

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

April 15, 2014

The Council convened at 7:32 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazy, O'Donnell, Sareini, Shooshanian, Tafelski and President of the Council Dabaja; absent, None. A quorum being present, the Council was declared in session.

Pastor Dan Jongsma of Dearborn Christian Fellowship delivered the invocation.

By Tafelski supported by O'Donnell.

4-164-14. RESOLVED: That the minutes of the previous regular meeting of April 1, 2014 and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

4-165-14. WHEREAS: Council Resolution No. 5-379-78 established the "City of Dearborn Plant Rehabilitation District No. 1" encompassing the Dearborn Rouge Complex and other contiguous industrial properties, and

WHEREAS: The City Council approved Ford Motor Company's Original Application for an Industrial Facilities Tax Exemption Certificate pursuant to Council Resolution 10-576-12 for twelve (12) years plus a 2 year construction period in the estimated amount of \$305,031,800 for the installation of machinery and equipment requisite to modernize the Dearborn stamping Plant located at 3001 Miller Road within the "City of Dearborn Plant Rehabilitation District No. 1", and

WHEREAS: The City Clerk has received one (1) Amended Application for Industrial Facilities Tax Exemption Certificate from Ford Motor Company, 3001 Miller Road, covering new personal property located within the "City of Dearborn Plant Rehabilitation District No. 1" for installation of additional machinery and equipment to modernize the Dearborn Stamping Plant in the revised total amount of \$488,454,200 for personal property, and

WHEREAS: Ford Motor Company has requested the Industrial Facilities Tax Exemption for twelve (12) years following a two (2) year construction period, and

WHEREAS: Act No. 198, P.A. of 1974, as amended, Section 6 (MCLA 207.556) provides:

SEC 6. The legislative body of the local government unit, not more than 60 days after receipt by its Clerk of the application, shall by resolution either approve or disapprove the Application for an Industrial Facilities Exemption Certificate in accordance with Section 9 and the other provisions of this act. If disapproved, the reasons shall be set forth in writing in the resolution. If approved, the Clerk shall forward the application to the Commission. If disapproved, the Clerk shall return the application to the applicant. The applicant may appeal the disapproval to the Commission within 10 days after the date of the disapproval,

and

WHEREAS: Act No. 198, P.A. of 1974, as amended, Section 9 (1) (MCLA 207.559) provides:

SEC 9 (1) The legislative body of the local governmental unit, in its resolution approving an application, shall set forth a finding and determination that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of the Industrial

Facilities Exemption Certificate previously granted and currently in force, shall not have the effect of substantially impeding the operation of the local governmental unit or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the local governmental unit in which the facility is located or to be located. If the state equalized valuation of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate state equalized valuation of property exempt under certificates previously granted and currently in force, exceeds 5% of the state equalized valuation of the local governmental unit, the Commission, with the approval of the State Treasurer, shall make a separate finding and shall include a statement in the order approving the Industrial Facilities Exemption Certificate that exceeding that amount shall not have the effect of substantially impeding the operation of the local governmental unit or impairing the financial soundness of any affected taxing unit,

and

WHEREAS: Act No. 198, P.A. of 1974, as amended, Section 5 (2) (MCLA 207.555) provides:

SEC 5 (2) Upon receipt of an application for an industrial facilities exemption certificate, the clerk of the local governmental unit shall notify in writing the assessor of the governmental unit in which the facility is located or to be located, and to the legislative body of each taxing unit which levies ad valorem property taxes in the local governmental unit in which the facility is located or to be located. Before acting upon the application, the legislative body of the local governmental unit shall afford the applicant, the assessor, and a representative of the affected taxing units an opportunity for a hearing;

be it therefore

RESOLVED: That the City Council hereby designates Tuesday, May 6, 2014 at 7:00 p.m. as the date and time for a Special Council Meeting, for the purposes of holding a Public Hearing and taking action on the one (1) Amended Application for Industrial Facilities Exemption Certificate from Ford Motor Company, 3001 Miller Road, in the amount of \$488,454,200 for new personal property for installation of additional machinery and equipment to modernize the Dearborn Stamping Plant; be it further

RESOLVED: That the City Clerk is hereby authorized and directed to provide copies of the Amended Application(s), if requested, to the legislative bodies of governmental units deriving property taxes from the property which will be affected by granting the Industrial Facilities

Exemption Certificate, as required by Act No. 198, P.A. of 1974, as amended; be it further

RESOLVED: That no payment of any kind in excess of the fee allowed, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application; be it further

RESOLVED: That the City Clerk is hereby authorized and directed to notify in writing each of the taxing units of the pending Public Hearing of the City Council on Ford Motor Company's amended application; specifically, to provide notice in writing to the following taxing units:

Dearborn Board of Education
Wayne County Board of Commissioners
Wayne County Regional Educational Services Agency
Henry Ford Community College

be it further

RESOLVED: That the City Clerk is hereby authorized and directed to publish a copy of the following "Notice of Hearing" in the official newspaper for the City of Dearborn:

NOTICE OF HEARING

To consider the one (1) Amended Application for Industrial Facilities Exemption Certificate from Ford Motor Company, 3001 Miller Road, located within the "City of Dearborn Plant Rehabilitation District No. 1" in the amount of \$488,454,200 for new personal property for installation of additional machinery and equipment to modernize the Dearborn Stamping Plant.

TO ALL RESIDENTS AND TAXPAYERS OF THE CITY OF DEARBORN, MICHIGAN

TAKE NOTICE that the City Council of the City of Dearborn will be holding a Public Hearing on Tuesday, May 6, 2014 at 7:00 p.m. to consider the request of Ford Motor Company, 3001 Miller Road, for an Amended Industrial Facilities Tax Exemption for new personal property for installation of additional machinery and equipment to modernize the Dearborn Stamping Plant. At this Public Hearing, all residents and taxpayers will have the opportunity to speak on the request of Ford Motor Company to obtain an Industrial Facilities Exemption Certificate for the proposed project and the resulting potential tax relief, as identified on the submitted application.

Act No. 198, P.A. of 1974, as amended, provides that the City Council may issue an Amended Industrial Facilities Exemption Certificate for the purpose of establishing a business climate conducive to new development and retaining or expanding employment opportunities within the community. Council Resolution No. 10-576-12 originally approved a twelve (12) years plus a 2 year construction period in the estimated amount of \$305,031,800 for exemption of machinery and equipment to modernize the Dearborn Stamping Plant located at 3001 Miller Road within the "City of Dearborn Plant Rehabilitation District No. 1." Council Resolution No. 5-379-78 established the "City of Dearborn Plant Rehabilitation District No. 1" encompassing the Dearborn Rouge Complex and other contiguous industrial properties which includes the subject property located at 3001 Miller Road.

Representatives from Ford Motor Company, city administration, school districts and other taxing units levying ad valorem property taxes in the City and residents and taxpayers will be afforded a full opportunity to question and comment upon the proposed issuance of the Amended Industrial Facilities Exemption Certificate at the Public Hearing on Tuesday, May 6, 2014 at 7:00 p.m. in the City Council Chambers, City Hall, Dearborn, Michigan.

Individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate in this program should contact the Department of Assessment at 943-2140 or the TDD at 943-2074. Reasonable advance notice is required.

The notice is given by order of the City Council of the City of Dearborn, in accord with the requirements of City Council Rules of Order, Section 5.2.

KATHLEEN BUDA
City Clerk

be it further

RESOLVED: That to insure the timely implementation of the provisions of this resolution, it is hereby given immediate effect.

The resolution was unanimously adopted.

Councilmember Tafelski introduced Ordinance No. 14-1423, entitled, An Ordinance to Amend Section 2-365 of the Administration Chapter (Chapter 2), entitled "Recreation and Parks commission".

The Clerk read the Ordinance by title.

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

By Sareini supported by Bazzy.

4-166-14. RESOLVED: That proposed Ordinance No. 14-1423 be laid on the table.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

4-167-14. WHEREAS: Dorchen/Martin Associates, Inc. on behalf of McDonalds Corporation requested to encroach onto an existing 18 foot wide public sewer easement to install equipment (menu board, an ordering pedestal, and a height detector) and constructing and maintaining a parking lot, and

WHEREAS: The Engineering Division and the Economic & Community Development Department have reviewed the proposed request and do not object to the easement encroachment provided it meets the following conditions;

- a) Execution of a "Hold Harmless" and "Revocable Permit to Occupy" Agreement with the City prepared by the Legal Department. The cost of the repair, removal or replacement of the equipment and parking lot necessary for the maintenance, repair, and/or replacement of the 54 inch diameter combined sewer shall be the responsibility of the property owner.
- b) A permit from the Permit Division of the Economic & Community Development Department is required;

be it therefore

RESOLVED: That City Council hereby grants permission to Dorchen/Martin Associates, Inc. on behalf of McDonalds Corporation to encroach onto an existing 18 foot wide public sewer easement to install equipment (menu board, an ordering pedestal, and a height detector) and constructing and maintaining a parking lot, subject to the above-mentioned conditions; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

4-168-14. RESOLVED: That all bids received for Joint Sealing Services at the Police Station and District Court are hereby rejected except the bid of Boss Construction, Inc. in the amount of \$100,625 based on the estimate of required linear footage, 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 Facilities Fund, Police, Repair and Maintenance, Building, 634-2410-435.43-01 (\$60,375; P K22500) and Facilities Fund, 19th District Court, Repair and Maintenance, Buildings, Fund 634-1100-435.43-01 (\$40,250; P K30400); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

4-169-14. RESOLVED: That all bids received for Turf Maintenance at Various Locations are hereby rejected except the bid of Four Seasons Property Management in an amount not to exceed \$204,610.35, 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 the contract shall be for a term of one (1) season (April through November) with four (4) seasonal renewal options at the same terms, conditions and pricing for a possible term total of \$1,023,051.75. Renewal options are contingent upon satisfactory performance of the vendor; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Contractual Services budget (\$195,260.35); Sewer Fund, Public Works, Contractual Services budget (\$5,280); Sewer Fund, Public Works, Sewerage Division, Contractual Services budget (\$1,760); and the General Fund, Historical Commission, Grounds Maintenance budget (\$2,310) with future fiscal year funding contingent upon adoption of the respective budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

4-170-14. WHEREAS: The City presently has a contract with Univar USA (C.R. 5-234-12 and 4-211-13) for Mosquito Control Supplies, and

WHEREAS: The original contract specifications included a single one-year renewal option valid through June 30, 2014, and

WHEREAS: Univar USA has offered to renew the present contract prices through June 30, 2014; be it

RESOLVED: That the contract for Mosquito Control Supplies is hereby renewed with Univar USA through June 30, 2014 in the amount of \$26,664; be it further

RESOLVED: That this contract shall be financed from the Sewer Fund, Public Works, Sewerage Division, Operation Supplies budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Tafelski.

4-171-14. WHEREAS: The City presently has a contract with Midwest Medical (C.R. 5-274-13) for Post-Offer/Pre-Placement Physical Assessments, and

WHEREAS: The original contract specifications allow for four, one-year renewal options, this is the final renewal option, and

WHEREAS: Midwest Medical has offered to renew the present contract prices through April 30, 2015; be it

RESOLVED: That the contract for Post-Offer/Pre-Placement Physical Assessments is hereby renewed with Midwest Medical through April 30, 2015 in an amount not to exceed \$30,700; be it further

RESOLVED: That this contract shall be financed from the General Fund, Human Resources, Health Professional Fees budget (\$13,600); the General Fund, Public Works, Contractual Services budget (\$14,000); the General Fund, Police, Health Professional Fees budget (\$2,100); and the General Fund, Police, Professional Services budget (\$1,000) with funding contingent upon adoption of the FY2015 budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

4-172-14. WHEREAS: The City presently has a contract with Cornerstone Municipal Advisory (C.R. 5-268-12) for Health & Welfare Employee Benefits Consulting, and

WHEREAS: The original contract specifications allow for four, two-year renewal options, this is for the second and remaining renewal options pending satisfactory performance by the vendor, and

WHEREAS: Cornerstone Municipal Advisory has offered to renew the present contract prices through June 30, 2016; be it

RESOLVED: That the contract for Health & Welfare Employee Benefits Consulting is hereby renewed with Cornerstone Municipal Advisory through June 30, 2016 in the amount of \$127,000 (\$63,500 annually); be it further

RESOLVED: That this contract shall be financed from the Employee Insurance Fund, Finance, Professional Services budget; however, commissions to Cornerstone as Agent-of-Record from BCBSM are estimated to be \$51,100 annually with the City paying the remaining portion of \$12,400 annually (total for all renewal periods is estimated at \$74,400). If the commissions go up or down, the City's payments will be adjusted with the annual \$63,500 as the fixed figure to work with; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

4-173-14. RESOLVED: That Contract Amendment No. 10 with Neumann Smith which provides Architect & Engineer Services for the Intermodal Passenger Rail Facility Project in the amount of \$184,655.13, bringing the new contract total to \$2,708,797.80 is hereby approved; be it further

RESOLVED: That this Change Order shall be financed from the Intermodal Station project (J08011); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

4-174-14. RESOLVED: That City Council hereby authorizes a contract increase with Dan's Tree & Landscape (C.R. 12-584-13) in the amount of \$26,426, bringing the new total contract total to \$116,426, for Tree Removal Services; be it further

RESOLVED: That this contract increase shall be financed from the Sewer Fund, Public Works, Sewerage Division, Repair & Maintenance budget, Project N95211; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

4-175-14. RESOLVED: That City Council hereby authorizes to modify the contract with The Dailey Company (C.R. 1-48-14) to reflect a construction project budget of \$4,051,143; be it further

RESOLVED: That the Finance Director is hereby authorized to appropriate \$5,500,000 of the General Fund fund balance as a contribution to the Facilities Fund and to establish a revenue budget and appropriate the same in the Facilities Fund; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Tafelski.

4-176-14. WHEREAS: The City of Dearborn anticipates an entitlement allocation of approximately \$1,737,715 for the 40th Year (FY 2014-15) Community Development Block Grant (CDBG) program from the US Department of Housing and Urban Development (HUD), and

WHEREAS: The City will also be programming \$0 anticipated program income and \$0 prior period budget balances; therefore be it

RESOLVED: That the Mayor is hereby authorized to execute an application and grant agreement in the approximate total amount of \$1,737,715 for the 40th Year Community Development Block Grant Program to support eligible projects, programs and activities; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute subrecipient agreements between the City of Dearborn and the Arab Community Center for Economic and Social Services (ACCESS) and the Fair Housing Center of Metropolitan Detroit; be it further

RESOLVED: That prior period funding for the Home Rehabilitation Program (Project Z51200) that is unexpended at June 30, 2014 shall roll forward to the 40th Year Home Rehabilitation budget; be it further

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

RESOLVED: That the Finance Department is hereby authorized to recognize and appropriate the grant award and to receive and disburse funds in the Community Development Fund (283) as authorized within this resolution; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

4-177-14. WHEREAS: The State of Michigan Department of Treasury has given preliminary notice of its intent to award a Competitive Grant Assistance Program (CGAP) grant in the amount of up to \$3,950,725 toward reimbursement of expenditures required to implement the Consolidation of Emergency Dispatch Service Project-(City of Dearborn, City of Dearborn Heights and City of Melvindale), and

WHEREAS: The State of Michigan requires each municipality's governing body to approve a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's CGAP, and

WHEREAS: The State of Michigan requires a resolution and copies of minutes from the date of the meeting at which the resolution was approved to be provided within 60 days of the preliminary notice of award, and

WHEREAS: The City of Dearborn acknowledges that it:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act.
2. Is not delinquent in making payments that are due on loans issued pursuant to the Emergency Municipal Loan Act.
3. Does not have a payment due and owing to the state.

and thus is eligible to participate in a CGAP grant-funded project; be it therefore

RESOLVED: That the City Council hereby authorizes participation in the Consolidation of Emergency Dispatch Services Project and on behalf of the City of Dearborn authorizes Fire Chief Joseph Murray to provide this resolution and minutes indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the CGAP requirements; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the award in the Information Systems Fund Consolidated Dispatch - CGAP Project ZT2502; be it further

effect. RESOLVED: That this resolution be given immediate

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

4-178-14. WHEREAS: Zaher and Hiba Murray, owners of the single-family house located at 5444 Kenilworth (a registered rental with a valid C of O, with a driveway and a detached garage) have requested to purchase 15 ft. of the adjacent City-owned property located at 5438 Kenilworth so they can combine it with their adjacent lot, and

WHEREAS: Mr. and Mrs. Murray wish to increase their lot size from 35 ft. to 50 ft. and will combine the two lots for tax and assessment purposes, and

WHEREAS: The City Assessor valued the 15 ft. portion of property at \$1,930, and

WHEREAS: The remaining 20 ft. of 5438 Kenilworth and the 35 ft. lot located at 5430 Kenilworth will be combined to form one 55 ft. lot. That lot will be offered for new construction on a future lot list, and

WHEREAS: The sale is conditioned on the following conditions:

1. The lot must be combined with the Purchasers' property and may not be resplit or combined with other land for a resplitting as two buildable lots.
2. The lot may only be sold or developed in combination with the Purchasers' adjacent property.
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. 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.
7. If Purchasers violate any of the restrictions imposed, they are obligated to sell the land back to the City for \$1,930, less 10% and less costs associated with the transfer of property back to the City,

and

WHEREAS: The neighbor adjacent to the property at 5430 Kenilworth (Mohammed Al Sanker) was also contacted via regular and certified mail, but did not express interest in purchasing any portion of the City lot located at 5430 Kenilworth; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$1,930 to Zaher and Hiba Murray the parcel described as:

North 15 ft. of Lot 706, 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. part of 82-10-182-03-014
Commonly known as part of vacant lot at 5438
Kenilworth;

be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a Deed for said property to Zaher and Hiba Murray 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 Zaher and Hiba Murray closing 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, and 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 this property as side yard serves a public purpose by promoting lot expansion to enhance the neighborhoods and complies with the public purpose for which the Neighborhood Stabilization Program is administered; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

4-179-14. WHEREAS: Council Resolution #1-24-14 authorized the sale of 801 N. Mayburn to Nathanael Jones and Miranda Gubaci. Unfortunately, Mr. Jones and Ms. Gubaci were unable to get financing approved from their mortgage lender, and

WHEREAS: Hamza Elhassani and Hawraa Diab (7835 Ternes, Dearborn), subject to the requirements for participation in the First-Time Homebuyer Program (CR #2-108-12, as amended), have offered to make cash purchase transaction for the renovated residential property at 801 N. Mayburn at a sale price of \$102,000, and

WHEREAS: HUD-NSP regulations, as supported the First-Time Homebuyer Program Guidelines (CR #2-108-12, as amended), stipulate that renovated properties shall be offered for sale to homebuyers at a sale price that is at or below the development cost or the current market value, whichever is less, and

WHEREAS: Based on the post-renovation market value of the property is \$102,000 (independent appraisal performed by IRR-Residential, as adjusted by the Department of Assessment), **the maximum non-negotiable sale price for this property is \$102,000**, and

WHEREAS: All pre-qualified homebuyers meeting the requirements for participation in First-Time Homebuyer Program were invited to inspect the property and submit a "Letter of intent to Purchase", and

WHEREAS: The new prospective homebuyers, Hamza Elhassani and Hawraa Diab, have agreed to make this purchase for the sale price of \$102,000 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 homebuyers may qualify for an affordability discount and down payment or closing cost assistance. The homebuyer financial assistance 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, and

WHEREAS: The sale is conditioned on the following conditions:

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 Hamza Elhassani and Hawraa Diab 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, and 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 Hamza Elhassani and Hawraa Diab 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. C08000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

4-180-14. WHEREAS: The City of Dearborn has elected to draft, review and adopt a Master Plan pursuant to the procedures set forth in Public Act 33 of 2008, the Michigan Planning Enabling Act (the "Act"), MCL 125.3801, and

WHEREAS: The Planning Commission, per Section 41(1) of the Act, is requesting the City Council to review and comment on the proposed Master Plan, and

WHEREAS: The Planning Commission is requesting authorization from the City Council to distribute the proposed Master Plan, per Section 41(2) of the Act, to required entities, including contiguous municipalities, SEMCOG, Wayne County, each public utility, railroad and transportation system owners, the Wayne County Road Commission and the Michigan Department of Transportation, and

WHEREAS: According to Section 41 of the Act, entities have 63 days to submit comments, and

WHEREAS: The Planning Commission is required, pursuant to Section 43(1) of the Act, to hold not less than one public hearing on the proposed Master Plan after comments are received, and has set Monday, August 11, 2014 at 7:00 p.m. as the date and time to hold a public hearing on the City's proposed Master Plan, and

WHEREAS: The Planning Commission shall approve the Master Plan by the affirmative votes of not less than 2/3 of the members, and

WHEREAS: Section 43(3) of the Act states that the City Council, by resolution, has the final authority to approve or reject the Master Plan, and

WHEREAS: The City Council, by C.R. 4-138-14, has determined the right to approve or reject the Master Plan; therefore be it

RESOLVED: That the City Council will hereby review and comment on the proposed Master Plan, and directs the secretary of the Planning Commission to distribute a copy of the proposed Master Plan to the required entities for review and comment within 63 days, including contiguous municipalities, SEMCOG, Wayne County, each public utility, railroad and transportation system owners, the Wayne County Road Commission and the Michigan Department of Transportation pursuant to the provisions in Public Act 33 of 2008, the Michigan Planning Enabling Act, MCL 125.3801, as amended; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

4-181-14. WHEREAS: Charles E. Dunn, PLC, through Charles E. Dunn, has consulted with and acted as co-counsel for the City of Dearborn in its Administrative challenge of MDEQ's proposed 2008 Stormwater Permit and related matters, including *City of Riverview et al v Department of Environmental Quality*, since November 2013 (Council Resolution No. 11-548-13), and

WHEREAS: Charles E. Dunn recently left the private practice of law and can no longer represent the City in the above litigation, and

WHEREAS: It has been recommended to the City, and is in the City's best interest, to retain the firm of Gasiorek, Morgan, Greco & McCauley, through attorney Patrick B. McCauley, to continue the City's representation in an appeal to the Michigan Supreme Court in the case of *City of Riverview et al v Department of Environmental Quality*, which is a significant Headlee issue arising out of the principal litigation and in the Administrative challenge of the MDEQ's proposed 2008 Stormwater Permit, and

WHEREAS: There is a balance of \$1,800 remaining in the account for Charles E. Dunn, PLC, in Fleet and General Legal Fees Account No. 678-1500-815.30-12, and

WHEREAS: In order to maintain continuity of professional services, it is necessary to terminate the professional services agreement with Charles E. Dunn, PLC and enter into a professional services agreement with Gasiorek, Morgan, Greco and McCauley, P.C.; therefore be it

RESOLVED: That the professional services contract with Charles E. Dunn, PLC be terminated; be it further

RESOLVED: That a professional services contract with Gasiorek, Morgan, Greco and McCauley, P.C. be established and that the balance of the \$1,800 in Account No. 678-1500-815.30-12 be transferred to fund the contract with Gasiorek, Morgan, Greco and McCauley, P.C.; be it further

RESOLVED: That this Resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

4-182-14. WHEREAS: B.L.S. Properties, L.L.C. has granted permission for the City to utilize its parking lot outside the Kroger store located at 15255 Michigan Avenue, Dearborn, Michigan for the staging of the units that are participating in the City's Memorial Day Parade, and

WHEREAS: The City will use the parking lot on Monday, May 26, 2014 from 8:30 a.m. - 12:00 p.m., and

WHEREAS: The Kroger parking lot is an easily accessible and conveniently located area to stage the parade, and

WHEREAS: It is recommended by Corporation Counsel that the Dearborn City Council authorize the Mayor to sign the hold harmless agreement on behalf of the City of Dearborn; be it therefore

RESOLVED: That the Mayor is authorized to enter into a hold harmless agreement with B.L.S. Properties, L.L.C. for the purpose of staging the City's Memorial Day Parade on Monday, May 26, 2014; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

4-183-14. WHEREAS: The City of Melvindale has submitted an application for a license to conduct a fireworks display on City of Dearborn-owned property on June 8, 2014, and

WHEREAS: The Fire Department has reviewed the request and required that certain specifications be met in accordance with the International Fire Code and the NFPA (National Fire Protection Association). The required documents have been submitted and approved, and

WHEREAS: The City of Melvindale is also required to submit necessary insurance certificates to the Department of Law for approval to perform the fireworks display before June 8, 2014, and

WHEREAS: Contact has also been made with Elaine Greene, Director of the Dearborn Animal Shelter, to secure two employees to be on site at the Animal Shelter during the event, at a cost to the City of Melvindale, and

WHEREAS: The City of Dearborn will have one of its engines at the site, in case of an emergency. The cost to have a Dearborn engine at the site (\$500) will also be billed to Melvindale for reimbursement to Dearborn after the event, and

WHEREAS: The Dearborn Fire Department shift commander will be present to ensure that there is no unauthorized entry into the sewerage yard, and

WHEREAS: Pursuant to the NFPA, specific approval must be given to the requesting entity by an owner or other authorized party of any building, dwelling, or structure that is located within the display radius/site. Those buildings must either be unoccupied during the event or protected by non-combustible or fire resistant construction, and

WHEREAS: Since there are City-owned buildings that fall within the firing radius, the Dearborn City Council must approve the requested sites within the display radius (Sewerage building, part of Central Garage, Animal Shelter, truck ports on DPW property), and

WHEREAS: It is recommended by the Corporation Counsel and the Fire Chief that the Dearborn City Council approve the City of Melvindale's application and request to use City-owned property for its fireworks display to be held on June 8, 2014; be it therefore

RESOLVED: That the City Council approves the City of Melvindale's application and request to use City-owned property for its fireworks display to be held on June 8, 2014; be it further

RESOLVED: That this approval is contingent upon Melvindale complying with all conditions set forth above and any other requirements of Dearborn Fire Department, Dearborn Department of Law, Dearborn Police Department, International Fire Code, and NFPA; be it further

effect. RESOLVED: That is resolution be given immediate

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

4-184-14. RESOLVED: That receipts of donations in the amount of \$500 from Delta Dental, \$500 from Health Alliance Plan, \$1,000 from Prudential, \$200 from Minnesota Life, \$50 from Ulliance and a commitment in the amount of \$500 from Blue Cross/Blue Shield to the City of Dearborn for the Employee Benefits Open Enrollment Fair to be held on April 30, 2014 are hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby authorizes the proceeds be recognized and appropriated in the Designated Purposes Fund, Project Z76900 Employee Benefits Open Enrollment Fair and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

4-185-14. WHEREAS: Because Michigan is home to key solar companies, the City of Dearborn wishes to take leadership in promoting solar energy generation and views support for advancement in solar adoption an essential contributor to the region's economic prosperity, and

WHEREAS: Becoming a statewide leader in solar adoption will bring positive recognition to the City of Dearborn, and

WHEREAS: Renewable energy resources, such as community solar, offer many community, economic, environmental, and societal benefits for the state, and

WHEREAS: Solar installations help preserve our natural resources and reduce greenhouse gases and other harmful emissions, and

WHEREAS: The United States, the State of Michigan, and this region import sources of energy, adoption of solar helps localize the energy source, thereby helping to reduce dependence on imported energy sources, and

WHEREAS: Michigan has reached its 10 percent goal for producing renewable energy and is well positioned to set higher goals in this area, and

WHEREAS: Communities that become *Solar-Ready* benefit from enhanced community vitality and new business investment, and

WHEREAS: Solar is proving to be a viable energy source in Michigan, and

WHEREAS: Encouraging solar adoption helps support the several goals found in local planning documents (Green Dearborn Initiative and Initial Climate Action Plan); therefore be it

RESOLVED: That the City of Dearborn supports the continuous exploration of reducing barriers to solar adoption and implementation of new policies and processes that help support solar adoption by our residents and business owners and becoming a *Solar Ready Community*; be it further

RESOLVED: That the City of Dearborn will collaborate with neighboring municipalities to explore policy and process improvements and engage in an exchange of information regarding solar adoption in the region.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

4-186-14. RESOLVED: That the Residential Services Department/Neighborhood Services Division, the City Beautiful Commission and the Dearborn Public Schools be and they are hereby granted permission to conduct the 2014 Dearborn Public Schools/City Beautiful Clean-up Parades during the period of May 5 through May 22, 2014 subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the four individual clean-up parades shall not exceed one hour in duration and cause minimal disruption to the associated neighborhoods and begin and end in front of the designated school with a brief program/ceremony held at the conclusion of each parade route (see attached maps); be it further

RESOLVED: That City Council hereby authorizes the use of various services and materials from the Police, Public Works, Residential Services, Recreation and Fire Departments for each of the clean-up parades; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Abraham.

4-187-14. WHEREAS: Council Resolution 7-379-13 authorized the sale of the north 15 ft. of the vacant lot located at 6548 Reuter as side yard to Abdallah Zein and Amal Bakri, owners and occupants of the adjacent house located at 6554 Reuter, so that the properties could be combined to form one lot for tax and assessment purposes, and

WHEREAS: The north 15 ft. of the vacant lot located at 6548 Reuter sale and the property located at 6554 Reuter were combined to form one lot, and

WHEREAS: Abdallah Zein and Amal Bakri are now requesting that the City of Dearborn consent to the installation of a 4' high wood picket fence along the property line between their property located at 6554 Reuter and the adjacent City of Dearborn property located at 6548 Reuter for a distance of approximately 89 feet, and

WHEREAS: The proposed fence complies with the City of Dearborn fence ordinance and does not require any variances, and

WHEREAS: The City of Dearborn fence ordinance requires the consent of the adjacent property owner to the location and style of the fence; therefore be it

RESOLVED: That this Council does hereby consent to the installation of a 4' high wood picket fence along the property line between the property located at 6554 Reuter and the adjacent City of Dearborn property located at 6548 Reuter for a distance of approximately 89 feet, provided that Mr. Zein and Ms. Bakri pay for all costs associated with the installation of the fence; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Tafelski.

4-188-14. WHEREAS: Moayed Aljabori installed a 5' high board-on-board wood fence approximately 126' long along the side and rear property lines of his property at 7761 Coleman to enclose the rear yard of his property, and

WHEREAS: The fence was installed without a permit and Moayed Aljabori now wishes to obtain one, and

WHEREAS: The portion of the fence along the rear property line of 7761 Coleman is adjacent to a City-owned vacant lot located at 15335 Morross, and

WHEREAS: The City of Dearborn fence ordinance requires the consent of adjacent property owners to the location and style of the fence, and

WHEREAS: Moayed Aljabori is requesting that the City of Dearborn consent to the existing 5' high board-on-board wood fence installed a distance of approximately 65' along the property line between 7761 Coleman and the adjacent City-owned vacant lot, and

WHEREAS: The proposed fence complies with the City of Dearborn fence ordinance and does not require any variances, and

WHEREAS: Moayed Aljabori has paid all costs associated with the installation of the fence and is not seeking any contribution from the City; therefore be it

RESOLVED: That this Council does hereby consent to the existing 5' high board-on-board wood fence installed a distance of approximately 65' along the property line between 7761 Coleman and the adjacent City-owned vacant lot at 15335 Morross, be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

4-189-14. WHEREAS: Amtrak has leased the building and parking lot at the rear of the Police and Court buildings since 1978, and

WHEREAS: City Council previously approved lease extensions which expired on April 1, 2014, and

WHEREAS: Amtrak has been paying the annual lease fee of \$31,000 per year, and

WHEREAS: Amtrak has requested that the City agree to extend the existing lease agreement on a month-to-month basis, not to exceed one year, pending the construction of the new train station, and

WHEREAS: The Federal Railroad Administration awarded funds to the City of Dearborn, via MDOT, for the design and construction of the new Dearborn Intermodal Passenger Rail Facility which is expected to complete within the next few months, and

WHEREAS: The matter was reviewed with the Economic and Community Development Director and Finance Director who agreed that the lease should be renewed on a month-to-month basis for \$31,000 per year, prorated monthly to reflect the number of months necessary for Amtrak to move into the new train station facility, and

WHEREAS: It is the recommendation of Corporation Counsel that City Council approves a lease extension, on a month-to-month basis, commencing April 1, 2014; therefore be it

RESOLVED: That the Corporation Counsel or her designee is authorized to prepare and execute documents, memorializing a lease extension with Amtrak, beginning on April 1, 2014, on a month-to-month basis, not to exceed one year; be it further

RESOLVED: That the City Council authorizes a month-to-month lease with Amtrak at a price of \$31,000 per year, prorated on a monthly basis; be it further

RESOLVED: That all other terms and conditions of the lease agreement and amendments between the City of Dearborn and Amtrak remain in full force and effect, be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

4-190-14. RESOLVED: That the Dearborn Firefighters IAFF Local 412 be and they are hereby granted permission to conduct their annual Dearborn Firefighters "Fill the Boot" campaign from June 3 through June 9, 2014 throughout the City for the Muscular Dystrophy Association (MDA), subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

4-191-14. RESOLVED: That Green Brain Comics be and they are hereby granted permission to conduct the "Green Brain Free Comic Book Day" Event in the City-owned parking lot located north-west of Michigan Avenue and Jonathon on Saturday, May 3, 2014 from 10:00 A.M. to 8:00 P.M., subject to all applicable ordinances, and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council hereby authorizes the closure of the City-owned parking lot, located north-west of the Michigan Avenue and Jonathon intersection from 8:00 P.M. on Friday, May 2, 2014 to approximately 12:00 P.M. on Sunday, May 4, 2014; be it further

RESOLVED: That City Council hereby grants permission to Green Brain Comics to erect a non-staked tent in the City-owned parking lot and authorizes assistance from the Police Department with beat patrol spot checks for the duration of the event; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

4-192-14. RESOLVED: That City Council authorizes the Dearborn Exchange Club to host a street collection drive on Saturday, May 10, 2014 in conjunction with the Mutt Strut & Pet Expo with all funds raised directly benefitting the Friends For the Dearborn Animal Shelter; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

4-193-14. RESOLVED: That Cherry Hill Presbyterian Church be and is hereby granted a waiver of permit fees associated with the replacement of one of the asphalt parking lots.

The resolution was unanimously adopted.

By Dabaja supported unanimously.

4-194-14. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Virginia Michaluk, and

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

RESOLVED: That the Mayor and members of the Council of the City of Dearborn here assembled, hereby sincerely extend and offer in this sad hour of bereavement, heartfelt sympathy and condolence to the family of the deceased.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

4-195-14. RESOLVED: That the Dearborn Allied War Veterans Council (DAWVC) be and they are hereby granted permission to sell poppies on May 1-4 and May 8-11, 2014 throughout the City subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:47 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk