

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

January 18, 2011

The Council convened at 7:00 P.M., Councilmember Mark Shooshanian presiding. Present at roll call were Councilmembers Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian; absent, Councilmembers Sareini and Tafelski. A quorum being present, the Council was declared in session.

First Reader Heather Hancock of First Church of Christ, Scientist delivered the invocation.

By Hubbard supported by Shooshanian.

1-30-11. RESOLVED: That the minutes of the previous regular meeting of January 4, 2011 and special meetings of December 28 and 29, 2010, and the same are hereby approved as recorded and published.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

Councilmember Abraham introduced Ordinance No. 11-1311, entitled, "An Ordinance to Amend the Administration Chapter (Chapter 2) of the Code of the City of Dearborn by Amending Article IV, Division 4, entitled 'Purchasing and Disposition of Goods and Services'."

The Clerk read the Ordinance by title.

Councilmember Shooshanian announced that this was the first reading of the Ordinance.

By Hubbard supported by Shooshanian.

1-31-11. RESOLVED: That proposed Ordinance No. 11-1311 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

Councilmember Hubbard introduced Ordinance No. 11-1312, entitled, "An Ordinance to Amend Article II of the Offenses Chapter (Chapter 14) of the Code of the City of Dearborn by Adding Section 14-44A entitled 'Medical Treatment for Those Confined'."

The Clerk read the Ordinance by title.

Councilmember Shooshanian announced that this was the first reading of the Ordinance.

By Abraham supported by Shooshanian.

1-32-11. RESOLVED: That proposed Ordinance No. 11-1312 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Abraham supported by Hubbard.

1-33-11. RESOLVED: That all bids received for the Official Publication of City Notices and Records are hereby rejected except the bid of Heritage Newspapers DBA Press & Guide in the total amount of \$15,000, that the aforementioned bid is hereby accepted, 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 Fund, City Clerk Department, Publishing Account in the amount of \$5,000 for FY11 and \$10,000 for FY12 with publications made after June 30, 2011 being contingent upon the adoption of the FY12 budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Abraham supported by Hubbard.

1-34-11. RESOLVED: That the bid from Connelly, Carlisle, Fields, & Nichols received for Insurance for the Dearborn Towers is hereby accepted in an amount not to exceed \$131,855.99, 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 Dearborn Towers Fund, Housing Department, Insurance & Bonds, General Insurance Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by Abraham.

1-35-11. RESOLVED: That City Council hereby authorizes Corporation Counsel to renew the City's membership with the Michigan Coalition to Protect Rights-of-Way (PROTEC) in the amount of \$12,221.87; be it further

RESOLVED: That this membership renewal shall be financed from the Telecommunications Fund, Account #298-2350-874.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by Shooshanian.

1-36-11. RESOLVED: That City Council hereby authorizes Corporation Counsel to renew their membership with the National Association of Telecommunications Officers and Advisors (NATOA) in the amount of \$875; be it further

RESOLVED: That this membership renewal shall be financed through Law Department Membership Fees, Account #101-1500-811.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by O'Donnell.

1-37-11. WHEREAS: Comerica Bank has offered to sell the substandard dwelling located at 2833 Homeplace, Dearborn, Michigan, to the City of Dearborn for the sum of \$12,000 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 Operation Eyesore Program; therefore be it

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

Lot 83, Cunnin Homes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 59, Page 47 of Plats, Wayne County Records.

Tax I.D. 82-09-292-12-018
Commonly know as 2833 Homeplace

from the owner thereof and pay therefore the sum of \$12,000 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 prepared, reviewed and 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 \$12,000, 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. 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 to issue his proper warrant in an up to amount of \$16,000 for demolition and appurtenant costs, drawn upon the General Capital Improvement Fund Project No. C02300, payable to the necessary entities in payment of said demolition and appurtenant costs; 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 adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by Abraham.

1-38-11. WHEREAS: Council Resolution 8-490-10 authorized the City to purchase 4963 Kenilworth from Ahmad and Souad Abusalah for \$19,900 pursuant to the Operation Eyesore Program, and

WHEREAS: Since that authorization was given and before the City was able to complete the transaction, Fannie Mae foreclosed on the mortgage and is the current owner of the property, not the Abusalahs, and

WHEREAS: Fannie Mae has offered to sell the substandard dwelling located at 4963 Kenilworth to the City for \$11,000, 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, and

WHEREAS: It is recommended that C.R. 8-490-10 be rescinded and this resolution be adopted, reflecting Fannie Mae as the owner and \$11,000 as the purchase price; therefore be it

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

Lot 395, except the N. 20 ft., Ardross Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 30 of Plats, Wayne County Records.

Tax I.D. 82-10-182-21-013
Commonly known as 4963 Kenilworth

from the owner thereof and pay therefore the sum of \$11,000 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 and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon terms and conditions set forth in the purchase agreement prepared, reviewed and 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 \$11,000, 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.

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 to issue his proper warrant in an up to amount of \$16,000 for demolition and appurtenant costs, drawn upon the General Capital Improvement Project No. C02300, payable to the necessary entities in payment of said demolition and appurtenant costs; 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 C.R. 8-490-10 be and is hereby rescinded; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by Abraham.

1-39-11. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Gary Kuhlmann, to the Local Officials Compensation Commission for a term ending January 19, 2018; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Shooshanian supported by O'Donnell.

1-40-11. WHEREAS: Mustafa Khalifa, the property owner of 14900 W. Warren, (MAK Investments, LLC) has requested permission to encroach onto an existing 18 foot wide public sewer easement by constructing a parking lot, and

WHEREAS: The City owns a 12" diameter combined sewer within the easement, and

WHEREAS: The Engineering Division and the Economic and Community Development Department have no objections to the easement encroachment subject to the following conditions:

- a) Execution of a "Hold Harmless" and "Revocable Permit to Occupy" Agreements with the City prepared by Corporation Counsel. The cost of the repair, removal or replacement of the parking lot necessary for the maintenance and/or repair of the 12' diameter combined sewer shall be the responsibility of the property owner.
- b) A permit from the Economic & Community Development Department is required.

be it

RESOLVED: That City Council hereby grants permission to Mustafa Khalifa, property owner of 14900 W. Warren, (MAK Investments, LLC) to encroach onto an existing 18 foot wide public sewer easement by constructing a parking lot; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Abraham supported by Bazzy.

1-41-11. RESOLVED: That the Karbalaa Islamic Education Center be and they are hereby granted permission to conduct their annual Ashura Commemoration March/Rally on Sunday, January 23, 2011 from approximately 2:00 P.M. to 5:00 P.M. subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the march route shall be as follows: Beginning at the Karbalaa Islamic Education Center (15332 Warren), the march/rally participants will proceed east on Warren Avenue to Schaefer Highway; turn right and head south of Schaefer Highway to Hemlock Street; then turn left and continue east on Hemlock Street into the park; be it further

RESOLVED: That all participants shall be restricted to utilizing the sidewalks only, and no portion of the roadways designated within the march/rally route and must make lawful and proper use of all traffic signals in a manner so as not to interfere with vehicular or pedestrian traffic (unless directed otherwise by the Dearborn Police Department); be it further

RESOLVED: That City Council hereby authorizes assistance from the Police Department for traffic safety and crowd control and the use of the picnic areas 1 & 2 and the shelter at Hemlock Park; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by Bazzy.

1-42-11. RESOLVED: That receipt of a donation in the amount of \$1,000 from Mr. John Sczomak, PhD to the City of Dearborn's Recreation Department in appreciation of the support provided by staff for the Tang Soo Do Moo Duk Kwan fitness class 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 Dearborn Recreation Department's Fitness/Athletic Division, Distribution Account (Account #101-3012-365.90-00), 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 adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported by O'Donnell.

1-43-11. RESOLVED: That receipt of a donation in the amount of \$500 from Anthony and Margaret Wade to the Department of Libraries Bryant Branch is hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council authorizes and directs the Finance Director to deposit this money in Library Account #101-5100-365.90-00 Contributions/Donations and then to appropriate the money to Library Account #101-1500-721.61-00 Operating Supplies and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated, to purchase supplies for the Bryant Branch Library; be it further

RESOLVED: That this resolution given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Abraham supported by O'Donnell.

1-44-11. RESOLVED: That receipt of a donation in the amount of \$400 from James and Joan Lesinski to the Department of Libraries is hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council authorizes and directs the Finance Director to deposit this money in Library Account #101-5100-365.90-00 Contributions/Donations and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated; be it further

RESOLVED: That this resolution given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported unanimously.

1-45-11. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Dolores Smith, 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 adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

By Hubbard supported unanimously.

1-46-11. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Alberta Muirhead, 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 adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell and Shooshanian (5). Nays: None. Absent: Sareini and Tafelski (2).

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 7:37 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk