

## REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

DECEMBER 9, 1997

97-621 The meeting was called to order at 8:12 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, Administrative Assistant Heise, Corporation Counsel Assistant Sunisloe, Deputy Clerk Robbins, Comptroller Barrow, Financial Analyst Clark, Assessor Welch, Building & Engineering Director Opalewski, Human Resources Director Sullivan, Police Chief Webber, Fire Chief Langlois, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Administrative Assistant Heise.

97-622 Motion by Councilman Baron, seconded by Councilwoman Horvath, that the Agenda for the Regular Meeting of December 9, 1997, be approved with the exclusion of Agenda Item 11-A Lot Split Ordinance H-97-10.

Motion unanimously adopted.

97-623 Motion by Councilman Zulinski, seconded by Councilman Wyatt, that the Minutes from the Regular Meeting of November 24, 1997, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the vacation of a 20' wide east-west alley on Van Born Road between Beech Daly and Janet Avenue opened at 8:15 p.m. by Council Chairman Joseph V. Kosinski.

Council Chairman Kosinski asked Deputy Clerk Robbins to read the official Notice of Public Hearing.

**PLEASE TAKE NOTICE** that the City Council will meet on Tuesday, December 9, 1997 at 8:00 p.m., E.S.T. in the Council Chambers located at 6045 Fenton Avenue, Dearborn Heights, Michigan, to consider the petition and hear objections thereto on vacating a 20 foot wide east-west alley lying north of Van Born Road bounded on the north by the east 15 feet of Lot 962 and all of Lots 963 through 971 inclusive; bounded on the east by Janet Avenue; bounded on the south by Lots 585 through 603 inclusive; and bounded on the west by a previously vacated alley. All contained within Rougelvania Subdivision No. 2. T2S, R10E, Liber 55, Page 33, Wayne County Records.

Retaining however, the full width for the entire length of the alley proposed to be vacated, which shall be reserved for public utilities as and for access for maintenance and/or installation thereof.

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., Wednesday, December 3, 1997. Helene S. Sheridan, City Clerk, City of Dearborn Heights. Published November 13th and November 20, 1997. Notices of this Public Hearing were sent to Administration, Department of Public Works, Ameritech, Detroit Edison, Michcon, Detroit

Water & Sewerage, Police Department, Fire Department and to Code Enforcement Officer Simakas for posting. Officer Simakas posted the notice on utility poles in the parking lot of the Donovan Post; Janet at Van Born; 25682 Van Born at the curb; in referenced alley behind 25682 Van Born and on the northeast corner of S. Beech Daly at Van Born. No other communications Mr. Chairman.

Council Chairman Kosinski asked if there was anyone in the audience wishing to speak for or against the proposed alley vacation.

Due to the length of the discussion during this Public Hearing, the comment portion has been excluded for purposes of brevity. The official minutes are on file in the office of the City Clerk.

Council Chairman Kosinski asked for a motion to close the public hearing.

**97-624** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the public hearing be closed.

Motion unanimously adopted.

The Public Hearing for the vacation of the ease-west alley lying north of Van Born Road east of Janet closed at 8:33 p.m.

**97-625** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, that Current Claims 6-1 through 6-17, be approved as submitted.

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Operation & Maintenance Requirements Monthly Debt Service November 1997 - Inv. dated 11/21/97 from A/C 101-200-810-000 (Sanitation) \$169,684.00. General Govt.
2. DISTRICT NO. 7 DAD'S CLUB - 1997-98 Youth Hockey Program Allotment Various Baseball Leagues - Ck. Req. dated 11/05/97 from A/C 101-691-887-000 (Recreation Programs) \$12,375.00. Recreation.
3. E & N CEMENT COMPANY - Pavement Repairs - Two (2) Inv.'s dated 10/18/97 from A/C 101-440-880-000 (Road Repairs) \$147,029.26 and A/C 592-540-818-000 (Contractual Services) \$19,689.35. DPW/Water.
4. GARY MIOTKE - Attorney Fees October 1997 - Inv. dated 11/14/97 from A/C 101-210-826-000 (Counsel Services) \$2,400.00. Corp. Counsel.
5. LAURA BERRY-HARRIS - Attorney Fees October 1997 - Inv. dated 11/14/97 from A/C 101-210-826-000 (Counsel Services) \$7,774.00. Corp. Counsel.
6. MICHIGAN HUMANE SOCIETY - Animal Processing October 1997 - Inv. 5722 dated 10/31/97 from A/C 101-200-806-000 (Animal Processing) \$2,645.00. General Govt.
7. PAINTER & RUTHENBERG, INC. - Newsprint - Inv. 10012768 dated 11/11/97 from A/C 101-200-810-000 (Sanitation) \$1,885.00. General Govt.
8. PLANTE & MORAN, LLP - Audit CDBG Year Ending 6/97 - Inv. Dated 11/19/97 from A/C 103-960-918-096 (Administration) \$3,300.00. Community Devel.
9. SUN ENVIRONMENTAL SYSTEMS, INC. - Katherine Street Bridge Removal/Ecorse Creek Channel Stabilization - Cert #1 dated 11/24/97 from A/C 103-960-942-096 (Katherine Street Bridge) \$18,856.80. Community Devel.
10. WADE-TRIM/ASSOCIATES - Katherine Street Bridge Removal Ecorse Creek Channel Stabilization Construction Inspection - Inv. 55678 dated 11/25/97 from A/C 103-960-942-096 (Katherine Street Bridge) \$1,010.69. Community Devel.
11. WADE-TRIM/ASSOCIATES - Downriver Relief Sewer - Inv. 055325 dated 11/14/97 from A/C 592-XXX-154-000 (Sewer System) \$23,234.31. Water Dept.
12. WADE-TRIM/ASSOCIATES - Smoke Testing North End - Inv. 53369, 53797, 54680, 55505 from A/C 592-XXX-154/000 (Sewer System) \$2,020.00. Water Dept.
13. WATSON WYATT - Actuarial & Consulting Services for Retirement Programs September 1997 from A/C 101-200-818-000 (Contractual Services) \$8,526.00.

General Govt.

14. WAYNE COUNTY M & B FINANCE - Traffic Signals September 1997 - Inv. 89002 dated 11/07/97 from A/C 101-440-925-000 (Traffic Light Maint) \$3,224.40. DPW/HWY.
15. WAYNE COUNTY M & B FINANCE - Traffic Signals October 1997 - Inv. 89207 dated 11/22/97 from 101-440-925-000 (Traffic Light Maint.) \$3,224.40. DPW/HWY.
16. WAYNE COUNTY DEPARTMENT OF ENVIRONMENT - Downriver Excess Flow 2nd Qtr. - Inv. 590-87437 dated 11/21/97 from A/C 592-537-929-000 (Sewage Disposal Charges) \$105,778.78. Water Dept.
17. WEBNET, INC. - Software, Refunds & Mailing Costs - Inv. 17334 dated 11/15/97 from A/C 101-200-918-999 (Webnet) \$4,100.00. General Govt.

Motion unanimously adopted.

- 97-626** Motion by Councilman Zulinski, seconded by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) equipment trailer, per the request of Community Development Director Oliverio, communication dated December 1, 1997.

Motion unanimously adopted.

- 97-627** Motion by Councilman Paletko, seconded by Councilman Zulinski, to award the bid to the lowest bidder meeting all specifications Parr Emergency Products, 6106 Bausch Road, PO Box 300, Galloway, OH 43119, for two (2) CAS Blood Pressure Monitors, in the amount of \$4,200.00, and payment thereof, be approved, per Fire Chief Langlois, communication dated November 10, 1997. Funds for this purchase have been allocated in the 1997-98 Capital Outlay A/C 335-981.

Motion unanimously adopted.

- 97-628** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the communication from Mayor Canfield, dated December 3, 1997 re: The appointment of Wilma Gabrys, 6967 Robindale to the Commission on Aging, term ending April, 1998 be received, contents noted and filed.

Motion unanimously adopted.

- 97-629** Motion by Councilman Slomzenski, seconded by Councilman Zulinski, that the Council amend CM 96-080 so that it does not cover any future Council Members this can be accomplished by inserting the word "current" before City Council and also before Council Members. The new motion would read "That the Council authorize the continuance of the long term precedent of City sponsored fringe benefits including health insurance for the **current** City Council and their eligible family members with the option of individual **current** Council Members accepting insurance as they so choose."

*Amended  
2-28-02  
CM 02-  
095  
mod*

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

NAYS: Councilman Baron, Councilman Paletko, Councilman Wyatt.

ABSENT: None.

Motion adopted.

- 97-630** Motion by Councilman Slomzenski, seconded by Councilwoman Horvath, that the document that was published and distributed by the League of Women Voters Voter Guide that shows the electorate of the City of Dearborn Heights how the candidates in the 1997 election stood on selected issues prior to the election be received, noted and

filed.

Motion unanimously adopted.

- 97-631** Motion by Councilman Zulinski, seconded by Councilman Slomzenski, that the City Council adopt and approve the following resolution:

Be it resolved by the City of Dearborn Heights, Michigan that Article V. Retirement Plan Division 1. Generally 2-182. Definitions shall be amended by adding the following subsection:

Any City Council Member who is newly elected or appointed and becomes a Council Member on or after January 1, 1998 shall not be included in the participating unit and/or be entitled to membership under the Retirement Plan. This language shall be added following the definition of participating unit.

AYES: Councilwoman Horvath, Councilman Paletko, Councilman Slomzenski, Councilman Zulinski.

NAYS: Councilman Baron, Council Chairman Kosinski, Councilman Wyatt.

ABSENT: None.

Motion adopted.

- 97-632** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council have the first reading of ordinance H-97-11, an ordinance to amend the Pension Plan to change members eligibility and that Corporation Counsel be directed to draft said ordinance to include the action to occur by virtue of CM 97-631 which states:

Be it resolved by the City of Dearborn Heights, Michigan that Article V. Retirement Plan Division 1. Generally 2-182. Definitions shall be amended by adding the following subsection:

Any City Council Member who is newly elected or appointed and becomes a Council Member on or after January 1, 1998 shall not be included in the participating unit and/or be entitled to membership under the Retirement Plan. This language shall be added following the definition of participating unit. Further, this to be completed and submitted for a second reading at the scheduled Council Meeting on December 22, 1997.

AYES: Councilwoman Horvath, Councilman Paletko, Councilman Slomzenski, Councilman Zulinski.

NAYS: Councilman Baron, Council Chairman Kosinski, Councilman Wyatt.

ABSENT: None.

Motion adopted.

- 97-633** Motion by Councilwoman Horvath, seconded by Councilman Zulinski, the City Council end the long precedent of City funded medical, dental and life insurance benefits for all future Council Members elected or appointed effective December 31, 1997.

AYES: Councilwoman Horvath, Councilman Paletko, Councilman Slomzenski, Councilman Zulinski.

NAYS: Councilman Baron, Council Chairman Kosinski, Councilman Wyatt.

ABSENT: None.

Motion adopted.

*Amended  
2-26-02  
CM 02-095  
mel*

- 97-634** Motion by Councilman Paletko, seconded by Councilman Baron, that the communication from Councilman Slomzenski, dated December 2, 1997 re: Longevity and vacation time based on Council years be referred to a Committee of the Whole and that the Chairman be asked to schedule a meeting on December 16, 1997 to discuss this particular matter.

Motion unanimously adopted.

- 97-635** Motion by Councilman Slomzenski, seconded by Councilman Zulinski, that the City Council obtain a legal opinion from Corporation Counsel on the legality of longevity pay for elected officials based on the duties of the Compensation Commission, based on opinion from Richard Dunn and based on State law to coincide with the Committee of the Whole meeting scheduled for December 16, 1997.

Motion unanimously adopted.

- 97-636** Motion by Councilman Paletko, seconded by Councilman Wyatt, that the City Council request Administration secure an estimate from City engineers on the cost of closing Dale Street and that Erickson & Associates then be request to place in escrow the necessary funds to complete the closing. Further, that the Council be notified when the funds are placed in escrow. Further, that Council Chairman Kosinski set a meeting with Police Officer Frank Calzaretta, Erickson & Associates, Walgreen's representative and any interested residents on Dale Street be present at said meeting.

Motion unanimously adopted.

- 97-637** Motion by Councilman Paletko, seconded by Councilman Zulinski, that the City Council approve the plan as outlined in Mitch Mallin's, Watson Wyatt Company, letter dated December 1, 1997 with the incorporation of a minimum improvement of \$200 and also including the five individuals receiving deferred withdrawal benefits which commenced prior to January 1, 1993. Further, that this matter be referred to the General Government Pension Committee for their concurrence.

Motion unanimously adopted.

- 97-638** Motion by Councilman Paletko, seconded by Councilman Baron, that the communication from Chief Judge Plawecki, dated December 1, 1997 re: Addition of Deputy Court Clerk position be referred to a Committee of the Whole Meeting scheduled for Tuesday, December 16, 1997.

Motion unanimously adopted.

- 97-639** Motion by Councilman Baron, seconded by Councilman Zulinski, that the City Council concurs with and approves the lot split request from Italy America II, LLC (Mr. Frank Mastroianni, 25655 Wilson, Dearborn Heights, MI 48127) to Connor's Beef Buffet, in Bon Telegraph Subdivision #1, Sidwell # 33-003-01-0832-300 and # 33-003-01-0840-002 per, Assessor Welch, communication dated November 26, 1997. This lot split will cause a revision to two legal descriptions provided by Lawrence F. Callahan, Registered Land Surveyor.

Motion unanimously adopted.

- 97-640** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the City Council concurs with and approves a computer upgrade to the AIX Computer System in the amount of \$5,885.00 per, Police Chief Webber, communication dated December 1, 1997. Funds for this upgrade to be allocated from 911 funds as this is an integral part of that function.

Motion unanimously adopted.

- 97-641** Motion by Councilman Baron, seconded by Councilman Paletko, that the resolution from the City of Romulus re: Federal Mandates of Local Government Land Use and Zoning Authority be received, contents noted and filed.

Motion unanimously adopted.

- 97-642** Motion by Councilman Paletko, seconded by Councilwoman Horvath, that the City Council approve the renaming of Janet Street at Van Born Road to the Ecorse Creek to “Donovan’s VFW Drive” and authorize the City Clerk to amend the appropriate Wayne County Records.

Motion unanimously adopted.

- 97-643** Motion by Councilman Baron, seconded by Councilman Zulinski, that the request from Lone Star Steakhouse & Saloon of Michigan, Inc. to transfer ownership of 1997 Class C licensed business, located at 24140 Ford, Dearborn Heights, MI 48127, Wayne County, from The Pork and Bean Company, Inc. be approved and the Liquor Control Commission be so notified. Ref. # 970004921.

Motion unanimously adopted.

- 97-644** Motion by Councilwoman Horvath, seconded by Councilman Baron, that the 1997-98 business license renewals for O’Grady’s Irish Pub, 3651 S Beech Daly and The Arena, 23914 Ford, be approved.

Motion unanimously adopted.

- 97-645** Motion by Councilman Wyatt, seconded by Councilman Baron, that the meeting be adjourned.

The meeting adjourned at 10:35 p.m.

**HELENE S. SHERIDAN**  
**CITY CLERK**

**JOSEPH V. KOSINSKI, CHAIRMAN**  
**CITY COUNCIL**