

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

MARCH 25, 1997

97-117 The meeting was called to order at 8:23 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, Deputy Clerk Robbins, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Webber, Fire Chief Langlois, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Pvt. John Lyskawa Post #7546 Commander, Leslie Vanderwill.

Awards Chairman Thomas Wayne stated it was the 26th year that Lyskawa Post had presented awards to the fireman and policeman of the year award. These awards are given for work over and above their regular job. Post Commander Leslie Vanderwill presented plaques to Lt. Tom Lewis, Fireman of the Year and Sgt. Scott Obrec, Policeman of the Year.

State Representative Bob Brown also presented Tributes to the Fireman and Policeman of the Year signed by Governor Engler, Senator Hart and himself.

97-118 Motion by Councilman Zulinski, seconded by Councilman Wyatt, that the Agenda for the Regular Meeting of March 25, 1997, be approved with the addition of Agenda Item 13-I, Request for Public Hearing and 13-J, Age Waiver Request.

Motion unanimously adopted.

97-119 Motion by Councilman Wyatt, seconded by Councilman Baron, that the Minutes from the Regular Meeting of March 11, 1997, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the Issuance of Findings Floodplain and Wetlands Protection was called to order at 8:35 p.m. by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked Community Development Director if the reading of the Notice of Public Hearing be waived.

Community Development Director Oliverio stated pursuant to the procedure of floodplain management and the protection of wetlands specified in Executive Orders 11988 and 11990, the City of Dearborn Heights, Wayne County, Michigan is required to notify and involve the public of actions proposed to be undertaken within or which may appreciably affect a floodplain.

On February 25, 1997, the City of Dearborn Heights convened a Public Hearing at the City Hall to notify the public that the City is considering using Community Development Block Grant (CDBG) funds to finance several projects which lie within the 100-year floodplain. This is the flood area which has a one (1) per cent chance of occurrence in any given year. The final projects selected for funding and their locations are:

1. Residential Rehabilitation Program - The City proposes to provide low interest loans for rehabilitating housing units occupied by lower income families (City wide). The City is allocating \$150,000 of its 1997-98 allocations for this program.
2. Recreation Center Bond Program - The City is proposing to provide \$200,000 for a bond payment for the Community Recreation Center at Powers (Swapka) Park located at Powers and McKinley Streets in the City's south end. This is a continuing activity.
3. Parkland Park Improvements (Phase II) - This park, located on the City's northeast side off of Ann Arbor Trail, has been only minimally developed, and 43 acres of it, located on the opposite side of the Middle Branch of the Rouge River, have remained completely undeveloped. The 1996 City Recreation Plan and the Parkland Park Master Development Plan have identified recreational facility deficiencies and potential improvements. These include: football field improvements, river bank stabilization, construction of a skating rink, archery range and playscape, installation of a comfort station, improvements to the existing parking lot and relocation of the park entrance. The City plans to allocate \$125,000 of its 1997-98 CDBG funds for Phase II improvements.
4. Curb-Cuts and Slopes for Americans with Disabilities Act (ADA) Access Improvement - Street curbs present barriers to persons with mobility limitations. There are hundreds of street corner curbs that need to be cut and slopes installed to remove barriers to pedestrian access. Without installation of curb-cuts and slopes, the mobility impaired residents of the City will not have free and equal access to move about in the City, to shop, work, play, go to school, or use City community services. The City plans to budget \$200,000 of its 1997-98 CDBG funds to address these needs in the CDBG eligible areas of the north and south ends of the City. TIFA to match funds for north of Michigan Avenue.
5. Fire Hydrant Installation - To improve fire fighting capability, the City plans to install eight new fire hydrants in the City's south end at the following locations: Vassar and Annapolis, Eton and Clippert, Eton and Hipp, Mayfair between Annapolis and Eton, Polk and Annapolis, Van Born and Heather Lane, Van Born and Tulane, and Hanover and Kaufman. Most are located within the floodplain. The City plans to allocate \$50,000 of its 1997-98 CDBG budget toward funding this activity.
6. Van Born Road Commercial Improvements - The City proposes to allocate \$25,000 of its 1997-98 CDBG budget to improve the aesthetic quality of Van Born Road east of Telegraph Road. The activity involves protecting current and future landscaping by constructing a splash barrier between the sidewalk and curb, installing sod and constructing permanent planters. The barrier will protect landscaping and pedestrians from debris, snow and salt slush sprayed by passing vehicles.
7. Phase XI Waterline Replacements - The City is continuing a program to replace waterlines in older portions of the City which experience excessive waterline breaks. Phase XI represents replacing approximately 2,655 linear feet of existing waterline along Jackson Avenue, between Annapolis and Dartmouth Streets. Cast iron water main line measuring six inches will be replaced by an 8-inch PVC line. The City plans to allocate \$51,000 of its 1997-98 CDBG funds to this activity.
8. Katherine Street Bridge Removal - As part of the City's on-going effort to repair, replace or remove bridges over the Ecorse Creek which have been determined to be in critical or hazardous condition, the City plans to remove the Katherine Street Bridge. No bridge will be built to replace it. Concrete slope pavers will be installed to protect the creek shore from erosion after the bridge is removed. The City plans to allocate \$50,000 of its 1997-98 CDBG funds to this activity.

Executive Order 11988 requires communities to protect the values and benefits of floodplains and to reduce the risk of flood losses by not conducting, supporting or allowing action within floodplains unless it is the only practicable alternative.

The City of Dearborn Heights has conducted an evaluation leading to this conclusion.

The analysis has examined alternative sites, alternative locations and alternative actions. The City has also evaluated the consequences of undertaking the activities with respect to impacts on the natural environment (topography, wildlife habitat, etc.), social concerns (aesthetics, public services), economic aspects (employment, land use pattern), and legal constraints (conformance with local zoning/land use plans).

The City recognizes that other governmental agencies must review and, in some instances, issue permits prior to the City undertaking work within the floodplain. For example, a floodplain occupation permit is required when anything is built above ground in the floodplain from the Michigan Department of Natural Resources.

The City also has provided notice of its intent to utilize CDBG dollars for projects which may affect the floodplain, to the appropriate agencies having responsibility for floodplain management and wetlands protection. In total, 18 agencies were contacted by mail.

The City has used this evaluation to reconsider its original intention to use CDBG funds for activities located within the floodplain, and find that allowing the proposed projects to be carried out within the floodplain is the only practicable alternative. This finding has been made on the following basis:

1. The projects have few negative impacts;
2. There are no CDBG eligible nonfloodplain sites. For housing rehabilitation activities, the City will give funding priority to nonfloodplain locations. If in the floodplain area, rehabilitation loans are approved, the owner of the property must carry flood insurance in the amount of the loan for the term of the loan;
3. There are no practicable alternatives to the activities which would accomplish the same purpose as the proposed actions; and,
4. The "no action" alternative would leave essential community development needs going unmet.

All action undertaken will conform to all applicable local, state and federal floodplain protection standards. I am ready to answer any questions the Council or the public may have relative to how we reached this finding.

Council Chairman Kosinski asked if there were any questions or comments; hearing none, he asked that the Issuance of Findings Floodplain and Wetlands Protection Public Hearing be closed.

97-120 Motion by Councilman Paletko, seconded by Councilman Wyatt, to close the Public Hearing.

The Issuance of Findings Floodplain and Wetlands Protection Public Hearing closed at 8:50 p.m.

97-121 Motion by Councilman Paletko, seconded by Councilman Wyatt, that Current Claims 6-1 through 6-18, be approved as submitted.

1. COMERICA SECURITIES - Energy Saving & Street Sweeper Finance - Inv. dated 04/01/97 from A/C 101-200-965-000 (Energy Savings) \$69,977.50 and from A/C 101-440-981-000 (Capital Outlay) \$127,373.75. General Govt.
2. DRD SWIM CLUB - Swim Club Allotments - Ck. Req. dated March 7, 1997 from A/C 101-691-887-000 (Recreation Programs) \$1,600.00. Recreation.
3. HENRY FORD HEALTH SYSTEM - Knee Surgery for Jeff Turley - Ck. Req. dated 01/13/97 from A/C 101-200-724-000 (Workers Compensation) \$3,188.67. General Govt.

4. INSITUFORM INC. - Reline Sewer Line - Inv. 02-711, dated 01/27/97 from A/C 592-537-981-000 (Capital Outlay) \$107,278.40. Water Dept.
5. MICHIGAN DEPARTMENT OF TRANSPORTATION - Telegraph Roads Crossovers - Inv. 194763, dated 02/12/97 from A/C 101-440-880-000 (Road Repairs) \$1,505.20. DPW-Highway.
6. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1019, dated 03/17/97 from A/C 592-537-818-000 (Contractual Services) \$18,738.39. Water Dept.
7. PLANTE & MORAN - Audit Invoicing 1996 Audit - Inv. 17784-440443, dated 03/12/97 from A/C 101-200-817-000 (Professional & Consult) \$6,975.00. General Govt.
8. QUAD TRAN OF MICHIGAN - Data Processing March 1997 - Inv. 2582, dated 02/28/97 from A/C 101-130-818-000 (Contractual Services) \$3,135.00 and from A/C 101-130-728-000 (Office Supplies) \$ 717.15. District Court.
9. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging January 1997 - Inv. dated 03/05/97 from A/C 101-200-868-000 (Prisoner Food & Lodging) \$5,121.50. General Govt.
10. VARIOUS FOOTBALL ASSOCIATIONS - Football Allotments 1997 - Ck. Req. dated 03/07/97 from A/C 101-691-887-000 (Recreation Programs) \$7,750.00. Recreation.
11. WADE-TRIM/ASSOCIATES - Construction Engineering Madison Street Bridge - Inv. 52879, dated 03/07/97 from A/C 103-960-947-095 (Bridges) \$2,128.40. Community Devel.
12. WEBNET, INC. - Internet Access April 1997 - Inv. 9912, dated 03/11/97 from A/C 101-200-819-999 (Webnet) \$4,100.00. General Govt.
13. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Drain Repair 1996-97 - Inv. 801-57976, dated 01/30/97 from A/C 101-200-988-000 (Sewers at Large) \$5,491.13. General Govt.
14. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Principal & Interest Downriver Sewage Phase I - Inv. 590-86699, dated 03/06/97 from A/C 592-905-993-003 (Principal) \$30,365.50 and from A/C 592-905-993-004 (Interest) \$3,340.21. Water Dept.
15. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Principal & Interest NH/RV Refunding Bonds - Inv. 598-86730, dated 03/07/97 from A/C 592-905-991-000 (Principal) \$244,650.00 and from A/C 592-905-995-000 (Interest) \$132,765.44. Water Dept.
16. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Principal & Interest 1961 Sewage Bonds - Inv. 598-86718, dated 03/06/97 from A/C 101-200-992-000 (Sewage Disposal Bonds) \$50,126.65. General Govt.
17. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Interest Obligation ECPAD Drain- Inv. 823-58061, dated 03/07/97; Inv. 823-58066, dated 03/06/97 from A/C 101-200-994-000 (E.C.P.C.) \$19,293.67. General Govt.
18. WESTLAND TREE SERVICE - Tree Trimming & Removals - Inv. dated 03/17/97 from A/C 101-440-820-000 (Tree Trimming) \$3,484.31. DPW-Highway.

Motion unanimously adopted.

- 97-122** Motion by Councilman Baron, seconded by Councilman Zulinski, that the low bid from Goggan & Associates, Inc., 15783 US 12, Union, MI 49130 for a 1997 Rescue Squad, in the amount of \$68,273.00, which includes \$12,000 trade-in and \$1,600 reduction in paint change and payment thereof, be approved, per Community Development Director Oliverio, communication dated March 6, 1997. The Comptroller to transfer \$1,519 from CDBG Recreation Plan, A/C 960-965.095 and \$4,754 from CDBG Program Income to 1996 CDBG Fire Rescue Truck Account. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 97-123** Motion by Councilwoman Horvath, seconded by Councilman Slomzenski, that the low bid from Giannetti Contracting Corporation, 6340 Sims Drive, Sterling Heights, MI 48313 for the Jackson Street Water Main Project, in the construction bid amount of \$293,807.50, for a total project cost of \$358,000, which includes construction engineering, testing and contingencies and payment thereof, be approved, per Community Development Director Oliverio, communication dated March 12, 1997. Funding for this project to be allocated from the CDBG budget. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 97-124** Motion by Councilman Zulinski, seconded by Councilman Wyatt, that the City Comptroller be authorized to advertise for bids, per specifications, for grass and weed cutting services for all non-city owned property for the 1997 season, per the request of Comptroller Barrow, communication dated March 19, 1997.

Motion unanimously adopted.

- 97-125** Motion by Councilman Baron, seconded by Councilman Zulinski, to adopt the Wayne County Resurfacing Hines Drive Resolution as follows:

WHEREAS, Edward N. Hines Drive in the City of Dearborn Heights, Wayne County, Michigan, is a County road under the jurisdiction of Wayne County; and

WHEREAS, the Wayne County Department of Public Services is proposing a project to resurface Edward N. Hines Drive from W of Telegraph to Ford; and

WHEREAS, the Wayne County Internal Resurfacing Program Guidelines call for cities to contribute one-third of the estimated cost for resurfacing projects; and

WHEREAS, the cost for the 1997 Internal Resurfacing Program has been estimated at \$96,000 per lane mile and the local City share has been estimated at \$32,000 per lane mile; and

WHEREAS, the total cost for resurfacing Edward N. Hines Drive from W of Telegraph to Ford has been estimated at \$426,240 and the City of Dearborn Heights share has been established at \$142,080.

Now, therefore, be it

RESOLVED, that the Dearborn Heights City Council does on this 25th, day of March, 1997, take this means to express its desire to join with Wayne County in proceeding with a project to resurface Edward N. Hines Drive from W of Telegraph to Ford, and furthermore, does hereby approve and authorize payment of the City's share of \$142,080 in the manner set forth in the Wayne County Internal Resurfacing Program Guidelines, dated October 24, 1996 per, Mayor Canfield, communication dated March 19, 1997.

- 97-126** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the communication from Mayor Canfield, dated March 19, 1997 re: The reappointment of Genevieve Woods, to the Commission on Aging, term to expire April, 2000 and the appointment of Angie Gitre, 6140 Coolidge, term to expire April, 2000 be received, contents noted and filed.

Motion unanimously adopted.

- 97-127** Motion by Councilwoman Horvath, seconded by Councilman Wyatt, that the City Council concurs with and approves the use of Capital Outlay funds that are currently allocated to the Comptroller's office and the Assessor's office be used for the purchase

of carpeting, per Comptroller Barrow, communication dated March 19, 1997.

Motion unanimously adopted.

- 97-128** Motion by Councilman Zulinski, seconded by Councilman Wyatt, that the City Council concurs with and approves a budget amendment to cover interest cost on bonds for the Ecorse Creek Pollution Abatement Project as follows:

INCREASE REVENUES	APPROPRIATE FROM FUND BALANCE
#101-000-699-000	\$ 12,788.00
INCREASE EXPENDITURES	ECORSE CREEK POLLUTION ABATEMENT
#101-200-994-000	\$ 12,788.00

per, Comptroller Barrow , communication dated March 19, 1997.

Motion unanimously adopted.

- 97-129** Motion by Councilman Baron, seconded by Councilman Slomzenski, that the City Council concurs with and approves the Salvation Army Parade route scheduled for Saturday, April 5th, 1997 at 7:00 p.m. from Charlesworth to Beech Daly on Warren. The Police Department to provide an escort and assistance as needed per, Police Chief Webber, communication dated March 20, 1997.

Motion unanimously adopted.

- 97-130** Motion by Councilman Paletko, seconded by Councilman Baron, that the petition to abandon the north/south alley between Telegraph and Waverly described as: adjacent and east of Lots 16-20 also adjacent and between Lots 21 through 33 and Lots 68 through 74. Also the east/west alley described as the north 20 feet of Lot 69 all contained within Maxwells Warren Telegraph Subdivision be approved subject to no objections being raised from the public utility companies within 30 days of Clerk's office sending out notifications with report on the conclusion reported to the council.

Motion unanimously adopted.

- 97-131** Motion by Councilman Slomzenski, seconded by Councilman Horvath, that the City Council adopt a Revenue Sharing Resolution as follows:

RESOLVED, that the Dearborn Heights City Council strongly objects to the Governor's plan to earmark Revenue Sharing Funds of local communities for street improvements; local allocation of Revenue Sharing should remain the responsibility of City Councils and Township Boards.

Further, that a copy of this resolution be sent to Governor Engler, State Representative Brown and Senator Hart.

Motion unanimously adopted.

- 97-132** Motion by Councilman Paletko, seconded by Councilman Baron, that the Resolution from the City of Southgate re: State Matching Funds for Local Road Millages, be received, contents noted and filed.

Motion unanimously adopted.

- 97-133** Motion by Councilman Slomzenski, seconded by Councilman Wyatt, that a Public Hearing be held on May 13, 1997 at 8:00 p.m., in the Council Chambers, 6045 Fenton, Dearborn Heights, MI for the purpose of hearing objections, if any, to PC Case 97-01, request for rezoning property located at the northeast corner of N Inkster and Ann

Arbor Trail from RMA , Residential Multiple Family to C-1, Neighborhood Business District. Further, that Corporation Council prepare the Notice of Public Hearing.

Motion unanimously adopted.

- 97-134** Motion by Councilman Slomzenski, seconded by Councilman Paletko, that the City Council concurs with an approves the Pvt. James D. Donovan Post 7910, 25620 Van Born Road, Dearborn Heights, MI 48127 request to sell "Buddy Poppies" on May 8, 9 and 10th on the corners of Van Born & Telegraph, Gulley and Van Born, Beech Daly and Van Born and Van Born and Monroe.

Motion unanimously adopted.

- 97-135** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with an approves the American Cancer Society's Annual Community Crusade scheduled for Saturday, May 10 through Monday, May 19, 1997.

Motion unanimously adopted.

- 97-136** Motion by Councilman Slomzenski, seconded by Councilman Zulinski, that the 1997 business license renewal for Warren Valley Golf & Banquet Center, 26116 Warren, be approved.

Motion unanimously adopted.

- 97-137** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the communication dated March 18, 1997 from the Department of Transportation re: Resurfacing of Highway US-12 from Henry Ruff Road to Gulley Road be referred to Administration for review, recommendation and report.

Motion unanimously adopted.

- 97-138** Motion by Councilman Paletko, seconded by Councilman Wyatt, that Art's Sports Bar, Inc. 22738 Ford Road, Dearborn Heights, MI 48127 request to transfer ownership of 1996 Class C-SDM licensed business from WACH-MARK INC. to Mr. Arthur Villarreal, 1416 Garfield, Lincoln Park, MI 48146, be approved, subject to Health Department requirements as specified on Police Inspection Report on Liquor License Request. Further, that the Liquor Control Commission be so notified. Ref #960004855.

Motion unanimously adopted.

- 97-139** Motion by Councilman Baron, seconded by Councilman Zulinski, that a Public Hearing be scheduled on May 13, 1997 at 8:00 p.m., in the Council Chambers, 6045 Fenton, Dearborn Heights, MI for the purpose of hearing objections, if any, to the Special Land Use request from Mr. James Erwine, Westland, MI for a used car business at 23706 Van Born Road. Further, that Corporation Council prepare the Notice of Public Hearing.

Motion unanimously adopted.

- 97-140** Motion by Councilman Paletko, seconded by Councilman Zulinski, that a Public Hearing be scheduled on May 13, 1997 at 8:00 p.m., in the Council Chambers, 6045 Fenton, Dearborn Heights, MI for the purpose of hearing objections, if any, to PC Case 97-02, request for rezoning property located on the east side of Dale south of Joy Road, Lots 125 thru 128 Bon-Telegraph Sub. From R1B, Single Family Residential to C-1, Neighborhood Business. Further, that Corporation Counsel prepare the Notice of Public Hearing.

Motion unanimously adopted.

- 97-141** Motion by Councilman Paletko, seconded by Councilman Zulinski, that a Public Hearing be scheduled on April 22, 1997 at 8:00 p.m., in the Council Chambers, 6045 Fenton, Dearborn Heights, MI for the purpose of hearing objections, if any, to the Justice Department Local Law Enforcement Block Grant Program grant and the programs targeted.

Motion unanimously adopted.

- 97-142** Motion by Councilman Wyatt, seconded by Councilman Paletko, that the communication from Captain Gary Teper, dated March 7, 1997 re: Age Waiver be referred to a Committee of the Whole Study Session.

Motion unanimously adopted.

- 97-143** Motion by Councilman Wyatt, seconded by Councilman Zulinski, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:50 p.m.

HELENE S. SHERIDAN
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL