

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

OCTOBER 24, 1995

95-471 The meeting was called to order at 8:14 p.m., by Council Chairman Daniel S. Paletko.

Roll Call showed the following:

Present: Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Margaret M. Horvath, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko, Councilman James M. Sutika, Councilman Gregg Zulinski.

Absent: None.

Also Present: Mayor Canfield, 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, Deputy Police Chief Blaszczyk, Fire Chief Langlois, Recreation Director Grybel, Public Service Administrator Blackburn, Community Development Director Oliverio.

The Pledge of Allegiance was led by Jerry Kowal.

95-472 Motion by Councilman Brunell, supported by Councilwoman Horvath, that the Agenda for the Regular Meeting of October 24, 1995 be approved as submitted.

Motion unanimously adopted.

95-473 Motion by Councilman Kosinski, supported by Councilman Brunell, that the Minutes from the Regular Meeting of October 10, 1995, be approved as submitted.

Motion unanimously adopted.

The Public Hearing for the Special Land Use for a proposed Towing Company at 25040 Van Born Road was called to order at 8:20 by Council Chairman 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, October 24, 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 the Special Land Use for a proposed Towing Company, at 25040 Van Born Road. Said property being more particularly described as follows:

That part of the s 1/2 of sec 32 described as beginning at a point of the n line of Van Born Road distant north 60.0 ft from the s 1/4 corner of sec 32 and proceeding th n 89d 59m w along said n line 126.71 ft th n 1d 28m w 398.14 ft to the center line of Ecorse Creek th along said center line n 80d 22m e 89.69 ft and n 56d 21m e 58.20 ft and n 57d 12m 30sec e 133.84 ft th s 0d 08m e 517.25 ft to the n line of Van Born Road th s 89d 44m w along said n line 113.71 ft to the pob 2.50 acres. (#33-043-99-0026-000)

Written comments may be directed to the City Clerk's office, 6045 Fenton, Dearborn Heights, MI 48127. Published October 12 and October 19, 1995 in the City official newspaper, Helene S. Sheridan, Clerk, Dearborn Heights. Corporation Counsel has submitted Proof of Service, no other communications Mr. Chairman.

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

Mr. Lou Kramer, Doxtator asked who owns the property.

Mayor responded Dick Childs.

Richard Marcyan, petitioner, I want to open a towing company on Van Born, Great Lakes Towing is the name of our business.

Councilman Kosinski asked is it an existing business functioning in another area?

Petitioner, we've been in business for five years, been running it out of our house in Dearborn Heights. We're looking to go big time and opening up a yard, a building and fencing it in.

Councilman Kosinski, the information from the Planning Commission provides for a 6' masonry screening wall along the north property line what about the rest of it?

Petitioner, we submitted a site plan to the Planning Commission. We plan on putting up that masonry wall on the back line along the property line for privacy for the residents. Also we plan on putting a wall in front, maybe three quarters up with a gate so the people driving by will not see the storage yard.

Councilman Kosinski, is it a storage of a temporary nature or unlimited?

Petitioner, temporary, eight dollars a day to keep your car there. The two sides will be fenced in with pressure sensitive fencing.

Councilman Kosinski, your business activity at the present does it require any storage and to what extent?

Petitioner, no we're strictly pulling out of people's yards now.

Mayor Canfield, plans submitted to the Planning Commission ultimately involves a building but it will not be immediate. The wall and the fence will go up.

Petitioner, the City requires that we pave the property and we would like to pave the property all at once. Further down the road will put up a nice building.

Councilman Kosinski, the business activity is limited to storage only what about auto repair?

Petitioner no auto repair at all.

Councilman Kosinski, the building when it is structured will be a configuration that will conform with the rest of the area?

Petitioner, yes, actually it will probably be the nicest building on the block. I don't know if you've seen our trucks on the road or not but we take a lot of pride in our establishment and if you look good people talk and we want to be talked about.

Council Chairman Paletko stated normally we don't vote on the night of the Public Hearing although we have had a request by the Petitioner to try to get this approved this evening.

Petitioner, we have been monkeying around for three months now and Mr. Child's wants to close the deal.

Mayor Canfield stated the problem was that there was another company interested in purchasing the property also. They are a little ahead by having this Hearing because it's also, I believe, auto repair.

Petitioner, they want to open a collision shop on the property.

Mayor Canfield, these people are interested in having the approval so they can take back the approval and get a purchase agreement.

Council Chairman Paletko, so this is a substitute for their use of the land and not in addition to the use of the land.

Petitioner, if we don't buy the land the other fellow will purchase the land.

Council Chairman Paletko, we have noone objecting from the public it's not to say action can not be taken this evening. That would come after the Public Hearing. Anyone else wish to bring anything to our attention?

Frank Slomzenski commented that it was a ideal spot for what he has in mind.

Council Chairman Paletko asked that the Public Hearing be closed.

95-474 Motion by Councilman Brown, supported by Councilman Kosinski, that the Public Hearing be closed.

Motion unanimously adopted.

The Public Hearing for Special Land Use at 25040 Van Born Road closed at 8:27 p.m.

Council Chairman Paletko asked if anyone wished to offer a motion on the Special Land Use for Van Born Road.

95-475 Motion by Councilman Brunell, supported by Councilman Sutika, that the Council approve the Special Land Use for 25040 Van Born Road. Further, this approval is subject to the provision of a 6' masonry screening wall along the north property line per the recommendation of the Planning Commission.

Motion unanimously adopted.

95-476 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that Current Claims 6-1 through 6-9 be approved as submitted.

1. E & N CEMENT - Pavement Repairs. Two Inv.'s dated 10/14/95. From A/C 101-440-880-000 (Road Repairs) \$42,326.21 and A/C 592-540-818-000 (Contractual Services) \$8,804.70. DPW-Highway.
2. GARY MIOTKE - Legal Services September, 1995. Inv. dated 10/05/95. From A/C 101-210-826-000 (Counsel Services) \$3,876.00. Corporation Counsel.
3. LAURA BERRY-HARRIS - Legal Services September, 1995. Inv. dated 10/05/95. From A/C 101-210-826-000 (Counsel Services) \$10808.00 and A/C 101-210-938-000 (Library) \$107.75. Corporation Council.
4. LAURA BERRY-HARRIS - Labor Invoice September, 1995. Inv. dated 10/06/95. From A/C 101-200-817-000 (Professional & Consult) \$1,326.00. General Govt.
5. PAINTER & RUTHENBERG - Newsprint Pick-up September, 1995. Inv. 7808, dated 09/30/95. From A/C 101-200-810-000 (Sanitation) \$1,950.00. General Govt.
6. PAINTER & RUTHENBERG - Roll-Off Service September, 1995. Inv. 8159, dated 10/01/95. From A/C 101-200-810-000 (Sanitation) \$4,460.00. General Govt.
7. QUAD-TRAN OF MICHIGAN - Data Processing Services October, 1995. Inv. 1923, dated 09/29/95. From A/C 101-130-818-000 (Contractual Services) \$2,704.02 and A/C 101-130-728-000 (Court Office Supplies) \$1,265.30. District Court.
8. WADE-TRIM/ASSOCIATES - Cherry Hill Resurfacing Plans/Specs. Inv. 47703, dated 08/11/95 and 47940, dated 09/11/95. From A/C 101-440-880-000 (Road Repairs) \$9,751.70. DPW-Highway.
9. WADE-TRIM/ASSOCIATES - Critical Bridge Inspections. Inv. 47869, dated 09/11/95. From A/C 101-440-880-000 (Road Repairs) \$8,136.20. DPW-Highway.

Motion unanimously adopted.

95-477 Motion by Councilman Brown, supported by Councilman Zulinski, that the City Comptroller be authorized to advertise for bids, per specifications, for computer equipment, per the request of Assessor Welch, communication dated October 16, 1995.

Motion unanimously adopted.

- 95-478 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Comptroller be authorized to advertise for bids, per specifications, for one (1) parcel delivery van (or equal), per the request of Public Service Administrator Blackburn, communication dated October 11, 1995. Monies for this purchase will be allocated from the Water Department Capital Outlay Account #537-981.

Motion unanimously adopted.

- 95-479 Motion by Councilman Brunell, supported by Councilman Zulinski, that the City Council concurs with and approves the reappointment of Allan Schulz to the Cable TV Regulatory Commission, term to expire August, 1998 per, Mayor Canfield, communication dated October 18, 1995.

Motion unanimously adopted.

- 95-480 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves the reappointments of Dwight Vincent and Theodore Monolidis to the Dearborn Heights Canvass Board, terms to expire December 31, 1999 per, City Clerk Sheridan, communication dated October 17, 1995.

Motion unanimously adopted.

- 95-481 Motion by Councilman Brunell, supported by Councilman Zulinski, that the communication from Comptroller Barrow re: design plans and specifications for the Harding Street Pedestrian Bridge be tabled.

Motion unanimously adopted.

- 95-482 Motion by Councilman Kosinski, supported by Councilman Brown, that the City Council concurs with and approves a budget amendment, in the amount of \$12,612.12, in the General Fund to provide funds for recording the June 30, 1995 Open Encumbrances for fiscal year 1995-96 as follows:

<u>Account Number</u>	<u>Amount</u>
101-130-728-000	\$ 307.10
101-200-728-000	1,004.90
101-200-807-000	43.72
101-200-926-000	1,539.00
101-223-728-000	35.95
101-226-981-000	4,759.50
101-300-744-000	1,350.00
101-335-932-000	150.00
101-371-818-010	2,500.00
101-440-730-000	550.00
101-691-891-000	371.95

per, Financial Analyst, Elizabeth Clark, communication dated September 25, 1995.

Motion unanimously adopted.

- 95-483 Motion by Councilman Kosinski, supported by Councilman Brown, that pursuant to Judge Feiken's final judgement re: the Downriver Sewage Disposal System, the City Council concurs with and approves the revised millage rate of 0.40 to cover the mandatory debt, plus minimal allowances for tax delinquencies per, Assessor Welch, communication dated October 18, 1995. Further, the new rate will be levied on the winter 1995 tax roll.

Motion unanimously adopted.

95-484 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves a contract with Don Wilson, Fraser, MI. contractor, for professional services as a Personal Property Appraiser/Auditor, at a fee not to exceed \$25,000 per, Assessor Welch, communication dated October 17, 1995. Further, that the Mayor and City Clerk sign on behalf of the City.

Motion unanimously adopted.

95-485 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the City Council concurs with and approves Insituform North, Inc., 1950 Sequoia Trail, Owosso, MI 48867 for the cleaning and lining of sanitary sewer lines on Grindley Park, Parker and Academy streets between Annapolis and Colgate, in the amount not to exceed \$159,000, and payment thereof, per, Public Service Administrator Blackburn, communication dated October 17, 1995. Further, monies for this project to be allocated from the approved 1995-96 Water Budget A/C 537-973.

Motion unanimously adopted.

95-486 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the City Council concurs with and approves Change Order #29 for the 1995-96 Sanitary Sewer Cleaning Program, in the amount of \$102,191.08, to Nagel Construction Inc., PO Box 10, Moline, MI 49335-0010, per Public Service Administrator Blackburn, communication dated October 18, 1995. Further, that the Mayor and City Clerk be authorized to sign the change order.

Motion unanimously adopted.

95-487 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that a Public Hearing be scheduled for November 14, 1995, at 8:00 p.m. at the Administration Building, 6045 Fenton, to hear objections, if any, to the abandonment of vacated Fordson Highway legally described as the northerly 27 vacated feet of Fordson Highway adjacent to Lots 832 through 839, BON TELEGRAPH SUBDIVISION #1.

Motion unanimously adopted.

95-488 Motion by Councilman Brown, supported by Councilman Zulinski, that proposed Ordinance H-95-6, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTION 36-481 CONCERNING PERMITS FOR CONSTRUCTION OF UTILITY, VIDEO, VOICE OR DATA TRANSMISSION MATERIALS, FIBER-OPTIC WIRES, ITEMS, AND RELATED FIXTURES be considered read for the second time, to become effective upon publication in the City's official newspaper as provided by law.

Motion unanimously adopted.

95-489 Motion by Councilman Kosinski, supported by Councilwoman Horvath, that the request from GMRI Inc. holder of 1995 Class C license located at 6850 Telegraph, Dearborn Heights, Michigan, Wayne County, to drop General Mills, Inc. as stockholder through transfer of all its stock to new stockholder Darden Restaurants, Inc., be approved and the Liquor Control Commission be so notified. Ref. #950002417.

Motion unanimously adopted.

95-490 Motion by Councilman Kosinski, supported by Councilman Zulinski, that a Public Hearing be scheduled for November 14, 1995, at 8:00 p.m. at the Administration Building, 6045 Fenton, to hear objections, if any, to the rezoning from RMA to C-1 for the parcel at the northeast corner of N. Inkster Road described as:

That part of the NW 1/4 of Sec 6 T2S R10E described at a point on the E line of Inkster Road 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 20 sec 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.

per, the Planning Commission's recommendation, communication dated October 16, 1995.

Motion unanimously adopted.

- 95-491 Motion by Councilman Brunell, supported by Councilman Kosinski, that the request for renewal of 1995-96 business licenses for Slam Dunk Saloon, 25380 Van Born; The Arena, 23914 Ford and Varsity Club Lounge, 24676 Ford, be approved.

Motion unanimously adopted.

- 95-492 Motion by Councilman Kosinski, supported by Councilman Zulinski, that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 9:12 p.m.

HELENE S. SHERIDAN
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN
CITY COUNCIL