

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MAY 11, 1999

99-194 The meeting was called to order at 8:02 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 M. Van Houten, Councilman Gregg Zulinski.

Absent: None.

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

The Pledge of Allegiance was led by everyone being recognized.

Police Chief Webber and Captain Izeluk were presented a check from Mr. Chuck Schwab and Mr. Mike Maldegan, Michigan Municipal Risk Management Authority for Video Arraignment Equipment, in the amount of \$13,000.00. The Michigan Municipal Risk Management Authority has thanked other municipalities for their continued loyalty over the years. Dearborn Heights has been a participating member since 1981.

Police Chief Webber and Officer Ken Serwatowski presented certificates to seventeen Dearborn Heights residents who successfully completed the Citizens Police Academy.

Deputy Fire Chief Mc Elroy and Mayor Canfield presented plaques of appreciation to three volunteer firefighters who stayed on active duty until the Volunteer Firefighters unit was dissolved in 1998. William Smith, served 30 years, David Woodman, 19 years and Ron Zain, 9 years, graciously accepted their plaques of appreciation.

99-195 Motion by Councilwoman Horvath, seconded by Councilwoman Blackburn, that the Agenda for the Regular Meeting of May 11, 1999, be approved with Agenda Item 9-B (Consideration of Lot Split) being brought forward before Public Hearings are held.

Motion unanimously adopted.

99-196 Motion by Councilman Baron, seconded by Councilman Zulinski, that the Minutes from the Regular Meeting of April 27, 1999, be approved as submitted.

Motion unanimously adopted.

99-197 Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council accept Legal Opinion # 91 from Corporation Counsel, dated May 10, 1999 re: Lot Split Ordinance which states the lot split would not violate the intent or spirit of the ordinance as it stands and further, give approval to applicants go forward with the application process which will be submitted for approval or denial at a future Council meeting.

Motion unanimously adopted.

The Public Hearing for the 1999-2000 Corporate Fund Budget was called to order at 8:26 p.m.

Minutes May 11, 1999 Continued

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 11, 1999 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 1999-2000. 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, 1999.

This notice is published and posted by direction of the City Council under and by virtue of the City Clerk, Joyce A. Robbins, Clerk, City of Dearborn Heights. Published April 8, 1999 and April 15, 1999. No communications Mr. Chairman.

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.

99-198 Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the 1999-2000 Corporate Fund Budget closed at 8:28 p.m.

The Public Hearing for the Local Law Enforcement Block Grant was called to order at 8:28 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 Public Hearing will be held on Tuesday, May 11, 1999, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m., for the purpose of hearing objections, if there be any, to the Local Law Enforcement Block Grant funds to be used for the proposed purchase of an Identix Fingerprinting System and a Computer Lease Agreement.

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Joyce A. Robbins, City Clerk, Dearborn Heights, MI 48127. Published April 29 and May 6, 1999. No communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone who wished to comment on the proposed Local Law Enforcement Block Grant.

Deputy Police Chief Gust stated "The Dearborn Heights Police Department has received a grant from the Federal Government Bureau of Justice Assistance, awarded as a fiscal year 1997 Local Law Enforcement Block Grant. We will receive \$66,772 with a \$7,419 cash match by our City. These funds are to be used for either the hiring of additional Police Officers or the purchase of equipment for law enforcement.

To receive this money, we are required to hold a Citizen's Advisory Committee meeting. The Advisory Committee met on March 19, 1999 at 10:00 a.m. in the City Hall Conference Room. The committee included Dr. Michael Bee, representing Public School System; Attorney Gary Miotke, representing the Prosecutor's Office; Detective Lt. Robert Niemczewski, representing our Local Crime Prevention; Ms. Gail Lafayette, representing the 20th District Court; Ms. Diane Lewandowski, representing local citizens and Lt. Dave Knezek, representing the Police

Department.

This committee approved the proposed purchase of an TP-6000 Live Scan Fingerprinting System under the bid awarded by the Detroit Police Department at a cost of \$55,802. Also approved was the initial year of a three year computer lease with Dell Computers, as approved by City Council, at a cost of \$17,406.16. The remaining balance of \$983 will be used for miscellaneous supplies and software required to install the PC's. After the approval of this committee, we are holding this Public Hearing to allow for any comments or objections to the acceptance and expenditure of this grant money and to answer any questions."

Council Chairman Kosinski asked if there was anyone in the audience who wished to speak for or against the Local Law Enforcement Block Grant, hearing none, he asked for a motion to close the public hearing.

99-199 Motion by Councilman Zulinski, seconded by Councilwoman Blackburn, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the Local Law Enforcement Block Grant closed at 8:33 p.m.

The Public Hearing for the Special Land Use was called to order at 8:34 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 11, 1999, by the Dearborn Heights City Council at the Administrative Offices, 6045 Fenton, Dearborn Heights, Michigan, at 8:00 p.m., for the purpose of hearing objections, if there be any, to the granting of a special land use permit to Nolan Brothers of Texas to construct a mini storage facility on Ann Arbor Trail and Silvery Lane.

Written comments may be directed to the City Clerk's Office, 6045 Fenton, Dearborn Heights, MI 48127. City Clerk Joyce A. Robbins. Publish date: May 6, 1999. Corporation Counsel has submitted Proof of Service, 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, hearing none, he asked for a motion to close the public hearing.

99-200 Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for the special land use closed at 8:36 p.m.

99-201 Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that Fund Transfer 6-A and Current Claims 6-1 through 6-20, be approved as submitted.

A. \$3,000.00 from A/C 101-335-825-000 (Schooling, Tuition & Books) to A/C 101-335-962-000 (Training) To Cover Cost of Y2K Training and Development (See Attached Letter).

1. BIS COMPUTER SYSTEM - Software Maintenance for 1999-2000 - Inv. MS0599 dated 04/01/99 from A/C 101-300-818-000 (Contractual Services) \$2,670.00.

Minutes May 11, 1999 Continued

- Police Dept.
2. CITY OF DEARBORN - Mobile Data Administrative Fee - Inv. 58405 dated 04/22/99 from A/C 101-300-818-000 (Contractual Services) \$8,921.82. Police Dept.
 3. DETROIT EDISON - Remove and Install Pole for Water Main Break - Inv. 32373 dated 04/15/99 from A/C 592-536-818-000 (Contractual Services) \$1,660.00. Water Dept.
 4. E & N CEMENT - Pavement Repairs - Inv. dated 05/01/99 from A/C 592-540-818-000 (Contractual Services) \$66,698.57. Water Dept.
 5. I.B.M. - Extended Maintenance Contract for Hardware - Inv. 3922906 dated 03/08/99 from A/C 101-258-932-000 (Repair & Maintenance) \$10,412.45. Data Processing.
 6. I.B.S. - Internet Services for April & May 1999 - Inv. 1001-99 dated 04/22/99 from A/C 101-200-819-999 (Webnet) \$2,334.00. General Govt.
 7. LAURA BERRY HARRIS - Legal Services for April 1999 - Inv. dated 04/30/99 from A/C 101-210-826-000 (Counsel Services) \$9,382.37. Corp. Counsel.
 8. GARY MIOTKE - Legal Services for April 1999 - Inv. dated 05/03/99 from A/C 101-210-826-000 (Counsel Services) \$3,000.50. Corp. Counsel.
 9. LASON - Tax Assessment Notices - Inv. 00978 dated 03/31/99 from A/C 101-209-818-000 (Contractual Services) \$2,799.52. Assessor.
 10. MICHIGAN HUMANE SOCIETY - Animal Processing for March 1999 - Inv 5983 dated 03/31/99 from A/C 101-200-806-000 (Animals) \$1,934.00. General Govt.
 11. PRIMEDIA - LETN Satellite Package - Inv. 977249 dated 12/11/98 from A/C 101-300-962-010 (Training Act 302) \$1,000.00 and from A/C 101-300-962-000 (Training) \$4,621.76. Police Dept.
 12. QUAD-TRAN OF MICHIGAN - Data Processing and Supplies for April 1999 - Inv. 3090 dated 04/30/99 from A/C 101-130-818-000 (Contractual Services) \$3,200.00 and from A/C 101-130-728-000 (Office Supplies) \$1,011.70. District Court.
 13. S.L.C. METER SERVICE - Maintenance Agreement for Water Department Guns - Inv. 144192 dated 04/21/99 from A/C 592-536-932-000 (Repair Maintenance) \$7,308.00. Water Dept.
 14. WADE-TRIM/ASSOCIATES - Beech Daly and Cherry Hill Reconstruction - Inv. 61358 dated 04/16/99 from A/C 202-202-880-300 (Street Construction) \$1,097.50. Major Streets.
 15. WADE-TRIM/ASSOCIATES - Downriver Relief Sewer and Flow Monitoring - Inv. 61350 dated 04/16/99 from A/C 592-XXX-154-000 (Sewers) \$4,889.76. Water Dept.
 16. WADE-TRIM/ASSOCIATES - GIS Storm Water Grant Project - Inv. 61466 dated 04/16/99 from A/C 592-XXX-154-000 (Sewers) \$659.05. Water Dept.
 17. WADE-TRIM/ASSOCIATES - Phase II C.S.O. Planning Services - Inv. 61464 dated 04/16/99 from A/C 592-XXX-154-000 (Sewers) \$11,602.83. Water Dept.
 18. WADE-TRIM/ASSOCIATES - Environmental Review of Projects - Inv. 61589 dated 04/16/99 from A/C 103-960-918-097 (Administration) \$1,100.00. Community Devel.
 19. WADE-TRIM/ASSOCIATES - Canfield Parking Lot Extension - Inv. 61356 dated 04/16/99 from A/C 103-960-930-098 (Canfield Parking Lot) \$1,477.50. Community Devel.
 20. WAYNE COUNTY - DEPT. OF ROADS - Traffic Signal Modernization - Inv. 92680 dated 04/20/99 from A/C 101-440-925-000 (Traffic Signals) \$420.00. DPW-Highway.

Motion unanimously adopted.

- 99-202 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Comptroller be authorized to advertise for bids, per specifications, for legal printing,

per the request of Comptroller Barrow, communication dated May 5, 1999.

Motion unanimously adopted.

- 99-203** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for roller shutters, walls and doors for the Building Department and the Assessor's Office, per the request of Building & Engineering Director Opalewski, communication dated April 26, 1999.

Motion unanimously adopted.

- 99-204** Motion by Councilman Baron, seconded by Councilman Zulinski, that the sole bid from Master Craft Carpet, 12870 Inkster Road, Redford, MI 48239, for the re-tiling of the Florida Room at the Berwyn Sr. Citizen's Center, in the amount of \$1,530.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated April 23, 1999. After two attempts to secure bids Master Craft was the only certified bidder.

Motion unanimously adopted.

- 99-205** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the State-Local Flood Mitigation Assistance Program Grant Agreement between the Michigan State Police and the City of Dearborn Heights, for the implementation of a Flood Mitigation Plan for the Ecorse Creek Floodplain area, per Mayor Canfield, communication dated May 5, 1999. Grant amount, \$37,012.50, FEMA to pay 75% or \$29,610.00 remaining 25% local match (\$7,402.50). Further, that Mayor Canfield be authorized to sign the Agreement on behalf of the City.

Motion unanimously adopted.

- 99-206** Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the resolution from Mayor Canfield, dated May 5, 1999 re: Commemorating the 100th Anniversary of the Michigan Municipal League, be adopted as follows:

WHEREAS, on May 23, 1899, Saginaw Mayor William B. Baum, after attending a meeting of the National Municipal League conference the year before, conceived the idea of a similar association of municipalities in Michigan; and

WHEREAS, on September 26, 1899, Grand Rapids Mayor George Perry hosted a meeting of the cities of Albion, Battle Creek, Cadillac, Detroit, Eaton Rapids, Flint, Grand Ledge, Grand Rapids, Hillsdale, Ionia, Jackson, Kalamazoo, Ludington, Manistee, Marshall, Mason, Niles, Owosso, Pontiac, Saginaw and Traverse City; and

WHEREAS, these founding communities banded together to form the Michigan Municipal League, an association of cities and villages working through cooperative efforts to strengthen the quality of municipal government and administration by providing technical assistance, information and training to local officials regarding municipal issues; and

WHEREAS, the Michigan Municipal League has worked to preserve the Home Rule philosophy of municipal government in Michigan, and has created a greater public understanding of municipal responsibilities, governance and administration and;

WHEREAS, the Michigan Municipal League continues to serve its member cities and villages through its ongoing efforts to educate, and advocate, to our legislators on issues

important to municipal governance;

NOW, THEREFORE, BE IT RESOLVED, THAT:

The City of Dearborn Heights shares in the celebration of the Michigan Municipal League's 100th anniversary, and congratulates the MML as they continue their mission of service for the cities and villages of our great state into the new millennium. We wish you all the best for another 100 years.

This resolution and similar resolutions from other MML member communities will be placed in a time capsule at the MML's 100th Anniversary Celebration in Ann Arbor on June 4, 1999.

Motion unanimously adopted.

- 99-207 Motion by Councilwoman Blackburn, seconded by Councilman Zulinski, that the communication from Mayor Canfield, dated May 3, 1999 re: The reappointment of Patricia Cheeseman to the Commission on Aging, term to expire April, 2002, be received, contents noted and filed.

Motion unanimously adopted.

- 99-208 Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the reappointment of Richard Coogan, Marie Derry and Ed Rosalik to the Planning Commission, terms to expire May, 2002 per, Mayor Canfield, communication dated April 30, 1999.

Motion unanimously adopted.

- 99-209 Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the communication from Treasurer Riley, dated May 5, 1999 re: Printing Services Vendor for City tax bills, be referred to the next City Council meeting May 25, 1999.

Motion unanimously adopted.

- 99-210 Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the 1999-2000 Community Development Action Plan per, Community Development Director Oliverio, communication dated May 3, 1999. Further, that Mayor Canfield be authorized to sign and submit the application on behalf of the City.

Motion unanimously adopted.

- 99-211 Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the request from Clarence R. Charest, Stockholder, 17809 Loveland, Livonia, MI 48152 and Leo R. Burton, Revocable Trust; Michael L. Burton, Successor Co-Trustee-Stockholder of Clancy's II, Inc., 22120 Van Born Road, Dearborn Heights, MI to transfer ownership of 1998 Class C licensed business (in escrow) with Entertainment Permit without dressing rooms from Marick, Inc., be approved and the Liquor Control Commission be so notified. Req ID #14466.

Motion unanimously adopted.

- 99-212 Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the request from Brian Patrick Kelly, 1770 Hughes, Brighton, MI 48114 and Robert Patrick

Minutes May 11, 1999 Continued

Kelly, aka R. Patrick Kelly, 8350 Timber Cove, Commerce Twsp., MI 48382, Kildare's, LLC, 22120 Van Born Road, Dearborn Heights, MI to transfer ownership of 1998 Class C Licensed business (in escrow) with Entertainment Permit without dressing rooms from Clancy II, Inc. (Step II), be approved and the Liquor Control Commission be so notified. Req ID #15931.

Motion unanimously adopted

- 99-213** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council request the City Clerk not issue a business license at 22120 Van Born Road, until the outstanding personal property taxes; real property taxes and the delinquent water bills are paid in full.

Motion unanimously adopted.

- 99-214** Motion by Councilman Zulinski, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the Agreement for Municipal Street Lighting with Detroit Edison for the new Fire Department headquarters at 1999 N Beech Daly per, Fire Chief Barnett, communication dated May 3, 1999. Further, that Mayor Canfield and City Clerk Robbins be authorized to sign the agreement on behalf of the City. Estimated construction cost \$8,760.00.

Motion unanimously adopted.

- 99-215** Motion by Councilman Baron, seconded by Councilwoman Van Houten, 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 16, 1999, ending no later than 2:00 a.m. on Sunday, June 20, 1999 per, Recreation Director Grybel, communication dated May 5, 1999.

Motion unanimously adopted.

- 99-216** Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Council concurs with and approves the Crestwood Little Baseball League parade route as outlined in the communication from Crestwood Little Baseball League Secretary, Carol Barlow, dated May 3, 1999, to be held on May 22, 1999 at 10:00 a.m.. Further, that the Police Department to provide escort and assistance during the parade.

Motion unanimously adopted.

- 99-217** Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the disposal of no longer serviceable equipment as follows:

Four (4) cameras; one (1) Victor calculator; two (2) typewriters; three (3) chairs; one Sony television and one (1) telephone answering machine (various City tag numbers) per, Police Chief Webber, communication dated May 3, 1999.

Motion unanimously adopted.

- 99-218** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Mayor and City Clerk be authorized to sign the new Fire Station Easement for Water Main document as requested by CDPA (Coquillard/Dundon/Peterson and Argenta, Inc.), Architectural Firm and City Engineering firm, Wade-Trim/Associates per, Executive Assistant Heise, communication dated May 3, 1999.

Minutes May 11, 1999 Continued

Motion unanimously adopted.

- 99-219** Motion by Councilwoman Van Houten, seconded by Councilwoman Horvath, 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 first time.

Motion unanimously adopted.

- 99-220** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Council grant the request from Police Captain James Izeluk for an age waiver of 4 years, 6 months per, Police Sgt. Frank Calzaretta, President of the Dearborn Heights Police Supervisors Association, communication dated May 11, 1999.

Motion unanimously adopted.

- 99-221** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the request to drop Gladys Addison, Estate as partner in 1998 SDM License at 19050-19054 Van Born, Dearborn Heights, MI 48125, be approved and the LCC be so notified. 980003425 NLL.

Motion unanimously adopted.

- 99-222** Motion by Councilman Zulinski, seconded by Councilman Baron, that business license renewals for Cariera's Cucina Italiana, 6565 N Telegraph; Msgr. Hunt K of C #3312, 7080 Garling Drive, and Polish Legion AM Vets #16, 25222 Warren, be approved.

Motion unanimously adopted.

- 99-223** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:32 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

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

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