

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JUNE 9, 1992

92-304 The meeting was called to order at 8:07 p.m., by Council Chairman Daniel S. Paletko.

Roll call showed the following:

Present: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Ruth A. Canfield, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

Absent: None.

Also Present: Mayor Van Houten, Administrative Assistant Hitsky, Corporation Counsel Dadaou, City Clerk Sheridan, Deputy Clerk Robbins, Comptroller Barrow, Assessor Welch, Personnel Director Sullivan, Police Chief DiPrima, Fire Chief Lewis, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Gary P. Blackburn.

92-305 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the agenda for the Regular Meeting of June 9, 1992, be approved as submitted with the add-on of Item 13E re: Fireworks application permit.

Motion unanimously adopted.

92-306 Motion by Councilman Joseph F. Kosinski, supported by Councilman Robert L. Brown, that the minutes from the Regular Meeting of May 26, 1992, be approved as submitted.

Motion unanimously adopted.

92-307 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the minutes from the Special Meeting of June 1, 1992, be approved as submitted.

Motion unanimously adopted.

Council Chairman Daniel S. Paletko announced that the lot numbers in the legal description that was published for tonight's public hearing is in error and asked Corporation Counsel Dadaou for direction.

Mr. Dadaou stated that the public hearing could take place tonight and that the City Clerk could amend the legal description by reading the proper lot numbers because notices were sent to the affected parties of both legal descriptions.

The Public Hearing for Special Land Use for proposed ice cream and family entertainment center at 5664 N. Telegraph was called to order at 8:10 p.m. by Council Chairman Daniel S. Paletko.

City Clerk Sheridan read the official Notice of Public Hearing.

City of Dearborn Heights, Notice of Public Hearing. PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, June 9, 1992, 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, for the Special Land Use for proposed ice cream and family entertainment center for property located on the north side of Ford Road and east off of Telegraph Road.

Said property being more particularly described as follows:

Parts of Lots 267, 268 and 269 Ford Telegraph Road Subdivision. T2S R10E, L49, P40, W.C.R. (Note special land use is limited to 5664 N. Telegraph)

Written comments may be directed to the City Clerk's Office, 6045 Fenton, Dearborn Heights, Michigan 48127.

Helene S. Sheridan, Clerk, City of Dearborn Heights. Published 6/4/92 in the City's official newspaper.

I have proof of service delivered by Corporation Counsel to affected parties. I have received a communication from the City of Detroit Water & Sewerage Department stating there is no conflict with any City of Detroit Water and Sewerage Department Transmission Facilities. No further communications, Mr. Chairman.

Council Chairman Daniel S. Paletko asked if anyone in audience had any questions and/or comments.

Speaking against the Special Land Use due to traffic and parking problems also concerned that it would be an arcade type business that could create other problems:

Marilyn Jackson - 6231 Waverly
Edith Gibson - 6215 Waverly
Mrs. Kuchno - 5743 Highland
Wanda Mamajek - 5759 Highland
Gail Roberge - 5719 Highland

Gary Valentine and Brian Skopal, petitioners, explained the concept of the family entertainment center and assured the Council and audience that this is not going to be an "arcade-type" business that the public has objections to. This is not the kind of place that teenagers will want to hang out. It will be along the same lines as "Chucky Cheeses" and "Show-Biz". This will be a smoke free environment, no alcohol. A study was done for the parking and traffic and stated that the average stay for customers would be approximately 45 minutes and that this would not add to the parking and traffic problems anymore than if some other type of business went in there.

Dennis Lewandowski - 5687 Highland, spoke in favor of the Special Land Use. Would like to see them in that building because kids will not congregate in front of a vacant store.

Mr. Rosin - 24442 Michigan - Addressed the traffic and parking problems. Stated that the developer and owner of the center would like Waverly closed too. The problem is that there are some lots on the west side of Waverly owned by the casket factory and without their consent, Waverly cannot be closed. He would be willing to sign petitions to close.

Council Chairman Daniel S. Paletko asked if anyone else in the audience had any questions. Hearing none, he asked the public hearing be closed.

92-308 Motion by Councilman Gary P. Blackburn, supported by Councilman David C. Brunell, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing to hear objections, if any, for Special Land Use at 5664 N. Telegraph closed at 9:00 p.m.

92-309 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Gary P. Blackburn, that Current Claims 6-1 through 6-16 be approved as submitted.

1. ADAM DADAOU - Legal Services May 1992. Inv. 6/3/92. From: A/C 210-826 (Counsel Services) \$12,481.09; A/C 210-938 (Library) \$97.61; A/C 536-817 (Professional & Consult) \$876.00; A/C 335-818 (Contractual Services) \$40.00. Corp. Counsel, Water, Fire.
2. E & N CEMENT - Pavement Repairs. (2) Inv. 5/30/92. From A/C 440-880 (Road Repairs) \$13,917.44 & A/C 537-818 (Contractual Services) \$19,161.58. DPW & Water.
3. MERLE MYERS GLASS INC. - Remove & replace kitchen exterior door. Inv. 920394, 5/22/92. From A/C 265-818 (Contractual Services) \$1,840.00 (Enc.). Bldg Maint.
4. WADE-TRIM/ASSOCIATES - Phase X Watermain Improvements. Inv. 39294, 5/18/92. Job No. DHT 2212-34. From A/C 960-925-091 (Watermain) \$1,215.82. Comm. Dev.
5. WADE-TRIM/ASSOCIATES - Plans & Spec. Bridge Removals. Inv. 39285, 5/18/92. Job No. DHT 2313-09. From A/C 960-946-091 (Bridge Removals) \$2,366.99. Comm. Dev.

6. WADE-TRIM/ASSOCIATES - Contract Admin, Phase X Watermain. Inv. No. 39281, 5/18/92. Job No. DHT 2212-36. From A/C 960-925-091 (Watermain) \$2,356.50. Comm. Dev.
7. ALLEGAN COUNTY SHERIFF DEPT. - Prisoner food & lodging April 1992. Inv. 5/5/92. From A/C 200-868 (Prisoner Food & Lodging) \$2,410.10. Gen. Gov.
8. IOSCO COUNTY SHERIFFS DEPT. - Prisoner food & lodging April 1992. Inv. 5/4/92. From A/C 200-868 (Prisoner Food & Lodging) \$5,267.49. Gen. Gov.
9. WAYNE OAKLAND LIBRARY FEDERATION - Quarterly estimate 10/01/91-12/31/91. Inv. A4240, 3/1/92. From A/C 738-827-100 (W.O.L.F. Charge) \$45,573.00. Rec.
10. WADE-TRIM/ASSOCIATES - Contract Admin, Canfield & Eton Re-Roofing. Inv. 39291, 5/18/92. Job No. DHT2343-02. From A/C 673-981-091 (Re-Roofing Projects) \$1,015.25. Rec.
11. PLANTE & MORAN - Accounting services April 1992. Inv. 17784-172220, 5/12/92. From A/C 536-817 (Professional & Consult) \$1,050.00. Water.
12. DIVERSIFIED BUSINESS PRODUCTS, INC. - Maint contract-Ricoh Copy Machine. Inv. 059853-1. From A/C 300-932 (Repair & Maint) \$2,431.00. Police.
13. FAIRLANE & ASSOCIATES - Liquor Liability Insurance for Spirit Festival. Ch. req. 6/2/92. From A/C 691-891 (Spirit Festival) \$2,702.50. Rec.
14. ACTION DISTRIBUTING CO. - Beer & cups for Spirit Festival. Ch. req. 6/2/92. From A/C 691-891 (Spirit Festival) \$4,368.75. Rec.
15. WAYNE COUNTY - DEPT OF ROADS - Resurfacing Warren Ave - Outer Drive to Heyden. Inv. 73687, 1/7/92. From A/C 440-880 (Road Repairs) \$25,000.00. DPW.
16. MICHIGAN MUNICIPAL LEAGUE - Annual membership & environmental affairs. Inv. 6/1/92. From A/C 200-958 (Dues, membership, subscript) \$9,274.00. Gen. Gov.

Motion unanimously adopted.

- 92-310 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the low bid from Hickson-Costigan, Inc. for removal and replacement of the John F. Kennedy Jr. and Caroline Kennedy Libraries entryways in the amount of \$13,200.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated June 2, 1992. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 92-311 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves an increase in fees from \$80 to \$84 per professional hour used after July 1, 1992 for the firm of Stringari, Fritz, Kreger Ahearn and Hunsinger, per Mayor Van Houten, communication dated June 3, 1992.

Motion unanimously adopted.

- 92-312 Motion by Councilman Joseph F. Kosinski, supported by Councilwoman Ruth A. Canfield, that Mayor Van Houten's communication dated May 21, 1992, regarding the reappointment of Kay Wolwode and J. Robert Rock to the Commission on Aging, terms expiring April 1995, be received, contents noted and filed.

Motion unanimously adopted.

- 92-313 Motion by Councilman David C. Brunell, supported by Councilman Gary P. Blackburn, that

WHEREAS, A ballot proposal was presented to the voters of Wayne County, in August, 1988, to authorize the levy of one mill (\$1.00 per thousand dollars of state equalized valuation) on the taxable property within the County of Wayne for ten years, from 1988 through 1997, for these exclusive uses:

To acquire, construct, and/or operate jail, misdemeanor, or juvenile incarceration or detention facilities and adult penalty options such as work release, home detention, and community restitution; with at least one-tenth of a mill to acquire, build and operate a juvenile offender work/training institution; and

WHEREAS, Seeking to find a solution to the mounting juvenile crime in its county, the voters approved the proposed millage; and

WHEREAS, The Board of Commissioners has found that the proposed establishment of a juvenile offender work/training institution was not economically feasible; and

WHEREAS, Disregarding its findings, the Board of Commissioners has allowed the continued collection of the one-tenth mill accumulating funds in excess of \$8 million dollars; and

WHEREAS, In response to political pressure from one city, the Board of Commissioners elected to distribute part of the collected taxes to that city for its own use in addressing juvenile problems; and

WHEREAS, The Board of commissioners has ignored the plea of local officials to distribute the balance of the funds held by the County, for an abandoned purpose, to the local communities to aid them in addressing juvenile problems in their communities; and

WHEREAS, Several Wayne County communities have had to curtail juvenile assistance programs because of budgetary constraints and could use a redistribution of collected taxes to reinstitute services to their youth; and

WHEREAS, The Board of Commissioners has ignored the request of local elected officials to desist in their attempt to burden the tax payers of Wayne County by continuing this unwarranted taxation by adopting and amendment to County Ordinance 91-364, creating a County controlled program to fund its favored assistance programs from the funds collected under the authority of the 1988 millage proposal, contrary to the mandate of the voters of Wayne County; and

WHEREAS, The Board of Commissioners, by this action, are not acting in compliance with the intent of the millage proposal of 1988;

WHEREAS, In this time of reduced revenue and increasing costs for services, our government leaders owe it to the taxpayers to act in a responsible manner and encourage other governmental leaders to do the same;

NOW, THEREFORE, the Council for the City of Dearborn Heights calls upon the Board of Commissioners of Wayne County to do the following:

1. Repeal Ordinance #92-115 which amends Model Youth Service Ordinance allowing the Board of Commissioners to redirect the one-tenth mill away from the intended purpose of the electorate.
2. Repeal the one-tenth mill levy immediately.
3. Distribute the balance of the unused tax collected to individual communities in Wayne County in direct proportion to that collected upon the taxable property within their communities, including interest earned thereon.
4. That the treasurer for the County of Wayne give an accounting of all taxes collected under the ballot proposal of August 1988 (1/10th mill) and advise each community of its share under three (3) above.

BE IT FURTHER RESOLVED that the adopted resolution be forwarded to every community in Wayne County requesting that they adopt similar resolutions forwarding the same to the Board of Commissioners of Wayne County. Copies of this resolution shall be forwarded to Governor Engler, State Senator Hart, State Representative Young, and the County Treasurer.

Per Councilman David C. Brunell, communication dated June 3, 1992.

Motion unanimously adopted.

92-314 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a split in Frischkorns Hawthorne Little Farms Subdivision as follows:

1. Lot 195 except the south 6 feet thereof also the east 1/2 adjacent vacated alley.

2. The south 6 feet of lot 195 also lot 196 also the east 1/2 adjacent vacated alley

Per Assessor Welch, communication dated June 3, 1992.

Motion unanimously adopted.

92-315 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a budget amendment for General Government employees in the Act 312 Arbitration salaries as follows:

Increase Revenues:	Appro from Fund Balance
A/C 699-000	\$1,081,000.00

Increase Expenses:		
A/C 300-706	Police Dept. Salaries	\$613,000.00
A/C 335-706	Fire Dept. Salaries	353,000.00
A/C 209-706	Assessor's Salaries	15,650.00
A/C 223-706	Comptroller's Salaries	17,800.00
A/C 223-709	Comptroller's Overtime	5,500.00
A/C 171-706	Mayor's Staff Salaries	22,500.00
A/C 226-706	Personnel Salaries	9,400.00
A/C 215-706	Clerk's Staff Salaries	3,950.00
A/C 371-706	Bldg & Eng Salaries	18,000.00
A/C 223-706	Treasurer Staff Salaries	3,800.00
A/C 691-706	Recreation Salaries	<u>18,400.00</u>

\$1,081,000.00

None of these amendments award any additional salaries to elected officials, per Comptroller Barrow, communication dated June 3, 1992.

AYES: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilwoman Ruth A. Canfield, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

NAYS: Councilman David C. Brunell.

ABSENT: None.

Motion adopted.

92-316 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves a one year extension with Aetna insurance for sick & accident, dental, optical and life insurance from May 1, 1992 through April 30, 1993 at no additional cost to the City, per Comptroller Barrow, communication dated June 2, 1992.

Motion unanimously adopted.

- 92-317 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Robert L. Brown, that the communication dated June 3, 1992 from Comptroller Barrow regarding a voluntary payroll deduction program for City employees with Colonial Life Insurance Company for increased disability and life insurance be removed from the agenda and referred to Administration.

Motion unanimously adopted.

- 92-318 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the transfer of 25% from Major Streets to Local Streets for fiscal year 1991-1992. Council to be notified by letter of exact amounts, per Deputy Comptroller Monson, communication dated June 2, 1992.

Motion unanimously adopted.

- 92-319 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph F. Kosinski, that the request from Wayne County Commissioner Hubbard, communication dated May 15, 1992, for a road closure on Outer Drive between Warren and Ann Arbor Trail, be received, noted and filed.

Motion unanimously adopted.

- 92-320 Motion by Councilman Robert L. Brown, supported by Councilman David C. Brunell, that the communication dated June 3, 1992 from Building Director Hamel regarding groundwater remediation agreement be tabled to the council meeting of June 23, 1992.

Motion unanimously adopted.

- 92-321 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph F. Kosinski, that the City Council concurs with and approves authorizing Mayor Van Houten and Clerk Sheridan signing an indemnification agreement with Pepsi-Cola for the Spirit '92 Festival, per Recreation Director Grybel, communication dated June 2, 1992.

AYES: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilwoman Ruth A. Canfield, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

NAYS: Councilman David C. Brunell.

ABSENT: None.

Motion adopted.

- 92-322 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the Temporary Traffic Control Device No. 92-05, "No Stopping, Standing, Parking" Mon-Fri 8 am to 5 pm on the South side of Eton between Bedford and Croissant, be received, contents noted and filed.

Motion unanimously adopted.

- 92-323 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the request from Frank D. Stella to transfer ownership of 1991 Class C licensed business with Dance-Entertainment Permit, located in escrow at 26356 Ford, Heights Shopping Center, Dearborn Heights, MI 48127, Wayne County, from Mallad Enterprises, Incorporated; Robert H. St. Amour, Receiver (Step II), be approved and the Liquor Control Commission be so notified.

Motion unanimously adopted.

- 92-324 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the request dated May 18, 1992 from St. Albert the Great Church holding a parade on October 2, 1992, be referred to the Police, Fire and Administration for review and recommendation.

Motion unanimously adopted.

- 92-325 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the request for a new 1992-93 business license for Antonio's Cucina Italiana, 26356 Ford Road, be approved.

Motion unanimously adopted.

- 92-326 Motion by Councilman Robert L. Brown, supported by Councilman David C. Brunell, that the request for renewal of 1992-93 business licenses for: Pvt. J. Lyskawa VFW #7546, 6828 Waverly; Van's Place, Inc., 25710 Ford; Little Caesars Pizza #306, 20475 Warren; Pvt. Donovan VFW #7910, 25620 Van Born; Crystal Lounge, 8701 Beech Daly; Dearborn Hts. Moose Ldge., 8710 Beech Daly; Cherry Hill Lanes, 300 Inkster, be approved.

Motion unanimously adopted.

- 92-327 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Gary P. Blackburn, that the request from Fairlane Assembly of God for a fireworks display application permit be approved pending approval of Police and Fire Departments.

Motion unanimously adopted.

- 92-328 Motion by Councilman Joseph F. Kosinski, supported by Councilwoman Ruth A. Canfield, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:24 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL