

MARCH 13, 1990

90-99 The meeting was called order at 8:05 P.M., by Council Chairman Daniel S. Paletko.

Roll call showed the following:

Present: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilwoman Ruth A. Canfield, Councilman Jerome P. Chismar, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

Absent: Councilman Joseph F. Kosinski.

Also Present: Mayor Van Houten, Adm. Asst. Hitsky, Corp. Counsel Miotke, Clerk McLachlan, Comptroller Barrow, Assessor Welch, Building & Engineering Director Hamel, Fire Chief Lewis, Police Chief DiPrima, Personnel Director Sullivan, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Walter Solovey, Commander of the Pvt. John Lyskawa VFW Post.

Walter Solovey, Commander of the Pvt. John Lyskawa VFW Post, presented plaques to Policeman of the Year James Izeluk and Fireman of the Year Richard Dobrovich.

Council Chairman Daniel S. Paletko called the Public Hearing and Issuance of Finding Floodplain and Wetlands Protection to order at 8:06 p.m.

Community and Economic Development Director Oliverio made the following opening statement:

Pursuant to the procedures and requirements for floodplain management and the protection of wetlands specified in Executive Orders 11988 and 11990, the City of Dearborn Heights is required to notify and involve the public of actions proposed to be undertaken within and which may affect floodplains or wetlands.

On February 20, 1990, the City of Dearborn Heights convened a public hearing at City Hall to notify the public that the City proposed to use Community Development block Grant (CDBG) funds to finance activities located within the 100 year floodplain. This is the flood area which has a one (1) percent chance of occurrence in any given year. The projects and their locations are:

1. Residential Rehabilitation - Provide low interest loans for rehabilitating housing units occupied by lower and middle income families. This is a City-wide project, \$200,000 is recommended.
2. Waterline Replacement - Replace deteriorating waterlines, along Ziegler and Jackson Avenues. \$297,000 is recommended.
3. Beech Daly road Improvements - Funding to widen road and repair or replace sewers and waterlines, new sidewalks, and site restoration, between Van Born and Annapolis Avenue. \$225,000. The expenditure represents the last installment on a bond payment program.
4. Ecorse Creek Bridge Removal - Remove deteriorating bridges, provide T-turnarounds, bank stabilization, guardrails, and landscaping recommending at Raymond and Bedford Streets \$100,000.

Executive Order 119988 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 service), economic aspects (employment, land use pattern), and legal constraints (conformance with local zoning and 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 flood-plain occupation permit is required when anything is built above ground in the floodplain from the Michigan Department of Natural Resources.

The City will provide 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, 14 agencies will be contacted by mail.

The City is similarly aware of a report issued by the U.S. Army Corps of Engineers entitle "Draft Feasibility Report for Flood Protection in the Ecorse Creek Drainage Basin." This report identified the potential for construction retention basins along the Ecorse Creek to handle flows up to the 100-year storm level. If implemented, the proposed CDBG activities could, at some future date, be outside of the floodplain.

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.

There is a lengthy plan on file in my office for public review.

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

Council Chairman asked for comments or questions from the audience.

Hearing none, he asked that the Public Hearing be closed.

90-100 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the Public Hearing be closed.

Motion adopted.

The Public Hearing closed at 8:15 p.m.

90-101 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the agenda for the regular meeting of March 13, 1990, be approved as submitted.

Motion adopted.

90-102 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Jerome P. Chismar, that the minutes from the regular meeting of February 27, 1990, be approved as submitted.

Motion adopted.

Council Chairman Daniel S. Paletko called the Public Hearing for the City of Dearborn Heights D.N.R. Recreation Grant Submittal to order at 8:17 P.M.

Clerk McLachlan read the notice of Public Hearing:

CITY OF DEARBORN HEIGHTS D.N.R. RECREATION GRANT SUBMITTAL NOTICE OF PUBLIC HEARING.

Pursuant to the Michigan Department of Natural Resources regulations, the City of Dearborn Heights Michigan must hold a public hearing to receive input on all grant applications being submitted for funding under Act 101 P.A. 1985 (Michigan Natural Resources Trust Fund Act), P.L. 95.625, as amended (Land and Water Conservation Fund Act) and Act 329 P.A. 1988 (Recreation Bond Implementation Act). The City is prepared to submit grant application(s) for the 1990 funding cycle. All residents are asked to comment on the application(s) at a public hearing on March 13, 1990 at 8:00 PM at the Council Chambers, City Hall, 6045 Fenton.

The applications are for the following projects and the projected costs:

1.	Paving of Municipal Parking Lot	\$115,000
2.	Paving of Swapka Park Parking Lot	60,000
3.	Re-roofing of Canfield Center	80,000
4.	Re-roofing of Eton Senior Center	190,000

TOTAL COSTS \$445,000

Written comments may be submitted to the City Clerks office no later than 4:00 PM, March 13, 1990 or may be presented at the public hearing. Signed Robert G. McLachlan, CMC, City Clerk. Published in the City's official newspaper March 8, 1990. No other communications Mr. Chairman.

Council Chairman Daniel S. Paletko asked if there were any questions or comments from the audience.

Community and Economic Development Director Oliverio made the following opening statements:

As a quick synopsis, what we intend to do with the four (4) applications. We are submitting four (4) separate applications that are reflected in the proposed Recreation 5 Year Master Plan. Prior to approval, the Recreation Plan must be on file with the DNR.

There is one change, that being the re-roofing of the Canfield Center. That amount is now \$50,000. The City's matching funds to the aforementioned projects is: Paving of Municipal Parking Lot, \$28,750; Paving of Swapka Park Parking Lot, \$15,000; Re-roofing of Canfield Center, \$12,500; Re-roofing of the Eton Senior Center, \$47,500. These are the four projects that we are asking for input from the public.

Councilwoman Ruth A. Canfield asked if there was any danger of our losing Eton Center.

Mr. Oliverio stated that we have a ten year lease and that it is renewable.

Mayor Van Houten stated that there is no chance of us losing it in the foreseeable future but we are legally obligated through the agreement we have to maintain the building. The roof is in bad need and they have a lot of problems with the roof and there is a major need to replace it.

Chairman asked if there were any other comments or questions. Hearing none, he asked the Public Hearing be closed.

90-103 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the Public Hearing be closed.

Motion adopted.

The Public Hearing closed at 8:22 p.m.

90-104 Motion by Councilman Gary P. Blackburn, supported by Councilman Robert L. Brown, that Current Claims 6-1 through 6-16, be approved as submitted.

1. MICHIGAN HUMANE SOCIETY - Fees for January 1990. Inv. 4573, 1/31/90. From A/C 200-806 (Animal Processing) \$1,888.00. Gen. Govt.
2. WAYNE COUNTY-GEN. FUND ACCT - Mayor recount, December 1989. Inv. 101 31473, 2/22/90. From A/C 200-807 (Misc. Expenses) \$1,641.45. Gen. Govt.
3. CENTRAL WAYNE COUNTY SANITATION - Materials delivered February 1990. Inv. 3/1/90. From A/C 200-810 (Sanitation) \$69,156.70. Gen. Govt.
4. ADAM DADAOU - Legal services, February 1990. Inv. 3/6/90. From A/C 210-826 (Counsel Services) \$6,954.20. Corp. Counsel.
5. TESTING ENGINEERS & CONSULT. - Remove and monitor groundwater - Gas tank replacement. Inv. 42500, 10/31/89. Job No. 16809. From A/C 536-970 (Capital Outlay) \$7,568.00. Water.
6. WESTLAND TREE SERVICE - Tree removal and maint. Inv. 3/5/90. From A/C 440-820 (Tree Removal & Maint) \$4,316.58. DPW.
7. WADE-TRIM/ASSOCIATES - 1989 Joint Crack Sealing Program. Inv. 33634, 2/14/90. Job No. DHT 2296-04. From A/C 440-880 (Road Repairs) \$255.25. DPW.
8. SOMAT ENGINEERING, INC. - Pardee Bridge over Ecorse Creek. Inv. 02-09-08, 2/22/90. Payment req. No. 10. From A/C 440-880 (Road Repairs) \$823.50. DPW.
9. WADE-TRIM/ASSOCIATES - Central Park Tennis Courts. Inv. 33650, 2/19/90. Job No. DHT 2282-03. From A/C 691-818 (Contractual Services) \$125.00. Recreation.
10. WADE-TRIM/ASSOCIATES - Plans and specifications Phase IX Watermain Replacement. Inv. 33636, 2/15/90. Job No. DHT 2212-31. From A/C 103-960-125.088 (Watermain Replacement) \$8,268.78. Comm. Dev.
11. WADE-TRIM/ASSOCIATES - Design bid for Amendment #5 NH/RV Project. Inv. 33704, 2/21/90. Job No. DHT 2214-12. From A/C 537-973 (Capital Outlay) \$31,783.62. Water.
12. WADE-TRIM/ASSOCIATES - Inspection and engineering - Wholesale Heating. Inv. 33635, 2/14/90. Job No. DHT 2297-02. From A/C 255.000 (Jobs in Progress) \$206.50. Water.
13. PLANTE & MORAN - Accounting services for January 1990. Inv. 17784-056896, 2/15/90. From A/C 536-817 (Professional & Consult) \$9,575.00 & A/C 536-973 (Sewers Capital Outlay) \$980.00. Water.
14. UNISYS - Software support - Hotline and on-site. Inv. 1551801, 3/1/90. From A/C 536-932 (Repair & Maint.) \$2,018.16. Water.
15. WADE-TRIM/ASSOCIATES - 1988 Sanitary Sewer Cleaning Program. Inv. 33590, 2/12/90. Job No. DHT 2224-21. From A/C 540-818 (Contractual Services) \$273.00. Water.
16. WADE-TRIM/ASSOCIATES - Tech. assist for easements NH/RV Project. Inv. 33711, 2/28/90. Job No. DHT 2214-08. From A/C 537-973 (Capital Outlay) \$770.00. Water.

Motion adopted.

90-105 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Clerk be authorized to advertise for bids, per specifications, for trophies, per the request of Recreation Director Grybel, communication dated March 7, 1990.

Motion adopted.

90-106 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that the City Clerk be authorized to advertise for bids, per specifications, for removal of an existing fence and installation of a new 6' ornamental wrought iron fence replacement at the Little Red Schoolhouse, per the request of Recreation Director Grybel, communication dated March 1, 1990. Monies were received from a grant secured through the efforts of Representative Young.

Motion adopted.

90-107 Motion by Councilman Jerome P. Chismar, supported by Councilman Robert L. Brown, that the City Clerk be authorized to advertise for bids, per specifications, for the installation of a Unilock Camelot Stone walkway for the Little Red Schoolhouse, per the request of Recreation Director Grybel, communication dated March 1, 1990. Monies were received from a grant secured through the efforts of Representative Young.

Motion adopted.

90-108 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the low bid from Fairlane Ford for two (2) 1990 Ford F150 4 x 2 pickup trucks for a total amount of \$22,578.30 including trade-ins, and payment thereof, be approved. Monies to come from A/C 265-981, per Public Service Administrator Preston, communication dated February 26, 1990. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

90-109 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the low bid from Tutt & Associates Inc. for 25,000 Uniform Traffic Tickets in the amount of \$2,118.25, and payment thereof, be approved, per Police Chief DiPrima, communication dated March 6, 1990.

Motion adopted.

90-110 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the low bid from Urban's Partition and Remodeling Company for replacement of a folding partition at the Eton Senior Center in the amount of \$6,900.00, and payment thereof, be approved. Monies to come from a grant secured through the efforts of Representative Young, per Recreation Director Grybel, communication dated February 22, 1990. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

90-111 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the City Council concurs with and approves Wade-Trim/Associates preparing plans, and specifications for removal and replacement of the Kingston Avenue and Edgewood Avenue bridges (first contract), and the removal and channel restoration of the Bedford Avenue and Raymond Street pedestrian bridges (second contract). The second contract will be funded through the Community Development Block Grant Program. Further, authorizes advertising for bids for said improvements over Ecorse Creek, per Mayor Van Houten, communication dated March 7, 1990.

Motion adopted.

90-112 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the proposed resolution, as amended on pages 4 and 13, prepared by R. Hammell of Miller, Canfield, Paddock and Stone, authorizing the sale of \$6,000,000 General Obligation Limited Tax Bonds for the City's share of regional and local improvements in Segment 2 of the North Huron Valley-Rouge Valley Wastewater Control System project, per Mayor Van Houten, communication dated March 7, 1990. Further, Mayor Van Houten and City Clerk McLachlan signing said resolution.

Motion adopted.

90-113 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves the appointment of John Fellrath filling the unexpired term of Martin Griffith to the 1990 Board of Review. Term expiring July 1991, per Mayor Van Houten, communication dated March 5, 1990.

Motion adopted.

- 90-114 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves the split of Lot 118 in the Ford Garden Estates Subdivision into (1) the west 190 feet of the north 100 feet of Lot 118 and (2) the west 190 feet except the north 100 feet of Lot 118, per Assessor Welch, communication dated March 7, 1990.

Motion adopted.

- 90-115 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the split of Lots 97, 98, 99, 100, 101 in the Dearborn Manor Subdivision into three buildable sites, contingent upon Zoning Board of Appeals variance approval and payment of all taxes. Proof of fulfillment of conditions to be furnished to Assessor Welch prior to April 10, 1990, per Assessor Welch, communication dated March 1, 1990.

Motion adopted.

- 90-116 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves a budget amendment for the 20th District Court for the purchase of 2 IBM Personal Computers as follows:

Increase Revenues:

A/C 699.000	Appropriation from Fund Balance	\$8,130.00
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Increase Expenditures:

A/C 130-691	Court Capital Outlay	\$8,130.00
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Per Comptroller Barrow, communication dated March 7, 1990.

Motion adopted.

- 90-117 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a software maintenance agreement for the Police Department with Interpac Software, Inc., at a once a year charge of \$1,458.00 guaranteed for two years, per Police Chief DiPrima, communication dated March 6, 1990.

Motion adopted.

- 90-118 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Robert L. Brown, that the City Council concurs with and approves the disposal of 11 lengths of defective fire hose, per Fire Chief Lewis, communication dated February 27, 1990.

Motion adopted.

- 90-119 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the disposal of obsolete weights and measure scales as outlined in the communication dated March 6, 1990 from Public Service Administrator Preston.

Motion adopted.

- 90-120 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves adoption of the Dearborn Heights Five Year Recreation Plan, as submitted, and that it be forwarded to the State of Michigan Department of Natural Resources, per Recreation Director Grybel, communication dated March 7, 1990.

Motion adopted.

- 90-121 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the City Council concurs with and approves the Spirit '90 Festival carnival ride contract with W.G. Wade Shows, Inc.. Further, authorizes Mayor Van Houten and Clerk McLachlan executing said agreement, per Recreation Director Grybel, communication dated February 22, 1990.

AYES: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman Jerome P. Chismar, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.
 NAYS: Councilwoman Ruth A. Canfield.
 ABSENT: Councilman Joseph F. Kosinski.

Motion adopted.

- 90-122 Motion by Councilman Jerome P. Chismar, supported by Councilwoman Ruth A. Canfield, that the request from Recreation Director Grybel, dated March 7, 1990, regarding replacement of up-graded equipment for a Sound Truck that was vandalized, be tabled.

Motion adopted.

- 90-123 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that tabled Council Motion 90-48, regarding proposed 1990-91 Community Development Block Grant Budget, be brought back on the table.

Motion adopted.

- 90-124 Motion by Councilman Robert L. Brown, supported by Councilman Joseph V. Kosinski, that the proposed 1990-91 Community Development Block Grant Budget in the amount of \$897,750, dated January 8, 1990, be referred to file.

Motion adopted.

- 90-125 Motion by Councilman Robert L. Brown, supported by Councilwoman Ruth A. Canfield, that the City Council concurs with and approves the 1990-91 Community Development Block Grant Budget in the amount of \$909,000 and the re-programming of previous years block grant funds as proposed. Further, authorizes Mayor Van Houten submitting the 1990-91 Block Grant Application to the Department of Housing and Urban Development, per CEDD Director Oliverio, communication dated February 26, 1990.

Motion adopted.

- 90-126 Motion by Councilman Robert L. Brown, supported by Councilman Gary P. Blackburn, that Proposed Ordinance H-90-2, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 2-246 (8) OF SAID CODE; PROVIDING FOR GENERAL GOVERNMENT NORMAL RETIREMENT BENEFITS, be considered read for the second time and to become effective upon publication as provided by law.

Motion adopted.

- 90-127 Motion by Councilman Jerome P. Chismar, supported by Councilman Robert L. Brown, that tabled Council Motion 89-181, a proposed Ordinance H-89-8 regarding yard encroachments, be brought back on the table.

Motion adopted.

- 90-128 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that proposed Ordinance H-90-3 (formerly H-89-8), AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY REVISING SECTION 36-92 OF ARTICLE III, CHAPTER 36; PROVIDING FOR YARD ENCROACHMENTS, be considered read for the first time.

Motion adopted.

- 90-129 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Robert L. Brown, that tabled Council Motion 89-186 regarding a business license renewal for the Odyssey Lounge, 27346 Ford Road, be brought back on the table.

AYES: Councilman Jerome P. Chismar.

NAYS: Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilwoman Ruth A. Canfield, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

ABSENT: Councilman Joseph F. Kosinski.

Motion defeated.

- 90-130 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the request from Katherine and Raymond Olle for a new SDM license at 24306 W. Warren, be referred to the Police, Fire and Building Departments.

Motion adopted.

- 90-131 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that the request for renewal of 1990-91 business license for Classie Motors, 22318 Ford Rd.. be approved.

Motion adopted.

- 90-132 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:05 p.m.

ROBERT G. McLACHLAN, CMC
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL