

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

APRIL 27, 1999

99-167 The meeting was called to order at 8:05 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, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Webber, Fire Marshall McDonagh, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Boy Scouts Troop members from Troop 1111, Troop 1148 and Pack 1163 who were participating in "Scouts in Government Day."

Mayor Canfield and Recreation Director Grybel presented Mayoral Awards to:

Kevin Guinn, Acting Fire Chief; Greg Olk, Acting Mayor; Ronnie Udell, Acting Human Resource Director; Daniel Cwiek, Acting Police Chief; David Whalen, Acting Councilman; Chad Misiuk, Acting Executive Assistant; Brian Gdowski, Acting City Clerk; Justen Sames, Acting Building & Engineering Director; Noah Biechler, Acting Judge; Michael Schwartz, Acting Treasurer; Lee Wade, City Assessor; Brandon Howe, Acting Parks & Recreation Director and David Danilowicz, Acting Community & Economic Development Director.

99-168 Motion by Councilman Zulinski, seconded by Councilman Baron, that the Agenda for the Regular Meeting of April 27, 1999, be approved with the addition of Agenda Item 9-K, Request to Clear Title by Quit Claiming Metes and Bounds Parcel.

Motion unanimously adopted.

99-169 Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the Minutes from the Regular Meeting of April 13, 1999, be approved in their corrected form.

Motion unanimously adopted.

99-170 Motion by Councilman Paletko, seconded by Councilman Zulinski, that Current Claim 6-4, Johnson Controls Service Agreement, be removed for payment pending a report from Johnson Controls.

4. JOHNSON CONTROLS - Service Agreement 04/01/99 - 06/30/99 - Inv. # 85812673 dated 04/02/99 from A/C 101-265-818-000 (Contractual Services) \$14,903.00. Building Maintenance.

Motion unanimously adopted.

99-171 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that Current Claims 6-1 through 6-3 and 6-5 through 6-19, be approved as submitted with the exclusion of 6-4.

Minutes - April 27, 1999 - Continued

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Operation & Maintenance. Inv. dated 03/01/99 from A/C 101-200-810-000 (Sanitation) \$168,890.00. General Govt.
2. DSS CORPORATION - Maintenance Agreement Logging Recorder - Inv. 18957 dated 02/01/99 from A/C 101-300-818-000 (Contractual Services) \$3,300.00. Police Dept.
3. E & N CEMENT COMPANY - Pavement Repairs - Two (2) Inv.'s dated 04/17/99 from A/C 101-440-880-000 (Road Repairs) \$13,133.46 and A/C 592-536-818-000 (Contractual Services) \$42,424.95. DPW-Water.
5. LAURA BERRY-HARRIS - Legal Services March 1999 - Inv. dated 04/12/99 from A/C 101-210-826-000 (Counsel Services) \$10,811.97. Corp. Counsel.
6. GARY MIOTKE - Legal Services March 1999 - Inv. dated 04/12/99 from A/C 101-210-826-000 (Counsel Services) \$3,664.00. Corp. Counsel.
7. MICHIGAN MUNICIPAL LEAGUE - Unemployment Compensation 1st Quarter - Inv. dated 03/31/99 from A/C 101-200-724-000 (Unemployment Comp) \$34,095.28. General Govt.
8. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1150 dated 04/13/99 from A/C 592-537-818-000 (Contract Services) \$23,725.27. Water Dept.
9. NEW WORLD SYSTEMS - Support & Training Software Packages - Inv. 85638 dated 03/19/99 from A/C 592-536-932-000 (Repair/Maint.) \$7,532.50. Water Dept.
10. PAINTER & RUTHENBERG - Newsprint Pick up March 1999 - Inv. 24755 dated 04/06/99 from A/C 101-200-810-000 (Sanitation) \$2,405.00. General Govt.
11. PLANTE & MORAN - Account & Auditing Services - Three (3) Inv.'s 561958 dated 12/21/98; Inv. 579141 dated 03/30/99 and Inv. 580860 dated 04/07/99 from A/C 101-200-817-000 (Professional/Consult) \$5,975.00 and A/C 592-536-817-000 (Professional/Consult) \$2,475.00. General Govt.
12. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging February 1999 - Inv. dated 03/31/99 from A/C 101-200-868-000 (Prisoner, Food/Lodging) \$9,201.06. General Govt.
13. US BANK - Bond Payment Young Center Bond - Inv. dated 04/05/99 from A/C 103-960-936-098 (Young Bonds) \$209,750.00. Community Devel.
14. WADE-TRIM/ASSOCIATES - Beech Daly & Cherry Hill Resurfacing - Inv. 61041 dated 03/15/99 from A/C 202-202-880-300 (Street Construction) \$804.00. DPW-Highway.
15. WADE-TRIM/ASSOCIATES - Cherry Hill Resurfacing - Inv. 61045 dated 03/15/99 from A/C 202-202-880-300 (Street Construction) \$794.75. DPW-Highway.
16. WADE-TRIM/ASSOCIATES - Plans/Specs Canfield Parking Lot - Inv. 61039 dated 03/15/99 from A/C 103-960-930-098 (Canfield Parking Lot) \$705.20. Community Devel.
17. WADE-TRIM/ASSOCIATES - Rouge Valley Corrective Action Plan - Inv. 58697 dated 08/18/98 from A/C 592-XXX-154-000 (Sewers) \$329.10. Water Dept.
18. WAYNE COUNTY DEPARTMENT OF ROADS - Traffic Signal Maintenance February/March 1999 - Inv. 92587 dated 04/14/99 from A/C 101-440-925-000 (Traffic Signals) \$5,208.06. DPW-Highway.
19. WAYNE COUNTY GENERAL FUND ACCOUNT - Assessment Admin./Tax Billing - Inv. 42600 dated 03/30/99 from A/C 101-209-813-000 (Assessment Charge) \$17,552.26. Assessor.

Motion unanimously adopted.

- 99-172** Motion by Councilwoman Blackburn, seconded by Councilman Baron, that the City Council concurs with and approves the Interagency Agreement between the City of Dearborn Heights and the City of Taylor for the Housing of Stray and Surrendered Animals, at a flat rate fee of \$19,000, with a one-time fee of \$27.00 per animal over 700 animals, per Mayor Canfield, communication dated April 21, 1999. The term of this

contract is for one year. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

- 99-173 Motion by Councilman Baron, seconded by Councilman Zulinski, that the Resolution Recognizing Pledge of Allegiance Day in Dearborn Heights, be adopted as follows:

WHEREAS, on April 30, 1789, George Washington took the oath of office and was inaugurated as the first President of the United States; and

WHEREAS, on April 30, 1889, the United States Congress fixed the date of April 30 as the National day of observation to celebrate the inauguration of George Washington as the first President of the United States; and

WHEREAS, on April 30, 1970, the proclamation sent by Mrs. Irene Priore's third graders of Cheetowaga, New York requesting that April 30 of each year be proclaimed as "Pledge Allegiance to our Flag Day" in the United States of America for all school children in our country, was read in Congress; and

WHEREAS, schools, community leaders and citizens in all 50 states responded by letter, telephone and telegram to the Cheetowaga, New York third graders that they wished to participate in the unified promise of loyalty at 1:30 p.m. Eastern Standard Time, so children's voices might echo throughout the land.

NOW, THEREFORE, BE IT RESOLVED, THAT:

The Dearborn Heights Mayor and City Council hereby proclaims April 30, 1999, as "Pledge of Allegiance Day" in the City of Dearborn Heights, as a special day to honor our nation and its flag by song, speech, and activity, so that people of all ages may engage in a universal pledge of loyalty to our Nation, and to recognize the sacrifices made by the men and women who have fought to preserve and protect the flag of the United States of America.

Motion unanimously adopted.

- 99-174 Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the communication from Mayor Canfield, dated April 21, 1999 re: The reappointment of Ruth Bangert and the Senior Citizens Council renomination and Mayoral reappointment of Joe Connor to the Commission on Aging, terms to expire April 2002, be received, contents noted and filed.

Motion unanimously adopted.

- 99-175 Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council support Exie Markowsky, Chairperson of "Friends of the Ecorse Creek" and her efforts to clean the Ecorse Creek at the Seventh Annual Ecorse Creek Cleanup, to be held on Saturday, May 22, 1999, per Mayor Canfield, communication dated April 21, 1999. Further, that members of the City Council and all residents of Dearborn Heights be encouraged to participate in this outstanding volunteer effort.

Motion unanimously adopted.

- 99-176 Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the reappointment of Robert E. Smith to the Zoning Board of Appeals, term to expire May, 2002 per, Council Chairman Kosinski,

communication dated April 22, 1999.

Motion unanimously adopted.

- 99-177 Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council nominate Patricia Cheeseman to Mayor Canfield for reappointment to the Commission on Aging, term to expire April, 2002 per, Council Chairman Kosinski, communication dated April 22, 1999.

Motion unanimously adopted.

- 99-178 Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council grant permission to the request from Moroz-Pietrowski Post No. 9973, 4945 S Beech Daly, Dearborn Heights, MI 48125 to sell "Buddy Poppy" on street corners within the city limits on May 13, 1999 through May 15, 1999.

Motion unanimously adopted.

- 99-179 Motion by Councilman Zulinski, seconded by Councilwoman Blackburn, that the City Council approve the 1998-2002 Contract with the Michigan Regional Council of Carpenters Union, for the City's four (4) Building Department Inspectors, per Executive Assistant Heise, communication dated April 16, 1999. Further, that the Mayor and City Clerk be authorized to sign the contract on behalf of the City.

Motion unanimously adopted.

- 99-180 Motion by Councilwoman Horvath, seconded by Councilwoman Van Houten, that the bid from Audia Concrete Construction, Inc., 28441 John Hawk Street, Garden City, MI 48135, for the 1999 Sidewalk Program, in the amount of \$2.42 for removal and replacement of four inch concrete sidewalk per square foot per location; \$2.85 for removal and replacement of six inch concrete driveway aprons per square foot per location; \$29.00 for removal and replacement of seven inch concrete drop curbs per lineal foot and \$35.00 for root grinding per location, be approved, per Building Director Opalewski, communication dated April 21, 1999.

AYES: Councilman Baron, Councilwoman Horvath, Council Chairman Kosinski, Councilman Paletko, Councilwoman Van Houten, Councilman Zulinski.
NO: Councilwoman Blackburn.
ABSENT: None.

Motion adopted.

- 99-181 Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the request to purchase one (1) Ricoh AFICIO 250 Digital Copier System, in the amount of \$7,397.00, and payment thereof, be approved per, Police Chief Webber, communication dated April 19, 1999. This purchase is a Federal Government bid price and funding for this purchase is available in the Drug Forfeiture Account.

Motion unanimously adopted.

- 99-182 Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the removal of the Police Department's fuel tank by The Oscar W. Larson Company, 10100 Dixie Highway, Clarkston, MI 48348, as required by law, in the amount of \$5,435.00, and payment thereof, be approved per, Police Chief Webber, communication dated April 19, 1999. Funds for this project are to be drawn from the Contractual Services account.

Motion unanimously adopted.

- 99-183** Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Council concurs with and approves the purchase of one (1) B101A Drill & Tap Machine set up for 3/4" and 1" taps, in the amount of \$2,835.00 and for one (1) Oversized Machine set up for 1 1/2" and 2" taps, in the amount of \$2,467.00 and payment thereof, from SLC Meter Service, 3059 Dixie Highway, Waterford, MI 48328, per, Public Service Administrator Blackburn, communication dated April 7, 1999. This item was approved in the 1998-99 Capital Outlay account. Further, this is a single source item.

Motion unanimously adopted.

- 99-184** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council concurs with and approves prohibiting the selling of products and/or services on the grounds of the Canfield Community Center during the Spirit '99 Parade and Festival unless prior approval has been granted by the Spirit '99 Festival Committee per, Recreation Director Grybel, communication dated April 20, 1999. This also includes the area of Beech Daly Road that runs parallel with the Festival grounds.

Motion unanimously adopted.

- 99-185** Motion by Councilman Zulinski, seconded by Councilwoman Blackburn, that the City Council concurs with the TIFA Board's recommendation and adopts the 1999-2000 TIFA Budget as presented in the amount of \$1,200,000.00 per, Acting TIFA Administrator Oliverio, communication dated April 20, 1999.

Motion unanimously adopted.

- 99-186** Motion by Councilman Baron, seconded by Councilwoman Van Houten, approve the request from Assessor Welch, communication dated April 22, 1999 Re: A Quit Claim Deed to clear title of a vacated strip of land legally described as:

the westerly part of vacated Kinloch Street part of the northeast 1/4 section 7, T2S R10E described as beginning N 89 Deg 20 Min 30 Sec W 1282.64 ft and S 0 Deg 35 Min W 627.20 ft from the NE corner section 7, thence S 0 Deg 35 Min W 560.30 ft, thence N 89 Deg 34 Min 40 Sec W 30 ft, thence N 0 Deg 35 Min E 560.40 ft, thence S 89 Deg 20 Min 30 Sec E 30 ft to the point of beginning, 0.39 acres for Mr. Franklin Arney, 26235 W Warren, Dearborn Heights, MI 48127. Further, that the Mayor and City Clerk be authorized to sign the Deed on behalf of the City.

Motion unanimously adopted.

- 99-187** Motion by Councilman Baron, seconded by Councilwoman Horvath, that proposed Ordinance H-99-04, AN ORDINANCE CONSENTING TO THE USE OF PUBLIC RIGHT-OF-WAY AND GRANTING A CABLE TELEVISION FRANCHISE TO OPERATE A CABLE TELEVISION SYSTEM TO AMERITECH NEW MEDIA, INC., be considered read for the second time and to become effective upon publication in the City's official newspaper. Improved language regarding senior discounts or some form of incentive "shall be provided" by Ameritech as part of their agreement with the City.

Motion unanimously adopted.

- 99-188** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that proposed Ordinance H-99-03, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN

HEIGHTS, BE AMENDED BY AMENDING CHAPTER 9 OF THE CODE OF ORDINANCES, PROVIDING FOR CABLE TELEVISION REGULATION IN THE CITY, be considered read for the second time and to become effective upon publication in the City's official newspaper.

Motion unanimously adopted.

- 99-189** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that Permanent Traffic Control Device Request T-107, "Deaf Child in Area" signs for eastbound Eton east of Beech Daly and westbound Eton west of Janet, be approved.

Motion unanimously adopted.

- 99-190** Motion by Councilwoman Blackburn, seconded by Councilman Zulinski, that the communication from the Planning Commission, dated April 15, 1999 re: Proposed Regulations for Landscape Standards be referred to a Committee of the Whole meeting to be scheduled after Budget Deliberations are concluded. Further, that the City Planner, Planning Commission and the Dearborn Heights Chamber of Commerce, with an advanced copy of the proposed regulation being sent to Chamber, be invited to attend said Committee meeting.

Motion unanimously adopted.

- 99-191** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with the recommendation of the Planning Commission (PC# 99-01) and approves the 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) for property 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 legally described as:

Lots 1 thru 52 of Dearborn Sub, Lots 665 thru 667, 720 thru 725, 778 thru 783, 836 thru 841 and 894 thru 896 of Dearborn Grove Sub #1, Lots 1 thru 16 of Fellrath's Sub, Lots 1 thru 16 of Powers & Kerwins Sub, Lots 1 thru 40 of Industrial Center Sub, lots 480 thru 575 of Rougelvania Sub, Lots 1 thru 38 of Lukaszewicz Dearborn Sub and Lots 2133 thru 2190 of Watsonia Park Sub #3 (also including Metes and Bounds).

Further, that Corporation Counsel be authorized to prepare the proper ordinance.

Motion unanimously adopted.

- 99-192** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that business license renewals for Uncle Ray's Place, 24502 Warren; Pounders, 3932 Pelham and Denny's Gin Mill, 4901 S Telegraph, be approved.

Motion unanimously adopted.

- 99-193** Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:16 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

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