

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

March 19, 2013

The Council convened at 7:35 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Abraham, Bazy, Hubbard, O'Donnell, Shooshanian and Tafelski; absent, Councilmember Sareini. A quorum being present the Council was declared in session.

Pastor Mike Ewert of the Dearborn Free Methodist Church delivered the invocation.

By Hubbard supported by O'Donnell.

3-108-13. RESOLVED: That the minutes of the previous regular meeting of March 5, 2013, and the same are hereby approved as recorded and published.

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

Ordinance on the Table -

Ordinance No. 13-1385 "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning Lots 868-870 inclusive, Frischkorn's Columbus Park Subdivision No. 1 from a Residential A (One Family Residential District) to a VP (Vehicular Parking District) and Lots 871-881 inclusive, Frischkorn's Columbus Park Subdivision No. 1 from a Residential A (One Family Residential District) and VP (Vehicular Parking District) to a Business A (Local Business District) zoning classifications.

Resolution by Councilmembers Shooshanian and Hubbard - To take from the table for its final reading.

3-109-13. Ordinance No. 13-1385 remains on the table.

By O'Donnell supported by Shooshanian.

3-110-13. RESOLVED: That Ordinance No. 13-1386 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 13-1386, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning parcel 82-10-172-01-013 (10401 Ford Road) from an Industrial C (Intensive Industrial District) to a Business C (General 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?"

3-110-13. The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Bazzy supported by Abraham.

3-111-13. RESOLVED: That Ordinance No. 13-1387 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 13-1387, entitled, "An Ordinance to Amend the Traffic and Motor Vehicles Chapter (Chapter 18) of the Code of the City of Dearborn by Adding Section 18-173, entitled 'Prohibited Use of a Cellular Telephone by a Person Issued a Level 1 or Level 2 Graduated License, Exceptions'."

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?"

3-111-13. The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Bazzy supported by Hubbard.

3-112-13. RESOLVED: That Ordinance No. 13-1388 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 13-1388, entitled, "An Ordinance to Amend the Offenses Chapter (Chapter 14) of the Code of the City of Dearborn by Adding Sec. 14-175.2 to Division 1A (Medical Marijuana) of Article VI, entitled 'Transportation or Possession of Usable Marijuana; Penalty'."

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?"

3-112-13. The resolution was adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

Hubbard introduced Ordinance No. 13-1389, "An Ordinance to Amend the Fees for Permits and Inspections Chapter (Chapter 9) of the Code of the City of Dearborn by Adding a New article XVI Entitled 'City Planning'."

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 O'Donnell.

3-113-13. RESOLVED: That proposed Ordinance No. 13-1389 be laid on the table.

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

By Hubbard supported by Abraham.

3-114-13. WHEREAS: The City of Dearborn acquired the following land for the Dix-Vernor Public Improvement Project to make the Dix-Vernor intersection pedestrian friendly under Court Order Case #11-003767-CC, State of Michigan, Circuit Court for the County of Wayne:

"A parcel of land being part of Private Claim 216, T.2S.R.11E. south of Dix Avenue, City of Dearborn, Wayne County, Michigan more particularly described as follows:

Commencing at the north west corner of Vernor Highway, 138 ft. wide, and Dale Place 60 ft. wide; thence South 58°20'00" West 114.0 Feet, along said north line of Vernor Highway: Thence South 58°20'00" West, 85.18 feet to the Point of Beginning; Thence South 58°20'00" West, 166.36 feet; Thence North 25°27'00" East, 94.77 feet; Thence 104.44 feet along the arc of a curve to the left, said curve having a radius of 115.00 feet, a central angle of 52°02'02" and a cord bearing North 88°59'50" East, 100.89 feet, to the Point of Beginning, containing 0.089 acres of land more or less."

and

WHEREAS: During the 2012 construction season, the roadway and sidewalks were constructed over the above described land for public use, and

WHEREAS: The City Engineer has requested City Council dedicate the above described land as part of Right-of-Way of Vernor Highway to operate and maintain the roadway and sidewalks for the public, and

WHEREAS: The City Engineer has requested the Engineering Division be authorized to record the necessary documents with the Wayne County Register of Deed, subject to review by Corporation Counsel; be it

RESOLVED: That City Council hereby dedicates 0.089 acres of land on Vernor Highway at Dix Avenue as part of the Right-of-Way of Vernor Highway to operate and maintain roadway and sidewalks; be it further

RESOLVED: That City Council hereby authorizes the Engineering Division to record the necessary documents with the Wayne County Register of Deeds, subject to review by Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Shooshanian.

3-115-13. WHEREAS: In 1999, Ford Motor Land Development Corporation constructed a new building at 16901 Michigan Avenue for Automatic Data Processing (ADP). A new water main was also constructed at that time to provide water service and fire protection to the new building, and

WHEREAS: The 8" diameter water main was constructed to City standards, under City inspection and is in service for the property now owned by the City of Dearborn. The City was unable to obtain a water main easement from any of the previous owners before the building was vacated in 2010, and

WHEREAS: The subject property at 16901 Michigan Avenue is now owned by the City. Dedication of an easement is required for future maintenance of the new 8" diameter water main. The City Engineer has requested the City Council dedicate the attached described water main easement which is part of the City owned property located at 16901 Michigan Avenue to maintain the 8" diameter public water main, and

WHEREAS: The City Engineer has also requested the Engineering Division be authorized to record the necessary documents with the Wayne County Register of Deeds, subject to review by Corporation Counsel, be it

RESOLVED: That City Council hereby dedicates the Water Main Easement for the new Dearborn Administration Center located at 16901 Michigan Avenue to maintain the 8" diameter public water main; be it further

RESOLVED: That City Council hereby authorizes the Engineering Division to record the necessary documents with Wayne County Register of Deeds, subject to a review by Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Bazzy.

3-116-13. WHEREAS: A new 8" diameter water main, paid for by the Islamic Center of America located at 1900 Ford Road, has been constructed to City standards, under City inspection and is now in service for the Islamic Center of America. Prior to the City inspection and is now in service for the Islamic Center of America. Prior to the City accepting this water main, the City requires a water main easement from the Islamic Center of America, and

WHEREAS: The City Engineer has presented to City Council for approval the water main easement agreement from the Islamic Center of America for the construction and maintenance of the public water main, and

WHEREAS: The City Engineer has recommended and requested authorization to accept the water main easement, subject to approval of Corporation Counsel, and

WHEREAS: The City Engineer has also requested the Engineering Division be authorized to record the necessary documents with the Wayne County Register of Deeds; be it

RESOLVED: That City Council hereby authorizes the City Engineer to accept the water main easement, subject to approval of Corporation Counsel and the Engineering Division to record the necessary documents with the Wayne County Register of Deeds; be it further

RESOLVED: That this resolution be given immediate effect.

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



By Shooshanian supported by Bazzy.

3-117-13. RESOLVED: That all bids received for Street Paving, Curb, Catch Basin, and Sidewalk Replacement - 2013, Job # 2013-055 are hereby rejected except the bid of Zuniga Cement Construction, Inc. in an amount not to exceed \$1,749,300, 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 City Council hereby authorizes the Finance Director to recognize and appropriate \$20,000 for work requested by residents in the General Capital Improvement Fund, Public Works Billable Division and authorizing up to an additional \$20,000 for concrete work pursuant to demolitions; be it further

RESOLVED: That this contract shall be charged to the Major Street & Trunkline Fund, General Capital Improvement Fund, Local Street Fund, Sewer Fund, and Water Fund all under Project Q60613; be it further

RESOLVED: That the concrete work on City-owned properties shall be financed by the appropriate land acquisition project in the General Capital Improvement Fund, Demolition Expense Account; be it further

RESOLVED: That the concrete work for the non-City-owned properties shall be financed by the Residential Services Department, Building Demolition Services Account in the General Fund and will be billed to the property owner; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by O'Donnell.

3-118-13 RESOLVED: That all bids received for Water Main Replacement and Asphalt Street Paving Resurfacing, Phase 1 - 2013, Job #2012-080 are hereby rejected except the bid of DiPonio Contracting, Inc. in an amount not to exceed \$3,400,965.95, 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 City Council hereby approves a contingency in the amount of \$100,000 for any unforeseen conditions and authorizes the City Engineer to execute all change orders or modifications that utilize the contingency; be it further

RESOLVED: That in order to adequately fund this project City Council authorizes the Finance Director to recognize and appropriate \$232,900 of additional allocated Block Grant Funds in the Local Street Fund; be it further

RESOLVED: That this contract shall be charged to the Sewer Fund, Project N95300, Local Street Fund-Block Grant, Project Q60813, Local Street Fund-Act 51, Project Q60813, and the Water Fund, Project Q60813; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by O'Donnell.

3-119-13. RESOLVED: That all bids received for Employer Paid Life and Accidental Death & Dismemberment (AD&D) Insurance, are hereby rejected except the bid of Minnesota Life in the total amount not to exceed \$158,136, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal three-year 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 charged to the Employee Insurance, Finance Department, Insurance and Bonds Account; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Shooshanian.

3-120-13. RESOLVED: That all bids received for the Defined and Deferred Contribution Provider are hereby rejected except the proposal of Prudential Retirement Insurance in an estimated annual amount of \$87,629 with an additional \$10,800 in estimated annual training costs, that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal five-year contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That this contract shall be financed by the plan itself; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Shooshanian.

3-121-13. RESOLVED: That City Council hereby approves a contract increase with Wayne County in the amount of \$75,000, bringing the total contract to an amount not to exceed \$290,000, for Prisoner Housing at Wayne County Jail; be it further

RESOLVED: That this contract increase shall be charged to the General Fund, Police, Contractual Services Account; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Abraham.

3-122-13. WHEREAS: The City presently has a contract with Source HOV (C.R. 5-264-12) for Scanning and Archiving Services, and

WHEREAS: The MIS Department has requested City Council approve a contract modification with Source HOV in an estimated amount of \$500,000 to provide services as part of the document imaging initiative in progress for the departments that will be moving to the new City Hall location pursuant to Section 2-568(b) (6) h, Change Orders; be it

RESOLVED: That the contract for Scanning and Archiving Services is hereby modified with Source HOV in the estimated amount \$500,000; be it further

RESOLVED: That City Council authorizes the Finance Director to appropriate General Fund fund balance in the amount of \$539,510 as a transfer to the Informational Systems Fund, Project ZT2604; be it further

RESOLVED: That this contract modification shall be charged to the Technology Projects within the Information Systems Fund; 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: Tafelski (1). Absent: Sareini (1).

By Shooshanian supported by Hubbard.

3-123-13 WHEREAS: The City presently has a contract with Citizens Management Inc./Nickel & Saph (C.R. 3-123-13) for the Workers' Compensation Plan, and

WHEREAS: The original contract specifications allows for two renewals of one-year beyond the expiration of the present contract, and

WHEREAS: Citizens Management Inc./Nickel & Saph has offered to renew the present contract prices through April 6, 2014; be it

RESOLVED: That the contract for Workers' Compensation Plan is hereby renewed with Citizens Management Inc./Nickel & Saph through April 6, 2014 in an amount not to exceed \$80,101; be it further

RESOLVED: That this contract renewal shall be financed from the Workers' Compensation Fund, Law Department, Insurance/Risk Management, Professional Services Account; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Hubbard.

3-124-13. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6, authorizes sole source procurement in certain circumstances, and

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

RESOLVED: That ImageSoft be designated as a sole source for purchase of Consulting Services for City-wide Imaging in an amount not to exceed \$80,000 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be charged to the Information Systems Fund, MIS, Contractual Services Account, Project ZT2604; 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: Tafelski (1). Absent: Sareini (1).

By Bazzy supported by Shooshanian.

3-125-13. WHEREAS: Most general employee Chapter 22 members have been making a non-refundable pension contribution since December 30, 2012, and

WHEREAS: The City has agreed to refund 2% of the contribution to appointed members whose pension benefit is divided by an EDRO, and

WHEREAS: The City Charter, Section 17.2 requires that the City Council "shall obtain a report as to the immediate and long term costs of the change from a qualified actuary of its choosing and may not take final action until at least three months after the report of the actuary is made public at a meeting of the Council," and

WHEREAS: The proposed costs associated with the proposed amendment to the City of Dearborn General employees Retirement System from Gabriel, Roeder, Smith & Company, actuaries, is attached hereto and the retirement provision and costs thereof are summarized as follows:

**RETIREMENT PROVISION**

Members contribute 4% of pay annually. Contributions are non-refundable unless the lifetime annuity is forfeited. However, for an appointed member whose pension is divided by an Eligible Domestic Relations Order pursuant to a divorce at or prior to retirement, 2% of the contribution made will be refunded to the member.

**COSTS**

Actuarial Statement

The proposed provision will increase the cost to the retirement system by approximately \$4,300.00; therefore be it

RESOLVED: That the City Council hereby acknowledges and records the cost projections Gabriel, Roeder, Smith & Company, actuaries, attached hereto and related to the proposed amendment to the provision of the City of Dearborn General Employees Retirement System outlined hereinabove; be it further

RESOLVED: That final action upon the proposed ordinance amendment shall be deferred until the expiration of the three (3) month period identified by the 2008 City Charter, Section 17.2 be it further



RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by O'Donnell.

3-126-13. WHEREAS: Council Resolution 10-541-12 authorized the purchase of the substandard dwelling located at 2706 Home Place for \$8,000, under the Neighborhood Stabilization Program, and

WHEREAS: The house had been identified as an Operation Eyesore acquisition, and

WHEREAS: The owner of the house was in default to the bank that holds the mortgage, and

WHEREAS: The bank rejected the City's \$8,000 offer to buy the house, and

WHEREAS: Council Resolution 1-25-13 was adopted, amending the previous resolution and approving the purchase of the house for the increased offer price of \$10,000, and

WHEREAS: The realtor notified Corporation Counsel that the bank rejected the \$10,000 offer for a short sale, and

WHEREAS: It is recommended that the City Council rescinds Council resolutions 10-541-12 and 1-25-13, authorizing the purchase of 2706 Home Place for \$8,000 and \$10,000, respectively; therefore be it

RESOLVED: That the City Council hereby rescinds Council Resolutions 10-541-12 and 1-25-13 authorizing the purchase of 2706 Home Place for \$8,000 and \$10,000, respectively; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Shooshanian.

3-127-13. WHEREAS: The vacant lot located on Walwit was placed on the City's 2012 lot list for the new construction of a single-family house. The minimum bid price was \$24,600. No one bid on the property at the time, and

WHEREAS: Ali Hamka has offered to purchase this property for the minimum bid price of \$24,600 and is proposing to build a single-family dwelling on this property within one year of the date of the closing, and

WHEREAS: Ali Hamka has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council, and
2. Closing of this transaction must take place within ninety (90) days of the date 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 being declared null and void, and
3. If purchaser elects to sell the vacant property during the 12-month period, the purchaser must first offer to resell the property to the City for the purchase price, less 10%, and
4. The purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and
5. Construction of a single-family dwelling on this property must begin within a 12-month period from the date of closing. Construction shall be deemed started when:
  - a. The plans have been approved by the Building and Safety Department, and
  - b. Building permits have been issued, and
  - c. Excavation of the Basement/Foundation is started, and

6. Purchaser must complete construction before building permits expire, and
7. Purchaser agrees that, in constructing a single-family dwelling, he shall comply with **all** zoning requirements, including, but not limited to, setback, lot coverage, and compatibility requirements of the Dearborn Zoning Ordinance. Purchaser further acknowledges that this is a waiver of his right to seek a variance of these requirements, and
8. Purchaser must comply with Land Sale Guidelines.

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; be it therefore

RESOLVED: That this Council does hereby determine to effect the sale of the parcel described as:

Lots 105 and 106, Walwit Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 74 of Plats, Wayne County, Michigan.

Commonly known as vacant lot on Walwit  
Tax I.D. No. 82-10-183-02-037

to Ali Hamka for \$24,600; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a deed for said land to Ali Hamka 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 the Corporation Counsel and based upon Ali Hamka closing within ninety (90) days of the effective date of this Resolution; be it further

RESOLVED: That the sale is contingent upon the satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the property for the construction of a new house with serve a public purpose by revitalizing and stabilizing the neighborhood and by adding the property to the tax rolls to generate revenue for the City; be it further

RESOLVED: That if the purchaser wishes to sell the vacant property during this 12-month period, the City shall have the sole right to repurchase the vacant property for the sum of \$24,600, less 10%; 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Bazzy supported by Hubbard.

3-128-13. WHEREAS: The City of Dearborn has offered to purchase eight (8) parcels of vacant land on Hartwell Street from the Italian American Fraternal Club for the sum of \$106,000 cash, and

WHEREAS: The vacant land will be utilized for phase two of the Habitat for Humanity-Detroit new housing development, 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 HUD-Neighborhood Stabilization Program; therefore be it

RESOLVED: That this Council does hereby determine to acquire the property described as:

1. S 10 ft of Lot 106 and all of Lots 107 & 108 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as recorded in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as Hartwell  
Tax I.D. No. 82-10-171-20-041

2. Lot 109 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as recorded in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as 5127 Hartwell  
Tax I.D. No. 82-10-171-20-033

3. Lot 111 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as record in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as 5107 Hartwell  
Tax I.D. No. 82-10-171-20-031

4. Lot 116 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as record in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as 5053 Hartwell  
Tax I.D. No. 82-10-171-20-026

5. Lot 117 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as record in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as 5045 Hartwell  
Tax I.D. No. 82-10-171-20-025

6. Lot 118 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as record in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as 5041 Hartwell  
Tax I.D. No. 82-10-171-20-024

7. Lot 119 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as record in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as 5033 Hartwell  
Tax I.D. No. 82-10-171-20-023

8. Lot 120 Woodridge Park Sub, City of Dearborn, Wayne County, Michigan as record in Liber 30, Page 59 of Plats, Wayne County Records.

Commonly known as Hartwell  
Tax I.D. No. 82-10-171-20-022

from the owner thereof and pay therefore the purchase price not to exceed \$106,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the Purchase Agreement as reviewed, approved and executed by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue warrant in the amount of \$106,000, subject to adjustments, if any, as shown on the Closing Statement, reviewed and approved by the Office of the Corporation Counsel, drawn upon the Community Development Fund (283) Project No. C07300 or CIP Fund (401) Project No. C05500, payable to the grantor, or their nominee, in payment of said properties; 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, Bazy, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Bazy supported by Hubbard.

3-129-13. WHEREAS: The City of Dearborn and The University of Michigan-Dearborn(UM-D)have agreed to jointly develop a non-motorized connection between the UM-D campuses and to the new student housing at the Fairlane Town Center; and

WHEREAS: The City and UM-D successfully applied to the Michigan Department of Transportation (MDOT) for non-motorized grant matching funds (50/50) to help defray the local costs of the in an amount not to exceed \$242,829.75; and

WHEREAS: Council Resolution 6-314-12 authorizing the use of \$200,000 from the City's Major Street and Trunk Line fund to provide local match and design funds and UM-D committed an additional \$150,000 for its local match and design funds, providing a total project budget of \$592,829.75; and

WHEREAS: The UM-D Evergreen Greenway project is scheduled to be constructed in 2013 and in particular the Evergreen pedestrian crossing segment is scheduled to open on August 15,2013 to accommodate resident students at the Union at Dearborn student housing project; NOW THEREFORE BE IT; and

RESOLVED: That the Mayor is authorized to execute the grant agreement for the UM-D Evergreen Greenway project with MDOT as the responsible local party for the Greenway project; be it further

RESOLVED: That the Mayor is authorized to execute the necessary easements and agreements pertaining to the development and maintenance of this project from several adjacent property owners including but not limited to The University of Michigan-Dearborn, Wayne County, The Union at Dearborn, Ford Land, Henry Ford Health System, the Fairlane Club and potentially Fairlane Woods; be it further

RESOLVED: That the City acknowledges that for a period of ten years, UM-D will provide snow removal, debris and trash clearing from the .8 mile Evergreen Greenway as part of its maintenance agreement with the City; be it further

RESOLVED: That this resolution be given immediate effect.

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



By O'Donnell supported by Shooshanian.

3-130-13. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Vincent P. Spica, to the East Dearborn Downtown Development Authority for a term ending June 30, 2015.

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

By Bazzy supported by O'Donnell.

3-131-13. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Kevin J. Watts, to the Planning Commission for a term ending June 30, 2014.

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

By Shooshanian supported by Bazzy.

3-132-13. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Glen M. Green, to the Zoning Board of Appeals for a term ending June 30, 2016.

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

By O'Donnell supported by Shooshanian.

3-133-13 RESOLVED: That City Council hereby authorizes the Finance Director to recognize and appropriate the expenditure of a donation in the amount of \$8,460.82 from the Mildred Holloway Estate Trust to the Meals on Wheels program as well as other Recreation & Parks Department, Senior Services Division programs/activities; be it further

RESOLVED: That City Council hereby directs the City Treasurer to credit to the Designated Purposes Fund, Mildred Holloway Estate Trust, Project #Z77618, Distribution Account #276-3090-365.90-00, 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 adopted as follows: Yeas: Abraham, Bazzy, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Bazzy supported by Shooshanian.

3-134-13. WHEREAS: April 11, 2013, marks the 45<sup>th</sup> anniversary of the passage of the US Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens, and

WHEREAS: The City of Dearborn is committed to highlight the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, by continuing to address discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to help assure every American of their right to fair housing; therefore be it

RESOLVED: That April 2013, being Fair Housing Month, begins a year-long commemoration of the US Fair Housing Law in the City of Dearborn and that all citizens are urged to wholeheartedly recognize this celebration throughout the year; be it further

RESOLVED: That this resolution be given immediate effect.

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

NEW BUSINESS

By Abraham supported by Bazzy.

3-135-13. RESOLVED: That City Council hereby authorizes the Director of Finance to reallocate the sum of \$3,000 within the Budget from the Operating Supplies/Equipment Account to the Witness Fees Account; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported unanimously.

3-136-13. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Paula L. Fulkerson, 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By O'Donnell supported unanimously.

3-137-13. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of James F. Greene, 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Tafelski supported unanimously.

3-138-13. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Anna M. Guido, 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Hubbard supported by O'Donnell

3-139-13            WHEREAS: The STP filed an Unfair Labor Practice charge (ULP) regarding implementation of the 80/20 health care premium co-pay. Although the City and the Union subsequently agreed to a contract including the co-pay, there was a dispute as to the effective date and the ULP was not dismissed, and

                      WHEREAS: The City and the Union met at the Michigan Employment Relations Commission (MERC) on March 15, 2013. At the MERC, the Union agreed to extend the contract through June 30, 2015 with no wage increase during the last year of the contract, and

                      WHEREAS: the City agreed to a one time credit of one PTO day to each non-probationary member's PTO bank and the ULP will be dismissed with prejudice. The revised tentative agreement is attached, and

                      WHEREAS: The Union is voting on the new proposal and it will be known by March 25, 2013 if they ratify; be it therefore

                      RESOLVED: That the tentative agreement between the City of Dearborn and the STP Union for the period of July 1, 2010 through June 30, 2015 is hereby approved; be it further

                      RESOLVED: That this agreement is subject to Union ratification and adoption by the Civil Service Commission.

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

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:14 P.M.

APPROVED:

\_\_\_\_\_  
President of the Council

ATTESTED:

\_\_\_\_\_  
City Clerk