

JANUARY 14, 1992

- 92-001 The meeting was called to order at 8:22 p.m., by Temporary Chairman Helene S. Sheridan, City Clerk.

City Clerk Sheridan stated that she would consider Roll Call as being taken and all members recorded as being present with the exception of Councilman Robert L. Brown.

Present: Councilman Gary P. Blackburn, Councilman David C. Brunell, Councilwoman Ruth A. Canfield, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.
Absent: Councilman Robert L. Brown (arrived 9:48 p.m.).
Also Present: Mayor Van Houten, Administrative Assistant Hitsky, Corporation Counsel Dadaou, Clerk Sheridan, Comptroller Barrow, Assessor Welch, Building & Engineering Director Hamel, Personnel Director Sullivan, Police Chief DiPrima, Deputy Police Chief Jednacz, Fire Chief Lewis, Deputy Recreation Director Constan, Public Service Administrator Preston, Community Development Director Oliverio.

Temporary Chairman Sheridan opened nominations for Chairman of the Dearborn Heights City Council.

Councilman Gary P. Blackburn nominated Councilman Daniel S. Paletko for Council Chairman.

- 92-002 Motion by Councilman Joseph V. Kosinski, supported by Councilman David C. Brunell, to close nominations.

Motion adopted.

- 92-003 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that an unanimous ballot be cast electing Councilman Daniel S. Paletko Chairman of the City Council.

Motion adopted.

Temporary Chairman Sheridan turned the meeting over to Council Chairman Daniel S. Paletko.

Council Chairman Daniel S. Paletko opened nominations for Council Chairman Pro-Tem.

Councilman Gary P. Blackburn nominated Councilwoman Ruth A. Canfield for Council Chairperson Pro-Tem.

- 92-004 Motion by Councilman Joseph V. Kosinski, supported by Councilman David C. Brunell, to close nominations.

Motion adopted.

- 92-005 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that an unanimous ballot be cast electing Councilwoman Ruth A. Canfield Council Chairperson Pro-Tem.

Motion adopted.

The Pledge of Allegiance was led by Councilman David C. Brunell.

Personnel Director Mary Christina Sullivan presented 1991 Holiday Decorating awards to: Mr. & Mrs. Sam Camilleri, 25830 Midway; Mr. & Mrs. Edward Ball, 23276 Annapolis; Mr. & Mrs. Stephen Lamb, 24720 Hopkins; Mr. & Mrs. Bill Romanycia, 26445 Joy Road; The Owens Family, 8142 Appleton; The DeNoyer Family, 24392 Hopkins and Ford & Inkster Shell Station, N. Berry Proprietor.

- 92-006 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph F. Kosinski, that the agenda for the Regular Meeting of January 14, 1992, be approved as submitted with the add on of Item 13F re: Deputy Clerk position.

Motion adopted.

238-007 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the minutes from the Special Meeting of December 17, 1991, be approved as submitted.

Motion adopted.

92-008 Motion by Councilman Gary P. Blackburn, supported by Councilman Joseph F. Kosinski, that Current Claims 6-1 thru 6-27 be approved as submitted.

1. ABC PAVING - Powers Park Walkway. Cert. #1, 12/20/91. Job No. DHT 2314-04. From A/C 274-673-938-389 (Swapka/Powers Park Track) \$19,446.07. Recreation.
2. ARENAC COUNTY SHERIFF DEPARTMENT - Prisoner food & Lodging October 1991. Inv. 11/05/91. From A/C 200-868 (Prisoner Food & Lodging) \$1,772.85. Gen. Govt.
3. COUNTY OF EATON - Prisoner food & lodging for 11/91. Inv. 12/06/91. From A/C 200-868 (Prisoner Food & Lodging) \$1,716.27. Gen. Govt.
4. HILLSDALE COUNTY SHERIFFS DEPT. - Prisoner food & lodging for 10/91 and 11/91. Inv. 11/4/91, 12/4/91. From A/C 200-868 (Prisoner Food & Lodging) \$11,674.01. Gen. Govt.
5. SHIAWASSEE COUNTY - Prisoner food & lodging for 10/91 and 11/91. Inv. 11/1/91, 12/4/91. From A/C 200-868 (Prisoner Food & Lodging) \$8,720.00. Gen. Govt.
6. BANC ONE LEASING CORPORATION - Final payment of Pierce Fire Pumper. Inv. 12/27/91. From A/C 335-981 (Capital Outlay) \$51,544.00. Fire.
7. CITY OF DEARBORN - Quarterly water & sewage charges. Inv. 1830, 12/23/91. From A/C 537-929 (Sewage Charges) \$2,641.32 & A/C 537-928 (Water Charges) \$761.04. Water.
8. CORPORATE SERVICES - Administrative fee for 1/1/92-6/30/92. Reinsurance fee based on payroll 7/1/90-6/30/91. Inv. 36139, 12/06/91 & Inv. 36168, 12/11/91. From A/C 200-724 (Workers Compensation) \$21,457.00. Gen. Govt.
9. COURT FUNDING LITIGATION ESCROW ACC - Lawsuit update re: Courts and State of Michigan services rendered through October 31, 1991. From A/C 200-818 (Contractual Services) \$410.56. Gen. Govt.
10. DADAOU & STEVENS - Legal services for December 1991. Inv. 1/7/92. From A/C 210-826 (Counsel Services) \$9,962.87 & A/C 210-938 (Library) \$477.35. Corp. Counsel.
11. DOWNRIVER RECYCLING CENTER - Corrected billing for 5/91 thru 9/91. Collection for 10/91 & 11/91. Inv. 30101, 11/16/91; 30114, 12/12/91; 30115, 12/20/91. From A/C 200-810 (Sanitation) \$9,844.43. Gen. Govt.
12. HAYES EXCAVATION CO. - Watermain Replacement Program Phase IX. Cert. #3, 11/14/91. From A/C 103-960-925-090 (Watermain Replacement) \$90,294.09 (Enc.). Comm. Dev.
13. HUTZEL HOSPITAL - Surgery and supplies for Mark Casper. Ck. req. 12/11/91. From A/C 200-724 (Workers Compensation) \$3,163.48. Gen. Govt.
14. MICHIGAN MUNICIPAL RISK MANAGEMENT - Final premium due for 199-1992. Inv. 5290, 7/10/91. From A/C 200-911 (Insurance) \$114,474.50. Gen. Govt.
15. PLANTE & MORAN - Audit and accounting services. Inv. 17784-146391, 12/11/91 & Inv. 17784-146392, 12/11/91. From A/C 536-817 (Professional & Consult) \$8,730.00. Water.
16. PLANTE & MORAN - Single audit services. Inv. 17784-146394, 12/11/91. From A/C 103-960-918-091 (Administration) \$3,600.00. Comm. Dev.
17. QUAD-TRAN OF MICHIGAN - Data processing service for 1/92. Inv. 12/30/91. From A/C 130-818 (Contractual Services) \$2,500.00. District Court.
18. SEMCOG - Annual membership dues. Inv. 12/31/91. From A/C 200-958 (Dues, Memberships, Subscriptions) \$6,900.00. Gen. Govt.
19. WADE-TRIM/ASSOCIATES - Canfield and Eton reroofing. Inv. 38126, 12/10/91. Job No. DHT 2343-02. From A/C 274-673-981-091 (Reroofing) \$1,540.70. Recreation.
20. WADE-TRIM/ASSOCIATES - Colgate & Powers sewer relining. Inv. 38267, 1/4/92. Job No. DHT 2340-01/02. From A/C 540-818 (Contractual Services) \$667.50. Water.
21. WADE-TRIM/ASSOCIATES - Downriver Facility Plan update. Inv. 38299, 1/6/92. Job No. DHT 2311-03. From A/C 536-817 (Professional & Consult) \$2,161.75. Water.

22. WADE-TRIM/ASSOCIATES - Plans & specs 3 bridge removals. Inv. 38313, 1/6/92. Job No. DHT 2313-09. From A/C 103-960-946-091 (Bridge Removals) \$5,611.26. Comm. Dev.
23. WADE-TRIM/ASSOCIATES - Powers Park Walkway. Inv. 38120, 38264. Job No. 2314-03. From A/C 274-673-938-389 (Swapka/Powers Track) \$4,187.58. Recreation.
24. WADE-TRIM/ASSOCIATES - Swapka/Municipal Paving Program. Inv. 38122, 12/10/91. Job No. DHT 2327-03. From A/C 274-673-938-090 (Parking Lot Paving) \$1,208.00. Recreation.
25. WADE-TRIM/ASSOCIATES - 1991 Street Resurfacing Program. Inv. 38304, 1/6/92. Job No. DHT 2328-03. From A/C 440-880 (Road Repairs) \$365.50. DPW.
26. WAYNE COUNTY - DEPT. OF ROADS - Traffic signal maint. 11/91. Inv. 73587, 12/13/91. From A/C 440-925 (Traffic Signal Maint) \$3,468.79. DPW.
27. WAYNE COUNTY SANITATION AUTHORITY - Materials delivered for December 1991. Inv. 1/2/92. From A/C 200-810 (Sanitation) \$103,463.62. Gen. Govt.

Motion adopted.

- 92-009 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that the City Comptroller be authorized to advertise for bids, per specifications, for removal of two underground storage tanks at Fire Station #1, per the request of Fire Chief Lewis, communication dated January 7, 1992. Monies to come from A/C 335-981.

Motion adopted.

- 92-010 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the low bid from Edw. C. Levy Company for approximately 2,300 tons of 22X coarse aggregate in the amount of \$4.65 per ton and approximately 1,000 tons of 3X1 blast furnace course aggregate in the amount of \$9.21 per ton, and payment thereof, be approved, per Public Service Administrator Preston, communication dated December 12, 1991. Monies to come from A/C 440-782. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

Motion adopted.

- 92-011 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves authorizing Wade-Trim/Associates preparing plans and specifications and advertising for bids for the removal of the Weddel, Mayfair and Huron Street bridges and the replacement of the Jackson Street bridge over Ecorse Creek, per Mayor Van Houten, communication dated January 8, 1992.

Motion adopted.

- 92-012 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that

First Resolution:

WHEREAS, Senate Bill 486 would amend Public Act 207 of 1921 which provides for the zoning of cities and villages, and

WHEREAS, this Bill would specify that a local unit go government's zoning ordinance could not prohibit the use of a residence by its occupant to operate a "Family" Day Care Home (1-6 children) or "Group" Day Care Home (7-12 children) in any residentially zoned area, and

WHEREAS, this is another attempt by the State Legislature to circumvent local zoning authority, and

WHEREAS, this proposed Bill may appear somewhat insignificant in its impact and affect, these small incursions can lead to more significant circumvention, and

WHEREAS, zoning authority is appropriately vested at the local government level - the level at which citizens can best convey their position on zoning and other matters,

92-010. THEREFORE, BE IT RESOLVED that the Dearborn Heights City Council urges the Michigan Municipal League, Governor John Engler, State Senator George Hart, State Representative Richard Young, and all cities throughout the State to oppose passage of SB 486.

Second Resolution:

WHEREAS, Senate Bill 532 would amend Public Act 207 of 1921 which provides for the zoning of cities and villages, and

WHEREAS, this Bill would specify that a local unit of government's zoning ordinance could not prohibit the use of a residence by its occupant to conduct or receive music lessons, and

WHEREAS, this is another attempt by the State Legislature to circumvent local zoning authority, and

WHEREAS, this proposed Bill may appear somewhat insignificant in its impact and affect, these small incursions can lead to more significant circumvention, and

WHEREAS, zoning authority is appropriately vested at the local government level - the level at which citizens can best convey their position on zoning and other matters,

NOW, THEREFORE, BE IT RESOLVED that the Dearborn Heights City Council opposed passage of Senate Bill 532, and all proposed legislation relating to circumventing local zoning authority, and

BE IT FURTHER RESOLVED that the Dearborn Heights City Council urges the Michigan Municipal League, Governor John Engler, State Senator George Hart, State Representative Richard Young, and all cities throughout the State to oppose passage of SB 532.

Per Mayor Van Houten, communication dated January 3, 1992.

Motion adopted.

- 92-013 Motion by Councilman Joseph V. Kosinski, supported by Councilman David C. Brunell, that the City Council concurs with and approves Mayor Van Houten and City Clerk Sheridan signing a Letter of Understanding between the City of Dearborn Heights and the Professional Firefighters Union Local 1355, regarding Deputy Fire Chief, Fire Inspectors, Vacations, Insurance, Vacancies and Pump Operators, per Mayor Van Houten, communication dated January 8, 1992.

Motion adopted.

- 92-014 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the report from the Dearborn Heights Local Officers Compensation Commission dated December 19, 1991, be received, contents noted and filed.

AYES: Councilman Gary P. Blackburn, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski.

NAYS: Councilman David C. Brunell, Councilwoman Ruth A. Canfield, Council Chairman Daniel S. Paletko.

ABSENT: Councilman Robert L. Brown.

Motion defeated.

- 92-015 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the City Council reject the recommendation of the Local Officers Compensation Commission, in their communication of December 19, 1991, and no salary increases be authorized for 1992 and 1993.

AYES: Councilman David C. Brunell, Councilwoman Ruth A. Canfield, Council Chairman Daniel S. Paletko.

NAYS: Councilman Gary P. Blackburn, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski.

ABSENT: Councilman Robert L. Brown.

Motion defeated.

- 92-016 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a budget amendment in the General Fund to cover the deficit in the fund balance at the Michigan Municipal Risk Management Authority as follows:

Increase Revenues:

A/C 699-000 - Appropriation from Fund Balance - \$91,000.00

Increase Expenditures:

A/C 200-911 - Insurance - \$91,000.00

Per Comptroller Barrow, communication dated January 8, 1992.

Motion adopted.

- 92-017 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves a Performance and Indemnification Resolution with the Michigan Department of Transportation for application of an Annual Permit for Miscellaneous Operations within free access State Trunkline right of way, per Public Service Administrator Preston, communication dated December 30, 1991.

Motion adopted.

- 92-018 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves Change Order No. 1 for the Watermain Replacement Program Phase 9, for a decrease of \$26,451.93, per Community Development Director Oliverio, communication dated December 13, 1991.

Motion adopted.

- 92-019 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that a Public Hearing be established for February 11, 1992 at 8:00 p.m., to hear objections, if any, to the abandonment of a portion of Mayburn Avenue.

Motion adopted.

- 92-020 Motion by Councilman David C. Brunell, supported by Councilman Gary P. Blackburn, that Proposed Ordinance H-91-9, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS BE AMENDED BY REVISING ARTICLE XVI OF THE ZONING CODE, PROVIDING FOR SENIOR CITIZEN HOUSING REGULATIONS, be considered read for the second time and to become effective upon publication in the City's official newspaper as provided by law.

Motion adopted.

- 92-021 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the request from Michael Reggish for Special land Use for a proposed home occupation/limousine business at 23563 Powers, be tabled to the Council meeting of February 11, 1992. SPR-91-37.

Motion adopted.

- 92-022 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the request from Guerrino Crocenzi, Stockholder in SEVERO, Inc. to transfer ownership of 1991 Class C licensed business, located at 24140 Ford Road, Dearborn Heights, MI 48127, Wayne County, from AWA, INC. (Step I), be approved, and the Liquor Control Commission be so notified.

Motion adopted.

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92-023 Motion by Councilman David C. Brunell, supported by Councilman Joseph V. Kosinski, that the request from Barry J. Swiss, James G. Hinaris, Stanley H. Thomas, Stockholders in THE PORK AND BEAN COMPANY, INC. to transfer ownership of 1991 Class C licensed business, located at 24140 Ford, Dearborn Heights, MI 48127, Wayne County, from SEVERO, INC. (Step II), be approved, and the Liquor Control Commission be so notified.

Motion adopted.

92-024 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the communication dated January 7, 1992 from the Ford Gardens Civic Association regarding determination of salaries, be received, contents noted and filed.

Motion adopted.

92-025 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the request for renewal of 1991-1992 business licenses for: Chelsea's, 22120 Van Born; Slam Dunk Saloon, 25380 Van Born; Robindale Inn, 25122 Warren; One Potato Two, 24735 Warren, be approved.

Motion adopted.

92-026 Motion by Councilwoman Ruth A. Canfield, supported by Councilman David C. Brunell, that the City Council concurs with and approves the Deputy City Clerk's position be reinstated.

Motion adopted.

Council Chairman Daniel S. Paletko called for a recess at 9:22 p.m. to wait for the arrival of Councilman Robert L. Brown.

The Council Meeting reconvened at 9:48 p.m. upon the arrival of Councilman Robert L. Brown.

92-027 Motion by Councilman Robert L. Brown, supported by Councilman David C. Brunell, that the City Council reject the recommendation of the Local Officers Compensations Commission, in their communication of December 19, 1991, and no salary increases be authorized for 1992 and 1993.

AYES: Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Ruth A. Canfield, Council Chairman Daniel S. Paletko.

NAYS: Councilman Gary P. Blackburn, Councilman Joseph F. Kosinski, Councilman Joseph V. Kosinski.

ABSENT: None.

Motion adopted.

92-028 Motion by Councilman Gary P. Blackburn, supported by Councilman David C. Brunell, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:52 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL