

Opinion

33203 Grand River/Farmington, MI 48024 Bob Sklar editor / 477-5450

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Ban too extreme Sound limits a must at center

THE BASIC issue is land use. But the broader issue is community rights. At issue is Farmington Hills Planning Commission decision involving the Community Center of Farmington-Farmington Hills' amphitheater, rebuilt and enlarged two years ago at a cost of \$60,000.

The outdoor theater, overlooking a wooded hillside, is home to well-attended light jazz and classical concerts, children's and family shows and Broadway-style plays. Rock music is taboo.

Prompted by complaints from neighbors about excessive summertime noise and after visiting the site, planners in November banned use of loudspeakers and amplifiers at the amphitheater for one year.

Directors say the ban will limit bookings and sharply curtail revenue for the nonprofit center, which found a niche in the cultural arts after its budget deficit hit \$19,000.

In our view, planners acted hastily in imposing an outright ban instead of sound limits. If the amphitheater is such a key moneymaker, center honchos would be foolish not to live within pre-set limits. Heck, the only reason the outdoor theater even exists in a residential area is because of special approval from the planning commission.

Neighbors, meanwhile, must be willing to accept the center as a historic jewel worth preserving if sensitively managed. To call the center an anachronism is short-sighted at best.

WITH EXECUTIVE director Dorothy Pfaff facing a court date on a disturbing the peace complaint about a summertime concert, the uproar over amplification is sure to stoke emotions this new year.

Frankly, the ban could change the course of the community center — which helps bring the community together even though it's privately run — for the rest of the '90s.

Sure, residents have a right to "peace and quiet." But noise is part of city life — jackhammers, lawnmowers, motorcycles, cheerleaders, football games, marching bands, poolside events, freeways, barking dogs, kids at play, church bells, snowblowers.

Because noise from the amphitheater has created a nuisance for five neighbors, however, sound limits certainly seem justified.

So why not establish limits, after enlisting decibel experts and holding a public hearing? Center management would be responsible for hiring an independent technician to monitor sound levels during performances.

In this scenario, noise could be objectively measured. Planners would reserve the right to pull the plug on amplifiers for repeated violations.

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WITH THE ban, the community center is now off limits to artists like Alexander Zonjic, whose music won't carry to the top of the hill without amplification.

An orchestra might not need amplification, but its music might float through the valley anyway. Without sound limits, the community center could be slapped with a complaint while complying with the ban!

Decibel ranges also should be set for indoor parties, which often run past dusk and boast musical entertainment.

Pfaff is mum about how much of the center's \$363,000 budget is derived from the amphitheater. But we think she should speak up if she truly wants to clear up misperceptions.

We don't object to Farmington Hills donating in-kind services, like lawn mowing, snow removal and construction fee waivers. The center, though privately run, is part of the city's fabric. But how can the center expect financial support unless its budget is open to public scrutiny?

OTHER LINGERING questions:

- Did planners correctly interpret the zoning ordinance when they decided that tearing down and replacing the old amphitheater didn't change the outdoor theater's nonconforming status?

- Has the community center received proper approval to hold craft shows and operate a retail shop in a residential zone?

- Will the planning commission's call for the center's entrances and exits to be chained after-hours hamper police patrols?

- Why was the amphitheater allowed to operate for two summers without a theater license?

Civic leaders Kay and Bill Blankney are right: "The community center can't be just a quiet, stately, historic home for people to wander into. It must have activities, many of them in great variety, if it is to serve the public interests."

But the amphitheater is a stone's throw from homes to the south and east. The sanctity of that residential setting can't be compromised.

A common ground must be found to let the music continue in a mellower, less intrusive way.



Some like it hot...

...and some like it not (hot).

System forces politicians to trade access for dollars

BEFORE THIS season of peace and joy is gone, take a moment to shed a tear for poor Don Riegle, Michigan's senior U.S. senator.

Riegle is in trouble for having taken big campaign contributions from corrupt savings and loan operators and then settling up meetings with federal regulators who were trying to shut them down. Riegle has asked the Senate Ethics Committee to investigate and determine whether he did any wrong.

In the meantime, there have been calls for him to step down as chair of the Senate Banking Committee. This is no laughing matter for Michigan because Riegle's clout can be used to help us folks at home.

Bringing home the bacon is a time-honored job for representatives in Washington since the operative definition of government is "a large body of money surrounded by people who want some of it."

CALL ME SOFTHEARTED if you will, but I don't think Don Riegle has done anything more corrupt than any other lawmaker. His only sin was to have got caught in the limelight when the enormously expensive (\$160 billion over 10 years, or \$50 for every man, woman and child in the country) S & L bailout demanded that somebody get the blame.

My reasons for feeling this way have to do more with the corrupt

way the political system works than with Riegle's ethics or lack of them. Reduced to essentials, here's how politics functions in America today:

Sally Jones, ambitious and bright, is elected to the state legislature or U.S. Congress and decides it's exciting, rewarding work.

As Sally works up a campaign budget for re-election, she discovers it costs a lot of money to stay in office. Media advertising is key, and it's very expensive.

She gives a fund-raiser. Asks lobbyists for contributions. Asks businessmen who need a favor. Asks labor leaders who want a vote. Asks representatives of the countless special interest groups.

THE DAY AFTER she's re-elected, Sam Smith the businessman calls.

Sam, a big contributor, asks Sally to set up a meeting with the bureaucrats who are hassling his company about, say, pollution. She obliges, because it's only fair to provide service to a constituent.

Because Sally sits on the committee that approves the bureaucrats' budget, and they don't want to offend her, they attend the meeting. They listen and try to make nice to businessman Smith.

No law is violated. Contributor Sam gets access to Sally. She arranges a meeting with bureaucrats to assist people who have helped her.



Philip Power

The bureaucrats attend the meeting because they are afraid of making Sally sore.

THEN A REPORTER gets hold of the story, and Sally, businessman Sam and the bureaucrats are all in the soup.

That's the way the political system will work as long as politicians are forced to trade access for campaign contributions.

Everybody — Sen. Don Riegle included — does it.

It isn't fair. It isn't ethical. It doesn't produce good government. It produces scoundrels when somebody gets caught in the limelight.

The solution? Simple: Let the government finance election campaigns for nominated candidates.

That way, elections can be based on the candidates' records and ideas, not on their ability to sell their souls.

Philip Power is chairman of the board of Suburban Communications Corp., parent of Observer & Eccentric Newspapers.

Right to know

FOI act needs strengthening

IMAGINE if newspapers could no longer print crime news.

It almost seems ludicrous — no American legislature would ever propose such a law, no court would ever uphold it.

Yet that is precisely what is occurring in some area communities.

Several area police departments have begun restricting newspaper access to crime reports, especially those dealing with major crimes. When reports are available, key details are often blacked out.

The departments in question say they are following the state's Freedom of Information Act, specifically when it comes to protecting crime witnesses.

But the loser in all this isn't the press. It's the public.

Police compile reports and newspapers print crime news for the same reason. They do so because the public has a right to know whether it's safe from crime and, if not, what steps are being taken to make it safe.

Even if police departments misinterpret the Freedom of Information Act — and they frequently do — it takes time to prove them wrong and get the information released. And time could be costly.

Reports a killer stalked the area in December could scarcely protect the public if kept out of print until January.

There is a delicate balance between the public's right to know and the police's right to conduct its business in swift, orderly fashion.

Michigan's Freedom of Information Act and subsequent court rulings have made it clear the burden is on the police to show why informa-

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tion shouldn't be released, not on the press to show why it should.

What is now needed is further clarification from the state Legislature, preventing police departments from releasing all information not already restricted under the Freedom of Information Act and providing swift penalties for those who fail to follow its guidelines. A clear definition of "unwarranted invasion of privacy," consistent with the body of state court rulings, would be especially welcome.

The Freedom of Information Act already protects the identities of confidential sources whose lives would be in jeopardy if their names were revealed. That protection, however, need not extend to all police sources.

Stiffer fines for police departments that drag their feet on releasing crime details would also be helpful.

The current \$500 fine was a pittance in 1976, when the Freedom of Information Act was enacted, and is even more so now.

Michigan's Freedom of Information Act works — but it would work even better if all parties were clearly aware of its guidelines.

Farmington readers' forum

Letters must be signed, original copies and include the address and telephone number of the writer. Names will be withheld from publication only for sufficient reason. We reserve the right to edit them. Send letters to Readers' Forum, Farmington Observer, 33203 Grand River Ave., Farmington 48024.

Attack drugs with new tack

To the editor:

I applaud President George Bush's efforts in the "War Against Drugs," particularly the additional help in law enforcement so sorely needed but not forthcoming in the past.

However, it will be at great cost, particularly for jails and prisons with all their cost-oriented amenities. It will involve us in unfortunate foreign entanglements and do really little for prevention, education and treatment, which can be of such great benefit in doing something positive regarding our drug dilemma.

WE MUST do something different. What has been done over the years has been unsuccessful.

Intimidation is impossible. Eradication of crops in foreign lands will never happen, and incarceration of users of drugs will cost the taxpayers billions and further clog our criminal justice system.

Buying more prison beds at costs of \$30,000 to \$50,000 per cell will not take profits from the drug lords.

WE SHOULD legalize marijuana now — tax it like cigarettes — remove the profit motive and earmark and use the money for prevention, education and treatment programs

to combat the other more deleterious drugs.

We have seen education, with the help of cooperative media, do much to curtail the harmful use of cigarettes and alcohol.

Victims of drugs who plead for help should be provided it. Half of all our serious crime comes from addicts seeking money for a "fix."

I speak from over 44 years of law enforcement experience.

Johannes F. Spreen,
Farmington Hills

C'ville board earns thanks

To the editor:

Some of our surrounding school districts are making cutbacks and putting a lot of extra educational needs on hold because of financial matters.

When you look at Clarencville, which in some eyes, shouldn't even be in existence because of its student count (less than 2,000), old buildings and sandy floors.

Thanks to the school board, we're going to add to our children's educational needs with the board giving \$10,000 (\$40,000 total) to purchase items to enhance the learning of our children.

Sure we may pay a higher school

tax dollar than our neighboring districts. But . . . I am thankful that a program your child might be involved in is being enriched, not cut.

Child abuse unit needed

To the editor:

I was pleased to read your Nov. 23 editorial "Good move! Child assault unit is needed."

The Child Abuse and Neglect Council's Task Force convened in 1988 with Prosecutor Richard Thompson and myself as chairmen has brought together a variety of organizations to plan and implement a supportive system for children who are victims of sexual abuse in Oakland County.

Police, prosecutors, Department of Social Services, treatment agencies and concerned individuals have been working for over a year. Now CARE (Child Abuse Resource Effort) House is open. The Child Sexual Abuse Unit at the prosecutor's office is vital to this comprehensive approach.

Meg Mitzel, executive director, Child Abuse and Neglect Council of Oakland County

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