

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 11, 1990

- 90-624 The meeting was called to order at 8:12 p.m., by Council Chairman 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 F. Kosinski, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

Absent: None.

Also Present: Mayor Van Houten, Administrative Assistant Hitsky, Corporation Counsel Dadaou, Clerk McLachlan, Deputy Clerk Sheridan, Comptroller Barrow, Assessor Welch, Building & Engineering Director Hamel, Police Chief DiPrima, Fire Chief Lewis, Deputy Fire Chief Carr, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Jerome P. Chismar.

- 90-625 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph V. Kosinski, that the agenda for the Regular Meeting of December 11, 1990, be approved as submitted.

Motion unanimously adopted.

- 90-626 Motion by Councilman Gary P. Blackburn, supported by Councilman Joseph F. Kosinski, that the minutes from the Regular Meeting of November 27, 1990, be approved as submitted.

Motion unanimously adopted.

- 90-627 Motion by Councilman Gary P. Blackburn, supported by Councilman Robert L. Brown, that Current Claims 6-1 through 6-26 be approved as submitted.

1. ADAM DADAOU - Legal fees for November 1990. Inv. 12/4/90. From A/C 210-826 (Counsel Services) \$12,802.77 and A/C 210-938 (Library) \$531.74. Corp. Counsel.
2. DISTRICT 7 DAD'S CLUB - Youth hockey program allotment. Check request 12/4/90. From A/C 691-887 (Recreation Programs) \$10,800.00. Recreation.
3. E & N CEMENT - Pavement repairs. Inv. 12/1/90. From A/C 440-880 (Road Repairs) \$2,622.84. DPW.
4. E & N CEMENT - Pavement repairs. (2) Inv. 12/1/90. From A/C 537-818 (Contractual Services) \$10,533.81 and A/C 536-970 (Capital Outlay) \$19,397.85. Water.
5. HAYES EXCAVATION CO. - Watermain Replacement Phase IX. Cert. No. 1, 11/16/90. Job No. DHT 2212-33. From A/C 103-960-125-089 (Watermain Replacement) \$245,165.56 (Enc.). Comm. Dev.
6. ITALIA CONSTRUCTION - City wide sidewalk repairs. Check request 11/27/90. From A/C 200-963 (Sidewalks) \$173,316.51 (Revolving Fund) and A/C 440-880 (Road Repairs) \$14,774.00. Gen. Govt. & DPW.
7. PLANTE & MORAN - Audit & consulting services for October 1990. Inv. 17784-089558, 17784-89560, 17784-089562, 11/15/90. From A/C 200-817 (Professional & Consult) \$14,215.00 and A/C 440-818 (Contractual Services) \$14,660.00. Gen. Govt. & DPW.
8. PLANTE & MORAN - Audit & consulting services for October 1990. Inv. 17784-089559, 17784-089561, 11/15/90. From A/C 536-817 (Professional & Consult) \$8,335.00. Water.
9. WADE-TRIM/ASSOCIATES - 1988 Sanitary Sewer Cleaning. Inv. 35535, 11/15/90. Job No. DHT 2224-21. From A/C 537-818 (Contractual Services) \$1,034.80. Water.

10. WADE-TRIM/ASSOCIATES - 1989 Joint & Crack Sealing Program. Inv. 35602, 11/19/90. Job No. DHT 2296-03. From A/C 440-880 (Road Repairs) \$205.14. DPW.
11. WADE-TRIM/ASSOCIATES - 1989 Joint & Crack Sealing Program. Inv. 35603, 11/16/90. Job No. DHT 2296-04. From A/C 440-880 (Road Repairs) \$1,483.25. DPW.
12. WADE-TRIM/ASSOCIATES - 1989 Joint & Crack Sealing Program. Inv. 35601, 11/16/90. Job No. DHT 2296-02. From A/C 440-880 (Road Repairs) \$1,258.00. DPW.
13. WADE-TRIM/ASSOCIATES - 1989 Joint & Crack Sealing Program. Inv. 35427, 10/23/90. Job No. DHT 2296-02. From A/C 440-880 (Road Repairs) \$4,764.00. DPW.
14. WADE-TRIM/ASSOCIATES - Bedford & Raymond Bridge removals. Inv. 35608, 11/16/90. Job No. DHT 2313-03. From A/C 103-960-440-089 (Bridge Removals) \$1,235.25 (Enc.). Comm. Dev.
15. WADE-TRIM/ASSOCIATES - Berwyn Center parking lot. Inv. 35604, 11/16/90. Job No. DHT 2301-04. From A/C 103-960-121-189 (Berwyn Parking Lot) \$131.25. Comm. Dev.
16. WADE-TRIM/ASSOCIATES - DPW roof repair. Inv. 35611, 11/16/90. Job No. DHT 2323-01. From A/C 536-970 (Capital Outlay) \$275.25. Water.
17. WADE-TRIM/ASSOCIATES - DPW roof repair. Inv. 35612, 11/16/90. Job No. DHT 2323-02. From A/C 536-970 (Capital Outlay) \$527.75. Water.
18. WADE-TRIM/ASSOCIATES - Assistance to EPA Downriver lawsuit. Inv. 35606, 11/16/90. Job No. DHT 2311-01. From A/C 536-817 (Professional & Consult) \$268.50. Water.
19. WADE-TRIM/ASSOCIATES - Flow monitoring - EPA Downriver lawsuit. Inv. 35607, 11/19/90. Job No. DHT 2311-02. From A/C 536-817 (Professional & Consult) \$2,286.65. Water.
20. WADE-TRIM/ASSOCIATES - Watermain Replacement Phase IX. Inv. 35599, 11/16/90. Job No. DHT 2212-33. From A/C 103-960-125-089 (Watermain Replacement) \$3,007.40 (Enc.). Comm. Dev.
21. WADE-TRIM/ASSOCIATES - Watermain Replacement Phase IX. Inv. 35673, 11/20/90. Job No. DHT 2212-32. From A/C 103-960-125-089 (Watermain Replacement) \$19,180.52 (Enc.). Comm. Dev.
22. WAYNE COUNTY - DEPT. OF ROADS - Traffic signal cost for October 1990. Inv. 71440, 11/15/90. From A/C 440-925 (Traffic Signal Maint.) \$3,280.01. DPW.
23. WAYNE COUNTY - DEPT. OF ROADS - Traffic signal cost for December 1989. Inv. 69989, 4/9/90. From A/C 440-925 (Traffic Signal Maint.) \$3,150.09. DPW.
24. WESTLAND TREE SERVICE - Tree trimming & removals. Inv. 12/3/90. From A/C 440-820 (Tree Maint.) \$6,077.46. DPW.
25. WORTHINGTON WOOD WORKS - Repair "Welcome" sign at Ford & Telegraph. Inv. 1195-1, 11/16/90. From A/C 200-807 (Misc. Expense) \$2,120.00 (Enc.) (To be reimbursed from insurance). Gen. Govt.
26. ALLEGAN COUNTY SHERIFF DEPT. - Prisoner boarding fee - October 1990. Inv. 11/8/90. From A/C 130-868 (Prisoner Food & Lodging) \$9,123.50. Dist. Court.

Motion unanimously adopted.

- 90-628 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the City Clerk be authorized to advertise for bids, per specifications, for 50% recycled computer paper, per the request of Comptroller Barrow, communication dated November 27, 1990.

Motion unanimously adopted.

- 90-629 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph F. Kosinski, that

WHEREAS, drug abuse is one of the most serious and pervasive problems facing the citizens of this state; and

WHEREAS, school age children are especially vulnerable to and influenced by the activities of predatory drug offenders; and

WHEREAS, our long term efforts to address this national problem will depend in large measure on the eventual success of programs and initiatives at the local level designed ultimately to reduce the demand for illicit substances; and

WHEREAS, elementary and secondary schools serve as the principle medium for educating young people about the perils of substance abuses; and

WHEREAS, young citizens of the community have an undeniable and fundamental right to the advantages of a school environment which is conducive to educational goals and prerogatives and which is totally free of drug abuse and trafficking activities; and

WHEREAS, the Legislature by enactment of P.A. 12, 1988, known as the Drug Free School Zone Act, has provided for enhanced punishment for drug offenders who distribute to or who use children or who operate on or near school property; and

WHEREAS, the Legislature has directed that the enforcement of Michigan's drug laws shall be a priority of the law enforcement community, and that special emphasis shall be placed on the patrol and protection of schools and areas within drug free school zones; and

WHEREAS, the Governor has established the Michigan Alliance for Drug Free Schools and Communities, which is comprised of representatives from every level within the professional, educational and law enforcement communities, and which has developed and recommended specific guidelines concerning law enforcement activities conducted on school property; and

WHEREAS, there is a demonstrated need for the continuation, institutionalization and enhancement of the spirit of cooperation which exists between law enforcement officials and professional educators with respect to the substance abuse problem; and

WHEREAS, law enforcement officials are requested at all times to respect and appreciate the needs, concerns and rights of students and professional educators

NOW, THEREFORE the City Council for the City of Dearborn Heights, Board of Education of the Crestwood, Westwood and District No. 7 School Districts by virtue of the authority vested by law do hereby declare the Schools of Dearborn Heights to be DRUG FREE SCHOOL ZONES.

Per Mayor Van Houten, communication dated November 28, 1990.

Motion unanimously adopted.

- 90-630 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the disposal of four (4) boxes of developer and fifteen (15) cartridges of dry ink for a Xerox 8200 machine that the City no longer owns, per Clerk McLachlan, communication dated December 5, 1990.

Motion unanimously adopted.

- 90-631 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the quote from Gray Electric for additional power supply for the new computer system for City Hall in the amount of \$16,215.00, and payment thereof, per Comptroller Barrow, communication dated December 5, 1990.

Motion unanimously adopted.

- 90-632 Motion by Councilman Joseph V. Kosinski, supported by Councilman Jerome P. Chismar, that the City Council concurs with and approves a quote from Mid-West Telephone & Supply Inc. for cabling to be integrated for future use with the telephone wiring system for the new computer system for City Hall, in the amount of \$11,492.00, and computer wiring from AS/400 to various desk locations, in the amount of \$11,830.00. Total cost not to exceed \$27,000.00, and payment thereof, per Comptroller Barrow, communication dated December 5, 1990.

Motion unanimously adopted.

- 90-633 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves that the property located at 7010 Fenton be listed for sale with Red Carpet Keim, 27366 W. Warren, in the amount of \$72,500 with a commission rate of 5%, per Police Chief DiPrima communication date November 28, 1990.

Motion unanimously adopted.

- 90-634 Motion by Councilman Jerome P. Chismar, supported by Councilman Robert L. Brown, that the City Council concurs with and approves the purchase of three 1991 Pontiac automobiles with trade in, from Red Holman Pontiac at a net cost of \$38,234.06, and payment thereof. This item was bid under the Oakland County Purchasing Program for fleet vehicles. Monies to come from A/C 335-981, per Fire Chief Lewis, communication dated November 27, 1990.

Motion unanimously adopted.

- 90-635 Motion by Councilman Jerome P. Chismar, supported by Councilwoman Ruth A. Canfield, that the City Council concurs with and approves the purchase of one 1991 Chevrolet Lumina vehicle from Mike Savoie Chevrolet in the amount of \$11,022.61, and payment thereof. This purchase is the result of a fleet car package of Oakland County, Department of Management and Budget. Monies to come from capital outlay, per Building & Engineering Director Hamel, communication dated December 4, 1990.

Motion unanimously adopted.

- 90-636 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Joseph F. Kosinski, that

WHEREAS, the City of Dearborn Heights hereinafter referred to as the "GOVERNMENTAL BODY" from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT", to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all claims of every kind for injuries to, or death of any and all persons and, for loss of, or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY'S facilities and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over, and/or under the State trunkline right of way, except claims resulting from the sole negligence or willful acts or omissions of said DEPARTMENT, its officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.

2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.

3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting or arising out of the installation, construction, operation, and/or maintenance of the GOVERNMENTAL BODY'S facilities pursuant to a PERMIT issued by the DEPARTMENT.

4. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not preclude the DEPARTMENT requiring additional performance security or insurance when deemed necessary by the DEPARTMENT.

5. This Resolution shall continue in force from the date hereof until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that John L. Preston, Public Service Administrator is hereby authorized to make application to the Michigan Department of Transportation for the necessary permit to work within state trunkline rights of way on behalf of the GOVERNMENTAL BODY.

Per Public Service Administrator Preston, communication dated November 14, 1990.

Motion unanimously adopted.

- 90-637 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that the City Council concurs with and approves Johnson Controls, Inc. installing three zone mixing valves for the Berwyn Senior Citizen Center Heating System, in the amount of \$4,131.00, and payment thereof, per Recreation Director Grybel, communication dated December 4, 1990.

Motion unanimously adopted.

- 90-638 Motion by Councilman Joseph F. Kosinski, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves amending C.M. 90-589 regarding a Historical Project for the construction of a historical room adjacent to the Caroline Kennedy Library, to read Public Act 205 of 1990 instead of Public Act 112 of 1990, per Community Development Director Oliverio, communication dated November 27, 1990.

Motion unanimously adopted.

- 90-639 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Jerome P. Chismar, that the City Council concurs with and approves Mayor Van Houten and Clerk McLachlan signing a Grant Contract between the State of Michigan and the City of Dearborn Heights for the Dearborn Heights Veterans Memorial, in the amount of \$7,500.00, per Community Development Director Oliverio, communication dated December 4, 1990.

Motion unanimously adopted.

- 90-640 Motion by Councilman Joseph V. Kosinski, supported by Councilman Gary P. Blackburn, that the communication for Michigan Municipal League regarding the Annual Regional Meeting on Wednesday, January 23, 1991 in Plymouth, Michigan, be received, noted and filed.

Motion unanimously adopted.

- 90-641 Motion by Councilman Jerome P. Chismar, supported by Councilman Gary P. Blackburn, that the City Council concurs with and approves the Tax Increment Finance Authority's amended 1990-1991 budget in the amount of \$1,069,000.00, per Chairman Ken Baron, communication dated December 4, 1990.

Motion unanimously adopted.

- 90-642 Motion by Councilman Joseph V. Kosinski, supported by Councilwoman Ruth A. Canfield, that the request for transfer of a 1990 Class C licensed business with Dance Permit and request new Entertainment Permit at the Flash Back Lounge, 25542 Van Born, be referred to Fire, Police, Building and Treasurer's Departments.

Motion unanimously adopted.

- 90-643 Motion by Councilwoman Ruth A. Canfield, supported by Councilman Jerome P. Chismar, that

WHEREAS, The Dearborn Heights City Council does hereby support the cause of Friends of Freedom and urges all local residents, organizations, and businesses to become involved in this worthwhile endeavor by contributing non-perishable foods and toiletries, making a donation, or donating their time to show our service people in Saudi Arabia we are thinking of them and that we truly are a City who cares; and

WHEREAS, That inasmuch as extensive expenses will be incurred in shipping these non-perishable goods to our service personnel abroad, President Bush is urged to work with Congress and the United States Postal Service to provide a method by which such packages can be shipped at reduced costs.

NOW, THEREFORE, BE IT RESOLVED, That the City clerk be and hereby is directed to send copies of this resolution to President Bush, Senator Don Riegle, Senator Carl Levin, and Representative Sander Levin.

Per Jane Brittain, communication dated December 3, 1990.

Further, this resolution be referred to Administration for coordination of efforts.

Motion unanimously adopted.

- 90-644 Motion by Councilman Joseph V. Kosinski, supported by Councilman Robert L. Brown, that a Public Hearing be held on January 8, 1991 at 7:30 p.m., to hear objections, if any, for establishing a tax abatement district, per the request from Nikko Wolverine, Inc.

Motion unanimously adopted.

- 90-645 Motion by Councilman Robert L. Brown, supported by Councilman Jerome P. Chismar, that the request from Friends of the Rouge to present an award to the City at a future Council meeting, be received, contents noted and filed.

Motion unanimously adopted.

- 90-646 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph V. Kosinski, that the request from JDSC, Inc. to transfer ownership of 1990 Class C licensed business from One Potato Two, Inc. at 24735 Warren Ave, Dearborn Heights, MI, Wayne County, 48127, be approved and the Liquor Control Commission be so notified.

Motion unanimously adopted.

- 90-647 Motion by Councilman Jerome P. Chismar, supported by Councilman Joseph F. Kosinski, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:49 p.m.