REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 11, 2004

04-147 The meeting was called to order at 8:10 p.m. by Council Chair Elizabeth J. Agius.

Roll Call showed the following:

Present:	Council Chair Elizabeth J. Agius, Councilwoman Janet S. Badalow, Councilman Kenneth R. Baron, Councilwoman Ann Brown, Councilman Bob Constan, Councilwoman Catherine L. Heise, Councilwoman Margaret M. Van Houten.
Absent:	None.
Also Present:	Mayor Paletko, Administrative Assistant Kramarz, City Clerk Dudzinski, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Deputy Comptroller Macari, Deputy Assessor Cooper, Building & Engineering Director Kissinger, Deputy Fire Chief Klovski, Deputy Police Chief Lazar, Recreation Director Grybel, Public Service Administrator Franzil, Community Development Director Jamal.

The Pledge of Allegiance was led by Wayne County Commissioner Cavanagh.

04-148 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the Agenda for the Regular Meeting of May 11, 2004, be approved as submitted.

Motion unanimously adopted.

04-149 Motion by Councilman Baron, seconded by Councilman Constan, that the Minutes from the Regular Meeting of April 27, 2004, be approved as submitted.

Motion unanimously adopted.

The Public Hearing on the Adoption of a Brownfield Plan was called to order at 8:12 p.m. by Council Chair Agius.

Council Chair Agius waived the reading of the notice of Public Hearing.

PLEASE TAKE NOTICE THAT a Public Hearing shall be held before the City of Dearborn Heights City Council at 8:00 PM on Tuesday, May 11, 2004 in the City Council Chambers located at 6045 Fenton, Dearborn Heights, Michigan, on the adoption of a Brownfield Plan for the City of Dearborn Heights, within which the Brownfield Redevelopment Authority shall exercise its powers, all pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended. The description of the proposed Brownfield property is:

> Land situated in the City of Dearborn Heights, County of Wayne, State of Michigan, described as follows: The parcel(s) of property on the Northeast corner of Telegraph and Van Born Roads having the former addresses of 5754, 5737 and 5709 Telegraph and 5660, 5678 and 5686 West Point.

A legal description of the property and a copy of the Brownfield Plan are available for public inspection at the City Clerk's office, 6045 Fenton, Dearborn Heights, Michigan.

Please note that all aspects of the Brownfield Plan are open for discussion at the public hearing.

Interested person(s) may also direct written comments concerning this issue to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127 prior to the time listed above. S. Judith Dudzinski, City Clerk.

Notice: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at 313-277-7225 at least ten (10) working days in advance of the meeting. An attempt will be made to make reasonable accommodations. Published April 28, 2004 and May 5, 2004.

Council Chair Agius stated currently we have a public hearing for the adoption of a Brownfield Plan in the City for a tract of land on Telegraph and Van Born. Do we have any questions from the table? Anyone here that needs to speak on the Public Hearing for the Brownfield?

TIFA Administrator Oliverio "I can explain real quickly, give an outline of what the project is, the costs and everything."

Councilwoman Van Houten "Three minutes."

Council Chair Agius "Very brief, I don't think we need the costs, just a very brief outline of what a

Brownfield is."

TIFA Administrator Oliverio "The City established a Brownfield Authority in 1997. We are talking about the property that's located on Van Born Road and Telegraph. It's a proposed Walgreen's store. It includes six acres on Telegraph from West Point, former uses were the A-1 Transmission Shop, Andoni's Restaurant, retail shops and three residences. If you've been down in the area today all of the buildings have been demolished. The contractor has put an amount of $4 million dollars investment in the project. That is basically the general synopsis of the project."

Councilwoman Van Houten "You didn't explain what a Brownfield is to the public."

Council Chair Agius "For the public, Brownfield's are tracts of land where there are potential or current environmental contamination or environmental clean-up that need to be taken care of. This Brownfield Plan will allow for some reduction in tax incentive and recovery for a developer to come in, clean up the environmental contaminates so that the City isn't responsible for that and then build a new Walgreen's on the corner there. Mr. Shevchik, if you come forward and say your name and address."

Mr. Bill Shevchik, 24330 Pennie "I'm concerned about why we are giving away tax dollars to somebody that wants to move into our City to take our money when we go into their store. I moved into this city and you take my money for taxes but you want somebody else to move into the city and you don't want to charge them taxes. Now I don't think that is fair to the residents here."

Council Chair Agius "It's a very good question and as I just explained it's not a lifetime exemption on taxes, it's an abatement and it does cover the costs. Those funds cover the cost of the environmental clean-up. That site is fairly toxic. There was a transmission shop and before that I believe a gas station."

Shevchek "The guy wants to move in here, let him clean up his own property. I had to clean up my property when I bought the house. Give me 15 years tax abatement. Thank you."

Council Chair Agius "Thank you Mr. Shevchek."

Councilwoman Van Houten "A little explanation. These are the types of properties where we wouldn't get the development coming in normally because of the extent of the hazard that is there and in order to get rid of the rather unsightly area there and hopefully bring in new business and usually that adds when you have one business, like a Walgreen's come in, it helps with the rest of the block and the rest of that business area to start sprucing up and bringing in more viable businesses which improves our tax base."

Council Chair Agius "I will say that in some support of Mr. Shevchik's comment that I have been unhappy with the process by which plans like this, any abatements, have proceeded. I would pose to the Administration that in cooperation with the TIFA Administrator, Council and the Mayor's office that we develop a specific policy by which no one person makes an arrangement that becomes difficult and which there is not full buy-in and so I would like to see some movement on a full, well written, well adopted policy for how these things are handled in the future. I think I have stated my displeasure at some of the way that some of this has been handled and I think that in the best interest of the city, so that you know, residents don't rightly come to us and say "How do we know?" "How has this been done?" that we have a clear open policy on how these things are handled in the future.

Mayor Paletko "I certainly don't disagree with you. I think having a policy on abatements and Brownfields, at least, kind of a grid work as to what kinds of projects we would look at would be beneficial and that is something we would be more than happy to work on with the Council and formulate such a policy and with the TIFA Board members. We'll be happy to do that."

Council Chair Agius "Don did you have something?"

Comptroller Barrow "Just a question. Is this actually an abatement or capture of taxes?"

"Capture."

Comptroller Barrow "I mean, it's no reduction for Walgreen's in what they are going to be paying in taxes it's just the Brownfield is going to capture that money instead of the City capturing it. Walgreen's is still paying the full amount in taxes like they were if it wasn't there."

Councilwoman Van Houten "The capture is going to pay for the clean-up."

Council Chair Agius "It doesn't come into the general fund, it goes into clean-up and building."

Council Chair Agius asked any other questions from the public on the Public Hearing for the Brownfield, hearing none a motion was made to close the public hearing.

04-150 Motion by Councilman Baron, seconded by Councilman Constan, that the Public Hearing be closed. Motion unanimously adopted.

The Public Hearing closed at 8:20 p.m.

04-151 Motion by Councilman Baron, seconded by Councilwoman Badalow, that the Resolution Approving the Brownfield Plan for the Future Walgreen Pharmacy Property be adopted as follows:

WHEREAS, the City of Dearborn Heights, (the City) has created a Brownfield Redevelopment Authority (the authority) pursuant to PA 381 of 1996, as amended (the Act): and

WHEREAS, the Authority has met and considered a Brownfield Redevelopment Authority (the Authority) pursuant to PA 381 of 1996, as amended (the Act); and

WHEREAS, the Authority has reviewed the Plan in accordance with the Act; and

WHEREAS, the Authority, following review of the Plan, approved the same and recommended approval to the City Council; and

WHEREAS, the Authority, following review of the Plan, approved the same and recommended approval to the City Council; and

WHEREAS, the notices required by the Act have been given; and

WHEREAS, the City Council, in accordance with the Act, met and conducted a Public Hearing on May 11, 2004 in order to review the Plan; and

WHEREAS, during the public hearing conducted by the City Council on May 11, 2004, all persons, including any affected taxing jurisdictions, were allowed an opportunity to comment on the plan and present their view and recommendations.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Dearborn Heights City Council that:

1. The City Council of the City of Dearborn Heights hereby approves the Plan and determines that the Plan, in accordance with the Act constitutes a public purpose.
2. Furthermore, that the Plan meets the requirements of Section 13 of the Act.
3. Furthermore, if applicable, that the proposed method of financing the costs of the eligible activities is feasible and the Authority has the ability to arrange the financing.
4. Furthermore, that the cost of eligible activities proposed are reasonable and necessary to carry out the purposes of the Act.
5. Furthermore, that the amount of captured taxable value, if any, estimated to result from adoption of the plan is reasonable, per Brownfield Authority Director Oliverio, communication dated March 29, 2004.

Further, that the City Clerk be authorized to sign the resolution on behalf of the City.

Motion unanimously adopted.

04-152 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that Fund Transfer 6-A and Current Claims 6-1 through 6-23, be approved as submitted.

A. $20,000.00 from A/C 101-265-931-000 (Maint. Bldg/Grounds) to A/C 101-440-782-000 (Road Supplies) to cover the cost of salt, cold patch and road maintenance.

1. AAD CONTRACTING - Swapka Park Comfort Station - Cert. #3 dated 04/26/04 from A/C 103-960-964-203 (Swapka Park) $67,410.00. CDBG.
2. BS & A SOFTWARE - Maint/License Agreement Tax System - Inv. 27814 dated 05/11/04 from A/C 101-253-818-000 (Cont. Serv.) $2,120.00. Treasurer.
3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt & Service April/March 2004 - Inv. dated 04/21/04 from A/C 101-200-810-000 (Sanitation) $165,591.21. General Govt.
4. CUMMINGS, MC CLOREY, DAVIS & ACHO - Labor Attorney Invoice March 2004 from A/C 101-200-817-000 (Prof/Consult) $2,332.00. General Govt.
5. GARY MIOTKE - Legal Services April 2004 - Inv. dated 05/03/04 from A/C 101-210-826-000 (Counsel Serv.) $8,286.50. Corp. Counsel.
6. SOMMERS, SCHWARTZ, SILVER & SCHWARTZ, PC - Legal Services March 2004, Inv, 179841 dated 04/07/04 from A/C 592-536-817-000 (Prof/Consult) $3,322.00. Water Dept.
7. E & N CEMENT - Pavement Repairs - Inv. dated 05/03/04 from A/C 592-537-818-000 (Cont. Serv.) $48, 811.48. Water Dept.
8. ELLEFSON BUILDING DEMOLITION - Loan & Haul Debris - Inv. 4005 and 4006 dated 05/03/04 from A/C 101-200-810-000 (Sanitation) $10,510.00 and A/C 592-537-818-000 (Cont. Serv.) $5,000.00. General Govt.

9. HEIGHTS TREE SERVICE - Tree Trimming & Removals - Inv. 37 dated 05/02/04 from A/C 101-440-820-000 (Trees) $5,460.00. DPW.
10. MDEQ - Storm Water Discharge Permit - Inv. MIG610009 dated 05/01/04 from A/C 592-XXX-154-000 (Sewers) $5,000.00. Water Dept.
11. MONROE SPORTS - Summer Day Camp T-Shirts - Inv. 3685 dated 04/19/04 from A/C 101-691-887-000 (Rec. Programs) $1,656.00. ENC.
12. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1931 dated 04/29/04 from A/C 592-540-818-030 (Cont. Serv.) $14,420.96. Water Dept.
13. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging March 2004 - Inv. dated 04/20/04 from A/C 101-200-868-000 (Prisoners) $3,958.40. General Govt.
14. TMP ARCHITECTURE - Swapka Park Comfort Station - Inv. 13691 dated 04/30/04 from A/C 103-960-964-203 (Swapka Park) $360.00. CDBG.
15. TODAYLINK, LLC - Internet Serv/Support April/May 2004 - Inv. 1055 dated 05/01/04 from A/C 101-200-819-999 (Internet) $4,814.40. General Govt.
16. WADE-TRIM/ASSOCIATES - 2003 Street Repair Program - Inv. 82215 dated 04/15/04 from A/C 202-202-880-300 (Streets) $4,630.50. Major Streets.
17. WADE-TRIM/ASSOCIATES - MDEQ Meeting on Drafting ACO - Inv. 82424 dated 04/26/04 from A/C 592-XXX-154-000 (Sewers) $312.50. Water Dept.
18. WADE-TRIM/ASSOCIATES - Sewer Investigation, Eng. Plan, Plan Review - Inv. 82035, 82036 and 82037 dated 03/25/04 from A/C 101-371-809-000 (Eng. Serv) $1,228.95. Bldg. Eng.
19. WAYNE-COUNTY ACCOUNTS RECEIVABLE - Traffic Signal Maint 01/04 - Inv. 100078 dated 03/29/04 from A/C 101-440-925-000 (Traffic Signal) $4,064.75. DPW.
20. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - ECPAD O & M - Inv. 221556 dated 04/20/04 (ECPAD) $71,836.88. Water Dept.
21. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Excess Flow April 2004 Downriver - Inv. 221826 dated 04/30/04 from A/C 592-537-929-000 (Disposal) $22,765.00. Water Dept.
22. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Operation & Maint/Reserve CSO Basin - Inv. 221515 dated 04/19/04 from A/C 592-537-927-100 (CSO Basin) $101,595.00. Water Dept.
23. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Rouge Assembly Assess 04 - Inv. 221684 dated 04/22/04 from A/C 592-XXX-154-000 (Sewers) $9,052.00. Water Dept.

Motion unanimously adopted.

04-153 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the request from the Crestwood Baseball Association Little Baseball League to hold their annual Opening Day Parade on Saturday, May 22, 2004 at 10:00 a.m. beginning at the ballfield on Inkster Road north of Warren to Clairview, then east on Clairview to Amboy, south on Amboy to Kennedy, west on Kennedy to Inkster then north on Inkster sidewalk to field entrance, per Mayor Paletko, communication dated April 30, 2004. Further that the Police and Fire Departments to provide escort and assistance as needed.

Motion unanimously adopted.

04-154 Motion by Councilwoman Van Houten, seconded by Councilman Constan, that the following Budget Amendment to cover the cost of Building Department Grade Engineering Fees and Plan Reviews be approved as follows:

Increase Revenues	A/C 101-000-490-000
Grade Engineering Fees	$10,000.00
Increase Expenditures	A/C 101-371-809-000
Grade Engineering Fees	$10,000.00

Per, Comptroller Barrow, communication dated May 4, 2004.

Motion unanimously adopted.

04-155 Motion by Councilman Constan, seconded by Councilwoman Van Houten, that the City Council concurs with the recommendation of the TIFA Board and adopts the 2004-2005 TIFA Budget as submitted, per TIFA Administrator Oliverio, communication dated April 28, 2004.

Motion unanimously adopted.

04-156 Motion by Councilman Baron, seconded by Councilwoman Badalow, that the City Council concurs with the 2004-05 CDBG Action Plan allocation of $1,282,000.00 and further authorizes the Mayor to sign the Certifications and SF-424 Application, per Community Development

Director Jamal, communication dated May 5, 2004.

Motion unanimously adopted.

04-157 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council concurs with and approves the request to auction the following vehicles:

1997 Honda - #1HCD568XVA193725/forfeit
1994 Pontiac - #1G2NW15M8RC799273/push-off
1994 Saturn - #1G8ZK5578RZ362133/forfeit
1992 Olds - #G3WH54T4ND347500/push-off
1990 Plymouth - #2P4FH453LR523180/push-off
1992 Ford - #1FTCR14A2NPA54250/push-off
1991 Ford - #1FACP50U5MG197355/push-off
1992 Chevy - #G1WN54T1P9174276/push-off
1987 Chrysler - #1C3BF66PXHX71098/push-off
1990 Jeep - #1J4FJ78L0LL140562/push-off

per, Police Chief Gust, communication dated April 29, 2004.

Motion unanimously adopted.

04-158 Motion by Councilman Baron, seconded by Councilman Constan, 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 9, 2004, ending no later than 2:00 a.m. on Sunday, June 13, 2004, per Recreation Director Grybel, communication dated May 3, 2004. Further, that the Mayor and Clerk sign the application on behalf of the City.

Motion unanimously adopted.

04-159 Motion by Councilwoman Van Houten, seconded by Councilwoman Badalow, that the City Council concurs with and approves the low quote from Best Asphalt, 6334 N Beverly Plaza, Romulus, MI 48174 to conduct the 2004 Crack Sealing Program, at a cost of 60 cents per lineal foot, for approximately 332,500 lineal feet of city streets from Southfield Road to Monroe and from Dartmouth to Van Born, per Public Service Administrator Franzil, communication dated May 3, 2004.

Motion unanimously adopted.

04-160 Motion by Councilwoman Badalow, seconded by Councilwoman Van Houten, that business license renewals for Carl E. Stitt Post #232, 23850 Military, Cherry Hill Lanes, 300, N Inkster, Cariera's Cucina Italiana, 6565 N Telegraph, Trophy Room Pub, 25034 Ford, Antonio's Cucina Italiana, 26356 Ford and Warren Valley Golf & Banquet Center, 26116 Warren, be approved.

Motion unanimously adopted.

04-161 Motion by Councilwoman Constan, seconded by Councilman Baron, that the meeting be adjourned.

The meeting adjourned at 8:55 p.m.

JUDY DUDZINSKI
CITY CLERK

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY

ELIZABETH J. AGIUS, CHAIR
CITY COUNCIL