

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

NOVEMBER 14, 1995

95-493 The meeting was called to order at 8:10 p.m., by Council Chairman Daniel S. Paletko.

Roll Call showed the following:

Present: Councilman Robert L. Brown, Councilwoman Margaret M. Horvath, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko, Councilman Frank J. Slomzenski, Councilman Gregg Zulinski.

Absent: Councilman David C. Brunell.

Also Present: Administrative Assistant Zadikian, Corporation Counsel Berry-Harris, Corporation Counsel Assistant Heise, City Clerk Sheridan, Deputy Clerk Robbins, Treasurer Riley, Comptroller Barrow, Assessor Welch, Building & Engineering Director Salatka, Human Resources Director Sullivan, Police Chief Webber, Fire Chief Langlois, Deputy Recreation Director Constan, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Slomzenski.

95-494 Motion by Councilman Brown, supported by Councilwoman Horvath, that the Agenda for the Regular Meeting of November 14, 1995, be approved as submitted.

Motion adopted.

95-495 Motion by Councilman Kosinski, supported by Councilman Brown, that the Minutes from the Regular Meeting of October 24, 1995, be approved as submitted.

Motion adopted.

The Public Hearing for the proposed abandonment of vacated Fordson Highway was called to order at 8:14 p.m. by Council Chairman Daniel S. Paletko.

Council Chairman Paletko asked the City Clerk Sheridan to read the official Notice of Public Hearing.

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, November 14, 1995, by the City Council of the City of Dearborn Heights at the Administration Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m. for the purpose of hearing objections, if any, to the abandonment of vacated Fordson Highway, said property being more particularly described as follows:

The northerly 27 vacated feet of Fordson Highway adjacent to Lots 832 through 839, BON TELEGRAPH SUBDIVISION #1.

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, EST, Friday, November 10, 1995. Helene S. Sheridan, City Clerk. Published November 2 and November 9, 1995. Copies of this Notice were sent to Administration, the Department of Public Works, Ameritech, Detroit Water & Sewer, Detroit Edison and Michcon. Code Enforcement Officer Simakas posted the notice on the following telephone poles: two on proposed site; one at 24150 Fordson and one at 24190 Fordson. We have received a communication from Michcon stating they are involved; but have no objection to the change provided a surface easement of the full width of the street is reserved. The City of Detroit Water and Sewerage Department responded no apparent conflict. No other communications Mr. Chairman.

Chairman Paletko asked if there was anyone in the audience who would like to make any comments for or against the proposed abandonment.

Mr. Frank Mastroianni, 25655 Wilson, applicant, stated the present location is an abandoned Burger King and would like to build on that property.

Councilman Brown asked how close does the easement come to the Burger King building?

Applicant showed the survey to Councilman Brown.

Councilman Slomzenski asked how close to the fence?

Applicant responded 12 to 15 feet.

Council Chairman Paletko asked if there were any other questions or comments. Hearing none, he asked that the Public Hearing be closed.

95-496 Motion by Councilman Kosinski, supported by Councilman Brown, that the Public Hearing be closed.

Motion adopted.

The Public Hearing for the abandonment of vacated Fordson Highway closed at 8:19 p.m.

The Public Hearing for the proposed rezoning for a commercial development at Ann Arbor Trail and Inkster Road was called to order at 8:20 p.m. by Council Chairman Daniel S. Paletko.

Council Chairman Paletko asked the City Clerk to read the official Notice of Public Hearing.

PLEASE TAKE NOTICE that a Public Hearing will be held on Tuesday, November 14, 1995 by the City Council of the City of Dearborn Heights at the Administration Building, 6045 Fenton Avenue, Dearborn Heights, Michigan at 8:00 p.m. for the purpose of hearing objections, if any, for a proposed commercial development, at Ann Arbor Trail and Inkster Road. Said property being more particularly described as follows:

That part of the NW 1/4 of sec 6 T2S R10E described at a point on the E line of Inkster Road and distant S 1d 52m 20sec E along the W section line 1187.31 ft. and N 88d 07m 40sec E 60 ft. from the NW corner of sec 6 and proceeding th S 1d 52m 20sec E along said E line 313.33 ft. th N 69d 26m 20sec E along the center line of Ann Arbor Trail 179.46 ft. th N 1d 52m 20sec W 255.83 ft. th S 88d 07m 40sec W 170 ft. to the POB 1.11 acres.

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Helene S. Sheridan, Clerk, Dearborn Heights. Corporation Counsel has furnished Proof of Service, no other communications Mr. Chairman.

Chairman Paletko asked if there is anyone in the audience who would like to make any comments for or against the proposed rezoning.

Mr. Dennis Ellis, 31114 Clark, Northville, applicant stated he was planning on building a 5,000 square feet strip center and that the plans have been submitted to the Planning Commission. No definite plans as to what type of stores will be leased out of the space.

Council Chairman Paletko asked if there were any other questions or comments. Hearing none, he asked that the Public Hearing be closed.

95-497 Motion by Councilman Kosinski, supported by Councilman Brown, that the Public Hearing be closed.

Motion adopted.

The Public Hearing for the proposed commercial development at Inkster Road and Ann Arbor Trail closed at 8:23 p.m.

95-498 Motion by Councilman Kosinski, supported by Councilman Brown, that Current Claims 6-1 through 6-20 be approved as submitted.

1. CENTRAL WAYNE COUNTY SANITATION AUTHORITY - Materials Delivered October 1995. Ck. req. dated 09/27/95. From A/C 101-200-810-000 (Sanitation) \$165,963.00. General Govt.
2. CITY OF DEARBORN - Water & Sewer Service for Residences. Inv. 43289, dated 10/19/95. From A/C 592-537-928-000 (Water Purchased) \$1,521.70 and A/C 592-537-929-000 (Sewage Disposal) \$4,968.75. Water Dept.
3. COMERICA BANK - Meter Financing Payment. Inv. dated 10/16/95. From A/C 592-905-991-004 (Meter Financing) \$86,032.81. Water Dept.
4. COMERICA BANK - Police Department Computer System. Inv. dated 10/16/95. From A/C 101-300-981-000 (Police Capital Outlay) \$24,122.80. Police Dept.
5. COMERICA BANK - Young Recreation Center Bond Payment. Inv. dated 10/20/95. From A/C 103-960-936-094 (Bond Payment) \$3,839.00 and A/C 103-960-936-095 (Bond Payment) \$19,223.50. Community Devel.
6. E & N CEMENT - Pavement Repairs. Two Inv.'s, dated 11/04/95. From A/C 101-440-880-000 (Road Repairs) \$48,039.45 and A/C 592-540-818-000 (Contractual Services) \$19,265.08. DPW-Highway.
7. MICHIGAN HUMANE SOCIETY - Animal Processing September 1995. Inv. 5348, dated 09/30/95. From A/C 101-200-806-000 (Animal Processing) \$1,912.00. General Govt.
8. STATEWIDE SECURITY TRANSPORT - Prisoner Food & Lodging August 1995. Inv. dated 10/12/95. From A/C 101-200-868-000 (Prisoner Food & Lodging) \$3,845.86. General Govt.
9. WADE-TRIM/ASSOCIATES - 1995 Flow Monitoring Downriver Sewer. Inv. 48157, dated 10/16/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$6,668.40. Water Dept.
10. WADE-TRIM/ASSOCIATES - Assist City CSO Permit Requirements. Inv. 48160, dated 10/19/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$1,319.60. Water Dept.
11. WADE-TRIM/ASSOCIATES - Cherry Hill Resurfacing Plans & Specs. Inv. 48163, dated 10/19/95. From A/C 101-440-880-000 (Road Repairs) \$3,555.70. DPW-Highway.
12. WADE-TRIM/ASSOCIATES - Construction Engineering Valley Park Sub. Inv. 48159, dated 10/16/95. From A/C 203-203-880-300 (Street Construction) \$4,368.60. DPW-Highway.
13. WADE-TRIM/ASSOCIATES - Critical Bridge Inspections. Inv. 48155, dated 10/16/95. From A/C 101-440-880-000 (Road Repairs) \$2,619.90. DPW-Highway.
14. WADE-TRIM/ASSOCIATES - DHT/Downriver SSES RPT Update. Inv. 46493, dated 10/19/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$879.50. Water Dept.
15. WADE-TRIM/ASSOCIATES - Home Depot Watermain. Inv. 47976, dated 10/12/95. From A/C 592-XXX-255-000 (Jobs in Progress) \$1,768.00. Bldg/Eng.
16. WADE-TRIM/ASSOCIATES - NH/RV Local Improvement Phase III. Inv. 47973, dated 10/10/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$1,175.16. Water Dept.
17. WADE-TRIM/ASSOCIATES - Recreation Plan Update. Inv. 48128, dated 10/16/95. From A/C 103-960-965-095 (Recreation Plan) \$1,571.19. Community Devel.
18. WADE-TRIM/ASSOCIATES - Red Run Sewer Project. Inv. 48161, dated 10/16/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$8,227.50. Water Dept.
19. WADE-TRIM/ASSOCIATES - Smoke Testing North End. Inv. 48165, dated 10/13/95. From A/C 592-537-973-000 (Sewers Capital Outlay) \$535.00. Water Dept.
20. WAYNE COUNTY DEPARTMENT OF ROADS - Traffic Signal Maint. Inv. 82904, dated 10/03/95. From A/C 101-440-925-000 (Traffic Signal Maint.) \$2,940.27. DPW-Highway.

Motion adopted.

- 95-499 Motion by Councilman Slomzenski, supported by Councilwoman Horvath, that the low bid from Varsity Ford, 3480 Jackson Road, PO Box 2507, Ann Arbor, MI 48106-2507 for one Ford pick-up 4 x 2 with trade in the amount of \$14,236.20 less \$500.00 trade-in, total amount \$13,736.20, and payment thereof, be approved, per Public Service Administrator Blackburn, communication dated October 24, 1995. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders. Monies for this purchase will be allocated from Highway #440-981.

Motion adopted.

- 95-500 Motion by Councilman Brown, supported by Councilman Zulinski, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) Marquette D-1500 Defibrillator/Monitor/Recorder, per the request of Fire Chief Langlois, communication dated October 26, 1995. Monies for this purchase have been approved in the 1995-96 Fire Department Capital Outlay #335-981.

Motion adopted.

- 95-501 Motion by Councilman Kosinski, supported by Councilman Slomzenski, that the City Comptroller be authorized to advertise for bids, per specifications, for the sale of City owned property, Lots 2173 through 2185 Watsonia Park Sub #3, per the request of Assessor Welch, communication dated November 1, 1995.

Motion adopted.

- 95-502 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Comptroller be authorized to advertise for bids, per specifications, for the sale of City owned property, Lots 117 and 188 Fellraths Sub, per the request of Assessor Welch, communication dated November 1, 1995.

Motion adopted.

- 95-503 Motion by Councilwoman Horvath, supported by Councilman Zulinski, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) pick-up truck 4 x 2 with trade in, per the request of Fire Chief Langlois, communication dated November 3, 1995. Funds for this item have been approved in the 1995-96 Fire Department Capital Outlay #335-981.

Motion adopted.

- 95-504 Motion by Councilman Brown, supported by Councilwoman Horvath, that the communication from Public Service Administrator Blackburn, dated November 3, 1995 re advertising for bids for one (1) four door passenger car with trade in, be referred to Administration.

Motion adopted.

- 95-505 Motion by Councilman Brown, supported by Councilman Zulinski, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) pick up truck 4 x 2 with trade in, per the request of Public Service Administrator Blackburn, communication dated November 3, 1995. Funds for this item will be allocated from Water Department A/C 592-537-981-000.

Motion adopted.

- 95-506 Motion by Councilman Brown, supported by Councilwoman Horvath, that the resolution re: support of road funding be tabled to a Committee of the Whole.

Motion adopted.

95-507 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that Proposed Ordinance H-95-12, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 2-226, 2-250 AND 2-269 TO REDUCE THE SERVICE REQUIREMENT FOR A DEFERRED WITHDRAWAL BENEFIT FROM TEN (10) YEARS OF CREDITED SERVICE TO FIVE (5) YEARS OF CREDITED SERVICE AND TO ALLOW FOR EARLIER COMMENCEMENT OF SUCH BENEFIT IN A REDUCED AMOUNT FOR ELIGIBLE EMPLOYEES, be considered read for the first time.

Motion adopted.

95-508 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves the agreement between the Michigan Department of Transportation (MDOT) and the City of Dearborn Heights for project funding for the construction of crossovers on Telegraph Road between Dartmouth and Powers at a cost not to exceed \$16,000 per Mayor Canfield, communication dated November 3, 1995. Further, that the Mayor and City Clerk be authorized to sign the agreement on behalf of the City.

Motion adopted.

95-509 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves a three per cent raise for non-union employees with the exclusion of department heads per Mayor Canfield, communication dated November 2, 1995.

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

NAYS: Councilwoman Horvath.

ABSENT: Councilman Brunell.

Motion adopted.

95-510 Motion by Councilman Kosinski, supported by Councilman Brown, that the salary increases for Department Heads be referred to the Committee of the Whole.

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

NAYS: Councilwoman Horvath.

ABSENT: Councilman Brunell.

Motion adopted.

95-511 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that Proposed Ordinance H-95-9, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING CHAPTER 7, CODE OF ORDINANCES, REGARDING THE ABATEMENT OF BLIGHTING CONDITIONS, be read for the first time.

Motion adopted.

95-512 Motion by Councilwoman Horvath, supported by Councilman Slomzenski, that the City Council concurs with and approves the proposed Use of City Alleyway Agreement between the City of Dearborn Heights and Dr. Donald N. Coleman, 4925 S. Telegraph, Dearborn Heights, 48125 upon compliance to all conditions listed in the agreement per, Mayor Canfield, communication dated November 1, 1995. Further, that the Mayor and City Clerk be authorized to sign the agreement.

Motion adopted.

- 95-513 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves the sale of City owned property Lots 1 and 2 FELLRATHS SUB, (33-042-01-0001-000) to the only bidder, John and Margaret Mastrantonio, 7424 Vernon, Dearborn Heights, for \$3,550.00, with the stipulation that the sale is conditional upon the property being rezoned from R1B to Commercial and that the purchasers go through the required rezoning process per Assessor Welch, communication dated November 1, 1995. Further, purchaser to assume all obligations and costs of the sale and rezoning and that the sale be consummated prior to July 1, 1996.

Motion adopted.

- 95-514 Motion by Councilman Slomzenski, supported by Councilman Kosinski, that the City Council concurs with and approves the sale of City owned property, Lot 1923, Dearborn Telegraph Subdivision #5 to Effie Dotson, 24044 Powers, Dearborn Heights 48125 for \$1,000. Further, purchaser to assume all cost of the sale and sale to be consummated prior to April 30, 1996.

Motion adopted.

- 95-515 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves the addition of the position of Housing Inspector to the current 1995-96 budget due to the impending approval of the Rental Ordinance. Wages and benefits will be set forth in the current Millmen's contract per Building & Engineering Director Salatka, communication dated November 6, 1995.

Motion adopted.

- 95-516 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the City Council concurs with and approves the judicial salary increase to \$44,392.00 for the calendar year 1995 retroactive to January 1, 1995 per Comptroller Barrow, communication dated October 31, 1995.

Motion adopted.

- 95-517 Motion by Councilwoman Horvath, supported by Councilman Kosinski, that the proposed fee schedule for the Building Department Zoning Ordinance, Chapter 36, Section 36-476 (b), Fees, be approved as follows:

"Whenever any improvement such as construction, reconstruction, alteration or structural change on any residential, commercial or industrial property in the City of Dearborn Heights occurs before the permit has been issued, it shall be the duty of the department to charge a fee double the amount established by resolution of the City Council plus a one hundred (\$100.00) dollar penalty", per Building & Engineering Director Salatka, communication dated November 6, 1995.

Motion adopted.

- 95-518 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the City Council concurs with and approves the purchase of one (1) 1996 Lumina LS, at a cost of \$15,453.56 from the Oakland County Cooperative Purchasing Program through Jack Cauley Chevrolet per Fire Chief Langlois, communication dated October 20, 1995. Funds for this vehicle have been approved and allocated in the current 1995-96 Capital Outlay A/C 335-981.

Motion adopted.

95-519 Motion by Councilman Brown, supported by Councilman Slomzenski, that the City Council concurs with and approves the Letter of Understanding re: Field Training Officers compensation per, Police Chief Webber, communication dated October 9, 1995. Funds for this project are budgeted in the Police overtime A/C 101-300-709-000. Further, that the Mayor sign the agreement.

Motion adopted.

95-520 Motion by Councilwoman Horvath, supported by Councilman Slomzenski, that the lowest bidder meeting all specifications, P.B. Gast & Sons Company, 38700 Webb Drive, Westland, MI 48185, for one (1) Milnor Model #30015 SST Gear Guardian Washer/Extractor in the amount of \$4,687.00, and payment thereof, be approved, per Fire Chief Langlois, communication dated October 31, 1995. Further, that the Treasurer be authorized to return bid deposits to the unsuccessful bidders.

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

NAYS: Councilman Kosinski.

ABSENT: Councilman Brunell.

Motion adopted.

95-521 Motion by Councilman Zulinski, supported by Councilwoman Horvath, that Proposed Ordinance H-95-9, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTIONS 33-54 AND 33-55, CONCERNING THE DUTY TO CUT NOXIOUS WEEDS OR GRASS, THE UNLAWFUL GROWTH OF GRASS OR WEEDS, AND THE PROVISION OF NOTICE UNDER THIS SECTION, be considered read for the first time.

Motion adopted.

95-522 Motion by Councilman Zulinski, supported by Councilman Kosinski, that Proposed Ordinance H-95-10, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING, AS AMENDED, THE WAYNE COUNTY SEWER USE ORDINANCE (WAYNE COUNTY ENROLLED ORDINANCE NO. 95-2250), be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion adopted.

95-523 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that Proposed Ordinance H-95-7, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING ARTICLE 9 TO CHAPTER 7 OF THE CODE OF ORDINANCES, CONCERNING MINIMUM STANDARDS FOR HOUSING, be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law. Further, that Corporation Council be directed to draft this ordinance by reference.

Motion adopted.

95-524 Motion by Councilman Slomzenski, supported by Councilman Kosinski, that the request transfer stock interest wherein Lewis Siegel is transferring 425 shares each to existing stockholders, David Siegel and Jeffrey Siegel, 25180-25190 Van Born Road (Seward Drugs) be approved and the Liquor Control Commission be so notified.

Motion adopted.

95-525 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves Permanent Traffic Control Device Request T-55, "No Left Turn" with supplemental plate, except busses on Annapolis East of Parker, driveways to St. Albert School; S/W corner of West Driveway facing Annapolis; S/E corner of East Driveway facing the school lot be approved.

Motion adopted.

95-526 Motion by Councilman Brown, supported by Councilwoman Horvath, that the City Council concurs with and approves the request for renewal of 1995-96 business licenses for Mickey Cooper's Auto Sales, 20032 Van Born; Rouge Park Bar, 16515 Outer Dr.; Pitcher's Pub, 5990 N. Telegraph and Lucky 13, 21350 Van Born, be approved.

Motion adopted.

95-527 Motion by Councilman Kosinski, supported by Councilman Brown, that the meeting be adjourned.

Motion adopted.

The meeting adjourned at 9:03 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL