

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

AUGUST 27, 1996

96-389 The meeting was called to order at 8:02 p.m., by Council Chairman Joseph V. Kosinski.

Roll Call showed the following:

Present: Councilman Kenneth R. Baron, Councilman Robert L. Brown, Councilwoman Margaret M. Horvath, Council Chairman Joseph V. Kosinski, Councilman Daniel S. Paletko, Councilman Frank J. Slomzenski.
Absent: Councilman Gregg Zulinski.
Also Present: Administrative Assistant Zadikian, Corporation Counsel Berry-Harris, Corporation Counsel Assistant Heise, Deputy Clerk Robbins, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Inspector Lamontagne, Human Resources Director Sullivan, Police Chief Webber, Fire Chief Langlois, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Brown.

96-390 Motion by Councilman Brown, seconded by Councilman Baron, that the Agenda for the Regular Meeting of August 27, 1996, be approved with the exclusion of Agenda Item 9-A (Alley Use Agreement Frischkorns Hawthorne Little Farms Sub.).

Motion adopted.

96-391 Motion by Councilman Brown, seconded by Councilman Paletko, that the Minutes from the Regular Meeting of August 13, 1996, be approved with a question on the interpretation of Council Motion 96-383 (Council Fringe Benefit Ballot Language) being passed or defeated.

Motion adopted.

Council Chairman Kosinski opened the Public Hearing to hear objections to the vacation of the east/west alley between Beech Daly and Orchard Drive at 8:12 p.m.

Chairman Kosinski asked the Council Secretary to read the official Notice of Public Hearing.

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, August 27, 1996, by the City Council of the City of Dearborn Heights at the Administration Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m. for the purpose of hearing objections, if any, to the vacation of the east/west alley between Beech Daly and Orchard Drive, VOLKS DEARBORN HILLS ANNEX SUBDIVISION. Said property being more particularly described as follows:

The 20 feet wide East/West alley between Beech Daly and Orchard Drive South bounded on the north by Lots 62 through 72 and bounded on the south by Lots 49 through 61 all contained within VOLKS DEARBORN HILLS ANNEX SUBDIVISION.

Retaining however, the full width for the entire length of the alley proposed to be vacated, which shall be reserved for public utilities as and for access for maintenance and/or installation thereof.

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. Helene S. Sheridan, City Clerk, Dearborn Heights, MI., published 07/18/96 and 07/25/96. A copy of the Notice of Public Hearing was posted by Code Enforcement Officer Simakas at the following locations:

- 1) Utility pole on Beech Daly at West end of alley;
- 2) Utility pole in the alley west entrance four houses in;
- 3) Utility pole at south east corner of Oakland at Beech Daly;
- 4) Utility pole at south west corner of Oakland at Orchard Drive;
- 5) Utility pole at east entrance to alley from Orchard Drive.

No other communications, Mr. Chairman.

Council Chairman Kosinski asked if anyone in the audience wished to participate in the Public Hearing regarding the closing of the alley. Please state your name and address.

Bob Poshadlo, petitioner, 25649 Oakland stated he has talked to the Mayor and Assessor in reference to the vacation of the alley and we are still in a quandary whether to vacate it or to have a Use Agreement set up with the neighbors and I ask that the council hold up the vote on this issue until an agreement can be reached.

Council Chairman Kosinski stated there is a Public Hearing scheduled for today so no action would be taken until the regular meeting on September 10, 1996 is that enough time for you to determine.

Petitioner stated at this time I would know it depends on the Mayor's schedule as well as the Assessor. It took them quite some time to get back to me with reference to the vacation. They just gave me a letter dated August 16 on this issue. I will need to talk to some of my neighbors about it so I request that you hold off on this issue until I can work something out with the Assessor and Mayor.

Council Chairman Kosinski asked Mr. Poshadlo to notify the council as to when you can conclude with a plan that you have so that we can put this on the Agenda for a final decision.

Councilman Brown asked the petitioner you've stated you don't want us to take action on the vacation tonight but would you want us to go through with the Public Hearing tonight that we are having so if we want to take action later and you're positive for it we don't have to come back to do this, that is your intent.

Bob Poshadlo stated he wanted a Use/Grant Agreement in case the alleyway is ever needed again the residents would have 30 days to vacate whereas with a vacation cannot ever be opened again.

Councilman Brown asked what his original purpose was?

Petitioner stated because the alley hasn't been used for over thirty years. It has become a nuisance factor with overgrown weeds. A couple of years ago we had a problem with rats in back of McDonald's where rats were coming through the wall. We finally got that taken care of with the ordinance officer but there is still a problem with the noxious weeds. We are trying to resolve the situation by taking it over and putting up temporary fencing right now and having the neighbors help maintain it. The other problem is crime back there also because there is weeds there and its an alleyway kids come back there and some of the neighbors have had a problem with garages being broken into. We are just trying to get some kind of resolution made so that we would have less of a problem back there.

Councilman Paletko asked the petitioner if he had contacted Frank's Nursery, we see a letter that seems to indicate support. Did they have any comments or anything.

Bob Poshadlo stated Frank's Nursery are very supportive of closing that portion of the alley. Mr. Paul LaMontaine is the one who we contacted he is more than willing to have the alleyway closed down, if fact, they want the alleyway behind their building closed down also.

Council Chairman Kosinski asked if there were any questions or comments, hearing none, he asked that the Public Hearing for the vacation of the east/west alley between Beech Daly and Orchard Drive be closed.

96-392 Motion by Councilman Baron, seconded by Councilwoman Horvath, to close the Public Hearing.

Motion adopted.

The Public Hearing closed at 8:20 p.m.

96-393 Motion by Councilman Paletko, seconded by Councilwoman Horvath, that Current Claims 6-1 through 6-12 be approved as submitted.

1. COBRA COMPLIANCE SYSTEMS - Annual Fee Third Party Services. From A/C 101-200-818-000 (Contractual Services) \$2,295.00. General Government.
2. E & N CEMENT - Pavement Repairs. 2 Inv's dated 08/17/96. From A/C 101-440-880-000 (Road Repairs) \$22,269.15 and A/C 592-537-818-000 (Contractual Services) \$34,824.89. DPW-Highway.
3. GARY MIOTKE - Legal Services July 1996. Inv. 08/08/96. From A/C 101-210-826-000 (Counsel Services) \$3,112.00. Corporation Counsel.
4. LAURA BERRY-HARRIS - Labor Billing Legal Services July 1996. Inv. dated 08/05/96. From A/C 101-210-826-000 (Counsel Services) \$3,072.75. Corporation Counsel.
5. LAURA BERRY-HARRIS - Legal Services July 1996. Inv. 08/08/96. From A/C 101-210-826-000 (Counsel Services) \$9,351.25. Corporation Counsel.
6. IDEA - Computer Equipment - Inv. 277150A, dated 07/01/96. From A/C 101-130-981-000 (Capital Outlay) \$4,230.00. District Court.
7. MATTIOLI CEMENT COMPANY - Second Payment Sidewalk Program (1996). From A/C 101-200-963-000 (Sidewalk/Weed/Approach) \$62,975.59. General Government.
8. PAINTER & RUTHENBERG - Newsprint 07/96. From A/C 101-200-810-000 (Sanitation) \$2,470.00. General Government.
9. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Rouge Valley Excess Flow, 1993 Final Adjustment. Inv. 598-85912, dated 04/15/96 and Inv. 598-85598, dated 02/06/96. From A/C 592-XXX-202-096 (Accounts Payable) \$152,403.71. Water.
10. WAYNE COUNTY DEPARTMENT OF ROADS - Traffic Signal Billing. Inv. 85641, dated 08/09/96. From A/C 592-XXX-202-096 (Accounts Payable) \$3,291.41. Water.
11. WEBNET - Administration Charges September 1996 - Inv. 871, dated 08/05/96. From A/C 101-200-819-999 (Webnet Service Fees) \$4,100.00. General Government.
12. WESTLAND TREE SERVICE - Tree Trimming & Removal. Inv. dated 08/19/96. From A/C 101-440-820-000 (Tree Trimming) \$7,919.93. DPW-Highway.

Motion adopted.

96-394 Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) Arch Tire Swing Play Apparatus for Weddel Park, per the request of Recreation Director Grybel, communication dated August 20, 1996. Monies to fund this purchase has been allocated in the 1996-97 Parks & Recreation Capital Outlay Account. Monies to fund the installation of the equipment has been allocated in the 1995-96 CDBG program for the Weddel Park Improvements Project.

Motion adopted.

96-395 Motion by Councilman Baron, seconded by Councilman Brown, that the low bid from Computer Technologies, Inc., 2145 Crooks, Suite 40, Troy, MI 48084 for computer training in the amount of \$6,156.00, and payment thereof, be approved, per Financial Analyst Clark, communication dated August 17, 1996. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 96-396 Motion by Councilman Slomzenski, seconded by Councilman Baron, that the lowest bidder meeting all specifications Computer Technologies, Inc., 2145 Crooks, Suite 40, Troy, MI 48084 for computer software in the amount of \$16,736.08, and payment thereof, be approved, per Financial Analyst Clark, communication dated August 17, 1996. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 96-397 Motion by Councilwoman Horvath, seconded by Councilman Brown, that the lowest bidder meeting all specifications Maguire Mailing Systems, 39201 Schoolcraft Road, Suite B-7, Livonia, MI 48150 for a mail machine in the amount of \$4,464.00, and payment thereof, be approved, per Financial Analyst Clark, communication dated August 17, 1996. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 96-398 Motion by Councilman Baron, seconded by Councilman Slomzenski, that the low bid from Industrial Fence & Landscaping Company, 32845 Cleveland Street, Rockwood, MI 48173 for 300' of six foot aluminized fencing along the Ecorse Creek in Heather Lane Park in the amount of \$2,550.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated August 20, 1996. Monies to fund this purchase were budgeted in the 1995-96 Parks & Recreation Capital Outlay account in the form of a \$4,500.00 allotment. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 96-399 Motion by Councilman Baron, seconded by Councilman Slomzenski, that the City Council concurs with and approves the Authorizing Resolution approving, ratifying and confirming the Financing Plan and Final Judgment relating to Improvements to the Downriver Sewage Disposal System per, Mayor Canfield, communication dated August 21, 1996. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion adopted.

- 96-400 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves Supplement #6 to Downriver Sewage Disposal System Financing Plan and Final Judgment which includes Exhibit C6 relating to the Downriver Sewage Disposal System, per Mayor Canfield, communication dated August 21, 1996. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion adopted.

- 96-401 Motion by Councilman Paletko, seconded by Councilman Brown, that the City Council concurs with and approves the reappointment of Don Rivard to the Cable TV Regulatory Commission, Term to expire August 1, 1999 per, Mayor Canfield, communication dated August 20, 1996.

Motion adopted.

- 96-402 Motion by Councilman Paletko, seconded by Councilman Baron, that a Public Hearing be scheduled for Tuesday, September 24, 1996 at 8:00 p.m. pursuant to Federal HUD Regulations for Community Development's 1996 Grantee Performance Report, per the request of Community Development Director Oliverio, communication dated August 19, 1996.

Motion adopted.

- 96-403 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the St. Linus Festival Bike Parade route with escort and assistance from the Police Department per, Police Chief Webber, communication dated August 20, 1996.

Motion adopted.

- 96-404 Motion by Councilman Brown, seconded by Councilman Slomzenski, that the City Council concurs with and approves the Dearborn Heights Redskins Junior Football parade route request with escort and assistance from the Police Department per, Police Chief Webber, communication dated August 19, 1996.

Motion adopted.

- 96-405 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the Crestwood High School Homecoming Parade route request with escort and assistance from the Police Department per, Police Chief Webber, communication dated August 19, 1996.

Motion adopted.

- 96-406 Motion by Councilman Paletko, seconded by Councilman Baron, that the resolution from the City of Riverview re: The Creation of a Cost Containment Oversight Committee for the Implementation of the Consent Decree Project relative to the Regional Sewer Project be referred to the Mayor for a recommendation and report as to whether the council should adopt its own resolution.

Motion adopted.

- 96-407 Motion by Councilman Paletko, seconded by Councilman Brown, that the Temporary Traffic Control Device Request T-59, "Stop" signs placement on the east and west corner of Lehigh at Bailey be received, contents noted and filed.

Motion adopted.

- 96-408 Motion by Councilman Baron, seconded by Councilwoman Horvath, that tabled CM 96-271, Seal Coating and Crack Filling Military Hills, be brought back to the table.

Motion adopted.

- 96-409 Motion by Councilman Baron, seconded by Councilman Slomzenski, that the comptroller be authorized to advertise for bids, per specifications, for seal coating and crack filling for Military Hills Subdivision, per the request of Public Service Administrator Blackburn, communication dated June 4, 1996.

Motion adopted.

- 96-410 Motion by Councilwoman Horvath, seconded by Councilman Slomzenski, that the communication from the Michigan Metro Girl Scout Council Annual Calendar-Nut and Cookie Sale, be received, contents noted and filed.

Motion adopted.

- 96-411 Motion by Councilman Paletko, seconded by Councilman Baron, that City Council present a joint Mayoral and Council Resolution, to be prepared by Administrative Assistant Zadikian to Mr. Earl Johnston, at a mutually agreeable meeting between Mr. Johnston and the Chair. Mr. Johnston is being honored for his many years of faithful service on the Civil Service General Government Commission.

Motion adopted.

96-412 Motion by Councilman Baron, seconded by Councilman Paletko,
that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:42 p.m.

HELENE S. SHERIDAN
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL