

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

May 18, 2009

The Council convened at 7:03 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.

Pastor John Aho of Dearborn Evangelical Covenant Church delivered the invocation.

By Sareini supported by Shooshanian.

5-339-09. RESOLVED: That the minutes of the previous regular meeting of May 4 and special meeting of May 1, 2009, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

Councilmember Darany introduced Ordinance No. 09-1225, entitled, "An Ordinance to Amend the Administration Chapter (Chapter 2), Article II (Administrative Services), by Adding Division 2A, entitled 'Department of Public Works'."

The Clerk read the Ordinance by title.

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

By Sareini supported by Thomas.

5-340-09. RESOLVED: That proposed Ordinance No. 09-1225 be laid on the table.

The resolution was unanimously adopted.

Councilmember Hubbard introduced Ordinance No. 09-1226, entitled, "An Ordinance to Amend the Community Development Chapter (Chapter 7), by Amending Article II, entitled 'Department of Economic and Community Development'."

The Clerk read the Ordinance by title.

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

By Thomas supported by Darany.

5-341-09. RESOLVED: That proposed Ordinance No. 09-1226 be laid on the table.

The resolution was unanimously adopted.

Councilmember Shooshanian introduced Ordinance No. 09-1227, entitled, "An Ordinance to Amend the Community Development Chapter (Chapter 7), by Adding Article IIA, entitled 'Department of Residential Services'."

The Clerk read the Ordinance by title.

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

By Darany supported by Hubbard.

5-342-09. RESOLVED: That proposed Ordinance No. 09-1227 be laid on the table.

The resolution was unanimously adopted.

By Shooshanian supported by Hubbard.

5-343-09. RESOLVED: That all bids received for One (1) Ford F250 Regular Cab for Building Services & Maintenance are hereby rejected except the bid of Jorgensen Ford Sales in the total amount of \$23,901, 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 Fleet & Equipment Replacement Fund, Department of Public Works, Building Services & Maintenance Division, Capital Equipment, Operating Equipment Vehicle Account (Account #668-2007-851.74-10); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Thomas.

5-344-09. RESOLVED: That all proposals received for Consultant Services to Write Specifications for Housing Rehabilitation Projects are hereby rejected except the proposal of Poggemeyer Design Group in the total two-year amount of \$125,000, that the aforementioned proposal is hereby accepted, that the checks of the unsuccessful proposals 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 proposals have been fully complied with; be it further

RESOLVED: That this two-year contract shall be financed from the HUD-Housing Rehabilitation Program, Project #Z51200, Account #283-6234-914.30-90 in the approximate amount of \$75,000 and the HUD-Neighborhood Stabilization Program, Project #C07700, Account #283-6234-914.30-90 in the approximate amount of \$50,000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

5-345-09. RESOLVED: That City Council hereby awards a purchase order to J R Mathews, Inc. in the amount of \$28,600 for Demolition of 3240 Salina; be it further

RESOLVED: That this purchase order shall be financed from the General Capital Improvement, Mayor, Community Initiatives, Capital Outlay Land, Demolition Expense Account, Neighborhood Stabilization Project C05500 (Account #401-1299-435.71-45); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Thomas.

5-346-09. RESOLVED: That pursuant to Section 2-568.b.8 of the Code of the City of Dearborn, City Council hereby awards a purchase order to Calhoun County Office of the Sheriff in the approximate amount of \$400,000 to provide for continuity of effort, and uniformity of results for the Transport and Lodging of Prisoners; be it further

RESOLVED: That this purchase order shall be financed from the General Fund, Police Department, Contractual Services, Prisoner Maintenance Account (Account #101-2420-551.34-10); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Darany.

5-347-09. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6, authorizes sole source procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a sole source procurement; be it

RESOLVED: That Wayne County be designated as a sole source purchase for Prisoner Housing in the approximate amount of \$225,000 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from the General Fund, Police Department, Contractual Services, Prisoner Maintenance Account (Account #101-2420-551.34-10); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Hubbard.

5-348-09. WHEREAS: The most recent Police Officer labor contract included the opportunity for current officers in the defined contribution plan to convert to the Municipal Employees Retirement System (MERS) defined benefit plan, and

WHEREAS: This process has been complex as the contract provided that each individual would make elections on how much eligible service time they wanted to purchase and how to pay for this time, and

WHEREAS: The purchase options are: liquidate assets from the defined contribution accounts with Prudential (with fluctuating market values), paying cash/check, and payroll deduction of 52 pay periods, or a combination of the above, and

WHEREAS: The Finance Department needed to know the final elections to calculate the amounts for each person, and

WHEREAS: MERS has advised the Finance Department that they do not allow for payroll deduction funding for the purchase of previous service time. However, the labor contract provides for this option, and

WHEREAS: In order to comply with the contract and implement of the MERS plan, the City will need to advance pay MERS approximately \$235,000 and this money will then be recovered from employees over the next 52 pay periods, and

WHEREAS: The Finance Department has requested the City Council authorize the Treasurer to advance from the General Fund up to \$235,000 to the Municipal Employees Retirement System to purchase police officer previous service time that will be recovered through payroll deductions over 52 pay periods from the same police officers as provided by the Police Officers Association of Dearborn and the City of Dearborn labor agreement; be it

RESOLVED: That City Council hereby authorizes the Treasurer to advance from the General Fund up to \$235,000 to the Municipal Employees Retirement System to purchase police officer previous service time that will be recovered through payroll deductions over 52 pay periods from the same police officers as provided by the Police Officers Association of Dearborn and the City of Dearborn labor agreement; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Thomas.

5-349-09. WHEREAS: Detroit Edison Company has requested an easement to supply electric power to the facilities at the site of CSO contract #6, and

WHEREAS: Electric service to the site will be necessary to ensure the operation of the facilities, and

WHEREAS: The legal description of the easement area is on the attached exhibits, which are incorporated by reference; therefore be it

RESOLVED: That based on the above, the City Council authorizes the Mayor to execute an easement agreement with Detroit Edison Company, on terms and conditions to be approved by the Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

LEGAL DESCRIPTION

Parcel #49

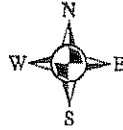
A PARCEL OF LAND COMPRISED OF PARTS OF PRIVATE CLAIM 28, PRIVATE CLAIM 29, AND PART OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 17, TOWN 2 SOUTH, RANGE 11 EAST, CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF PROSPECT AVENUE AS NOW ESTABLISHED, SAID POINT BEING DISTANT S. 35° 57' 41" W. 253.89 FEET AND S. 29° 51' 24" W. 7.06 FEET ALONG SAID NORTHWESTERLY LINE FROM THE SOUTHERN MOST CORNER OF LOT 10 AS PLATTED IN "DEARBORN MILLER INDUSTRIAL PARK SUBDIVISION NO. 1" AS RECORDED IN LIBER 86 OF PLATS, ON PAGE 72, WAYNE COUNTY RECORDS; THENCE CONTINUING S. 29° 51' 24" W. 549.43 FEET ALONG SAID NORTHWESTERLY LINE OF PROSPECT AVENUE TO A POINT ON THE EASTERLY LINE OF (VACATED) IRVING AVENUE, 35 FEET WIDE, AND THE EASTERLY LINE OF "WM. P. BRADLEY'S FORDSON PROPERTIES" AS RECORDED IN LIBER 53 OF PLATS, ON PAGE 8, WAYNE COUNTY RECORDS; THENCE N. 28° 27' 26" W. 743.10 FEET ALONG SAID EASTERLY LINE TO THE SOUTHERLY LINE OF BRYAN AVENUE, 50 FEET WIDE, AS NOW ESTABLISHED; THENCE ALONG SAID SOUTHERLY LINE, N. 87° 42' 19" E. 308.86 FEET; THENCE S. 02° 48' 46" E. 6.25 FEET; THENCE S. 60° 08' 36" E. 367.46 FEET TO THE POINT OF BEGINNING. ALL THE ABOVE CONTAINING 203,907 SQUARE FEET OR 4.68 ACRES, ALL THE ABOVE BEING SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

Tax Identification No. 32-10-173-08-049

Exhibit A



CITY OF DEARBORN

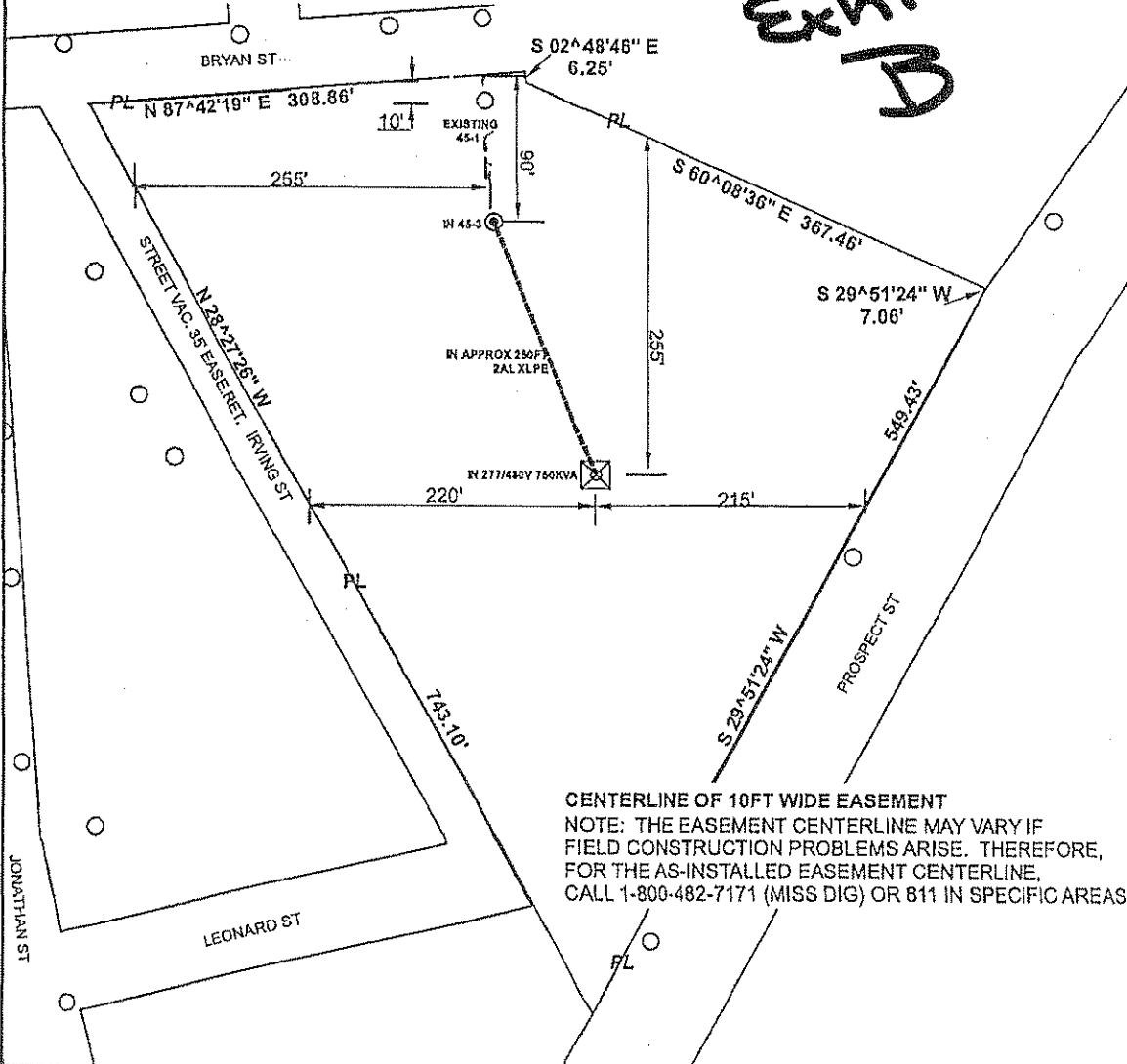


LEGAL DESCRIPTION:

PARCEL #49

A PARCEL OF LAND COMPRISED OF PARTS OF PRIVATE CLAIM 28, PRIVATE CLAIM 29, AND PART OF THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 17, TOWN 2 SOUTH, RANGE 11 EAST, CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF PROSPECT AVE AS NOW ESTABLISHED, SAID POINT BEING DISTANT S 35°57'41" 253.89 FEET AND S 29°51'24"W 7.06 FEET ALONG SAID NORTHWESTERLY LINE FROM THE SOUTHERN MOST CORNER OF LOT 10 AS PLATTED IN "DEARBORN MILLER INDUSTRIAL PARK SUBDIVISION NO. 1" AS RECORDED IN LIBER 86 OF PLATS, ON PAGE 72, WAYNE COUNTY RECORDS; THENCE CONTINUING S 29°51'24" W 549.43 FEET ALONG SAID NORTHWESTERLY LINE OF PROSPECT AVE TO A POINT ON THE EASTERLY LINE OF (VACATED) IRVING AVE 35 FEET WIDE, AND THE EASTERLY LINE OF "WM.P. BRADLEY'S FORDSON PROPERTIES" AS RECORDED IN LIBER 53 OF PLATS, ON PAGE 8, WAYNE COUNTY RECORDS; THENCE N 28°27'26" W 743.10 FEET ALONG SAID EASTERLY LINE TO THE SOUTHERLY LINE OF BRYAN AVE, 50 FEET WIDE, AS NOW ESTABLISHED; THENCE ALONG SAID SOUTHERLY LINE, N 87° 42'19" E 308.86 FEET; THENCE S 02°48'46" 6.25 FEET; THENCE S 60°08'36" E 367.46 FEET TO THE POINT OF BEGINNING.
 ALL THE ABOVE CONTAINING 203,907 SQUARE FEET OR 4.68 ACRES.
 ALL THE ABOVE BEING SUBJECT TO EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

Exhibit B



CENTERLINE OF 10FT WIDE EASEMENT
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE, CALL 1-800-482-7171 (MISS DIG) OR 811 IN SPECIFIC AREAS.

Work Order # 27487349	Work Order Description 13020 PROSPECT (RIGHT-OF-WAY)	GIS-DSN 27487363	SRV 27487364	PH 27487371	PCL				
Service Center REDFORD	Circuit #1 MCGRW1164	COH	GIS 27487372	COL	GIS				
Worksite City DEARBORN	Worksite Trp.	Worksite County WAYNE							
Town	Range	Section	Dist	Planner Name Joyner, Monica A	Plot Date 09/04/08	CUF Request # 83920	Version 1	Scale 1IN=100FT	Target Finish Date

By Hubbard supported by Sareini.

5-350-09. WHEREAS: The U.S. Department of Housing and Urban Development (HUD) has announced the availability of funding under the Community Development Block Grant Recovery Act (CDBG-R) as authorized by Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (ARRA), and

WHEREAS: Funding available under ARRA has clear purposes - to stimulate the economy through measures that modernize the Nation's infrastructure, improve energy efficiency, and expand education opportunities and access to health care, and

WHEREAS: ARRA requires grantees to give priority to projects that can award contracts based on bids within 120 calendar days from the date funds are made available, and

WHEREAS: HUD Program requirements strongly urge grantees to use CDBG-R funds for hard development costs associated with infrastructure activities that provide basic services to residents; be it

RESOLVED: That the Economic and Community Development Department is hereby authorized to prepare and submit an application for, and administer CDBG-R funding in the amount of \$570,818 in accordance with program regulations; be it further

RESOLVED: That the Mayor, the Director of Economic and Community Development and the Deputy Director of Economic and Community Development are hereby designated as Authorized Signatories for the application, amendments, agreements, reports and other documents related to this program; be it further

RESOLVED: That the Finance Department is hereby authorized to increase the budget for Street Resurfacing and Water Main 2008-09 Project Q56909 in the amount of \$313,950 in the Local Streets Fund (203) and \$256,868 in the Water Fund (591); be it further

RESOLVED: That the Director of Finance is hereby authorized to recognize revenue in the total amount of \$570,818 and appropriate a like amount in the Local Street (203) and Water (591) funds for Project Q56909; be it further

RESOLVED: That the Finance Department is hereby authorized to recognize and appropriate the grant award in the Community Development Fund (283); be it further

RESOLVED: That the Finance Department is hereby authorized to receive and disburse funds as authorized within this resolution; be it further

RESOLVED: That the application for CDBG-R funding and information about the activity to be funded shall be the subject of a seven calendar day citizen comment period, as required by program regulations; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Sareini.

5-351-09. WHEREAS: HUD has offered to sell the substandard dwelling located at 3113 Alice, Dearborn, Michigan, to the City of Dearborn for the sum of \$19,500 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 property described as:

Lot 548, Fordson Hgts. Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 66 of Plats, Wayne County Records.

Parcel I.D. 82-09-273-13-002
Commonly known as 3113 Alice

from the owner thereof and pay therefore the sum of \$19,500 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a 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 \$19,500, 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. C02300, Operation Eyesore, 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 to complete this transaction; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Darany.

5-352-09. WHEREAS: Carolyn Eritano has offered to sell the fire damaged dwelling located at 15155 Payne Court, Dearborn, Michigan, to the City of Dearborn for the sum of \$17,500 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 property described as:

Lot 44, Garling & Lawry Manor Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 70, Page 96 of Plats, Wayne County Records.

Tax I.D. 82-10-181-06-031
Commonly known as 15155 Payne Court

from the owner thereof and pay therefore the sum of \$17,500 upon furnishing to the City by said owner of 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 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 \$17,500, 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. C02300, Operation Eyesore, 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 to complete this transaction; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Thomas supported by Sareini.

5-353-09. WHEREAS: Ahmed Saaidi and Fatmeh Saaidi, have offered to sell the residential property located at 5119-5121 Eugene, Dearborn, Michigan, to the City of Dearborn for the sum of \$26,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable; therefore be it

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

Lot 112, F. & P.M. Park Sub., of part of Fractional Section 17, T. 2 S., R. 11 E., Springwells, (now City of Dearborn), Wayne County, Michigan, as recorded in Liber 16, Page 43 of Plats, Wayne County Records.

Tax I.D. 82-10-172-06-041
Commonly known as 5119-5121 Eugene

from the owners thereof and pay therefore the sum of \$26,000 upon furnishing to the City by said owners 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 reviewed, approved and executed 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 \$26,000, 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. A40000, Account #401-6100-435.71-10, payable to the grantors, 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 Darany supported by Shooshanian.

5-354-09. WHEREAS: Mona Saaidi, has offered to sell the residential property located at 5021 Eugene, Dearborn, Michigan, to the City of Dearborn for the sum of \$26,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable; therefore be it

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

Lot 129, F & P.M. Park Sub., part of Fractional Section 17, T. 2 S., R. 11 E., Springwells (now City of Dearborn), Wayne County, Michigan, as recorded in Liber 16, Page 43 of Plats, Wayne County Records.

Tax I.D. 82-10-172-06-029
Commonly known as 5021 Eugene

from the owner thereof and pay therefore the sum of \$26,000 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 for in the purchase agreement as reviewed, approved, and executed 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 \$26,000, 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. A40000, Account #401-6100-435.71-10, payable to the grantor, or her nominee, in payment of said land; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Thomas.

5-355-09. WHEREAS: The Realtor Sada Hojaij, representing the owner of the property, has offered to sell the substandard dwelling located at 5035 Steadman, Dearborn, Michigan, to the City of Dearborn for the sum of \$18,000 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 276 Orchard Blvd. Sub. D, City of Dearborn, Wayne County, Michigan, as recorded in Liber 33, Page 13 of Plats, Wayne County Records.

Tax I.D. 82-10-181-14-014
Commonly known as 5035 Steadman

from the owner thereof and pay therefore the sum of \$18,000 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 reviewed, approved, and executed 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 \$18,000, 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, of their nominee, in payment of said land; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 5035 Steadman; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Hubbard.

5-356-09. WHEREAS: The Realtor Mark Beydoun, representing the owner of the property, has offered to sell the substandard dwelling located at 7609 Neckel, Dearborn, Michigan, to the City of Dearborn for the sum of \$10,900 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 105 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. 82-10-064-09-014
Commonly known as 7609 Neckel

from the owner thereof and pay therefore the sum of \$10,900 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 reviewed, approved and executed 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 \$10,900, 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 the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 7609 Neckel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Thomas.

5-357-09. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Cynthia H. Pepper, to the Local Officials Compensation Commission for a term ending January 19, 2016; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Thomas.

5-358-09. WHEREAS: The City Council has been advised that several downtown west Dearborn bars are seeking Michigan Liquor Control Commission approval to have outdoor service on August 7, 8, and 9, 2009 (Homecoming weekend). In addition, some bars are planning to offer live entertainment, bands, or a DJ outside of their establishment, and

WHEREAS: The City Council supports west Dearborn businesses and their desire to offer additional entertainment during Homecoming weekend; therefore be it

RESOLVED: That west Dearborn bars shall be permitted to offer outdoor service and entertainment during Homecoming weekend in accordance with the following fee schedule:

Entire three-day Homecoming weekend:	\$1,000
Select evenings during three-day Homecoming weekend	: \$500 per evening

be it further

RESOLVED: That the fees paid by the establishments shall be deposited in the Homecoming Designated Purposes Account; be it further

RESOLVED: That upon payment of the aforementioned fee, the fee charged for tent inspection shall be waived; be it further

RESOLVED: That outdoor tents will be prohibited at any business that does not timely pay an offsite vendor fee; be it further

RESOLVED: That the City Council temporarily amends Section 13-44 of the Dearborn Code of Ordinances, by temporarily allowing the sound levels in the residential areas that are bordered by/and the commercial areas within, West Village, Military, Garrison and Oakwood to be measured at 60 dB in the residential area from 12:00 P.M. to 1:00 A.M. (continuous sound) and 85 dB in the commercial area from 12:00 P.M. to 1:00 A.M. (continuous sound) on August 7, 8, and 9, 2009 (Homecoming weekend); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

5-359-09. RESOLVED: That City Council hereby grants permission to the Dearborn Allied War Veterans Council to utilize the parking lot behind the Henry Ford Centennial Library to conduct its annual Flag Day Ceremony on Sunday, June 14, 2009 from 12:00 P.M. to approximately 4:30 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Thomas.

5-360-09. RESOLVED: That City Council hereby waives all City fees associated with the St. Clement Ohridski Ethic Festival to be held on Church property at 19600 Ford Road on August 15 and 16, 2009.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

5-361-09. RESOLVED: That City Council hereby grants permission to the Dearborn Chamber of Commerce to conduct the 2009 Dearborn Farmer's and Artisan's Market on Fridays for the period of June 5 through October 30, 2009 from 8:00 A.M. to 1:00 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council hereby approves a parking fee not to exceed \$1.00 in all Gated Lots for this event; be it further

RESOLVED: That City Council hereby authorizes installation of street light pole banners along Michigan Avenue between Monroe and Military Streets and installation of banners across Mason and Howard Streets, north of Michigan Avenue for the period of June 5 through October 30, 2009 ; be it further

RESOLVED: That City Council hereby authorizes assistance and the use of various materials from the Recreation, Public Works, Police and Library Departments in conjunction with this event; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

5-362-09. WHEREAS: A concrete pad has been constructed within the public easement at the rear of 7227 Appoline without obtaining City Council authorization and without obtaining a permit from the Building and Safety Department, and

WHEREAS: Mr. Turfe, the property owner of 7227 Appoline, has now requested City Council permission to allow him to keep the concrete pad into a 6-foot wide public easement, and

WHEREAS: The City owns and maintains a 15" diameter combined sewer (approximately 10' deep) within this easement; be it

RESOLVED: That City Council hereby grants permission to Mr. Turfe, property owner of 7227 Appoline, to maintain a concrete pad which encroaches into a 6-foot wide public easement at the rear of his property, subject to the execution of a "Hold Harmless" and "Revocable Permit to Occupy" Agreements with the City prepared by Corporation Counsel; be it further

RESOLVED: That the cost of repair, removal or replacement of the concrete made necessary by the maintenance or repair of the 15" diameter public combined sewer and/or for a 6" private sewer lead(s) shall be the responsibility of the property owner at 7227 Appoline; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Shooshanian.

5-363-09. RESOLVED: That receipt of a donation in the amount of \$1,000 from the Dearborn Rotary Foundation to the City of Dearborn for the Senior Volunteer Breakfast held on March 11, 2009 is hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby extends its appreciation to the donor for the aforementioned gift; be it further

RESOLVED: That City Council hereby directs the City Treasurer to credit this money in the Recreation Department, Senior Services Division Account (Account #101-3090-365.90-00), and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

5-364-09. RESOLVED: That receipts of donations in the amount of \$2,260 from the Cherry Hill Questers and \$300 from the Garden Club of Dearborn to the Dearborn Historical Museum for the Renovation of the 1831 Richard Gardner House and for the Care and Maintenance of the Gardens at the McFadden-Ross House, respectively, are hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby extends its appreciation to the donors for the aforementioned gifts; be it further

RESOLVED: That City Council hereby directs the City Treasurer to record these monies in the Museum's Collection Management Project Fund (Account #276-5000-365.90-00), and authorizes the Director of Finance to recognize and appropriate this donation and to process expenditures from this account in support of the purpose for which it was donated; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

5-365-09. RESOLVED: That receipt of a donation in the amount of \$1,000 from the Dearborn Federal Savings to the City of Dearborn for the Historical Museum's Annual Volunteer Brunch is hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby extends its appreciation to the donor for the aforementioned gift; be it further

RESOLVED: That City Council hereby directs the City Treasurer to deposit this money in the proper account, and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

The resolution was unanimously adopted.

By Thomas supported by Darany.

5-366-09. RESOLVED: That receipts of donations in the amount of \$1,250 from the Museum Guild of Dearborn, \$300 from General Henry Dearborn Quilting Society, \$100 from Ms. Joan Anneberg and \$50 from the Gate House Questers to the City of Dearborn for Operating Costs of the Dearborn Historical Museum are hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby extends its appreciation to the donors for the aforementioned gifts; be it further

RESOLVED: That City Council hereby directs the City Treasurer to record these monies in the Museum's Revenue Account (Account #101-5000-365.90-00), and authorizes the Director of Finance to recognize and appropriate these donations and to process expenditures from this account in support of the purpose for which it was donated; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Hubbard.

5-367-09. RESOLVED: That receipts of donations in the amount of \$4,500 from Henry Ford Health System, \$500 from DFCU Financial and \$200 from the Alumni Association of Fordson High School to the City of Dearborn for Dearborn's Homecoming are hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby extends its appreciation to the donors for the aforementioned gifts; be it further

RESOLVED: That City Council hereby directs the City Treasurer to deposit these monies in the 2009 Homecoming Account, and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

The resolution was unanimously adopted.

By Thomas supported unanimously.

5-368-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Barbara Dancu, 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.

5-369-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Phillip A. Mark, 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 Tafelski supported unanimously.

5-370-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Msgr. Herman Kucyk, 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 Sareini supported unanimously.

5-371-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Mary Anne McInnis, 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 Darany supported by Hubbard.

5-372-09. RESOLVED: That City Council hereby proclaims Thursday, May 21, 2009 as "Police Chief Michael Celeski" day in the City of Dearborn; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:15 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk