

# Farmington Observer

VOLUME 109 NUMBER 33

MONDAY, JANUARY 22, 1996 • FARMINGTON, MICHIGAN • 40 PAGES

SEVENTY-FIVE CENTS

© 1996 Observer & Economic Newspapers, Inc.

IN THE PAPER  
**TODAY**

**Upscale eatery:** *The Farmington Hills City Council paved the way for a new restaurant with initial approval of a zoning change. /3A*

## BUSINESS

**Business moves:** *The Observer's Business Milestones column highlights promotions, transfers, hirings, openings and other business moves with a Farmington-area connection. /3A*

## TASTE

**Super Bowl Sunday:** *Big game bashers call for fan-fueling fare that's simple to serve, eat and clean up. /1B*

**Taste Buds:** *Imaginative ways to use old-fashioned vegetables. /1B*

## MALLS & MAINSTREETS

**Hand in glove:** *A peak at spring fashion reveals a return to glove-wearing, whether your hands are cold or not. /8A*

## SPORTS

**A long time coming:** *Harrison High achieved its first volleyball victory over perennial power Livonia Stevenson last week. /1C*

## INDEX

Classifieds . . .	B-D	Malls . . . . .	8A
Autos . . . . .	4D	Movies . . . . .	8B
Employment . . .	3B	Obituaries . . .	7A
Pets . . . . .	4D	Police calls . .	4A
Real Estate . . .	5B	Taste . . . . .	1B
Crossword . . . .	7B	Sports . . . . .	1C

**Time Warner ups rates now, more channels later**

BY LARRY O'CONNOR  
PHOTO BY WHITTEK

The future isn't here yet, but Time Warner cable wants customers to pay for it now. A majority of customers will pay \$1.88 more under a rate increase by the cable company, which services the Farmington area.

Rates for expanded basic service from \$11.62 to \$14.37 while broadcast basic service rates are lowered from \$11.75 to \$9.58.

The 10.8 percent hike is the result of social contract between Time Warner and the Federal Communications Commission, which allows cable companies to increase rates by \$1 a year — plus inflation and other external costs — for technological improvements such as expanding channel capacity.

"That's great, customers say, but no channels have been added.

Time Warner is switching from coaxial to fiber optic cable, which will allow for more channels. Work will be completed sometime in the fall, Time Warner spokesman Bob McCann said.

"It's not a large increase, but they haven't done it yet," said Farmington Hills resident Zoria Schafer. "I don't want to prepay for something I haven't received yet.

"That's my gripe. Other than that, what can you do?"

It's the first rate increase since February 1993, McCann said. The increase is not solely due to the upgrade.

"We've got pay for the upgrade and we have to pay for it with the revenue we have," McCann said.

"There is not a direct correlation between a rebuild and a rate increase.

Time Warner has received phone calls from customers, but McCann said it has been "nothing substantial."

Southwestern Oakland Cable Commission —

See CABLE, 7A

## Assault lingers in teen's memory



A young victim of a sexual assault waited about eight hours in district court Friday to tell her story. The accused will stand trial in Oakland County Circuit Court.

BY LARRY O'CONNOR  
PHOTO BY WHITTEK

She waited eight hours to tell the court how she was grabbed and sexually assaulted while rollerblading in a downtown Farmington parking lot.

But eight hours, or even days or months, have not erased the memory.

After the alleged assault, June 15, the victim said she still suffers anxiety attacks, sleeps with a light on, and is afraid to be alone in the dark. Her testimony came during an often-delayed preliminary exam Friday.

"I never really forgot," said the girl when asked if she had to refresh her

memory about the incident June 15.

Michael Bartok, 35, of Farmington Hills is charged with forcing the 16-year-old Farmington girl to perform oral sex and grabbing her breasts behind a Dumpster near T.J. Maxx.

He was bound over to Oakland County Circuit Court on three counts of first-degree criminal sexual conduct and one count of second-degree CSC. A third count of CSC was added after testimony Friday.

Bartok is also charged with raping a 76-year-old Lyon Township woman. Cash bond is set at \$200,000 in the Farmington charges.

The girl testified she was rollerblading around 10:15 p.m. when something caught her eye.

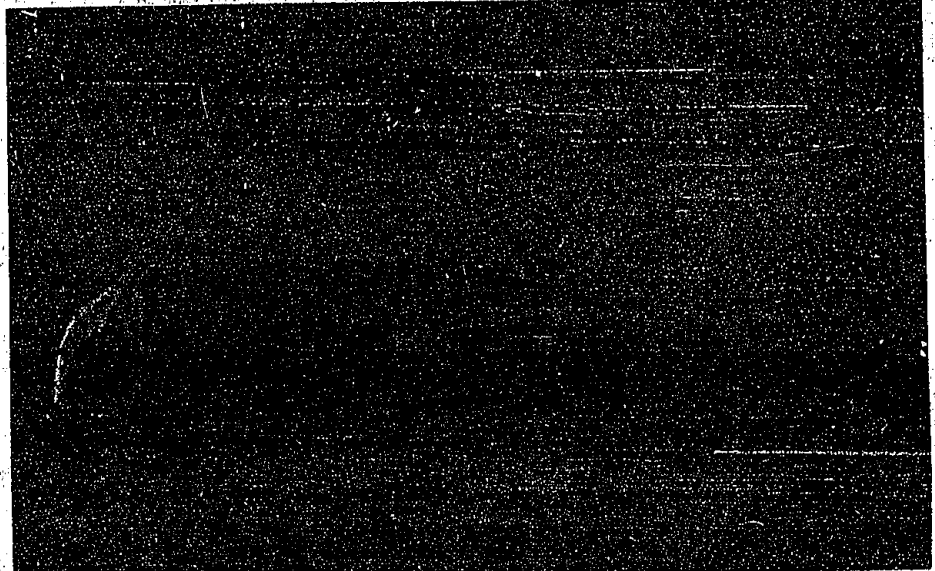
At first, she thought it was a person from the store. But she started to panic when she realized it was a nude man wearing a nylon stocking over his face running towards her.

He grabbed her and pushed her against a wall and then forced her onto the ground.

"I was struggling with him," she said. "I didn't want him to hurt me. I was afraid he was going to kill me."

See ASSAULT, 2A

## Snow balls now, but baseballs are coming



**Fence repair:** It's still winter with the snow flakes flying, but Gary Cory's thoughts turn to . . . baseball backstops. Cory of Michigan Fence Company replaces the backstop at O.E. Dunchel Middle School in Farmington Hills.

## Case presented today in 'most vicious crime'

BY BILL COULTANT  
PHOTO BY WHITTEK

The men accused of what being called the most vicious crime in Farmington Hills' history are scheduled to appear in 47th District Court today.

Arthur Hollingsworth Cayce and George Tyrone Davis, both 23, will face first-degree murder charges, felony murder charges and arson charges in the deaths of two Farmington Hills women at their Quail Hollow home Dec. 19.

"This is the most vicious, violent crime in the history of Farmington Hills," Chief Bill Dwyer said after the two men were arraigned at Hills police headquarters Jan. 13.

Cayce, from Farmington Hills, and

## FATAL FIRE

Davis, a Westland resident, are accused of forcing Louise Helen Bovair, 62, and her daughter Melissa Ann Bovair, 21, to inhale carbon monoxide from plastic bags while bound in the garage.

Jewelry, a TV and VCR were stolen from the house. Fire investigators said the house was set on fire using a "kerosene-like" substance. A plastic kerosene container, the TV, VCR and jewelry were all found during searches of the residences of the two suspects, police said.

Cayce is also facing kidnapping and rape charges involving his former girlfriend who was a close friend of

Melissa Bovair. The fact that the younger woman knew both men may explain why they would be allowed into the house without incident.

Police also suspect that one or both of the suspects sexually assaulted the fire victims. Dwyer said the department has no plans to exhume the bodies at this time.

Neither Cayce nor Davis, who are friends and former co-workers, have confessed to any of the charges. Davis denied any involvement at his arraignment.

Both men are in the Oakland County Jail without bond. If convicted of the murder charges, they face a mandatory life sentence on each count. The preliminary exam is scheduled for 8:30 a.m. before Judge Fred Harris.



Arthur Cayce

## Church wins right to house homeless

BY BILL COULTANT  
PHOTO BY WHITTEK

The Michigan Court of Appeals' decision has supported a Farmington Hills church in its activities to help the homeless.

The three-judge panel ruled in favor of The Jesus Center on Inkster Road north of Eight Mile, and against the Farmington Hills Zoning Board of Appeals.

The center ran afoul of the city over zoning and fire code discrepancies in early 1992 and made changes to meet the city requirements. But complaints relating to problems regarding the center's efforts to shelter and give aid to homeless people were not resolved.

The church won its case in Oakland Circuit Court when Judge Denise Leasford-Morris agreed that the zoning restrictions on the Jesus Center were in violation of the First Amendment right, freedom of religion. The issue was whether helping the homeless was a legitimate religious function.

The appeal decision, issued Jan. 12, was based on a 1993 law, enacted after the suit began, that also cited religious freedom, rather than zoning, as the basis for the decision.

**'The decision means that if what's being done is a religious use, it is protected. . . . It was important because it was a case of first impression.'**

Peggy Costello  
church attorney

"I believed all along that we were going to make it," said Brother John Cossin. "The church is supposed to do this, according to the Bible."

Peggy Costello, an attorney with Dykema Gossett who represented the church pro bono (for free), said she was not surprised by the court's decision.

"The decision means that if what's being done is a religious use, it is protected," she said. "It was important because it was a case of first impression."

As a case of first impression, there was no case

law that directly applied to the circumstances of The Jesus Center, city attorneys John Donohue and Derk Beckerling argued. The matter was one of zoning and code enforcement, not religious freedom.

"We're disappointed," Beckerling said. "The two courts decided it on different issues. They (appeals court) decided this based on the Religious Freedom Restoration Act of 1993. The circuit court has said the shelter was an accessory use (for the church)."

The Zoning Board of Appeals had denied a request for a use variance to allow people to sleep at the center. Residents near the church had complained that some of the people being sheltered had approached them asking for money, were loitering, trespassing, abusing alcohol and urinating in public.

Representatives of the center and city have worked together to meet zoning requirements and say they'll continue to do so.

"I don't have anything against the city," Cossin said. "This was just something we need to do."

See CHURCH, 5A