

Supervision an issue in apts. for retarded

By Jackie Klein
staff writer

The operator of the first proposed apartment complex in Southfield for mentally retarded adults is still running into stumbling blocks.

Southfield City Council on Monday voted 4-3 to file a complaint with the Michigan Department of Social Services in the latest of several attempts to bar construction of the proposed two-story, seven-unit facility on the southwest corner of 12 Mile and Pieter.

A resolution with the complaint asks the department to deny the license application of Mary Wagner, executive director of Community Living Centers Inc. (CLC), for the group home proposed to house 14 residents in two-bedroom units.

The facility, according to some city officials, fails to meet the criteria for an adult foster care home. Wagner, however, said the program has been approved by the state. A license would be issued until the apartment complex is constructed, she said.

Voting in favor of the resolution were council members Suzanne Goldstein, Vicki Goldbaum, Peter Cristiano and Steve Hurite.

Hurite, chairman of the council site plan committee, originally said the plan meets ordinance requirements.

Opposing the resolution were Council President John Beras, Councilwoman Lillian Jaffe Oaks and Councilman James McDermott.

CITY COUNCIL in April delayed action on the construction site plan for the apartment building. The plan was turned down May 24 in a split council vote and two days later Wagner took the city to Oakland County Circuit Court.

CLC won the suit which charged the city with violating constitutional rights in rejecting the project. Oakland Circuit Judge Francis X. O'Brien ruled that the proposed facility meets state and city ordinance requirements.

Wagner on June 11 was issued a building permit for the apartment complex. That permit would be canceled if construction isn't started within six months.

The complaint to the social services department maintains operation of the apartment as a training facility — a step between group home living and independent, unsupervised apartment living for the retarded — doesn't comply with state requirements for adult foster care large group homes.

The resolution points out that Wagner told council members there would be no community room where residents may gather. Some of the residents won't need supervision, will do their own shopping, cooking and menu planning and work during the day, Wagner said.

THE STATE Adult Foster Care Facility Licensing Act, according to Southfield City Attorney William Beach, addresses adult family care homes for handicapped and disabled persons who require ongoing supervision, assistance and personal care.

Wagner said the city is finding reasons to hamper development of the facility because some officials don't want retarded adults to live in the community.

CLC is planning to house two managers in the apartment building to assist residents with daily chores, she said. "Residents are high functioning and will come from small group homes in the community. They don't need 24-hour-a-day supervision."

"The training concept is to prepare residents for independent living if they're capable of handling it. If they're not, they'll be sent back to small group homes. They don't need a community room because they're involved in many outside activities."

Beach said the city doesn't take issue with Wagner's good intentions to provide a supervised semi-independent living environment for mentally retarded persons.

"CLC's proposal is quite unique and indeed original," he said. "But it transcends statutory limitations im-

posed upon the licensing and operation of adult foster care homes.

"THE LEGISLATURE has mandated that if public funds and governmental blessings are to be given to a foster care facility, residents must receive the care prescribed by state law. CLC's care is less restrictive than that required."

The resolution states that some council members expressed concerns about the safety of prospective residents in an apartment on a main thoroughfare.

Beras maintained the city is hindering Wagner from getting funding for the proposed facility because of delaying actions by some officials.

It will cost Wagner money to retain an attorney if the social services department conducts an administrative hearing on the complaint, Beras added.

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