

# Compromise looms in senior zoning debate

By STEVE BARNABY  
Farmington editor

Farmington Hills residents still could have their say on highrise zoning if City Clerk Floyd Cairns decides to disallow a charter referendum on the ballot.

Cairns is awaiting a legal opinion from the state attorney general's office on the petition filed by the Council of Homeowners of Farmington Hills.

The city's attorney, Paul Bibeau, already has questioned the petition's legality, saying it is in violation of the Home Rules Cities Act and the Village Enabling Act.

The homeowners are protesting the RCE and RCE-1 zoning designations passed by the council last year for construction of senior citizen housing. Homeowners spokesmen say the question is a matter of land use rather than senior citizen housing.

The RCE-1 zoning allows 60 foot structures to be built, something which the homeowners say would change the character of the city.

But at this week's council session, Councilman Joe Alkateeb, an opponent to RCE-1, stressed the issue was open to debate and a question should be on the ballot.

"I, FOR ONE, see the possibility of

## analysis

debate. The issue is not clear cut," said Alkateeb.

He stressed that the zoning issue has divided the city for more than two years, that two councilmembers were elected on the basis of their opposition to the zoning and that the electorate must have some say.

This sentiment was partially supported by Councilman Earl Oppertbauer, a staunch supporter of the RCE-1 concept. He brought up the possibility of an advisory question being placed

on the ballot if the clerk refuses to put the referendum on the ballot.

"I was burnt a couple of years ago on fostering the concept of an advisory question. But, I think that once again it is time to think about using this concept," he said.

Oppertbauer had initiated the idea of an advisory question on park development, the results of which proved nebulous.

But the shift by both Alkateeb and Oppertbauer is significant and could be the forerunner of a compromise.

But in the middle of the debate are the hardline supporters of RCE-1, who

believe that the zoning designation is the best for developing senior citizen housing in Farmington Hills.

Councilmember Maane Smith is just such a person. She countered Alkateeb's logic that because two highrise zoning opponents had been elected to council, it was a message from the electorate.

"Don't forget that two other persons were elected to the council because of their strong support of the senior zoning concept," said Smith, referring to Oppertbauer and newcomer Cathy Jones.

She emphasized that Oppertbauer, who had barely squeaked by in his re-

election bid two years ago, placed second in the last election.

She attributed the high vote to his support of the senior citizen zoning.

"I don't need to do any soul searching," she said.

MUDDYING the waters even further is Councilman Keith Deacon, who voted against the RCE-1 last year.

"You can call me what you want, a conservative, a constitutionalist, but I believe that once a law is passed, I believe I should uphold it. I uphold Cairns' position to accept the legal opinion of the city."

# Farmington Observer

Volume 89 Number 55

Thursday, April 27, 1978

Farmington, Michigan

96 Pages

Twenty-Five Cents

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## Discrimination case progresses to testing ground

By LYNN ORR

Bonnie Swadling, a Farmington Hills Community Service Officer (CSO), has agreed to take a patrolman's test in an effort to settle her sex discrimination suit against the city.

Ms. Swadling, 28, agreed to take the test, which will determine whether she is qualified to become a police officer, after her attorney, Judith Doran, met with Farmington Hills attorney Charles Mulvoy and U.S. District Court Judge John Feikens last week.

"They're saying I'm not qualified," Ms. Swadling says. "If it's going to prove to them that I'm qualified, which I don't think a test can do, then I'll take it."

Taking the test will "facilitate the case," says Ms. Doran.

"We're not conceding any ground," she explains. "Our position is that she can do as well or better than the other CSOs who became police officers."

Mulvoy believes the test Ms. Swadling will take is a multiple choice test similar to the type prepared by the National Police Chiefs' Association.

MONITORING of the scoring will be worked out, he added.

"This is a result of the pre-trial conference," he said. "We're offering her a chance to take the test."

More than nine months ago, Ms. Swadling filed charges with the Michigan Department of Civil Rights, alleging that she was denied the opportunity to become a police officer because she is a woman.

In March, she filed suit in federal court charging sex discrimination and violation of the Comprehensive Employment Training Act (CETA) laws.

Ms. Swadling was hired as a CSO through the city's CETA program. Three former cadets, who became CSOs when the cadet program was dropped, became police officers for the city.

Ms. Swadling charges that she was denied the opportunity offered the other CSOs.

Testing has been a sticky point throughout the case, since Ms. Swadling says she believed she was taking a patrolman's test when she was hired to work for the city.

City officials argue that the test given to CSOs was an old patrolman's test and different from those given to potential police officers.

There is some dispute as to how Ms. Swadling's score will be compared. Those who test out in the top 20 per cent qualify for interviews and other procedures, according to Mulvoy.

Ms. Doran disagrees.

"With very few exceptions, every police officer that has come into Farmington Hills has come in through the cadet program recently," she says. One of the exceptions is a man hired "in place" of Ms. Swadling.

"They're saying they're taking only the top 20 per cent of the people who take the test," added Ms. Doran. "Our position is that she should be given the same consideration as the former cadets or CSOs. We're not looking for any favors, but we don't believe higher standards should be accorded her than the other CSOs."

Ms. Swadling maintains that she'll be at the top of the testing candidates. Testing of about 300 candidates for six positions in the department was completed recently.

"I'll be a lot of stress, but I'm sure I'll finish right up there," she said.



It'll be a while before patrons will be eating Taco Tingas at El Nibble Nook after the interior of the Farmington Hills restaurant was gutted by fire last weekend. Pictured above is the main dining room

with the remains of the bar at the rear. (Staff photo by Harry Mauthe)

## Adios El Nibble Nook

# Fire guts Mexican restaurant

By LYNN ORR

The fire which gutted the popular El Nibble Nook restaurant on Grand River was accidental, Farmington Hills fire officials say.

The determination on the cause of the Sunday evening blaze, which caused about \$250,000 damage to the longtime Mexican restaurant located at 29473 Grand River, was given after two days of investigation.

The fire started in the kitchen over the stove, perhaps from an accumula-

tion of grease, according to Fire Chief John Van De Voort.

Owner Chuck Baier, a Northville resident, says he plans to rebuild as soon as possible.

"It was completely gutted, although you'd never know it from the outside," said the 18-year owner of the restaurant, who was on the premises when the fire occurred.

Baier, a waitress and a waiter were preparing to leave the restaurant about 11:30 p.m., April 23, when they smelled smoke.

"The whole wall was on fire," Baier said when they looked in the kitchen. Station No. 3, under the direction of District Chief Robert Rebtov, responded within six minutes of the first call at 11:39 p.m.

THE FIRE was coming out the roof when fire officials arrived on the scene.

The firefighting crew was joined by Stations No. 1 and 2. Three engines, a medical unit and the aerial unit ladder

were used during more than two hours of fighting the blaze. Two firefighters were treated at Botsford General Hospital for slight injuries.

Concealed air spaces made during numerous renovations fed the blaze, according to Van De Voort. The efficiency of an automatic fire extinguishing system in the kitchen is questionable, according to Baier.

"Whether it didn't go off or whether it did and couldn't take care of it, we don't know," he said.

## Jaycees aid roots search

The Farmington Area Jaycees have donated a microfilm reader printer to the Farmington Community Library.

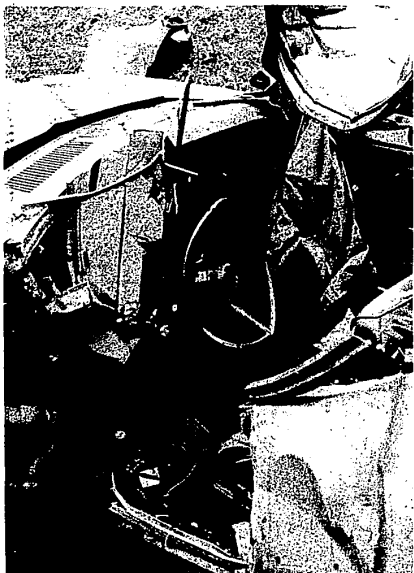
Director Gordon Lewis said that this machine has been needed by the community because of the increase in both the amount of microfilm available and because of the interest in genealogical research.

The Farmington libraries have the New York Times on microfilm from

1851 to the present, the Observer & Eccentric from 1900 to present, and the Detroit News from 1976 to present.

These materials are heavily used in the community both by students doing research and those interested in history.

"There has been, in the past few years, a surge of interest in genealogical research as individuals attempt to trace their family tree," said Lewis.



A boy's jacket hangs from the twisted wreckage of a subcompact car which smashed into a utility pole. The crash killed the Farmington Hills youth who was driving and injured two passengers. (Staff photo)

## Hills teen driver is killed in crash

A Farmington Hills teenager was killed and two Farmington teenagers injured when their car rammed into a Detroit Edison pole in Livonia on Sunday.

The victim, Travis William Moore, 16, was the driver of the car. Moore, a Farmington High junior and the son of Arthur and Gloria Moore, 34055 Nine Mile, Farmington Hills, was pronounced dead on arrival at St. Mary Hospital Sunday evening. Livonia police said Moore had been drinking.

Injured in the smash-up was Lawrence Hollier, 16, son of Lawrence and Shirley Hollier, of 21425 Chestnut, Farmington, and Christopher Lipsky, 14, son of Don and Katie Lipsky, of 21438 Chestnut.

Both teenagers are being treated in St. Mary Hospital. Hollier, a Farmington High junior, is suffering from a broken back. Lipsky, a student at East Junior High, has a fractured leg.

The accident occurred on Farmington Road just south of the C & O Railroad crossing a half-mile south of Schoolcraft.

THE TEENAGERS were returning from playing baseball, according to Mrs. Hollier.

Witnesses told police that the Moore car, a 1972 Pinto, was traveling north on Farmington Road at 45-50 m.p.h. when the car started weaving. The car left the road and rammed the Edison pole, snapping it from its base.

"It's a miracle he got out," Mrs. Hollier said of her son. The driver's side of the car took most of the impact. Hollier was a passenger in the front seat, while Lipsky was in the back seat of the car.

Police said an empty bottle of liquor and several cans of beer were found.

Hollier rode to the baseball game in another car, according to his mother. When that car broke down, he took a ride from Moore.

Surviving Moore are his parents; sisters Colleen, Carole, and Claudia; and a brother, Teddy. Services were scheduled for last night at Thayer-Rock Funeral Home. A mass will be said at 10 a.m. today in Our Lady of Sorrows Church, with Fr. Kean Cronin officiating.

Burial was set for Glen Eden Cemetery in Livonia.

The accident was the fourth traffic death in Livonia this year.

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