

Farmington Observer

Volume 90 Number 80

Monday, July 23, 1979

Farmington, Michigan

60 Pages

Twenty-five cents

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Would end long legal hassles

Restoration bill lauded as blight fighter

By MARY GNIEWEK

A bill that would create a special fund to be used for the restoration or removal of fire-damaged property has the support of the City of Farmington Hills.

Senate Bill 367 would allow cities to hold in trust 15 percent of insurance claims placed on property lost in fires. That money would be used to tear down or repair the charred structures. "The bill would be a big asset to our community," said Hills Building and Zoning Supervisor Richard Miller.

His department is responsible for condemning and ordering the demolition of burned out buildings. Miller es-

timated the average cost to the city of demolishing a house, terminating all utilities, back filling the lot, and hauling away debris at \$2,225.

"We have a half-dozen cases now where the owners have made no move on burned out property. The legal process for removal is long and often very drawn out."

Miller cited Waack's Bar — which was located on Grand River near Middlebelt, and which was gutted by fire in January, 1978, — as one example.

"We couldn't do anything all winter. The insurance money was tied up in li-

gation. It stood for seven or eight months."

Farmington Hills has had two similar fires in the past week, one in an abandoned home on Haggerty and Thirteen Mile, the other in a house on Colgate near Grand River.

THE ABANDONED home was 80 percent damaged and probably will be condemned, according to Miller. Fifty percent fire damage signifies total loss, he explained.

"We let it out to bids from licensed demolition experts. It has to come before city council for approval. It's a

very time consuming legal process," he said.

Farmington City Manager Bob Deadman said abandoned, burned out buildings are not a problem in that city.

"Property values are high enough so that no one is really going to leave a piece of property," Deadman said.

One study conducted by the Michigan Basic Property Insurance Association showed that of 91 paid claims in August, 1978, only 37 home or business owners completed repairs on burned out property. Fifty four structures were left vacant or demolished.

"The charred remnants remain as a scar on the neighborhood and removal

costs are a burden to the city's budget," said State Sen. John C. Hertel (D-Harper Woods), who sponsored the bill.

The bill proposes that money received from each claim be held by the city until it receives proof that the structure has been repaired or removed.

If the site is not repaired or cleared in six months, the owner of the property forfeits to the city the share of the claim which has been held in escrow. The city would then use the funds to restore fire damaged areas.

"I SEE the legislation as an incen-

tive for an individual to repair his damaged property. If the owner chooses to abandon his structure, it seems only proper that he contribute to the cost of its demolition," the senator said.

Hertel said that besides being an eyesore in the community, the charred structures are a threat to health and safety.

"As Jenkins, legislative assistant to Sen. Hertel, said participation in the program would be voluntary.

The bill passed the Senate on July 12 and will come before the State House of Representatives when the legislature reconvenes in September.

Fire victims receive aid, find new home

By MARY GNIEWEK

Help is on the way for an elderly Farmington Hills couple displaced from their home destroyed by fire July 3.

Howard and Ruth Eldrege lost all their possessions when their two story wooden frame house on Oxford Street burned down. The couple had no fire insurance.

A community drive was launched for them by Nancy Bates, president of the Farmington-Farmington Hills Commission on Aging.

Thanks to local efforts, the couple will move into Detroit Baptist Manor in Farmington Hills the first week of August. Their new apartment will be decorated with furnishings donated by an anonymous Farmington couple.

Mr. Eldrege, 81, is still recuperating from fire-related injuries at Bostford Hospital. He is expected to be released soon. His 75-year-old wife is temporarily living with Mr. and Mrs. George Herle, neighbors on Oxford.

The Eldreges have no children. "Within two weeks, they should be happily situated at Baptist Manor," Mrs. Bates said.

"The reason they are being admitted despite a four-year waiting list is a special clause in the government subsidized housing laws. The waiting list can be waived in cases of disaster."

Mrs. Bates said an apartment became available because of the death of a tenant at the senior citizens complex.

"THE WOMAN'S rent was paid through July. I imagine her family will be in during the next week to collect her belongings."

"We'll probably need a couple of days to get the place ready. Then the Eldreges can move in."

The Commission on Aging would like to find the Eldreges temporary housing until August. The Herles, who have

three young children, are unable to shelter both of their neighbors until then.

Maggie Loidas, a member of the Commission on Aging and coordinator of the home chore program for senior citizens at Mercy Center, has also been working on the Eldrege's case.

"We've had a marvelous donation of furniture from some Farmington people who are moving into a house trailer."

"It includes a couch, table, dining room set, twin beds, dresser, pots and pans and other small articles," Mrs. Loidas said.

But the Eldreges still need help. "They need so many things," Mrs. Bates said. "They need a trip into Detroit to pick up their eyeglasses. Mrs. Eldrege needs a wig. And her clothes were all burned in the fire."

Richard Miller, Farmington Hills supervisor of building and zoning, said a show cause hearing will be held when Mr. Eldrege is well enough to attend to determine the future status of the charred house.

"This case is a little different than most because they didn't have insurance. The city has boarded the house and kept it secured," Miller said.

MILLER SAID city workers had removed 80 cubic yards of junk from the Eldreges property before the fire.

"We still had 20 more yards to go. There were books, scrap lumber, metal parts, bricks and blocks."

Judge Margaret Schaefer had ordered the debris removed after Eldrege pled guilty to violation of a neighborhood blight ordinance in November 1978.

Anyone who would like to help the Eldreges may call Mike Dornan, Farmington Hills administrative assistant, at 474-6115 or the Farmington Observer at 477-5450.



Fit to a tee

Oakland Hills is winding down its preparation for next week's PGA championship tournament. The last time the PGA came to Oakland Hills was 1972 when Gary Player won the event, thanks to his famous second shot over the water to the same 16th green pictured above.

Next Monday marks the beginning of PGA practice rounds. It also marks the appearance of a special PGA championship section in the Farmington Observer. (Staff photo by Stephen Cantrell)

In arrest case

Legal beagles muff complaint

By MARY GNIEWEK

The city of Troy could lose a \$1.3 million lawsuit filed by a Farmington Hills man because the city's legal department failed to respond to the charges within a 20-day deadline set by the court.

Norman McKinney, 38, filed for default when Troy failed to respond to his suit, which names the police department, patrol officer Michael Galvin and the city as defendants.

The State of Michigan, two Secretary of State employees and Coleman's Towing Service are also named in the suit.

McKinney, who once considered law as a profession, is representing himself in the case. He filed the suit May 8 in Federal District Court in Detroit.

He charged that he was beaten by Galvin, his car illegally searched, and that he was improperly charged with drunk driving last March 26.

McKinney said he was on his way home from visiting with friends at 1:15 a.m. when Galvin stopped his car on Maple Road.

"He (Galvin) said I was speeding and told me to get out of the car," McKinney said. "He went through the car. My impression was that he was looking for dope."

"He found an empty wine bottle and started rolling it along the roof of my car. I told him not to do that. He got behind me and kicked me in the knees and hit my neck."

"THAT MESSED up my shoulder and back. My doctor told me I'm working at my own risk."

McKinney said he lost one job because of the suspension of his drivers license for two months. His license was revoked for 90 days because he refused to take a breathalyzer test.

It was restored June 26 by a court

officer, who determined that McKinney's car was illegally searched.

"I'm fighting this on principle," McKinney said. "I lost a good job, I lost my license for two months. The officer had no right to lay his hands on me."

"I have respect for the law, but I'm looking at things a little differently after this."

A widower and the father of four children, McKinney is now employed at St. Alexander's Church in Farmington.

McKinney has asked for a jury trial on charges of drunk driving. He said the charges are not valid since they stemmed from an illegal search.

"OFFICER GALVIN's report indicates McKinney was uncooperative and resisted arrest. Police Chief John Donovan characterized McKinney's arrest as routine and legal."

City Attorney William Wolanin said he still hopes to have the case set aside on a technicality. He said the court pa-

pers were not properly served.

"Our claim is that there was no personal service of the summons to the officer involved or to the chief of police," Wolanin said.

"The summons did not contain the time limit in which our department had to respond. And there was no seal on the copies we received."

"We're cautiously optimistic, but I refuse to speculate on this case," Wolanin said.

The city was served with notice of the suit May 17. Wolanin claims the court clerk refused to accept an oral motion a Troy city officer tried to make within the deadline.

He said the department then prepared a legal brief and presented it to the court clerk's office at 11 a.m. on the 21st day — two hours after McKinney filed for default.

The case is before District Judge Joseph DeMasco. No hearing date has yet been set.

Children are theme for photo contest

The Observer & Eccentric Newspaper's second annual photo contest is here again. And this time it's the child's play.

The theme of the contest is "The Year of the Child." The idea is to show what is special about growing up in the suburbs.

All you need to enter the contest is a camera, some color slide film and a child or children engaged in any kind of activity that you think best typifies our theme.

The photos may be taken in your own backyard, at the beach or any place where there are children.

If you already have the perfect slide, and it was taken after Sept. 17, 1978 and before Sept. 17, 1979 (the deadline for entries), you may submit it.

Contestants must be residents of Oakland County and live within the Observer & Eccentric circulation area. Each contestant may enter one or two color slides.

More about all entries become the property of the Observer & Eccentric Newspapers and cannot be returned. Contestants are urged to send us the

original slide and have a duplicate made that they can retain.

Following the Sept. 17 deadline, a panel of Observer & Eccentric reporters, photographers and editors will judge the entries and select the winners. We will publish the winning photos in color.

There will be a first place prize of \$100, second place of \$75, third place of \$40 and three \$10 honorable mentions awarded. All prizes will be in the form of gift certificates from World Camera and Sound, redeemable at outlets in Birmingham, Avon Township or Livonia.

Entries should be submitted to: Photo Contest, Observer & Eccentric Newspapers, 1225 Bowers, Birmingham, MI 48012. Please mark each slide with your name, address and phone number.

An entry blank to submit your slides is inside today's newspaper. We will publish the form on several occasions in case you forget to clip this one.

More about the contest and additional rules also are inside today's newspaper.

Hasty legislation bothers Brotherton

Farmington's state legislator has lashed out at the late and hasty way in which the state's \$4.6 billion budget was approved by the Legislature.

State Rep. Sandy Brotherton, R-Farmington, says the Legislature neglected to give "thoughtful consideration" to the budget due to the last minute scheduling of appropriation bills.

"Michigan has a full-time Legislature and it is disgraceful that the most important function the people's representatives perform each year is jammed every year into a few 18-hour days in the middle of the summer," he says.

He noted that three years ago, the Legislature moved the beginning of the state's fiscal year from July 1 to Oct. 1 each year.

"This date change was described as a (Continued on page 7A)

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A NEW COMMANDER

Farmington's American Legion Post recently got a new commander. While new commanders are common, this time it was different. A woman was elected.