

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

March 16, 2009

The Council convened at 7:00 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Abraham, Darany, Hubbard, Sareini, Shooshanian, Thomas and President of the Council Tafelski; absent, none. A quorum being present, the Council was declared in session.

Reverend Frederick Nichols of Harvest International Worship Center delivered the invocation.

By Thomas supported by Hubbard.

3-157-09. RESOLVED: That the minutes of the previous regular meeting of March 2 and the special meeting of February 26, 2009, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

3-158-09. RESOLVED: That Ordinance No. 09-1216 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 09-1216, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property bounded by Warren Avenue on the north, Kingsley on the east, Haggerty on the south and Miller on the west from a Residential B (One Family Residential District) to a Residential A (One Family Residential District) zoning classification.

The President of the Council announced that this was the final reading of the Ordinance.

The President of the Council then put the question, "Shall this Ordinance pass?"

3-158-09. Upon roll call the Ordinance was unanimously adopted.

By Hubbard supported by Thomas.

3-159-09. RESOLVED: That Ordinance No. 09-1217 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 09-1217 entitled, "An Ordinance to Amend Article 29.00 of Ordinance No. 06-1111 of the City of Dearborn by Amending Section 29.02, entitled 'Schedule of Regulations'."

The President of the Council announced that this was the final reading of the Ordinance.

The President of the Council then put the question, "Shall this Ordinance pass?"

3-159-09. Upon roll call the Ordinance was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 09-1218, entitled, "An Ordinance to Amend the Traffic and Motor Vehicle Chapter (Chapter 18) of the Code of the City of Dearborn by Adding Section 18-351.5, entitled 'Stopping, Standing, or Parking of Buses or Taxicabs Restricted; Exception; Violation as a Civil Infraction'."

The Clerk read the Ordinance by title.

The President of the Council announced that this was the first reading of the Ordinance.

By Abraham supported by Shooshanian.

3-160-09. RESOLVED: That proposed Ordinance No. 09-1218 be laid on the table.

The resolution was unanimously adopted.

Councilmember Thomas introduced Ordinance No. 09-1219, entitled, "An Ordinance to Amend the Animals Chapter (Chapter 4) of the Code of the City of Dearborn by Adding Section 4-31, entitled 'Dog Bite Reporting Requirements'."

The Clerk read the Ordinance by title.

The President of the Council announced that this was the first reading of the Ordinance.

By Hubbard supported by Darany.

3-161-09. RESOLVED: That proposed Ordinance No. 09-1219 be laid on the table.

The resolution was unanimously adopted.

By Sareini supported by Hubbard.

3-162-09. RESOLVED: That all bids received for Asphalt Street Pavement Resurfacing Contract 2008/09, Phase I - Job No. 08-07-077, C.I.P. Q56709 (included in the contract - resurfacing of Lincoln, McKinley & Roosevelt from Carlisle to Madison and Fort Dearborn from Cherry Hill to Kensington) are hereby rejected except the bid of Lacaria Concrete Construction in the total amount of \$1,229,265, that the aforementioned bid is hereby accepted, that the checks of the unsuccessful bidders be returned forthwith, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from C.I.P. Q56709 as follows:

Local Street Fund (203 2009 452 4520)	\$1,193,265
Sewer Fund (590 2006 435 4520)	<u>\$ 36,000</u>
Total	\$1,229,265

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

Renewed on 3/1/10 per C.R. 3-119-10

By Thomas supported by Sareini.

3-163-09. RESOLVED: That all bids received for Demolition of Mt. Olivet Church are hereby rejected except the bid of Blue Star, Inc. in the approximate amount of \$187,663.16, that the aforementioned bid is hereby accepted, that the checks of the unsuccessful bidders be returned forthwith, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement Fund, Law Department, Capital Outlay Land, Demolition Expense, Project C10000, Land Acquisition for Resale (Account #401-1500-435.71-45); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Thomas.

3-164-09. RESOLVED: That all bids received for Camp Dearborn Campsite Utilities II Upgrade are hereby rejected except the bid of Bob Myers Excavating, Inc. in the total amount of \$213,000, that the aforementioned bid is hereby accepted, that the checks of the unsuccessful bidders be returned forthwith, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Camp Dearborn Operating Fund, Project #I20608, Camp Dearborn RV Site Expansion (Account #234-3065-435.45-10); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Shooshanian.

3-165-09. WHEREAS: Per Section 2-569 of the Code of the City of Dearborn, the City is allowed to bridge (a.k.a. piggyback) existing contracts with other agencies. The City of Ann Arbor issued an RFP for In-Car Digital Video/Audio Systems in April of last year and awarded a contract to L3 Communications Mobile-Vision, Inc., and

WHEREAS: L3's product meets all the requirements as needed by the Police Department. Based upon the same pricing given to Ann Arbor, the Purchasing Agent Designee has requested a purchase order be issued to L3 Communications Mobile-Vision, Inc. in the total amount of \$459,866.50, and

WHEREAS: The initial cost for all hardware, software, installation and the first year's warranty shall be \$386,228.50 and shall be funded from a contribution of narcotic forfeiture funds. The remaining extended warranties for years two, three, and four in the amount of \$73,638 will be paid for as each respective year arises (year two in the amount of \$19,869; year three in the amount of \$22,919 and year four in the amount of \$30,850) starting the second year and will be contingent upon adoption of the respective FY's Budget; now therefore be it

RESOLVED: That City Council hereby awards a purchase order to L3 Communications Mobile-Vision, Inc. in the amount of \$459,866.50 for In-Car Video Equipment for the Police Department; be it further

RESOLVED: That this purchase order for all hardware, software, installation and the first year's warranty in the amount of \$386,228.50 shall be financed from a contribution of narcotic forfeiture funds from the Drug Law Enforcement Fund to the General Capital Improvement Fund, Police, Capital Equipment Account (Account #401-2420-435.74-50) Technology Project ZT0708; be it further

RESOLVED: That the remaining extended warranties for years two, three, and four in the amount of \$73,638 shall be paid for as each respective year arises (year two in the amount of \$19,869; year three in the amount of \$22,919 and year four in the amount of \$30,850) starting the second year and shall be contingent upon adoption of their respective fiscal year budget and financed from the Drug Law Enforcement Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Hubbard.

3-166-09. RESOLVED: That all proposals received for Nuisance Abatement Services are hereby rejected except the proposals of R & M Contracting Corp., Inc.; Landscape Services, Inc.; J.R. Mathews, Inc.; United Lawnscape, Inc.; Dave's Contracting, Inc. and Commercial Mowing Services, Inc. in the approximate two-year amount of \$500,000, that the aforementioned proposals is hereby accepted, that the checks of the unsuccessful proposals be returned forthwith, that the Mayor is hereby authorized to execute formal two-year contracts upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That each cleanup shall be quoted among these six firms and anticipated spending over the two years to be split as follows:

Period January through June, 2009	\$125,000
Period July through December, 2009	\$125,000
Period January through June, 2010	\$125,000
Period July through December, 2010	\$125,000

be it further

RESOLVED: That City Council hereby authorizes the Finance Director to recognize and add \$74,000 to the General Fund revenue budget and appropriate \$67,000 in the Building & Safety Department, Neighborhood Services Division to fund this program through June, 2009; be it further

RESOLVED: That these contracts shall be financed from the General Fund, Department of Building & Safety, Neighborhood Services Division, Contractual Services, Other Services Account (Account #101-2914-442.34-90) with purchases made after June 30, 2009 being contingent upon adoption of the FY2010 and FY2011 Budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Darany.

3-167-09. WHEREAS: In 2001, the City Council approved an Intergovernmental Agreement with Wayne County for the Resurfacing of Greenfield Road from Allen Road to DTI Railroad Bridge and the Rehabilitation of the Greenfield Bridge over the Rouge River (C.R. 5-330-01), and

WHEREAS: The authorized Dearborn share of the cost was \$99,925 and it was based on the City Engineer's estimate. Wayne County has since revised Dearborn's share of cost to reflect "As Built Cost". The revised Dearborn share of the cost is now estimated at \$133,166.52 creating a short fall of \$33,241.52, and

WHEREAS: The City Engineer has requested City Council approval of a Change Order to the Intergovernmental Agreement with Wayne County in the amount of \$33,241.52 for this shortfall; now therefore be it

RESOLVED: That the Change Order to the Intergovernmental Agreement with Wayne County, which provides for the Resurfacing of Greenfield Road from Allen Road to the DTI Railroad Bridge and the Rehabilitation of the Greenfield Bridge over the Rouge River, Job No. 99-06-082, C.I.P. Q05600, Wayne County Work Order No. 46597 and 46673 in the amount of \$33,241.52 be and is hereby approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Shooshanian.

3-168-09. WHEREAS: The City presently has a contract with G.V. Cement Contracting Company (C.R. 4-158-07) for Street Paving, Curb and Catch Basin Repair Contract 2006/2007, and

WHEREAS: The original contract specifications allows for two renewal of one year beyond the expiration of the present contract with the first renewal being approved by C.R. 4-158-08 for 2007/2008. This will be the second and final renewal, and

WHEREAS: G.V. Cement Contracting Company has offered to renew the present contract prices; be it

RESOLVED: That the contract for Street Paving, Curb and Catch Basin Repair Contract 2008/2009, Job #08-12-093, C.I.P. Q56509 is hereby renewed with G.V. Cement Contracting Company in the amount of \$1,618,000; be it further

RESOLVED: That this contract renewal shall be financed through C.I.P. Q56509 with a funding breakdown as follows:

Public Works Billable Project	401	2010	452	4520	\$	47,250
Major Street Fund	202	2009	452	4520		166,300
Local Street Fund	203	2009	452	4520		852,550
General Capital Improvement	401	2009	452	4520		81,000
Sewer Fund	590	2006	435	4520		326,900
Water Fund	591	2011	435	4520		<u>144,000</u>
					TOTAL	\$1,618,000

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-169-09. WHEREAS: The City of Dearborn is in need of builder's risk insurance for the CSO Project #6 that is currently under contract, and

WHEREAS: Builder's risk insurance protects the City against property exposures during the course of construction. This form of insurance is excluded from traditional property policies and must be secured as separate coverage, and

WHEREAS: Contractually, it is the City's responsibility to secure the builder's risk insurance coverage, and

WHEREAS: Since the projects have not been completed, the builder's risk insurance is required to be extended through the new anticipated completion dates, and

WHEREAS: Builder's risk policies are procured for the term of the project, not on an annual basis, and

WHEREAS: The insurance coverage extensions can be summarized as follows:

Contract #6 - current binder expiration - 4/1/09
estimated completion/coverage expiration 4/1/10
premium - \$45,172, limits - \$36,790,555

and

WHEREAS: The policy will be secured through the City's current agent of record for property and casualty insurance, Nickel & Saph, Inc., and

WHEREAS: It is recommended by Corporation Counsel that the Dearborn City Council authorize payment of \$45,172 to Nickel & Saph, Inc. from the CSO Project #N85000 for builder's risk insurance for CSO contract #6; be it therefore

RESOLVED: That the Finance Director be authorized and directed to issue his proper warrant in an amount not to exceed \$45,172, payable to Nickel & Saph, Inc., drawn upon the CSO Project Fun 598-2006-435.52-10 N85000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Thomas.

3-170-09. WHEREAS: The State of Michigan is compiling usage figures to include in their 2009/2010 road salt solicitation and has inquired if it is the City's intention to continue procuring road salt through the MiDeal Program. All quantities submitted represent a commitment to participate in the State of Michigan road salt solicitation. Intended purchase amounts are to be forwarded to the State by March 17, 2009. Pricing for the 2009/2010 sale will be available September, 2009, and

WHEREAS: Most counties and municipalities in Michigan rely on the State contract. The City realized benefits from this program over the past two seasons when salt availability was limited and prices sky-rocketed. The State contracted firm held firm to its commitment to supply participating communities first before it released salt for sale on the open market. Dearborn has participate in salt purchases under the MiDeal Program since 2000, and

WHEREAS: The Deputy Director of Public Works has requested that the Purchasing Agent be authorized to make a commitment to the State under the MiDeal Program to purchase 5,000 tons of salt for early delivery and 4,000 tons of salt for seasonal back-up for the 2009/2010 winter period; be it

RESOLVED: That City Council hereby authorizes the Purchasing Agent to make a commitment to the State under the MiDeal Program to purchase 5,000 tons of salt for early delivery and 4,000 tons of salt for seasonal back-up for the 2009/2010 winter period; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-171-09. WHEREAS: The Oakland County Trail Currently passes close to Camp Dearborn, and

WHEREAS: The City of Dearborn's Recreation Plan includes an extension of the Oakland County Trail that will follow and then cross the Huron River before running along Mystic Creek Golf Course, heading up to Camp Dearborn's Phillip Lake Beach, providing users with a universally accessible opportunity to kayak or fish along the Huron River; bike, run or stroll from Kensington Metropark to Camp Dearborn, connecting visitors to Kensington Metropark and downtown Milford via the Oakland County Trail, and

WHEREAS: The City of Dearborn has estimated the cost of extending the Oakland County Trail to be approximately \$418,743.06, to be paid with \$309,869.86 in grant funds and \$108,873.20 provided by the City, and

WHEREAS: The Michigan Department of Natural Resources Trust Fund is accepting applications for grant funds for projects of this type, and

WHEREAS: A provision of the Michigan Department of Natural Resources requires the City of Dearborn, by resolution of its City Council, to commit to supporting this project and authorize its Mayor to apply for these funds, and

WHEREAS: The Michigan Department of Natural Resources requires the City of Dearborn to acknowledge it has the available local match required for securing this grant, and

WHEREAS: Public meetings were held on March 10, 2009 at 7:00 P.M. at the Ford Community and Performing Arts Center and on March 11, 2009 at 6:30 P.M. at Camp Dearborn, and

WHEREAS: At the public meetings, all of the people in attendance expressed support and enthusiasm for the plan; now therefore be it

RESOLVED: That the City Council of the City of Dearborn supports the extension of the Oakland County Trail to Camp Dearborn with supporting amenities cited above; be it further

RESOLVED: That the City of Dearborn has included Camp Dearborn pathway extension of the Oakland County Trail above in its recreation plan; be it further

RESOLVED: That the Mayor is hereby authorized to apply for the grant funds identified above; be it further

RESOLVED: That the City of Dearborn commits itself to the construction of the Camp Dearborn path extension to the Oakland County Trail if the grant fund request of \$309,869.86 is approved by the Michigan Department of Natural Resources Trust Fund, and that the City of Dearborn has \$108,873.20 available as match securing this grant; be it further

RESOLVED: That if the grant fund request of \$309,869.86 is approved by the Michigan Department of Natural Resources Trust Fund the City's commitment of \$108,873.20 shall be financed from the Camp Dearborn Project Reserve Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

3-172-09. WHEREAS: The City presently has a contract in the amount of \$350,000 with the JCI Group authorized by C.R. 7-510-07 for City Marketing Services. The amount spent or committed against the contract to date is approximately \$370,138, and

WHEREAS: The JCI Group recommends ongoing marketing and public relations strategies to maintain and enhance the momentum of the Welcome Home Dearborn (WHD) Campaign started in August, 2007 through the next three months, ending June 30, 2009 and has submitted a proposal outlining actions during this period. The Director of Public Information recommends that City Council approve extending the services of the JCI Group through June 30, 2009 at a cost of \$53,000, and

WHEREAS: The Director of Public Information has requested City Council approve an additional \$73,138 to cover expenses incurred to date beyond the authorized amount, which includes the additional amount of \$53,000, to continue the WHD Campaign through Fiscal Year 2009, bringing the total contract value with the JCI Group to \$423,138, and

WHEREAS: In order to complete the financing of this contract increase, the Director of Public Information has requested a contribution to the Designated Purposes Fund in the amount of \$27,000 be appropriated to the General Fund fund balance and that the Finance Director be authorized to recognize and appropriate this contribution in the Designated Purposes Fund Project Z76700 Dearborn in Demand; be it

RESOLVED: That City Council hereby authorizes a contract increase with the JCI Group in the total amount of \$73,138 to cover expenses incurred to date for City Marketing Services, which includes \$53,000 to extend the WHD Campaign through June 30, 2009; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to appropriate \$27,000 from the General Fund fund balance in order to complete financing for this contract increase, and to recognize and appropriate this contribution in the Designated Purposes Fund Project Z76700 Dearborn in Demand; be it further

RESOLVED: That the \$73,138 shall be recorded in the Designated Purposes Fund, Department of Public Information, Administrative Division, Contractual Services, Other Services Account, Project Z76700 (Account #276-2310-714.34-90); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-173-09. WHEREAS: The 19th District Court has applied for and received a state grant in the amount of \$15,000 from the Michigan Drug Court Grant Program (MDCGP) to support a Dearborn Area Drug Court, no local match being required, and

WHEREAS: The 19th District Court has requested that this grant be acknowledged and accepted from the MDCGP, and

WHEREAS: The 19th District Court has requested that the Finance Director be authorized to recognize and appropriate the grant award, and

WHEREAS: The 19th District Court has requested that the Finance Director be authorized to recognize all Drug Court Program revenue received and appropriate a like amount to support the Drug Court for the duration of the grant; be it

RESOLVED: That City Council hereby acknowledges and accepts the grant in the amount of \$15,000 from the Michigan Drug Court Grant Program to support a Dearborn Area Drug Court; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to recognize revenue and appropriate expenditures in the amount of \$15,000 in the General Fund, 19th District Court, Dearborn Area Drug Court budget; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to recognize all Drug Court Program revenue received and appropriate a like amount to support the Drug Court for the duration of the grant; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Darany.

3-174-09. WHEREAS: Ford Motor Company is owner of the Ford Proving Grounds adjacent to the Rouge River Oxbow and has requested that the City of Dearborn join it in signing the Rouge River Oxbow Long Term Maintenance Agreement, and

WHEREAS: The Rouge River Oxbow has been separated from the Rouge River since mid-1970, thus preventing water flow through the Oxbow and adversely affecting the ecosystem, and

WHEREAS: Ford Motor Company currently discharges storm water into the Combined Sewer Overflow (CSO), and

WHEREAS: Ford Motor Company and Wayne County have embarked on an Oxbow Restoration Project to reconnect the Oxbow to the Rouge River and restore the habitat, and

WHEREAS: The restoration of the Oxbow will allow Ford Motor Company to divert treated storm water away from the CSO, through the Oxbow, and into the Rouge River, and

WHEREAS: In order for water from the Ford Proving Grounds to reach the Rouge River, it must first flow through a City sewer easement consisting of the former CSO 13 pipe, and

WHEREAS: Wayne County and the Edison Institute also own property adjacent to or within the Oxbow Restoration area, and

WHEREAS: Ford wishes for the City of Dearborn, the Edison Institute, and Wayne County to join it in executing an Agreement Regarding Long Term Maintenance ("the Agreement") for the Oxbow that will be recorded with the Register of Deeds, and

WHEREAS: Execution of the Agreement is required by Wayne County so that Ford may obtain a storm water permit, and

WHEREAS: Ford Motor Company, the Edison Institute and Wayne County have signed or authorized execution of the Agreement, and

WHEREAS: The Agreement requires that the City maintain its sewer easement (designated as Maintenance Area 3") pursuant to the chart of responsibilities attached as Exhibit D of the Agreement, and

WHEREAS: The Department of Law, Building and Safety Department, and Engineering Division have reviewed the Agreement and concluded that the City's responsibilities are routine and are satisfied that the terms of the agreement are acceptable; therefore be it

RESOLVED: That the City Council authorizes execution of the Rouge River Oxbow Long Term Maintenance Agreement; be it further

RESOLVED: That the Mayor or his designee is hereby authorized to sign the Rouge River Oxbow Long Term Maintenance Agreement on behalf of the City; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Thomas supported by Sareini.

3-175-09. RESOLVED: That City Council hereby authorizes "Free Parking" in the City of Dearborn for St. Patrick's Day on March 17, 2009; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Darany.

3-176-09. WHEREAS: The City has been notified by the U.S. Department of Housing and Urban Development (HUD) that a certain property has become available for the City to purchase under its Dollar Sale Program, and

WHEREAS: The City has been offered the opportunity to purchase the following property:

<u>ADDRESS</u>	<u>APPROXIMATE AMOUNT OF TAXES OWED</u>
7310 Kentucky (36' x117')	\$0

and

WHEREAS: The house will be demolished. Once the building is removed each adjoining neighbor will be offered an opportunity to purchase ½ of the vacant property to combine with existing lots to increase current lot sizes, and

WHEREAS: Since the Dollar Sale Program was developed by HUD to help local governments foster opportunities for low to moderate income families, it is recommended that the City deposit profits, if any, into the Community Development Block Grant (CDBG), and

WHEREAS: The City is required to provide HUD with annual reports detailing the status of properties that are purchased under this program. The Department of Building and Safety will be responsible for such reporting; therefore be it

RESOLVED: That City Council hereby determines to acquire the above property from HUD and pay outstanding taxes and closing costs to acquire the property listed, upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly execute, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warranty in the for the outstanding taxes in the approximate amount of \$1.00, plus closing costs, subject to adjustments, if any, as shown on the closing statement prepared, reviewed approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C03000, HUD Dollar Sale Program, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Thomas supported by Sareini.

3-177-09. WHEREAS: GMAC ResCap has offered to sell the substandard dwelling located at 2249 Homeplace, Dearborn, Michigan, to the City of Dearborn for the sum of \$12,500 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Operation Eyesore Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the premises described as:

Lot 108, Cunnin Homes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 59, Page 47 of Plats, Wayne County Records.

Tax I.D. 82-09-292-06-013
Commonly known as 2249 Homeplace

from the owner thereof and pay therefore the sum of \$12,500 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$12,500, subject to adjustments, if any, as shown on the closing statement prepared, reviewed and signed by the Office of the Corporation Counsel, on behalf of the City of Dearborn, drawn upon the General Capital Improvement Fund Project No. C02300, Operation Eyesore, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in an amount not to exceed \$11,000, for additional costs after acquisition, drawn upon the General Capital Improvement Fund Project No. C02300, Operation Eyesore for the demolition of the premises; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Hubbard.

3-178-09. WHEREAS: The Realtor, Chuck Vanerian, representing the owner of the property, has offered to sell the substandard dwelling located at 6100 Argyle, Dearborn, Michigan, to the City of Dearborn for the sum of \$17,900 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable; and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the premises described as:

Lot 454, Ford Chase Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 33, Page 41 of Plats, Wayne County Records.

Tax I.D. 82-10-074-12-008
Commonly known as 6100 Argyle

from the owner thereof and pay therefore the sum of \$17,900 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$17,900, subject to adjustments, if any, as shown in the closing statement prepared, reviewed and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That Corporation Counsel or her designee is authorized is execute documents on behalf of the City of Dearborn for the purchase of 6100 Argyle; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Darany.

3-179-09. WHEREAS: The Realtor, Deon Benson, representing the owner of property, has offered to sell the substandard dwelling located at 6540 Reuter, Dearborn, Michigan, to the City of Dearborn for the sum of \$15,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the premises described as:

Lot 355 Schanhite Morrison Garden Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 28 of Plats, Wayne County Records.

Tax I.D. 82-10-081-21-012
Commonly known as 6540 Reuter

from the owner thereof and pay therefore the sum of \$15,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$15,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 6540 Reuter; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Thomas.

3-180-09. WHEREAS: Mr. Gerard Gaydos, representing the owner of the property, via power of attorney, has offered to sell the substandard dwelling located at 6645 Neckel, Dearborn, Michigan, to the City of Dearborn for the sum of \$22,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the premises described as:

Lot 27 Kearney & Parsons Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 51 of Plats, Wayne County Records.

Tax I.D. 82-10-072-11-032
Commonly known as 6645 Neckel

from the owner thereof and pay therefore the sum of \$22,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$22,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said property; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 6645 Neckel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

3-181-09. WHEREAS: The Realtor Joe Dakroub, representing the owner of the property, has offered to sell the substandard dwelling located at 6128/30 Maple, Dearborn, Michigan, to the City of Dearborn for the sum of \$19,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 39 Schaefer Heights Sub. Sec. 7, City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 47 of Plats, Wayne County Records.

Tax I.D. 82-10-074-16-005
Commonly known as 6128/30 Maple

from the owner thereof and pay therefore the sum of \$19,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$19,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 6128/30 Neckel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Sareini.

3-182-09. WHEREAS: The Realtor, Hussein M. Farhat, representing the owner of the property, has offered to sell the substandard dwelling located at 7236 Emanon, Dearborn, Michigan, to the City of Dearborn for the sum of \$19,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 324 Robert Oakman Land Company's Aviation Field Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 44, Page 5 of Plats, Wayne County Records.

Tax I.D. 82-10-054-38-024
Commonly known as 7236 Emanon

from the owner thereof and pay therefore the sum of \$19,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$19,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 7236 Emanon; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Shooshanian.

3-183-09. WHEREAS: The Realtor, John Townsend, representing the owner of the property, has offered to sell the substandard dwelling located at 7445 Kendal, Dearborn, Michigan, to the City of Dearborn for the sum of \$19,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 758 Frischkorns Columbus Park Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 47 of Plats, Wayne County Records.

Tax I.D. 82-10-064-11-014
Commonly known as 7445 Kendal

from the owner thereof and pay therefore the sum of \$19,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$19,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 7445 Kendal; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-184-09. WHEREAS: The Realtor, L'Sheriece Page, representing the owner of the property, has offered to sell the substandard dwelling located at 7603 Neckel, Dearborn, Michigan, to the City of Dearborn for the sum of \$19,900 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and the acquisition is within the intent and spirit of the City's Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 106 Frischkorns Columbus Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 47 of Plats, Wayne County Records.

Tax I.D. 82-10-064-09-013
Commonly known as 7603 Neckel

from the owner thereof and pay therefore the sum of \$19,900 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$19,900, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the General Capital Improvement Fund Project No. C05500, Account #401-1299-435.71-10, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 7603 Neckel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Sareini.

3-185-09. RESOLVED: That the Supervisory, Technical and Professional Unit Employee Salary Plan adopted on November 18, 1980 by C.R. 11-1062-80 be and is hereby amended pursuant to Civil Service Resolution No. 7200-09; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Hubbard.

3-186-09. RESOLVED: That City Council hereby denies the request of ED NET, Inc. to be recognized as a non-profit organization in the City of Dearborn as it does not appear that ED NET, Inc. conducts its principal activities within the City.

The resolution was unanimously adopted.

By Shooshanian supported by Thomas.

3-187-09. RESOLVED: That City Council hereby denies the request of MRCD, Inc., 22229 Michigan Avenue, to obtain and transfer a liquor license from the City of Ecorse to the City of Dearborn in order to open a pub/bar in the City.

The resolution was unanimously adopted.

By Thomas supported by Sareini.

3-188-09. RESOLVED: That City Council hereby denies the request of Ms. Akilah Little, 3626 Southfield Fwy., to allow Dan Dan the Choo Choo Man to ride children around the neighborhood to celebrate her daughter's 2nd birthday on April 19, 2009 from 3:00 P.M. to 6:00 P.M.

The resolution was unanimously adopted.

By Thomas supported unanimously.

3-189-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Peter Peponis, and

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it

RESOLVED: That the Mayor and members of the Council of the City of Dearborn here assembled, hereby sincerely extend and offer in this sad hour of bereavement, heartfelt sympathy and condolence to the family of the deceased.

The resolution was unanimously adopted.

By Hubbard supported unanimously.

3-190-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Colleen Howe, and

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it

RESOLVED: That the Mayor and members of the Council of the City of Dearborn here assembled, hereby sincerely extend and offer in this sad hour of bereavement, heartfelt sympathy and condolence to the family of the deceased.

The resolution was unanimously adopted.

City Clerk - Submitting Summons & Complaint in the matter of Abdallah Mustapha vs. the City of Dearborn.

3-191-09. The communication was received and ordered filed.

City of Dearborn Heights, 6045 Fenton - Submitting a resolution requesting State Senators and State Representatives introduce legislation that would require background checks and other safety issues for all mobile neighborhood ice cream vendors.

3-192-09. The communication was referred to Corporation Counsel and the Police Department.

By Sareini supported by Darany.

3-193-09. WHEREAS: On March 9, 2009, the Sewerage Division received a complaint about basement sewer back up, serviced by the 12" diameter combined sewer located in the easement of Theisen and Middlepointe south of Diversey. Further investigation by the Sewerage Division revealed that the flow at the downstream manhole was slow whereas the upstream manhole was surcharged indicating that there is some sort of obstruction between upstream and downstream manholes, and

WHEREAS: The Sewerage Division later televised the 12" diameter combined sewer. The video inspection revealed that the 12" diameter sewer appeared to have collapsed below the DWSD 72" diameter transmission water line. The City Engineer noticed that there is no clearance between the City's combined sewer and DWSD water main, which was constructed at a later date. In fact, during the construction of the 72" diameter transmission line, DWSD lowered the City's combined sewer from its original location creating a siphon (or belly) along the City sewer, and

WHEREAS: On March 12, 2009, the Engineering staff had field verified elevations for the existing combined sewers in this area. Based on the field data, installation of a new 12" combined sewer below the DWSD transmission line by the "Jack & Place" method is not feasible as it will not provide required clearance to protect the DWSD transmission line. Therefore the Engineering Division is proposing other options of re-routing the City's combined sewer away from the transmission line. Construction of 275 l.f. of a new 12" combined sewer is proposed as part of this option, and

WHEREAS: On March 12, 2009, the City Engineering notified City Council that their staff was working with the Purchasing Division to solicit quotations for this emergency work, and

WHEREAS: Quotations for this emergency sewer installation work were due late on Friday, March 13, 2009 with construction to be begin on Saturday, March 14, 2009. The City received five (5) responses as follows:

Sheza Enterprises, Inc.	\$ 69,050
D & D Water and Sewer, Inc.	\$ 86,100
Florence Cement Company	\$114,500
C & G Myers Construction	\$124,080
Pacitto & Forest Construction Co.	\$161,000

and

WHEREAS: Quotes as received are high as compared to the Engineering estimate, believed to be because of the weekend work and because of the cautionary work required because of the presence of a 72" transmission water main. The City Engineer recommends that City Council award the contract for Emergency Sewer Repair on Diversey between Theisen and Middlepointe to Sheza Enterprises, Inc. in the amount of \$69,050 and requests an additional \$7,000 as a contingency to provide for any unforeseen conditions; be it

RESOLVED: That City Council hereby awards a contract to Sheza Enterprises, Inc. in the amount of \$69,050 for Emergency Sewer Repair on Diversey between Theisen and Middlepointe; be it further

RESOLVED: That City Council hereby authorizes an additional \$7,000 as a contingency to provide for any unforeseen conditions; be it further

RESOLVED: That this contract and contingency shall be financed from C.I.P. N16808 Sewer Infrastructure Repairs; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Abraham.

3-194-09. RESOLVED: That City Council hereby authorizes the division of Lots 3, 4, 5, 6 and 7, Dearborn Gulley Industrial Park Subdivision No. 1 as follows:

Parcel A: The Northerly 13 feet of Lot 7, Southerly 47 feet of Lot 6, the Easterly 100 feet of the Northerly 153 feet of Lot 6 and the Easterly 100 feet of the Southerly 72 feet of Lot 5, up to and including all the 12 foot platted easement within the Dearborn Gulley Industrial Park Subdivision No. 1.

Parcel B: The Easterly 100 feet of Lots 3 and 4 and the Easterly 100 feet of the Northerly 128 feet of Lot 5, up to and including all of the 12 foot platted easement, within the Dearborn Gulley Industrial Park Subdivision No. 1.

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

LaRouche PAC, P.O. Box 6157, Leesburg, VA
20178 - Submitting a resolution asking support of the New
"Pecora Commission" Act of 2009.

3-195-09. The communication was referred to Corporation
Counsel.

There being no further business, upon a
motion duly made, seconded, and adopted, the Council then
adjourned at 8:45 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk