

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 14, 1997

97-008 The meeting was called to order at 8:07 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, Corporation Counsel Berry-Harris, Corporation Counsel Assistant Heise, City Clerk Sheridan, Deputy Clerk Robbins, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Opalewski, Police Chief Webber, Fire Chief Langlois, Public Service Administrator Blackburn, Community Development Director Oliverio, Recreation Director Grybel.

The Pledge of Allegiance was led by Councilman Wyatt.

97-009 Motion by Councilman Baron, seconded by Councilman Wyatt, that the Agenda for the Regular Meeting of January 14, 1997, be approved as submitted.

Motion unanimously adopted.

97-010 Motion by Councilman Baron, seconded by Councilman Slomzenski, that the Minutes from the Regular Meeting of December 17, 1996 and the Special Meeting of January 6, 1997, be approved as submitted.

Motion unanimously adopted.

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, January 14, 1997, by the City Council of the City of Dearborn Heights at the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m., for the purpose of hearing objections, if any, on a request for a special land use to operate a body shop out of an existing business for the property located at 25180 Van Born Road in the City of Dearborn Heights, said property being more particularly described as follows:

THE EAST 100 FT OF THE WEST 600 FT OF THAT PART OF THE SW 1/4 OF SEC 32 DESCRIBED AS BEGINNING AT THE S 1/4 CORNER OF SEC 32 AND PROCEEDING TH N 89D 59M W ALONG THE S LINE OF SAID SECTION 805.16 FT TH N 1D 28M W 343 FT TO THE CENTER LINE OF ECORSE CREEK TH ALONG SAID CENTER LINE N 80D 22M E 776.42 FT AND N 56D 21M E 58.20 FT TO THE N AND S 1/4 LINE OF SEC 32 TH DUE SOUTH ALONG SAID LINE 505.19 FT TO THE POB EXCEPT THE SOUTH 60 FT THEREOF 0.86 ACRE, SIDWELL #33-043 99-0024-000.

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Published December 26, 1996 and January 2, 1997. Corporation Counsel has submitted Proof of Service, no other communications Mr. Chairman.

Chairman Kosinski asked if there is anyone in the audience who would like to make any comments for or against the proposed Special Land Use.

Mr. Al Nason, Campbell Street asked where is the location?

Mr. Greg Dutton, Product 1 Auto Body responded next to Seward Drugs.

Councilman Slomzenski, do you plan any type of screening so the people in back of the body shop won't have to look at the body shop?

Mr. Dutton, at the Site Plan meeting we discussed opaque fencing. We are prepared to do the fencing with opaque. It will be cosmetic and private.

Councilman Paletko do you have plans with you this evening?

Mr. Dutton responded I submitted all the plans to the Building Department and the Site Plan Commission reviewed everything.

Councilman Paletko I am interested in the placement and storing of vehicles for repair.

Mr. Dutton, in the very rear of the property there is a six foot fence along the back so you shouldn't be able to see all the wrecked cars. Nice landscaping out front and ample parking for the customers and employees. Everything will be to the rear of the building.

Councilman Paletko, so those site plans are in the building department that we can look at before we vote on your request. Would like to see what it looks like.

Mayor Canfield, while Ed is getting the site plans for Councilman Paletko I would like to tell you that we have had one person behind the proposed body shop that contacted us and asked that we voice his objections. Mr. Opalewski went and visited with him and explained that there would be opaque material put in the existing fencing but couldn't guarantee that a person up higher that they are not going to see the cars.

Mr. Dutton, during the summer months the area is overgrown so the neighbors behind won't be able to see the business. The fencing material we are going to use is very durable and looks very good. Will compliment the building.

Mayor Canfield, the gentleman that objected was concerned with not the summer months but the winter months and we hope that we have solved the problem for him. The Clerk's office also received a call from him and I suggest that his name be entered in the official minutes of the Public Hearing.

Council Chairman Kosinski the name of the person who contacted the Clerk's office was John Jasieniecki.

Building Director Opalewski supplies the site plans to Councilman Paletko.

Mr. Dutton stated all the fencing and the property guidelines have been current with the building so none of the fencing has been changed. Everything on the exterior of the building has been there we are just dressing up that area to shield the area where the cars will be parked.

Councilman Slomzenski, I have a question about the parking. Are there any ordinances that prohibit parking along the side of the building overnight?

Mr. Dutton responded we wouldn't want any of that anyway. We want to represent a very professional high standard body shop. If you look at the drawings will show you the cost and the extent of the type of business we are trying to represent. A lot of your clientele are people with some of the nicer automobiles, a finer establishment. This is not a quick fix bondo repair facility. We are putting in down draft spray booth that will bake the finishes, also new equipment. Very environmentally friendly.

Janice Roth, neighbor of Mr. Jasieniecki stated there are cars already parked in the area.

Mr. Dutton responded yes, she is referring to the fenced area. Those vehicles are there for the sole purpose to be fixed. They are classic cars, restorable and that type of thing. The business I have been into is custom and classic car restoration. We are not looking to have a junk yard everything that is there is a collectible piece. Everything is covered up while the vehicle is there. There again they are in the rear of the building nice and neat.

Mrs. Roth responded that's my backyard. The fence you are proposing will not hide anything. If I stand in my backyard I can see above that fence.

Councilman Slomzenski, would an eight foot fence alleviate that problem?

Mrs. Roth responded no, maybe something made of concrete would be good.

Councilman Slomzenski responded you can put a fence up that you cannot see through but are you able to see over the top of the existing chain link fence into the yard?

Mrs. Roth answered oh yes.

Mr. Dutton, the fence that is already there is a six foot fence. There are no overgrown trees during the winter months, I can see how you can see through it but I am quite certain that during the summer months you won't have that problem. We have agreed to put up the opaque fence that is quite costly.

Mayor Canfield stated I don't think they allow an 8 foot concrete wall along the Ecorse Creek.

Councilman Slomzenski responded, no they do not.

Mayor Canfield, I don't think that is a possibility is what I am saying.

Councilman Paletko asked then what is the alternative, a green belt?

Mayor Canfield, I don't know what you could do, maybe pines. Something that would be green all the time that would shield the view. So probably some kind of an evergreen.

Mr. Dutton responded he would be game for that. If you wanted us to plant three or four evergreens on the Ecorse Creek, it would help to camouflage in the years to come.

Councilman Paletko asked Mrs. Roth how she felt about the evergreens.

Mrs. Roth responded don't see how that would help.

Mr. Dutton invited Mrs. Roth and any of the neighbors to visit his business to see what his business was all about.

Council Chairman Kosinski stated there is a recommendation for a special land use from the City consultants which stipulate three requirements and they are a plan showing existing and proposed plant species; spacing and size; a provision of building facade plan and dumpster screening details. None of that has been submitted to the building department yet has it?

Mr. Dutton responded yes, it has.

Mayor Canfield asked has the site plan gone to the Planning Commission for Site Plan review?

Building Director Opalewski answered everything has gone to the Planning Commission and we did look at everything. Since Brandon Rodgers put the requirements on, we will have to go back to make sure that all the requirements are there that he had directed. With regard to the fencing, we will come back to the neighbors across the way and if additional treatment is needed we will have a commitment from Mr. Dutton to put in the additional things Council has requested. With the slope of the land we are somewhat limited as to how much we can put on the far side of the

wall.

Mayor, can the Council grant the special land use contingent upon the planting of the evergreens.

Councilman Paletko stated that it could be approved subject to Brandon Rodgers three recommendations and subject to the planting of evergreens in the rear.

Council Chairman Kosinski asked for a motion to close the Public Hearing.

96-011 Motion by Councilman Paletko, supported by Councilman Wyatt, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for Special Land Use at 25180 Van Born closed at 8:30 p.m.

97-012 Motion by Councilman Baron, seconded by Councilwoman Horvath, that Current Claims 6-1 through 6-15, be approved as submitted.

1. ALEXSIS, INC. - Workers Comp Service Fee. Inv. 8968, dated 01/01/97. From A/C 101-200-724-000 (Workers Compensation) \$17,640.00. General Govt.
2. CDPA ARCHITECTS - Facility Needs Study for Police Dept. Inv. 3250, dated 12/20/96. From A/C 101-200-817-000 (Professional & Consult) \$6,000.00. General Govt.
3. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Materials Delivered December 1996. Inv. dated 01/02/97. From A/C 101-200-810-000 (Sanitation) \$155,860.71. General Govt.
4. FIRST STEP - Western Wayne County Project. Inv. dated May 1996. From A/C 103-960-927-095 (First Step) \$2,292.62 and from A/C 103-960-927-096 (First Step) \$4,688.83. Community Devel.
5. FLORENCE CEMENT COMPANY - Valley Park Reconstruction Project. Cert. # 15, dated 01/03/97. (Final) From A/C 203-203-880-300 (Street Construction) \$6,840.00. DPW-Highway.
6. IBM - Upgrade AS400 System. Inv. D6P2921; D6P2919, 12/31/96 and D6P2920, dated 12/31/96. From A/C 101-258-932-000 (Repair & Maintenance) \$2,930.00 and from A/C 592-536-932-000 (Repair & Maintenance) \$2,930.00. Data Processing.
7. MMRMA - Third Installment Liability Insurance. Inv. 59747-3, dated 07/05/96. From A/C 101-200-911-000 (Insurance) \$178,286.00. General Govt.
8. NAGEL CONSTRUCTION COMPANY - Cleaning Sewer Lines. Inv. 1012, dated 01/02/97. From A/C 101-440-818-000 (Contractual Services) \$14,803.60 and from A/C 592-540-818-000 (Contractual Services) \$3,140.90. DPW-Water.
9. NEW WORLD SYSTEMS - Upgrade & Maintenance New World Software. Inv. 58425, dated 11/29/96. From A/C 101-258-932-000 (Repair & Maintenance) \$1,560.00. Data Processing.
10. PAINTER & RUTHENBERG - Newsprint Pickup November 1996. Inv. 5123, dated 12/02/96. From A/C 101-200-810-000 (Sanitation) \$1,885.00. General Govt.
11. QUAD-TRAN OF MICHIGAN - Data Processing Services January 1997. Inv. 2543, dated 12/30/96. From A/C 101-130-818-000 (Contractual Services) \$3,135.00 and from A/C 101-130-728-000 (Office Supplies) \$693.00. District Court.
12. SEMCOG - Annual Dues 1997. Inv. 12/31/96. From A/C 101-200-958-000 (Dues, Membership, Subscrip) \$6,740.00. General Govt.
13. WADE-TRIM/ASSOCIATES - Plans & Specs Jackson Street Water Main. Inv. 52253, dated 12/16/96. From A/C 103-960-947-095 (Water Main)

- \$8,215.30. Community Devel.
14. WAYNE COUNTY DEPARTMENT OF ROADS - Traffic Signal Maintenance October & November 1996. Inv. 86651, dated 12/16/96 and 86777, dated 12/20/96. From A/C 101-440-925-000 (Traffic Signal Maintenance) \$6,706.30. DPW-Highway.
 15. WESTCOTT COMMUNICATIONS - LETN Satellite Package 1997. Inv. 810989, dated 12/11/96. From A/C 101-300-962-000 (Training) \$4,621.76 and from A/C 101-300-962-010 (State Fund Training) \$1,000.00. Police Dept.

Motion unanimously adopted.

- 97-013** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for the replacement of interior lighting fixtures throughout the Eton Sr. Citizen's Center, per the request of Recreation Director Grybel, communication dated January 7, 1997. Funding for this purchase have been pre-approved in the 1995-96 CDBG program.

Motion unanimously adopted.

- 97-014** Motion by Councilman Baron, seconded by Councilman Zulinski, that the low bid from Jorgenson Ford, 8333 Michigan Avenue, Detroit, MI 48210, for two (2) 3 to 4 yard dump trucks, in the amount of \$56,367.00 with no trade-ins, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated January 3, 1997. Monies for this purchase will come from Water A/C 592-537-981-000. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 97-015** Motion by Councilman Slomzenski, seconded by Councilman Baron, that the lowest bidder meeting all specifications, Fraza Equipment, Inc., 15725 Twelve Mile Road, Roseville, MI 48066, for one (1) Caterpillar Lift Truck, in the amount of \$20,132.00, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated December 12, 1996. Monies for this purchase will come from Water A/C 592-537-981-000. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 97-016** Motion by Councilman Baron, seconded by Councilman Zulinski, that the low bid from Fairlane Ford, 14585 Michigan Avenue, Dearborn, MI 48126, for two (2) parcel delivery vans, in the amount of \$63,023.00 with no trade-ins, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated January 3, 1997. Monies for this purchase will come from Water A/C 592-537-981-000. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion unanimously adopted.

- 97-017** Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Comptroller be authorized to advertise for bids, per specifications, for one 1997 Ford F350 Type 1 Ambulance or equivalent, with trade-in, per the request of Fire Chief Langlois, communication dated December 20, 1996. Funds for this purchase have been approved in the 1996-97 CDBG account.

Motion unanimously adopted.

- 97-018** Motion by Councilman Slomzenski, seconded by Councilman Baron, that the City

Council concurs with and approves the appointments of Shaun McLachlan, 7427 Rosemary and Robert B. Bailey, 26175 Wilson to the Cable TV Regulatory Commission, terms to expire August, 1997.

Motion unanimously adopted.

- 97-019** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves the rescheduling of the November and December Council Meetings as follows:

November 11th - Rescheduled to Wednesday, November 12th
November 25th - Rescheduled to Monday, November 24th
December 23rd - Rescheduled to Monday, December 22nd

per, Council Chairman Kosinski, communication dated January 2, 1997. Further, that City Clerk Sheridan publish the notice as required by Public Act No. 201 Public Acts of 1968.

Motion unanimously adopted.

- 97-020** Motion by Councilman Paletko, seconded by Councilman Slomzenski, to deny the request from the Wayne County Regional Educational Service Agency to collect their tax levy with the City's summer tax collection, per Treasurer Riley, communication dated January 17, 1997.

Motion unanimously adopted.

- 97-021** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the communication from Councilwoman Horvath, dated January 8, 1997 re: Items for Consideration in 1997 be referred to a Committee of the Whole Study Session no later than February 28, 1997.

Motion unanimously adopted.

- 97-022** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that the City Council concurs with and approves the Refunding Resolution, drafted by bond counsel Bodman, Longley & Dahling, for Wastewater Disposal System Bonds, 1990 Series with the following modifications.

1. In each place where authority has been delegated to the Council, such authority shall instead be delegated to the Mayor and the Chairperson of the Council.
2. The Refunding Bonds will not be sold unless the following conditions are satisfied:
 - Present value savings of at least \$115,000 is achieved; present value savings of at least 2.25% of the principal amount of the bonds is achieved and the sale of the Refunding Bonds occurs prior to May 1, 1997

per, Treasurer Riley, communication dated January 8, 1997.

Motion unanimously adopted.

- 97-023** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council concurs with and approves the following budget amendment to cover the loan payments that are re-loaned to the citizens for various residential improvements:

Increase Revenues
#101-000-691-000

Residential Rehab Income
\$225,000.00

Increase Expenditures
#101-960-901-095

Residential Rehab Revolving
\$225,000.00

per, Comptroller Barrow, communication dated January 7, 1997.

Motion unanimously adopted.

- 97-024** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the City Council concurs with and approves Change Order Request NO. 2, for the Valley Park Subdivision Street Reconstruction Project and Florence Cement Company, 1970 Brinston Street, Troy, MI 48084, for a net increase of \$1,840.00, need to cover the removal and replacement of existing lawn sprinkler per, Public Service Administrator Blackburn, communication dated January 7, 1997. Further, that the Mayor be authorized to sign the Change Order.

Motion unanimously adopted.

- 97-025** Motion by Councilman Baron, seconded by Councilwoman Horvath, that the City Council establish Public Hearing dates as follows:

7:30 P.M. - February 11, 1997 - Action Plan Hearing
8:00 P.M. - February 25, 1997 - Floodplain Hearing
8:00 P.M. - March 25, 1997 - Issuance of Findings Hearing
8:00 P.M. - August 26, 1997 - Year End Performance Hearing

per, Community Development Director Oliverio, communication dated December 18, 1996.

Motion unanimously adopted.

- 97-026** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the City Council concurs with and approved the request from Officer Parrinello for a Citizen Citation.

Motion unanimously adopted.

- 97-027** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the request to transfer ownership of 1996 SDM licensed business from A and M Corporation, 4650 S Beech Daly, Dearborn Heights, MI 48127 to Emanuel S. Elia, 26474 W Stanford, Southfield, MI 38034 be approved and the Liquor Control Commission be so notified. Ref. #960003861 NLL.

Motion unanimously adopted.

- 97-028** Motion by Councilman Baron, seconded by Councilman Zulinski, that the request for renewal of 1997 business license from Mexican Fiesta, 24310 Ford Road, be approved.

Motion unanimously adopted.

- 97-029** Motion by Councilman Zulinski, seconded by Councilman Baron, that the City Council go into Closed Session to discuss the acquisition of real property.

AYES: Councilman Baron, Councilman Brown, Councilwoman Horvath, Council Chairman Kosinski, Councilman Paletko, Councilman Slomzenski, Councilman Zulinski.

NAYS: None.

ABSENT: None.

Motion unanimously adopted.

- 97-030** Motion by Councilman Baron, seconded by Councilman Slomzenski, that the Closed Session be adjourned.

Motion unanimously adopted.

The Closed Session adjourned at 10:50 p.m.

- 97-031** Motion by Councilman Baron, seconded by Councilman Slomzenski, that the meeting be adjourned.

The regular Council Meeting adjourned at 10:55 p.m.

HELENE S. SHERIDAN
CITY CLERK

JOSEPH V. KOSINSKI, CHAIRMAN
CITY COUNCIL