESOLVED, that the City Council is opposed to any effort by the State Legislature to place a moratorium, or further limitations, on the expansion of municipal broadband in the State of Michigan.

BE IT FURTHER RESOLVED, that the City Council hereby affirms opposition to a state-wide franchise agreement system.

BE IT FURTHER RESOLVED, that the City Council hereby supports the current local cable franchise agreement system.

BE IT FURTHER RESOLVED, that the City of Dearborn Heights Clerk is to forward a copy of this adopted resolution to Governor Jennifer Granholm, State Representatives Andy Dillon and Jim Plakas, State Senator Burton Leland, the House Energy and Technology Committee, the Senate Technology & Energy Committee, and the Michigan Public Service Commission.

Motion unanimously adopted.

- 05-334** Motion by Councilwoman Brown, seconded by Councilman Constan, that the business license renewal for O'Grady's Irish Pub, 3651 S Beech Daly, be approved.

Motion unanimously adopted.

- 05-335** Motion by Councilman Constan, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:43 p.m.

S. JUDITH DUDZINSKI
CITY CLERK

MARIA E. LAWRENCE
COUNCIL SECRETARY

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL