

**MINUTES DECEMBER 12, 2017
REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL**

APPROVED FOR
AGENDA OF

01-09-18

17-407 The meeting was called to order at 8:05 p.m. by Council Chairman Robert Constan.

Roll Call showed the following:

Present: Council Chairman Robert Constan, Councilman "Dave" Wassim Abdallah, Councilman Thomas A. Berry, Councilwoman Lisa Hicks-Clayton, Councilwoman Margaret Horvath, Councilman Joseph V. Kosinski, Councilman Ray Muscat.

Absent: None.

Also Present: City Clerk Prusiewicz, Mayor Paletko, Treasurer Riley, Administrative Assistant Laslo, Building and Engineering Director Sobh, Community and Economic Development Director Hachem, Comptroller Laub, Corporation Counsel Miotke, Emergency Management Director Ankrapp, Fire Chief Brogan, Human Resource Director Sobota-Perry, Library Director McCaffery, Ordinance Enforcement Director McIntyre, Police Chief Gavin, Public Service Administrator Zimmer, Recreation Director Grybel.

The Pledge of Allegiance was led by outgoing City Council members, Councilman Thomas A. Berry, Councilwoman Margaret Horvath and Councilman Joseph V. Kosinski.

20th District Court Judge Mark Plawecki administered the Oath of Office to recently re-elected officials, Mayor Daniel S. Paletko, City Clerk Walter J. Prusiewicz and Treasurer John J. Riley, II. The Oath of Office was administered by 20th District Court Judge David Turfe to Council Chairman Robert Constan, Councilman-Elect Bill Bazzi, Councilwoman-Elect Denise Malinowski Maxwell and Councilman-Elect Tom Wencel.

Councilman Thomas A. Berry, Councilwoman Margaret Horvath and Councilman Joseph V. Kosinski were honored for their past service on the Dearborn Heights City Council. Presentations were made by Police Chief Lee Gavin, Fire Chief David Brogan, Wayne County Commissioner Diane Webb, Michigan State Senator David Knezek, Michigan State Representative Jewell Jones and Mayor Daniel S. Paletko.

17-408 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Abdallah, that the Agenda for the Regular Meeting of December 12, 2017, be approved as submitted with the replacement of the communication for Item 8-A.

Motion unanimously adopted.

17-409 Motion by Councilman Kosinski, seconded by Councilwoman Hicks-Clayton, that the Minutes from the Regular Meeting of November 28, 2017, be approved as submitted as outlined in Item 4-A.

Motion unanimously adopted.

17-410 Motion by Councilwoman Horvath, seconded by Councilman Berry, that the Current Claims 6-1 through 6-38 be approved as submitted as outlined in Item 6.

1. The AccuMed Group	Rescue Runs	\$	6,438.92	Fire
2. A Land Construction, Inc.	Cont Services	\$	34,164.00	Water
A Land Construction, Inc.	Tree Removal	\$	5,136.00	Highway
3. A Land Construction, Inc.	Repair/Maint	\$	17,500.00	Ordinance
4. Artistic Lawn Service	Capital Outlay	\$	3,250.00	Recreation
5. Artistic Lawn Service	Sidewalk/Weed	\$	9,285.00	Ordinance
6. Broadspire Services, Inc.	Workers Comp	\$	11,300.00	GenGovt

7.	Cannon Truck Equipment	Inv-Auto Parts	\$	3,746.40	Water
8.	Carrico Maldegen Insurance Agency	Workers Comp	\$	7,500.00	DPW
9.	Cummings, McClorey, Davis & Acho	Prof/Consult	\$	1,755.00	GenGovt
10.	D & D Water & Sewer, Inc.	Water System	\$	158,614.00	Water
11.	Dearborn Tree Service	Tree Removal	\$	8,300.00	Highway
12.	Dearborn Tree Service	Tree Removal	\$	5,350.00	Highway
13.	EJ USA, Inc.	Inv-Piping/Trans	\$	6,717.66	Water
14.	Etna Supply	Inv-Auto Parts	\$	22,052.41	Water
15.	Ferguson Waterworks	Inv-Piping/Trans	\$	5,266.19	Water
16.	Gasiorek, Morgan, Greco, McCauley et al.	Prof/Consult	\$	3,161.60	Water
17.	Great Lakes Water Authority	Notes Payable	\$	8,576.00	Water
18.	Hydro Corp	Cont Services	\$	2,976.00	Water Water9.
19.	Interstate Batteries of Southeast Michigan	Inv-Auto Parts	\$	1,537.90	
20.	The Library Network	Telephones	\$	4,405.92	Library
21.	Lighting Supply	Street/Park Light	\$	1,314.95	Library
	Lighting Supply	Repair/Maint	\$	458.86	Library
22.	Michigan Municipal Risk Management Auth.	Insurance	\$	343,201.50	Water
	Michigan Municipal Risk Management Auth.	Insurance	\$	27,000.00	Library
23.	Miotke, Gary	Coun Services	\$	12,229.84	CorpCoun
24.	MISS Dig System, Inc.	Dues Member	\$	2,494.06	Water
25.	Nagel Construction, Inc.	Cont Services	\$	28,863.87	Water
26.	Network Services Company	Supplies	\$	2,526.87	BldgMaint
27.	Network Services Company	Supplies	\$	1,900.03	BldgMaint
28.	Oakland Community College/CREST	Tuition Bk	\$	7,050.00	Fire
29.	Phoenix Safety Outfitters	Repair/Maint	\$	4,256.86	Fire
30.	Physio-Control, Inc.	Cont Services	\$	2,663.36	Fire
31.	Priority One Emergency	Repair/Maint	\$	2,588.00	Fire
32.	RKA Petroleum, Inc.	Motor Fuel	\$	3,426.62	Fire
33.	RKA Petroleum, Inc.	Motor Fuel	\$	14,119.57	Water
34.	Secrest Wardle	Coun Services	\$	11,927.00	CorpCoun
35.	Wade Trim Associates, Inc.	Prof/Consult	\$	27,306.35	GenGovt
36.	Wade Trim Associates, Inc.	Street Repair	\$	39,275.64	DPW
37.	Wade Trim Associates, Inc.	Prof/Consult	\$	2,913.75	Water
38.	Wade Trim Associates, Inc.	Water System	\$	3,031.25	Water

Ayes: Council Chairman Constan, Councilman Abdallah, Councilman Berry, Councilwoman Hicks-Clayton, Councilwoman Horvath, Councilman Kosinski.

Nays: Councilman Muscat.

Absent: None.

Motion adopted.

17-411 Motion by Councilman Muscat, seconded by Councilwoman Hicks-Clayton, to authorize the Comptroller's Office to advertise for bids for Fire Hose and Nozzles for both Fire Stations as outlined in Item 7-A. The AFG Operations Grant will cover 90% of this expenditure with the remainder to come out of Capital Outlay. Per Fire Chief Brogan, communication dated December 4, 2017.

Motion unanimously adopted.

17-412 Motion by Councilwoman Horvath, seconded by Councilman Abdallah, to award the bid for the CDBG FY 2016 Berwyn Center Improvements PHASE II Window Replacement Project to the most qualified bidder, Dynamic Glazing Systems, Inc., in the amount of \$142,200.00.00 as outlined in Item 7-B. This motion further authorizes the Mayor and City Clerk to sign the contract of behalf of the City. The Comptroller's Office is authorized by this motion to return the bid bonds to the unsuccessful bidders. Per Community and Economic Development Director Hachem, communication dated December 4, 2017.

Motion unanimously adopted.

17-413 Motion by Councilman Kosinski, seconded by Councilwoman Horvath, to concur with the Mayoral appointments to the Local Officers Compensation Commission of Jack Franzil, Steve Henry and Roy Pilot as outlined in a replacement communication for Item 8-A. These appointments are to fill vacancies left due to ineligibility of the previous appointments of Michele Kramarz and John Zadikian. Per Mayor Paletko, updated communication dated December 12, 2017.

Motion unanimously adopted.

17-414 Motion by Councilman Kosinski, seconded by Councilman Berry, to approve the agreement with the Dearborn Heights Public Employees Association effective July 1, 2016 through June 30, 2021 and to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City as outlined in Item 8-B. This motion further authorizes the extension of the benefits of this 2016-2021 agreement to all non-union employees with the exception of the pension changes. Per Mayor Paletko, communication dated November 28, 2017.

Motion unanimously adopted.

17-415 Motion by Councilman Berry, seconded by Councilman Muscat, to approve the Annual Permit for Special Events A-18136, Annual Pavement Restoration Permit A-18103 and Annual Maintenance Permit A-18048 from Wayne County for work to be performed on County Road Rights-of-Ways in the City's jurisdiction during 2018 as outlined in Item 8-C. Pending Corporation Counsel review and approval, this motion further authorizes Public Service Administrator Zimmer to sign these documents on behalf of the City. Per Mayor Paletko, communication dated December 5, 2017.

Motion unanimously adopted.

17-416 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Kosinski, to receive, note and file the Mayoral appointments to the Planning Commission of Wissam Fadlallah, Ali Abdallah and Kevin Miller for terms to expire in December, 2020 as outlined in Item 8-D. These appointments are to replace John Girolamo, Tom Wencel and Rick Coogan. Per Mayor Paletko, communication dated December 5, 2017.

Motion unanimously adopted.

17-417 Motion by Councilman Kosinski, seconded by Councilman Berry, to authorize the Annual Publication of the Amended Notice of Meetings as required under Public Act No. 267, Public Acts of 1976, on the City's website. Per City Clerk Walter Prusiewicz, communication dated December 4, 2017.

Motion unanimously adopted.

17-418 Motion by Councilman Muscat, seconded by Councilman Abdallah, to approve the reappointments of Councilwoman Lisa Hicks-Clayton as delegate and Council Chairman Robert Constan as alternate to the Southeast Michigan Council of Governments (SEMCOG) for one-year terms to expire in December, 2018 as outlined in Item 9-B. Councilwoman Hicks-Clayton, communication dated December 12, 2017.

Motion unanimously adopted.

17-419 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Berry, to approve Councilman-Elect Bazzi, Councilwoman-Elect Malinowski Maxwell and Councilman-Elect Wencel to attend the Michigan Municipal League Newly Elected Officials Training for \$95.00 per person as outlined in Item 9-C. This expenditure in the total amount of \$285.00 will be paid from the City Council Education Budget. Per Councilwoman Hicks-Clayton, communication dated December 5, 2017.

Motion unanimously adopted.

17-420 Motion by Councilman Kosinski, seconded by Councilman Abdallah, to approve the amendment to the current Hard Rock Concrete contract per Change Order for \$1,813,940.00 and approve an engineering budget for Wade Trim Associates, Inc. in the amount of \$150,000.00 as outlined in Item 9-D. This amendment to reconstruct Silvery Lane from Ford Road to Warren Avenue and George Avenue from Telegraph Road to Fenton Avenue was approved in the 2017-2018 Major and Local Road Budget. Per Public Service Administrator Zimmer, communication dated December 1, 2017.

Motion unanimously adopted.

17-421 Motion by Councilman Kosinski, seconded by Councilman Berry, to proceed with the design of the Annapolis Avenue Water Main Improvements from Williams Avenue to Polk Avenue and authorize Wade Trim Associates, Inc. to prepare plans and specifications, acquire the necessary permits for construction and advertise for bids in the amount not to exceed \$50,000.00 as outlined in Item 9-E. This project is being funded jointly through the Community Development Block Grant Program and the 2017-2018 Water and Sewer Funds. Per Public Service Administrator Zimmer, communication dated December 1, 2017.

Motion unanimously adopted.

17-422 Motion by Councilwoman Horvath, seconded by Councilman Berry, to approve the appointment of Gary Barkoff to the Parks and Recreation Commission to fill a vacancy for a term ending September 30, 2018 as outlined in Item 9-F. Per Recreation Director Grybel, communication dated November 30, 2017.

Motion unanimously adopted.

17-423 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Kosinski, to approve the appointment of Justin Toth to the Parks and Recreation Commission to fill a vacancy for a term ending September 30, 2018 as outlined in Item 9-G. Per Recreation Director Grybel, communication dated November 20, 2017.

Motion unanimously adopted.

17-424 Motion by Councilman Muscat, seconded by Councilman Kosinski, to approve the purchase and payment of 50 Portable Radios and four Remote Mount Mobile Radios from Motorola for a total cost of \$233,738.98 as outlined in Item 9-H. To cover the cost of this expenditure, \$195,000.00 was budgeted this year under Capital Outlay. The remaining balance of \$38,738.98 will be paid out of the 2018-2019 Budget with no interest. Per Police Chief Gavin, communication dated November 9, 2017.

Motion unanimously adopted.

17-425 Motion by Councilman Kosinski, seconded by Councilman Muscat, to approve the Warren Valley Golf Course Assignment Agreement submitted by Corporation Counsel Miotke on December 5, 2017 and to authorize Mayor Paletko to execute it on behalf of the City as outlined in Item 9-I. The City of Dearborn Heights also specifically authorizes and approves the course of action concerning the liquor licenses for Warren Valley Golf Course as set forth in paragraphs 3, 3.1, 3.2 and 3.3 of the Warren Valley Golf Course Assignment Agreement, including the transfer of the golf course Class C liquor license to the City, the City obtaining a conditional liquor license for the Warren Valley Golf Course, and the City entering into a participation agreement and permit with Oneida Golf Services, Inc. on behalf of the City. Any such agreements, applications, permits and other documents will be subject to the review and approval of Corporation Counsel Miotke. Further, subject to the review and approval of Corporation Counsel Miotke, Mayor Paletko is authorized to pay on behalf of the City up to an additional \$5,000.00 in fees and expenses as may be required to effectuate the course of action concerning the liquor licenses for the Warren Valley Golf Course as previously noted, including payments to the Michigan Liquor Control Commission. Per Corporation Counsel Miotke, communication dated December 5, 2017.

Motion unanimously adopted.

17-426 Motion by Councilman Kosinski, seconded by Councilman Abdallah, to adopt the Resolution Accepting Long Term Maintenance of Storm Water Management System, Vista Maria drafted by Corporation Counsel Miotke as outlined in Item 11-A. The Vista Maria Storm Water Operation and Maintenance Resolution and Agreement were approved per City Council Motion 17-132. In the assessment of the Wayne County DPS-Permit Office, prior documentation submitted by the City did not meet the requirements of the Wayne County ordinance that governs this issue. This motion further authorizes Public Service Administrator Zimmer to sign Wayne County Permit No. M-48480, Maintenance Permit for Vista Maria-Commercial Drive Entrance Relocation, on behalf of the City. Per Corporation Counsel Miotke, communication dated December 4, 2014. Motion unanimously adopted.

17-427 Motion by Councilman Kosinski, seconded by Councilman Abdallah, to approve the document presented by Plante and Moran, PLLC to address the additional cost in water rates of 7.26% and a minimum bill of 6.64% for residential customers as outlined in Item 13-A.

After a discussion by members of City Council, Mayor Paletko and Corporation Counsel Miotke, the motion was amended to include the approval of the proposed rates set forth on page 3 of the communication dated November 20, 2017 from Martin Olejnik, Plante and Moran, PLLC, effective January 1, 2018. The following are the revised rates:

	<u>Current</u> <u>Rate</u>	<u>Proposed</u> <u>Rate</u>	<u>Percent</u> <u>Change</u>
Residential/Bimonthly Billing			
Water rate per 1,000 cubic feet	\$ 44.90	\$ 48.90	8.91%
Sewer rate per 1,000 cubic feet	57.50	61.05	6.17%
Meter maintenance and billing charge	4.50	4.50	-
Minimum bill (based on 400 cubic feet)	45.46	48.48	6.64%
Average bill (based on 2,700 cubic feet)	280.98	301.37	7.26%

The above rates will increase the average bimonthly residential billing by \$20.39 or 7.26% (assuming an average bimonthly usage of 2,700 cubic feet) and will increase the minimum bimonthly residential bill by \$3.02 or 6.64% (based on 400 cubic feet).

	<u>Current Rate</u>	<u>Proposed Rate</u>	<u>Percent Change</u>
Commercial/Monthly Billing			
Water rate per 1,000 cubic feet	\$ 44.90	\$ 48.90	8.91%
Sewer rate per 1,000 cubic feet	57.50	61.05	6.17%
Meter maintenance and billing charge			
3/4" and 5/8" meter	2.25	2.25	-
1" meter	3.00	3.00	-
1 1/2" meter	4.05	4.05	-
2" meter	5.45	5.45	-

The minimum commercial monthly billings will be based on 800 cubic feet.

Per Martin J. Olejnik, Plante & Moran, PLLC, communication dated December 4, 2017.

Ayes: Council Chairman Constan, Councilman Abdallah, Councilman Berry, Councilwoman Hicks-Clayton, Councilwoman Horvath, Councilman Kosinski.

Nays: Councilman Muscat.

Absent: None.

Motion adopted.

17-428 Motion by Councilwoman Hicks-Clayton, seconded by Councilman Abdallah, that Proposed Ordinance H-17-05 concerning Food Trucks, be considered read for the first time and referred to a Study Session for further discussion as outlined in Item 13-B. Per Jennifer C. Hill, Secret Wardle, communication dated November 21, 2017.

Motion unanimously adopted.

17-429 Motion by Councilwoman Horvath, seconded by Councilman Berry and Councilman Kosinski, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 10:19 p.m.

WALTER J. PRUSIEWICZ
CITY CLERK

ROBERT CONSTAN
COUNCIL CHAIRMAN

DENISE WALKER
COUNCIL SECRETARY