

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 24, 1994

94-264 The meeting was called to order at 8:05 p.m., by Council Chairman Daniel S. Paletko.

Roll call showed the following:

Present: Councilman Kenneth R. Baron, Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Margaret M. Horvath, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

Absent: None.

Also Present: Mayor Canfield, Administrative Assistant Zadikian, Corporation Counsel Berry-Harris, Corporation Counsel Assistant Heise, City Clerk Sheridan, Deputy Clerk Robbins, Treasurer Riley II, Comptroller Barrow, Assessor Welch, Building & Engineering Director Salatka, Personnel Director Sullivan, Deputy Police Chief Jednacz, Fire Chief Lewis, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Administrative Assistant Zadikian.

94-265 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the Agenda for the Regular Meeting of May 24, 1994, be approved as submitted.

Motion unanimously adopted.

94-266 Motion by Councilman Brown, supported by Councilman Brunell, that the Minutes from the Special Meeting of May 9, 1994, be approved as submitted.

Motion unanimously adopted.

94-267 Motion by Councilman Blackburn, supported by Councilman Brown, that the Minutes from the Regular Meeting of May 10, 1994, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the Special Land Use for Villa Cement Company open storage area was called to order at 8:08 p.m. by Council Chairman Paletko.

Clerk Sheridan read the Notice of Public Hearing.

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, May 24, 1994, 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 Villa Cement Company open storage area at the west side of Daniel Avenue, South of Currier, said property being more particularly described as follows:

Lots 53, 63 and 64 of VAN BORN LITTLE FARMS SUBDIVISION, being a sub of South 1/2 of the West 1/2 of the S.W. 1/4 of Section 31, T2S, R10E, City of Dearborn Heights, Wayne County Michigan, currently zoned as M-2 Medium Industrial District.

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

This Notice is published and posted by direction of the City Council under and by virtue of the City Clerk. Published 5/12/94 and 5/19/94 in the City's official newspaper. I have Proof of Service from Corporation Counsel and a letter from Marsha Ebaugh objecting to the Special Land Use. No other communications Mr. Chairman.

Council Chairman Daniel S. Paletko opened the Public Hearing to the audience for questions and/or comments.

Mike Voden, Jackson Street asked if the property was just going to be used for storage?

Building & Engineering Director Salatka stated that the intended use is for equipment storage.

Mike Voden then commented that there was another company, Fisher Roofing doing the same thing, that the area is zoned multi-use and he sees no reason why Villa Cement should not be allowed to use the land for storage.

Council Chairman Paletko asked if there were any other questions and/or comments. Hearing none, he asked that the Public Hearing be closed.

94-268 Motion by Councilman Blackburn, supported by Councilman Brown, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the Special Land Use for Villa Cement Company open storage area closed at 8:10 p.m.

94-269 Motion by Councilman Blackburn, supported by Councilman Brown, that Current Claims 6-1 through 6-14 be approved as submitted.

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Materials delivered April, 1994. Inv. dated 05/02/94. From A/C 101-200-810-000 (Sanitation) \$144,032.55. General Government.
2. COMERICA BANK - Recreation Center Bond Payment. Ref. # 04-10-94-054, dated 04/19/94. From A/C 103-960-936-093 (Recreation Center Bond) \$138,337.50. Community Development.
3. E & N CEMENT - Pavement Repairs. Two Inv.'s dated 05/14/94. From A/C 101-440-880-000 (Road Repairs) \$33,634.40 and A/C 592-537-818-000 (Contractual Services) \$21,378.61. DPW and Water Departments.
4. GARY MIOTKE - Legal Services for April, 1994. Inv. dated 05/10/94. From A/C 101-210-826-000 (Counsel Services) \$2,046.55. Corporation Counsel.
5. LAURA BERRY-HARRIS - Legal Services for April, 1994. Inv. dated 05/10/94. From A/C 101-200-817-000 (Professional & Consult) \$684.25. General Government.
6. LAURA BERRY-HARRIS - Legal Services for April, 1994. Inv. dated 05/10/94. From A/C 101-210-826-000 (Counsel Services) \$10,118.75 and A/C 101-210-938-000 (Library) \$1,117.50. Corporation Counsel.
7. PAINTER & RUTHENBERG - Roll Off Services for April, 1994. Inv. 1460, dated 05/01/94. From A/C 101-200-810-000 (Sanitation) \$3,500.00. General Government.
8. QUAD-TRAN OF MICHIGAN - Data Processing Service for May, 1994. Inv. 1337, dated 04/29/94. From A/C 101-130-818-000 (Contractual Services) \$2,569.02. District Court.
9. STANLEY'S ADVERTISING - Newsletter Delivered. Inv. 41566, dated 05/07/94. From A/C 103-960-918-093 (Administration) \$2,304.00. Community Development.
10. WADE-TRIM/ASSOCIATES - 1993 Sanitary Sewer Cleaning Program. Inv. 43879, dated 04/12/94. Job DHT 2224.21. From A/C 592-540-818-000 (Contractual Services) \$1,629.00. Water Department.
11. WADE-TRIM/ASSOCIATES - Assist with CDBG Program. Inv. 44035, dated 05/11/94. Job DHT 6671-01A. From A/C 103-960-918-093 (Administration) \$2,438.10. Community Development.
12. WADE-TRIM/ASSOCIATES - Hillcrest Watermain Project. Inv. 43886, dated 04/12/94. Job DHT 2365-03T. From A/C 103-960-925-093 (Hillcrest Water Main) \$733.00. Community Development.

13. WADE-TRIM/ASSOCIATES - Site Plan Review Beechwood Condo's. Inv. 43883, dated 04/12/94. Job DHT 2348-03T. From A/C 101-371-818-000 (Contractual Services) \$1,625.00. Building/Engineering.
14. WADE-TRIM/ASSOCIATES - Strategic Plan for CDBG. Inv. 44034, dated 05/11/94. Job DHT 6172-01A. From A/C 103-960-930-093 (Strategic Plan) \$750.00. Community Development.

Motion unanimously adopted.

- 94-270 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Comptroller be authorized to advertise for bids, per specifications, for 3,000 tons of sodium chloride for the 1994/1995 snow and ice control season, per the request of Public Service Administrator Preston, communication dated May 17, 1994.

Motion unanimously adopted.

- 94-271 Motion by Councilman Brown, supported by Councilman Blackburn, that the City Comptroller be authorized to advertise for bids, per specifications, for the demolition of residence and all buildings at 6010 N Gulley Road, South 1/2 of Lot 523, 524 and 525 west 1/2 adjacent vacated alley, COMFORD'S FORD ROAD SUBDIVISION, #33-017-01-0523-002, per the request of Building & Engineering Director Salatka, communication dated May 9, 1994.

Motion unanimously adopted.

- 94-272 Motion by Councilman Brunell, supported by Councilwoman Horvath, that the low bid from Press & Guide for legal printing in the amount of \$4.52 per column inch if submitted on computer disk and \$10.46 per column inch if not on computer disk and payment thereof, be approved, per Comptroller Barrow, communication dated May 16, 1994. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 94-273 Motion by Councilman Baron, supported by Councilman Blackburn, that the low bid from Stanson Wrecking Company for the demolition of all buildings located at 4915 Gertrude in the amount of \$1,997.00, and payment thereof, be approved, per Building & Engineering Director Salatka, communication dated May 9, 1994. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 94-274 Motion by Councilman Kosinski, supported by Councilman Brown, that the low bid from Hanible & Assoc. Inc. for demolition of all buildings located at 5361 Williams in the amount of \$3,000.00, and payment thereof, be approved, per Building & Engineering Director Salatka, communication dated May 9, 1994. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 94-275 Motion by Councilman Brunell, supported by Councilman Blackburn, that the low bid from The Howard Group, Inc. for demolition of all buildings located at 26549 Pennie in the amount of \$2,500.00, and payment thereof, be approved, per Building & Engineering Director Salatka, communication dated May 9, 1994. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

94-276 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the Downriver Sewage Disposal System Bonds Allocation Resolution be adopted as follows:

WHEREAS, the City is required to pay its share of the "1994 Improvements" as defined in the "Downriver Sewage Disposal System 1994 Financing Plan and Final Judgment Re: 1994 Court-Ordered Improvements" entered by the United States District Court, Eastern District of Michigan, Southern Division on March 14, 1994 (the "Order"); and

WHEREAS, the County of Wayne (the "County") is issuing bonds (the "Bonds") to pay the costs of the 1994 Improvements, as provided in the Order; and

WHEREAS, to facilitate the issuance by the cities of Allen Park, Belleville, Dearborn Heights, Ecorse, Lincoln Park, River Rouge, Riverview, Romulus, Southgate, Taylor and Wyandotte and the township of Brownstown and Van Buren (collectively, the "Downriver Communities") of bonds that may be designated as "qualified tax exempt obligations" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), it is necessary and convenient for the County and each Downriver Community to agree to allocate the principal amount of the County's Bonds among several Downriver Communities and the County;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City agrees on the allocation of the amount of the Bonds for the purposes of Section 265(b) (3) (C) (iii) of the Code in the amount set forth on Exhibit A attached hereto and made a part hereof.
2. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Motion unanimously adopted. _

94-277 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the City Council concurs with Assessor Welch and the Building Department to reject a lot split and recombination of lots request from Mr. David Sacco for the southeast corner of Joy and Hazelton, because of the possible need for two variances for a building permit, communication dated May 17, 1994.

Motion unanimously adopted.

94-278 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves the sale of City owned property, Lot 10 DEARBORN MANOR SUBDIVISION, ID # 33-033-01-0010-001, to Mr. Albert Walker, in the amount of \$6,000.00 per Assessor Welch, communication dated May 10, 1994.

Motion unanimously adopted.

94-279 Motion by Councilman Kosinski, supported by Councilman Brunell, that a Committee of the Whole meeting be scheduled for Tuesday, May 31, 1994, to discuss the donation of City owned Lot #29 on Amboy and Cherry Hill to Mr. Albert Walker, who is in the developing stages of a senior citizen complex.

Motion unanimously adopted.

94-280 Motion by Councilman Baron, supported by Councilman Brunell, that the City Council concurs with and approves the following resolution:

BE IT RESOLVED: That the Honorable Council of the City of Dearborn Heights gives authorization to the Police Department to close Beech Daly Road from Ford Road to Cherry Hill on Monday, July 4, 1994 from 8:00 p.m. until the area is deemed safe to be opened for normal traffic operations by the Police Department after the City's annual July 4th Fireworks display. Tuesday, July 5, 1994 has been designated as the rain or inclement conditions day. per Recreation Director Grybel, communication dated May 11, 1994.

Motion unanimously adopted.

- 94-281 Motion by Councilman Brown, supported by Councilman Kosinski, that the City Council concurs with and approves an Indemnification Agreement between the City and Pepsi-Cola, for a dispensing wagon for the Spirit '94 Festival, per Recreation Director Grybel, communication dated May 11, 1994. Further, that the Mayor and Clerk sign the agreement.

Motion unanimously adopted.

- 94-282 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves the two year renewal extension of the Eradico Pest Control Contract, with no increase for the first year and a \$1.00 increase per location the second year, effective May 1, 1994 to May 1, 1996 per Public Service Administrator Preston, communication dated May 11, 1994.

Motion unanimously adopted.

- 94-283 Motion by Councilman Brown, supported by Councilman Kosinski, that the City Council approve and submit the application for the 1995 Municipal Credit Program from SMART. Further, that the Mayor and City Clerk sign the Contract per Community Development Director Oliverio, communication dated May 16, 1994.

Motion unanimously adopted.

- 94-284 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Council concurs with and approves the request from Tom Wayne and the Lyskawa Veterans Club #7546, for a Memorial Day Ceremony, May 30, 1994 from 9:00 a.m. to 11:30 a.m. with Police Department escort and assistance, per Deputy Police Chief Jednacz, communication dated May 5, 1994.

Motion unanimously adopted.

- 94-285 Motion by Councilman Kosinski, supported by Councilman Blackburn, that Proposed Ordinance H-94-4, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 97 OF CHAPTER 6, PROVIDING THAT SECTION 6-97 (re: Unlawful Feeding of Pigeons and Sea Gulls) be considered read for the first time.

Motion unanimously adopted.

- 94-286 Motion by Councilman Brown, supported by Councilman Blackburn, that the request for Special Land Use for J.T.'s Auto Sales proposed used car lot located at 20235 Van Born Road, be denied. SPR-94-07.

AYES: Councilman Baron, Councilman Blackburn, Councilman Brown, Councilman Kosinski, Council Chairman Paletko.

NAYS: Councilman Brunell, Councilwoman Horvath.

ABSENT: None.

Motion adopted.

94-287 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the request for removal of Temporary Traffic Control Devices T-19 "No Parking" signs on the west side of Pardee between Annapolis and Lehigh, be approved.

Motion unanimously adopted.

94-288 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the request for a Permanent Traffic Control Device T-20 "Stop" signs for southbound Westlake at Powers, be approved.

Motion unanimously adopted.

94-289 Motion by Councilman Brunell, supported by Councilman Blackburn, that the request for a Permanent Traffic Control Device T-21 "Stop" signs for east and westbound Hanover at Jackson and north and southbound Polk at Hanover, be approved.

Motion unanimously adopted.

94-290 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the request for removal of Temporary Traffic Control Devices T-22 "Stop" signs on the east and westbound Hanover at Dudley, Clippert, Gertrude, Harding, Merrick and Mayfair, be approved.

Motion unanimously adopted.

94-291 Motion by Councilman Brown, supported by Councilman Blackburn, that the request for renewal of 1994 business licenses for Salvatore Scallopini, 6565 N Telegraph, Stitt Carl E. Post #232, 23850 Military, Confetti Lounge, 3932 Pelham, Lyskawa Pvt J. VFW #7546, 6828 Waverly, Dearborn Heights Moose Lodge, 8710 N Beech Daly, Ford Lanes, Inc., 23100 Van Born, Denny's Gin Mill, 4901 S Telegraph, Antonio's Cucina Italiana, 26356 Ford, be approved.

Motion unanimously adopted.

94-292 Motion by Councilman Blackburn, supported by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:02 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL