

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 15, 1999

99-379 The meeting was called to order at 8:07 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, Councilwoman Margaret M. Van Houten, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Pargo, Human Resources Director Sullivan (arrived at 8:55 p.m.), Police Chief Webber, Fire Chief Barnett, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by City Clerk Robbins and staff.

99-380 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the Agenda for the Regular Meeting of September 15, 1999, be approved as submitted.

Motion unanimously adopted.

99-381 Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of August 24, 1999, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the abandonment of alleys on Raymond and Powers was called to order at 8:10 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 Wednesday, September 15, 1999 by the City Council of the City of Dearborn Heights at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m., for the purpose of hearing objections, if any, to the abandoning of the following alleys along the Ecorse Creek:

1) The northeast/southwest alley running diagonally between Raymond Avenue and Powers Avenue and bounded on the west by Lots 623 through 625 and Lots 641 and 642, bounded on the east by Lots 631 through 640, all contained within Dearborn Homes Subdivision #3;

2) The north/south alley 16' wide bounded on the north by Powers Avenue; bounded on the west by Lots 619 through 622, bounded on the east by Lot 642, bounded on the south by northeast/southwest alley; all contained within Dearborn Homes Subdivision #3;

3) That portion of Powers Avenue 60' wide bounded on the west by Raymond; bounded on the north by Lots 1360 through 1366 Dearborn Homes Subdivision No. 6; bounded on the east by extended Fleming Avenue; bounded on the south by Lots 619 and 641, 642 Dearborn Homes Subdivision No. 3; and

4) That portion of Raymond Avenue 60' wide bounded on the north by Powers Avenue,

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bounded on the west by Lots 611 through 618, bounded on the east by Lots 619 through 625, bounded on the south by extended southern line of Lot 611; all contained within Dearborn Homes Subdivision No. 3.

This Notice is published and posted by direction of the City Council under and by virtue of the City Clerk. Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Joyce A. Robbins, City Clerk, Dearborn Heights, published September 2, 1999 and September 9, 1999 in the City's official newspaper.

Copies of this notice were sent to Administration, Department of Public Works, Ameritech, Detroit Water & Sewerage Department, Detroit Edison, Michigan Consolidated Gas Company, and given to Ordinance Officer Simikas. The City of Detroit Water and Sewerage Department has reviewed their records and has indicated "no conflict" with any DWSD water and sewerage transmission facilities.

Michcon has also reviewed their records and has indicated "not involved" in three of the four property descriptions. The property description numbered four (4) Michcon has indicated involvement with no objection to the property change provided an easement of the full width of the street/alley is reserved.

Ordinance Officer Simikas posted the Public Hearing Notice on September 10, 1999 on utility poles on Powers at Raymond, Hanover & Raymond, Fleming at Powers, on or about lot 1343 on Powers and Raymond at lot 611. No other communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience who wished to speak.

Assessor Pargo "This property is totally surrounded by the creek. On the map shown here the purple color indicates County involvement County ownership, the orange color is City ownership. As you can see the creek runs across Raymond and Powers. The streets are currently and will always be nondriveable unless we take it upon ourselves to enclose the creek or move it. The chances of that are zero. I don't see why these streets were platted in the first place. I don't know if someone thought perhaps someday we could enclose or move the creek, I have no idea why they are there. The purpose of this vacation or abandonment is to remove the legal existence of these streets which can never be developed. There is no access to any of this property. They have no frontage, there is no way they can be developed for any kind of residential or commercial use. Michcon has a gas line running the westerly most side of Raymond adjacent to the property lot lines. I have had several conversations with Michcon because when they said they wanted to retain an easement I said there no way you are going to have enough land to dig to put a line down. It goes from a street that doesn't exist and dead ends into the creek. I found out Michcon already has a line and the reason for this: they go right to the creek so they don't have a dead end on a gas line. So their line does go down Raymond even though its physically only about 20' wide. You can drive a car but that's it, you wouldn't want to drive if you didn't have headlights at night because it's only 20' wide. There will be no problem with leaving that as a vacated portion because the easement rights will remain, we can abandon the rest. The other thing I would like to alert you to is there has been some title work done and some property is on county records and on the city records as having City ownership. After the title work was done shows that it was county ownership. The county is in the process now of doing some paperwork, they are asking after the Public Hearing if you are going to take formal action that you give them time to get their paperwork together. The earliest date is October 12 and they have requested to hold off your formal decision making process until they tell me the paperwork is ready. I think that it is a legitimate request for them to make. That is the only communication I have outside of the explanation of who owns what and why we started this process. Do you have any questions of me on this?"

Councilwoman Van Houten "On that map there are a few that were not colored in either orange or purple, what are those lots?"

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Assessor Pargo "These are the private ownership."

Councilwoman Van Houten "So there are homes on there?"

Assessor Pargo "No, they are landlocked, unusable properties. We have been in contact with the owners. One of them is on the agenda either for tonight or next time, I've had a few thing on the agenda. Is it on this agenda? Okay on the next agenda will be one of these lots that is being given to the City. The other two are in the process and we have one lot remaining which is the only lot that is privately owned on Raymond which does exist."

Councilwoman Van Houten "Is this all part of what we hoping to do with the wetlands?"

Mayor Canfield "We would like to do that and this is part of it whether you ever do it or not. These are not streets, they are not usable, there is no access to them. You need to abandon them or vacate them regardless. If we never do the project this needs to be done, but we do hope to do the project."

Assessor Pargo "You are going to see in the next couple of months George Nichols and I are going to be working together. There are several streets in the City that exist physically and not legally and several that exist legally and not physically. Part of our aim is to get some of those areas cleared up. We have streets that are crossing the creek or crossing the river which in fact they don't. We just need to make the legality and the reality come together. This is the first one of many your going to be dealing with. There are several streets that have the opposite problem, they have street signs, they are driven everyday and they look like a street, walk like a street but they are not a street. So we will be coming back with the opposite request in the months to come. This is the first step in a series of cleaning up."

Councilman Zulinski "Where are most of these streets that may exist but don't exist?"

Mayor Canfield "One of them is right beside us."

Assessor Pargo "George Street dead ends at Fenton for 100' there's nothing then its 30' wide and then there is no street again. Another one is Kinloch, south of Ford Road by the A&W, that does exist, there's a street sign there, people drive it everyday."

Mayor Canfield "The ownership is really messed up on that with the school and what the city owns."

Assessor Pargo "The Kinloch Street I have no idea how that could have come to be. The George Street I have an idea when this area was donated to the City they abandoned George Street then found out that the library had to have an address so it established a strip of George as a legal street again. This is purely a guess on my part. So we are working with some very interesting ground here."

Council Chairman Kosinski "Karolyn will you make the City Clerk aware when this should come back on the Agenda."

Council Chairman Kosinski asked if there was anyone else who wished to speak for or against the proposed abandonments, hearing none, he asked for a motion to close the Public Hearing.

99-382 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Public Hearing be closed.

Motion unanimously adopted.

The public hearing for the abandonment of alleys on Raymond and Powers closed at 8:23 p.m.

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- 99-383** Motion by Councilman Baron, seconded by Councilwoman Horvath, that Current Claims 6-2 through 6-23, with the exclusion of 6-20, be approved as submitted.
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Administration and Debt Requirements - Inv. dated 08/05/99 from A/C 101-200-810-000 (Sanitation) \$61,098.00. General Govt.
 3. E & N CEMENT - Pavement Repairs - Two (2) Invoices dated 09/04/99 from A/C 101-440-880-000 (Road Repairs) \$77,005.06 and A/C 592-537-818-000 (Contract Services) \$24,076.65. DPW-Water.
 4. I.B.M. - Maintenance Agreement for Line Printer - Inv. 1802655 dated 08/17/99 from A/C 592-536-932-000 (Repair and Maintenance) \$1,697.40. Water Dept.
 5. M.D.O.T. - Beech/Cherry Hill Resurfacing - Inv. AP217008 dated 08/23/99 from A/C 202-202-880-300 (Street Construction) \$2,151.67. Major Streets.
 6. MICHIGAN NATIONAL BANK - Fire Station Bonds - Inv. dated 08/18/99 from A/C 101-200-996-004 (Fire Bonds) \$143,055.65. General Govt.
 7. MICHIGAN NATIONAL BANK - Police Department Bonds - Inv. dated 08/17/99 from A/C 105-105-996-005 (Police Bonds) \$155,067.50. Bldg. Fund.
 8. NAGEL CONSTRUCTION INC. - Emergency Storm Services - Inv. 1178 dated 08/11/99 from A/C 592-540-818-030 (Contract Services) \$1,580.00. Water Dept.
 9. OSCAR LARSON COMPANY - Removal of Gas Tanks at North Fire Station - Inv. JC 144 dated 07/29/99 from A/C 592-536-818-000 (Contract Services) \$6,500.00. Water Dept.
 10. PAINTER & RUTHENBERG - Roll Off Service and Newsprint for 08/99 - Inv. 31123 dated 08/31/99 and Inv. 31122 dated 08/31/99 from A/C 101-200-810-000 (Sanitation) \$15,573.00. General Govt.
 11. AL PARIS - Sewer Repair Warren/Telegraph - Inv. dated 09/09/99 from A/C 592-540-818-020 (Contract Services) \$12,240.00. Water Dept.
 12. QUAD-TRAN OF MICHIGAN - Data Services for September 1999 - Inv. 3172 dated 08/31/99 from A/C 101-130-818-000 (Contract Services) \$3,200.00 and A/C 101-130-728-000 (Office Supplies) \$1,156.60. District Court.
 13. STATEWIDE SECURITY TRANSPORT - Prisoner Food and Lodging - June 1999 - Inv. dated 07/28/99 from A/C 101-200-868-000 (Prisoner Food and Lodging) \$7,815.22. General Govt.
 14. TRANSCONTINENTAL TECH SERVICES - Employers Re-Insurance Corp. Fees - Inv. 20521 dated 08/17/99 from A/C 101-200-724-000 (Workers Comp) \$2,626.56. General Govt.
 15. WADE-TRIM/ASSOCIATES - Beech/Cherry Hill Resurfacing - Inv. 62752 dated 08/18/99 from A/C 202-202-880-330 (Street Construction) \$1,084.50. Major Streets.
 16. WADE-TRIM/ASSOCIATES - Canfield Parking Lot Extension - Construction Engineering Fees and Inspection Days - Inv. 62158, 62084 and 62750 from A/C 103-960-930-098 (Canfield Parking Lot) \$8,100.19. Community Devel.
 17. WADE-TRIM/ASSOCIATES - Cherry Hill Resurfacing - Inv. 62751 dated 08/18/99 from A/C 202-202-880-300 (Street Construction) \$954.25. Major Streets.
 18. WADE-TRIM/ASSOCIATES - Downriver Technical Assistance, Flow Monitor - Inv. 62744 dated 08/18/99 from A/C 592-XXX-154-000 (Sewers) \$575.70. Water Dept.
 19. WADE-TRIM/ASSOCIATES - Environmental Review for CDBG Program - Inv. 62882 dated 08/18/99 from A/C 103-960-918-098 (Administration) \$27.00. Community Devel.
 21. WAYNE COUNTY - DEPARTMENT OF ROADS -Traffic Signal Service for June and July - Inv. 93398 dated 08/21/99 from A/C 101-440-925-000 (Traffic Sign Maintenance) \$5,400.73. DPW.
 22. GARY MIOTKE - Legal Services July 1999 - Inv. dated 08/07/99 from A/C 101-210-826-000 (Counsel Services) \$4,005.50. Corp. Counsel.
 23. SECREST, WARDLE, LYNCH - Legal Services July 1999 from A/C 101-210-826-

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000 (Counsel Services) \$5,418.50. Corp. Counsel.

Motion unanimously adopted.

- 99-384** Motion by Councilman Paletko, seconded by Councilman Baron, that Current Claim 6-20, Wade-Trim/Associates, Library Feasibility Study, be referred to a Committee of the Whole Study Session, to include the members of the Wade-Trim Planning Group.

Motion unanimously adopted.

- 99-385** Motion by Councilman Baron, seconded by Councilwoman Horvath, that Current Claim 6-1, Audia Concrete Construction invoice for the 1999 Sidewalk Repair Program, be approved for payment.

AYES: Councilman Baron, Councilwoman Blackburn, Councilwoman Horvath, Council Chairman Kosinski, Councilwoman Van Houten, Councilman Zulinski.

NO: Councilman Paletko.

ABSENT: None.

Motion adopted.

- 99-386** Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Comptroller be authorized to advertise for bids, per specifications, for office carpeting, per the request of Building & Engineering Director Opalewski, communication dated September 8, 1999.

Motion unanimously adopted.

- 99-387** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Comptroller be authorized to advertise for bids, per specifications, for office cubicles, per the request of Building & Engineering Director Opalewski, communication dated September 8, 1999.

Motion unanimously adopted.

- 99-388** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that proposed Ordinance H-99-06, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 2-232 OF CHAPTER 2 OF SAID CODE, PROVIDING FOR RETIREMENT BENEFITS FOR PERSONS RETIRING BETWEEN OCTOBER 1, 1999 AND DECEMBER 31, 1999, be considered read for the first time.

Motion unanimously adopted.

- 99-389** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves Change Order #2 with Best Asphalt, Inc., 6334 North Beverly Plaza, Romulus, MI 48174, for the repaving of the Canfield Ice Arena Parking lot, at a cost of \$58,065.00, and payment thereof, per Mayor Canfield, communication dated August 27, 1999. Funds for project have been allocated in the 1999-2000 General Government budget. Further, that the Mayor and City Clerk sign the Change Order on behalf of the City.

Motion unanimously adopted.

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- 99-390** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Council rescind CM 99-143 (Awarding of the 1999 Grass and Weed Cutting Contract to Phil's Landscaping Service).

Motion unanimously adopted.

- 99-391** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the proposal submitted by J.Q. Incorporated, 4406 Merrick, Dearborn Heights, MI 48125, for the City's 1999 Grass & Weed Cutting Program, per Mayor Canfield, communication dated September 7, 1999. Contract effective August 31, 1999 and to conclude on last grass cutting day in 1999.

Motion unanimously adopted.

- 99-392** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the communication from Mayor Canfield, dated September 7, 1999 re: The appointments of Tom Wencel, term to expire September, 2000; Tom Jenkins, Karen Ellstrom, Leloni Kulikowski and Larry Zahra's reappointment to the City Beautiful Commission, terms to expire September, 2002, be received, contents noted and filed.

Motion unanimously adopted.

- 99-393** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that the communication from Mayor Canfield, dated September 7, 1999 re: The reappointments of William Eby, Richard Buckholz and the appointment of Martin O'Sullivan to the Parks & Recreation Commission, terms to expire September, 2002, be received, contents noted and filed.

Motion unanimously adopted.

- 99-394** Motion by Councilman Zulinski, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the reappointment of Ken Lamontagne to the Demolition Board of Appeals, term to expire July, 2002, per Mayor Canfield, communication dated September 8, 1999.

Motion unanimously adopted.

- 99-395** Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the request from Nancy Betts, Parade Committee for the Dearborn Heights Redskins Annual Homecoming Parade route, scheduled for October 2, 1999 be approved. Further, that the Police and Fire Departments to provide assistance and escort, per Mayor Canfield, communication dated September 8, 1999.

Motion unanimously adopted.

- 99-396** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concurs with and approves the Lot Split request in Fogles Warren Drive Subdivision from Mr. Chester Kosielniak, 6987 Dacosta creating the following legal description:

1. The south 32' of Lot 27, also the north 13' of Lot 28, also the east ½ adjacent vacated alley;
2. The south 24' of Lot 28, also the north 21' of Lot 29, also the east ½ adjacent vacated alley, per Assessor Pargo, communication dated August 27, 1999.

Motion unanimously adopted.

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- 99-397 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the purchase of Lot 1897 in Dearborn Homes Subdivision #7 from Catherine L. Bogya, 21286 W Outer Drive, Dearborn, MI 48124, at the requested sale price of \$150.00 and payment thereof, per, Assessor Pargo, communication dated August 23, 1999.

Motion unanimously adopted.

- 99-398 Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Comptroller be authorized to advertise the sale of City owned property in Annis Hawthorne Manor Subdivision, Lot 307, per the request of Assessor Pargo, communication dated August 30, 1999.

Motion unanimously adopted.

- 99-399 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves a two year contract with Todaylink, LLC, 241 N Evangeline, Dearborn Heights, MI 48127, for Internet access for the City of Dearborn Heights per, Community Development Director Oliverio, communication dated September 3, 1999. Further, that the Mayor and City Clerk be authorized to sign the contract on behalf of the City. This contract approval is subject to final review of the contract by Corporation Counsel and subsequent approval by City Council.

Motion unanimously adopted.

- 99-400 Motion by Councilman Paletko, seconded by Councilman Zulinski, that the Budget Amendment to cover additional costs of the 1999 Sidewalk Replacement Program, be approved as follows:

INCREASE REVENUES	SIDEWALK INCOME
A/C 101-000-628-000	\$300,000.00
INCREASE EXPENDITURES	SIDEWALK EXPENSES
A/C 101-200-963-000	\$300,000.00

per, Comptroller Barrow, communication dated September 8, 1999.

Motion unanimously adopted.

- 99-401 Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Council concurs with and approves a one year contract extension from July 1, 1999 thru June 30, 2000 with Eradico Pest Control, at the same rate as last year, which is \$21.00 for nine buildings, \$23.00 for three buildings and \$25.00 for the new Fire Station, for a monthly cost of \$283.00, and payment thereof, per Public Service Administrator Blackburn, communication dated September 8, 1999.

Motion unanimously adopted.

- 99-402 Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the disposal of the following non-repairable items at the Berwyn Senior Citizen's Center:

2 - IBM Proprinters X24E; 1 - IBM PPS Printer 2390; 2 - round tables; 2 - card tables; 5 - 8' tables; 1 - 4' table; 1 - window air conditioner; 1 - wheelchair and 1 - Olympia typewriter per, Recreation Director Grybel, communication dated August 26, 1999.

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Motion unanimously adopted.

- 99-403** Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the disposal of the following no longer needed items at the Recreation Department:

1 - Gestetner 2240ZD Copier; 1 - IBM Printer; 1 - Thermal Fax Machine and 2 - office chairs per, Recreation Director Grybel, communication dated August 26, 1999.

Motion unanimously adopted.

- 99-404** Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the disposal of the following non-functioning equipment:

Two RCA TV's, tag # 06453 and 06454 per, Human Resource Director Sullivan, communication dated August 9, 1999.

Motion unanimously adopted.

- 99-405** Motion by Councilwoman Blackburn, seconded by Councilman Zulinski, that the City Council concurs with and approves the request to lease eight (8) Ford Ranger Extended Cab vehicles, from Pat Milliken Ford, at the cost of \$262.48 per month, per vehicle, not to exceed \$275.00, due to any changes to final leasing costs, and payment thereof, per Building & Engineering Director Opalewski, communication dated September 7, 1999.

Motion unanimously adopted.

- 99-406** Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the request from Fire Captain Teper, for an age waiver of four (4) months, be approved.

Motion unanimously adopted.

- 99-407** Motion by Councilman Baron, seconded by Councilwoman Horvath, that Permanent Traffic Control Device Request T-111, for four (4) R6-1 "One Way" signs and one (1) R6-1 "Do not Enter" sign for the Canfield Community Center, be approved.

Motion unanimously adopted.

- 99-408** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that business license renewals for the Glass Mug, 5157 S Telegraph and Murphy's Off the Beech, 25950 Ford Road, be approved.

Motion unanimously adopted.

- 99-409** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:43 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

**JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL**

MARIA E. LAWRENCE, COUNCIL/CLERK SECRETARY