

**REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL**

**MAY 13, 1997**

**97-198** The meeting was called to order at 8:22 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, Deputy Clerk Robbins, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Webber, Deputy Fire Chief Barnett, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Marie Feasel.

Mayor Canfield presented a Mayoral Award to Marie Feasel. Ms. Feasel, gold medal winner at the Michigan Senior Olympics, will be representing Dearborn Heights at the National Senior Olympics.

Marie Easel stated she was proud to represent Dearborn Heights at the Nationals.

**97-199** Motion by Councilman Zulinski, seconded by Councilman Wyatt, that the Agenda for the Regular Meeting of May 13, 1997, be approved with the addition of Agenda item 11-A Rezoning Ordinance (25000 Block of Van Born Road) from M-1 to C-2 and Agenda item 13-C (Lot Split Gregory Meadows Sub.).

Motion unanimously adopted.

**97-200** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Minutes from the Regular Meeting of April 22, 1997, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the 1997-98 Corporate Fund Budget was called to order at 8:27 p.m. by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked the City Clerk to read the official Notice of Public Hearing.

**PLEASE TAKE NOTICE** that a Public Hearing will be held on Tuesday, May 13, 1997 at 8:00 P.M. in the Council Chambers located at 6045 Fenton, Dearborn Heights, Michigan, for the purpose of hearing objections, if any, to the proposed budget for the City of Dearborn Heights for the fiscal year 1997-98. The Property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing. A copy of the budget will be available for inspection at the office of the City Clerk, 6045 Fenton, Dearborn Heights, Michigan on and after April 1, 1997.

This notice is published and posted by direction of the City Council under and by virtue of the City Clerk, Helene S. Sheridan, Clerk, City of Dearborn Heights. Published March 20, 1997 and April 24, 1997. No communications Mr. Chairman.

Chairman Kosinski asked Assessor Welch to comment on the Truth in Taxation Public Hearing.

Assessor Welch stated in previous years mileages had to be rolled back. Since Proposal A, public hearings is a moot issue. Millage rate not rolled back because assessments don't rise higher than inflation.

Council Chairman Kosinski asked if there was anyone in the audience who would like to make any comments for or against the proposed Corporate Fund budget.

Lou Cramer asked when the budget would be available to the public?

Council Chairman Kosinski replied it has been in the Clerk's office since April 1st.

Lou Cramer asked if there was any charge for a copy?

Council Chairman Kosinski responded the copy charge is fifty cents a page.

Mayor Canfield stated there is no charge for you to view it at the counter.

Lou Cramer asked how many pages?

Comptroller Barrow replied about 80 pages.

**97-201** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the 1997-98 Corporate Fund Budget closed at 8:30 p.m..

The Public Hearing for the rezoning of property at the northeast corner of N. Inkster and Ann Arbor Trail was called to order at 8:31 p.m. by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked the City Clerk to read the official Notice of Public Hearing.

**PLEASE TAKE NOTICE** that a Public Hearing will be held on May 13, 1997, by the City Council of the City of Dearborn Heights at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m., for the purpose of hearing objections, if any, on a request for a rezoning approval to change from RMA to C-1 the parcel at the northeast corner of N. Inkster and Ann Arbor Trail, said property being more particularly described as follows:

THAT PART OF THE NW 1/4 OF SEC 6 T2S R10E DESCRIBED AS BEGINNING AT A POINT ON THE E LINE OF INKSTER ROAD DISTANT S 1D 52M 20SEC E ALONG THE W SECTION LINE 1187.31 FT AND N 88D 07M 40SEC E 60 FT FROM THE NW CORNER OF SEC 6 AND PROCEEDING TH S 1D 52M 20SEC E ALONG SAID E LINE 313.33 FT TH N 69D 26M 20SEC E ALONG THE CENTER LINE OF ANN ARBOR TRAIL 179.46 FT TH N 1D 52M 20SEC W 255.83 FT TH S 88D 07M 40SEC W 170 FT TO THE POB 1.11 ACRES.

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Helene S. Sheridan, Clerk, City of Dearborn Heights. Published : April 24, 1997 and May 1, 1997.

City Clerk Sheridan stated the City of Detroit Water and Sewer Department has replied stating no conflict but to note that there is an existing DWSD 24-inch water transmission main laying north and south in Inkster Road. Corporation Counsel has submitted Proof of Service to area businesses and the utility companies. No other communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience wishing to speak.

Mr. Douglas Klang, 40417 Firesteel Drive, Sterling Heights, MI petitioner stated the property is vacant because it is difficult to zone a piece of property like this. Current zoning does nothing to generate income for Dearborn Heights.

Councilman Zulinski asked what is the structure in front of your building?

Mr. Klang replied it's a glass block decorative tower, our trademark. There is one at the Venoy and Cherry Hill store, it's very beautiful, I invite you to see it at night.

Councilman Slomzenski asked why is his business called Family Video.

Mr. Klang stated it's family owned; children's videos are free; we have many two for \$1.00 movies; we try to give a maximum product for families.

Councilman Paletko stated the issue here is spot zoning and its effect on other part of the City. Why should I overlook that aspect?

Mr. Klang stated I have tried to get definition of spot zoning. I understand its a problem. One corner has a church, other corner is zoned for gas station use. In most cities you will find one place zoned differently from another. The nature of a corner location is commercial. For this property to remain multi-family it is not very appealing. I don't know many people who would want to live at the corner of Ann Arbor Trail and Inkster Road.

Councilman Paletko this puts all corners at risk. This can become precedent setting.

Mr. Klang replied understood. I know this parcels lends well to the rezoning.

Councilman Paletko replied that particular corner is difficult to overlook. I find that corner difficult to spot zone if not impossible. I forewarn you as the seven of us will be making the decision.

Mr. Klang understand, you have to carry spot zoning from one case to another and I'm not able to address that particular issue.

Council Chairman Kosinski asked if there was anyone in the audience who wished to speak. Hearing, none he asked for a motion to close the Public Hearing.

**97-202** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the Public Hearing be closed.

Motion unanimously adopted.

Council Chairman Kosinski stated no decisions are to be made this evening. All issues would be on the Agenda of May 27, 1997.

The Public Hearing for rezoning the northeast corner of N. Inkster and Ann Arbor Trail closed at 8:43 p.m.

The Public Hearing for the rezoning of four (4) parcels of property located on the west side of Dale, south of Joy Road was called to order at 8:44 p.m., by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked the City Clerk to read the official Notice of Public Hearing.

**PLEASE TAKE NOTICE** that a Public Hearing will be held on May 13, 1997, by the City Council of the City of Dearborn Heights at the Administrative Building, 6045 Fenton Avenue,

Dearborn Heights, Michigan at 8:00 p.m., for the purpose of hearing objections, if any, on a request to rezone from R1B Single Family Residential District to C-1 Neighborhood Business District for property located on the west side of Dale, south of Joy Road, four (4) parcels legally described as follows:

PARCEL I: LOT 128 AND THE EAST ½ OF THE ADJACENT VACATED ALLEY, BON-TELEGRAPH SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 53 OF PLATS, PAGE 20, WAYNE COUNTY RECORDS.

PARCEL II: LOT 127 AND THE EAST ½ OF THE ADJACENT VACATED ALLEY, BON-TELEGRAPH SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 53 OF PLATS, PAGE 20, WAYNE COUNTY RECORDS.

PARCEL III: LOT 126 AND THE EAST ½ OF THE ADJACENT VACATED ALLEY, BON-TELEGRAPH SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 53 OF PLATS, PAGE 20, WAYNE COUNTY RECORDS.

PARCEL IV: LOT 125 AND THE EAST ½ OF THE ADJACENT VACATED ALLEY, BON-TELEGRAPH SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 53 OF PLATS, PAGE 20, WAYNE COUNTY RECORDS.

Written comments may be directed to the City Clerk’s office, 6045 Fenton, Dearborn Heights, MI 48127. Helene S. Sheridan, Clerk, Dearborn Heights. Published 04/24/97 and 05/01/97.

City Clerk Sheridan stated Councilman Baron submitted a letter he received from Helm Enterprises, Inc., operators of Arby’s Roast Beef Restaurants in favor of the rezoning. Michcon responded no objection, and Corporation Counsel has submitted Proof of Service to the utility companies and area residents. No other communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience wished to speak.

Paul T. Fitzpatrick of Dickinson, Wright, Moon, Van Dusen & Freeman, Attorney representing Walgreens presented a fact sheet to the City Council.

Due to the length of this public hearing only the names of persons for and against will be recorded in these minutes. A more detailed record of this public hearing can be found in the official Public Hearings Book.

AGAINST - Walt Cieslik, 8623 Dale; Jim Barger, 8467 Riverview; Wendy Gorecyz, 8640 Dale; Ann Vantine, 8639 Dale; Roger Nanney, 8228 Dale; Tim Purcell, 8286 Dale; Sales Manager Checker Drugs; Dorothy Vogt, 8664 Dale; Julie Bantine, 8639 Dale; Nancy Krane, 8665 Dale; Jeannette Furgeson, 8515 Riverview; Ernie Kabara, 8427 Riverview; Tamara Nardone, 8648 Dale; David Bruneau, 8601 Dale; Jim Barger, 8467 Riverview; Olga Patra, 8435 Riverview.

FOR - Stewart Napier - Arby’s; Harvey Wallace, Real Estate Agent, 8443 Virgil.

**97-203** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the rezoning of four (4) parcels of property on the west side of Dale, south of Joy Road closed at 9:58 p.m.

The Public Hearing for Special Land Use at 23706 Van Born was called to order at 9:59 p.m. by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked the City Clerk to read the official Notice of Public Hearing.

**PLEASE TAKE NOTICE** that a Public Hearing will be held on May 13, 1997, by the City Council of the City of Dearborn Heights at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m., for the purpose of hearing objections, if any, on a request for a special land use permit to open a used car business at 23706 Van Born Road, said property legally described as follows:

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

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Helene S. Sheridan, Clerk, City of Dearborn Heights. Published April 24, 1997.

City Clerk Sheridan stated I have received a communication from the City of Detroit Water and Sewer Department stating no conflict with any DWSD transmission facilities. Michcon's communication stated no objection to the special land use request. Corporation Counsel has furnished Proof of Service to the utility companies and to residents in the area. No other communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience who wished to make any comments for or against the proposed special land use.

Mr. Jim Irwin, 2304 2nd Street, Westland, petitioner stated he was an owner of a used car sales business in New Boston. He has been looking to relocate and would like to sign a five year lease.

Mr. Dennis Lahr, 5704 Cornell stated he doesn't want it. There are transmission places full of junk cars. Total Automotive is starting to collect cars, hate to see another establishment with more junk cars. It looks like Mr. Irwin is already selling cars there. Tired of looking at used cars.

Mr. Joseph Gary, 5685 Westpoint stated nine out of 10 neighbors he has talked to do not object. The location has always been well kept. If this gentleman here will take care of this property should be ok.

Jean Lahr, 5704 Cornell asked if petitioner is planning on doing any fixing up?

Mr. Irwin replied he is leasing the property; we have fences for security. His business will be selling cars. Cannot judge me by the Transmission shop. He wants to sell a decent product in area to residents. Will work out something with the landlord; wants his business to look good.

Council Chairman Kosinski asked if there was anyone else in the audience who would like to speak, hearing none he asked that the Public Hearing be closed.

**97-204** Motion by Councilman Zulinski, seconded by Councilman Baron, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for Special Land Use at 23706 Van Born Road closed at 10:07 p.m.

Council Chairman Kosinski called for a recess. Meeting to reopen at 10:15 p.m.

**97-205** Motion by Councilman Baron, seconded by Councilwoman Horvath, that Fund

Transfers 6-A and 6-B, be approved as submitted.

- A. \$2,500.00 from A/C 101-335-818-000 (Fire Contractual Services) to A/C 101-335-709-000 (Fire Overtime Account) to cover cost of additional overtime spent in the Fire Department.
- B. \$1,125.00 from A/C 101-130-804-000 (Court Trial Fees) to A/C 101-130-981-000 (Court Capital Outlay) to cover cost of additional computer terminal.

Motion unanimously adopted.

**97-206** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that Current Claims 6-1 through 6-20, be approved as submitted.

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Premium O/M and Debt - Inv. dated 03/10/97 and 05/01/97 from A/C 101-200-810-000 (Sanitation) \$166,237.29. General Govt.
2. CHARTER TOWNSHIP OF PLYMOUTH - Maintenance Contract Various Equipment - Inv 6232 dated 04/11/97 from A/C 101-300-818-000 (Contractual Services) \$1,591.92. Police Dept.
3. E & N CEMENT - Various Pavement Repairs - Two Inv.'s dated 05/03/97 from A/C 101-440-880-000 (Road Repairs) \$51,181.34 and from A/C 592-540-818-000 (Contractual Services) \$43,218.91. DPW-Water.
4. FLORENCE CEMENT COMPANY - Interest Earned Valley Park Project - Check req. dated 04/30/97 from A/C 203-203-880-300 (Interest) \$4,270.54. Treasurer.
5. INSITUFORM NORTH, INC. - Sewer Re-lining - Inv. 02-734 dated 04/18/97 from A/C 592-537-981-200 (Sewers Capital Outlay) \$21,662.00. Water Dept.
6. JOHNSON CONTROLS - Energy Management Savings Construction - Inv 77348609 dated 04/14/97 from A/C 101-XXX-030-265 (Johnson Controls) \$75,000.00. General Govt.
7. LAURA BERRY-HARRIS - Legal Services February 1997 - Inv. dated 05/05/97 from A/C 101-210-826-000 (Counsel Services) \$7,036.00. Corporation Counsel.
8. GARY MIOTKE - Legal Services February 1997 - Inv. dated 04/01/97 from A/C 101-210-826-000 (Counsel Services) \$4,172.00. Corporation Counsel.
9. MICHIGAN FENCE COMPANY - Swapka Park Backstop Replacement - Inv. 2400 dated 04/16/97 from A/C 103-960-964-095 (Swapka Park) \$4,900.00. Community Develop. ENC.
10. MICHIGAN HUMANE SOCIETY - Animal Processing March 1997 - Inv 5624 dated 03/31/97 from A/C 101-200-806-000 (Animal Processing) \$1,863.00. General Govt.
11. NAGEL CONSTRUCTION - 1997 Sewer Cleaning & Special Project Sewer Cleaning - Inv. 1024 dated 04/18/97 and Inv. 1015 dated 04/28/97 from A/C 592-537-818-000 (Contractual Services) \$7,367.14. Water Dept.
12. PAINTER & RUTHENBERG - Roll-Off Service April 1997 and Newsprint Pick-Up - Inv 9195 dated 05/01/97 and Inv. 9183 dated 05/01/97 from A/C 101-200-810-000 (Sanitation) \$3,745.00. DPW-Highway.
13. PLANTE & MORAN - Various Issues General Fund and Water O/M - Inv 442054 dated 03/18/97 and Inv. 447966 dated 04/22/97 from A/C 101-200-817-000 (Professional & Consult) \$1,115.00 and from A/C 592-536-817-000 (Professional & Consult) \$6,443.00. General Govt.
14. STANLEY'S ADVERTISING - Distribution of CDBG Newsletter - Inv 45275 dated 04/23/97 from A/C 103-960-918-096 (Administration) \$3,840.00. Community Develop.
15. WADE-TRIM/ASSOCIATES - Jackson Street Water Main Project - Inv. 53168 dated 04/04/97 from A/C 103-960-925-096 (Water Main) \$968.80. Community Develop.
16. WADE-TRIM/ASSOCIATES - Strategic Plan - Inv. 53007 dated 03/11/97 from A/C 103-960-930-095 (Strategic Plan) \$1,858.50. Community Develop.
17. WADE-TRIM/ASSOCIATES - Topography Site Survey Fire Dept. - Inv 51161

dated 09/06/96 from A/C 101-200-817-000 (Professional & Consult) \$450.30.  
General Govt.

18. WADE-TRIM/ASSOCIATES - Waterline Installation Crestwood Condos - Inv. 52065 dated 12/04/97; Inv. 52424 dated 01/08/97; Inv. 52557 dated 02/07/97 from A/C 592-XXX-255-000 (Jobs in Progress) \$9,405.90. Bldg/Eng.
19. WEBNET, INC. - Services Month of May 1997 - Inv. 1820 dated 04/17/97 from A/C 101-200-819-000 (Webnet) \$4,100.00. General Govt.
20. WESTLAND TREE SERVICE - Tree Trimming & Removals - Inv. dated 05/05/97 from A/C 101-440-820-000 (Tree Trimming & Removals) \$2,982.00. DPW-Highway.

Motion unanimously adopted.

- 97-207** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that Joe Karoub, 4406 Merrick be awarded the bid for the 1997 grass and weed cutting service for non-city owned property, at a flat rate fee of \$50.00 for various size lots.

AYES: Councilwoman Horvath, Councilman Slomzenski, Councilman Wyatt, Councilman Zulinski.

NAYS: Councilman Baron, Council Chairman Kosinski, Councilman Paletko.

ABSENT: None.

Motion adopted.

- 97-208** Motion by Councilman Baron, seconded by Councilman Wyatt, that the City Comptroller be authorized to advertise for bids, per specifications for demolition at 4509 Bedford, per the request of Building Inspector Lamontagne, communication dated April 30, 1997.

Motion unanimously adopted.

- 97-209** Motion by Councilman Zulinski, seconded by Councilman Slomzenski, that the lone bidder Dearborn Heights Press & Guide, 15340 Michigan Avenue, Dearborn, MI 48126 for legal printing, in the amount of \$5.24 per column inch for advertisements on disk and \$12.11 per column inch for non-disk advertisements, be approved, per Comptroller Barrow, communication dated May 7, 1997. Rates offered are at a 5% increase over current rates.

Motion unanimously adopted.

- 97-210** Motion by Councilman Paletko, seconded by Councilman Wyatt, that Ric-Man Construction, Inc., 6850 Nineteen Mile Road, Sterling Heights, MI 48314 be awarded the bid for the Dearborn Heights Local Relief Sewer Project (SRF Project 5117-27) in the amount of \$4,839,491.00, conditional upon the review and approval of the Michigan Department of Environmental Quality per, Mayor Canfield, communication dated May 7, 1997.

Motion unanimously adopted.

- 97-211** Motion by Councilwoman Horvath, seconded by Councilman Zulinski that the City Council concurs with and approves the construction engineering services agreement be awarded to Wade-Trim, in an amount not to exceed \$783,000.00, which amount is eligible for SRF funding.

Motion unanimously adopted.

- 97-212** Motion by Councilman Slomzenski, seconded by Councilman Wyatt, that the communication from Mayor Canfield, dated May 7, 1997 re: The reappointment of

Bettysue Pisula and Beverly Webb to the City Beautiful Commission, term to expire September 1999 and the appointment of Karen Peruske, 25555 Oakland Drive, term to expire September 1999 be received, contents noted and filed.

Motion unanimously adopted.

- 97-213** Motion by Councilman Paletko, seconded by Councilman Slomzenski, that the City Council concurs with and approves the reappointment of Mr. Ara Sogioian to the Tax Increment Finance Authority, term to expire December 2000 and the appointment of Natalie McLaughlin, 25543 McDonald, term to expire December 2000 per Mayor Canfield, communication dated May 7, 1997.

Motion unanimously adopted.

- 97-214** Motion by Councilman Zulinski, seconded by Councilman Slomzenski, that the City Council concurs with and approves the mileage rate used to reimburse City employees from 20 cents per mile and adopt the IRS Standard mileage rate which currently is 31.5 cents and will than likely be adjusted in 1998 and further by adopting the IRS Standard mileage rate, the per mile charge will be indexed over time per, Treasurer Riley, communication dated April 28, 1997. Further, the new mileage rate to become effective July 1, 1997.

Motion unanimously adopted.

- 97-215** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the City Council concurs with and approves the appointment of Carolyn D. Jackson as the republican representative to the Dearborn Heights Board of Canvassers, term to expire December 31, 1997.

Motion unanimously adopted.

- 97-216** Motion by Councilman Zulinski, seconded by Councilman Slomzenski, that the communication from Councilman Wyatt, dated May 7, 1997 re: An Amendment to the BOCA National Building Code be referred to a Committee of the Whole Study Session.

Motion unanimously adopted.

- 97-217** Motion by Councilwoman Horvath, seconded by Councilman Wyatt, that the City Council concurs with and approves 360 Services, a Livonia based company, to print the City tax bills per Treasurer Riley, communication dated May 7, 1997. Use of this company will save \$5,000 over Wayne County charges.

Motion unanimously adopted.

- 97-218** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the communication from Administrative Assistant Heise, dated May 5, 1997 re: Selection of Law Firms as Cable TV Attorneys be received, contents noted and filed.

Motion unanimously adopted.

Council Chairman Kosinski asked the council to vote by roll call on the first choice selection of a Cable TV Attorney:

Councilman Baron - Varnum, Riddering, Schmidt and Howlett  
Councilwoman Horvath - Neil Lehto (O'Reilly, Rancillo, Nitz, Andrews & Turnbull  
Council Chairman Kosinski - Varnum, Riddering, Schmidt and Howlett  
Councilman Paletko - Neil Lehto (O'Reilly, Rancillo, Nitz, Andrews & Turnbull

Councilman Slomzenski - Neil Lehto (O'Reilly, Rancillo, Nitz, Andrews & Turnbull  
Councilman Wyatt - Varnum, Riddering, Schmidt and Howlett  
Councilman Zulinski - Neil Lehto (O'Reilly, Rancillo, Nitz, Andrews & Turnbull

**97-219** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that Neil Lehto of O'Reilly, Rancillo, Nitz, Andrews & Turnbull be the first choice of Law firms selected to negotiate with administration for the re-franchising agreement with Continental Cablevision.

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

Motion adopted.

Council Chairman Kosinski asked the council to vote by roll call on the second choice selection of a Cable TV Attorney:

Councilman Baron -abstained  
Councilwoman Horvath - John W. Pestle (Varnum, Riddering, Schmidt and Howlett  
Council Chairman Kosinski - John W. Pestle (Varnum, Riddering, Schmidt and Howlett  
Councilman Paletko - abstained  
Councilman Slomzenski - John W. Pestle (Varnum, Riddering, Schmidt and Howlett  
Councilman Wyatt - John W. Pestle (Varnum, Riddering, Schmidt and Howlett  
Councilman Zulinski - John W. Pestle (Varnum, Riddering, Schmidt and Howlett

**97-220** Motion by Councilman Zulinski, seconded by Council Wyatt, that John W. Pestle of Varnum, Riddering, Schmidt and Howlett be the Council's second choice of Law firms to negotiate with Administration should a second firm be needed.

Motion unanimously adopted.

**97-221** Motion by Councilman Paletko, seconded by Councilman Slomzenski, that the second low bidder, Two Way Radio, Inc., distributor for Fire Com of Portland, Oregon, for two Motorola HT1000 radios and four fire truck intercom systems, in the amount of \$10,854.00, and payment thereof, be approved, per Fire Chief Langlois, communication dated April 29, 1997. The lowest bidder Bear Communications cannot fulfill their obligation.

Motion unanimously adopted.

**97-222** Motion by Councilman Zulinski, seconded by Councilman Paletko, that the City Council concurs with and approves the 1997 Community Development Action Plan and authorizes the Mayor to submit the application as requested per, Community Development Director Oliverio, communication dated May 5, 1997.

Motion unanimously adopted.

**97-223** Motion by Councilman Slomzenski, seconded by Councilman Zulinski, that the City Council concurs with and approves the purchase of three Ford Taurus's in the amount of \$15,140.00 each and one Ford Aerostar in the amount of \$15,410.10, for a total expenditure of \$60,830.10 per, Police Chief Webber, communication dated May 6, 1997. Funding for the purchases is as follows:

Two Taurus Vehicles (\$30,280.00) from proceeds of Harley-Davidson Motorcycle Auction; one Taurus Vehicle from insurance payoff with additional \$1,590.00 from Capital Outlay account and the Aerostar is allocated from the Law Enforcement Block

Grant.

Motion unanimously adopted.

- 97-224** Motion by Councilman Baron, seconded by Councilwoman Horvath, that Wade-Trim/Associates be authorized to prepare the Plans and Specifications for the Katherine Street Bridge removal project, at a fee not to exceed \$16,500.00 per, Community Development Director Oliverio, communication dated May 2, 1997. Funding for this project to be allocated from the 1996-97 Community Development Block Grant.

Motion unanimously adopted.

- 97-225** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves a Citizen Citation be awarded to Dusty Dalton for her diligence in saving a resident of the City per, Police Chief Webber, communication dated April 24, 1997. Further, that Jason Zawacki, Mike Trosien, Brian Collinash and Justin Shaw also receive Citations for there efforts in apprehending a thief who tried to steal a valuable dog from Pets n Us.

Motion unanimously adopted.

- 97-226** Motion by Councilman Paletko, seconded by Councilman Baron, that the City council concurs with and approves the Pepsi-Cola Indemnification Agreement for Spirit '97 Festival per, Recreation Director Grybel, communication dated April 24, 1997. Further, that the Mayor and City Clerk be authorized to sign the agreement on behalf of the City.

Motion unanimously adopted.

- 97-227** Motion by Councilman Baron, seconded by Councilman Wyatt, that the communication from Acting TIFA Administrator Oliverio, dated April 14, 1997 re: TIFA Bylaws be referred to a Committee of the Whole Study Session to be scheduled by the Chair as soon as possible.

Motion unanimously adopted.

- 97-228** Motion by Councilman Baron, seconded by Councilman Wyatt, that the communication from Acting TIFA Administrator Oliverio, dated April 14, 1997 re: The 1997-98 TIFA Budget and Fund Transfers be referred to a Committee of a Whole Study Session to be scheduled by the Chair as soon as possible.

Motion unanimously adopted.

- 97-229** Motion by Councilman Horvath, seconded by Councilman Zulinski, that the communication from Human Resource Director Sullivan, dated May 7, 1997 re: The 1996 Annual Report for the Human Resource Department be received, contents noted and filed.

Motion unanimously adopted.

- 97-230** Motion by Councilman Paletko, seconded by Councilman Slomzenski, 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 read for the first time.

Motion unanimously adopted.

**97-231** Motion by Councilman Paletko, seconded by Councilman Baron, that the communication from City Clerk Sheridan, dated May 8, 1997 re: Abandonment of the north/south alley between Telegraph and Waverly Maxwells Warren Telegraph Subdivision be received, contents noted and filed.

Motion unanimously adopted.

**97-232** Motion by Councilman Baron, seconded by Councilman Zulinski, that 1997 business license renewals for Antonio's Cucina Italiana, 26356 Ford, Trail Bar, 22738 Ford, Uncle Ray's Place, 24502 Warren, Msgr. Hunt K of C #3312, 7080 Garling, Donovan VFW #7910, 25620 Van Born and Polish Legion AM Vets #16, 25222 Warren, be approved.

Motion unanimously adopted.

**97-233** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that CM 97-172 (Conditional Approval of Lot Split in Gregory Meadows Sub) and CM 97-171 (Lot Split Gregory Meadows Sub) be rescinded.

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

Motion adopted.

**97-234** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the City Council concurs with and approves the lot split request from Mr. Jim Jomma, 25650 Cherry Hill, Dearborn Heights, MI 48127 for Lot 13 Gregory Meadows Subdivision creating the following legal description:

The east 149.6 feet of Lot 13 (149.13 feet on Evangeline and 149.6 feet on Cherry Hill)

Lot 13, except the east 149.6 feet (142.4 feet on Cherry Hill by 149.13 depth per, Assessor Welch, communication dated May 12, 1997.

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

Motion adopted.

**97-235** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that a moratorium be placed on lot splits and that Administration come back within 30 days with recommendations on zoning changes. Further, that Corporation Counsel investigate the legality of this action.

Motion unanimously adopted.

**97-236** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 12:24 p.m.

**HELENE S. SHERIDAN**  
**CITY CLERK**

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