

JUNE 25, 1991

- 91-323 The meeting was called to order at 8:13 p.m., by Council Chairman Paletko.

Roll call showed the following:

Present: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman Jerome P. Chismar, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

Absent: Councilwoman Ruth A. Canfield.

Also Present: Mayor Van Houten, Administrative Assistant Hitsky, Clerk McLachlan, Deputy Clerk Sheridan, Treasurer Plawecki, Comptroller Barrow, Assessor Welch, Building & Engineering Director Hamel, Personnel Director Sullivan, Fire Chief Lewis, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Public Service Administrator Preston.

- 91-324 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that the agenda for the Regular Meeting of June 25, 1991, be approved as submitted with the add on of Item 13E re: Employees having served in the Persian Gulf.

Motion adopted.

- 91-325 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that the minutes from the Regular Meeting of June 12, 1991, be approved as submitted.

Motion adopted.

- 91-326 Motion by Councilman Gary P. Blackburn, supported by Councilman Jerome P. Chismar, that Current Claims 6-1 through 6-14 be approved as submitted.

1. ALLEGAN COUNTY SHERIFF DEPARTMENT - Prisoner board. April. Inv. 5/8/91. From A/C 130-868 (Prisoner Food & Lodging) \$2,320.00. Court.
2. CALLENDER & DORNBOS, INC. - Street signs. Inv. 0837, 0838, 5/29/91. From A/C 440-787 (Street Signs & Supplies) \$2,643.45. DPW.
3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Material delivered - May. Inv. 6/4/91. From A/C 200-810 (Sanitation) \$220,172.92. Gen. Govt.
4. COUNTY OF WAYNE, DEPARTMENT OF ROADS - Traffic signals cost - February, March & April. Inv. 72412, 6/4/91. From A/C 440-925 (Traffic Light Maintenance) \$9,555.82. DPW.
5. FISHER ROOFING COMPANY - DPW roof repair. Certificate 2 - Final, 6/11/91. job No. DHT 2323-02. From A/C 536-970 (Capital Outlay) \$5,070.45. Water.
6. PAINTER & RUTHENBERG, INC. - Roll off service - May. Inv. 7481, 6/1/91. From A/C 200-810 (Sanitation) \$15,270.00. Gen. Govt.
7. ROSS TECHNICAL INSTITUTE - Tuition payment-Final, Stanley Witt. Inv. 5/29/91. From A/C 200-724 (Workers Compensation) \$1,826.66. Gen. Govt.
8. SATURN CONSTRUCTION COMPANY - Bridge removal and replacement. Certificate 2, 6/17/91. Job No. DHT 2313-05. From A/C 440-880 (Road Repairs) \$101,488.09. DPW.
9. SHIAWASSEE COUNTY TREASURER - Prisoner board - April. (2) Inv. 5/10 & 5/16/91. From A/C 130-868 (Prisoner Food & Lodging) \$12,160.00. Court.

10. STRINGARI, FRITZ, KREGER, AHEARN, HUNSINGER, BENNETT & CRANDALL, P.C. - Legal services - May. Inv. 5/31/91. From A/C 200-817 (Professional & Consultant Fees) \$12,251.25. Gen. Govt.
11. WADE-TRIM/ASSOCIATES - Edgewood and Kingston Bridge removal and replacement. Inv. 37036, 6/17/91. Project No. DHT 2313-04. From A/C 440-880 (Road Repairs) \$9,352.62. DPW.
12. WADE-TRIM/ASSOCIATES - Edgewood and Kingston Bridge replacement. Inv. 36701, 6/13/91. Project No. DHT 2313-05. From A/C 440-880 (Road Repairs) \$1,463.75. DPW.
13. WADE-TRIM/ASSOCIATES - Public utilities - Audio Alert building. Inv. 36702, 6/13/91. Project No. DHT 2315-02. From A/C 255.000 (Jobs in Progress) \$800.50. Water.
14. WESTLAND TREE SERVICE - Tree trimming and removal. Inv. 6/17/91. From A/C 440-820 (Tree Removal & Maintenance) \$2,504.28. DPW.

Motion adopted.

- 91-327 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the only bid from Hank Gniewek's, Inc. for the City's annual trophy purchase in the amount of \$4,900.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated June 17, 1991.

Motion adopted.

- 91-328 Motion by Councilman Jerome P. Chismar, supported by Councilman Robert L. Brown, that the City Council concurs with and approves supporting State Representative Richard Young's proposed amendment to Senate Bill No. 218 (H-1) Draft 1, increasing the State budget for Senior Citizens Cooperative Housing Tax Exemption Program from \$10,710,000 to \$12,600,000. Further, copies of this resolution be sent to Representative Richard Young, State Senator George Hart, and Senate and House Leadership, per Mayor Van Houten, communication dated June 19, 1991.

Motion adopted.

- 91-329 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a resolution electing the "grandfather" provision in the Internal Revenue Code under Section 415(b)(10) for the Police and Fire Retirement System, per Council Chairman Daniel S. Paletko, communication dated June 19, 1991.

Motion adopted.

- 91-330 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the City Council concurs with and approves a resolution electing the "grandfather" provision in the Internal Revenue Code under Section 415(b)(10) for the General Government Pension System, per Council Chairman Daniel S. Paletko, communication dated June 19, 1991.

Motion adopted.

- 91-331 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that the City Council concurs with and approves the following be referred to file:

C.M. 90-423	City's assessment program.
C.M. 90-655	Additional funds for Prisoner, Food and Lodging Account.

Per Council Chairman Daniel S. Paletko, communication dated June 19, 1991.

Motion adopted.

- 91-332 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a budget amendment for the Berwyn Parking Lot Project as follows:

Increase Revenues:

A/C 699.000 - Appropriation from Fund Balance - \$12,361.00

Increase Expenditures:

A/C 691-981 - Recreation Capital Outlay - \$12,361.00

Per Comptroller Barrow, communication dated June 14, 1991.

Motion adopted.

- 91-333 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves extending City dental, life, optical, sick and accident insurances with Aetna Life & Casualty from May 1, 1991 through April 30, 1992 at no increase in premiums, per Comptroller Barrow, communication dated June 18, 1991.

Motion adopted.

- 91-334 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves the disposal of defective equipment at the Fire Department as outlined in Fire Chief Lewis', communication dated June 10, 1991.

Motion adopted.

- 91-335 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves Comptroller Barrow advertising for bids for the sale of one 1942 Ford Fire Truck, Vehicle #99T529661, minimum bid of \$2500.00, per Fire Chief Lewis, communication dated June 10, 1991.

Motion adopted.

- 91-336 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves waiving the bid process and award the Phase II expansion of the play structure located at Swapka/Powers Park to the Clayton Company for Proposal #2 in the amount of \$5,098.00, including installation, as quoted, and payment thereof. Monies to come from A/C 691-981, per Recreation Director Grybel, communication dated June 19, 1991.

Motion adopted.

- 91-337 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph F. Kosinski, that the City Council concurs with and approves the fireworks display application submitted by Southern International Fireworks, Inc., per Recreation Director Grybel, communication dated June 13, 1991.

Motion adopted.

- 91-338 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves authorizing Mayor Van Houten and Clerk McLachlan signing a Project Agreement for the re-roofing of the Canfield Community Center and approves the resolution attached to Community Development Director Oliverio's, communication dated June 11, 1991.

Motion adopted.

91-339 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves authorizing Mayor Van Houten and Clerk McLachlan signing a Project Agreement for the re-roofing of the Eton Senior Citizen Center and approves the resolution attached to Community Development Director Oliverio's, communication dated June 11, 1991.

Motion adopted.

91-340 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the ballot proposal amending Chapter IX, Section 9.2 City Charter regarding purchasing limits, as follows:

PURPOSE: A City Charter Amendment to amend Chapter IX, Section 9.2 so as to require the City to advertise for bids for material purchases over amounts as set by City Council resolutions from time to time increasing the amount from One Thousand Five Hundred (\$1,500.00) Dollars. The purpose is to reduce costs, improve purchasing procedures and account for inflationary factors since the Charter was adopted 23 years ago, and amended August 5, 1986.

BALLOT QUESTION: Are you in favor of requiring the City to advertise for purchases exceeding amounts as set by City Council resolutions from time to time increasing the amount from One Thousand Five Hundred (\$1,500.00) Dollars.

YES _____ NO _____

Be referred to the State's Attorney General for approval, per Corporation Counsel Dadaou, communication dated August 7, 1990.

Motion adopted.

91-341 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that a public hearing be held July 23, 1991 at 8:00 p.m. regarding vacating an east/west alley, south of Warren Avenue between Drexel and Vernon.

Motion adopted.

91-342 Motion by Councilman Jerome P. Chismar, supported by Councilman Robert L. Brown, that Proposed Ordinance H-91-5, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REVISING SECTION 7-302,(9)-B, OF SAID CODE; PROVIDING THAT FOR PROHIBITIVE PARKING OF UNLICENSED AND/OR INOPERABLE MOTOR VEHICLES, CAMPERS, BOATS OR TRAILERS OR PARTS THEREOF AND PROHIBITIVE PARKING OF LICENSED MOTOR VEHICLES, CAMPERS, BOATS OR TRAILERS OR PARTS THEREOF, be tabled.

AYES: Councilman Robert L. Brown, Councilman Jerome P. Chismar.

NAYS: Councilman Gary P. Blackburn, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko..

ABSENT: Councilwoman Ruth A. Canfield.

Motion defeated.

91-343 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that Proposed Ordinance H-91-5, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REVISING SECTION 7-302,(9)-B, OF SAID CODE; PROVIDING THAT FOR PROHIBITIVE PARKING OF UNLICENSED AND/OR INOPERABLE MOTOR VEHICLES, CAMPERS, BOATS OR TRAILERS OR PARTS THEREOF AND PROHIBITIVE PARKING OF LICENSED MOTOR VEHICLES, CAMPERS, BOATS OR TRAILERS OR PARTS THEREOF, be considered read for the first time.

AYES: Councilman Gary P. Blackburn, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

NAYS: Councilman Robert L. Brown, Councilman Jerome P. Chismar.

ABSENT: Councilwoman Ruth A. Canfield.

Motion adopted.

- 91-344 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that Proposed Ordinance H-91-6, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 20-121; PROVIDING FOR THE UNAUTHORIZED USE OF A MOTOR VEHICLE, be considered read for the first time.

Motion adopted.

- 91-345 Motion by Councilman Joseph F. Kosinski, supported by Councilman Jerome P. Chismar, that Proposed Ordinance H-91-7, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 20-36; PROVIDING FOR A PROHIBITION OF GIVING FALSE IDENTIFICATION TO A PEACE OFFICER, be considered read for the first time.

Motion adopted.

- 91-346 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that Proposed Ordinance H-91-8, PROVIDING THAT THE CODE OF ORDINANCE, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REVISING SECTION 20-401, OF SAID CODE; PROVIDING THAT MINORS UNDER 17 CURFEW HOURS BE ESTABLISHED BETWEEN 10:00 P.M. AND 6:00 A.M., be considered read for the first time.

Motion adopted.

- 91-347 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that Proposed Ordinance H-91-8, PROVIDING THAT THE CODE OF ORDINANCE, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REVISING SECTION 20-401, OF SAID CODE; PROVIDING THAT MINORS UNDER 17 CURFEW HOURS BE ESTABLISHED BETWEEN 10:00 P.M. AND 6:00 A.M., be declared an emergency and be considered read for the second time and become effective upon publication.

Motion adopted.

- 91-348 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that Resolutions from the Cities of Mason, Grand Ledge and Durand re: Presidential Preference Primary, be received, contents noted and filed.

Motion adopted.

- 91-349 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the Resolution from the City of Trenton re: Election Workers' Salaries, be received, contents noted and filed.

Motion adopted.

- 91-350 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that Temporary Traffic Control Device #91-06, "No Parking Signs" south Joy Road on west side to driveway of 24551 Fordson Hwy, be received, contents noted and filed.

Motion adopted.

- 91-351 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that tabled Council Motion 91-316 re: Proposed budget for the Tax Increment Finance Authority, be brought back on the table.

Motion adopted.

- 91-352 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the Tax Increment Finance Authority's proposed 1991-1992 budget, as submitted, per Chairman Baron, communication dated June 5, 1991.

Motion adopted.

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91-353 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that Tabled Council Motion 91-250 re: Removal of Temporary Traffic Control Device #91-03, be brought back on the table.

Motion adopted.

91-354 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the request for removal of Temporary Traffic Control Device #91-03 "No Parking" signs on Gulley Rd., S/B to 7147 Gulley from Warren, N/B from 7106 Gulley to Warren, be approved.

Motion adopted.

91-355 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that Council Motion 91-354 be reconsidered.

Motion adopted.

91-356 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the PD No. 0644 request for removal of Temporary Traffic Control Device #91-03 "No Parking" signs, be referred back to the Police Department for clarification.

Motion adopted.

91-357 Motion by Councilman Joseph F. Kosinski, supported by Councilman Jerome P. Chismar, that the request from BUCK'S PUB, INC. to transfer ownership 1991 Class C licensed business with Dance permit from J.B. Pub, Inc., be approved, and deny the Entertainment Permit, located at 23845 W. Warren, Dearborn Heights, MI Wayne County, 48127, and the Liquor Control Commission be so notified.

Motion adopted.

91-358 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that

The City of Dearborn Heights hereby pledges its full faith and credit to the Director of the Michigan Department of Natural Resources for maintenance of the permanent dewatering system at the Huron Monofill operated by the Central Wayne County Sanitation Authority.

This Agreement is provided under Section I, entitled Financial Assurance, of the Operating License Conditions. The Director shall use the cash bond under Section I before using any money received under this Agreement. The Director may take action under this Agreement if the seven (7) feet of minimum clearance under Section I has not been satisfied for at least thirty (30) days. Thereafter, upon written request by the Director, and verification by the Authority's consultant of the lack of seven (7) feet of minimum clearance, the City shall make available the necessary funding to maintain the performance of the perpetual dewatering system.

Further, authorizes Mayor Van Houten and Clerk McLachlan executing said agreement, per Attorney C. Brian James, communication dated June 6, 1991.

Motion adopted.

91-359 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that tabled Council Motion 91-154 re: City employees serving in the Persian Gulf, be brought back on the table.

Motion adopted.

WHEREAS, American troops have engaged in a grave and life threatening conflict in the Middle East, known as both "Operation Desert Shield" and "Operation Desert Storm", to ensure that freedom will prevail in the region, and

WHEREAS, the United Nations supported such actions through several resolutions, and

WHEREAS, several nations banded together to stop the outright aggression over a fellow nation, and

WHEREAS, Dearborn Heights supports our troops stationed in the Persian Gulf, and

WHEREAS, that support includes all troops called back to active duty from a status of reserve duty, and

WHEREAS, the City itself has employees who were called back to active duty due to the Persian Gulf Crisis, and

WHEREAS, this duty has caused undue financial burdens on many of those serving in the armed forces and reserves compared to their normal employment, and

WHEREAS, it is recognized that no amount of financial restitution can compensate for the hardships suffered by these service personnel and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Dearborn Heights City Council wants to ensure those City employees that served in the Persian Gulf that it will make those employees whole in any City paid salary discrepancies due to that service, and

BE IT FURTHER RESOLVED, that this action is a one (1) time payment, is not precedent as to future actions on similar subjects and must have no bearing on any union or contract issue, and

BE IT FURTHER RESOLVED, that the City will base this one time payment on the employees average salary, with pay increases due the employee during the week preceding being called back to active service, and

BE IT FURTHER RESOLVED, that the City Clerk, Robert G. McLachlan forward a copy of this resolution to the City Administration, City Treasurer Richard Plawecki, Governor John Engler, State Senator George Hart, State Representative Richard Young, County Executive Edward McNamara, County Commissioner Susan Hubbard, Congressman Sander Levin and all surrounding communities.

Per Councilman Robert L. Brown, communication dated March 20, 1991.

Motion adopted.

91-361 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:01 p.m.

ROBERT G. McLACHLAN, CMC
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL