

City of Allen Park Council Meeting Minutes of
Tuesday, January 22, 2008 – 7:00PM

Mayor Gary Burtka called the Meeting to order at 7:00PM.

Roll Call showed present: Councilman Felice A. Lalli, Councilman Francesco V. Tucci, Councilwoman Beverly J. Kelley, Councilman Kyle T. Tertzag, Councilman Kevin A. Rourke, Councilman James A. Flynn, and Mayor Gary Burtka. Also present: City Administrator Eric Waidelich, City Attorney Anthony Guerriero, and Treasurer Kathleen M. Gaty.

Motion by Tertzag

Supported by Lalli

RESOLVED, to amend the Agenda for the Regular Meeting on January 22, 2008

MOTION ADOPTED – 08-0122-0071

Motion by Lalli

Supported by Tucci

RESOLVED, to approve the Agenda as amended for the Regular Meeting on January 22, 2008

MOTION ADOPTED – 08-0122-072

Motion by Kelley

Supported by Lalli

RESOLVED, to approve the Minutes for the Special Meeting of January 5, 2008

MOTION ADOPTED – 08-0122-073

Motion by Lalli

Supported by Kelley

RESOLVED, to approve the Minutes for the Regular Meeting of January 8, 2008 with the addition of the attorney fees

MOTION ADOPTED – 08-0122-074

Motion by Lalli

Supported by Tucci

RESOLVED, to approve payment of Claims and Accounts at \$1,624,104.98

MOTION ADOPTED– 08-0122-075

Motion by Rourke

Supported by Lalli

RESOLVED, to approve VFW Post 5572 to hold their annual Poppy Sale from May 8, 2008 thru May 10, 2008 (fees waived)

MOTION ADOPTED– 08-0122-076

Motion by Lalli

Supported by Rourke

RESOLVED, to approve VFW Post 5572 to hold their 63rd annual Allen Park Days from June 4, 2008 thru June 8, 2008 (fees waived) and that a copy of the financial statement from the VFW on the Allen Park Days be given to the Mayor & City Council for review
MOTION ADOPTED - 08-0122-077

Motion by Tertzag

Supported by Tucci

RESOLVED, to approve a Gaming License to hold a fund raiser raffle from Shelter to Home, Inc. a Non-Profit 501 (c) (3) that rescues animals (fees waived) – Subject to approval of Police Chief
MOTION ADOPTED– 08-0122-078

Motion by Kelley

Supported by Lalli

RESOLVED, to approval curb side pick up permit #3-2008 received from Nick Jurj – Subject to approval of Police Chief and that the permit be visually displayed on his truck
MOTION ADOPTED– 08-0122-079

Motion by Kelley

Supported by Flynn

RESOLVED, to approve 2008 Taxi Cab License request from Lorraine Cab – Subject to approval of Police Chief
MOTION ADOPTED– 08-0122-080

Motion by Tucci

Supported by Lalli

RESOLVED, to appoint James LaHousse to the Parks & Recreation Foundation – 3 year term to expire on December 31, 2010
MOTION ADOPTED– 08-0122-081

Motion by Tertzag

Supported by Tucci

RESOLVED, to appoint Sharon Broglin to the Historical Commission – 5 year term to expire on December 31, 2012
MOTION ADOPTED– 08-0122-082

Motion by Lalli

Supported by Rourke

RESOLVED, to appoint Delmar Perotta to the Planning & Zoning Commission – 3 year term to expire on December 31, 2010
MOTION ADOPTED– 08-0122-083

Motion by Lalli

Supported by Tertzag

RESOLVED, to appoint Patricia Nowak to the Library Advisory Commission – 3 year term to expire on December 31, 2010

MOTION ADOPTED– 08-0122-084

Motion by Lalli

Supported by Flynn

RESOLVED, to appoint Dr. Ronald Baker to the position of Medical Director of the City of Allen Park Pension System effective immediately and that said Appointee shall serve at the will and pleasure of the Mayor and City Council, and shall receive no salary or benefits as said positions is non-compensated

MOTION ADOPTED– 08-0122-085

Motion by Flynn

Supported by Kelley

WHEREAS, that the Mayor and City Council have determined that the appointive office of Building Department, Building Inspector shall be filled by an individual recommended by the Mayor in accordance with Article VII, Section 7.17(e) of the Allen Park City Charter; and

WHEREAS, that the Mayor and City Council cannot be bound by the actions of the preceding City Council to make appointments to appointive offices which extend beyond their own term, as such appointments deprive the incoming City Council of the power to appoint and remove public officers.

WHEREAS, the Mayor made a recommendation during the January 8th, 2008 council meeting to restructure the Building Department for the purpose of efficiency and cost effectiveness.

WHEREAS, the vote was held for the purpose of receiving additional information, and that the requested data has since been provided as requested, and that the data clearly substantiates the recommendation of the Mayor

THEREFORE, BE IT RESOLVED, that Tony Nicholas is not re-appointed to the position of the Building Inspector of the City of Allen Park effective immediately and said position is hereby declared vacant until a recommendation is forthcoming from the Mayor in accordance with the Charter; and

BE IT FURTHER RESOLVED, that Tony Nicholas shall be compensated for such accrued benefits as he may be entitled under the Administrative-Appointee Benefit Policy at the time of his hiring, and he shall return all books, papers, and property of the City of Allen Park in accordance with Article VII, Section 7.12 of the Allen Park City Charter.

BE IT FURTHER RESOLVED, that the Mayor and City Council thank Mr. Nicholas for his service to the City of Allen Park.

MOTION ADOPTED– Roll call vote (4 Yes: Flynn, Lalli, Tertzag, and Burtka- 3 No: Kelley, Rourke, and Tucci) - 08-0122-086

Motion by Tertzag
Supported by Lalli

WHEREAS, that the Mayor and City Council have determined that the appointive office of the Building Department, Building Inspector shall be filled by an individual recommended by the Mayor in accordance with Article VII, Section 7.17(e) of the Allen Park City Charter; and

WHEREAS, the Mayor made a recommendation during the January 8th, 2008 council meeting to restructure the Building Department for the purpose of efficiency and cost effectiveness.

WHEREAS, the vote was held for the purpose of receiving additional information, that the requested information has since been provided as requested, and that the data clearly substantiates the original recommendation of the Mayor,

WHEREAS, an analysis was conducted as to whether the individual recommended by the Mayor was eligible to work for the City of Allen Park as a retired and former employee,

WHEREAS, the Human Resource Manager and City Clerk found no documentation which would impede his ability the ability of the individual recommended by the Mayor to work for the City on a part-time basis.,

THEREFORE BE IT RESOLVED, in accordance with the recommendation by Mayor Gary Burtka pursuant to Article VII, Section 7.17(e) of the Allen Park City Charter, the City Council hereby appoints John Ciotti to the position of Building Department, Building Inspector of the City of Allen Park on a part-time basis.

This position will be compensated at a rate of \$33.00 per hour and will not be eligible for any benefits under the Administrative-Appointee Benefit Plan. This position shall function under the City of Allen Park policies and guidelines as set forth in regard to all part-time positions.

Motion by Tertzag
Supported by Tucci

RESOLVED, to table the above resolution for the appointment of Mr. John Ciotti
MOTION ADOPTED– 08-0122-087

Motion by Flynn
Supported by Kelley

WHEREAS, that the Mayor and City Council have determined that the appointive office of Parks & Recreation, Recreation and Facilities Specialist shall be filled by an individual recommended by the Mayor in accordance with Article VII, Section 7.17(e) of the Allen Park City Charter; and

WHEREAS, that the Mayor and City Council cannot be bound by the actions of the preceding City Council to make appointments to appointive offices which extend beyond

their own term, as such appointments deprive the incoming City Council of the power to appoint and remove public officers.

WHEREAS, the Mayor made a recommendation during the January 8th, 2008 council meeting to restructure the Parks & Recreation Department based on the information presented by the Director of that department for the purpose of efficiency and cost effectiveness,

WHEREAS, the Specific Title “Recreation and Facilities Specialist” and the associated job duties as it exists today would no longer continue and therefore not require an appointment of the Mayor,

WHEREAS, the vote was held for the purpose of receiving additional information, and that the requested data has since been provided as requested, and that the data clearly substantiates the recommendation of the Mayor

THEREFORE, BE IT RESOLVED, that Jesse Berkebile is not re-appointed to the position of the Parks & Recreation of the City of Allen Park effective immediately.

BE IT FURTHER RESOLVED, that Jesse Berkebile shall be compensated for such accrued benefits as he may be entitled under the Administrative-Appointee Benefit Policy at the time of his hiring, and he shall return all books, papers, and property of the City of Allen Park in accordance with Article VII, Section 7.12 of the Allen Park City Charter.

BE IT FURTHER RESOLVED, that the Mayor and City Council thank Jesse Berkebile for his service to the City of Allen Park.

MOTION ADOPTED– Roll call vote (5 Yes: Flynn, Lalli, Tertzag, Tucci, and Burtka- 2 No: Kelley and Rourke) 08-0122-088

Motion by Flynn

Supported by Lalli

WHEREAS, the Mayor made a recommendation during the January 8th, 2008 council meeting to restructure the Parks & Recreation Department based on the information presented by the Director of that Department for the purpose of efficiency and cost effectiveness.

WHEREAS, the vote was held for the purpose of receiving additional information, and that the requested data has since been provided as requested, and that the data clearly substantiates the original recommendation of the Mayor.

THEREFORE BE IT RESOLVED, in accordance with the recommendation by Mayor Gary Burtka pursuant to Article VII, Section 7.17(e) of the Allen Park City Charter, that the City Council hereby appoints Cassandra Whiteford to the position of Parks & Recreation Department, Activities Coordinator of the City of Allen Park at a salary of \$28,000 per year effective January 22, 2008.

Said appointee shall serve at the will and pleasure of the Mayor and Council, and shall receive the benefits outlined in the Administrative-Appointee Benefit Policy Manual voted into effect on January 8, 2008, and made a part of this Resolution.

MOTION ADOPTED—(2 No Votes: Kelley and Rourke) - 08-0122-089

Motion by Tertzag

Supported by Tucci

WHEREAS, the Mayor made a recommendation during the January 8th, 2008 council meeting to restructure the Parks & Recreation Department based on the information presented by the Director of that Department for the purpose of efficiency and cost effectiveness.

WHEREAS, the vote was held for the purpose of receiving additional information, and that the requested data has since been provided as requested, and that the data clearly substantiates the original recommendation of the Mayor.

THEREFORE BE IT RESOLVED, in accordance with the recommendation by Mayor Gary Burtka pursuant to Article VII, Section 7.17(e) of the Allen Park City Charter, that the City Council hereby appoints Anne Zagunis to the position of Parks & Recreation Department, Recreation Assistant of the City of Allen Park at a salary of \$28,000 per year effective January 22, 2008.

Said appointee shall serve at the will and pleasure of the Mayor and Council, and shall receive the benefits outlined in the Administrative-Appointee Benefit Policy Manual voted into effect on January 8, 2008, and made a part of this Resolution.

MOTION ADOPTED—(2 No Votes: Kelley and Rourke) - 08-0122-090

Motion by Lalli

Supported by Tucci

Whereas, the City of Allen Park Information Technology hardware, software, systems and capabilities are outdated and quickly degrading as outlined in the IT System Assessment Report, page 5.

Additionally, whereas Information Technology back-up systems, and redundancy capabilities are non-existent, also outlined in the IT System Assessment Report, page 5

Whereas, the current City Budget has a line item “*Public Service, Capital Outlay, account number 101-445-985-000*” with the amount of \$270,000 having been set aside for capital improvements,

Therefore Be It Resolved that the Mayor and Council approve the Finance Director to re-allocate \$120,000 from the Public Service Capital Outlay, account number 101-445-985-000 into the City Hall Capital Outlay Account 101-263-984-000.

Be It Further Resolved, that the re-allocation shall be properly documented, tracked, reflected and reported as an amendment to the existing 07-08 budget.

MOTION ADOPTED– (with Rourke casting a No vote) - 08-0122-091

Motion by Tucci

Supported by Kelley

Whereas, the City of Allen Park Information Technology hardware, software, systems and capabilities are outdated and quickly degrading as outlined in the IT System Assessment Report, page 5.

Additionally, Whereas Information Technology back-up systems, and redundancy capabilities are non-existent, also outlined in the IT System Assessment Report, page 5

Whereas, the current City Budget has a line item “Capital Outlay” with the amount of \$120,000 having been set aside specifically for this type of purpose,

Whereas, the following proposed purchase is within the scope of the existing budget,

Therefore Be It Resolved that the Mayor and Council approve the City Administrator to execute the attached proposed agreement with Compuware Corporation and institute the proposed improvements at a cost not to exceed without prior council approval \$112,655.97. The cost will be taken from the City Hall Capital Outlay Account 101-263-984-000.

MOTION ADOPTED– (with Rourke casting a No vote) - 08-0122-092

Motion by Kelley

Supported by Flynn

Whereas, the Allen Park City Council authorized the City Administrator to post, receive bids and implement the City Hall Audio and Visual System,

Whereas, the City Council approved the use of City Hall Capital Outlay Account 101-263-985-000 in the amount not to exceed \$50,000 for the purpose of equipment purchase, installation and utilization

Whereas the bid process was instituted in accordance with city policy and is attached for your review,

Whereas no bids were received in the timeframe outlined in the bid process, however three bids were submitted after the posted due date,

Therefore Be It Resolved that the best qualified quote solely relating to the purchase and installation of the Audio & Visual system is being submitted to the council under a “Request For Quote” environment for your review and approval.

The quote being requested for your approval has been submitted by TEL Systems, in the amount of 39,967.00. As previously approved by the council, the associated costs will be charged against City Hall Capital Outlay Account 101-263-985-000.

MOTION ADOPTED– 08-0122-093

Motion by Tertzag

Supported by Kelley

RESOLVED, to establish the First Annual Community Clean Up and refer to the Environmental Commission for research and recommendations on implementation.

MOTION ADOPTED– 08-0122-094

Motion by Tertzag

Supported by Lalli

Whereas, the Labor movement has been a vital part of our history in Michigan and,

Whereas, the right to form a union is a basic right of working men and women and,

Whereas, there have been discussions about making Michigan a so called “Right to Work” state and,

Whereas, the Allen Park City Council recognizes and respects the rights of working men and women,

Be it Therefore Resolved that, the Allen Park City Council hereby goes on record as being opposed to any proposal and/or legislation that would make the State of Michigan a “Right To Work” state.

Be it further resolved that, the Allen Park City Council requests that the City Clerk forward a copy of this resolution to our State Representatives, State Senator, Governor, DCC, UAW Region 1-A, Michigan AFL-CIO, Teamsters Union, AP AFSCME, AP Police Unions and AP Fire Union.

MOTION ADOPTED– 08-0122-095

Motion by Kelley

Supported by Tucci

RESOLVED, that Mrs. Wendy Moya be hired into the position of Office Clerical Worker subject to a 12 month probationary period

MOTION ADOPTED– (with Rourke casting a No vote) - 08-0122-096

Motion by Tertzag
Supported by Rourke
RESOLVED, that the Mayor and City Council authorize DPS Director/City Engineer Rick Lang and the City Administrator Eric Waidelich to sign the 2008 Wayne County Annual Maintenance Permits for the City of Allen Park
MOTION ADOPTED – 08-122-097

Motion by Tertzag
Supported by Lalli
RESOLVED, to approve a purchase of a new 2007 GMC TC7500 Dump Truck which includes the front-end snow plow and tail-gate salt spreader from Red Holman Pontiac-GMC of Westland, MI., in the total amount of \$88,943 taken from account number 101.445.985.000
MOTION ADOPTED – 08-122-098

Motion by Rourke
Supported by Tucci
RESOLVED, to appoint DPS Director/City Engineer Rick Lang to be the City of Allen Park's voting representative to the Detroit Water and Sewerage Department Technical Advisory Committee and have City Administrator Eric Waidelich as the Alternate
MOTION ADOPTED – 08-122-099

Motion by Tucci
Supported by Lalli
Resolved, to adjourn the Regular Council Meeting at 10:05 PM
MOTION ADOPTED – 08-122-100

Gary J. Burtka – Mayor

Michael I. Mizzi – City Clerk