



Farmingington Observer

Volume 98 Number 24

Monday, December 31, 1984

Farmingington, Michigan

24 Pages

Twenty-five cents

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Lawyer: Toss out recount

By Joanne Maliszewski
staff writer

Arguing that recounting punch-card ballots is unconstitutional, an attorney for Terry Sever this week asked Oakland Circuit Judge Alice Gilbert to "throw out" the recent Farmington Hills council election recount.

The recount gave opponent Ben Marks a one-vote margin, nudging Sever off the council.

"There's no guarantee of a pure election," said Sever's attorney Paul Nida, at a hearing before Gilbert last Wednesday. "I suggest that this recount be thrown out."

But a decision on Nida's complaint of superintending control — asking the court to intercede and review the recount — won't be forthcoming for several weeks.

Gilbert instructed Nida to return in two weeks with his argument based on previous legal cases of a similar type.

SHE ALSO told Farmington Hills attorney Paul Bibeau to provide an answer to Nida's complaint. Nida's complaint is directed against Farmington Hills and the Oakland County Board of Canvassers, which conducted the recount.

Gene Farber, Marks' attorney, who spoke on behalf of the city and the board of canvassers, will have one week to reply to Nida's argument, Gilbert said. Marks is involved because of his interest in maintaining the recount.

Nida argued that a recount of punch card ballots violates a section of the 1983 state Constitution.

That section says that the state Legislature "shall enact laws to ensure purity of elections . . . preserve secrecy and guard against abuses."

"Each eligible voter is given the opportunity to cast exactly one ballot and that ballot is accurately counted," Nida said, in providing his own definition of "purity of elections."

"What he's really saying is" that punch-card ballots are unconstitutional, Farber said. "This isn't the court (where constitutional issues are decided)," Farber added.

IN HIS ARGUMENT, Farber contended that under court rules, a complaint for superintending control must be based on an abuse, of for example, the procedure used in the recount.

But as testified to by the hearing's only witness, Patricia Sanderson, chairperson of the Oakland County Board of Canvassers, Farber said the four-member board followed the law in recounting the approximately 30,000 ballots.

"Everything was done properly," Farber said.

He also reminded the court that as candidates and their attorneys may do, Nida did not register any complaints about the recount during the three-day procedure in early December. There is no record on which Nida can base any abuse or wrongdoing of the recount, Farber said.

Much of the controversy surrounding the recount has to do with the chads — rectangular perforations on the punch-card ballots — and how they were counted.

SANDERSON TESTIFIED that the canvassers examined each punch card

Please turn to Page 12



The Shamie family uses as many as 20,000 Christmas lights to decorate their house, shrubbery and six tall evergreens.

CAMILLE MCCOY

Keeping Christmas

The Shamies go all out to deck their halls

... and it was said of him, that he knew how to keep Christmas well, if any man possessed the knowledge. May that be truly said of us, and all of us."

Charles Dickens
A Christmas Carol

By Tom Bear
staff writer

CERTAINLY NO one would accuse the Shamie family of Farmington Hills of letting Dickens down, at least not after visiting the Shamie home at 22481 Heathersett Crescent.

Visitors need not even walk in the front door of the large quad-level house to see that this is one family that knows how "to keep Christmas well."

Lighting up the outside of the house at Christmas time is an old neighborhood tradition around Detroit. A nighttime drive along just about any suburban road or city street will reveal many houses outlined with colorful lights and a Santa and sleigh on an occasional roof.

But the Shamies — George, Beverly and their four sons — have gone beyond that . . . way beyond. Start with the four huge, lighted religious signs on the lawn and roof. They say: "WISER MEN STILL SEEK HIM OUT, GOD'S GIFT TO US — JESUS CHRIST, GLORY TO GOD IN THE HIGHEST" and "WISHING YOU A CHRIST-CENTERED CHRISTMAS" with the family name underneath.

The association represents tenants in the Bemos-owned apartments of Mulwood, Fairmont Park and Kensington Manor in the Farmington area, as well as Waldenwood in Southfield and Aldingbrook in West Bloomfield.

Tenants are protesting frequent rent increases, some as much as 32 percent in the last two years. The major complaint though, is the management firm's method of raising rents by not renewing leases, forcing tenants to pay rent on a month-to-month basis.

waft over the scene at night.

And then there are the lights — perhaps as many as 20,000, according to son Shane, who helps with the annual extravaganza — which cover the house, shrubbery and the six tall evergreens, each with a lighted star at the top, of course.

Inside, a Christmas theme also predominates. Every room — including the six bedrooms, the 3½ baths and the utility area — is decked out for the season.

Four full-size Christmas trees are standing fully decorated in the Shamie home, and some 11 smaller trees are placed in various rooms. Even the family's three dogs have a tree and wreath of their own.

IT'S QUITE an effort, but the Shamies say they love doing it year after year. This is their 15th Christmas at the home.

"This is the best it's ever been," said a proud George Shamie, a certified public accountant with an office in Livonia. "I've had to put in better circuit breakers to handle all the electricity we use."

The Christmas show on Heathersett Crescent has been attracting large and appreciative crowds these winter nights, according to the Shamies.

"We've had people out every night," George said. "It's been bumper-to-bumper out on that street. Churches have called, wanting to bring out their shut-ins and senior citizens."

The Shamies say they've received 14 Christmas cards and one phone call from total strangers who say how

Please turn to Page 12



There's no doubt it's Christmas at the Shamie residence. One of the family's 15 Christmas trees stands at the entrance to the living room.

CAMILLE MCCOY

Chief's job is up for grabs

By Joanne Maliszewski
staff writer

A new police chief for Farmington Hills is expected to be selected by mid-to-late January. But mum's the word on the identity of the 30 applicants vying for the job.

"I think we have attracted some very well-qualified candidates," said City Manager William Costick, while refusing to disclose who are the "few from within the department" who applied for the job.

A replacement is being sought for Chief John Nichols who in November was elected Oakland County sheriff. Dec. 31 will be Nichols' last day as Farmington Hills chief.

"Anyone who comes along will have some big shoes to fill," said Costick, about replacing Nichols, who has been the city's police chief for seven years.

"It's probably the best seven years I put in in a 42-year career," said Nichols, recalling his tenure as chief.

"I've been treated very, very well. The city has been good to me. I feel I'm leaving a family more than a job," he continued.

COSTICK WON'T be appointing an acting chief when Nichols leaves. Because some of the applicants are from within the department, appointing one as acting chief would give an unfair advantage over other candidates, Costick said.

The department will be run by the inspectors who oversee its three divisions. Inspectors Thomas Godwin, Richard Niemisto and Mimi Spencer will report directly to the city manager.

Costick advertised the chief's post in the Michigan Association Chiefs of Police newsletter. By the Dec. 14 deadline, Costick had received 30 applications.

"We're looking for someone who's been around," has had "a number of years of experience in Michigan" and in a "community the comparable size of Farmington Hills," Costick said.

A bachelor's degree in some area of criminal justice is one of the minimum requirements for the job. Others include achievement and experience in administration, supervision, budget preparation and labor and public relations. "Actual field experience" is also wanted, Costick said.

"I'll take all the applications and review them and choose which seem to be most qualified," Costick said.

THE CANDIDATES considered the most qualified for the job will be before an oral review board, where the field will be reduced further. The review board will be comprised mostly of a city manager and police chiefs from other communities, Costick said.

"It's common practice," he said, for leaders from other communities to serve on oral review boards.

The new chief will command a department of 110 employees — almost half of the city's total full time staff — including 80 sworn police officers.

The department also represents one-third of the city's current total \$15 million annual budget.

"It's going to be a challenge to find someone to fit . . ." the qualifications and the community's needs, Costick said.

Protesting tenants to meet again

By Joanne Maliszewski
staff writer

One of the leaders of the Mulwood Tenants Association promises "pretty good announcements" at the next tenants meeting scheduled for 8:30 p.m. Jan. 15.

The meeting, expected to draw tenants from all of the area apartment complexes owned by the Bemos-Bertak Co., will be in the auditorium of William Tynsdale College, at 12 Mile and Drake in Farmington Hills.

"If all goes well, there should be some pretty good announcements," said Rob Falls, a co-chairman of the Mulwood Tenants Association.

Falls said he was unprepared to dis-

close what the announcements would be or what next step is to be taken by the association in its fight against rent hikes and the Bemos-Bertak firm in Farmington Hills.

The association represents tenants in the Bemos-owned apartments of Mulwood, Fairmont Park and Kensington Manor in the Farmington area, as well as Waldenwood in Southfield and Aldingbrook in West Bloomfield.

Tenants are protesting frequent rent increases, some as much as 32 percent in the last two years. The major complaint though, is the management firm's method of raising rents by not renewing leases, forcing tenants to pay rent on a month-to-month basis.

BEZMOS OFFICIALS have apparently offered selected tenants an option for a three-, six-, nine- or, in some cases, 12-month lease.

Although Falls would not comment on the possibility of a rent strike against Bemos, the option is one of a handful of options remaining open that were discussed at one of the association's first public meetings.

To date, the tenants association has survived unsuccessful negotiations with Bemos officials and a failed attempt to get the local governments to consider rent-control ordinances.

Bemos would not recognize the association as a legitimate organization, nor would it agree to lease options or a rent freeze.

Farmington Hills City Council later told Falls the city could do nothing to help the protesting tenants, particularly in the way of rent controls.

"We dropped the idea (of rent controls) with the cities," Falls said, about a week ago.

The association also picketed Mulwood apartments in Farmington Hills in mid-November and ran a petition campaign among tenants in the Bemos-owned apartments. Both efforts were protests against the frequency and amounts of rent increases which the association considers "unfair and unjust."

Please turn to Page 12

what's inside

- Amusements 7-8A
- Classifieds Section B
- Crossword puzzle 7B
- Inside Angles 4A
- Obituaries 2A
- Shopping Cart 1-2B
- Sports 10-11A
- Suburban Life 5-6A

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