

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 25, 1999

99-224 The meeting was called to order at 8:17 p.m. by Council Chairman Joseph V. Kosinski.

Roll Call showed the following:

Present: Councilman Kenneth R. Baron, Councilwoman Janet L. Blackburn, Councilwoman Margaret M. Horvath, Council Chairman Joseph V. Kosinski, Councilman Daniel S. Paletko, Councilwoman Margaret Van Houten, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Berry-Harris, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Webber, Deputy Fire Chief McElroy, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Thomas Janson, Commander of Private John Lyskawa Post 7546.

Commander Janson, Memorial Day Parade Chairman, Tom Wayne and Co-Chairman Benson addressed the City Council regarding the Memorial Day festivities and the upcoming celebration of the VFW 100th year anniversary.

99-225 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Agenda for the Regular Meeting of May 25, 1999, be approved with the addition of Agenda item 8-C (Library Feasibility Study) and 9-G (Legal Opinion on Creation of a Municipal Library).

Motion unanimously adopted.

99-226 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Minutes from the Regular Meeting of May 11, 1999, be approved as submitted.

Motion unanimously adopted.

99-227 Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that Current Claims 6-1 through 6-13, be approved as submitted.

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Operations & Debt Requirements - Inv. dated 04/01/99 from A/C 101-200-810-000 (Sanitation). General Govt.
2. DECISION ONE CORP. - District Court Computer Maintenance - Inv. 9500844 dated 05/01/99 from A/C 101-130-932-000 (Repair Maintenance) \$1,747.44. District Court.
3. E & N CEMENT - Pavement Repairs - Inv. dated 05/15/99 from A/C 592-540-818-000 (Contractual Services) \$80,463.08. Water Dept.
4. HARRY BOOMER - Spirit Festival Concession Stands - Ck. Req. dated 05/03/99 from A/C 101-691-891-000 (Spirit Festival) \$2,240.00. Recreation.
5. HIGHWAY MAINTENANCE & CONSTRUCTION CO. - Re-paving City Hall Parking Lot - Inv. 9189 from A/C 101-440-818-000 (Contractual Services) \$6,730.00. DPW-Highway.
6. LIBERTY GROUP - Spirit Festival Insurance - Check Req. dated 05/06/99 from A/C 101-691-891-000 (Spirit Festival) \$3,690.00. Recreation.
7. MODERN BUSINESS MACHINES - Installation of Cable for Computer System -

- Inv. 6962 dated 05/07/99 from A/C 101-253-981-000 (Capital Outlay) \$2,718.41 and from A/C 101-258-818-000 (Contractual Services) \$714.61. Data Processing.
8. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1156 and 1157 dated 05/05/99 from A/C 592-540-818-000 (Contractual Services) \$12,160.67. Water Dept.
 9. PAINTER & RUTHENBERG - Newsprint & Roll-Off Services April 1999 - Inv. 29074 and 29075 dated 05/03/99 from A/C 101-200-810-000 (Sanitation) \$5,600.00. General Govt.
 10. PLANTE & MORAN - Account Fees April 1999 - Inv. 593947 dated 05/11/99 from A/C 101-200-817-000 (Professional & Consult) \$325.00 and from A/C 592-536-817-000 (Professional & Consult) \$3,205.00. General Govt.
 11. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging March 1999 - Inv. dated 04/29/99 from A/C 101-2000-868-000 (Prisoner Food/Lodging) \$6,090.32. General Govt.
 12. WEBNET, INC. - DHOL Monthly Charges - Inv. 28122 dated 05/05/99 from A/C 101-200-819-999 (Webnet) \$6,500.00. General Govt.
 13. WESTLAND TREE SERVICE - Tree Trimming & Removals - Inv. dated 05/15/99 from A/C 101-440-820-000 (Tree Trimming) \$16,810.65. DPW-Highway.

Motion unanimously adopted.

- 99-228** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) HP 450C Plotter Printer with one (1) Autocad Software, per the request of Public Service Administrator Blackburn, communication dated May 14, 1999. This item has been budgeted in 1998-99 Capital Outlay account.

Motion unanimously adopted.

- 99-229** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the resolution from Mayor Canfield, dated May 12, 1999 re: Recognizing the 100th Anniversary of the VFW 1899-1999, be adopted as follows:

WHEREAS, in 1899, veterans of the Spanish-American war joined to form an organization dedicated to the service of America's veterans and their families, and;

WHEREAS, 100 years later, through the trial and turmoil of World Wars I and II, the Korean War, Vietnam War, Persian Gulf War, and the Cold War, the Veterans of Foreign Wars has become a rallying force for all Americans, serving veterans, their families, our community, and our nation, as a voice for all veterans, and to ensure that their achievements are never forgotten, and;

WHEREAS, in the City of Dearborn Heights, the Veterans of Foreign Wars are represented by five active posts in service to our community: the Private James D. Donovan Post 7910, the Bieniek Post 5120, the Private John Lyskawa Post 7546, the Detroit Police and Fire Post 1278, and the Moroz & Pietrowski Post 9973, and;

WHEREAS, every VFW post in our City and around the country continues the proud 100-year tradition of America's veterans, the mutual hope for peace, and the recognition that freedom isn't free,

NOW, THEREFORE, BE IT RESOLVED, THAT:

The City of Dearborn Heights gratefully acknowledges the selfless contributions of America's 26 million veterans, and honors the men and women who paid for the freedom we all enjoy today on this, the 100th anniversary of the Veterans of Foreign

Wars, a proud organization dedicated to our veterans' sacrifices and their mission of freedom.

Motion unanimously adopted.

- 99-230** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves Wade-Trim/Associates, Inc., 25251 Northline road, PO Box 10, Taylor, MI be authorized to develop a plan and schedule required to comply with the City's mandate under the Final Order of Abatement for the North Huron Valley/Rouge Valley System Correction Action Plan (CAP) at a cost not-to-exceed \$55,000.00, per Mayor Canfield, communication dated May 19, 1999.

Motion unanimously adopted.

- 99-231** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the City Council concurs with the Dearborn Heights Library Advisory Committee and authorize Wade-Trim to conduct a library feasibility study at a cost not-to-exceed \$5,000.00. The cost of this study has been approved in the CDBG budget.

Motion unanimously adopted.

- 99-232** Motion by Councilman Paletko, seconded by Councilman Zulinski that the City Council concurs with and approves Lason Systems, as the vendor to the print and other related matters for processing future tax bills for the City of Dearborn Heights, and payment thereof, per Treasurer Riley, communication dated May 5, 1999.

Motion unanimously adopted.

- 99-233** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council refer to file the following Council Motions:

91-674 Traffic Study Ann Arbor Trail/Warren; 96-362 Proposed Ordinance H-96-7 (Zoning/Building Standards for Site Condominiums); 98-128 Bid Bond Requirements; 99-038 Murphy's Off the Beech; 96-311 Utility Installation Ordinance (H-96-06) Fee Schedule; 97-235 Lot Split Moratorium; 97-446 Council Calculation of Longevity Pay; 97-495 Grass/Weed Cutting Agreement; 97-563 Adventurescape Proclamation; 97-568 Canfield Ice Arena Roof; 99-048 Current Claims 6-2 (Olson Cement) and 6-5 (O'Reilly, Rancilio, Nitz, Andrews & Turnbull) and 99-162 Crestwood Little Baseball League Parade Route; per, Council Chairman Kosinski, communication dated May 19, 1999.

Motion unanimously adopted.

- 99-234** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Communications System Agreement including Exhibit C with Motorola, Inc., which includes the equipment and software for an 800 MHz Digital Communications System per, Police Chief Webber, communication dated May 19, 1999. Further, that the Mayor Canfield and City Clerk Robbins be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 99-235** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Interlocal Agreement between the Cities of Dearborn Heights, Garden City, Inkster, Wayne and Westland for the Formation of an Association for the Operation of the Western Wayne Joint 800 MHZ Digital

Communication System per, Police Chief Webber, communication dated May 19, 1999. Further, that the Mayor Canfield and City Clerk Robbins be authorized to sign the document on behalf of the City.

Motion unanimously adopted.

- 99-236** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the By-Laws for the Western Wayne 800 MHz Digital Communication System Association per, Police Chief Webber, communication dated May 19, 1999. Further, that Mayor Canfield and City Clerk Robbins be authorized to sign on behalf of the City.

Motion unanimously adopted.

- 99-237** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that due to that fact that Mr. Lawrence failed to consummate the sale by the deadline date stated and after repeated attempts by Assessor Welch to contact Mr. Lawrence with no response consideration to rescind CM 98-296, Sale and Lot Split request in Frischkorn's Rouge Park Subdivision was approved.

Motion unanimously adopted.

- 99-238** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves the sale of Lot 376, in Frischkorn's Rouge Park Subdivision to Mr. Michael Pallen, 6479 Heyden, for \$2,800.00 per, Assessor Welch, communication dated May 18, 1999. Further, purchaser to assume all costs of sale. This purchase will become null and void if the sale is not consummated by September 1, 1999 and the lot will be returned to the inventory of City owned parcels.

Motion unanimously adopted.

- 99-239** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that the City Council concurs with and approves the Lot Split request from Mr. John DeMarco, 5959 Middlesex, Dearborn, MI 48126 in Supervisors Dearborn Plat No. 1, creating the following legal description:

1. The west 96.35 feet of Lots 21 and 22, excluding the east 300 feet thereof.
2. The west 166.35 feet of Lots 21 and 22, excluding the west 96.35 feet thereof, also excluding the east 300 feet thereof.
3. The west 236.35 feet of Lots 21 and 22, excluding the west 166.35 feet thereof, also excluding the east 300 feet thereof.
4. The west 306.35 feet of Lots 21 and 22, excluding the west 236.35 feet thereof, also excluding the east 300 feet thereof, per Assessor Welch, communication dated May 18, 1999. Further, this approval is contingent upon the demolition of existing structure(s) at 6428 Inkster Road. This request does not conflict with Legal Opinion #91 submitted by Corporation Counsel, May 10, 1999.

Motion unanimously adopted.

- 99-240** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the request from Deputy Police Chief Gust, communication dated May 14, 1999, to purchase one (1) Identix TP-600 Fingerprinting System from Identix Incorporated, 4920 Plainfield Avenue, Suite A, Grand Rapids, MI 49525, at a cost of \$55,502.00, and payment thereof, be approved. Further, this purchase to be paid through the 1997 Local Law Enforcement Block Grant received from the Bureau of Justice Assistance.

Motion unanimously adopted.

- 99-241 Motion by Councilman Paletko, seconded by Councilman Zulinski, that the City Council request a Legal Opinion on the creation of a Municipal Library under Public Act 397.202 and second would there be any conflict between our City Charter and the Public Act establishing a Municipal Library per, Councilman Paletko, communication dated May 20, 1999.

Motion unanimously adopted.

- 99-242 Motion by Councilman Zulinski, seconded by Councilman Baron, that proposed Ordinance, H-99-05, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REZONING FROM R-1B (Single Family Residential District), RO-1 (Restricted Office District), C-1 (Neighborhood Business District), C-2 (General Business District) and M-1 (Light Industrial) to C-2A (Special Business District) for properties located on the east side of S Beech Daly from Princeton southerly to Van Born and the west side of S Beech Daly from Annapolis southerly to Van Born, 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.

- 99-243 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council adopt the General Government Fiscal 1999-2000 balanced budget in the amount of \$31,425,820.00.

Motion unanimously adopted.

- 99-244 Motion by Councilman Zulinski, seconded by Councilman Baron, that the tax levy for the 1999-2000 fiscal year be set at 6.9593 mills.

Motion unanimously adopted.

- 99-245 Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that 1.9867 mills be levied to finance the voter approved Act 345 Fire and Police Pension Plan for fiscal year 1999-2000 in the amount of \$2,116,563.00.

Motion unanimously adopted.

- 99-246 Motion by Councilwoman Blackburn, seconded by Councilwoman Horvath, that the City Council levy an additional 2.4562 mills on the Taxable Valuation for financing garbage and rubbish disposal for fiscal year 1999-2000.

Motion unanimously adopted.

- 99-247 Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the City Council levy an additional 1.6374 mills on the Taxable Valuation of Public Safety, as approved by the voters of the City of Dearborn Heights for fiscal year 1999-2000.

Motion unanimously adopted.

- 99-248 Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council levy an additional assessment for fiscal year 1999-2000 of .1183 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, 1999

County and School Tax bill.

Motion unanimously adopted.

- 99-249** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the millage approved for solid waste disposal by the electorate in July, 1985, be levied at .8187 mills.

Motion unanimously adopted.

- 99-250** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council levy an additional assessment of .0769 mills for Sewage Disposal Bond Payment for fiscal year 1999-2000.

Motion unanimously adopted.

- 99-251** Motion by Councilwoman Blackburn, seconded by Councilman Baron, that the City Council levy an additional assessment of .0516 mills for 1971 Sanitation Debt for fiscal year 1999-2000.

Motion unanimously adopted.

- 99-252** Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the City Council approve the 1999-2000 lump sum budget for the 20th District Court, in the amount of \$1,200,483.00. Salaries not to exceed amount specified in the budget.

Motion unanimously adopted.

- 99-253** Motion by Councilwoman Blackburn, seconded by Councilwoman Horvath, that the request from Nolan Brothers of Texas, for Special Land Use Permit to construct a mini storage facility on Ann Arbor Trail and Silvery Lane, be approved.

AYES: Councilman Baron, Councilwoman Blackburn, Councilwoman Horvath, Council Chairman Kosinski, Councilman Paletko, Councilwoman Van Houten.

NO: Councilman Zulinski.

ABSENT: None.

Motion adopted.

- 99-254** Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the City Council give authorization to the Moslem Shrine Temple, 434 Temple Avenue, Detroit, MI 48201 to conduct their annual Hospital Fund Drive on June 11, 12 and 13, 1999.

Motion unanimously adopted.

- 99-255** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that business license renewals for Donovan VFW 7910, 25620 Van Born; Wheat & Rye, 8120 N Telegraph; Ford Lanes, Inc., 23100 Van Born; Antonio's Cucina Italiana, 26356 Ford; Lyskawa VFW 7546, 6828 Waverly; Dearborn Heights Moose Lodge, 27225 Warren and Crystal Lounge, 8701 N Beech Daly, be approved.

Motion unanimously adopted.

- 99-256** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the Minutes

from the Local Law Enforcement Block Grant Public Hearing, be approved.

Motion unanimously adopted.

- 99-257** Motion by Councilman Paletko, seconded by Councilman Zulinski, that Current Claim 6-4, Johnson Controls - Service Agreement 04/01/99 - 06/30/99 - Inv. 85812673 dated 04/02/99 from A/C 101-265-808-000 (Contractual Services) \$14,903.00. Building Maintenance, be approved. Further, that the Administration be requested to furnish the Council with some type of measurables that are called for in the agreement.

Motion unanimously adopted.

- 99-258** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:38 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

**JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL**

**MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY**