

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

February 7, 2012

The Council convened at 7:32 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Abraham, Hubbard, Sareini, Shooshanian and President of the Council Tafelski; absent, Councilmembers Bazzy and O'Donnell. A quorum being present, the Council was declared in session.

Reverend Dan Jongsma of the Christian Fellowship of Dearborn delivered the invocation.

Councilmember Bazzy entered the City Council Chambers at 7:34 P.M.

By Hubbard supported by Shooshanian.

2-54-12. RESOLVED: That the minutes of the previous regular and special closed meetings of January 24, 2012, and the same are hereby approved as recorded and published.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Hubbard.

2-55-12. RESOLVED: That Ordinance No. 12-1348 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

The Clerk then read Ordinance No. 12-1348 entitled, "An Ordinance to Amend Article I of Chapter 13 of the Code of the City of Dearborn, entitled 'Nuisances'."

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?"

2-55-12. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Abraham.

2-56-12. RESOLVED: That Ordinance No. 12-1349 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

The Clerk then read Ordinance No. 12-1349 entitled, "An Ordinance to Amend the Traffic and Motor Vehicles Chapter (Chapter 18) of the Code of the City of Dearborn by Amending Section 18-360, entitled 'Same -- Special Security Officers'."

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?"

2-56-12. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

Councilmember Hubbard introduced Ordinance No. 12-1350, entitled, "An Ordinance to Amend the Administration Chapter (Chapter 2), Article II, Division 7, entitled 'Department of Recreation and Parks'."

The Clerk read the Ordinance by title.

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

By Shooshanian supported by Abraham.

2-57-12. RESOLVED: That proposed Ordinance No. 12-1350 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

Councilmember Hubbard introduced Ordinance No. 12-1351, entitled, "An Ordinance to Amend the Fees for Permits and Inspections Chapter (Chapter 9) of the Code of the City of Dearborn by Amending Sec. 9-33 of Article II, entitled 'Construction'."

The Clerk read the Ordinance by title.

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

By Bazzy supported by Sareini.

2-58-12. RESOLVED: That proposed Ordinance No. 12-1351 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Hubbard.

2-59-12. WHEREAS: The City Engineer has presented for City Council approval Michigan Department of Transportation Contract No. 11-5678, for Resurfacing and Water Main Replacement on Carlisle Street from Telegraph Road (US-24) to Outer Drive as follows:

PART A - FEDERAL PARTICIPATION

Reconstruction work along Carlisle Street from Telegraph Road (Highway US-24) to Outer Drive; including hot mix asphalt paving, cold milling, storm sewer, concrete curb and gutter, and pavement marking work; and all together with necessary related work.

PART B - NO FEDERAL PARTICIPATION

Water main and sanitary sewer work along Carlisle Road from Telegraph Road (Highway US-24) to Outer Drive; and all together with necessary related work.

and

WHEREAS: The project cost and the respective shares of the parties, after federal aid, are estimated as follows:

	Total Estimated Cost	Federal Aid	City Share
Part A, Contracted Work	\$2,227,000	\$1,544,728	\$ 682,272
Part A, C.E. & Inspection by Dearborn	\$ 334,000	-0-	\$ 334,000
Part B Contracted Work	\$1,401,800	-0-	\$1,401,800
TOTAL	\$3,962,800	\$1,544,728	\$2,418,072

Since the Michigan Department of Transportation will make bi-weekly payments to the Contractor, it is necessary to record an encumbrance for both Part A and Part B Contracted Work in the amount of \$3,628,800

and

WHEREAS: The construction engineering and inspection will be performed by City of Dearborn Engineering personnel and as such does not need to be encumbered; be it

RESOLVED: That City Council hereby approves Michigan Department of Contract No. 11-5678 in the amount of \$2,084,072 for Resurfacing and Water Main Replacement on Carlisle Street from Telegraph Road (US-24) to Outer Drive, Job No. 11-09-062, C.I.P. Q59612 and authorizes the Mayor to sign the contract on behalf of the City, subject to a review by Corporation Counsel; be it further

RESOLVED: That the City share of the cost of the construction contract shall be financed as follows:

C.I.P. Q59612, 202-2009-452.45-20	\$ 525,000
C.I.P. Q59612, 591-2011-435.45-20	<u>\$1,559,072</u>
	\$2,084,072

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Abraham.

2-60-12. RESOLVED: That all quotes received for Catering Services for Events Booked at the Dearborn Hills Course are hereby rejected except the quote of Chef Gourmet Catering in the estimated amount of \$113,227, that the aforementioned quote 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 quote have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Golf Course Fund, Recreation Department, Food Service, Other Professional Services Account with purchasing being made after June 30, 2012 being contingent upon the adoption of the FY13 Budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Sareini.

2-61-12. WHEREAS: The City is eligible for contract pricing through the State of Michigan's Extended Purchasing Program, Contract No. 071B1300005 for the Purchase of Four (4) Automotive Vehicles, and

WHEREAS: Gorno Ford, Inc., Woodhaven, Michigan, the authorized distributor for the State of Michigan, will supply these vehicles at a total cost of \$97,821; be it

RESOLVED: That a purchase order be awarded to Gorno Ford, Inc. in the amount of \$97,821 for the Purchase of Four (4) Automotive Vehicles; be it further

RESOLVED: That this purchase order shall be financed from the Drug Law Enforcement Fund, Police Department, Capital Equipment, Drug Enforcement - Federal Forfeiture, Operating Equipment Vehicle Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Shooshanian supported by Sareini.

2-62-12. WHEREAS: The City is eligible for contract pricing through the Oakland County Medical Authority Purchasing Program and the Michigan Inter-Governmental Trade Network (MITN) for EMS/Medical Supplies for EMS, and

WHEREAS: J & B Medical, Inc., the authorized vendor for the City of Farmington Hills, will supply the EMS/Medical Supplies for EMS in the approximate amount of \$35,500; be it

RESOLVED: That a purchase order be awarded to J & B Medical, Inc. in the approximate amount of \$35,500 for EMS/Medical Supplies for EMS; be it further

RESOLVED: That this purchase order shall be financed from the General Fund, Fire Department, Operating Supplies, Medical Supplies Account with purchases made after June 30, 2012 being contingent upon the adoption of the FY13 budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Hubbard supported by Shooshanian.

2-63-12. WHEREAS: The City is eligible for contract pricing through the State of Michigan and the Western States Contract Alliance for Purchases from Dell Marketing, L.P., for Various Computer Equipment , and

WHEREAS: Dell Marketing, L.P., the authorized vendor for the State of Michigan and the Western States Contract Alliance, will supply this Various Computer Equipment at a total cost of \$1,541,500; be it

RESOLVED: That a purchase order be awarded to Dell Marketing, L.P. in the amount of \$1,541,500 for Various Computer Equipment; be it further

RESOLVED: That this purchase order shall be financed from the Information Systems Fund, MIS, Capital Equipment Account with purchases made after June 30, 2012 being contingent upon the adoption of the FY13 budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).



By Sareini supported by Shooshanian.

2-64-12. RESOLVED: That all bids received for Asphalt Resurfacing and Water Main Replacement Projects 2012-2013 are hereby rejected except the bid of Troelsen Excavating Co. in the total amount of \$1,621,137.90, 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 since the actual grant award for this project was \$18,871 higher than the amount budgeted in the FY12 Capital Improvement Plan and the Economic and Community Development Department has agreed to the reallocation of excess Block Grant budget from Q57410 to Q60012 in the amount of \$279,400, City Council hereby authorizes the Finance Director to recognize and appropriate the additional Block Grant funding in the total amount of \$298,271 in the Local Street Fund and the Water Main Fund to be split as needed; be it further

RESOLVED: That City Council hereby approves a contingency in the amount of \$100,000 to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That this contract shall be financed from the Local Street Fund, Public Works, Constructions Services Account, Projects Q60012 in the amount of \$721,000 & Q60312 in the amount of \$165,000 and the Water Fund, Public Works, Construction Services Account, Projects Q60012 in the amount of \$547,098.35, Q60312 in the amount of \$164,739.55 and P02012 in the amount of \$23,300; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Hubbard.

2-65-12. RESOLVED: That City Council hereby authorizes the City Clerk's Office to contract with LexisNexis VitalChek Network, Inc. to allow customers the option of obtaining Birth and Death Certificates online; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Abraham.

2-66-12. WHEREAS: The decision of the Michigan Tax Tribunal (MTT) regarding the real property value of the Detroit Lions Practice Facility for tax years 2004-2009, inclusive, is currently under appeal in the Michigan Court of Appeals, and

WHEREAS: The decision of the MTT regarding the personal property value for the Detroit Lions Practice Facility for tax years 2005-2009, inclusive, is currently under appeal in the Michigan Court of Appeals, and

WHEREAS: Stephanie Morita of Secrest Wardle has been retained to assist the City in the defense of the MTT litigation (CR#s 12-831-04, 11-856-06, 6-387-09, 11-799-09, 12-710-10); therefore, be it

RESOLVED: That the Professional Services Contract with Stephanie Morita be extended in accordance with continuity of services until the completion of the pending Lions tax; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Abraham supported by Hubbard.

2-67-12. WHEREAS: Alina Deac lost her vacant lot on Cooke Street because she inadvertently missed paying the 2004 taxes, and

WHEREAS: In September 2007, the City of Dearborn purchased the property located on Cooke Street from the County through the tax-reversion process for \$582.45, and

WHEREAS: Council Resolution 2-68-11 authorized Alina Deac to redeem the vacant lot located on Cooke Street since she provided evidence that, when she bought the property in 2004, the title company failed to indicate her proper mailing address when the Property Transfer Affidavit was filed with the Assessor's Office; thus, she was not receiving tax bills, and

WHEREAS: City Council conditioned the redemption upon Ms. Deac commencing construction of a single-family home within 12 months from the date of closing, and

WHEREAS: The closing for the redemption occurred on March 15, 2011. At the closing, Ms. Deac paid for all back taxes owed, and

WHEREAS: Recently, Ms. Deac requested that the City waive the requirement for her to build within one year, and

WHEREAS: Due to the difficult economic climate and her inability to secure a construction loan, she is not able to meet the one-year construction deadline, and

WHEREAS: She also contends that the loss of her property was a result of an error made by the title company, not by her own wrongdoing, and

WHEREAS: Currently, there are no taxes due and owing, and

WHEREAS: It is recommended that, due to the current economic climate and Ms. Deac's inability to secure a loan, Ms. Deac be given an additional two years in which to build, extending the deadline to begin construction to March 15, 2014; therefore be it

RESOLVED: That due to the current economic situation and Ms. Deac's inability to secure a loan, Ms. Deac be given an additional two years in which to build, extending the deadline to begin construction to March 15, 2014; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Hubbard supported by Sareini.

2-68-12. RESOLVED: That City Council hereby authorizes Corporation Counsel to renew their membership with the National Association of Telecommunications Officers and Advisors (NATO) in the amount of \$875; 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, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Abraham supported by Hubbard.

2-69-12. WHEREAS: The City of Dearborn submitted an Economic Vitality Incentive Program (EVIP) Grant Application to the Michigan Department of Treasury requesting grant money for the project Shared Services Feasibility Study - Tax Administration Services, and

WHEREAS: Discussions were held with the City of Melvindale, the City of Dearborn Heights and the City of Allen Park regarding combining the property tax administration functions that are currently being performed independently by each local unit, and

WHEREAS: The purpose of the project is to acquire a consultant to develop and perform a shared services study (including a cost/benefit analysis and project plan) to determine the viability of entering into inter-local agreements with the local units for the City of Dearborn to provide consolidated tax administration services, and

WHEREAS: The project cost is estimated at \$100,000 with 25 percent (not to exceed \$25,000) expected as a grant from the State of Michigan, and

WHEREAS: Each local unit would participate and share equally in the remaining cost of the project, and

WHEREAS: The City of Dearborn was notified on January 20, 2012 by the Michigan Department of Treasury of its intent to award an EVIP grant for fiscal year 2012 including information and conditions, and

WHEREAS: As a condition to receive the grant, a resolution and minutes indicating approval of the project must be submitted to the Michigan Department of Treasury by all local units participating in the project within sixty (60) days following Treasury's Notification of Intent to Award or be subject to automatic cancellation of the grant, and

WHEREAS: No grant funding will be released until all required resolutions and minutes are received by the Michigan Department of Treasury, and

WHEREAS: When all required documents have been received by the Michigan Department of Treasury, implementation of the project may proceed, and

WHEREAS: The City of Dearborn has shared the EVIP grant application and the Michigan Department of Treasury response and conditions with the other local units and have requested that they take action as required; therefore be it

RESOLVED: That City Council does hereby provide approval for the EVIP project Shared Services Feasibility Study - Tax Administration Services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Shooshanian.

2-70-12. RESOLVED: That City Council hereby approves the FY 2012 The Senior Alliance, Area Agency on Aging 1-C Dearborn Community Match in the total amount of \$7,822; be it further

RESOLVED: That this match funding was approved as part of the FY12 budget and shall be financed from the General Fund, Senior Services, Memberships, Distribution Account (Account #101-3090-843.65-00); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Shooshanian.

2-71-12. WHEREAS: The City of Dearborn maintains a public library and also desires to expand the opportunities for its residents and property owners to utilize library services when they are outside of Dearborn, and

WHEREAS: The City of Dearborn Heights also maintains a public library and also desires to expand the opportunities for residents and property owners to utilize library services when they are outside of Dearborn Heights, and

WHEREAS: The Dearborn Public Library Commission and the Dearborn Heights Board of Trustees find that it is in the best interests of their respective libraries to create a reciprocal borrowing process that would allow their respective residents and property owners to borrow library materials in-person from the other library under the same conditions that apply to residents and property owners, and

WHEREAS: This Agreement is authorized by the Public Libraries Act, 1952 PA 92, MCL 397.471 which allows the officers, agency or other authority charged by law with the maintenance and operation of any library for general public use to enter into and perform contracts or arrangements with the officers, agency or other authority likewise charged in respect of any other such library for cooperation and coordination in the maintenance and operation of the libraries to avoid unnecessary duplication and at the same time promote the widest public use of books, manuscripts and other materials and facilities, and

WHEREAS: Both Parties understand that reciprocal borrowing is not a replacement for, but rather a supplement to the services their libraries provide; now therefore be it

RESOLVED: That 1. The purpose of this Agreement is to facilitate the use of the neighboring libraries by residents or property owners in the City of Dearborn or Dearborn Heights; be it further

RESOLVED: That 2. This Agreement shall commence on March 1, 2012. On or before March 1, 2014, this Agreement will be evaluated and a recommendation will be made to both Cities on the continuance of the reciprocal Agreement, to be approved before the termination of the Agreement in order to ensure continuity of service. Unless agreed by the parties to continue this Agreement or enter into a more permanent reciprocal Agreement, this Agreement shall terminate on March 1, 2014; be it further

RESOLVED: That 3. For the purposes of this Agreement, the following terms shall have the following meanings:

- a. "Resident" means a citizen who resides or owns property (taxpayer) within the city limits of the City of Dearborn or the City of Dearborn Heights.
- b. "Owning Library" means the library that owns the item.

be it further

RESOLVED: That 4. The Resident of one library's service area may obtain a library card permitting the use of the other library's facilities and services, without payment of a non-resident fee, under the following conditions:

- a. Library Users of this Agreement
  - i. Must conform to the rules and regulations of the institution from which they borrow
  - ii. Must pay promptly, to the appropriate library, all loss, damage or delinquency charges which may be charged or may accrue against them
  - iii. May return material to either Dearborn Public Library or Dearborn Heights Public Library whereby the material will be returned to the "Owning Library" using The Library Network (TLN) delivery service.
- b. The current policies and procedures for the provisions of library services of each library shall remain in effect, with no coordination or standardization required, and specifically including the following provisions:
  - i. Library materials placed on request must be picked up by the library cardholder at the Owning Library
  - ii. Dearborn Heights Public Library is unable to offer to Dearborn residents reciprocal borrowing privileges at non Dearborn Heights libraries
  - iii. Dearborn Heights Public Library is unable to offer MeLCat services to Dearborn residents
  - iv. Dearborn Heights Public Library will allow some (3 requests at one time) interlibrary loan services from The Library Network Shared System



- v. Dearborn Public Library will not provide shut-in service for Dearborn Heights residents.
- c. The Reciprocal Use Agreement does not extend to each library's non-resident cardholders, only to eligible residents living or owning property within their respective municipal boundaries.
- d. Each library system shall establish tracking codes to provide information, on an annual basis, on the number of cards issued and the number of items checked out from their respective libraries.

be it further

RESOLVED: That 5. The Directors of both Libraries will review the effectiveness of this Agreement quarterly and will submit a report to their governing bodies, including the Dearborn Library Commission and the Dearborn Heights Library Advisory Board four (4) months before the end of the project so that there is time to extend, renew, modify or plan for an orderly termination before the end date; be it further

RESOLVED: That 6. Each Party will bear its own cost of performing under this Agreement; be it further

RESOLVED: That 7. The primary contacts under the terms of this Agreement are:

City of Dearborn

City of Dearborn Heights

Dearborn Public Library  
Henry Ford Centennial Library  
Attn: Library Director  
16301 Michigan Avenue  
Dearborn, Michigan 48126

Dearborn Heights Public Library  
Caroline Kennedy Library  
Attn: Library Director  
24590 George Street  
Dearborn Heights, Michigan 48127

Circulation issue contacts will be identified upon Agreement acceptance.

be it further

RESOLVED: That 8. This Agreement may be modified only by further agreement in writing as mutually agreed to by both Parties; be it further

RESOLVED: That 9. Either party may terminate this Agreement during the term by giving written notice to the other party at least three (3) months prior to the date of termination; be it further

RESOLVED: That 10. If a dispute arises from or relates to this Agreement or the breach thereof and if the dispute cannot be resolved through direct discussions, the Parties agree to endeavor first to settle the dispute in an amicable manner by mediation administered by a mediator selected by agreement of the Parties. Following mediation, or upon written agreement of the Parties to waive mediation, any unresolved controversy or claim arising from or relating to the Agreement or breach thereof shall be settled through arbitration administered by an arbitrator selected by agreement of the Parties. All fees and expenses from mediation or arbitration shall be borne by the Parties equally. However, each Party shall bear the expense of its own counsel, experts, witnesses, and preparation and presentation of evidence; be it further

RESOLVED: That 11. This Agreement shall be construed and interpreted in accordance with the laws of the State of Michigan; be it further

RESOLVED: That 12. No waiver of any right under this Agreement shall be effective unless made in writing by the authorized representative of the Party to be bound thereby; be it further

RESOLVED: That 13. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument; be it further

RESOLVED: That 14. Any acts consistent with the authority and prior to the effective date of this Agreement are hereby ratified and confirmed; be it further

RESOLVED: That 15. If any term, provision, covenant, or condition of this Agreement is held by a court of competitive jurisdiction to be invalid, void, unenforceable, the remainder of the provisions hereof shall remain in full force and effect and shall in no way be affected, impaired or invalidated as a result of such decision; be it further

RESOLVED: That 16. This Agreement constitutes the entire understanding of the Parties. It supersedes any oral representations that are inconsistent with or modify its terms and conditions; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Shooshanian supported by Bazzy.

2-72-12. RESOLVED: That City Council hereby amends C.R. 1-39-12, which approved the execution of the purchase agreement for the new Dearborn Intermodal Passenger Rail Facility, to read as follows:

By Shooshanian supported by Bazzy.

1-39-12. WHEREAS: Council Resolution #7-402-11 authorized the Mayor to execute a contract between MDOT and the City of Dearborn to use grant funding from the Federal Railroad Administration (FRA) in the amount of \$28,204,450 for the construction of the Dearborn Intermodal Passenger Rail Facility, and

WHEREAS: Construction of the Intermodal Rail Facility has been designated to take place on Parcels identified as 82-09-222-05-007 and 82-09-222-05-014, which are to be purchased by the City from Ford Land Development Corporation; therefore, be it

RESOLVED: That City Council authorizes the Mayor to sign the site purchase agreement with Ford Land Development Corporation for \$2,050,000; be it further

RESOLVED: That \$1,793,107 will be funded from the FRA intermodal station grant for 6.98 acres of the property, and \$256,893 from the City's General Capital Improvement Fund to purchase the remaining one acre of the site from Ford Land Development Corporation for restaurant development; be it further

RESOLVED: That City Council authorizes and additional \$50,000 for project closing and related costs, which will be split between the Federal grant and the Capital Improvement Fund on 7/8 - 1/8 basis; be it further

RESOLVED: That the total amount estimated to be financed by the FRA grant is \$1,836,857 and from the General Capital Improvement Fund is \$263,143; be it further

RESOLVED: That City Council authorizes the Finance Director to appropriate General Fund fund balance in the amount of \$115,000 as a contribution to the General Capital Improvement Fund and to recognize and appropriate same in the General Capital Improvement Fund Project J08011; be it further

RESOLVED: That the Finance Director is authorized to issue a warrant drawn upon the General Capital Improvement Fund Project J08011, Account #401-6100-435.71-10 in the amount of \$2,050,000, subject to adjustment, if any, as shown on the closing statement payable to Ford Land Development Corporation in payment of the rail station site; be it further

RESOLVED: That the acquisition of the property for the construction of the Dearborn Intermodal Passenger Rail Facility serves a public purpose; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as approved by the Corporation Counsel or her designee; 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 adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Bazzy.

2-73-12. WHEREAS: The owner has offered to sell for One (\$1.00) Dollar the substandard dwelling located at 5230 Maple, Dearborn, Michigan, to the City of Dearborn, and

WHEREAS: The terms and conditions under which this property is offered to the City are 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 this Council does hereby determine to acquire the property described as:

Lot 261 Maplewood Park Subdivision, City of Dearborn, Wayne County, Michigan, as recorded in Liber 32, Page 25 of Plats, Wayne County Records.

Tax I.D. 82-10-182-17-010  
Commonly known as 5230 Maple

from the owner thereof and pay therefore the sum of \$1 upon furnishing to the City by said owner, a title insurance policy showing marketable title thereon, and when a warranty deed to the premises has been properly executed, approved by the Corporation Counsel and delivered to the City; be it further

RESOLVED: That estimated additional appurtenant costs after the acquisition shall be approximately \$14,000 which shall allow the City to demolish the home and either offer the property to the adjoining owners for expansion or hold the vacant lot for future development; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$1, subject to adjustments, if any, as shown on the closing statement, 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 its nominee, in payment of said property; except for utility shut-off and demolition costs which shall be financed from the HUD-funded Neighborhood Stabilization Program (NSP3) Project No. C07300, Account #283-6234-914.71-45; 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 5230 Maple; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Hubbard.

2-74-12. WHEREAS: David and Teri Kuffner, who reside at 237 Fort Dearborn, Dearborn, MI 48124, owners of the two-family home located at 4720 Chovin, Dearborn, MI 48126, have requested that the City sell them the vacant lot located next to their property so that they may combine it with the adjacent lot that they own, and

WHEREAS: Sale is conditioned on the following:

1. The lot must be combined with the Purchasers' property and may not be re-split or combined with other land for a re-splitting as two buildable lots. Purchasers may seek permission to split and sell a portion of the side yard to the neighboring property owner.
2. The lot may only be sold or developed in combination with the Purchasers' adjacent property.
3. No construction will be permitted except for construction relating to parking. Purchasers will be required to meet current zoning and code provisions pertaining to parking requirements. Purchasers acknowledge that this is a waiver to seek a variance of any requirements.
4. 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 entire lot, plus interest and costs, or sell the land back to the City for \$5,700, at the City's sole discretion.

and

WHEREAS: The City has no further need for said land and this 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 this Council does hereby determine to effect the sale at price of \$5,700 to David and Teri Kuffner of the parcel described as:

Lot 58, Woodworth Manor Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 32, Page 92 of Plats, Wayne County Records.

Tax I.D. 82-10-183-04-016  
Commonly known as 4730 Chovin

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

RESOLVED: That the sale is contingent upon the above-mentioned conditions being satisfied, and upon the satisfaction of the terms contained in the Purchase Agreement; 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 the sale of 4730 Chovin as side yard complies with one of the public purposes for which the Neighborhood Stabilization Program was created by promoting expansion of lots to improve the neighborhoods; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).



By Hubbard supported by Sareini.

2-75-12. WHEREAS: Fatme Assi, owner and occupant of the two-family home located at 5425 Kendal, Dearborn, Michigan, is asking the City of Dearborn to sell her the vacant lot located next to her property so that she may combine the lot with the adjacent lot she owns, and

WHEREAS: Sale is conditioned on the following:

1. The lot must be combined with the Purchasers' property and may not be re-split or combined with other land for a re-splitting as two buildable lots. Purchaser may seek permission to split and sell a portion of the side yard to the neighboring property owner.
2. The lot may only be sold or developed in combination with the Purchaser's adjacent property.
3. No construction will be permitted except for construction relating to parking. Purchaser will be required to meet current zoning and code provisions pertaining to parking requirements. Purchaser acknowledges that this is a waiver to seek a variance of any requirements.
4. If Purchaser violate any of the restrictions imposed, she is obligated to reimburse the City for the difference between the purchase price paid and the Assessor's value of the entire lot, plus interest and costs, or sell the land back to the City for \$6,100, at the City's sole discretion.

and

WHEREAS: The City has no further need for said land and this 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 this Council does hereby determine to effect the sale at a price of \$6,100 to Fatme Assi of the parcel described as:

Lot 811, Ardross Sub. No. 2, City of Dearborn, Wayne County, Michigan, as recorded in Liber 39, Page 2 of Plats, Wayne County Records.

Tax I.D. 82-10-182-01-021  
Commonly known as 5433 Kendal

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

RESOLVED: That the sale is contingent upon the above-mentioned conditions being satisfied, and upon the satisfaction of the terms contained in the Purchase Agreement; 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 the sale of 5433 Kendal as side yard complies with one of the public purposes for which the Neighborhood Stabilization Program was created by promoting expansion of lots to improve the neighborhoods; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Hubbard.

2-76-12. WHEREAS: Basim Yasi lost the rental house located at 5307 Hartwell because he failed to pay the 2008 taxes, and

WHEREAS: In October 2011, the City of Dearborn purchased 5307 Hartwell from the County through the tax-reversion process for \$11,835.07, and

WHEREAS: Basim Yasi is requesting to redeem the property from the City, and

WHEREAS: It has been the past practice and policy of the City to allow property owners to redeem their property under certain circumstances, and

WHEREAS: In this case, it is recommended that Basim Yasi's request to redeem his rental property located at 5307 Hartwell be denied due to the following:

1. Mr. Yasi bought the house without a Certificate of Occupancy in March of 2008 and has never obtained a Certificate of Occupancy;
2. The house is not properly registered as a rental property;
3. Mr. Yasi has failed to maintain the property (see inspection report dated 1/5/12);
4. The house is currently occupied;
5. The house is located on a 30 ft. lot;
6. The City owns the property located at 5299 Hartwell, which is adjacent to Mr. Yasi's property. Due to the condition of 5307 Hartwell, the City may demolish 5307 Hartwell and combine the vacant lot with the adjacent City-owned lot located at 5299 Hartwell. The combined lot may be offered on the City's Lot List for new construction; and
7. As of January 2012, the amount owed to the City is as follows:

Purchase price:	\$11,835.07
2011 Summer taxes paid:	\$ 2,437.94
2011 Winter taxes paid:	\$ 317.04
Water paid:	\$ 271.92
Current water due:	\$ 291.75
Inspection fee:	<u>\$ 200.00</u>
	\$15,353.72

therefore be it

RESOLVED: That Basim Yasi's request to redeem the house at 5307 Hartwell is denied; be it further

RESOLVED: That the public interest of maintaining the integrity of the neighborhoods is best served by declining Mr. Yasi's request to redeem the house located at 5307 Hartwell; be it further

RESOLVED: That Mr. Yasi's request to redeem the house located at 5307 Hartwell is also denied for the following reasons:

1. Mr. Yasi bought the house without a Certificate of Occupancy in March of 2008 and has never obtained a Certificate of Occupancy;
2. The house is not properly registered as a rental property;
3. Mr. Yasi has failed to maintain the property (see inspection report dated 1/5/12);
4. The house is currently occupied;
5. The house is located on a 30 ft. lot;
6. The City owns the property located at 5299 Hartwell, which is adjacent to Mr. Yasi's property. Due to the condition of 5307 Hartwell, the City may demolish 5307 Hartwell and combine the vacant lot with the adjacent City-owned lot located at 5299 Hartwell. The combined lot may be offered on the City's Lot List for new construction; and
7. As of January 2012, Mr. Yasi has outstanding bills due to the City of Dearborn as follows:



City of Dearborn  
Residential Services Department  
4500 Maple  
Dearborn, MI 48126  
(313) 943-2120 or (313) 943-3335

## Residential Housing Inspection Report

**Address:** 5307 HARTWELL  
**Location ID** 29588

**Date:** 1/5/2012  
**Inspection type:** Sale/First  
**Inspector:** Ken Foley  
**Inspection Status:** Open

Room	Action	Permit Required
* Exterior Structure (Exterior)	Replace damaged sections of concrete service walk	
Exterior Structure (Exterior)	Remove peeling paint from foundation	
* Garage (Exterior)	Replace garage floor. Ratwall required.	<b>Flatwork</b>
* All Rooms (All)	Certificate from a licensed heating contractor must be submitted that indicates the heating unit was inspected and is properly functioning	
* Laundry Room (Basement)	Properly install water heater vent pipe	
* Laundry Room (Basement)	Obtain permit for hot water tank installation	<b>Plumbing</b>
* Laundry Room (Basement)	Install hose connection vacuum breakers to laundry tub faucet	
All Rooms (First (Main) Floor)	Replace all damaged carpeting and flooring	
Bathroom 1 (First (Main) Floor)	Repair or replace toilet	
* Bedroom1 (First (Main) Floor)	Replace window	
* Bedroom1 (First (Main) Floor)	Eliminate all extension cord wiring	
* Bedroom2 (First (Main) Floor)	Eliminate all extension cord wiring	
All Rooms (Second Floor)	Clean and sanitize walls, ceilings, floors, and all surfaces	
All Rooms (Second Floor)	Replace all damaged carpeting and flooring	
All Rooms (Second Floor)	Scrape and paint walls, ceilings and all surfaces	
* All Rooms (Second Floor)	See comments	<b>Note</b>
* Bedroom1 (Second Floor)	Install smoke detectors per manufacturer specifications.	
* Bedroom2 (Second Floor)	Install smoke detectors per manufacturer specifications.	

\* - Indicates health and safety or property maintenance item. These items must be corrected and/or repaired before Conditional Occupancy will be allowed. Conditional Occupancy is only allowed for owner-occupied properties.

Property owners must correct all violations prior to selling a home, or transfer responsibility to purchasers through a Pre-Occupancy Agreement (\$495 fee).

For complete information on permit requirements and a detailed inspection guide, please visit the Residential Services page at [www.cityofdearborn.org](http://www.cityofdearborn.org)

Purchase price:	\$11,835.07
2011 Summer taxes paid:	\$ 2,437.94
2011 Winter taxes paid:	\$ 317.04
Water paid:	\$ 271.92
Current water due:	\$ 291.75
Inspection fee:	<u>\$ 200.00</u>
	\$15,353.72

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Hubbard.

2-77-12. RESOLVED: That City Council hereby concurs in Chief Judge Richard Wygonik's appointment of Adel A. Harb as a part-time attorney magistrate for the 19th District Court; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Hubbard.

2-78-12. RESOLVED: That receipt of a donation in the amount of \$750 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, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Shooshanian.

2-79-12. RESOLVED: That City Council hereby approves an exhibitor license for Galaxy Zone, 12841 Ford Road, for the installation and operation of thirty-four (34) coin operated machines; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Hubbard supported by Sareini.

2-80-12. RESOLVED: That the Dearborn Historical Museum and the General Henry Dearborn Quilting Society be and they are hereby granted permission to display signs on the City lawns of the Dearborn Historical Museum and the Commandant's Quarters for the biannual quilt show and raffle, "Traditions with a Twist" to be held on April 27-28, 2012.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Abraham supported unanimously.

2-81-12. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Loretta J. Adamczyk, 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, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).



By Sareini supported unanimously.

2-82-12. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Hajji Noel Alame Agemy, 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, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported unanimously.

2-83-12. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Randolph J. Dubitsky, 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, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Hubbard supported unanimously.

2-84-12. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Roy D. Maltese, 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, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Shooshanian.

2-85-12. WHEREAS: Vincent Tilford, Executive Director for Habitat for Humanity Detroit has requested that the City of Dearborn provide a letter of support for the project that is being proposed to Wayne County, utilizing funds from the HUD NSP3 (Neighborhood Stabilization Program), and

WHEREAS: Mr. Tilford has proposed to utilize HUD NSP3 funds to construct approximately 12 homes for low to moderate income families, and

WHEREAS: There are some target groups such as homeless veterans, those aging out of foster care, senior living, and victims of domestic violence that may be able to benefit from Habitat for Humanity's efforts, and

WHEREAS: Habitat for Humanity Detroit is submitting its application to Wayne County to have the project approved in February 2012, and

WHEREAS: Mr. Tilford is confident that the project will revitalize Dearborn neighborhoods, assist in providing affordable housing to those in need, and will generate tax revenue for the City, and

WHEREAS: There are many vacant properties that the City of Dearborn owns that may be conducive for Habitat for Humanity Detroit's project, and

WHEREAS: Currently, staff is working with Habitat for Humanity to identify specific areas of interest, and

WHEREAS: If the project is approved, Habitat for Humanity Detroit is requesting that the City of Dearborn become a partner in the effort, and

WHEREAS: Habitat for Humanity Detroit may potentially seek donations of land from the City to construct the new homes, and

WHEREAS: It is recommended that the City Council authorizes the Mayor to sign a letter of support on behalf of the City of Dearborn, supporting Habitat for Humanity Detroit's application to Wayne County to establish a project for low to moderate income housing in the City of Dearborn, utilizing Wayne County HUD NSP3 funds; be it therefore

RESOLVED: That the project proposed by Habitat for Humanity Detroit to utilize HUD NSP3 funds to construct approximately 12 homes for low to moderate income families is supported by the City of Dearborn; be it further

RESOLVED: That there are some target groups such as homeless veterans, those aging out of foster care, senior living, and victims of domestic violence that may be able to benefit from Habitat for Humanity's effort; be it further

RESOLVED: That the Dearborn City Council hereby authorizes the Mayor to sign a letter of support on behalf of the City of Dearborn, supporting Habitat for Humanity Detroit's application to Wayne County to establish a project for low to moderate income housing in the City of Dearborn, utilizing Wayne County HUD NSP3 funds; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazy, Hubbard, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

Kamal Mustafa, 23164 Nona - Requesting the City investigate the contract awarded to Chef Gourmet Catering for Catering Services at the Dearborn Hills Golf Course as the business was supposed to have been dissolved in 2009.

2-86-12. The communication was referred to the Legal Department.

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:34 P.M.

APPROVED:

THOMAS P. TAFELSKI  
President of the Council

ATTESTED:

KATHLEEN BUDA  
City Clerk