

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JUNE 8, 1993

- 93-269 The meeting was called to order at 8:07 p.m., by Council Chairman Daniel S. Paletko.

Roll call showed the following:

Present: Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Ruth A. Canfield, Councilman Joseph V. Kosinski, Councilman Thomas W. Miles, Council Chairman Daniel S. Paletko.

Absent: Councilman Gary P. Blackburn.

Also Present: Administrative Assistant Hitsky, Corporation Counsel Dadaou, City Clerk Sheridan, Deputy Clerk Robbins, Comptroller Barrow, Building & Engineering Director Hamel, Personnel Director Sullivan, Police Chief DiPrima, Deputy Fire Chief Langlois, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Robert L. Brown.

- 93-270 Motion by Councilman Thomas W. Miles, supported by Councilman Robert L. Brown, that the agenda for the Regular Meeting of June 8, 1993, be approved as submitted.

Motion adopted.

- 93-271 Motion by Councilman Robert L. Brown, supported by Councilman Thomas W. Miles, that the minutes from the Regular Meeting of May 25, 1993, be approved as submitted.

Motion adopted.

- 93-272 Motion by Councilman Thomas W. Miles, supported by Councilwoman Ruth A. Canfield, that Fund Transfers 6A, 6B, 6C and 6D and Current Claims 6-1 through 6-21 be approved as submitted.

- A. \$2,200.00 from A/C 101-130-706 (Court Salaries) to A/C 101-130-978 (Court Legal Library) per attached request. District Court.
 - B. 3,500.00 from A/C 101-130-706 (Court Salaries) to A/C 101-130-818 (Contractual Services) per attached request. District Court.
 - C. \$400.00 from A/C 101-130-853 (Court Telephones) to A/C 101-130-802 (Court Dues, Member, Subscrip) per attached request. District Court.
 - D. \$7,500.00 from A/C 101-200-724 (Contra Fringe Benefits) to A/C 101-200-724 to cover additional cost of Workers Comp. Comptroller Barrow.
- 1. ALLEGAN COUNTY SHERIFF DEPT - Prisoner Food & Lodging. April, 1993, Inv. dated 05/10/93. From A/C 101-200-868 (Prisoner Food & Lodging) \$1,820.00. General Govt.
 - 2. DADAOU & STEVENS - Legal Services for May, 1993. Inv. dated 06/02/93. From A/C 101-210-826 (Counsel Services) \$9,442.76, from A/C 592-536-818 (Contractual Services) \$1,598.00, from A/C 101-335-818 (Contractual Services) \$64.00. Corporation Counsel.
 - 3. E & N CEMENT - Pavement repairs. Inv. dated 05/29/93. From A/C 101-440-880 (Road Repairs) \$35,388.35. DPW-Highway.
 - 4. HILLSDALE COUNTY SHERIFF'S DEPT - Prisoner Food & Lodging. April, 1993. Inv. dated 05/07/93. From A/C 101-200-868 (Prisoner Food & Lodging) \$1,650.00. General Govt.

5. INSITUFORM NORTH, INC. - Beech Daly-Warrington Sewer Relining. Inv 272R, dated 05/19/93. From A/C 592-540-818 (Contractual Services) \$1,755.00. Water Department.
6. MUNICIPAL CODE CORP - Supplement 5 Code of Ordinances. Inv. 34568, dated 05/10/93. From A/C 101-215-818 (Contractual Services) \$1,806.43. City Clerk.
7. PAINTER & RUTHENBERG - Roll Off Service for April, 1993. Inv. 10085, dated 05/01/93. From A/C 101-200-810 (Sanitation) \$4,200.00. General Govt.
8. PLANTE & MORAN - Consulting Services for April, 1993. Inv. 17784-224360, dated 05/12/93. From A/C 592-537-818 (Contractual Services) \$610.00. Water Department.
9. STATE OF MICHIGAN SECOND INJURY FUND - Annual Fees. Check request dated 05/12/93. From A/C 101-200-724 (Workers Compensation) \$1,858.27. General Govt.
10. WADE-TRIM/ASSOCIATES - 1992 Sanitary Sewer Cleaning Program. Inv. 41687, dated 05/10/93. Job DHT 2224-21. From A/C 592-540-818 (Contractual Services) \$3,339.50. Water Department.
11. WADE-TRIM/ASSOCIATES - 1993 Bridge Inspection. Inv. 41719, dated 05/12/93. Job DHT 2162-16T. From A/C 101-440-818 (Contractual Services) \$2,333.30. DPW-Highway.
12. WADE-TRIM/ASSOCIATES - 1993 Street Resurfacing Program. Inv. 41766, dated 05/12/93. Job DHT 2328.04. From A/C 203-203-880-300 (Street Construction) \$21,653.40. DPW-Highway.
13. WADE-TRIM/ASSOCIATES - Assist City with CSO Permit Requirements. Inv. 41690, dated 05/10/93. Job DHT 2344-02T. From A/C 592-536-818 (Contractual Services) \$3,090.50. Water Department.
14. WADE-TRIM/ASSOCIATES - Beechwood Condos Construction. Inv. 41691, dated 05/10/93. Job DHT 2348-02. From A/C 592-XXX-255 (Jobs in Progress) \$679.40 Building & Engineering.
15. WADE-TRIM/ASSOCIATES - DHT/Downriver SSES-RPT Update. Inv. 41800, dated 05/14/93. Job DHT 2311-04. From A/C 592-536-818 (Contractual Services) \$1,594.40. Water Department.
16. WADE-TRIM/ASSOCIATES - Eton Center Boiler Replacement. Inv. 41699, dated 05/10/93. Job DHT 2352-02. From A/C 274-673-981-091 (Eton Center Boiler) \$329.90. Recreation.
17. WADE-TRIM/ASSOCIATES - Prepare Updated Facility Plan Study. Inv. 41700, Job DHT 2311-03. From A/C 592-536-818 (Contractual Services) \$739.50. Water Department.
18. WADE-TRIM/ASSOCIATES - Swapka/Municipal Parking Lots. Inv 41689, dated 05/10/93. Job DHT 2327-03. From A/C 274-673-938-090 (Parking Lot Replacement) \$557.50. Recreation.
19. WAYNE COUNTY - DEPARTMENT OF ROADS - Traffic Signal Maintenance for April, 1993. Inv. 77532, dated 05/12/93. From A/C 101-440-925 (Traffic Signal Maint) \$2,529.64. DPW-Highway.
20. WAYNE COUNTY - GEN FUND ACCT - 3rd Quarter Ecorse Creek Oper & Maint. Inv. 35286, dated 05/14/93. From A/C 592-537-927 (Ecorse Creek) \$61,509.51. Water Department.
21. WESTLAND TREE SERVICE - Tree trimming and removal. Inv. dated 05/28/93. From A/C 101-440-820 (Tree Trimming & Removal) \$3,861.44. DPW-Highway.

Motion adopted.

- 93-273 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Thomas W. Miles, that the communication from Mayor Van Houten, regarding the request from Corporate Counsel for an hourly rate increase in fees, be tabled to a Committee of the Whole meeting.

Motion adopted.

- 93-274 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the City Council concurs with and approves the Letter of Understanding between the City and the Dearborn Heights Professional Firefighters Union and authorizes Mayor Van Houten and City Clerk Sheridan to sign, per Administrative Assistant Hitsky, communication dated June 2, 1993.

Motion adopted.

- 93-275 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Thomas W. Miles, that the communication from Administrative Assistant Hitsky, communication dated May 27, 1993 regarding the Letter of Understanding between the City and the AFSCME Union, be tabled until next regularly scheduled council meeting of June 22, 1993.

Motion adopted.

- 93-276 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves the trading in of the current Xerox copier and enter into a lease agreement with Xerox Corporation, total monthly lease of \$745.62, for a model 5365 FIN with a cost difference of sixty-two cents per month. New agreement to include two Xerox 5312 Copiers at no additional cost per, City Clerk Sheridan, communication dated June 1, 1993.

Motion adopted.

- 93-277 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the City Council concurs with and approves authorizing Mayor Van Houten and City Clerk Sheridan to sign a contract with the Michigan Department of Transportation for the resurfacing of Beech-Daly from Ford Road to Kennedy cost of City's share \$40,000.00 per, City Clerk Sheridan, communication dated June 2, 1993.

Motion adopted.

- 93-278 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the City Council concurs with and approves authorizing Mayor Van Houten and City Clerk Sheridan to sign a contract with the Michigan Department of Transportation for the construction of a deck overlay and guardrail upgrading for bridge structures B04 and B05 of 82081, which carries Highway M-153 (Ford Road) over the Rouge River, cost of City's share \$3,200.00 per, City Clerk Sheridan, communication dated June 2, 1993.

Motion adopted.

- 93-279 Motion by Councilman Robert L. Brown, supported by Councilwoman Ruth A. Canfield, that the City Council concurs with and approves a budget amendment in the General Fund for Testing and Advertising for additional positions opened due to early out program as follows:

Increase Revenues:

A/C 101-000-699-000 - Appro. from Fund Balance - \$2,700.00

Increase Expenses:

A/C 101-220-827 - Civil Service & Consult - \$ 600.00

A/C 101-220-905 - Civil Service Pub. & Notices - \$2100.00

per Comptroller Barrow, communication dated June 1, 1993.

Motion adopted.

- 93-280 Motion by Councilman Robert L. Brown, supported by Councilman Thomas W. Miles, that the City Council concurs with and approves a budget amendment in the General Fund for the additional cost of pensions and new building authority members as follows:

Increase Revenues:

A/C 101-000-699-000 - Appro. from Fund Balance - \$101,700.00

Increase Expenses:

A/C 101-101-726-000 - Council Fringe Bene. - \$3,150.00
A/C 101-261-712-000 - Bldg. Auth. Comm. Fees - \$175.00
A/C 101-300-726-000 - Police Fringe Bene. - \$95,000.00
A/C 101-809-726-000 - Cable Fringe Bene. - \$3,375.00

per Comptroller Barrow, communication dated June 1, 1993.

Motion adopted.

- 93-281 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves a budget amendment in the General Fund for Union Contract settlement and raises to non-union workers as follows:

Increase Revenues:

A/C 101-000-699-000 - Appro. from Fund Balance - \$154,400.00

Increase Expenses:

A/C 101-171-706-000 - Mayor's Office Clerical Salaries - \$8,470.00
A/C 101-215-706-000 - Clerk's Office Clerical Salaries - \$9,130.00
A/C 101-223-706-000 - Comptroller's Salaries - \$13,130.00
A/C 101-223-706-000 - Personnel Salaries - \$4,170.00
A/C 101-226-706-000 - Personnel Part-time - \$1,650.00
A/C 101-335-706-000 - Fire Dept. Salaries - \$102,160.00
A/C 101-691-706-000 - Recreation Salaries - \$15,130.00
A/C 101-809-706-000 - Cable Salaries - \$560.00

per, Comptroller Barrow, communication dated June 1, 1993.

Motion adopted.

- 93-282 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the City Council concurs with and approves a budget amendment in the General Fund for the cost of changes to the ordinances and re-publication of sections of the Ordinance Book as follows:

Increase Revenues:

A/C 101-000-699-000 - Appro. from Fund Balance - \$1,100.00

Increase Expenses:

A/C 101-215-818-000 - Clerk's Cont. Services - \$1,100.00

per, Comptroller Barrow, communication dated June 1, 1993.

Motion adopted.

- 93-283 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves a transfer of 25% from Major Streets to Local Streets for the fiscal year 1992-93 for the Motor Vehicle Highway Fund per, Deputy Comptroller communication dated June 1, 1993.

Motion adopted.

- 93-284 Motion by Councilman Robert L. Brown, supported by Councilman Thomas W. Miles, that the City Comptroller be authorized to advertise for bids, per specifications, for an appraisal and equalization software package per the communication from Assessor Welch, dated June 1, 1993.

Motion adopted.

- 93-285 Motion by Councilman Joseph V. Kosinski, supported by Councilman David C. Brunell, that the City Council concurs with and approves the sale of City owned property consisting of South 10 feet of Lot 207 Dearborndale Gardens to Mr. Virgil Maiani aka Miami Building Company, Inc., 288 Riverbank, Wyandotte, Mi. 48192. Purchaser to assume all costs ,per Assessor Welch, communication dated May 6, 1993.

Motion adopted.

- 93-286 Motion by Councilman Joseph V. Kosinski, supported by Councilman David C. Brunell, that the City Council concurs with and approves the split of Lots 204, 205 and 206 Dearborndale Gardens to Virgil Maiani aka Miami Building Company, Inc., 288 Riverbank, Wyandotte, Mi 48192 per, Assessor Welch, communication dated May 6, 1993.

Motion adopted.

- 93-287 Motion by Councilman Robert L. Brown, supported by Councilman Thomas W. Miles, that the City Council concurs with and approves authorizing Mayor Van Houten and City Clerk Sheridan to sign the Pepsi-Cola Indemnification Agreement for use of Pepsi-Cola dispensing wagon for Spirit '93 Festival per, Recreation Director Grybel, communication dated May 25, 1993.

AYES: Councilman Robert L. Brown, Councilman David C. Brunell, Councilman Joseph V. Kosinski, Councilman Thomas W. Miles, Council Chairman Daniel S. Paletko.

NAYS: Councilwoman Ruth A. Canfield

ABSENT: Councilman Gary P. Blackburn.

Motion adopted.

- 93-288 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the City Council concurs with and approves prohibiting the selling of any products by either a profit or non-profit organization on the grounds of the Canfield Community Center to include Beech Daly Road that is adjacent to the grounds; unless otherwise approved by the Spirit '93 Festival Committee. This to be in effect June 16, 17, 18, 19, 20 and July 4 and 5th, 1993, per Recreation Director Grybel, communication dated June 2, 1993.

Motion adopted.

- 93-289 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves contract Change Order no. 14 in the amount of \$21,030.56 and Change Order no. 15 in the amount of \$5,796.50 with Wade-Trim/Associates for the 1992 Sanitary Sewer and Storm Sewer Catch Basin Cleaning Program and authorizes Mayor Van Houten and Public Service Administrator Preston to sign per, Public Service Administrator Preston, communication dated May 27, 1993.

Motion adopted.

- 93-290 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves the Application for the 1994 Municipal Credit Program from SMART and authorizes Mayor Van Houten and City Clerk Sheridan to sign per, Community Development Director Oliverio, communication dated June 2, 1993.

Motion adopted.

- 93-291 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Comptroller be authorized to advertise for bids, per specifications, for "Request for Proposals" for a Loan Processing Agency, per the request of Community Development Director Oliverio, communication dated May 26, 1993.

Motion adopted.

93-292 Motion by Councilman Joseph V. Kosinski, supported by Councilman Thomas W. Miles, that Proposed Ordinance H-93-7, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REVISING SECTION 36-27 OF CHAPTER 36, ARTICLE II change in zoning from RM-A Multiple Family District to M-1 Light Industrial District be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion adopted .

93-293 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that Proposed Ordinance H-93-5 AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS TO AMEND SECTION 14-48 OF CHAPTER 14, ARTICLE III OF THE BUILDING OFFICIALS AND CODE ADMINISTRATORS BASIC FIRE PREVENTION CODE, 1987, EDITION AS AMENDED be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion adopted.

93-294 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the Fire Inspection Fee Schedule, based on Use Group Classification of the building as defined in 1987 B.O.C.A. Building Code, be approved. Copy on file in the City Clerk's office.

Motion adopted.

93-295 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the City Council nominates Gerald Hinton to a three year term to the Commission on Aging Board, term to expire April, 1996, per Council Chairman Paletko, communication dated May 24, 1993.

Motion adopted.

93-296 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the following resolution re: Denial of a Class C liquor approval, be adopted:

WHEREAS present law states that when an individual or firm makes an application for a Class C liquor license local approval is needed, and

WHEREAS local governments are responsible to the citizenry to guarantee that proper zoning is complied with in all cases, and

WHEREAS local governments are the responsible agent for enforcing laws and keeping their community safe and peaceful, and

WHEREAS under the present law local units of government can ensure that Class C liquor licenses are distributed to only those individuals that will responsibly and properly uphold the laws, and

WHEREAS the City of Dearborn Heights City Council is aware that SB 4 (DiNello) has recently been proposed that would change the process by allowing an applicant to appeal a local unit of governments' denial of a Class C liquor license to the Liquor Control Commission who could overturn the local unit's decision.

NOW, THEREFORE, BE IT RESOLVED that the City of Dearborn Heights is in opposition to SB 4. SB 4 is another example of erosion of local control.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor John Engler, State Senator George Hart, State Representative Richard Young, and other Wayne County Communities.

AYES: Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Ruth A. Canfield Councilman Joseph V. Kosinski, Councilman Thomas W. Miles, Council Chairman Daniel S. Paletko.

NAYS: None.

ABSENT: Councilman Gary P. Blackburn.

Motion adopted.

- 93-297 Motion by Councilman Joseph V. Kosinski, supported by Councilman Thomas W. Miles, that Council Motion 93-87 re: Vacating of Alley south of Warren between Kingsbury and Colonial be brought back on the table.

Motion adopted.

- 93-298 Motion by Councilman David C. Brunell, supported by Councilman Robert L. Brown, that part of the East/West alley located South of and adjacent to lots 858 to 864 inclusive, DEARBORN WARREN SUBDIVISION # 2, T2S R10E, Liber 57, Page 61, Wayne County Records, retaining however, the full width for the entire length of the alley proposed to be vacated, which shall be reserved for public utilities as an for access for maintenance and/or installation thereof, be vacated.

Motion adopted.

- 93-299 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the request for renewal of business licenses for: Rosenau Powersports City, 24732 Ford; Mountain Jacks Restaurant, 26207 Warren Avenue; Cherry Hill Lanes, 300 N. Inkster, be approved.

Motion adopted.

- 93-300 Motion by Councilman Thomas W. Miles, supported by Councilman Robert L. Brown, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:48 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL