

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 22, 1998

98-444 The meeting was called to order at 8:03 p.m. by Council Chairman Joseph V. Kosinski.

Roll Call showed the following:

Present: Councilman Kenneth R. Baron, Councilwoman Janet L. Blackburn, Councilwoman Margaret M. Horvath, Council Chairman Joseph V. Kosinski, Councilman Daniel S. Paletko, Councilman Gregg Zulinski.
Absent: Councilwoman Margaret M. Van Houten.
Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Berry-Harris, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Webber, Fire Chief Barnett, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by the Council Secretary, Maria Lawrence.

The City Beautiful Commissioner Karen Peruske and Mayor Canfield presented awards to the winners of the 1998 Summer Floral Landscape Contest. Kathy Swope, Annapolis Avenue; Nick Kirsch, Brookside S; Paul & Debra Fairbanks, Tulane; Pam & Dominic Marini, Charlesworth and Almerico & Anna Filangi, Riverside were present to accept their plaques.

98-445 Motion by Councilman Zulinski, seconded by Councilman Baron, that the Agenda for the Regular Meeting of September 22, 1998, be approved as submitted.

Motion adopted.

98-446 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the Minutes from the Regular Meeting of September 8, 1998 be approved as submitted.

Motion adopted.

The Public Hearing for the Special Land Use Permit for the erection of a monopole at the rear of the new fire station located West of Beech Daly and South of Ford Road was called to order at 8:15 p.m., by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked City Clerk Robbins to read the official notice of Public Hearing.

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, September 22, 1998, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan, at 8:00 p.m., the purpose of hearing objections, if there be any, to the granting of a Special Land Use Permit to Omnipoint Communications for the erection of a monopole (120 ft. communication antenna) at the rear of the new fire station located West of Beech Daly and South of Ford Road.

Written comments may be directed to the City Clerk's Office, 6045 Fenton, Dearborn Heights, MI 48127. Joyce A. Robbins, City Clerk. This notice was published September 17, 1998. Corporation Counsel has submitted Proof of Service, no communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience who wished to speak for or against the Special Land Use request from Omnipoint Communications.

Mr. Kevin Chudler, 1533 N Woodward, Bloomfield Hills, MI 48304 was present representing

Omnipoint Communications to answer questions.

Councilwoman Horvath "I have a question, we already have a pole over there on the ball diamond what's different about yours and why do we need another one over there?"

Mr. Chudler "Are you referencing another telecommunications monopole? It's my understanding is Sprint, with Council's permission, put that pole for the use of its system. Our pole is going to replace an existing light pole. We will remove that light pole and put our monopole there and put our antenna on that pole. If you're asking why don't we put our antenna on the Sprint's pole I don't have the answer to that. I would have to speculate. I could think of reasons why it isn't on their pole, but I don't have the real answer to that. That question hasn't arisen in this process."

Councilwoman Horvath "Does Sprint at this time have a rule that they don't jointly use their pole with other telecommunication and industry people?"

Mr. Chudler "I'm not aware that they have that type of rule. In general, again, I can speculate that there could be, and that's all it is, with respect to that particular pole there may be weight restraints, they may not want anyone else on that pole, I don't know that to be the case. Our antenna is not very big, not very heavy but I don't know if there is special integrity issues. The distance of the poles, location means a lot in terms of your coverage. But those poles will be fairly close and so I don't know if a coverage issue would be one reason we didn't propose to put our antenna on their pole. I don't know what Sprint's agreement is with this city. Whether or not at this juncture they leasing the space from the city and paying the city rent to use that space. If we went on Sprint's pole would we be paying Sprint money as opposed to the city, I don't know."

Mayor Canfield "I do."

Councilwoman Horvath "You say your going to use a light pole and you're going to replace that light pole with this pole?"

Mr. Chudler "With our monopole, we'll put lights back on that pole and put our antenna up."

Councilman Zulinski "I was curious, I noticed that we were, and this may not be a question directed at you that we're replacing a light pole at Central?"

Mayor "It fell during the storm."

Councilman Zulinski "I'm correct in assuming it's the same ball diamond."

Kurt Heise "The light pole that Omnipoint is looking at would be the far right field ball diamond light pole. The one that fell is on the far left field diamond pole light pole."

Councilman Zulinski "So that would not be the best location for his antenna?"

Mayor Canfield "That's being replaced and on the agenda. Hopefully is going to be replaced but it was knocked totally during the storm."

Council Chairman Kosinski "Is that the point of concern? Can this Omnipoint monopole take up its location where this damaged pole is and eliminate the expense intended to replacement of the damaged pole that occurred in the rain storm. Is that been given any consideration?"

Kurt Heise "The site plan has already been approved for the existing location. The company does look at radius that they have to have these things almost precisely in. I don't know if that would be such a big change from the original intended site."

Building & Engineering Director Opalewski "The one that is going by the fire house will be on a

different wave length to go along with the 800 megahertz system that is going in. That is the main reason why we have two separate entities on there. Our designs is that they co-host other ones that are on the same type of service because of the factor that the one going in will be a special type system for the fire department's usage."

Councilwoman Horvath "I think this would be to Ed. Ed what are the chances of that location becoming the monopole yard of Dearborn Heights? Will we let somebody else put one over there?"

Building & Engineering Director Opalewski "The reason why this one is going in is strictly because of the totally independent band wave that we are working with."

Councilwoman Horvath "Ok, but supposing AT&T comes along and says they would like to put a monopole on the ball diamond, would we do that?"

Mayor Canfield "We would consider it. We would have to bring it to you, it would be brought to you for your approval. All of the requests come to you for approval, its your decision."

Council Chairman Kosinski "So, with good luck we could have a communications system on every light pole."

Mayor Canfield "At this point they are replacing it and putting the light pole up. It's not like the pole at the DPW yard. It will look very much like the pole that is there. It's actually a smaller ground apparatus than the one that is there right now with Sprint. That was one of the requests, we wanted it to fit in the area, to be a light pole, to handle the light and handle the fire station."

Councilman Paletko "Do you have an illustration because I envisioning what is presently behind the Police Department."

Mr. Chudler "I have a site plan. It's not as good as a picture."

Councilman Paletko "That's fine, it will give us an idea."

Council Chairman Kosinski asked if there were any questions and comments on the Omnipoint Communications Special Land Use request to install a monopole, hearing none, he asked for a motion to close the Public Hearing.

98-447 Motion by Councilwoman Blackburn, seconded by Councilman Baron, that the public hearing be closed.

Motion adopted.

The public hearing for the Special Land Use Permit to Omnipoint Communications for the erection of a monopole at the rear of the new fire station closed at 8:24 p.m.

98-448 Motion by Councilman Baron, seconded by Councilwoman Horvath, that Current Claims 6-1 through 6-19, be approved as submitted.

1. COMERICA SECURITIES - Debt Payment Energy Plan & Street Sweepers - Inv. dated 10/01/98 from A/C 101-200-965-000 (Energy Plan) \$16,927.50 and A/C 101-200-996-001 (Street Sweepers) \$27,945.00. General Govt.
2. E & N CEMENT - Pavement Repairs - Two (2) Inv.'s dated 09/13/98 from A/C 101-440-820-000 (Road Repairs) \$45,515.45 and A/C 592-540-818-000 (Contractual Services) \$19,383.37. DPW-Water.
3. GARY MIOTKE - Legal Services June & July 1998 - Inv. dated 07/24/98 and 08/20/98 from A/C 101-XXX-202-098 (Accounts Payable) \$1,608.00 and A/C 101-210-826-000 (Counsel Services) \$2,420.00. Corporation Counsel.
4. LAURA BERRY-HARRIS - Legal Services June & July 1998 - Inv. dated 07/24/98

- and 08/20/98 from A/C 101-XXX-202-098 (Accounts Payable) \$7,280.00 and A/C 101-210-826-000 (Counsel Services) \$4,755.00. Corporation Counsel.
5. OLSON CEMENT - Sidewalk Repairs from Water Main Breaks - Various Inv.'s from A/C 592-540-818-000 (Contractual Services) \$15,332.31. Water Dept.
 6. PAINTER & RUTHENBERG - Newsprint Pick-Up - Inv. 21235 dated 09/02/98 from A/C 101-200-810-000 (Sanitation) \$2,275.00. General Govt.
 7. PLANTE & MORAN - Audit Service for Single Audit - Inv. 544011 dated 09/02/98 from A/C 103-960-918-097 (Administration) \$3,600.00. Community Devel.
 8. PLANTE & MORAN - Account Services June/July and Auditing Services - Inv. 544010 and 544012, dated 09/02/98 from A/C 101-200-817-000 (Professional & Consult) \$5,425.00 and A/C 592-536-817-000 (Professional & Consult) \$8,475.00. General Govt.
 9. QUAD-TRAN OF MICHIGAN - Data Processing September 1998 - Inv. 2933 dated 08/31-98 from A/C 101-130-818-000 (Contractual Services) \$3,135.00 and A/C 101-130-728-000 (Office Supplies) \$825.40. District Court.
 10. R & R TRUCK REPAIR - Truck Repair Fire Pumper - Inv. 12696 dated 08/24/98 from A/C 101-335-932-000 (Repair/Maint) \$1,501.13. ENC. Fire Dept.
 11. STATEWIDE SECURITY TRANS - Prisoner Food & Lodging - Inv. dated 08/27/98 from A/C 101-200-868-000 (Prisoner Food/Lodging) \$9,346.93. General Govt.
 12. WADE-TRIM/ASSOCIATES - Plans & Specs Municipal Walkway - Inv. 58411 dated 08/10/98 from A/C 103-960-938-097 (Walkway) \$648.50. Community Devel.
 13. WADE-TRIM/ASSOCIATES - Katherine Street Bridge Removal - Inv. 58404 dated 08/10/98 from A/C 103-960-942-097 (Bridges) \$431.00. Community Devel.
 14. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Sewage Disposal Bonds dated 1961 & 1962 - Inv. 88185 and 88175 dated 09/03/98 from A/C 101-200-992-000 (Sewage Disposal) \$4,615.86. General Govt.
 15. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Ecorse Creek Bond Payment Retention Basin - Inv. 59476 dated 09/03/98 from A/C 101-200-994-000 (ECPC) \$113,947.52. General Govt.
 16. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - CSO Principal & Interest Bond Payments - Inv. 88185 and 88170 dated 09/03/98 from A/C 592-905-992-003 (CSO Principal) \$370,000.00 and A/C 592-905-992-004 (CSO Interest) \$538,756.40. Water Dept.
 17. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Ecorse Creek Basin Operation Maintenance - Inc. 59493 dated 09-08-98 from A/C 592-537-927-000 (Ecorse Creek O/M) \$25,651.47. Water Dept.
 18. WESTLAND TREE SERVICE - Storm Clean-Up - Inv. dated 09/14/98 from A/C 101-440-731-000 (Storm Clean-Up) \$23,054.46. DPW-Highway.
 19. WOLVERINE WATER WORKS - Install New Service Lift Station - Inv. 15435 dated 08-19-98 from A/C 592-540-818-000 (Contractual Services) \$2,453.00. ENC. Water Dept.

Motion adopted.

- 98-449** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for the sale of City owned parcel Lot 376 Frischkorns Rouge Park Subdivision, per the request of Assessor Welch, communication dated September 14, 1998.

Motion adopted.

- 98-450** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Comptroller be authorized to advertise for bids, per specifications, for the replacement of one (1) ball diamond light pole with fixtures, per the request of Recreation Director Grybel, communication dated September 16, 1998. This purchase is not budgeted and

not available in the Parks & Recreation 1998-99 Budget. The City anticipates receiving FEMA & State funds for storm damage; any funds not covered will be allocated from fund balance.

Motion adopted.

- 98-451** Motion by Councilwoman Horvath, seconded by Councilwoman Blackburn, that the low bid from Artistic Upholsterers, Inc., 5211 Schaefer, Dearborn, MI 48126, for the re-upholstering of eleven (11) City Council chairs, in the amount of \$913.00, and payment thereof, be approved, per Comptroller Barrow, communication dated September 15, 1998. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 98-452** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the request from Walgreens to abandon the east/west alley and the north/south alley at the southeast corner of Joy and Telegraph Roads be placed on the next Council Agenda. Further, that the City Clerk notify the public utilities in expectation of approval notifications from each entity by October 13, 1998.

Motion adopted.

- 98-453** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that the City Council concurs with and approves the reclassification of a recently vacated clerical position in her office to bookkeeper, per the request of Assessor Welch, communication dated September 14, 1998. The new hire rate for this classification will increase the budget \$219.00 the first year.

Motion adopted.

- 98-454** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the TIFA Board's recommendation and increase the 1997 TIFA Budget from \$970,000 to \$1,006,867 and that the increase of \$36,867 be reflected in the Contingency Account per, Acting TIFA Administrator Oliverio, communication dated September 16, 1998.

Motion adopted.

- 98-455** Motion by Councilwoman Horvath, seconded by Councilman Baron, that a Public Hearing be scheduled on Tuesday, November 10, 1998, at 8:00 p.m., to hear objections, if any, to the request from Tri-Mount Management to rezone from R-1B (Single Family Residential) to RMA (Residential Multiple Family) for property located on the east side of Silvery Lane, south of Ann Arbor Trail for the purpose of constructing ninety nine (99) townhouse condominiums. Further, that the members of the Planning Commission and the City Planner, Brandon Rogers be invited to attend both Public Hearings scheduled for November 10, 1998.

Motion adopted.

- 98-456** Motion by Councilwoman Horvath, seconded by Councilman Baron, that a Public Hearing be scheduled on Tuesday, November 10, 1998, at 8:00 p.m., to hear objections, if any, to the request from Nolan Brothers to rezone from R-1B (Single Family Residential) to M-1 (Light Industrial) for property located on the east side of Silvery Lane, south of Ann Arbor Trail, for the purpose of constructing a mini storage facility.

Motion adopted.

98-457 Motion by Councilman Paletko, seconded by Councilman Baron, that the nominations to the Zoning Board of Appeals be referred to the Committee of the Whole Study Session, September 29, 1998.

Motion adopted.

98-458 Motion by Councilman Paletko, seconded by Councilman Zulinski, that the rezoning of property located on S Beech Daly from R1B, Single Family Residential, to C2A, Special Business District legally described as the S ½ of Lot 44 also Lots 45 to 52 inclusive, Dearborn Grove Subdivision, be denied.

Motion adopted.

98-459 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the request from 5 Brothers, Inc., to transfer ownership of 1998 SDD-SDM license from Triangle Party Store, Inc., located at 4644-4648 Southfield, Dearborn Heights, MI 48127, Wayne County (Stockholders: Taleb Shamo, Basam Karana, Talat Shamo, 11309 Grand Oak Drive, Apt. 9, Grand Blanc, MI 48439; Tahir Shamo, 10102 Brae Moor Drive, Grand Blanc, MI 48439 and Talal Shamo, 2180 Bass Lake Road, Commerce Township, MI 48382) be approved and the Liquor Control Commission be so notified. REF #980002565.

Motion adopted.

98-460 Motion by Councilwoman Horvath, seconded by Councilwoman Blackburn, that the request from Frenchie's Party Store, Inc. to transfer ownership of 1997 SDD license only, in escrow, from Joy-Tell Liquor Shoppe, Inc., and transfer location from 23913 Joy Road, Dearborn Heights, MI 48127, Wayne County to 24356 Ann Arbor Trail, Dearborn Heights, MI 48127, Wayne County, to be held in conjunction with existing 1998 SDM business, be approved and the Liquor Control Commission be so notified. REF #980002141.

Motion adopted.

98-461 Motion by Councilwoman Horvath, seconded by Councilman Baron, that a Public Hearing be scheduled on Tuesday, October 27, 1998, to hear objections, if any, to the request from the Northwest Alano Club, 25605 Joy Road, Dearborn Heights, MI 48127 for an arcade license.

Motion adopted.

98-462 Motion by Councilman Zulinski, seconded by Councilwoman Blackburn, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:32 p.m.

JOYCE A. ROBBINS
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL

MARIA E. LAWRENCE
RECORDING SECRETARY