

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

APRIL 11, 2000

- 00-134** The meeting was called to order at 8:03 p.m. by Council Chairwoman Margaret M. Horvath.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Kenneth R. Baron, Councilwoman Janet L. Blackburn, Council Chairwoman Margaret M. Horvath, Councilman Daniel S. Paletko, Councilwoman Margaret M. Van Houten, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Miotke, City Clerk Robbins, Deputy Clerk Pawlukiewicz, Comptroller Barrow, Deputy Assessor Cooper, Building & Engineering Director Opalewski, Human Resources Director Sullivan (arrived at 8:40 p.m.), Deputy Police Chief Gust, Deputy Fire Chief McElroy, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Mayor's Office Secretary Freda Stachowiak.

- 00-135** Motion by Councilman Baron, seconded by Councilman Zulinski, that the Agenda for the Regular Meeting of April 11, 2000, be approved as submitted.

Motion unanimously adopted.

- 00-136** Motion by Councilman Zulinski, seconded by Councilwoman Agius, that the Minutes from the Regular Meeting of March 28, 2000, be approved as submitted.

Motion unanimously adopted.

- 00-137** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that Fund Transfer 6-A and Current Claims 6-1 through 6-19, be approved as submitted.

A. \$1,000.00 from A/C 101-258-960-000 (Training) to A/C 101-258-740-000 (Supplies) to cover cost of supplies needed.

1. BS&A SOFTWARE - Permit System One (1) Year Service/Support - Inv. 982478 dated 02/01/00 from A/C 101-371-818-000 (Contract Serv.) \$1,500.00. Building Dept.
2. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Monthly Debt, Operation and Waste - Inv. dated 03/22/00 from A/C 101-200-810-000 (Sanitation) \$132,294.46. General Govt.
3. CITY OF DEARBORN - Sewer and Water Charges 11/16/99-3/15/00 - Inv. 63363 dated 03/27/00 from A/C 592-537-928-000 (Water Chgs) \$1,305.12 and from A/C 592-537-929-000 (Disposal) \$4,532.20. Water Dept.
4. GARDEN CITY HOSPITAL - Hernia Surgery - Ck. Req. dated 03/15/00 from A/C 101-200-724-000 (Workers Comp) \$3,212.48. See Budget Amendment. General Govt.
5. NAGEL CONSTRUCTION CO. - Sewer Cleaning Program - Inv. 1233 dated 03/16/00 from A/C 592-540-818-030 (Cont Serv) \$26,929.01. Water Dept.
6. NEW WORLD SYSTEMS - Customer Support/Training for Software - Inv. 88515 dated 06/04/99 from A/C 101-258-932-000 (Repair/Maint) \$1,955.00. Data

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Processing.

7. TODAYLINK, LLC - Connect Charges March 2000 - Inv. 1006 dated 04/02/00 from A/C 101-200-819-999 (Internet) \$5,590.50. General Govt.
8. WADE-TRIM/ASSOCIATES - 1999 Bridge Inspection - Inv. 65052 dated 03/16/00 from A/C 101-440-818-000 (Contract Serv) \$5,116.10. DPW-Highway.
9. WADE-TRIM/ASSOCIATES - Downriver Relief Sewer - Inv. 65004 dated 03/14/00 from A/C 592-XXX-154-000 (Sewers) \$1,722.70. Water Dept.
10. WADE-TRIM/ASSOCIATES - EZ-Mini Storage Water Main - Inv. 65056 dated 03/16/00 from A/C 592-XXX-255-000 (Jobs in Progress) \$815.70. Water Dept.
11. WADE-TRIM/ASSOCIATES - Environmental Review 2000-2001 Program - Inv. 65116 dated 03/16/00 from A/C 103-960-918-098 (Administration) \$1,117.00. Community Devel.
12. WADE-TRIM/ASSOCIATES - Legacy Park Water Main - Inv. 65054 dated 03/16/00 from A/C 592-XXX-255-000 (Jobs in Progress) \$1,364.70. Water Dept.
13. WADE-TRIM/ASSOCIATES - Recreation Master Plan - Inv. 65191 dated 03/16/00 from A/C 103-960-939-000 (Master Plan) \$2,285.62 and from A/C 103-000-691-000 (Revolving) \$1,000.00. Community Devel.
14. WADE-TRIM/ASSOCIATES - Tech Assist 5 Year Consolidation Plan - Inv. 65115 dated 03/16/00 from A/C 103-960-918-098 (Administration) \$1,050.00. Community Devel.
15. WADE-TRIM/ASSOCIATES - Warren Avenue Streetscape - Inv. 65190 dated 03/16/00 from A/C 103-960-944-099 (Warren Streetscape) \$525.60. Community Devel.
16. WAYNE COUNTY DEPT. OF ENVIRONMENT - Bond Interest ECPAD #1 - Inv. 60740 dated 03/21/00 from A/C 592-905-993-990 (Interest) \$12,120.73. Water Dept.
17. WAYNE COUNTY DEPT. OF ENVIRONMENT - Interest CSO Basin - Inv. 89425 dated 03/21/00 from A/C 592-905-992-004 (Interest) \$313,178.75. Water Dept.
18. WAYNE COUNTY DEPT. OF ENVIRONMENT - Principal & Interest NH/RV Sewer Project - Inv. 89440 dated 03/21/00 from A/C 592-905-991-000 (Principal) \$290,085.00 and from A/C 592-905-995-000 (Interest) \$113,080.72. Water Dept.
19. WAYNE COUNTY DEPT. OF ENVIRONMENT - Sewage Disposal Bonds 1961/1962 - Inv. 89440 dated 03/21/00 (Sewage Disposal Bonds) \$79,594.97. General Govt.

Motion unanimously adopted.

- 00-138** Motion by Councilman Zulinski, seconded by Councilwoman Agius, that the City Comptroller be authorized to advertise for bids, for legal printing, per specifications, per the request of Comptroller Barrow, communication dated April 4, 2000.

Motion unanimously adopted.

- 00-139** Motion by Councilman Paletko, seconded by Councilwoman Blackburn, that the low bid from Industrial Fence and Landscaping, 32845 Cleveland Street, Rockwood, MI 48173, for the installation of a Michigan cedar two rail rounded decorative fence system for Weddel Park, in the amount of \$3,791.00, and payment thereof, be approved, per Recreation Director Grybel, communication dated April 5, 2000. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders. Monies for this project are available through the CDBG program.

Motion unanimously adopted.

- 00-140** Motion by Councilman Paletko, seconded by Councilman Zulinski, that proposed Ordinance H-00-02, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS,

PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 26-18 (a), (b) and (c) REGARDING APPEALS UNDER CHAPTER 26 OF THE CODE OF ORDINANCES, be considered read for the first time.

Motion unanimously adopted.

- 00-141** Motion by Councilman Baron, seconded by Councilwoman Blackburn, that the City Council adopt a Resolution proclaiming May 1, 2000 "Pledge of Allegiance Day" in Dearborn Heights 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 of 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 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 May 1, 2000 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.

Per, Mayor Canfield, communication dated April 3, 2000. Further, that a copy of this resolution be sent to all the schools in Dearborn Heights.

Motion unanimously adopted.

- 00-142** Motion by Councilwoman Van Houten, seconded by Councilman Zulinski, that the City Council approve the parade route for the Saint Albert the Great Festival, scheduled for June 10, 2000. Assembly will begin in the parking lot on Mayfair at Annapolis and proceed west on Annapolis to the parking lot of St. Albert's at Annapolis at Parker between 10:30 a.m. and 12:00 noon. Further, that the Police and Fire Departments will provide escort and assistance during the parade.

Motion unanimously adopted.

- 00-143** Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Council concurs with and approves a three month contract extension with Intuitive Business Solutions, Inc., 1110 N Telegraph, Dearborn, MI 48128, formerly Internet Business Solutions, for the City's On-line service, at a monthly charge of \$1,167.00 per month, per Community Development Director Oliverio, communication dated April 4, 2000.

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Motion unanimously adopted.

- 00-144** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council concurs with and approves the 1999-2000 Police Department Drug Law Enforcement Budget in the amount of \$70,000 per, Comptroller Barrow, communication dated April 4, 2000.

Motion unanimously adopted.

- 00-145** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the budget amendment to cover the costs of various surgeries be approved as follows:

DECREASE EXPENDITURES	CONTRA FRINGE BENEFITS
# 101-200-998-000	\$ 35,000.00
INCREASE EXPENDITURES	WORKERS COMPENSATION
# 101-200-724-000	\$ 35,000.00

per, Comptroller Barrow, communication dated April 4, 2000.

Motion unanimously adopted.

- 00-146** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that a Public Hearing be scheduled on Wednesday, May 10, 2000 at the Administrative Building, 6045 Fenton, Dearborn Heights at 8:00 p.m. to hear objections, if any to the proposed abandonment of a street on Richardson west of Fairwood, legally described as:

That portion of Richardson Avenue within West Warren Zawada Subdivision lying west of Fairwood Avenue bounded on the north by Lot 19 and bounded on the south by Lot 20, West Warren Zawada Subdivision, also bounded on the west by Lots 40 and 41 Supervisor's Dearborn Plat No. 1.

Motion unanimously adopted.

- 00-147** Motion by Councilwoman Blackburn, seconded by Councilman Baron, that the City Council approves the Agreement Regarding Special Assessment for Demolition at 25612 Powers and Acknowledgment of Lien Regarding Same ("Agreement"), contingent upon the opinion of corporation Counsel that Mrs. Beverly Valentine's title in the premises is in the condition required for performance of the Agreement. Further, upon receipt of the opinion of Corporation Counsel certifying that Mrs. Valentine's title is in the required condition, the Mayor is authorized to sign the Agreement on behalf of the City with Corporation Counsel to submit the fully executed Agreement to the Wayne County Register of Deeds for recording, per Corporation Counsel Miotke, communication dated April 5, 2000.

Motion unanimously adopted.

- 00-148** Motion by Councilwoman Agius, seconded by Councilwoman Blackburn, that the City Council concurs with and approves the Lease Agreement between Motown Harley Davidson and Buell, Inc., 14100 Telegraph Road, Taylor, MI 48180 and the City of Dearborn Heights for six (6) Harley Davidson Motorcycles, for \$1.00 per year, per vehicle, per Police Chief Webber, communication dated April 5, 2000. Further, that Police Chief Webber, Mayor Canfield and City Clerk Robbins sign the agreement on

behalf of the City.

Motion unanimously adopted.

- 00-149 Motion by Councilwoman Blackburn, seconded by Councilman Zulinski, that the City Council adopt the "Resolution Approving a Brownfield Plan for the City of Dearborn Heights" which will allow the City to apply for funding as follows:

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Dearborn Heights, 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 "Act"), has prepared and recommended for approval by the Dearborn Heights City Council, a Brownfield Plan (the "Plan") pursuant to and in accordance with Section 13 of the Act, to be carried out within the Brownfield Redevelopment Zone (the "Zone") described in the Plan and more particularly described on Exhibits "A" and "B" hereto; and

WHEREAS, the Authority has, at least ten (10) days before the meeting of the Dearborn Heights City Council at which this resolution has been considered, provided notice to and fully informed the taxing jurisdictions in which the Zone is to be located and which are affected by the Financing Plan (the "Taxing Jurisdictions") about the fiscal and economic implications of the proposed Financing Plan, and the Dearborn Heights City Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan and in accordance with Sections 13(10) and 14(1) of the Act; and

WHEREAS, the Dearborn Heights City Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing; and
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act.
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the Dearborn Heights City Council desires to proceed with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Plan Approved. Pursuant to the authority vested in the Dearborn Heights City Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form attached as Exhibit "C" to this Resolution.
- 2. Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- 3. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Per, Acting Brownfield Administrator Oliverio, communication dated April 5, 2000.

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Motion unanimously adopted.

- 00-150** Motion by Councilwoman Van Houten, seconded by Councilwoman Blackburn, that the City Council adopt the "Resolution Approving Brownfield Redevelopment Authority Bylaws" as follows:

RESOLVED, that the Dearborn Heights City Council, having reviewed the Bylaws of the Board of the **City of Dearborn Heights** Brownfield Redevelopment Authority, a public body corporate established on **October 14, 1997**, pursuant to the Brownfield Redevelopment Financing Act, being Act No. 381 of Public Acts of 1996 of the State of Michigan, as amended (hereinafter, the "Act"), which Bylaws were adopted at the initial organizational meeting of the Board on **February 24, 2000**, hereby approves the Bylaws as appended hereto, which are deemed to constitute the rules governing the procedures and the holding of regular meetings of the Board, as set forth in Section 5(5) of the Act.

Per, Acting Brownfield Administrator Oliverio, communication dated April 5, 2000.

Motion unanimously adopted.

- 00-151** Motion by Councilman Zulinski, seconded by Councilwoman Agius, that the City Council reappoint Jumana Judeh and Bruce Edwards to the Zoning Board of Appeals, terms to expire May, 2003 per the request of the Zoning Board of Appeals.

Motion unanimously adopted.

- 00-152** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the minutes from the Community Development Consolidated and Action Plan Public Hearing be approved as submitted.

Motion unanimously adopted.

- 00-153** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council approves the request from Post 9973, Veterans of Foreign Wars for permission to conduct their annual "Buddy Poppy" corner sales scheduled for May 11 through May 13, 2000.

Motion unanimously adopted.

- 00-154** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the City Council grant a Retirement and Age Waiver of 4 years 9 months to Police Sgt. Warren Neblett, to become effective July 31, 2000 per, Dearborn Heights Police Supervisors Association Police Lt. K. Kapelczak, communication dated April 5, 2000. This retirement request is submitted in accordance with CM 89-056 for fiscal year 2000-2001.

Motion unanimously adopted.

- 00-155** Motion by Councilwoman Agius, seconded by Councilman Baron, that the business license renewal for Uncle Ray's Place, 24502 Warren, be approved.

Motion unanimously adopted.

- 00-156** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the request from LOMDURJAC, LLC to transfer ownership of 1999 Class C licensed

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business with Dance Permit, located at 3932 Pelham, Dearborn Heights, MI 48127, Wayne County, from CONFETTI LOUNGE, LLC; and request a new Entertainment Permit, be approved and the Liquor Control Commission be so notified. ID# 59379.

Motion unanimously adopted.

- 00-157** Motion by Councilwoman Blackburn, seconded by Councilwoman Van Houten, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:09 p.m.

**JOYCE A. ROBBINS
CITY CLERK**

**MARGARET M. HORVATH, CHAIRWOMAN
CITY COUNCIL**

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