

CITY OF WAYNE
CITY COUNCIL
SPECIAL MEETING NO. 2009-07 - MARCH 2, 2009
WAYNE CITY HALL
3355 SOUTH WAYNE ROAD
8:00 P.M.

A special meeting of the Wayne City Council was held on Monday, March 2, 2009, at 8:00 p.m. in the Council Chamber of Wayne City Hall, 3355 South Wayne Road.

Mayor Haidous called the meeting to order at 8:00 p.m. and led the Council and the audience in the Pledge of Allegiance.

Members Present: Mayor Abdul H. Haidous, Mayor Pro Tem Donna M. McEachern, Thomas H. Kelly, Albert M. Damitio, Pamela Dobrowolski, Susan M. Rowe

Members Absent: Mathew P. Mulholland, excused (personal business)

Also Present: Richard S. Clark, City Attorney; John J. Zech, City Manager; Mary E. Carney, City Clerk

03-09-0079 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the minutes of the Regular Meeting of February 17, 2009, as printed.

03-09-0080 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the request by Liberty Hill Housing Corporation, to be recognized as a nonprofit organization in Wayne.

03-09-0081 Motion by McEachern, seconded by Damitio and unanimously carried, the following resolution was adopted:

RESOLUTION ON THE SPENDING OF
FEDERAL ECONOMIC STIMULUS FUNDS

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment; and

WHEREAS, those same Americans are the taxpayers that provide the revenue needed to operate essential government services; and

WHEREAS, Congress and President Obama are planning a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects and

other projects that will require manufactured components; and

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of our communities; and

WHEREAS, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy; and

WHEREAS, any economic recovery plan spending should - to every extent possible - include a commitment from the Wayne City Council to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.

THEREFORE, BE IT RESOLVED THAT, Mayor Abdul H. Haidous and the Wayne City Council will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed.

BE IT FURTHER RESOLVED THAT, we commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to the City of Wayne by the American taxpayers; and

BE IT FURTHER RESOLVED THAT, the legislators of the City of Wayne, commit to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program.

03-09-0082 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the request from the Wayne-Westland Veterans Parade Council for a contribution of \$300.00 to help fund the 2009 Memorial Day Parade, which will be held on Sunday, May 24, 2009, at 1:00 p.m.

03-09-0083 Motion by McEachern, seconded by Damitio and unanimously carried, the following resolution was adopted:

RESOLUTION

WHEREAS, bids were requested by the Department of Public Works for cold patch; and

WHEREAS, two (2) bids were received, opened and publicly read by the Acting Deputy Clerk at 9:30 a.m., Thursday, February 19, 2009, in the Council Chamber of City Hall as follows:

<u>Name of firm</u>	<u>CP3 Bid</u>	<u>UPM Bid</u>
---------------------	----------------	----------------

Barrett Paving Materials, Romulus, MI	\$80.00 per ton	\$94.00 per ton
Cadillac Asphalt, Whitmore Lake, MI	\$94.00 per ton	no bid

WHEREAS, the bids were sent to the Department for evaluation and recommendation has been received;

NOW, THEREFORE, BE IT RESOLVED, that the low bid submitted by Barrett Paving Materials in the amount of \$80.00 per ton/CP3 and \$94.00 per ton/UPM, to be paid from the FY '08-'09 and FY '09-'10 Major & Local Street and Water & Sewer Budgets, be accepted in the best interest of the City.

03-09-0084 Motion by McEachern, seconded by Dobrowolski and unanimously carried, it was resolved to approve the reappointment of Ed Marman, to the Library Board, until October of 2011.

03-09-0085 Motion by Rowe, seconded by Dobrowolski and unanimously carried, it was resolved to accept the recommendation of Mayor Haidous and approve the reappointment of Don Quarles, to the Local Officers Compensation Commission, until October 2015.

03-09-0086 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the resignation of Kathleen Darfler, from the Board of Canvassers, with thanks for time served.

03-09-0087 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the appointment of Michael Smith, 37750 Whitney Drive, to the Board of Canvassers, to fill the unexpired term of Kathleen Darfler, until December of 2009.

Upon the request of Mayor Haidous for comments from persons in the audience on matters not covered by the City Council Agenda, the following were expressed:

John Rhaesa informed everyone that the next issue of the Wayne Dispatch would be delivered to homes on Wednesday or Thursday. He further stated that included in the issue would be a coupon for the US 12 Restaurant for 30% of the entire bill.

By consensus of Council, Communications and Reports were received and filed or acted upon as indicated:

- a. Memo from the Public Works Director, concerning a Wayne County sponsored Household Hazardous Waste Collection Event, which will be held on Saturday, March 28, 2009, from 8:00 a.m. to 2:00 p.m. at the Allen Park City Hall, 16850 Southfield Road
- b. Memo from the Police Chief and a thank you card regarding Police Officer Robert

Amore

- c. Memo from the Deputy Police Chief concerning a question raised by a resident at the February 17, 2009 City Council Meeting regarding some problems with his neighbor
- d. Memo from the Community Development Director concerning a question raised by a resident at the February 17, 2009 City Council Meeting regarding the posting of the unapproved 2020 Committee Meeting minutes of January 28, 2009 on the City's Website
- e. Memo from the City Clerk regarding a question raised by a resident at the February 17, 2009 City Council Meeting concerning the posting of the approved City Council Meeting minutes of January 20, 2009 on the City's Website
- f. Memo from the City Manager regarding a suggestion about the unapproved City Council Meeting minutes
- g. Memo from the Director of the Parks & Recreation Department concerning the James J. Poplin Distinguished Service Award
- h. Memo from the Director of the Parks & Recreation Department regarding the Harold & Pat Bower and Jack Demmer Scholarships
- i. Memo from the Library Director concerning a request for a resolution by Councilman Kelly at the February 11, 2009 Goals Meeting, regarding the Library of Michigan

03-09-0088 Motion by Kelly, seconded by Rowe and unanimously carried, the following resolution was adopted:

CITY OF WAYNE
RESOLUTION

WHEREAS, the Library of Michigan is an important resource for the People of the State of Michigan and of particular importance to the Legislature of the State of Michigan which utilizes its resources on a daily basis; and

WHEREAS, for many years the Michigan Legislature, in addition to its responsibility for the operation of the Library of Michigan, also exercised a direct role in the policies and appropriations affecting all libraries in the State; and

WHEREAS, due to current economic difficulties affecting the operating budgets of many public entities including libraries; and

WHEREAS, plans have been announced that may eliminate the State of Michigan

Department of History, Arts and Libraries, whereby the Library of Michigan - instead of being returned to the jurisdiction of the Michigan Legislature - would become part of the Michigan Department of Education;

NOW, THEREFORE, BE IT RESOLVED that the City of Wayne City Council hereby recommends to the Governor of Michigan and to the Michigan Legislature that the Library of Michigan should be returned to its former, traditional position as the direct responsibility of the Michigan Legislature.

- j. Memo from the Library Director regarding a request for a resolution by Councilman Kelly at the February 11, 2009 Goals Meeting, concerning the Consumer Product Safety Commission

03-09-0089 Motion by Kelly, seconded by Rowe and unanimously carried, the following resolution was adopted:

CITY OF WAYNE
RESOLUTION

WHEREAS, the Consumer Product Safety Improvement Act of 2008 has been interpreted to include books as a product that must be tested for lead; and

WHEREAS, it is understandable that the CPSC must protect children from toxic materials, publishers have already tested the book components and found that the lead levels are lower than the regulations require three years from now; and

WHEREAS, all book recalls in the last two decades have been because of toys attached to the books that posed a choking hazard, not the books themselves; and

WHEREAS, making these testing regulations retroactive would require both school and public libraries to take drastic steps to come into compliance; requiring either children be banned from their libraries or pulling every book intended for children under the age of 12 from their bookshelves at the time children are fostering a lifelong love of learning and reading;

NOW, THEREFORE, BE IT RESOLVED, that the City of Wayne City Council hereby recommends to the Consumer Product Safety Commission that in order to allow children and families to continue accessing critical library materials, the law should either exempt books from the Consumer Product Safety Improvement Act of 2008, accept the components tests that have already been done, or exempt all books currently in school and public libraries to ensure that our children continue to have access to safe educational library materials.

- k. Memo from the Fire Chief and a thank you letter concerning Captain Ken

Chapman and Firefighters Cindy Boring, Jeremie Schneider and Kevin Brookshire

- l. Memo from the City Engineer regarding a question raised by some residents at the February 17, 2009 City Council Meeting concerning some problems at Newberry Square Apartments
- m. Letter of thanks concerning Police Officers Kevin Schmidtke and David Hamlet and Fire Captain Duane Reeves, Lieutenant Bill Thomas and Firefighters Kevin Kimmel and Kevin Brookshire
- n. Memos from the City Manager and the Community Development Director regarding an application form for nonprofit organizations to complete that are seeking a resolution from the City Council recognizing them as a nonprofit organization in Wayne

03-09-0090 Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve the 6th year of a possible 6-year contract with Michigan Pavement Markings, for an amount not to exceed \$12,600.00, for pavement marking services on City Streets, to be paid from the Major & Local Streets Budgets.

03-09-0091 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve a contract with the State of Michigan in order to participate in the State bid for road salt for FY'09-'10, to be paid from the Major & Local Streets Winter Maintenance Budgets.

03-09-0092 Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve entering into a Professional Services Agreement with Aqua-Line Leak Detection Services, for an amount not to exceed \$10,664.00, to conduct a leak survey, to be paid from the Water & Sewer Budget.

03-09-0093 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to approve the purchase of water meter parts for large commercial/industrial water meters based on the price list provided by Gunners Meters & Parts, Inc., of Pontiac, Michigan for one year, to be paid from the FY '08-'09 & FY '09-'10 Water & Sewer Capital Outlay Budgets.

03-09-0094 Motion by Dobrowolski, seconded by McEachern and unanimously carried, it was resolved to approve the purchase of water meter parts for residential and small commercial/industrial water meters based on the price list provided by SLC Meter Service of Davisburg, Michigan for one year, to be paid from the FY '08-'09 & FY '09-'10 Water & Sewer Capital Outlay Budgets.

03-09-0095 Motion by McEachern, seconded by Damitio and unanimously carried, it was resolved to approve the 3rd year of a possible 5 year contract with B&B Snowplowing & Lawn Service, for an amount not to exceed \$50,760.00, to provide lawn

service at Glenwood Cemetery and various other City properties, to be paid from the City Properties, Cemetery and Downtown Development Authority Budgets.

03-09-0096 Motion by Damitio, seconded by McEachern and unanimously carried, it was resolved to approve declaring 5060 Winifred Street, a Hazard/Nuisance, and assess the charges to the owner of record.

03-09-0097 Motion by McEachern, seconded by Damitio and unanimously carried, it was resolved to approve amending the FY '08-'09 Downtown Development Authority Budget to include the Farmers Market Project.

03-09-0098 Motion by McEachern, seconded by Rowe and unanimously carried, it was resolved to call a Public Hearing for Monday, March 16, 2009 at 8:00 p.m. to consider approving a grant application for Dynamite Park through the Michigan Trust Fund.

03-09-0099 Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to approve a Memorandum of Agreement (MOA) with the Wayne-Westland Community School District regarding an application that will be submitted to the Federal Government for a grant through the Safe Schools/Healthy Students Program.

03-09-0100 Motion by Rowe, seconded by McEachern and unanimously carried, it was resolved to approve entering into a Professional Services Agreement with Stantec for an amount not to exceed \$30,000.00 for the preparation of three project plans for the State of Michigan's Project Priority List (PPL), one for drinking water funds, one for wastewater funds and one for stormwater drainage funds, to be paid from the Water & Sewer and the Downtown Development Authority (DDA) Budgets.

Upon the request of Mayor Haidous for comments from members of the City Council on matters not covered by the Council Agenda, the following were expressed:

Councilwoman Rowe stated that she had recently attended a SEMCOG Executive Committee meeting where they went over the stimulus package and provided reports on programs from October 2008 through December 2008. She further stated that the City will be sending representatives to a meeting on March 5 concerning the stimulus packages.

City Manager Zech stated that the City is applying for stimulus funds through a multitude of sources for such things as road improvements, water projects and energy efficient improvements.

Councilman Damitio thanked several residents of Winslow Street for bringing to the attention of Administration several issues regarding a recent snow emergency. He thanked the Police Department and the residents for their understanding of the issues.

Mayor Pro Tem McEachern stated that she had noticed in the newspaper that the movies playing at the State Wayne Theater were no longer listed, only the telephone

number. Parks and Recreation Director Kimberly Alexander stated that they had recently implemented the policy of not listing all the movies as a budget reduction action.

Mayor Pro Tem McEachern also stated that Spring must be here as the Dairy Queen is now open!

03-09-0101 Motion by Rowe, seconded by McEachern and unanimously carried, it was resolved to accept the Consent Calendar without exception as follows:

- a. Commission on Aging Minutes of January 13
- b. Beautification Committee Minutes of February 2
- c. Building Authority Minutes of November 20
- d. 2020 Committee Minutes of February 26
- e. Recreation Advisory Board Minutes of February 11
- f. Downtown Development Authority Minutes of February 16

03-09-0102 Motion by Rowe, seconded by Dobrowolski and unanimously carried by a roll call vote, it was resolved to recess to a Closed Session at 8:56 p.m. to discuss labor negotiations as follows:

ROLL CALL

AYES: McEachern, Kelly, Damitio, Dobrowolski, Rowe, Haidous

NAYS: None

ABSENT: Mulholland

The regular open meeting was reconvened by the City Council at 9:24 p.m.; doors were unlocked and opened, and the meeting was open to the public.

03-09-0103 Motion by Rowe, seconded by Damitio and unanimously carried, it was resolved to approve a chart, for eligible bargaining groups, to determine the amount of unused sick leave that can be used in the final average calculation in the early retirement benefit enhancements, to be consistent with the health insurance eligibility table as follows:

25+ Years of Service	600 hours
20 to 25 Years of Service	600 hours
15 to 20 Years of Service	450 hours
10 to 15 Years of Service	300 hours

03-09-0104 Motion by Damitio, seconded by Rowe and unanimously carried, it was resolved to approve the counting of years purchased as years worked, but anyone

with less than 10 years of seniority will not be allowed to purchase service credits to allow them to vest in the retirement system or get paid for any unused sick leave.

03-09-0105 Motion by Dobrowolski, seconded by Rowe and unanimously carried, it was resolved to adjourn the meeting at 9:25 p.m.

Mary E. Carney
City Clerk

Abstract published March 12, 2009