

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

January 14, 2014

The Council convened at 7:31 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazzy, Sareini, Shooshanian, Tafelski and President of the Council Dabaja; absent, O'Donnell. A quorum being present, the Council was declared in session.

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

By Bazzy supported by Tafelski.

1-1-14. RESOLVED: That the minutes of the previous regular meeting of December 17, 2013 and special closed meeting of December 10, 2013 and the same are hereby approved as recorded and published.

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

By Bazzy supported by Shooshanian.

1-2-14. RESOLVED: That Ordinance No. 13-1415 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 13-1415 entitled, "An Ordinance to Adopt and Restate a Deferred Compensation Plan for City of Dearborn Employees."

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?"

1-2-14. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Tafelski.

1-3-14. RESOLVED: That Ordinance No. 13-1416 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 13-1416 entitled, "An Ordinance to Adopt and Restate a Defined Contribution Plan for City of Dearborn Employees."

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?"

1-3-14. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

Councilmember Tafelski introduced Ordinance No. 14-1417, entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Section 1.03 of Article 1.00 (Definitions) entitled 'Family Day Care Home'."

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 Shooshanian.

1-4-14. RESOLVED: That proposed Ordinance No. 14-1417 be laid on the table.

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

Councilmember Tafelski introduced Ordinance No. 14-1418, entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Section 10.02 of Article 10.00 (R-A and R-B, One Family Residential Districts), entitled 'Permitted Uses and Structures'."

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 Shooshanian.

1-5-14. RESOLVED: That proposed Ordinance No. 14-1418 be laid on the table.

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

Councilmember Tafelski introduced Ordinance No. 14-1419, entitled, "An Ordinance to amend the Zoning Ordinance of the City of Dearborn by Amending Section 11.02 of Article 11.00 (R-P, Residential Preservation District), entitled 'Permitted Uses and Structures'."

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 Abraham.

1-6-14. RESOLVED: That proposed Ordinance No. 14-1419 be laid on the table.

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

By Bazzy supported by Shooshanian.

1-7-14. WHEREAS: The City Engineer has presented to City Council for approval the Michigan Department of Transportation (M-DOT) Contract No. 13-5703 which provides for:

PART A - FEDERAL PARTICIPATION

Resurfacing work along Schaefer Road from Ford Road (Highway M-153) to Warren Avenue; including cold milling, hot mix asphalt paving, concrete pavement, pavement repair, concrete curb and gutter, sidewalk ramp. pavement marking work; and all together with necessary related work.

PART B - NO FEDERAL PARTICIPATION

Water main and associated sidewalk work along Schaefer Road from Ford Road (Highway M-153) to Warren Avenue; and all together with necessary related work.

WHEREAS: The project cost and the respective shares of the parties, after Federal Aid is estimated is as follows:

	Total Estimated Cost	Federal Aid	City Share
Part A (construction)	\$1,855,800	\$1,518,972	\$336,828
Part A (construction engineering, Inspection & Testing)	\$278,400	\$227,828	\$50,572
Part B (construction)	\$652,400	\$0	\$652,400
Total	\$2,786,600	\$1,746,800	\$1,039,800

and

WHEREAS: The City Engineer has requested that the Mayor be authorized to sign the contract on behalf of the City, subject to a review by the Legal Department, be it therefore

RESOLVED: That City Council hereby approves Michigan Department of Transportation Contract No. 13-5703, MDOT Job #120431, in the amount of \$2,786,600 of which the City's share is \$1,039,800 for Asphalt Resurfacing Work and Water Main Replacement Work along Schaefer Road from Ford Road to Warren Avenue, Dearborn Job #2012-075, C.I.P. Q61114; be it further

RESOLVED: That City Council hereby authorizes the Mayor to sign the contract on behalf of the City, subject to a review by the Legal Department; be it further

RESOLVED: That this project will be funded by CIP Q61114 Major Street Fund in the amount of \$336,828 and Q61114 Water Fund in the amount of \$652,400; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Sareini.

1-8-14. RESOLVED: That City Council hereby approves Contract Amendment No. 1 with the Michigan Department of Transportation in the amount of \$70,000, bringing the total contract amount to \$1,738,800, for Hot Mix Asphalt Resurfacing Work and Water Main Replacement Work along Cherry Hill Street from Gulley Road to Telegraph Road, Dearborn Job # 11-09-061; be it further

RESOLVED: That this Contract Amendment shall be financed as part of CIP Q59512 Major Street Fund in the amount of \$25,000 and CIP Q59512 Water Fund in the amount of \$45,000; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Shooshanian.

1-9-14. RESOLVED: That all bids received for CSO Sewer Separation - Sanitary Sewer Construction on Omaha Beach Drive and Normandy Lane are hereby rejected except the bid of Angelo Iafrate Construction Company in the total amount of \$544,544, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Sewer Fund, Public Works, Constructions Services account, Project N95300; be it further

RESOLVED: That a contingency amount of \$50,000 is hereby approved to provide for any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project; be it further

RESOLVED: That the City Engineer be and is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Tafelski.

1-10-14. RESOLVED: That all bids received for Mechanical Systems Maintenance and Inspections for Senior Housing Buildings are hereby rejected except the bid of Johnson Controls, Inc. in an amount not to exceed \$119,880, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Fund-Repair & Maintenance of Buildings budget; be it further

RESOLVED: That this contract shall be for a term of two years with two (2) one-year renewal options contingent upon satisfactory performance; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Bazzy.

1-11-14. RESOLVED: That all bids received for Purchase of two (2) Dell Servers are hereby rejected except the bid of UltraLevel, Inc. in an amount not to exceed \$37,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Information Systems Fund, MIS, Capital Equipment budget, Project ZT2605; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Abraham.

1-12-14. RESOLVED: That all bids received for Purchase of Cisco Switches are hereby rejected except the bid of CDW-G in an amount not to exceed \$75,670.91, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Information Systems Fund, MIS, Capital Equipment budget, Project ZT2605; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Tafelski.

1-13-14. RESOLVED: That all bids received for Asphalt Pavement Replacement at King Boring Field are hereby rejected except the bid of Al's Asphalt Paving Co., Inc. in an amount not to exceed \$30,425, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement Fund, Recreation Sports Programs Funds account (Project I28913); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Tafelski.

1-14-14. RESOLVED: That all bids received for Lighting Replacement at King Boring Field are hereby rejected except the bid of Airport Lighting Employee Owned, LLC in an amount not to exceed \$147,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement Fund, Recreation Sports Programs Funds account (Project I51212); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Tafelski.

1-15-14. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6, authorizes sole source procurement in certain circumstances.

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

RESOLVED: That DTE Energy be designated as a sole source for purchase of Street Light Fixtures Replacement in an amount not to exceed \$138,948 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from General Capital Improvement Fund, Public Works, Street Lights Repair and Maintenance budget, Project S04801; be it further

RESOLVED: That the Finance Director is hereby authorized to establish Capital Improvement Project S04801 for the street light fixtures replacement and to recognize the revenue and appropriate the DTE Energy Optimization Rebates in the amount of \$28,476 and appropriate fund balance from the General Capital Improvement Fund in the amount of \$110,472; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Tafelski.

1-16-14. RESOLVED: That all bids received for Purchase of two (2) Combination Tools, Personal Power Units and Rescue Equipment Hoses for the Fire Department are hereby rejected except the bid of First Due Fire Supply Company in an amount not to exceed \$26,609.04, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Fire Department Designated Purposes Fund, Operating Supplies, Project Z77621; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Bazzy.

1-17-14. RESOLVED: That all bids received for Purchase of Turnout Gear are hereby rejected except the bid of First Due Fire Supply Company in an amount not to exceed \$34,757.42, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Fund, Fire, Operative Supplies budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Abraham.

1-18-14. RESOLVED: That all bids received for Furniture for the Intermodel Passenger Station are hereby rejected except the bid of WorkSquared in an amount not to exceed \$110,261.57, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the ECD, Capital Improvement, Furniture and Equipment budget, Project J08011; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Shooshanian.

1-19-14. RESOLVED: That City Council hereby authorizes a contract increase with Enviro Matrix in the amount of \$5,000, bringing the total contract to an amount not to exceed \$31,375, for Lot Survey Services; be it further

RESOLVED: That this contract increase shall be financed from the Land Acquisition for Resale fund, #401-1500-435.30-65, Project #C10000; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Bazzy.

1-20-14. WHEREAS: The City of Dearborn Treasury Division reported \$349,753.47 in delinquent miscellaneous and special assessment billings as of December 31, 2013.

WHEREAS: In accordance with City Charter, the Treasury Division certifies that the amounts are due the City for the several services affecting private property as follows:

Weed Cuttings	\$ 91,034.00
Nuisance Abatements	35,054.00
Annual Inspections - ECD	6,179.00
Fire Inspections	1,500.00
Annual Monitoring	2,000.00
Special Pickup	11,125.00
Recycle Bins	1,595.00
Trees	1,487.50
Secure/Board-Up Building	9,724.90
Demo/Demo Related Bills	81,537.85
False Alarm Bills	10,725.00
Fire False Alarm Bills	440.00
General Fund Interest	12,646.76
Sidewalk Bills	17,500.13
Sewer	66,787.71
<u>SD869</u>	<u>416.62</u>
Total	\$349,753.47

and

WHEREAS: The City of Dearborn Treasury Division requests that these miscellaneous receivable and special assessment items spread on the 2013 Miscellaneous Receivable Assessment Roll as supported by the subsidiary Accounts Receivable Systems; be it therefore

RESOLVED: That this Council does hereby confirm and approve the Consolidated Miscellaneous Roll for 2013 for the several services affecting private property in the approximate amount of \$349,753.47 plus 25% per Council Resolution 11-1102-02; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Shooshanian.

1-21-14. WHEREAS: Council Resolution 11-592-12 authorized the Mayor to execute an agreement with Habitat for Humanity Detroit, providing \$150,000 of HUD-NSP3 funds to support the cost of additional and desirable amenities for their new housing construction project.

WHEREAS: The original budget for the Habitat for Humanity Phase 1 Project was based on estimated costs. now that the project is near completion it has been determined that an additional \$3,604 for each unit is needed for the additional amenities required by the City of Dearborn.

WHEREAS: This proposed Council Resolution increases the amount of HUD-NSP3 funding in the amount \$21,624 and amends the funds available for this project from a maximum of \$150,000 to a **maximum of \$171,624**; be it therefore

RESOLVED: That Council Resolution No. 11-592-12 is hereby revised to authorize the Mayor to execute an agreement with Habitat for Humanity Detroit, providing up to \$171,264 to support the actual construction costs for the additional and desirable amenities for the NSP3 portion of their new housing construction project; be it further

RESOLVED: That the Economic and Community Development Department is hereby authorized to administer the agreement in accordance with program regulations; be it further

RESOLVED: That the Finance Department is hereby authorized to receive and disburse funds as authorized within this resolution (HUD-NSP3: CIP#C07300); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Bazzy.

1-22-14. WHEREAS: Mohamed Ayoubi, who owns and resides at 6615 Appoline, a single family home with a driveway and a detached garage. Kathleen Kuebler, who owns and resides at 6601 Appoline, a single family home with a driveway and a detached garage, are asking the City of Dearborn to split and sell to them the vacant lot located between their lots so that they may combine that portion of the lot with the adjacent lots they own.

WHEREAS: The Assessor's Department valued the unbuildable lot at \$4,400.

WHEREAS: Sale is conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Lots may not be resplit or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with Purchasers' adjacent land.

7. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
8. If Purchasers violate any of the restrictions imposed, they are obligated to sell the property back to the City for \$2,200, less 10% and less costs associated with the transfer of property back to the City,

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 at a price of \$2,200 to Mohamed Ayoubi of the parcel described as:

North 17 ft. of Lot 198, Schanhite-Morrison Garden Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 28 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-081-23-021

and to effect the sale at a price of \$2,200 to Kathleen Kuebler of the parcel described as:

South 17 ft. of Lot 198, Schanhite-Morrison Garden Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 28 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-081-23-021

and that the Mayor be and is hereby authorized to execute a Deed for said land to Mr. Ayoubi and Ms. Kuebler 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 Mr. Ayoubi and Ms. Kuebler closing simultaneously within ninety (90) days of the effective date of this Resolution; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied. upon the satisfaction of the terms contained in the Offer to Purchase Real Estate; 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 the vacant lot at 6609 Appoline as side yard for the expansion of lots is consistent with the public purpose identified when the City originally purchased the property through the HUD \$1 Program and serves a public purpose by promoting lot expansion to enhance the neighborhoods; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Tafelski.

1-23-14. WHEREAS: Council Resolution 10-530-13 authorized the sale of 5034 Argyle to Fadi Hamam and Lina Abboud. Unfortunately, Mr. Hamam and Ms. Abboud were unable to get financing approved from their mortgage lender; and

WHEREAS: Sami T. Elhady and Belqes A. Alemad (15608 Woodland Dr., Dearborn), subject to the requirements for participation in the First-Time Homebuyer Program (CR 2-108-12, as amended), have offered to make a cash purchase transaction for the renovated residential property at 5034 Argyle at a sale price of \$140,000; and

WHEREAS: Based on the current value price provided by the Assessor, on October 17, 2013, **the maximum non-negotiable sale price for this property is \$140,000;** and

WHEREAS: Sami T. Elhady is an employee of the City of Dearborn in the Housing Department. The sale of 5034 Argyle to a City employee is not considered a conflict of interest based on First-Time Homebuyer Program Guidelines, CR 3-166-12; and

WHEREAS: They have also agreed to make this purchase in cash by way of a personal gift from a family member. The First-Time Homebuyer guidelines, CR 3-166-12 allow for alternative methods for disposition of renovated residential property for homebuyers with a personal preference or religious requirements for cash transactions; and

WHEREAS: The First-Time Homebuyer Program provides homebuyer financial assistance (affordability discount and closing cost assistance) that will be provided in the form of a zero-interest, deferred loan secured by a program mortgage and note that is due in upon sale, transfer, or other default of the conditions for assistance.

WHEREAS: The Sale is conditioned on the following:

1. The selected homebuyers agree to own and occupy the property as their primary residence.
2. The selected homebuyers will execute a program mortgage and note to secure the HUD-NSP homebuyer financial assistance amount.
3. The selected homebuyers accept the property "AS IS".

4. The selected homebuyers may not assign their purchase option.
5. Closing of this transaction must take place within one hundred twenty (120) days of the effective closing date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, and the sale declared null and void,

and

WHEREAS: Council believes that this offer is reasonable and is in accordance with the spirit and intent of the First-Time Homebuyer Program; be it therefore

RESOLVED: That CR 10-530-13 authorizing the sale of this property to Fadi Hamam and Lina Abboud is rescinded; be it further

RESOLVED: That this Council does hereby determine to affect the sale at a price of \$140,000 to Sami T. Elhady and Belqes A. Alemad of the residential property described as:

Lot 267 Ardross Sub, City of Dearborn, Wayne County, Michigan. As recorded in Liber 36, Page 30 of Plats, Wayne County Records.

Tax ID No. 82-10-182-23-006  
Commonly known as 5034 Argyle, Dearborn, MI.

be it further

RESOLVED: That the sale of the rehabilitated house located at 5034 Argyle serves a public purpose by adding the house to the tax rolls to generate revenue for the City, serves the public purpose intended by the HUD NSP Program. is in accordance with the spirit and intent of the First-Time Homebuyer Program; 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 cash sale of 5034 Argyle; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a Deed for said residential property to Sami T. Elhady and Belges A. Alemad upon delivery to the City of the net purchase price (above purchase price less homebuyer financial assistance), executed program mortgage and note. full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement reviewed by Corporation Counsel; be it further

RESOLVED: That the proceeds of this transaction shall be deposited to the Community Development Fund (283) Project No. C07300/C07700; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Bazzy.

1-24-14. WHEREAS: Nathanael Jones and Miranda Gubaci, subject to the requirements for participation in the First-Time Homebuyer Program (CR# 2-108-12), have offered to purchase the renovated residential property at 801 N. Mayburn at a sale price of \$102,000.

WHEREAS: Nathanael Jones and Miranda Gubaci may qualify for homebuyer financial assistance (affordability discount and down payment or closing cost assistance) that will be provided in the form of a zero-interest, deferred loan secured by a program mortgage and note that is due in upon sale, transfer, or other default of the conditions for assistance.

WHEREAS: The Sale is conditioned on the following:

1. The selected homebuyers agree to own and occupy the property as their primary residence.
2. The selected homebuyers will execute a program mortgage and note to secure the homebuyer financial assistance amount.
3. The selected homebuyers accept the property "AS IS".
4. The selected homebuyers may not assign their purchase option.
5. Closing of this transaction must take place within one hundred twenty (120) days of the effective closing date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, and the sale declared null and void,

and

WHEREAS: Council believes that this offer is reasonable and is in accordance with the spirit and intent of the First-Time Homebuyer Program; be it therefore

RESOLVED: That this Council does hereby determine to affect the sale at a price of \$102,000 to Nathanael Jones and Miranda Gubaci of the residential property described as:

Lot 671, Dearborn Telegraph Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 52, Page 29 of Plats, Wayne County Records.

Tax ID No. 82-09-174-04-019  
Commonly known as 801 N. Mayburn, Dearborn, MI.

be it further

RESOLVED: That the sale of the rehabilitated house located at 801 N. Mayburn serves a public purpose by adding the house to the tax rolls to generate revenue for the City, serves the public purpose intended by the HUD Dollar Sale Program. is in accordance with the spirit and intent of the First-Time Homebuyer Program; 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 sale of 801 N. Mayburn; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a Deed for said residential property to Nathanael Jones and Miranda Gubaci upon delivery to the City of the net purchase price (above purchase price less homebuyer financial assistance), executed program mortgage and note. full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement reviewed by Corporation Counsel; be it further

RESOLVED: That the proceeds of this transaction shall be deposited to the Community Development Fund (283) Project No. C07700; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Sareini.

1-25-14. WHEREAS: Nagi M. Jahmee and Majeda Jahmee, subject to the requirements for participation in the First-Time Homebuyer Program (CR# 2-108-12), have offered to purchase the renovated residential property at 6158 Orchard at a sale price of \$109,000.

WHEREAS: Nagi M. Jahmee and Majeda Jahmee may qualify for homebuyer financial assistance (affordability discount and down payment or closing cost assistance) that will be provided in the form of a zero-interest, deferred loan secured by a program mortgage and note that is due in upon sale, transfer, or other default of the conditions for assistance.

WHEREAS: The Sale is conditioned on the following:

1. The selected homebuyers agree to own and occupy the property as their primary residence.
2. The selected homebuyers will execute a program mortgage and note to secure the homebuyer financial assistance amount.
3. The selected homebuyers accept the property "AS IS".
4. The selected homebuyers may not assign their purchase option.
5. Closing of this transaction must take place within one hundred twenty (120) days of the effective closing date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, and the sale declared null and void,

and

WHEREAS: Council believes that this offer is reasonable and is in accordance with the spirit and intent of the First-Time Homebuyer Program; be it therefore

RESOLVED: That this Council does hereby determine to affect the sale at a price of \$109,000 to Nagi M. Jahmee and Majeda Jahmee of the residential property described as:

Lot 851, Albert P. Ternes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 12 of Plats, Wayne County Records.

Tax ID No. 82-10-073-18-001  
Commonly known as 6158 Orchard, Dearborn, MI.

be it further

RESOLVED: That the sale of the rehabilitated house located at 6158 Orchard serves a public purpose by adding the house to the tax rolls to generate revenue for the City, serves the public purpose intended by the HUD NSP Program. is in accordance with the spirit and intent of the First-Time Homebuyer Program; 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 sale of 6158 Orchard; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a Deed for said residential property to Nagi M. Jahmee and Majeda Jahmee upon delivery to the City of the net purchase price (above purchase price less homebuyer financial assistance), executed program mortgage and note. full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement reviewed by Corporation Counsel; be it further

RESOLVED: That the proceeds of this transaction shall be deposited to the Community Development Fund(283)Project No. C07700; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Bazzy.

1-26-14. WHEREAS: The 2008 City Charter, Section 10.8 provides for a term of office for administrative department heads co-existent to the Mayor's term of office (January 1, 2018), or until a successor is appointed. Section 6.6 provides that the City Council "shall fix the compensation of appointed officers prior to appointments to the office" and Section 6.8 may authorize annual adjustments to salaries "equal to the average percentage of increases or decreases in salary paid to all full-time employees of the City and adjustments to benefit programs as received by all full-time employees of the City", and

WHEREAS: Data suggests that many of the City's appointees are working for a lower on-average compensation level than what their counterparts earn in other cities; be it therefore

RESOLVED: That beginning January 6, 2014, the salaries to be paid to the following appointed officials shall be as hereinafter set forth:

<u>APPOINTED DIRECTOR POSITIONS</u>	<u>AMOUNT OF SALARY PER ANNUM</u>
Police Chief	\$113,079
Chief of Staff	\$112,697
Corporation Counsel	\$108,804
Fire Chief	\$107,000
Director of Public Works	\$102,997
Director of Finance	\$101,794
Director of Management of Information Systems	\$100,284
Director of Economic & Community Development	\$ 97,524
Director of Recreation	\$ 94,035
Director of Public Information	\$ 85,455
Director of Residential Services	\$ 84,306

<u>OTHER APPOINTED POSITIONS</u>	<u>AMOUNT OF SALARY PER ANNUM</u>
Chief Labor Negotiator	\$ 96,968
Deputy Fire Chief	\$ 93,854
Sustainability Coordinator	\$ 73,932

be it further

RESOLVED: That pursuant to Section 6.8 of the 2008 City Charter, in addition to the salaries set forth above, each of the appointed officials shall participate in all benefit programs as received by all full-time employees of the City, including but not limited to pension, health care, life insurance, dental, longevity, personal time off, and sick time, and adjustments thereto as authorized for all full-time employees, including police and fire employees; be it further

RESOLVED: That effective each succeeding July 1, the salaries established for each of the above positions may be adjusted by the average percentage of increases or decreases in salary paid to all full-time employees of the City, including police and fire employees, and adjustments to benefit programs received by all full-time employees of the City, including police and fire employees; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Bazzy.

1-27-14. WHEREAS: The City of Dearborn entered into an agreement with the Village of Milford in 1989 to provide sewage disposal services for Camp Dearborn.

WHEREAS: The current agreement expired in 2007. the parties have been operating status quo since that time.

WHEREAS: The City of Dearborn and the Village Manager of the Village of Milford, Mr. Brent Morgan, had discussions in the summer of 2013 regarding the best way to move forward with a new agreement. At that time the City agreed to retain OHM (which is also working for the Village of Milford) for an amount not to exceed \$11,200 to evaluate what the new rates should be.

WHEREAS: On August 16, 2013, the City Council authorized (C.R. 8-431-13) the City of Dearborn to enter into a 180-day interim agreement with the Village of Milford to negotiate a new operating agreement. Due to the vacancy of the Village Manager in the Village of Milford, it is necessary for the City of Dearborn to enter into a second 180-day interim agreement in order to negotiate the new operating agreement; be it therefore

RESOLVED: That it is agreed by the parties that the terms and conditions contained in the April 29, 1989 Agreement are readopted by the parties and shall remain in full force and effect from December 13, 2013 for a period of one hundred eighty (180)days; be it further

RESOLVED: That the Village of Milford agrees to facilitate the hiring of a qualified engineer/financial consultant to generate a site specific sewer rate study, or similar economic model, which shall be paid by the City of Dearborn; be it further

RESOLVED: That the Village of Milford and the City of Dearborn shall negotiate a new intergovernmental agreement as expeditiously as possible; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Shooshanian.

1-28-14. WHEREAS: The Corporation Counsel has recommended that the City of Dearborn join with Livonia, Southfield, Meridian Township and other communities to conduct an audit of AT&T's franchise fees. This is a due diligence activity to ensure that Dearborn is receiving all of the fees to which it is entitled.

WHEREAS: In October 2013, AT&T notified the City that it was taking a credit of nearly \$14,000 against the franchise fees it owed the City. AT&T claims that its internal error in failing to account for customer refunds prompted the overpayment to the City.

WHEREAS: In response, a consortium of Michigan cities and townships intends to audit AT&T using Ashpaugh & Sculco, CPAs, PLC, a Florida-based accounting firm with extensive experience in auditing cable and video providers. The City's share of the cost of the group audit is not expected to exceed \$7,000. Meridian Township is leading the coalition.

WHEREAS: This transaction will require an amendment to the Telecommunications Fund balance to make a contribution to the Department of Public Information, with a corresponding amendment to the Department of Public Information's fiscal year 2014 budget; be it therefore

RESOLVED: That Corporation Counsel is hereby authorized to enter into an agreement with the communities involved in the audit to be performed of AT&T's franchise fees; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to appropriate Telecommunications Fund fund balance in the amount of up to \$7,000. to transfer the money to DPI's Telecommunications Division (CDTV) contractual services account of 298-2350-874.34-90; be it further

RESOLVED: That the Finance Department is hereby authorized to pay Meridian Township up to \$7,000 for the City's share of the audit expense; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported unanimously.

1-29-14. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Agnes Marie Dobronski.

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it therefore

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, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Tafelski supported unanimously.

1-30-14. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of John V. Errigo Sr..

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it therefore

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, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Tafelski supported unanimously.

1-31-14. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Rose Mary Guido.

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it therefore

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, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported unanimously.

1-32-14. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Norman Hilal Hammoud.

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it therefore

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, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Sareini supported by Bazzy.

1-33-14. RESOLVED: That pursuant to Section 10.2(b) of the 2007 City Charter, the City Council hereby concurs in the Mayor's re-appointment of Debra A. Walling as Dearborn's Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Abraham.

1-34-14. RESOLVED: That pursuant to Section 11.13 of the 2007 City Charter, the City Council hereby concurs in the Mayor's re-appointment of Kim Craig as Dearborn's Chief Labor Negotiator; be it further

RESOLVED: That this resolution be given immediate effect.

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

1-35-14. From Lee S. Jacobson, 865 S. Highland - Suggesting that the City provide residents with alternative designated parking during snow emergencies.

This communication was referred to the Traffic Commission.

There being no further business, upon a motion duly made, seconded. adopted, the Council then adjourned at 8:51 P.M.

APPROVED:

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

ATTESTED:

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