

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 27, 1997

97-243 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, Councilwoman Margaret M. Horvath, Council Chairman Joseph V. Kosinski, Councilman Daniel S. Paletko, Councilman Frank J. Slomzenski, Councilman Donald R. Wyatt, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, Administrative Assistant Heise, Corporation Counsel Berry-Harris, City Clerk Sheridan, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Police Chief Webber, Fire Chief Langlois, Recreation Director Grybel, Public Service Administrator Blackburn.

The Pledge of Allegiance was led by Police Chief Webber, Officer Parrinello and the people receiving Council citations.

Councilman Baron, Councilman Zulinski, Police Chief Webber, Officer Parrinello and Mayor Canfield presented a Council Citation to Dusty Dalton, a postal service employee, who assisted in helping a disabled senior citizen who had fallen in her home on April 12, 1997.

Officer Parrinello presented a Council Citation to Brian Collinash for this efforts in apprehending a thief at Pets n Us. Jason Zawacki, Mike Trosien and Justin Shaw will also receive Council Citations for their assistance in the pet store incident.

97-244 Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the Agenda for the Regular Meeting of May 27, 1997, be approved with Agenda items 13 B (Rezoning Inkster Road and Ann Arbor Trail), 13 C (Rezoning Dale and Joy) and 13 D (Special Land Use 23706 Van Born Road) being brought forward.

Motion unanimously adopted.

97-245 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Minutes from the Regular Meeting of May 13, 1997, be approved as submitted.

Motion unanimously adopted.

97-246 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Minutes from the Special Meeting of May 20, 1997, be approved as submitted.

Motion unanimously adopted.

97-247 Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council authorize the change in zoning for a parcel of property located on the northeast corner of N Inkster Road and Ann Arbor Trail from RMA (Multiple Family Residential District) to C-1 (Neighborhood Business District). Further, that Corporation Counsel be authorized to prepare the proper ordinance.

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

NAYS: Councilman Paletko.

ABSENT: None.

Motion adopted.

- 97-248** Motion by Councilwoman Horvath, seconded by Councilman Slomzenski, that the City Council authorize the change in zoning for four parcels of property located on the west side of Dale, south of Joy Road from R1B (Single Family Residential District) to C-1 (Neighborhood Business District). Further, that Corporation Counsel be authorized to prepare the proper ordinance.

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

NAYS: Councilman Paletko.

ABSENT: None.

Motion adopted.

- 97-249** Motion by Councilman Slomzenski, seconded by Councilman Baron, that the City Council concurs with the Planning Commission recommendation, Case # SPR-97-01, Special Land Use request to open a used car business for property located at 23706 Van Born Road legally described as follows:

LOTS 191-197 INCL EXC SLY 17' ALSO S ½ ADJ. VAC ALLEY, DEARBORN-TELEGRAPH TOWNLINE SUB.

With the following stipulations:

1. Further details on sign renovation being provided.
2. Planting of two street trees along Syracuse Street.
3. Provision of a signed letter of approval of request by owner of property.
4. Fence being lowered to 6'.

Motion unanimously adopted.

- 97-250** Motion by Councilman Baron, seconded by Councilwoman Horvath, that Current Claims 6-1 through 6-15, be approved as submitted.

1. DECISION ONE - Annual Maintenance Agreement Computer Equipment - Inv. 7501825 dated 05/01/97 from A/C 101-130-932-000 (Repair & Maint.) \$1,615.44. District Court.
2. E & N CEMENT - Pavement Repairs - Two Inv.'s dated 05/17/97 from A/C 101-440-880-000 (Road Repairs) \$1,656.47 and from A/C 592-537-818-000 (Contractual Services) \$43,797.63. DPW-Water.
3. FIRST TRUST - Semi-Annual Building Authority Bond Payment - Inv. dated 05/15/97 from A/C 103-960-936-095 (Young Center Bond) \$13,401.50 and from A/C 103-960-936-096 (Young Center Bond) \$180,598.50. Community Devel.
4. GIANNETTI CONTRACTING CORPORATION - Jackson Street Bridge Replacement - Cert. #1 dated 05/12/97 from A/C 103-960-925-096 (Bridges) \$95,220.00. Community Devel.
5. HENRY FORD HOSPITAL - Knee Surgery - Ck. Req. dated 05/09/97 from A/C 101-200-724-000 (Workers Compensation) \$8,034.22. General Govt.
6. QUAD TRAN OF MICHIGAN - Data Processing May 1997 - Inv. 2620 dated 04/30/97 from A/C 101-130-818-000 (Contractual Services) \$3,135.00 and from A/C 101-130-728-000 (Office Supplies) \$801.30. District Court.
7. STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION - Local Progress Billing Telegraph Road Crossovers - Inv. AP 1966181, dated 05/09/97 from A/C 101-440-880-000 (Road Repairs) \$1,744.46. DPW-Highway.
8. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging - Inv. dated 05/01/97 from A/C 101-200-868-000 (Prisoner Food & Lodging) \$6,019.69.

General Govt.

9. WADE-TRIM/ASSOCIATES - CSO Permit Requirements - Inv. 53544 dated 05/13/97 from A/C 592-XXX-152-000 (Water System) \$2,137.40. Water Dept.
10. WADE-TRIM/ASSOCIATES - Environmental Review 97-98 CDBG Budget - Inv. 53424 dated 05/12/97 from A/C 103-960-918-096 (Administration) \$3,000.50. Community Devel.
11. WADE-TRIM/ASSOCIATES - Jackson Street Bridge Inspection - Inv. 53648 dated 05/12/97 from A/C 103-960-925-096 (Bridges) \$4,512.00. Community Devel.
12. WADE-TRIM/ASSOCIATES - Plans & Specs Downriver System - Inv. 53543 dated 05/13/97 from A/C 592-XXX-152-000 (Water System) \$19,163.40. Water Dept.
13. WADE-TRIM/ASSOCIATES - Waterline Installation American House - Inv. 52280 dated 03/07/97 from A/C 592-XXX-255-000 (Jobs in Progress) \$6,858.00. Building/Engineering.
14. WADE-TRIM/ASSOCIATES - Water main Installation Crestwood Manor Condo's - Inv. 52881 dated 03/07/97 from A/C 592-XXX-255-000 (Jobs in Progress) \$936.50. Building/Engineering.
15. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - 3rd Quarter ECAPD O/M Ecorse Creek Basin - Inv. 821-58273 dated 05/05/97 from A/C 592-537-929-000 (Ecorse Creek Basin) \$61,434.50. Water Dept.

Motion unanimously adopted.

- 97-251** Motion by Councilman Baron, seconded by Councilman Zulinski, that the low bid from Ellefson & Son Demolition Co., 26276 Van Buren, Dearborn Heights, MI 48127 for demolition of all buildings at 25628 Currier, in the amount of \$4,150.00 and payment thereof, be approved per Building Director Opalewski, communication dated May 19, 1997. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 97-251a** Motion by Councilman Paletko, seconded by Councilman Slomzenski, to refer back to Administration the demolitions at 5615 Polk and 25613 McDonald.

Motion unanimously adopted.

- 97-252** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the Mayor and Clerk are hereby authorized and directed to execute and deliver the Supplement No. 8 Judgement for the Downriver Sewage Disposal Project Financing in substantially the form presented with such modifications thereto and to Exhibit C8 as determined necessary or appropriate by the Mayor and the Clerk per, Mayor Canfield, communication dated May 21, 1997.

Motion unanimously adopted.

- 97-253** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the City Council concurs with and approves the Pledge and Security Agreement and the Consent Order Regarding Security Interest in Special Tax Levies for the Downriver Sewer Disposal Project per, Mayor Canfield, communication dated May 21, 1997. Further, authorization be given to the Mayor and City Clerk to sign the documents on behalf of the City.

Motion unanimously adopted.

- 97-254** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that the City Council concurs with and approves the appointment of Jerry Kowal, 6971 Whitefield to the Local Officers Compensation Commission, term to expire May, 2004 per, Mayor

Canfield, communication dated May 20, 1997.

Motion unanimously adopted.

- 97-255** Motion by Councilman Baron, seconded by Councilman Slomzenski, that the City Council grant a retirement age waiver of five months to Helene S. Sheridan, City Clerk commencing January 1, 1998.

Motion unanimously adopted.

- 97-256** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the City Council authorize the reimbursement, in a timely manner, to all affected by the unwarranted policy re: Availability of Fringe Benefits for Elected Officials. Councilman Baron (three months), Treasurer Riley (3 months to be donated to 'Spirit 97 Festival) and Councilman Slomzenski (two months) in an amount consistent with the monthly expense for health care coverage.

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

Motion adopted.

- 97-257** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves a Letter of Understanding with the Dearborn Heights Communication Officer's Union per, Administrative Assist Heise, communication dated May 20, 1997.

Motion unanimously adopted.

- 97-258** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council concurs with and approves the submittal of the Permit Application for the NPDES Phase II Permit for Discharges into Surface Waters (Rouge Watershed Project) per, Administrative Assistant Heise, communication May 21, 1997. Further, that the Mayor sign on behalf of the City.

Motion unanimously adopted.

- 97-259** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves a budget amendment to cover workers compensation injuries as follows:

INCREASE REVENUES	APPROPRIATE FROM FUND BALANCE
#101-000-699-000	\$35,000.00
INCREASE EXPENDITURES	WORKERS COMPENSATION
#101-200-724-000	\$35,000.00

per, Comptroller Barrow, communication dated May 19, 1997.

Motion unanimously adopted.

- 97-260** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that Council Motion 97-96, the bid award to Bowman Associates for demolition at 6117 Fenton be rescinded per, Building Director Opalewski, communication dated May 20, 1997.

Motion unanimously adopted.

- 97-261** Motion by Councilman Slomzenski, seconded by Councilman Zulinski, that the second low bidder, Ellefson Building & Demolition Company, 26776 Van Buren, Dearborn Heights, MI 48127 be awarded the bid for demolition at 6117 Fenton, in the amount of \$4,890.00 per, Building Director Opalewski, communication dated May 20, 1997.

Motion unanimously adopted.

- 97-262** Motion by Councilman Baron, seconded by Councilman Wyatt, that the City of Dearborn Heights, through the signing of this application by the Mayor and Clerk, make application to the Liquor Control Commission for a Special License for the sale of beer and wine, for consumption on the grounds of the Canfield Community Center from Wednesday, June 18, 1997, ending no later than 2:00 a.m. on Sunday, June 22, 1997. This application is needed for Spirit '97 Festival.

Motion unanimously adopted.

- 97-263** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the City Council concurs with and approves the contract extension with Eradico Pest Control, 1030 Woodward Heights, Ferndale, MI 48220 for an additional two years at a rate of \$21.00 per location per month with an increase of \$2.00 per month at City Hall, Berwyn Center and Cenfield Center per, Public Service Administrator Blackburn, communication dated May 13, 1997. This extension will expire June 1, 1999.

Motion unanimously adopted.

- 97-264** Motion by Councilman Baron, seconded by Councilman Wyatt, to receive, note and file the communication from the Ford Garden Civic Association, dated May 20, 1997 re: Objection to Lot Split at 26954 Doxtator.

Motion unanimously adopted.

- 97-265** Motion by Councilman Paletko, seconded by Councilman Baron, that proposed Ordinance H-97-02 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, OF SAID CODE PROVIDING THAT: AS TO PROPERTY LOCATED ON THE 25000 BLOCK OF VAN BORN ROAD. SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHEAST AND SOUTHWEST QUARTERS OF SECTION 32. TOWNSHIP 2 S, RANGE 10 EAST CITY OF DEARBORN HEIGHTS, WAYNE COUNTY, MICHIGAN WHICH IS DESCRIBED AS: BEGINNING AT A 5/8" CAPPER REBAR SET ON THE NORTH LINE OF VAN BORN ROAD WHICH IS N 0 DEGREES 0 FEET 0 INCHES E, 60.00 FT FROM A FOUND 5/8" REBAR WITH A DISC IN A MONUMENT BOX MARKING THE SOUTH QUARTER POST OF SAID SECTION 32; THENCE ALONG THE NORTH LINE OF VAN BORN ROAD, N 89 DEGREES 59 FEET 0 INCHES W, 126.71 FT. TO A SET 5/8" CAPPED REBAR; CREEK; THENCE N 80 DEGREES 22 FEET 0 INCHES E, 89.69 FT.; THENCE N 56 DEGREES 21 FEET 0 INCHES E, 58.20 FT.; THENCE N 57 DEGREES 17 FEET 30 INCHES E, 133.40 FT. (S 0 DEGREES 8 FEET 0 INCHES E., 517.25 FT., RECORD) TO A 5/8" CAPPED REBAR SET ON THE NORTH LINE OF VAN BORN ROAD; THENCE ALONG THE NORTH LINE OF VAN BORN ROAD, S., 89 DEGREES 41 FEET 5 INCHES W 113.59 FT. (S. 89 DEGREES 44 FEET 0 INCHES W, 113.71 FT., RECORD) TO THE POINT OF BEGINNING. CONTAINING 2.5016 ACRES, be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

- 97-266** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, 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, be considered read for the first time

Motion unanimously adopted.

- 97-267** Motion by Councilman Paletko, seconded by Councilman Baron, to receive, note and file the resolution from the City of Detroit re: Support of Drag Racing Legislation.

Motion unanimously adopted.

- 97-268** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the City Council adopt the General Government Fiscal 1997-98 balanced budget in the amount of \$28,767,972.00.

Motion unanimously adopted.

- 97-269** Motion by Councilman Baron, seconded by Councilman Slomzenski, that the tax levy for the 1997-98 fiscal year be set at 7.0168 mills.

Motion unanimously adopted.

- 97-270** Motion by Councilman Slomzenski, seconded by Councilman Baron, that 2.7364 mills be levied to finance the voter approved Act 345 Fire and Police Pension Plan for fiscal year 1997-98 in the amount of \$2,749,303.00.

Motion unanimously adopted.

- 97-271** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council levy an additional 2.4765 mills on the Taxable Valuation for financing garbage and rubbish disposal for fiscal year 1997-98.

Motion unanimously adopted.

- 97-272** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council levy an additional 1.6510 mills on the Taxable Valuation of Public Safety, as approved by the voters of the City of Dearborn Heights for fiscal year 1997-98.

Motion unanimously adopted.

- 97-273** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Council levy an additional assessment for fiscal year 1997-98 of .1254 mills to satisfy debt requirements established for the Ecorse Creek Pollution Abatement Drain No. 1 with the stipulation that this assessment be collected on the December 1, 1997 County and School Tax bill.

Motion unanimously adopted.

- 97-274** Motion by Councilman Slomzenski, seconded by Councilman Baron, that the millage approved for solid waste disposal by the electorate in July, 1985, be levied at .8255 mills.

Motion unanimously adopted.

- 97-275** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council levy an additional assessment of .0886 mills for the Sewage Disposal Bond Payment for fiscal year 1997-98.

Motion unanimously adopted.

- 97-276** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council levy an additional assessment of .0526 mills for the 1971 Sanitation Debt for fiscal year 1997-98.

Motion unanimously adopted.

- 97-277** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council approve the 1997-98 lump sum budget for the 20th District Court, in the amount of \$1,197,034.00. Per an agreement with the District Court Judges salaries not to exceed amount specified in the budget.

Motion unanimously adopted.

- 97-278** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council approve the 1997-98 TIFA Budget and fund transfers as submitted per, Acting TIFA Administrator Oliverio, communication dated April 14, 1997.

Motion unanimously adopted.

- 97-279** Motion by Councilman Paletko, seconded by Councilman Zulinski, that a Public Hearing be scheduled on Tuesday, June 24, 1997 at 8:00 p.m., at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, MI to hear objections, if any, to the Special Land Use request to erect a cellular monopole at 23850 Military. PC# 97-08.

Motion unanimously adopted.

- 97-280** Motion by Councilman Paletko, seconded by Councilman Zulinski, that a Public Hearing be scheduled on Tuesday, June 24, 1997 at 8:00 p.m., at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, MI to hear objections, if any, to the Special Land Use request to erect a cellular monopole at 1801 N Beech Daly. PC#97-09.

Motion unanimously adopted.

- 97-281** Motion by Councilman Paletko, seconded by Councilman Zulinski, that a Public Hearing be scheduled on Tuesday, June 24, 1997 at 8:00 p.m., at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, MI to hear objections, if any, to the Special Land Use request to erect a cellular monopole at 24600 Van Born Road. PC#97-10.

Motion unanimously adopted.

- 97-282** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the 1997-98 business license renewals for Crystal Lounge, 8701 N Beech Daly; Pizza Hut, 22024 Van Born; Carl E. Stitt Post 232, 23850 Military; Pvt. J Lyskawa 7546, 6828 Waverly; One Potato Two, 24735 Warren and Ford Lanes, Inc. 23100 Van Born be approved.

Motion unanimously adopted.

- 97-283** Motion by Councilman Horvath, seconded by Councilman Zulinski, that the City Council concurs with and approves the TIFA By-Laws as submitted by Acting TIFA Administrator Oliverio and the TIFA Board, communication dated April 14, 1997.

Motion unanimously adopted.

97-284 Motion by Councilwoman Horvath, seconded by Councilman Wyatt, that the meetings be adjourned.

Motion unanimously adopted.

The meeting adjourned at 10:15 p.m.

HELENE S. SHERIDAN
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL