

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

March 15, 2010

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, O'Donnell, Sareini, Shooshanian and President of the Council Tafelski; absent, none. A quorum being present, the Council was declared in session.

Reverend Rodney Zwonitzer of Emmanuel Lutheran Church delivered the invocation.

By Darany supported by Hubbard.

3-142-10. RESOLVED: That the minutes of the previous regular meeting of March 1 and the special meeting of February 25, 2010, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Shooshanian supported by Hubbard.

3-143-10. RESOLVED: That Ordinance No. 10-1264 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 10-1264, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning Parcels 82-10-083-24-023, 82-10-083-24-024 and 82-10-083-24-027 located north of Ford Road and adjacent to the CSX Railroad from an Industrial A (Light Industrial District) to a Business B (Community Business 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?"

3-143-10. Upon roll call the Ordinance was unanimously adopted.

By Shooshanian supported by Darany.

3-144-10. RESOLVED: That Ordinance No. 10-1265 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 10-1265 entitled, " An Ordinance to Amend Article II of the Offenses Chapter (Chapter 14) of the Code of the City of Dearborn by Amending Section 14-44, entitled 'Dangerous or Hazardous Substances or Materials Costs Recovery' and Deleting Section 14-44A, entitled 'Reimbursement of Rescue or Ambulance Costs'."

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?"

3-144-10. Upon roll call the Ordinance was unanimously adopted.

By Shooshanian supported by Abraham.

3-145-10. RESOLVED: That Ordinance No. 10-1266 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 10-1266 entitled, "An Ordinance to Amend the Administration Chapter (Chapter 2) of the Code of the City of Dearborn by Adding Section 2-568A to Division 4, entitled 'Preference for Local Bidders/Dearborn-based Businesses'."

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?"

3-145-10. Upon roll call the Ordinance was unanimously adopted.

By Hubbard supported by Shooshanian.

3-146-10. RESOLVED: That all bids received for Storm Sewer Separation 09/10 Project, Job No. 10-07-055, C.I.P. N68710 are hereby rejected except the bid of F.D.M. Contracting, Inc. in the total amount of \$2,061,173.30, 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 available budget of Capital Improvement Project N68710 with a breakdown as follows:

(202-2009-452.45-20) Major Street Fund	\$	400,000.00
(203-2009-452.45-20) Local Street Fund		150,000.00
(590-2006-452.45-20) Sewer Fund		872,804.05
(591-2011-435.45-20) Water Fund	\$	<u>638,369.25</u>
		<u>\$2,061,173.30</u>

be it further

RESOLVED: That City Council hereby authorizes a contingency in the amount of \$75,000 for any unforeseen conditions encountered during the execution of this contract; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Hubbard.

3-147-10. RESOLVED: That all bids received to Provide Mosquito Control Supplies Used by the Sewerage Division to Prevent Mosquito Emergence in Catch Basins and other Water Holding Areas are hereby rejected except the bid of ADAPCO, Inc. in the total amount of \$27,350.40, 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 Sewer Fund, Public Works Sewerage Division, Facilities and Maintenance, Operating Supplies Account (Account #590-2006-472.61-00); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Shooshanian.

3-148-10. RESOLVED: That all bids received for the Crowley Park Comfort Station Renovation are hereby rejected except the bid of Envision Builders, Inc. in the total amount of \$66,498, 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, in order to complete the financing of this contract, City Council hereby authorizes a contribution to the General Capital Improvement Fund in the amount of \$36,500 to be appropriated from the General Fund fund balance and authorizes the Finance Director to recognize and appropriate this contribution in the General Capital Improvement Fund Project I50509 Crowley Park Redevelopment; be it

RESOLVED: That this contract shall be recorded in the General Capital Improvement Fund, City Parks, Construction Contractor Account Project I50509 Crowley Park Redevelopment; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Darany.

3-149-10. WHEREAS: The City of Dearborn currently has insurance for a workers' compensation plan through Nickel & Saph (broker) and Accident Fund (insurance company) that expires on April 6, 2010, and

WHEREAS: The City of Dearborn solicited proposals from qualified vendors to provide a workers' compensation plan for a three-year term with two, one-year renewals possible subject to the firm's satisfactory performance and availability of budgeted funds, and

WHEREAS: The City received four proposals as follows:

FIRM	PROPOSAL RATING	TOTAL COST FOR A THREE-YEAR PERIOD
Citizens Management Inc./Nickel & Saph	97	\$230,536
Accident Fund/Nickel & Saph - (Flat Rate)	94	\$276,994
Accident Fund/Nickel & Saph - (Itemized Rate)	93	\$286,651
Corvel Enterprise*	*53	\$195,815

*Corvel Enterprise did not offer the excess insurance. Their rating reflects the deficiency; nevertheless, Corvel's price for the remaining services requested was still higher than all of the other offers.

and

WHEREAS: The proposal offered by Nickel & Saph (broker) and Citizens Management, Inc. (insurance company) for a three-year term was \$230,536 and was the highest-rated and lowest-cost plan as reviewed by the Selection Team, and

WHEREAS: It is beneficial to continue a program with a firm that can provide third-party administration service, medical review, loss prevention, and excess insurance coverage, and

WHEREAS: The Selection Team has recommended that the program be offered to Nickel & Saph/Citizens Management, Inc. for a three-year term with two, one-year renewal options; therefore be it

RESOLVED: That the Mayor is authorized to award the workers' compensation plan insurance contract to Nickel & Saph and/or Citizens Management, Inc. in an amount not to exceed \$230,536 for a three-year period from April 7, 2010 through April 6, 2013; be it further

RESOLVED: That the Director of Finance is hereby authorized and directed to pay an amount not to exceed \$230,536 to Nickel & Saph and/or Citizens Management, Inc., from the Workers' Compensation Fund, Law Dept.,

Insurance/Risk Management, Professional Services Account; be it further

RESOLVED: That expenditures on this contract are contingent upon approval and adoption of the FY11, FY12, and FY13 budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Darany supported by Abraham.

3-150-10. WHEREAS: The State of Michigan is compiling usage figures to include in their 2010/2011 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 15, 2010. Pricing for the 2010/2011 salt will be available September, 2010, and

WHEREAS: Most counties and municipalities in Michigan rely on the state contract. The City has realized benefits from this program over the past three seasons when salt availability was limited and prices sky-rocketed. The state contracted vendors have always held firm to their commitment to supplying participating communities before releasing salt for sale on the open market. Dearborn has participated in salt purchases under the MiDeal Program since 2000, and

WHEREAS: The Director of Public Works has requested City Council authorize the Purchasing Agent to make a commitment to the State of Michigan under the MiDeal Program to purchase 5,000 tons of salt for early delivery and 3,000 tons as seasonal back-up for the 2010/2011 winter period. This compares to a 5,000 and 4,000 tons commitment respectively (5,000 and 2,800 tons actual order quantity) for the current winter season. Current season MiDeal salt prices are \$41.92 per ton for early delivery and \$53.54 per ton for seasonal backup; be it

RESOLVED: That City Council hereby authorizes the Purchasing Agent to make a commitment to the State of Michigan under the MiDeal Program to purchase 5,000 tons of salt for early delivery per ton and 3,000 tons as seasonal back-up for the 2010/2011 winter period; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-151-10. WHEREAS: As part of the FY11 budget preparation, the Finance Department and Purchasing Division have identified the reduction and control of overtime expenses in the Police Department, the Fire Department, and in the Department of Public Works as an important cost reduction measure both today and going forward. Due to their sizes, these three departments account for the majority of annual expenditures in this category, and

WHEREAS: Given Plante & Moran's familiarity with the City's budget and its overall experience with municipal governments throughout the State of Michigan, it was determined that the firm would be uniquely qualified to assist us in this effort. Per the Purchasing Ordinance, Section 2-568(b)8, the City can continue professional services due to a history of services that are in the best interest of the City, and

WHEREAS: It has been respectfully requested that authorization be given to further fund Plante & Moran's services in the not to exceed amount of \$30,000 for this initiative which will also include recommendations on the best way to standardize the City's mileage reimbursement program for both frequent and infrequent users; be it

RESOLVED: That City Council hereby authorizes an increase to the contract with Plante & Moran in an amount not to exceed \$30,000 for Expanded Scope of Work for Auditing Services relating to the reduction and control of overtime expenses in the Police, Fire and Public Works Departments and for the recommendations on how to standardize the City's mileage reimbursement program for both frequent and infrequent users; be it further

RESOLVED: That this contract increase shall be financed from the General Fund, Mayor's Office Contract Services Account (Account #101-1299-421.34-90); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Hubbard.

3-152-10. WHEREAS: Section 11.6 of the Dearborn City Charter provides for the preparation of special reports on the "quality and status of human resource administration in city government and recommendation of improvements, including a review of national Human Resources best practices and Civil Service reforms." Human Resources represent the single largest expense and exposure to liability for any organization. Therefore, selecting, promoting, and training those resources well represent critical functions, and

WHEREAS: The desire to pursue such a report at this time has been confirmed based on discussions with members of the Civil Service Commission as well as members of the City Council, and

WEHREAS: To move forward as efficiently and effectively as possible, the Finance Department and Purchasing Division have determined that Plante & Moran would be qualified to assist the City in this effort. As our auditors, the firm clearly understands the City's budget, it has a statewide perspective given the number of municipal clients it currently services, and it has direct experience working on Human Resources Project for Dearborn. Per the Purchasing Ordinance, Section 2-568(b)8, the City can continue professional services due to a history of services that are in the best interest of the City; be it

RESOLVED: That City Council hereby authorizes a contract increase with Plante & Moran in an amount not to exceed \$30,600 for expanded Scope of Work for Auditing Services related to the preparation of Special Human Resources Administration Reports; be it further

RESOLVED: That this contract increase shall be financed from an appropriation in the amount of \$30,600 from the General Fund fund balance to the General Fund, Mayor's Office Contract Services Account (Account #101-1299-421.34-90); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-153-10. WHEREAS: In July of 2009 and by C.R. 7-490-09, approval was given to expand the scope of work for auditing services from Plante & Moran in the amount of \$59,000 and was specifically related to strategic facilitation services for a Citywide Community Task Force. Since that time, the need for additional work has arisen and an additional \$50,000 will be needed to complete the work, and

WHEREAS: The facilitation process that Plante & Moran originally envisioned has been expanded to include the use of specialized strategic planning support technology. This technology has the capacity of generating and synthesizing a much greater amount of information and therefore increases the demands placed on the process facilitator, and

WHEREAS: Plante & Moran is uniquely qualified to perform this service given the fact that they have familiarity with the City's audit history since 1993. Per the Purchasing Ordinance, Section 2-568(b)8, the City can continue professional services due to a history of services that are in the best interest of the City; be it

RESOLVED: That City Council hereby authorizes an increase to the contract with Plante & Moran (C.R. 7-490-09) in the amount of \$50,000 for Expanded Scope of Work for Auditing Services relating to strategic facilitation services for a Citywide Community Task Force; be it further

RESOLVED: That this contract increase shall be financed from the General Fund, Economic & Community Development, Other Professional Services Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

Increased on February 7, 2011 per C.R. 2-59-11

By Hubbard supported by Shooshanian.

3-154-10. RESOLVED: That City Council hereby authorizes the Mayor's Office to renew the City's membership with The United States Conference of Mayors (USCM) in the amount of \$5,269 for calendar year 2010; be it further

RESOLVED: That this membership renewal shall be from the FY10 Budget in Citywide Account #101-1299-421.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-155-10. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Department of Justice in the amount of \$89,001.50, and

WHEREAS: The Deputy Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$89,001.50 and appropriate a like amount; be it

RESOLVED: That City Council hereby authorizes the Finance Director to recognize \$89,001.50 in Account #101-2410-330.01-90 General Fund Police Administration Intergovernmental Revenue Federal and appropriate the same in Account #101-2410-511.98-00 General Fund Police Administration Public Safety Undistributed Appropriation; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Shooshanian.

3-156-10. WHEREAS: The Dearborn Fire Department was recently awarded a highly competitive grant for extrication equipment for their fire apparatus from the 2009 Assistance to Firefighters Grant Program. The Fire Department is allowed to use up to \$97,200 to purchase four sets of extrication equipment; the required match for this grant is 20%, making the grant \$77,760 federal dollars and \$19,440 in local match dollars, and

WHEREAS: The Acting Fire Chief has requested that City Council recognize the federal portion of the 2009 Assistance to Firefighters Grant in the amount of \$77,760 in Account #101-2540-330.01-90 and appropriate \$97,200 from fund balance in the General Fund in Account #101-2540-621.74-20 for the Purchase of the Extrication Equipment including the local match component; be it

RESOLVED: That City Council hereby recognizes the federal portion of the 2009 Assistance to Firefighters Grant in the amount of \$77,760 in Account #101-2540-330.01-90 and appropriates \$97,200 from fund balance in the General Fund in Account #101-2540-621.74-20 for the Purchase of the Extrication Equipment including the local match; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Abraham.

3-157-10. WHEREAS: Ali Saleh and Adel Saleh, owners and occupants of the property located at 2631 Akron, Dearborn, Michigan, are asking the City of Dearborn to sell them the S. 10 ft. of the vacant lot located next to their property so that they may combine the 10 ft. with the adjacent 30 ft. lot that they own, and

WHEREAS: Sale is conditioned on the following conditions:

1. Purchaser may not assign their purchase option without approval of the Dearborn City Council.
2. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
3. The purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
4. The lot must be combined with the Purchasers' property at closing and may not be re-split or combined with other land for a re-splitting as two buildable lots. The lot may only be sold or developed in combination with the Purchasers' adjacent property.
5. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their rights to seek any variances.
6. If Purchasers violate any of the restrictions imposed, they are obligated to reimburse the City for the difference between the purchase price paid and the Assessor's value of the land, plus interest and costs, or sell the land back to the City for \$1,250, at the City's sole discretion.

and

WHEREAS: The City has no further need for said land and City Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That City Council hereby determines to effect the sale at a price of \$1,250 to Ali Saleh and Adel Saleh of the parcel described as:

S. 10 ft. of Lot 116, Fairfield Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 57 of Plat, Wayne County Records.

Tax I.D. part of 82-10-213-13-029
Commonly known as part of the vacant lot at 2637 Akron

and that the Mayor be and is hereby authorized to execute a Quit Claim Deed for said land to Ali Saleh and Adel Saleh upon delivery to the City of the above purchase price and full compliances with the terms of the purchase agreement and the conditions outlined above, subject to adjustments, if any, as shown on the closing statement, prepared by the Office of the Corporation Counsel and based upon Ali Saleh and Adel Saleh closing within ninety (90) days of the effective date of this Resolution; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-158-10. WHEREAS: Nancy Brown, who owns 2722 Banner, and Peggy Mrocko, who owns and resides at 2740 Banner, are asking that the City of Dearborn split and sell to them the vacant lot located between their lots so that they may combine that portion of the lot with the adjacent lots they own, and

WHEREAS: Sale is conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Lots may not be re-split or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with buyers' adjacent land.
7. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their rights to seek any variances.
8. If Purchasers violate any of the restrictions imposed, they are obligated to reimburse the City for the difference between the purchase price paid and the Assessor's value of the land, plus interest and costs.

and

WHEREAS: The City has no further need for said land and City Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; be it therefore

RESOLVED: That City Council hereby determines to effect the sale at a price of \$3,950 to Nancy Brown of the parcel described as:

N. 20 ft. of N. 40 ft. of E. 145 ft. of Lot 65, Robert M. Grindleys Sub. No. 3 of "Little Farms", City of Dearborn, Wayne County, Michigan, as recorded in Liber 29, Page 45 of Plats, Wayne County Records.

Tax I.D. part of 82-09-292-13-028
Commonly known as part of vacant lot at 2736 Banner

and to effect the sale at a price of \$3,950 to Peggy Mrocko of the parcel described as:

S. 20 ft. of N. 40 ft. of E. 145 ft. of Lot 65, Robert M. Grindleys Sub. No. 3 of "Little Farms", City of Dearborn, Wayne County, Michigan, as recorded in Liber 29, Page 45 of Plats, Wayne County Records.

Tax I.D. part of 82-09-292-13-028
Commonly known as part of vacant lot at 2736 Banner

and that the Mayor be and is hereby authorized to execute a Quit Claim Deed for said land to Nancy Brown and Peggy Mrocko upon delivery to the City of the above purchase price and full compliances with the terms of the purchase agreement and conditions outlined above, subject to adjustments, if any, as shown on the closing statement, prepared by Office of the Corporation Counsel and based upon Nancy Brown and Peggy Mrocko closing simultaneously within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

3-159-10. WHEREAS: Ali and Iman Bazzy, who own and reside at 4757 Walwit, and Harry and Margaret Szymanski, who own and reside at 4801 Walwit, are asking the City of Dearborn to split and sell to them the vacant lot located between their lots so that they may combine that portion of the lot with the adjacent lots they own, and

WHEREAS: Sale is conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Lots may not be re-split or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with buyers' adjacent land.
7. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their rights to seek any variances.
8. If Purchasers violate any of the restrictions imposed, they are obligated to reimburse the City for the difference between the purchase price paid and the Assessor's value of the land, plus interest and costs.

and

WHEREAS: The City has no further need for said land and City Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; be it therefore

RESOLVED: That City Council hereby determines to effect the sale at a price of \$3,900 to Ali and Iman Bazzy of the parcel described as:

S. 15 ft. of Lot 47, Walwit Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 74 of Plats, Wayne County Records.

Tax I.D. part of 82-10-183-01-019
Commonly known as part of the vacant lot at 4771 Walwit

and to effect the sale at a price of \$3,900 to Harry and Margaret Szymanski of the parcel described as:

N. 15 ft. of Lot 47, Walwit Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 74 of Plats, Wayne County Records.

Tax I.D. part of 82-10-183-01-019
Commonly known as part of the vacant lot at 4771 Walwit

and that the Mayor be and is hereby authorized to execute a Quit Claim Deed for said land to Ali and Iman Bazzy and Harry and Margaret Szymanski upon delivery to the City of the above purchase price and full compliance with the purchase agreement and conditions outlined above, subject to adjustments, if any, as shown on the closing statement, prepared by Office of the Corporation Counsel and based upon Ali and Iman Bazzy and Harry and Margaret Szymanski closing simultaneously within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Sareini.

3-160-10. WHEREAS: Tyger Excavating, Inc. the contractor for Water Main Construction 2008/2009 has started the installation of a water main replacement project on Yinger and Morross Streets, and

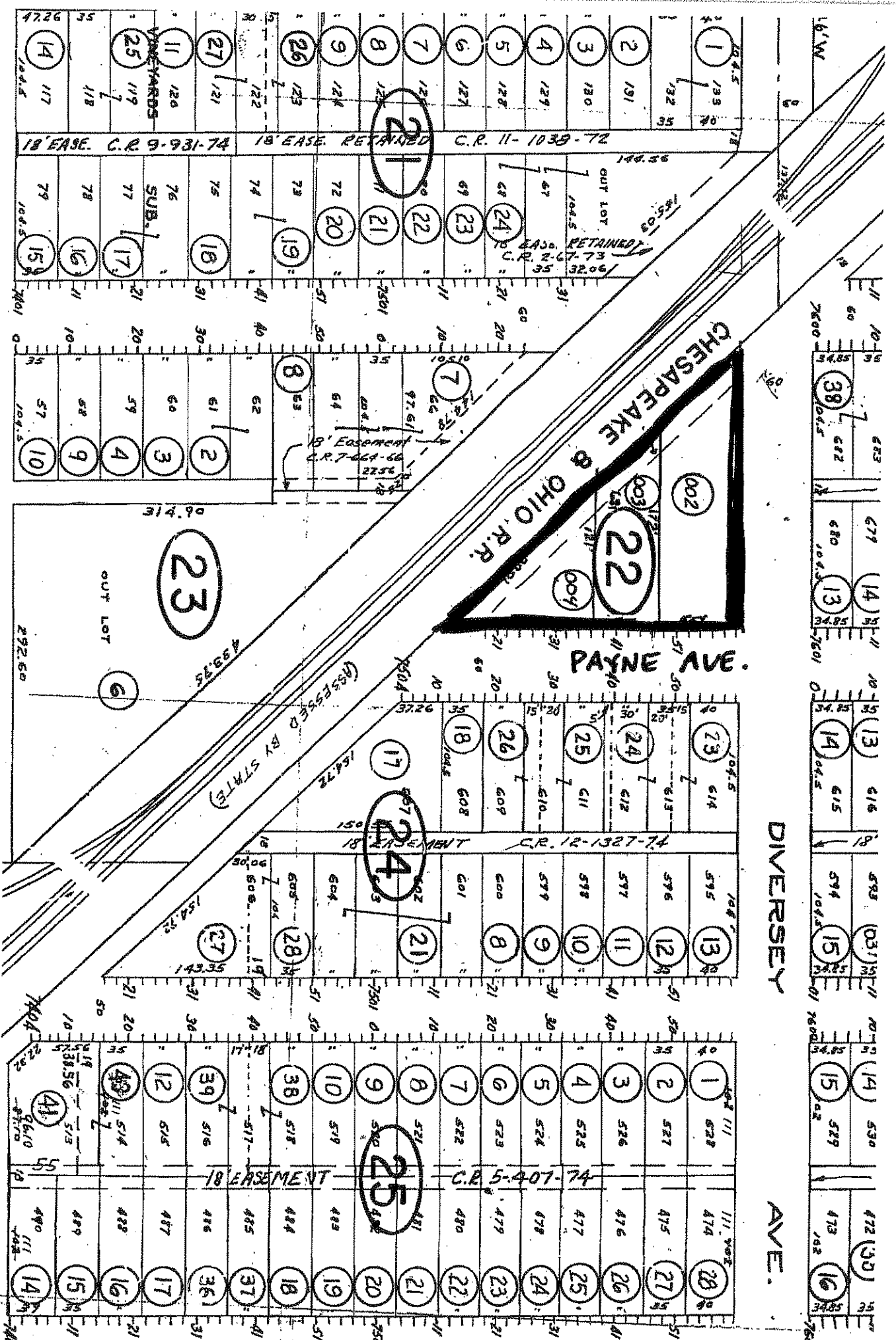
WHEREAS: Tyger Excavating, Inc. has requested to utilize the property located at Diversey and Payne for staging purposes. It is anticipated that Tyger Excavating, Inc. will need access to the property for a 6-month period. Tyger Excavating, Inc. has agreed to restore the premises to pre-construction conditions at the completion of the project. The tax identification numbers for the properties to be used as staging area are 82-10-063-22-002, 82-10-063-22-003 and 82-10-063-22-004 (see attached map), and

WHEREAS: At this time, the property is vacant and the City is not utilizing the property for any other purpose. The City Engineer is recommending that the City Council authorize the Mayor to enter into a "Hold Harmless" Agreement with Tyger Excavating, Inc. for the purpose of allowing them to store its material and equipment on City-owned property located at Diversey and Payne for the Water Main Replacement Project for \$1.00; be it

RESOLVED: That City Council hereby authorizes the Mayor to enter into a "Hold Harmless" Agreement with Tyger Excavating, Inc. in the amount of \$1.00 for the purpose of allowing them to store its material and equipment on City-owned property located at Diversey and Payne (see attached map) for the Water Main Replacement Project; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



DIVERSEY

AVE.

CHESAPEAKE & OHIO R.R.

PAYNE AVE.

18' EASE. C.R. 9-931-74 18' EASE. RETAINED C.R. 11-1038-72

18' EASEMENT C.R. 12-1327-74

18' EASEMENT C.R. 5-407-74

82-10-063-22-002
883
804

By Hubbard supported by Darany.

3-161-10. RESOLVED: That the Amendments to the Agreement between the City of Dearborn and the International Association of Firefighters Local 412, Inc. representing the Firefighters Unit be and are hereby adopted for the period beginning July 1, 2009 through June 30, 2012, pursuant to Civil Service Resolution No. 7311-10; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

3-162-10. RESOLVED: That the Amendments to the Agreement between the City of Dearborn and Executive and Administrative Unit Salary Plan be and are hereby adopted retroactive to July 1, 2008, pursuant to Civil Service Resolution No. 7310-10; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported by Darany.

3-163-10. RESOLVED: That receipt of a donation in the amount of \$100 from Wayne County Commissioner Gary Woronchak to the City of Dearborn for birthday cupcakes for the 90th Birthday Party to be held on April 23, 2010 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 to the Recreation Department, Senior Services Division, 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 Shooshanian supported by Hubbard.

3-164-10. RESOLVED: That receipts of donations in the amount of \$800 from DeGiulio Industries, \$300 from Jan Overhead, \$300 from SERVPRO of Dearborn and \$200 from Plante & Moran to the City of Dearborn for Dearborn's Homecoming and \$200 from State Representative Gino H. Polidori, \$200 from Wayne County Commissioner Gary Woronchak and \$150 from Howe-Peterson Funeral Home for Dearborn Homecoming's Elderfest 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 2010 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 Hubbard supported by Sareini.

3-165-10. RESOLVED: That City Council hereby grants permission to The Well, 22229 Michigan Avenue, to place a sandwich board sign on public property, subject to all applicable ordinances; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

3-166-10. RESOLVED: That City Council hereby grants permission to the General Henry Dearborn Quilting Society, 915 Brady, to place signs on City-owned properties located at the Dearborn Historical Museum and Commandant's Quarters to announce the Quilted Pleasures Quilt Show to be held on April 23 and 24, 2010; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hubbard supported unanimously.

3-167-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Mary Ungaro, 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.

3-168-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Frank Zdero, 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.

3-169-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Buel Howard Ryan, 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.

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 7:46 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk