

REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

SEPTEMBER 27, 1994

94-498 The meeting was called to order at 8:01 p.m., by Council Chairman Daniel S. Paletko.

Roll Call showed the following:

Present: Councilman Kenneth R. Baron, Councilman Gary P. Blackburn, Councilman Robert L. Brown, Councilman David C. Brunell, Councilwoman Margaret M. Horvath, Councilman Joseph V. Kosinski, Council Chairman Daniel S. Paletko.

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, Deputy Assessor Cooper, Building & Engineering Director Salatka, Personnel Director Sullivan, Police Chief Jednacz, Fire Chief Lewis, Recreation Director Grybel, Public Service Administrator Preston, Community Development Director Oliverio.

The Pledge of Allegiance was led by Councilman Robert L. Brown.

Recreation Director Kenneth Grybel and Mayor Canfield presented ribbons to 1st, 2nd and 3rd place winners of the 1994 Dearborn Heights "Punt, Pass and Kick Program".

8 Yr. Olds - Todd Boleski, Bryan Phinezy and Gerald Haliburda.

9 Yr. Olds - Gerald Gill, Luke Dixon, and Gary Rule.

10 Yr. Olds - Bryan Opalko, Kevin Steel II and Thad Lewandowski.

11 Yr. Olds - Gary Pearson, Anthony Schimizzi and Matt Markowicz.

12 Yr. Olds - Chris Manno, Justin Johnson and Frank Mastroianni.

13 Yr. Olds - Mike Bonza - only competitor.

14 Yr. Olds - Robert Plummer - only competitor.

15 Yr. Olds - Tom Plummer - only competitor.

Administrative Assistant John Zadikian and State Representative Richard A. Young presented an award to D.A.R.E. Police Officer Ed Garcia for the exceptional work he has done with the D.A.R.E. program in Dearborn Heights.

94-499 Motion by Councilman Kosinski, supported by Councilman Brown, that the Agenda for the Regular Meeting of September 27, 1994, be approved as submitted.

Motion unanimously adopted.

94-500 Motion by Councilman Brunell, supported by Councilman Blackburn, that the Minutes from the Regular Meeting of September 13, 1994, be approved as submitted.

Motion unanimously adopted.

94-501 Motion by Councilman Baron, supported by Councilman Blackburn, that the City Council concurs with and approves a TIFA Board amendment to the 1994-95 TIFA budget to include the new line item "Industrial Park Improvements" (A/C 493-863-967-988). Further, that the Comptroller be authorized to transfer \$50,000 from the TIFA Contingency Account to the new Industrial Park Improvements Account.

Motion unanimously adopted.

94-502 Motion by Councilman Blackburn, supported by Councilman Baron, that Current Claims 6-1 through 6-15 be approved as submitted.

1. CLINTON COUNTY TREASURER - Prisoner Food & Lodging for August, 1994. Inv. dated 09/02/94. From A/C 101-200-868-000 (Prisoner Food & Lodging) \$1,575.00. General Govt.

2. CONFERENCE OF WESTERN WAYNE - Annual Dues for 1995 Membership. Inv. 9129404, dated 09/12/94. From A/C 101-200-958-000 (Dues, Membership) \$7,461.00. General Govt.
3. DEARBORN HEIGHTS BUILDING AUTHORITY - Partial Payment for New Recreation Center. Application # 13, dated 07/25/94. From A/C 103-960-961-094 (Recreation Center) \$125,000.00. Community Development.
4. FLORENCE CEMENT CO. - Valley Park Subdivision Street Re-Construction. Cert. #1, dated 09/19/94. Job DHT 2328-09T. From A/C 203-203-880-300 (Street Construction) \$88,447.27. DPW-Highway.
5. HENRY FORD HEALTH SYSTEM - Workers Comp Surgery for B. Richards. Ck. req. dated 09/13/94. From A/C 101-200-724-000 (Workers Comp) \$4,300.00. General Govt.
6. MICHIGAN HUMANE SOCIETY - Animal Processing for August, 1994. Inv. 5176, dated 08/31/94. From A/C 101-200-806-000 (Animal Processing) \$2,488.00. General Govt.
7. M.M.R.M.A. - Partial Payment on Insurance Premium. Inv. 56076-02, dated 07/07/94. From A/C 101-200-911-000 (Insurance) \$150,994.00. General Govt.
8. PAINTER & RUTHENBERG - Roll-Off Service for August, 1994. Inv. 2777, dated 08/31/94. From A/C 101-200-810-000 (Sanitation) \$3,850.00. General Govt.
9. PLANTE & MORAN - Auditing and Professional Services. Inv. 17784-296852, dated 09/13/94 and Inv. 17784-296851, dated 09/13/94. From A/C 101-200-817-000 (Professional & Consult) \$3,840.00 and from A/C 592-536-817-000 (Professional & Consult) \$3,715.00. General Govt.
10. QUAD-TRAN OF MICHIGAN - Data Processing Service for September, 1994. Inv. 1466, dated 08/31/94. From A/C 101-130-818-000 (Contractual Service) \$2,569.02. District Court.
11. WADE-TRIM/ASSOCIATES - Assist City with CSO Permit. Inv. 44978, dated 09/13/94. Job DHT 2344-02T. From A/C 592-536-817-000 (Professional & Consult) \$924.00. Water Dept.
12. WADE-TRIM/ASSOCIATES - SSES Field Work for Downriver System. Inv. 44866, dated 09/15/94. Job DHT 2311-06T. From A/C 592-536-817-000 (Professional & Consult) \$899.40. Water Dept.
13. WADE-TRIM/ASSOCIATES - Valley Park Sub Reconstruction. Inv. 45001, dated 09/19/94. Job DHT 2328-08T. From A/C 203-203-880-300 (Street Construction) \$7,543.69. DPW-Highway.
14. WAYNE COUNTY - DEPT. OF PUBLIC WORKS - Interest Obligation due on Various Bonds. Inv. 83793, dated 09/14/94; Inv. 83803, dated 09/14/94. From A/C 101-200-992-000 (Sewage Disposal) \$10,419.06 and from A/C 592-905-995-000 (Interest NH/RV Phase I) \$174,497.50. General Govt.
15. WESTLAND TREE SERVICE - Tree Trimming & Removals. Inv. dated 09/17/94. From A/C 101-440-820-000 (Tree Trimming & Removals) \$1,628.73. DPW-Highway.

Motion unanimously adopted.

- 94-503 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Comptroller be authorized to advertise for bids, per specifications, for evidence lockers, per the request of Police Chief Jednacz communication dated September 20, 1994.

Motion unanimously adopted.

- 94-504 Motion by Councilman Baron, supported by Councilman Kosinski, that the City Council concurs with and approves a Use Agreement for Lot 1922 and the west 1/2 adjacent vacated alley DEARBORN HOMES SUB #7 to Phillip and Emma Secreto, 5631 Campbell. Assessor Welch to validate the requirements of fencing and insurance, and the Clerk and Mayor to sign on behalf of the City, per Assessor Welch, communication dated September 9, 1994.

Motion unanimously adopted.

94-505 Motion by Councilman Baron, supported by Councilwoman Horvath, that the City Council concurs with and approves amending Council Motion 94-70 (1994 Water System Improvement program) to indicate TIFA's portion \$15,000 and the CDBG portion \$50,000 per Community Development Director Oliverio, communication dated September 21, 1994.

Motion unanimously adopted.

94-506 Motion by Councilman Brunell, supported by Councilman Blackburn, that the City Council concurs with and approves the parade route for the Robichaud High School Homecoming, Friday, October 28, 1994, with Police escort and assistant per Police Chief Jednacz communication dated September 20, 1994.

Motion unanimously adopted.

94-507 Motion by Councilman Brown, supported by Councilman Blackburn, that the City Council concurs with and approves the reappointment of Mr. Steven Vigh to the Zoning Board of Appeals, commission to expire May, 1996.

Motion unanimously adopted.

94-508 Motion by Councilman Brown, supported by Councilman Kosinski, that proposed Ordinance H-94-9, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING SECTIONS 32-420, 32-421, 32-422, AND 32-423 PROVIDING FOR PAYMENT OF COSTS INCURRED BY THE CITY IN MAKING EMERGENCY RESPONSES TO MOTOR VEHICLE ACCIDENTS AND/OR ARRESTS INVOLVING DRIVERS WHO ARE OPERATING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOLIC BEVERAGES AND/OR CONTROLLED SUBSTANCES, 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.

94-509 Motion by Councilman Brown, supported by Councilman Kosinski, that the City Council concurs with and approves the fee scheduled associated with Ordinance H-94-9 (Operating a Motor Vehicle Under the Influence).

94-510 Motion by Councilman Brown, supported by Councilman Blackburn, that proposed Ordinance H-94-10, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY ADDING A FRANCHISE FOR THE MICHIGAN CONSOLIDATED GAS COMPANY, be considered read for the first time.

Motion unanimously adopted.

94-511 Motion by Councilman Brunell, supported by Councilman Baron, that the resolution from the City of Woodhaven re: Wayne County Environmental Millage be received, contents noted and filed.

Motion unanimously adopted.

94-512 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the resolution from the City of Riverview re: State Sovereignty over Federal Mandates and Regulations be received, contents noted and filed.

Motion unanimously adopted.

95-513 Motion by Councilman Baron, supported by Councilwoman Horvath, that the City Council adopt the Tax Increment Finance Authority "Full Faith and Credit Pledge" as follows:

The Tax Increment Finance Authority of the City of Dearborn Heights (the "Authority") has adopted a resolution authorizing the issuance of its \$5,000,000 1994 Limited Tax Development Bonds (the "Bonds") which bonds are to be issued in anticipation of tax increment revenue for the purpose of defraying part of the costs of the Beech-Daly Road public improvement in the Development Area (the "Project") as provided in the Land Use Development Plan and Tax Increment Finance Plan of the Authority in accordance with Act 450 of the Public Acts of 1980, as amended (the "Act");

AND WHEREAS, Section 15(2) of the Act provides that the City may pledge its full faith and credit for the payment of the Bonds.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The City hereby irrevocably pledges its full faith and credit and resources for the payment of the Bonds, in an amount not to exceed that authorized by the Authority of such lesser amount as the Authority may later determine shall be sufficient to pay costs of the Project. If at any time the Debt Retirement Fund (as that Fund is established by the Authority) is insufficient to pay the principal of an interest on the Bonds as the same become due, the City upon notification by the Authority's Treasurer, shall as a first budget obligation advance from its general funds a sufficient amount to pay said principal and interest, or in the event of insufficiency of the City's general funds, levy ad valorem taxes on all taxable property within the boundaries of the City in an amount sufficient to pay said principal and interest, providing such tax levy shall be within applicable charter, statutory and constitutional limitations.

2. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure of Bond proceeds and moneys deemed to be Bond proceeds.

3. The City hereby authorizes the Authority to notify the Michigan Department of Treasury of the Authority's intent to issue the Bonds, to pay the related fee and to request an order providing an exception for the Bonds from prior approval by the Department of Treasury. The City Treasurer shall if necessary file a similar application on behalf of the City.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Motion unanimously adopted.

94-514 Motion by Councilman Brunell, supported by Councilman Brown, that the City Council concurs with and approves a Use Agreement for Lot 24 VAN BORN LITTLE FARMS to Mr. and Mrs. Richard Thompson, 27315 Currier, Dearborn Heights. Assessor Welch to validate the requirements of fencing, insurance company acknowledgement etc. and the Mayor and Clerk be authorized to sign the Use Agreement on behalf of the City, per Assessor Welch, communication dated September 6, 1994.

Motion unanimously adopted.

94-515 Motion by Councilman Kosinski, supported by Councilman Baron, that the City Council concurs with and approves a Use Agreement for Lot 1230 and the east 1/2 adjacent vacated alley DEARBORN HOMES #5 to Betty Rice, 5345 Kingston, Dearborn Heights. Assessor Welch to verify all pertinent information, and Mayor and Clerk to sign the agreement on behalf of the City, per Assessor Welch, communication dated September 6, 1994.

Motion unanimously adopted.

94-516 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the City Council concurs with and approves the Permanent Traffic Control Device Request T-29, "Stop" sign for E/B Hanover & Currier, S/B Michael, Vivian, Cherokee, Powers at Hanover. N/B Michael & Pennie, N/B Vivian & Michael be approved.

Motion unanimously adopted.

94-517 Motion by Councilman Kosinski, supported by Councilman Baron, that the City Council concurs with and approves the request for removal of Traffic Control Devices T-30, "Stop" signs and "Yield" signs for N & S Bailey at Powers, Eton, McDonald, and N & S Banner at Powers, Eton, McDonald; W/B Hanover at Powers and W/B Currier at Powers be approved.

Motion unanimously adopted.

94-518 Motion by Councilman Kosinski, supported by Councilman Blackburn, that the City Council concurs with and approves the Permanent Traffic Control Device Request T-31, "Stop" signs for E/W Eton and Bailey, N/S Bailey and Pennie, S/B Bailey and Currier, N/B Banner and Hanover, S/B Banner and Currier, E/W Powers and McDonald at Banner and W/B Hanover and Currier at Powers be approved.

Motion unanimously adopted.

94-519 Motion by Councilman Blackburn, supported by Councilman Kosinski, that the Permanent Traffic Control Device Request T-28, "Stop" signs for E/W Hopkins at Westlake, E/W bound Stanford at Banner; E/W bound Andover at Banner and N/S bound Bailey at Colgate and Lehigh be tabled to the next regularly scheduled Council Meeting.

Motion unanimously adopted.

94-520 Motion by Councilman Blackburn, supported by Councilman Kosinski, that the the request for removal of Traffic Control Devices T-27 "Stop" signs at N/S bound Westlake at Hopkins, E/W bound Annapolis at Bailey, E/W bound Lehigh at Bailey, N/S bound Banner at Hopkins, Stanford and Andover be tabled to the next regularly scheduled Council Meeting.

Motion unanimously adopted.

94-521 Motion by Councilman Brown, supported by Councilman Blackburn, that the communication from the United Way for Southeastern Michigan re: the Torch Drive solicitation calls scheduled for September 13th thru November, 1994 be received, contents noted and filed.

Motion unanimously adopted.

94-522 Motion by Councilman Brown, supported by Councilman Kosinski that the meeting be adjourned.

Motion unanimously adopted.

The meeting adjourned at 8:49 p.m.

HELENE S. SHERIDAN  
CITY CLERK

DANIEL S. PALETKO, CHAIRMAN  
CITY COUNCIL