

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 8, 1998

98-419 The meeting was called to order at 8:06 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 Van Houten, Councilman Gregg Zulinski.

Absent: None.

Also Present: Executive Assistant Heise, Corporation Counsel Berry-Harris, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Deputy Police Chief Blasczyk, Fire Chief Barnett, Deputy Fire Chief Mc Elroy, Recreation Director Grybel, Public Service Administrator Blackburn.

The Pledge of Allegiance was led by new Deputy Fire Chief David Mc Elroy.

98-420 Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the Agenda for the Regular Meeting of September 8, 1998, be approved with the addition of Agenda Items 9-I, Special Land Use at 5457 S Telegraph and 9-J, Reappointment to Zoning Board of Appeals.

Motion unanimously adopted.

98-421 Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of August 25, 1998 be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the rezoning of property located on Beech Daly Road opened at 8:12 p.m. by Council Chairman 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 8, 1998, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan, at 8:00 p.m., for the purpose of hearing objections, if there be any, to the rezoning of property located on S Beech Daly from R1B, Single Family Residential, to C2A, Special Business District. Said property legally described as follows:

The S ½ of Lot 44 also Lots 45 to 52 inclusive, Dearborn Grove Subdivision, T2S, R10E, Liber 35, Page 96, Wayne County Records.

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 August 27, 1998 and September 03, 1998. Corporation Counsel has submitted Proof of Service, no other communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience who wished to speak, for or against the rezoning of property on S Beech Daly Road in Dearborn Grove Subdivision.

Mike Reid, 25553 New York "The property was always a vacant lot and was reverted back to the

City. I live in the neighborhood and did not receive any notice. What is the classification of this property? What will be put in there? Is this spot zoning? I would like to know what is purposed for this property. You have residential on that lot now, it should stay residential. It's wrong place to rezone to business, there are several empty businesses on the street now. If zoned as C2A what kind of business could be put there?"

Council Chairman Kosinski asked Assessor Welch to respond.

Assessor Welch "The Building Director could respond on what type of business could be put on that property. The reason this property has come up for rezoning is someone was looking at the property for commercial and during the discussion it was decided the city would rezone."

Building & Engineering Director Opalewski "The type of business put there would be something to support the neighborhood. I can give you a list of all the types of businesses that can be put in C2A."

Councilwoman Horvath "Is this rezoning issue part of discussions we have had to rezone Beech Daly?"

Executive Assistant Heise "As part of TIFA project Community Development Director Oliverio has been looking to rezone property on Beech Daly as it becomes vacant."

Greg Podolak, 3213 S Beech Daly "I live next to the property proposed for rezoning. My concern is what is someone planning to put next to my house? How will it effect my property value? I can think of a whole lot of things I wouldn't want to see put there. Just put a \$45,000 addition on my home."

Councilwoman Horvath "This question was raised at the Planning Commission and we cannot stipulate what type of business can be put there."

Greg Podolak "My property could be worthless depending on what is going there."

Councilman Paletko "If this block becomes commercial, your home becomes a non-conforming use."

Greg Podolak "I own the other half of lot 44 that leaves my property residential and the property would be too small for anyone to build on."

Councilman Paletko "The goal is to eventually eliminate all residential in that area."

Greg Podolak "In that case I would have worthless property because of the size of my lot. I would be forced to live there because I couldn't sell anything. If someone wants to buy that property and not buy mine, my land is not saleable."

Councilman Paletko "It sounds like you are opposed to the rezoning, you should state that for the record."

Greg Podolak "I object to the rezoning."

Building & Engineering Director Opalewski "If all goes commercial, property might be worth more."

Greg Podolak "It might be worth more, but is my property large enough to build on? Can't see my property value will go up."

Assessor Welch "If there were no vacant commercial pieces on Beech Daly, then his property would be more, but there are vacant parcels that wouldn't involve cost of demolition. For this gentleman it could cause some problems."

Council Chairman Kosinski "Some time ago, suggestion was to rezone the entire area commercial."

Mark Chrysler, 25660 Dartmouth "I live between Gulley and Beech Daly and my home is over appreciated now and I am concerned a business would depreciate my over valued home. Residential area adjacent to businesses go down in value. I am opposed to rezoning."

Council Chairman Kosinski asked if there were any more questions and comments on the proposed rezoning, hearing none, he asked for a motion to close the Public Hearing.

98-422 Motion by Councilwoman Horvath, seconded by Councilman Baron, that the public hearing be closed.

Motion unanimously adopted.

The public hearing for the rezoning of property located on S Beech Daly closed at 8:33 p.m..

98-423 Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that Current Claims 6-1 through 6-23, be approved as submitted.

1. DEARBORN HEIGHTS BUILDING AUTHORITY - Installment on Fire Dept. Bonds - Check Request dated 08/26/98 from A/C 101-200-996-004 (Fire Bonds) \$125,179.74. General Govt.
2. DETROIT EDISON - Install Street Lights - Ford Road - Inv. 165329 from A/C 101-200-926-000 (Street Park Light) \$12,920.00. General Govt.
3. E & N CEMENT - Pavement Repairs - Two Invoices dated 08/29/98 from A/C 101-440-880-000 (Road Repairs) \$40,928.38 and from A/C 592-540-818-000 (Contractual Services) \$38,930.75. DPW-Water.
4. M.M.R.M.A. - First Installment on Insurance Premium - Inv. 60535-1 from A/C 101-200-911-000 (Insurance) \$375,480.00. General Govt.
5. MICHIGAN HUMANE SOCIETY - Animal Processing for July 1998 - Inv. 5860 dated 07/31/98 from A/C 101-200-806-000 (Animal Processing) \$3,013.00. General Govt.
6. NATIONWIDE FENCE - Fence at Swapka Park - Inv. 4375 dated 06/08/98 from A/C 103-960-964-096 (Swapka Park) \$2,225.00 (Encumbered). Community Devel.
7. OLSON CEMENT - Storm Clean-Up - Various Invoices from A/C 101-440-731-000 (Storm Clean-Up) \$15,665.00. DPW-Highway.
8. OLSON CEMENT - Pavement Repairs Water Main Breaks - Various Inv.'s from A/C 592-540-818-000 (Contractual Services) \$20,240.26. Water Dept.
9. PAINTER & RUTHENBERG - 1998 Storm Clean-Up - Inv. 20757 dated 08/24/98 from A/C 101-440-731-000 (Storm Clean-Up) \$111,222.00. DPW-Highway.
10. R.A.V. ENTERPRISES - Two (2) Laser Printers for Libraries - Inv. 3917 dated 08/14/98 from A/C 103-960-931-096 (Libraries) \$2,400.00 (Encumbered). Community Devel.
11. RIC-MAN CONSTRUCTION, INC. - Downriver Relief Sewer - Cert. #11 dated 08/12/98 from A/C 592-XXX-154-000 (Sewers) \$131,481.76. Water Dept.
12. SOUTHWEST DEARBORN HEIGHTS BASEBALL LEAGUE - 1998 Baseball Allotment - Check Request dated 08/28/98 from A/C 101-691-887-000 (Recreation Programs) \$1,530.00. Recreation.
13. VAN ASSCHE BROTHERS CONSTRUCTION - Storm Clean-up - Inv. 13178 dated 07/28/98 from A/C 101-440-731-000 (Storm Clean-Up) \$4,180.00. DPW-Highway.
14. W. L. BOWLES TRUCKING - 1998 Storm Clean-Up - Inv's 1877, 1878, 1879 dated 08/20/98 from A/C 101-440-731-000 (Storm Clean-Up) \$15,822.50. DPW-Highway.
15. WADE-TRIM/ASSOCIATES - Environmental Review CDBG 1998-1999 - Inv. 58526 dated 08/14/98 from A/C 103-960-918-097 (Administration) \$570.00.

Community Devel.

16. WADE-TRIM/ASSOCIATES - Construction Engineering Doxtator Relief Sewer - Inv. #58409 dated 08/10/98 from A/C 592-XXX-154-000 (Sewers) \$3,736.45. Water Dept.
17. WADE-TRIM/ASSOCIATES - Downriver Relief Sewer Inspection Days - Inv. 58482 dated 08/12/98 from A/C 592-XXX-154-000 (Sewers) \$5,663.69. Water Dept.
18. WADE-TRIM/ASSOCIATES - Construction Engineering Cherry Hill Resurfacing - Inv. 58415 dated 08/10/98 from A/C 202-202-880-300 (Street Construction) \$1,556.15. Major Streets.
19. WADE-TRIM/ASSOCIATES - Plans/Specs Beech Daly/Cherry Hill Resurfacing - Inv. 58410 dated 08/10/98 from A/C 202-202-880-300 (Street Construction) \$802.60. Major Streets.
20. WADE-TRIM/ASSOCIATES - Assist City with CSO Permit - Inv. 58406 dated 08/10/98 from A/C 592-XXX-154-000 (Sewers) \$761.00. Water Dept.
21. WADE-TRIM/ASSOCIATES - Assist City with 1998-99 Action Plan - Inv. 58527 dated 08/14/98 from A/C 103-960-918-097 (Administration) \$1,134.90. Community Devel.
22. WAYNE COUNTY - DEPT OF ROADS - Traffic Signal Maintenance - Inv. 91238 dated 08/25/98 from A/C 101-440-925-000 (Traffic Sign) \$2,600.95. DPW-Highway.
23. WESTLAND TREE SERVICE - 1998 Storm Clean-Up - Inv. dated 08/31/98 from A/C 101-440-731-000 (Storm Clean-Up) \$15,100.00. DPW-Highway.

Motion unanimously adopted.

- 98-424** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for the replacement of interior lighting system at Eton Senior Citizen Multi-purpose Room, per the request of Recreation Director Grybel, communication dated September 1, 1998. Monies to fund this project are available in the CDBG Program.

Motion unanimously adopted.

- 98-425** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council adopt the Resolution Approving the Supplement #10 Judgement and Exhibit C10 for the Downriver Sewage Disposal System Project per, Mayor Canfield, communication September 2, 1998.

Motion unanimously adopted.

- 98-426** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the Mayor and City Clerk be authorized to sign Supplement #10 Downriver Sewage Disposal System Financing Plan and Final Judgement per, Mayor Canfield, communication dated September 2, 1998.

Motion unanimously adopted.

- 98-427** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the City Council adopt the Pledge and Security Agreement for Supplement #10 Downriver Sewage Disposal System Financing Plan and Final Judgement per, Mayor Canfield, communication dated September 2, 1998.

Motion unanimously adopted.

- 98-428** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the Mayor and City Clerk be authorized to sign the Consent Order Regarding Security Interest in Downriver Communities' Special Rates and Charges, per, Mayor Canfield,

communication dated September 2, 1998.

Motion unanimously adopted.

- 98-429** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council adopt the Resolution for the Wayne County Downriver Collection System Second Amendment to the May 24, 1994 Consent Decree per, Executive Assistant Heise, communication dated September 2, 1998.

Motion unanimously adopted.

- 98-430** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the Mayor and City Clerk be authorized to sign the Second Amendment to the May 24, 1994 Wayne County Downriver Collection System Consent Decree per, Executive Assistant Heise, communication dated September 2, 1998.

Motion unanimously adopted.

- 98-431** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves the application for purchase of State-owned Tax-reverted lands as follows:

Lot 1023, Dearborn Telegraph No. 3, ID #33-041-02-1023-000 and the N 3' of Lot 646, Rougelvania Sub No. 2, ID #33-043-01-0646-002

per, Assessor Welch, communication dated August 25, 1998. Further, that the following resolution be adopted:

RESOLVED BY: The members of the City Council for the City of Dearborn Heights;

WHEREAS, Act 451, PA 1994, as amended, provides for the conveyance of State-owned tax-reverted lands to municipal units for public purposes, and;

WHEREAS, such lands are under the jurisdiction of the State of Michigan, Department of Natural Resources and are available for acquisition under the provisions of the above mentioned act, and;

WHEREAS, the City of Dearborn Heights desires to acquire for the purpose of urban renewal the parcels known as Sale Num 2337 and 2365, the legals having been entered on the Application for Conveyance of State Land;

NOW THEREFORE BE IT RESOLVED that the City of Dearborn Heights is authorized to make application to the State of Michigan, Department of Natural Resources, Real Estate Division for conveyance of said land to the City of Dearborn Heights for a nominal fee as set by the Natural Resources Commission, and;

FURTHER BE IT RESOLVED that the City of Dearborn Heights shall set up necessary procedures and controls to provide for the proper distribution of funds arising from the subsequent sale of the acquired property in conformity with the above mentioned acts.

Motion unanimously adopted.

- 98-432** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves an agreement with Detroit Edison for the installation of twenty (20) colonial style 100 watt high pressure sodium lamp posts for Municipal Park Walking/Jogging Track, at a cost of \$23,209.00 with a discount based on projected usage for three (3) years of \$16,776.00, for a total cost for this project, \$6,433.00, and

payment thereof, per Recreation Director Grybel, communication dated September 1, 1998. Further, that the Mayor and City Clerk be authorized to sign the agreement on behalf of the city. Monies for this project are available in the 1997-98 CDBG program.

Motion unanimously adopted.

- 98-433** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Katherine Street Bridge Removal Change Order No. 3 with Sun Environmental Systems, Inc., 23749 Research Drive, Farmington Hills, MI 48335, for a decrease of \$630.00 per, Community Development Director Oliverio, communication dated September 1, 1998. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

- 98-434** Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Downriver Local Relief Sewer Project Change Order No. 3 with Ric-Man Construction, Inc., 6850 Nineteen Mile Road, Sterling Heights, MI 48314, for a decrease of \$7,769.81 per, Public Service Administrator Blackburn, communication dated September 1, 1998. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

- 98-435** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the Doxtator Avenue Relief Sewer Project Change Order No. 3A with Ric-Man Construction, Inc., 6850 Nineteen Mile Road, Sterling Heights, MI 48314, for an increase of \$930.35 per, Public Service Administrator Blackburn, communication dated August 31, 1998. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

- 98-436** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council approve the Crestwood High School Homecoming Parade date change to Friday, October 9, 1998 per Police Chief Webber, communication dated August 28, 1998.

Motion unanimously adopted.

- 98-437** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the communication from Council Chairman Kosinski, dated September 3, 1998 re: Lifting the Moratorium on RV ordinance be referred to a Committee of the Whole Study Session, scheduled for September 29, 1998 at 8:00 p.m.. Further, that Police Officer Stewart and Corporation Counsel be invited to this meeting.

Motion unanimously adopted.

- 98-438** Motion by Councilman Baron, seconded by Councilman Zulinski, that a Public Hearing be scheduled on Tuesday, October 13, 1998, at 8:00 p.m., to hear objections, if any, to the Special Land Use request from Omnipoint Communications to erect a monopole at 5457 S Telegraph. Planning Commission Case #SPR-98-38.

Motion unanimously adopted.

- 98-439** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the reappointment of Eugene Fadler to the Zoning Board of Appeals, term to expire May, 2001.

Motion unanimously adopted.

- 98-440** Motion by Councilman Paletko, seconded by Councilman Zulinski, that Traffic Control Device Request T-96, "Deaf Child in Area" signs for westbound Carlisle at Gulley and eastbound Carlisle at Beech Daly, be approved.

Motion unanimously adopted.

- 98-441** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the Prevailing Wage Ordinance be brought back to the table.

Motion unanimously adopted.

- 98-442** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the Prevailing Wage Ordinance be referred to Corporation Counsel for the purpose of drafting an ordinance.

Motion unanimously adopted.

- 98-443** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 10:12 p.m.

JOYCE A. ROBBINS
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL

MARIA E. LAWRENCE
RECORDING SECRETARY