

REGULAR MEETING OF THE COUNCIL

DECEMBER 13, 2010

AGENDA

1. ROLL CALL.
2. INVOCATION BY Imam Baqir Berry of the Islamic Institute of Knowledge.
3. PLEDGE OF ALLEGIANCE.
4. RESOLUTION BY COUNCILMEMBERS SAREINI AND HUBBARD –
Approving the minutes of the previous regular meeting of
November 15, special meetings of November 9, 16 and 29, and
special closed meeting of December 6, 2010.
5. ORDINANCE ON THE TABLE – Ordinance No. 10-1302, “An Ordinance
to Amend the Nuisances Chapter (Chapter 13) of the Code of the
City of Dearborn by Adding Article VII, entitled ‘Construction Site
Maintenance’.”
RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND
HUBBARD – To take from the table for its final reading.
6. ORDINANCE ON THE TABLE – Ordinance No. 10-1303, “An Ordinance
to Amend the City of Dearborn Employees Retirement System
(Chapter 22).”
RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – To
take from the table for its final reading.
7. ORDINANCE ON THE TABLE – Ordinance No. 10-1304, “An Ordinance
to Amend the City of Dearborn Police and Fire Revised Retirement
System (Chapter 23).”
RESOLUTION BY COUNCILMEMBERS SAREINI AND HUBBARD – To
take from the table for its final reading.

8. ORDINANCE NO. 11-1305 INTRODUCED BY COUNCILMEMBER HUBBARD.
SYNOPSIS – "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located north of Essex Place and east of Westlawn Place (Lots 681-684 inclusive, Dix Avenue Villas Subdivision) from a Residential A (One Family Residential District) to a VP (Vehicular Parking District) zoning classification.
RESOLUTION BY COUNCILMEMBERS SAREINI AND DARANY – To table the Ordinance.

9. ORDINANCE NO. 11-1306 INTRODUCED BY COUNCILMEMBER HUBBARD.
SYNOPSIS – "An Ordinance to Amend the Zoning Ordinance (Ord. No. 06-1111) of the City of Dearborn by Amending Article 1, Section 1.03 entitled 'Definitions,' Amending Article 7, Section 7.02 entitled 'Site Development Standards Applicable to Specific Uses,' and Amending Section 20.03 entitled 'Development Standards'."
RESOLUTION BY COUNCILMEMBERS SAREINI AND SHOOSHANIAN – To table the Ordinance.

10. ORDINANCE NO. 11-1307 INTRODUCED BY COUNCILMEMBER HUBBARD.
SYNOPSIS – "An Ordinance to Amend the Zoning Ordinance (Ord. No. 06-1111) of the City of Dearborn by Amending Article 2.00, Section 2.09 entitled 'Yard and Bulk Regulations' and Adding Section 2.22 entitled 'Emergency Electrical Generators'."
RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND DARANY – To table the Ordinance.

11. ORDINANCE NO. 11-1308 INTRODUCED BY COUNCILMEMBER SAREINI.
SYNOPSIS – "An Ordinance to Amend the Animals Chapter (Chapter 4) of the Code of the City of Dearborn by Amending Section 4-27 and Adding Sections 4-27A and 4-27B, entitled 'Dangerous Dogs; Vicious Dogs'."
RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – To table the Ordinance.

12. ORDINANCE NO. 11-1309 INTRODUCED BY COUNCILMEMBER HUBBARD.
SYNOPSIS – "An Ordinance to Amend the Animals Chapter (Chapter 4) of the Code of the City of Dearborn by Adding Section 14-32 entitled 'Tethering'."
RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND DARANY – To table the Ordinance.

13. ORDINANCE NO. 11-1310 INTRODUCED BY COUNCILMEMBER SAREINI.
SYNOPSIS – "An Ordinance to Amend the Offenses Chapter (Chapter 14) of the Code of the City of Dearborn by Adding Section 14-92A entitled 'Retail Fraud in the Third Degree'."
RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – To table the Ordinance.

14. RESOLUTION BY COUNCILMEMBERS HUBBARD AND SAREINI – Approving the Addition (Certification) of the Realigned Portion of Reckinger Road as a City Local Road for the redevelopment of the Ford Community & Performing Arts Center and requesting immediate effect.

15. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD – Approving the Deletion (Decertification) of a Portion of Reckinger Road as a City Local Road for the redevelopment of the Ford Community & Performing Arts Center and requesting immediate effect.

16. RESOLUTION BY COUNCILMEMBERS HUBBARD AND SAREINI – Approving Change Order No. 1 with Lacaria Concrete Construction in the amount of \$60,000 for the Asphalt Street Pavement Resurfacing Contract 2009/2010 and requesting immediate effect.

17. RESOLUTION BY COUNCILMEMBERS SAREINI AND SHOOSHANIAN – Approving Change Order No. 2 with Ric-Man Construction Company in the amount \$632,253.78 for the Combined Sewer Overflow Project Contract Nos. 3 and 4 and requesting immediate effect.

18. RESOLUTION BY COUNCILMEMBERS SAREINI AND SHOOSHANIAN – Awarding a two-year contract to Frank's Landscaping in the total amount of \$92,973.76 (\$46,486.88 annually) for Turf Maintenance on County/State Rights-of-Ways (ROWs); also authorizing the Finance Director to recognize the estimated reimbursement revenue in the amount of \$72,193.44 and appropriate the same in the Major Street & Trunk Line Fund Project Z77611 and requesting immediate effect.
19. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – Awarding a two-year contract to United Lawnscape, Inc. in the total amount of \$145,888 (\$72,944 annually) for Turf Maintenance of Various City Locations and requesting immediate effect.
20. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – Awarding a two-year contract to United Lawnscape, Inc. in the total amount of \$95,704 (\$47,852 annually) for Fertilization and Weed Control of Various City Locations and requesting immediate effect.
21. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – Awarding a contract to Usztan, LLC in the amount of \$56,915 for the Ford Community & Performing Arts Center Marquee Sign Renovation and requesting immediate effect.
22. RESOLUTION BY COUNCILMEMBERS SAREINI AND HUBBARD – Awarding a contract to Resource Recycling Systems in the amount of \$62,836 for a Waste to Energy Facility Feasibility Study and requesting immediate effect.
23. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND HUBBARD – Renewing the contract with WH Canon, Inc. (C.R. 3-138-09) in amount of \$23,924 for Flower Bed Planting & Maintenance Services and requesting immediate effect.
24. RESOLUTION BY COUNCILMEMBERS SAREINI AND HUBBARD – Renewing the contract with Brantley Development LLC (C.R. 2-64-10) in the amount \$75,000 for Private Property Lawn & Yard Maintenance for Non-Compliance Ordinance Violations and requesting immediate effect.

25. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –
Renewing the contracts with R & M Contracting Corp., Inc.,
Landscape Services, Inc., J.R. Mathews, Inc., United Lawnscape,
Inc. and Dave's Contracting, Inc. in the approximate total amount
of \$110,000 to Provide Nuisance Abatement Services and
requesting immediate effect.

26. RESOLUTION BY COUNCILMEMBERS SAREINI AND HUBBARD –
Extending the professional services agreement with Stephanie
Morita of Secrest Wardle in the amount of \$32,000 through
December 31, 2011 for assistance with litigation in the Michigan
Tax Tribunal involving the Detroit Lions Practice Facility and
Headquarters; also authorizing the Finance Director to appropriate
a like amount from the General Fund fund balance to the
Assessor's Department Contract Services Account to finance this
extension and requesting immediate effect.

27. RESOLUTION BY COUNCILMEMBERS SAREINI AND HUBBARD –
Extending the professional services agreement with Zausmer,
Kaufman, August, Caldwell & Tayler, P.C. in the amount of
\$75,000 for continued representation in the case of the City of
Dearborn vs. Burton-Katzman; also authorizing the transfer of a
like amount from the General Fund fund balance to the Fleet &
General Legal Fees Account in order to finance this extension and
requesting immediate effect.

28. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –
Extending the professional services agreement with Robert D.
Gordon (specialist in corporate bankruptcy matters), of Clark Hill
P.L.C. in the amount of \$20,000 for continued representation in the
case of the City of Dearborn vs. Burton-Katzman with respects to
them filing for Chapter 7 Bankruptcy; also authorizing the transfer
of a like amount from the General Fund fund balance to the Fleet &
General Legal Fees Account in order to finance this extension and
requesting immediate effect.

29. RESOLUTION BY COUNCILMEMBERS SAREINI AND SHOOSHANIAN
– Authorizing the Finance Director to recognize and appropriate
reallocated Block Grant Funds in the amount of \$45,000 to
adequately fund additional sidewalk and driveway apron work
needed to comply with the Americans with Disabilities Act related to
the Asphalt Resurfacing and Water Main Replacement Project on
Mead and Ternes Streets and requesting immediate effect.

30. RESOLUTION BY COUNCILMEMBERS SAREINI AND SHOOSHANIAN – Authorizing a sole source procurement with Oakland County in the total amount of \$177,000 for Membership and Maintenance for the CLEMIS Mobile Data Computer System Program for the Police Department and requesting immediate effect.
31. RESOLUTION BY COUNCILMEMBERS HUBBARD AND SAREINI – Authorizing the Mayor to execute an Intergovernmental Agreement between Wayne County and the City of Dearborn for the Federal Grant related to the Rouge River National Wet Weather Demonstration Project, Round Sewer Separation Project, subject to a review by Corporation Counsel; also authorizing the Finance Director to recognize and appropriate the grant amount in the amount of \$102,650 in C.I.P. Q01900 Sewer Fund and requesting immediate effect.
32. RESOLUTION BY COUNCILMEMBERS HUBBARD AND SAREINI – Authorizing a five-year renewal period with CBS Outdoor for the leasing of four parcels of land from the City for billboard advertising (Michigan & I-94, DPW Yard at I-94, Greenfield south of Butler & Telegraph south of the Railroad Tracks) and requesting immediate effect.
33. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD – Authorizing the City of Dearborn to accept Quit Claim Deeds for the properties located at 14900 Ford Road, 16121 Michigan Ave. and 5700 Greenfield from the Dearborn Municipal Building Authority as the Authority was dissolved and requesting immediate effect.
34. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND HUBBARD – Authorizing the Mayor to execute a Quit Claim Deed transferring title of the northeast corner of Miller Road and Eagle Pass to Wayne County and requesting immediate effect.
35. RESOLUTION BY COUNCILMEMBERS HUBBARD AND SAREINI – Concurring in the appointments of Maureen A. McIlrath-Noland and Teresa Pulido to the Telecommunications Commission for terms ending June 30, 2012 and requesting immediate effect.

36. RESOLUTION BY COUNCILMEMBERS HUBBARD AND SAREINI –
Acknowledging the 2010 Assistance to Firefighters Grant in the amount of \$44,897 for the Purchase of Various Hoses and Nozzles; also authorizing the Finance Department to recognize the federal portion in the amount of \$35,918 and to appropriate the same from the General Fund fund balance for the purchase of the equipment and requesting immediate effect.
37. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –
Acknowledging a donation of a Christmas Tree by the Friends of the Festival of Trees placed at the Senior Center Office.
38. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –
Granting permission to CDM Michigan, Inc. to conduct soil boring and geotechnical inspections of Indiana Avenue, North of Warren Avenue, subject to certain stipulations and requesting immediate effect.
39. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND DARANY –
Denying the request of Hakim Fakhoury, Dearborn Village Partners, to extend the Parking Lot Lease and Preferred Developer Agreement for a one year period.

NEW BUSINESS

40. RESOLUTION BY COUNCILMEMBER DARANY SUPPORTED
UNANIMOUSLY – Offering condolences to the family of Maria DeLoria.
41. RESOLUTION BY COUNCILMEMBER ABRAHAM SUPPORTED
UNANIMOUSLY – Offering condolences to the family of Bruce H. Simpson.
42. RESOLUTION BY COUNCILMEMBER HUBBARD SUPPORTED
UNANIMOUSLY – Offering condolences to the family of Joseph Lycas.