

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

JANUARY 9, 2001

- 01-001** The meeting was called to order at 8:02 p.m. by Council Chairwoman Margaret M. Horvath.

Roll Call showed the following:

Present: Councilwoman Elizabeth J. Agius, Councilman Kenneth R. Baron, Council Chairwoman Margaret M. Horvath, Councilwoman Jumana Judeh, Councilman Daniel S. Paletko, Councilwoman Margaret Van Houten.

Absent: None.

Also Present: Mayor Canfield, Executive Assistant Heise, Corporation Counsel Miotke, City Clerk Robbins, Financial Analyst Macari, Assessor Pargo, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Gust, Fire Chief Barnett, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Rose Solak.

- 01-002** Motion by Councilman Baron, seconded by Councilwoman Agius, that the Agenda for the Regular Meeting of January 9, 2001, be approved with the addition of Agenda Item 13-D (Silvery Lane Lot Split) and the Make-a-Difference Day presentation.

Motion adopted.

Council Chairwoman Horvath gave a brief background on Make a Difference Day. There were a number of community organizations along with several schools donated small items of need for veterans under the auspices and direct of Rose Solak who is very instrumental working with the veterans.

Rose Solak thanked everyone who was involved in Make a Difference Day for homeless veterans.

Rose Solak and Mayor Canfield presented Make a Difference Day Certificates of Appreciation to: Madison School, St. Mels School, Pardee School, Polk School, River Oaks School, St. Sabina School, St. Sebastian School, Tomlinson School, Thorne School, Dearborn Heights Montessori, D.H. Civitans, Loyal Order of the Moose, Lyons Club, American Legion Stitt Post 232, Amvets Post 45, Sons of Amvets Squadron #29, Amvets Ladies Auxiliary Post 45, Detroit Disabled American Veterans, Vietnam Veterans of America Chapter 267, Veterans of Foreign Wars Post 7910, Veterans of Foreign Wars Post 9973, Veterans of Foreign Wars Post 7546, Business School of Technology, Duffy's Tri-C Club Supply Incorporated, Dearborn Heights Kiwanis, Dearborn Heights Rotary, Corrigan Moving & Storage, Cambridge Dental Group, Dearborn Heights Police Supervisors Association, Amvets National Service Foundation, Amigo Club, Highview School, Hillcrest School, Kinloch School, International Order of Rainbow for Girls, St. Anselm, St. Albert the Great School, Bedford School, Divine Child School, St. Linus School and AT&T.

- 01-003** Motion by Councilwoman Judeh, seconded by Councilwoman Van Houten, that the Minutes from the Regular Meeting of December 12, 2000, be approved as submitted with the correction from Police Captain Lazar to Deputy Police Chief Lazar.

Motion adopted.

The Public Hearing for the abandonment of an alley west of Telegraph, between Lehigh and

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Hopkins opened at 8:16 p.m., by Council Chairwoman Margaret M. Horvath.

The official notice of a Public Hearing appeared as follows:

PLEASE TAKE NOTICE that the City Council will meet on Tuesday, January 9, 2001 at 8:00 p.m. E.S.T. in the Council Chambers located in the Administrative Building, 6045 Fenton Avenue, Dearborn Heights, Michigan, to hear objections, if any, to the proposed abandonment of the north/south alley west of Telegraph, running between Lehigh and Hopkins, more specifically and legally described as: The north/south alley west of Telegraph bounded on the west by Lot 1120 Dearborn Telegraph subdivision NO. 3 (and north ½ adjacent vacated alley) and on the west by Lot 21 (and south ½ adjacent vacated alley) Telegraph Miller Home subdivision, bounded on the east by City owned parcel which is Lots 1121 through 1126 except the east 100 feet thereof, and also bounded on the east by Telegraph Road.

This Notice is published and posted by direction of the City Council under and by virtue of the City Clerk.

All objections in writing shall be presented to the City Clerk on or before 12:00 NOON, E.S.T., Friday, January 5, 2001. Joyce A. Robbins, Clerk, City of Dearborn Heights. Published 12/28/00 and 01/04/01.

Assessor Pargo submitted a "Checklist" whereby the Police, Fire and Building Departments responded no objections. On January 5, 2001 Code Enforcement Officer Simakas posted the "Notice of Public Hearing" on utility poles on the southwest corner of Lehigh at Telegraph; between Lehigh and Hopkins on Telegraph and on the northwest corner of Hopkins at Telegraph.

City Clerk Robbins read a communication from Mr. William Mc Clelland of Michcon who responded involvement, but has no objection to the property change provided an easement/right-of-way 170 ft. west of section line is reserved. On January 5, 2001 a letter was faxed from Mr. Alan Woods, 24047 Lehigh to the Clerk's office objecting to the garage extension stating it would not look nice and would block some of the view on Telegraph. Also the garage and garage driveway would be too close to Telegraph and the neighboring houses would decline in value. Mr. Woods states the land space is not suitable for a garage attachment. No other communications Madam Chair.

Assessor Pargo "On your map you can see that the alley is not a straight line north and south. It starts at Lehigh and goes straight to the east actually into the road right-of-way of Telegraph. Before and after that jog in the alley the road right-of-way is 170 feet wide. Where the alley jogs into the road right-of-way the road right-of-way is 160 feet wide. Michcon believes that their utility line is one foot from that easternmost part of the alley. If that were abandoned and used for construction it could cause a problem with their easement of their utility line. They are requesting that you do not abandon the southern portion of the alley. They have no objection to the alley being abandoned from Lehigh to the back of that lot line."

Councilman Paletko "So the north side is fine but the south side they object to the abandonment."

Assessor Pargo "You do have the legal right to abandon the northern part of the alley. If I might be permitted to speak for the applicant, he called and has been working overtime, he had to go back into work at one o'clock this morning he said he would set his alarm clock and was sure he would wake up and come to this meeting but apparently he didn't. The intention of the abandonment of this alley is so he can build an attached garage with a wheelchair access within the garage. For two reasons he feels that a wheelchair access on the exterior of the home, because of a health hazard in the wintertime, when it is icy, would make it very difficult and this is pretty clear. The other reason, in his opinion, is a wheelchair ramp that is visible from the street is an invitation for trouble from vandals that would realize that a handicapped person lives

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there. That is what he would have said had he been here.”

Council Chairwoman Horvath asked if there was anyone in the audience who wished to speak for or against the proposed abandonment, hearing none, she asked for a motion to close the Public Hearing.

01-004 Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Public Hearing be closed.

Motion adopted.

The Public Hearing for the abandonment of an alley west of Telegraph running between Lehigh and Hopkins closed at 8:20 p.m.

01-005 Motion by Councilman Baron, seconded by Councilwoman Agius, that Current Claims 6-1 through 6-26, be approved as submitted.

1. ACCUMED BILLING INC. - Ambulance runs November 2000 - Inv. dated 12/05/00 from A/C 101-000-626-000 (Ambulance) \$3,453.13. General Govt.
2. CUMMINGS, MC CLOREY, DAVIS - Labor Attorney Inv.'s - Ck. Req. dated 12/21/00 from A/C 101-200-817-000 (Prof & Consult) \$22,469.15. General Govt.
3. CUMMINGS, MC CLOREY, DAVIS - Labor Attorney November 2000 - Inv. dated 12/22/00 from A/C 101-200-817-000 (Prof & Consult) \$500.00. General Govt.
4. FETN - Satellite Subscription - Inv. 143903 dated 11/30/00 from A/C 101-335-818-000 (Contract Serv) \$2,568.00. Fire Dept.
5. GODDARD COATING CO. - Repair-Acrylic/Sand Patch Mix - Inv. 6360 and 6358 dated 11/30/00 from A/C 101-691-932-000 (Repair/Maint) \$4,100.00. Recreation. See Budget Amendment.
6. GRISSIM/METZ ASSOCIATES - Parkland Park Phase II - Inv. 1261 dated 12/13/00 from A/C 103-960-924-099 (Parkland Park) \$32,456.59. Community Devel.
7. HENRY FORD HEALTH SYSTEM - Surgery R Kaczorowski - Ck. Req. dated 11/02/00 from A/C 101-200-724-000 (Worker Comp) \$3,411.03. General Govt.
8. LACARIA CEMENT - 2000 Sidewalk Replacement Program - 14th Payment Due - from A/C 101-200-963-000 (Sidewalks) \$102,465.91. General Govt. See Budget Amendment.
9. MMRMA - Final Billing Liability Insurance - Inv. 6117B-3 - from A/C 101-200-911-000 (Insurance) \$209,965.00. General Govt.
10. GARY MIOTKE - Legal Services December 2000 - Inv. dated 01/03/2001 from A/C 101-210-826-000 (Counsel Services) \$5,108.25. Corp. Counsel.
11. SECREST, WARDEL, LYNCH - Legal Services October & November 2000 - Inv. 1026472 dated 12/05/00 and Inv. 1027350 dated 12/19/00 from A/C 101-210-826-000 (Counsel Services) \$14,913.50. Corp. Counsel.
12. NAGEL CONSTRUCTION - Sewer Cleaning Program - Inv. 1366 dated 12/16/00 from A/C 592-540-818-030 (Contract Serv) \$42,239.35. Water Dept.
13. PLANTE & MORAN - Account Service, Audit Service & Telecommunication Review - Inv. 711403, 711396, 711395, 711397 and 711402 dated 12/26/00 from A/C 101-200-817-000 (Prof Consult) \$10,187.00 and from A/C 592-536-817-000 (Prof Consult) \$6,973.00. General Govt.
14. PRODUCT ONE AUTO BODY CENTER - Repair Police Vehicle - Inv. dated 12/06/00 from A/C 101-300-932-000 (Repair/Maint) \$1,973.62. Police Dept.
15. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging - Inv. dated 11/27/00 from A/C 101-200-868-000 (Prisoners) \$11,792.25. General Govt.
16. TODAYLINK, LLC - Online Services December 2000 - Inv. 1015 dated 01/01/01

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- from A/C 101-200-819-999 (Online) \$5,843.38. General Govt.
17. WADE-TRIM/ASSOCIATES - Corrective Action Plan - Inv. 67819 dated 11/28/00 from A/C 592-XXX-154-000 (Sewers) \$331.00. Water Dept.
 18. WADE-TRIM/ASSOCIATES - E Z Mini Storage Water Main - Inv. 67821 dated 11/28/00 from A/C 592-XXX-255-000 (Jobs in Progress) \$284.50. Water Dept.
 19. WADE-TRIM/ASSOCIATES - Phase II CSO Planning Services - Inv. 67818 dated 11/28/00 from A/C 592-XXX-154-000 (Sewers) \$24,720.08. Water Dept.
 20. WADE-TRIM/ASSOCIATES - Plans & Specs Berwyn Parking Lot - Inv. 67816 dated 11/28/00 from A/C 103-960-921-200 (Berwyn Parking Lot) \$638.40. Community Devel.
 21. WADE-TRIM/ASSOCIATES - Site Plan Review White Castle - Inv. 67142 dated 09/19/00 from A/C 101-371-809-000 (Site Plan Review) \$1,515.51. Building Dept.
 22. WADE-TRIM/ASSOCIATES - Street Sweeping/Water Quality Project - Inv. 67820 dated 11/28/00 from A/C 592-XXX-154-000 (Sewers) \$3,214.92. Water Dept.
 23. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Sewage Disposal Rouge Valley - Inv. 90232 dated 12/05/00 from A/C 592-537-929-000 (Sewage) \$2,568.09. Water Dept.
 24. WAYNE COUNTY HEALTH DEPARTMENT - Cross Connection Charges - Inv. 5548 dated 11/13/00 from A/C 592-537-818-000 (Contract Serv) \$9,382.00. Water Dept.
 25. WAYNE COUNTY DEPARTMENT OF ROADS - Warren/Outer Drive to Hayden Road Resurfacing - Inv. 92391 dated 03/18/99 from A/C 202-202-880-300 (Roads) \$1,797.33. Major Streets.
 26. WESTLAND TREE SERVICE - Tree Trimming & Removals - Inv. dated 12/29/00 from A/C 101-440-820-000 (Tree Trimming) \$6,940.66. DPW-Highway.

Motion adopted.

Petitioner for the abandonment of the alley arrived.

- 01-006** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, to reopen the Public Hearing, time being 8:24 p.m..

Motion adopted.

Petitioner, Kirt McDonald, 24031 Lehigh, inquired if the Council had received any further communications other than Michcon. He was shown the correspondence from Mr. Woods. Petitioner then stated he would await Council action on January 23, 2001 and if approved, would apply for a variance which would allow him to begin construction.

- 01-007** Motion by Councilman Baron, seconded by Councilwoman Van Houten, to close the Public Hearing.

The Public Hearing closed at 8:27 p.m.

- 01-008** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) Precor EFX 546 or equal Elliptical Cross Trainer, per the request of Recreation Director Grybel, communication dated December 15, 2000. Monies to fund this purchase have been budgeted in the 2000-2001 RA Young Recreation Center Capital Outlay Account (#692-981).

Motion adopted.

- 01-009** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the

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communication from Mayor Canfield, dated January 3, 2001 re: Appointment of Peter Zachary, 1708 Kinmore to the Cable TV Regulatory Commission, term to expire August, 2002, be received, contents noted and filed.

Motion adopted.

- 01-010** Motion by Councilwoman Judeh, seconded by Councilman Baron, that the communication from Mayor Canfield, dated December 28, 2000 re: Reappointments of Robert Gustitus and William Moyland to the Electrical Board of Review, terms to expire March, 2003, be received, contents noted and filed.

Motion adopted.

- 01-011** Motion by Councilman Paletko, seconded by Councilman Baron, that the City Council concurs with and approves the reappointments of Natalie McLaughlin and Gabriel Noory to the Tax Increment Finance Authority, terms to expire December, 2004 per, Mayor Canfield, communication dated December 28, 2000.

Motion adopted.

- 01-012** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that the annual publication of the Amended Notice of Meetings as Required Under Public Act No. 201 Public Acts of 1968 be amended to reflect the following changes to Council schedule:

Primary Election - Tuesday, September 11, 2001; Council Meeting moved to Wednesday, September 12 (if a Primary is necessary). Further, cancellation of Tuesday, December 25, 2001 meeting.

Motion adopted.

- 01-013** Motion by Councilman Paletko, seconded by Councilwoman Van Houten, that the City Council accept the official record of the 1999-2000 Fiscal Year Audit Report and the attached letter of recommendations by Plante and Moran, per City Clerk Robbins, communication dated January 3, 2001.

Motion adopted.

- 01-014** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the City Council adopt the "Guidelines for Poverty Exemption" with proposed revisions as developed by the Board of Review per Assessor Pargo, communication dated December 19, 2000.

Motion adopted.

- 01-015** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Budget Amendment to cover the cost of the 2000 Summer Sidewalk Program be approved as follows:

INCREASE REVENUES	SIDEWALKS
#101-000-628-000	\$ 150,000.00
INCREASE EXPENDITURES	SIDEWALKS
#101-200-963-000	\$ 150,000.00

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per, Comptroller Barrow, communication dated January 3, 2001.

Motion adopted.

- 01-016** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the Budget Amendment to cover the cost of repair to tennis courts be approved as follows:

INCREASE REVENUES	APPRO. FUND BALANCE
#101-000-699-000	\$ 1,800.00
INCREASE EXPENDITURES	RECREATION REPAIRS
#101-691-932-000	\$ 1,800.00

per, Comptroller Barrow, communication dated January 3, 2001.

Motion adopted.

- 01-017** Motion by Councilman Baron, seconded by Councilwoman Judeh, that the City Council concurs with and approves the contract extension with Westland Tree Service, 9448 Lamont, Livonia, MI 48150 for an additional four years from July 1, 2001 through June 30, 2005 with a 3% increase the first year, July 1, 2001 through June 30, 2002; a 5% increase the second and third years, July 1, 2002 through June 30, 2004 and no increase the fourth year, July 1, 2004 through June 30, 2005, per Public Service Administrator Blackburn, communication dated December 29, 2000.

Motion adopted.

- 01-018** Motion by Councilman Baron, seconded by Councilwoman Judeh, that the City Council concurs with and approves the contract extension with Lacaria Concrete Construction, 3720 Central Avenue, Detroit, MI 48210 thru December 31, 2001 per Mr. Lacaria's letter dated September 15, 2000 for the 2001 Sidewalk Replacement Program at the same rates as the 2000 Sidewalk Replacement Program, per Housing Inspector/Sidewalk Coordinator Lamontagne, communication dated December 28, 2000.

Motion adopted.

- 01-019** Motion by Councilman Paletko, seconded by Councilwoman Agius, that the City Council concurs with and approves the expenditure of \$14,993.00, the City's share of the annual membership dues for CLEMIS per, Police Chief Gust, communication dated December 27, 2000. Local Law Enforcement Block Grant funds will be used for this expense.

Motion adopted.

- 01-020** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the City Council establish the following dates and times for CDBG Public Hearings:

Consolidated Plan/Action Plan Hearing	February 13, 2001	7:30 p.m.
Floodplain Hearing	February 27, 2001	7:30 p.m.
Flood FONSI Hearing	March 27, 2001	7:30 p.m.
Action Plan Hearing	April 10, 2001	7:30 p.m.
Year End Hearing	August 28, 2001	7:30 p.m.

per, Community development director Oliverio, communication dated December 20,

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2000.

Motion adopted.

- 01-021** Motion by Councilman Baron, seconded by Councilwoman Judeh, that the City Council concurs with and approves the addition of a full-time bookkeeper position to the Building Department budget per, Housing Inspector/Sidewalk Coordinator Lamontagne, communication dated December 29, 2000. Approximate costs for salary, computer and an additional telephone line for January 15, 2001 (approximate date of hire) until June 30, 2001 is \$9,190.00 which will be an addition to the Building Department budget.

Motion adopted.

- 01-022** Motion by Councilman Paletko, seconded by Councilwoman Judeh, that the City Council adopt the Warren Avenue Streetscape Enhancement Project Resolution as follows:

WHEREAS: The City of Dearborn Heights Department of community Development has been developing plans to enhance the streetscape, parking and other public amenities along Warren Avenue; and

WHEREAS: The City of Dearborn Heights proposes to coordinate the replacement of water mains along Warren Avenue with the installation of components of the streetscape; and

WHEREAS: Funding may be available through the Transportation Equity Act for the 21st Century (TEA-21) to implement components of the streetscape; be it

RESOLVED: That the Department of community Development is authorized to develop an application requesting approximately \$500,000 under TEA-21 for the implementation of the Warren Avenue Streetscape Project; be it further

RESOLVED: That the City Council fully supports the project; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute the grant application; be if further

RESOLVED: That this resolution be given immediate effect, per, Community Development Director Oliverio, communication dated December 13, 2000.

Motion adopted.

- 01-023** Motion by Councilwoman Van Houten, seconded by Councilwoman Agius, that proposed Ordinance H-00-12, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 35-139 ET. SEQ. OF SAID CODE, REGARDING ILLICIT CONNECTION ABATEMENT, be considered read for the second time to become effective upon publication in the City's official newspaper.

Motion adopted.

- 01-024** Motion by Councilwoman Agius, seconded by Councilwoman Van Houten, that the

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City Council concurs with and approves the contract extension with J.Q. Inc., Tag Lawn Mowing, 4406 Merrick, Dearborn Heights, MI 48125 for the Grass and Weed Cutting Program with the changes to commercial properties as outlined in the communication from Mr. Karoub. Upon receipt of a Letter of Confirmation from Mr. Karoub this extension will run through the 2002 mowing season.

Motion adopted.

- 01-025** Motion by Councilwoman Van Houten, seconded by Councilman Baron, that the request from Checker Pharmacy, LLC to transfer ownership of 2000 SDD-SDM licensed business from Checker Drug of Dearborn Heights, Inc., located at 8641 Telegraph, Dearborn Heights, MI 48127 to stockholders Jody S. & Richard A. Grossman, 33280 Walnut Lane, Farmington Hills, MI 48334, be approved and the Liquor Control Commission be so notified. ID# 93056.

Motion adopted.

- 01-026** Motion by Councilwoman Agius, seconded by Councilwoman Judeh, that business license renewal for Mexican Fiesta, 24310 Ford Road, be approved.

Motion adopted.

- 01-027** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that tabled CM 00-517, Lot Split Hawthorne Golfview Subdivision, be brought back on the table.

Motion adopted.

- 01-028** Motion by Councilman Baron, seconded by Councilwoman Van Houten, that the Lot Split request from Saadid Alobadi, 5514 S Piccadilly, West Bloomfield, MI 48322 for Lots 346 through 353 Hawthorne Golf View Subdivision, (ID # 33-004-01-0346-000 through # 33-004-01-0350-000) be approved subject to the demolition of all structures at 8061 Silvery Lane and ZBA variance approval per, Assessor Pargo, communication dated December 6, 2000. This split will create the following three parcels in Hawthorne Golf View Sub:

- 1) Lots 346 and 347, also the north 13 feet of 348;
- 2) The south 7 feet of Lot 348, also Lots 349 and 350, also the north 6 feet of Lot 351; '
- 3) The south 14 feet of Lot 351, also Lots 352 and 353.

Motion adopted.

There being no further business to come before the Council, Council Chairwoman Horvath adjourned the meeting at 9:02 p.m.

JOYCE A. ROBBINS
CITY CLERK

MARGARET M. HORVATH, CHAIRWOMAN
CITY COUNCIL

MARIA E. LAWRENCE
COUNCIL/CLERK SECRETARY