

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JUNE 10, 1997

97-285 The meeting was called to order at 8:16 p.m. by Council Chairman Joseph V. Kosinski.

Roll Call showed the following:

Present: Councilman Kenneth R. Baron, Council Chairman Joseph V. Kosinski, Councilman Daniel S. Paletko, Councilman Frank J. Slomzenski, Councilman Donald R. Wyatt, Councilman Gregg Zulinski.
Absent: Councilwoman Margaret M. Horvath. (Arrived 8:40 p.m.)
Also Present: Mayor Canfield, Administrative Assistant Heise, Corporation Counsel Berry-Harris, City Clerk Sheridan, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, 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 former City Clerk Bob McLachlan.

97-286 Motion by Councilman Baron, seconded by Councilman Wyatt, that the Agenda for the Regular Meeting of June 10, 1997, be approved as submitted.

Motion adopted.

97-287 Motion by Councilman Paletko, seconded by Councilman Slomzenski, that the Minutes from the Regular Meeting of May 27, 1997, be approved as submitted.

Motion adopted.

The Public Hearing for the rezoning of 4151 S Beech Daly opened at 8:19 p.m. by Council Chairman Kosinski.

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

PLEASE TAKE NOTICE that a Public Hearing will be held on June 10, 1997, by the City council of the City of Dearborn Heights at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8 p.m. for the purpose of hearing objections, if any, to rezone from RO1, Restricted Office to C-2A Special Business District for property located at 4151 S Beech Daly. Said property legally described as follows: (Corrected Legal Description)

That part of NW 1/4 Section 32, T2S, R10E described as beginning N 0D, 15M, 00S W 1017.06 ft and N 89D, 44M, 00S E 43 ft from W 1/4 corner section 32 thence N 89D, 44M, 00S E 250 ft thence N 0D, 15M, 00S W 130.84 ft thence S 89D, 32M, 30S W 134 ft thence N 0D, 15M, 00S W 2.25 ft thence S 89D, 44M, 00S W 116 ft thence S 0D, 15M, 00S E 132.27 ft to Point of Beginning 0.75 acres. Sidwell #33 042 99 0006 000.

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Helene S. Sheridan, Clerk, City of Dearborn Heights. Published May 22 and May 29, 1997. Corporation Counsel has submitted proof of service to the public utility companies and surrounding neighbors and businesses in the area. Michcon has replied in their communication no objection and City of Detroit Water & Sewerage Department also has no objection. No other communications Mr. Chairman.

Chairman Kosinski asked if there is anyone in the audience who would like to make any comments for or against the proposed special land use.

Mr. Harold McWilliams, 25649 Stanford asked what was going to be put at that location.

Mr. John Mellon, co-owner of the building stated the plan was to make the building a retail space with a coin operated with other portion for retail business. We have some renderings here that we can present if you would like to see them.

Mr. Steven Bean, President of Universal Laundry & Machinery stated we are planning to change the building completely and make half the building a modern, very upscale coin operated laundry and the remainder will be designated some type of retail operation to be determined later. The brand of equipment used will be Speed Queen, that has won awards on the National level. Very high tech very clean but also fully attended, always a supervisor present.

Al Nason, Campbell asked if the business would be opened 24 hours a day?

Mr. Bean responded a laundry in this particular demographic area would probably be open 16 to 17 hour a day unless the need developed to extend the hours.

Mr. McWilliams asked why would you put a business in there that just went out?

Mr. Bean replied the laundry that was there was a small laundry, probably ill equipped didn't have the right blend of machinery our laundries are magazine quality have ceramic tile floors more serving of the communities need in terms of the blend of machinery.

Mr. McWilliams will you be maintaining the parking lot?

Mr. Bean the property owner most assuredly will maintain the parking lot.

Gladys Donaldson, 25735 Stanford this building is really in sorry shape, its been vacant for several years, it has no windows it in what do you plan to do with the building?

Mr. Bean the entire exterior of the building will be renovated as well as the interior. Will not look anything like what it does now. Windows all along the front and back where the parking lot is.

Gladys Donaldson asked what about landscaping and parking lot?

Mr. Bean replied landscaping as well will be installed. The parking lot will be resurfaced. The whole building and surrounding area will be upscale.

Mr. McWilliams is the City Council going to put hours at a limit?

Mr. Bean stated I can't speak for them.

Mahamad Elfakir, owner of Laundromat at 4852 Beech Daly, just down the street objected to another laundry opening in the area. Believes should wait to see how his business goes before another one is opened. Just purchased 12 new washers and 9 dryers; no need for 2nd laundry so close to his. Stated he was here on another matter interested in purchasing two lots next to his property. Don't thing there is a need for another one.

Council Chairman Kosinski there is some misunderstood statements made. There is a laundry functioning at the location 4852 Beech Daly. Was there any other laundry that was functioning and operational within the last two or three months?

Mr. Elfakir responded no.

Council Chairman Kosinski was your laundry functioning and operational within the last two or three months or was it ever closed in that time span.

Mr. Elfakir it was closed in January.

Council Chairman Kosinski so its reasonable to think when these people were conducting a business survey that the indication and the results of the business survey indicated that your laundry was close. Is that possible?

Mr. Elfakir it was not closed.

Council Chairman Kosinski stated my only purpose was to clarify what appeared to be a misstatement of fact that there was another laundry that was closed and that's not the case.

Mr. Mellon our plan is to renovate the building and make it a retail space and I think we're here before the council questioning that. Our survey showed us that a coin operated laundry would be well positioned there. We are here to request a change in zoning because I think its that one block along all of Beech Daly Road that is not zoned retail space. I think the purpose here not to determine from the business standpoint which should go into a retail space.

Council Chairman Kosinski we cannot act on the issue of whether a competitor should be granted a rezoning based on information of competition coming into what is presumed to be rezoned. That is an issue outside the responsibility of the Council. Nor can the Council pronounce a rezoning based on a requirement of a given time frame of conducting a business. That does not enter into the decision at all. The decision that will be entered into strictly has to do what the call of the Public Hearing was and that was to rezone 4157 S Beech Daly from Restricted Office to a C2 special district. That is the only consideration that the Council can take.

Council Chairman Kosinski asked if there was anyone else who wished to speak.

Carmine Oliverio stated the in 1986 when we started the Beech Daly revitalization the City council adopted the special business district from Annapolis to Van Born Road at that time the Council also adopted our recommendation of the C2A for the entire Beech Daly corridor. Unfortunately, the only property that was zoned C2A was the area south of Annapolis. I would like to suggest that our marketing and our recommendation for the Beech Daly revitalization include the C2A from Michigan Avenue south including and up to Annapolis. The City of Inkster is also in favor of rezoning to C2A on their side of the street.

Council Chairman Kosinski asked if there was anyone else who wishes to speak for or against the proposed rezoning.

97-288 Motion by Councilman Paletko, supported by Councilman Zulinski, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the Special Land Use 4151 S Beech Daly closed at 8:43 p.m.

Council Chairman Kosinski stated the decision with regards to the rezoning will occur on June 24, 1997.

Councilwoman Horvath arrived at 8:40 p.m. and which point Council Chairman Kosinski asked that the Agenda approval be amended to include Agenda Item 13-D Ballot Language for the Combined Sewer Overflow Retention Basin Tax Pledge.

97-289 Motion by Councilman Wyatt, seconded by Councilman Baron, to amend the Agenda approval to include Agenda Item 13-D, Ballot Language for the Combined Sewer Overflow Retention Basin Tax Pledge.

Motion unanimously adopted.

97-290 Motion by Councilman Paletko, seconded by Councilman Slomzenski, that Fund Transfer 6-A through 6-F be approved as submitted.

- A. \$5,500.00 from Assessor's Salary to Assessor's Overtime due to being short staffed until vacancy filled.
- B. \$95,000.00 from DPW Salaries (\$55,000.00) and DPW Repair/Maint. (\$40,000.00) to DPW Overtime (\$39,000.00) and DPW Road Supplies (\$56,000.00) to cover additional overtime and supplies for snow removal.
- C. \$4,300.00 from Bldg./Eng. Salaries to Bldg./Eng. Rep./Maint. (\$2,500.00); Bldg./Eng. Office Supply (\$500.00); Bldg./Eng. Mat/Supply (\$300.00) and Bldg./Eng. Cont. Serv. (\$1,000.00) to cover cost of supplies, repairs and services.
- D. \$50,120.00 from General Government Contingency to Data Processing Contractual Services (\$30,000.00) and Data Processing Capital Outlay (\$20,120.00) to cover cost of computer software and hardware purchase.
- E. \$1,700.00 from Human Resources Salaries to Human Resources Overtime due to vacancy in department, part time was needed to cover the office.
- F. \$2,500.00 from Comptroller's Office Salaries to Comptroller's Office Overtime due to maternity leave, needed to use overtime to compensate employees.

Motion unanimously adopted.

97-291 Motion by Councilwoman Horvath, seconded by Councilman Paletko, that Current Claims 6-1 through 6-7 be approved as submitted.

- 1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Materials delivered May 1997 from A/C 101-200-810-000 (Sanitation) \$161,049.00. General Govt.
- 2. E & N CEMENT - Pavement Repairs - Two (2) Inv.'s dated 05/31/97 from A/C 101-440-820-000 (Road Repairs) \$19,987.01 and from A/C 592-537-981-000 (Sewers) \$31,390.54. DPW-Water.
- 3. H & R PROMOTIONS - Dearborn Heights Pins - Inv. 1140 dated 04/16/96 from A/C 101-200-728-000 (Office Supplies) \$1,990.00. General Govt.
- 4. HIGHWAY MAINTENANCE CONSTRUCTION - Overband Coat Military Hills Sub. - Inv. 8905 dated 05/27/97 from A/C 101-440-820-000 (Road Repairs) \$16,625.00. DPW-Highway.
- 5. GARY MIOTKE - Legal Services March 1997 - Inv. dated 04/11/97 from A/C 101-210-826-000 (Counsel Services) \$3,208.00. Corp. Counsel.
- 6. LAURA BERRY-HARRIS - Legal Services March 1997 - Inv. dated 04/11/97 from A/C 101-210-826-000 (Counsel Services) \$7,096.00. Corp. Counsel.
- 7. MICHIGAN HUMANE SOCIETY - Animals Processed April 1997 - Inv. 5640 dated 04/30/97 from A/C 101-200-806-000 (Animals Processed) \$3,013.00. General Govt.

AYES: Councilman Baron, Councilwoman Horvath, Council Chairman Kosinski, Councilman Paletko, Councilman Slomzenski, Councilman Wyatt.

NAYS: Councilman Zulinski.

ABSENT: None.

Motion adopted.

97-292 Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Comptroller be authorized to advertise for bids, per specifications, for the sale of two City owned parcels described as Lots 13 and Lot 14 Lukaszewicz Dearborn Subdivision, per the request of Assessor Welch, communication dated May 27, 1997.

Motion unanimously adopted.

97-293 Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concurs with and approves the continuation of catch basin cleaning required in the Inter-Agency Agreement Storm Water Demonstration Grant under the Rouge River National Wet Weather Demonstration Project for the area bounded by Highland, Ford Road, Richardson and Beech Daly per, Mayor Canfield, communication dated June 5, 1997. Further, that Change Order #35, to Nagel Construction Company, PO Box 10, Moline, MI 49335-0010, in the amount of \$15,806 be signed by the Mayor and City Clerk. Funding for this project is 90% covered by the grant.

Motion unanimously adopted.

97-294 Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council approve the adoption of the Wayne County Downriver Collection System Amended Project Plan Resolution per, Mayor Canfield, communication dated June 4, 1997. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

97-295 Motion by Councilman Slomzenski, seconded by Councilman Wyatt, that the City Council concurs with and approves the renewal of the Michigan Humane Society contract for one year, term to expire June 30, 1998 per, City Clerk Sheridan, communication dated June 3, 1997. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

97-296 Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves the contract between the City of Dearborn Heights, City of Inkster and the Michigan Department of Transportation (MDOT) for the resurfacing of Cherry Hill Road between Beech Daly and Inkster Road per, Administrative Assistant Heise, communication dated May 26, 1997. Costs for this project to be shared (50/50) between the City of Inkster and the City of Dearborn Heights.

Motion unanimously adopted.

97-297 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the related engineering costs with Wade-Trim/Associates for the resurfacing of Cherry Hill Road at a cost not to exceed \$56,000.00 per, Administrative Assistant Heise, communication dated May 26, 1997.

Motion unanimously adopted.

97-298 Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council concurs with and approves a budget amendment to cover expenses for additional radios approved for purchase in March 1997 as follows:

INCREASE REVENUES	APPROPRIATE FROM FUND BALANCE
# 101-000-699-000	\$12,400.00
INCREASE EXPENDITURES	POLICE CAPITAL OUTLAY
# 101-300-981-000	\$12,400.00

per, Comptroller Barrow, communication dated June 3, 1997.

Motion unanimously adopted.

97-299 Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves a budget amendment to cover expenses budget in 1996-97

but not expended and included purchase of new vehicle approved in December 1996 as follows:

INCREASE REVENUES	APPROPRIATE FUND BALANCE
# 101-000-699-000	\$ 37,832.00
INCREASE EXPENDITURES	RECREATION CAPITAL OUTLAY
# 101-691-981-000	\$ 37,832.00

per, Comptroller Barrow, communication dated June 3, 1997.

Motion unanimously adopted.

- 97-300** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the communication from Assessor Welch, dated May 29, 1997 re: Recommended Changes in the "Schedule of Regulations" and Split Ordinance be referred to Corporation Counsel and that the Chair be directed to schedule a Committee of the Whole meeting to include the City Planner, Building & Engineering Director, Corporation Counsel, Assessor Welch and the Doxtator Neighborhood Association to discuss the regulations re: Lots Splits. Further, that the moratorium be continued as it relates to residential lot splits but be discontinued as it relates to commercial lot splits.

Motion unanimously adopted.

- 97-301** Motion by Councilwoman Horvath, seconded by Councilman Wyatt, that the request to purchase two (2) Kustom Pro Dual Antenna Units at \$1,419.74 each (\$2,839.50) and six (6) Kustom Pro Single Antenna Units at \$934.75 each (\$5,508.50) and one (1) 20/20 Laser Radar for \$5,400.00, at a total cost of \$13,848.00 be approved per, Police Chief Webber, communication dated June 3, 1997. Funds for this purchase to be allocated from the proceeds of the sale of the Harley Davidson Motorcycles.

Motion unanimously adopted.

- 97-302** Motion by Councilman Zulinski, seconded by Councilman Baron, that the request to purchase one Kustom SMART System (Speed Monitoring Awareness Radar Trailer) from Kustom Signals, Inc. be approved per, Police Chief Webber, communication dated June 3, 1997. Funds for this purchase to be allocated from the proceeds of the sale of the Harley Davidson Motorcycles. Kustom Signals, Inc. is a single source supplier.

Motion unanimously adopted.

- 97-303** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the City Council concurs with and approves a budget amendment to cover expenses for additional meeting held during 1997-98 fiscal year as follows:

INCREASE REVENUES	APPROPRIATE FROM FUND BALANCE
# 101-000-699-000	\$3,100.00
INCREASE EXPENDITURES	BOARD OF APPEALS COMMISSION
# 101-247-712-000	\$2,000.00
INCREASE EXPENDITURES	BOARD OF APPEALS PUBLICATIONS
# 101-247-905-000	\$ 500.00
INCREASE EXPENDITURES	SIGN BOARD OF APPEALS COMM.
# 101-248-712-000	\$ 600.00

per, Comptroller Barrow, communication dated June 3, 1997.

Motion unanimously adopted.

- 97-304** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concurs with and approves a budget amendment to cover expenses for additional salaries for union contract settlement as follows:

INCREASE REVENUES	APPROPRIATE FROM FUND BALANCE
# 101-000-699-000	\$200,000.00
INCREASE EXPENDITURES	FIRE SALARIES
# 101-335-706-000	\$175,000.00
INCREASE EXPENDITURES	FIRE OVERTIME
# 101-335-709-000	\$ 25,000.00

per, Comptroller Barrow, communication dated June 3, 1997.

Motion unanimously adopted.

- 97-305** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves a budget amendment to cover all revenues and expenses for the Police Department 1996-97 drug forfeiture account as follows:

REVENUES:

# 265-000-639-075	ABATEMENT	\$ 8,550.00
# 265-000-636-010	FORFEITURE	25,000.00
# 265-000-699-000	APP. FUND BALANCE	45,250.00

EXPENDITURE:

# 265-330-709-000	OVERTIME	\$ 8,750.00
# 265-330-709-010	COURT OVERTIME	11,500.00
# 265-330-831-075	ABATEMENT FUNDS	8,550.00
# 265-330-831-265	MISC EXPENSES	50,000.00

per, Comptroller Barrow, communication dated June 3, 1997.

Motion unanimously adopted.

- 97-306** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that proposed Ordinance H-97-03, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY DELETING ORDINANCE H-96-11 OF SAID CODE PROVIDING THAT: AS TO PROPERTY LOCATED IN MAXWELL'S WARREN-TELEGRAPH SUBDIVISION ON WAVERLY AND RICHARDSON be considered read for the second time to become effective upon publication in the City official newspaper.

Motion unanimously adopted.

- 97-307** Motion by Councilman Baron, seconded by Councilman Slomzenski, that proposed Ordinance H-97-04, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REZONING FROM RMA TO C-1 THE PARCEL AT THE NORTHEAST CORER OF N INKSTER AND ANN ARBOR TRAIL be

considered read for the first time.

AYES: Councilman Baron, Councilwoman Horvath, Council Chairman Kosinski,
Councilman Slomzenski, Councilman Wyatt, Councilman Zulinski.
NAYS: Councilman Paletko.
ABSENT: None.

Motion adopted.

- 97-308** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that proposed Ordinance H-97-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REZONING FROM R1B, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-1, NEIGHBORHOOD BUSINESS DISTRICT FOR PROPERTY LOCATED ON THE WEST SIDE OF DALE, SOUTH OF JOY ROAD be considered read for the first time.

AYES: Councilman Baron, Councilwoman Horvath, Council Chairman Kosinski,
Councilman Slomzenski, Councilman Wyatt, Councilman Zulinski.
NAYS: Councilman Paletko.
ABSENT: None.

Motion adopted.

- 97-309** Motion by Councilman Slomzenski, seconded by Councilman Zulinski, that the resolution from the Wayne County Board of Commissioners re: The Detroit News Agency Labor Dispute be received, contents noted and filed.

Motion unanimously adopted.

- 97-310** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the City Council concurs with the recommendation of the Planning Commission, PC # 97-07, Special Land Use request from Mr. Ross Franks, Enterprise Rent-a-Car, 29301 Grand River Avenue, Farmington Hills MI 48336 to establish a car rental business at 5952 N Telegraph Road, be approved.

Motion unanimously adopted.

- 97-311** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with the recommendation of the Planning Commission, PC # 97-06, Special Land Use request from AT&T Wireless Services, 26877 Northwestern Highway, Southfield, MI 48034 to erect a cellular monopole at 26720 Van Born Road, be approved.

Motion unanimously adopted.

- 97-312** Motion by Councilman Baron, seconded by Councilman Zulinski, that the 1997-98 business license renewals for Dearborn Heights Moose Lodge, 27225 Warren; Trophy Room Pub, 25034 Ford Road and Cherry Hill Lanes, 3000 N Inkster Road be approved.

Motion unanimously adopted.

- 97-313** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the communication from Administrative Assistant Heise, dated June 9, 1997 re: Ballot Language for the Combined Sewer Overflow Retention Basin Tax Pledge be referred to Corporation Counsel for review and recommendation and Gordon Krater, Plante-Moran.

Motion unanimously adopted.

97-314 Motion by Councilman Baron, seconded by Councilman Zulinski, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:50 p.m.

HELENE S. SHERIDAN
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL