

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

May 20, 2014

The Council convened at 7:30 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.

Father Linus Kinyua of the St. Clement Catholic Church delivered the invocation.

By Tafelski supported by O'Donnell.

5-233-14. RESOLVED: That the minutes of the previous regular meeting of May 6, the special closed meeting of April 30, and special meeting of May 6, 2014 and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

5-234-14. RESOLVED: That Ordinance No. 14-1424 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 14-1424 entitled, "An Ordinance to Amend the Zoning Ordinance of the City of Dearborn by amending Article 33.00, Section 33.03, entitled 'Responsibilities and Authority of the Planning Commission'."

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?"

5-234-14. Upon roll call the Ordinance was unanimously adopted.

By Tafelski supported by Bazzy.

5-235-14. RESOLVED: That Ordinance No. 14-1425 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 14-1425 entitled, "An Ordinance to Amend the City of Dearborn Employees Retirement System (Chapter 22)."

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?"

5-235-14. Upon roll call the Ordinance was unanimously adopted.

By Bazzy supported by O'Donnell.

5-236-14. RESOLVED: That Ordinance No. 14-1426 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 14-1426 entitled, "An Ordinance to Amend the Water and Sewers Chapter (Chapter 19) of the Code of the City of Dearborn by adding Section 19-42, entitled 'Protection of Landlord, Notice of Lease, and Security Deposit'."

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?"

5-236-14. Upon roll call the Ordinance was unanimously adopted.

By Tafelski supported by Bazzy.

5-237-14. RESOLVED: That Ordinance No. 14-1427 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 14-1427 entitled, "An Ordinance to Amend the Water and Sewers Chapter (Chapter 19) of the Code of the City of Dearborn by amending Article 1 entitled 'In General'."

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?"

5-237-14. Upon roll call the Ordinance was unanimously adopted.

By Bazzy supported by O'Donnell.

5-238-14. WHEREAS: The City Engineer has presented to City Council for approval the Michigan Department of Transportation (M-DOT) Contract No. 14-5198 MDOT Job #123359 which provides for:

PART A - FEDERAL PARTICIPATION

Hot mix asphalt cold milling and resurfacing work along Pelham Road from Dartmouth Street to Outer Drive and concrete pavement work along Monroe Street from Michigan Avenue (Highway US-12) to the tracks of the Norfolk Southern Railway; including drainage improvement, sidewalk ramp, and pavement marking work; and all together with necessary related work.

PART B - NO FEDERAL PARTICIPATION

Water main work along Monroe Street from Michigan Avenue (Highway US-12) to the tracks of the Norfolk Southern Railway; and all together with necessary related work.

and

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

	Total Estimated Cost	Federal Aid	City Share
Part A (construction)	\$379,200	\$310,375	\$68,825
Part A (construction engineering, Inspection & Testing)	\$ 56,900	\$ 46,525	\$10,375
Part B (construction)	\$ 11,500	\$ 0	\$11,500
Total	\$447,600	\$356,900	\$90,700

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. 14-5198, MDOT Job #123359, in the amount of \$447,600 of which the City's share is \$90,700 for Hot Mix Asphalt work along Pelham Road from Dartmouth Street to Outer Drive and Concrete Pavement work along Monroe Street from Michigan Avenue to Railroad Track, Dearborn Job No. 2013-075, CIP Q61514; 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 Q61514 Major Street Fund in the amount of \$79,200 and Q61514 Water Fund in the amount of \$11,500; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

5-239-14. WHEREAS: Council Resolution No. 1-9-14 authorized the contract with the Angelo Iafrate Construction Company in the amount of \$544,544 for the sanitary sewer construction across Michigan Avenue, within the right of way of Omaha Beach Drive, across the Rouge River and within the right of way of Normandy Lane (alley). The project is part of the City's overall sewer separation project. CR 1-9-14 also authorized a contingency fund in the amount of \$50,000 for any unforeseen conditions and for estimated variance line in item quantities, and

WHEREAS: The following conditions were encountered during the execution of the project:

- The subsoil conditions beneath the river bottom consisted of sand which required installation of a dewatering system.
- The original plan was to asphalt resurface both Omaha Beach Drive and the private drive for the Normandy Apartment complex. However, the project was exacerbated by the harsh winter weather and construction traffic which required the complete removal of Omaha Beach Drive pavement and part of the private drive.
- Because of underground utility conflict, it was necessary to add additional drainage structures.
- It was necessary to disturb the private parking lot to separate storm drain (catch basin) from the sanitary lead.
- Exploratory excavation was required within the median of Michigan Avenue because of the presence of DWSD transmission water main, AT&T and DTE duct banks.
- Additional Pavement panel replacement is required within the alley east of Woodcroft,

and

WHEREAS: The City Engineer is requesting additional contingency funds in the amount of \$40,000. This will bring the total contingency fund to \$90,000, and

WHEREAS: The City Engineer is also requesting to be authorized to execute all change orders or modifications that utilize approved contingency; therefore be it

RESOLVED: That City Council hereby approves the additional contingency in the amount of \$40,000, bringing the total contingency fund amount to \$90,000 for the sanitary construction across Michigan Avenue and Omaha Beach area Job #2013-061, CIP N95300; be it further

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

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-240-14. RESOLVED: That Change Order No. 1 with F.D.M. Contracting Company which provides for Water Main Replacement and Asphalt Resurfacing 2014, Phase II, Job No. 2013-069 (Drainage System Modification at the DPW Yard, Job No. 2013-080) in the amount of \$70,825 is hereby approved bringing the revised contract amount to \$3,277,514; be it further

RESOLVED: That the City Engineer be and is hereby authorized to execute it on behalf of the City; be it further

RESOLVED: That this Change Order shall be financed from account number 590-2006-472.34-90, Contractual Services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

5-241-14. RESOLVED: That all bids received for Water Main Repair Parts Supply Services are hereby rejected except the bids of East Jordan USA, Inc. and HD Supply Waterworks in the approximate amount of \$107,618.77 (FY14 \$37,618.77 - East Jordan USA, Inc. \$36,044.97 and HD Supply Waterworks \$1,573.80; FY15 \$70,000 to be split between East Jordan and HD Supply Waterworks, by low bid, as parts are needed throughout the year), that the aforementioned bids are hereby accepted, that the Mayor is hereby authorized to execute formal contracts 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 have two (2) optional one-year renewal periods estimated at \$70,000 per renewal; contingent on stable pricing and consistent usage by the department; be it further

RESOLVED: That this contract shall be financed from the Water Fund, Water Supply Division, Facilities Maintenance Fund, Budget. Fiscal Year 15 purchases are contingent upon budget adoption; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

5-242-14. RESOLVED: That all bids received for Chlorine Supply Services for City Pools are hereby rejected except the bid of Northwest Pools, Inc. in an amount not to exceed \$70,200 for the entire term of the agreement, 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 from June 1, 2014 until September 15, 2016 with two (2) optional two-year renewal options; be it further

RESOLVED: That this contract shall be financed from the various chemical supply accounts for each pool. Future funding is pending adoption of the respective budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

5-243-14. RESOLVED: That all bids received for Unleaded and Diesel Fuel Supply are hereby rejected except the bid of RKA Petroleum Companies, Inc. in the approximate amount of \$1,436,789 for Unleaded Gasoline and \$716,781.76 for #2 ULS Diesel Fuel, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That City Council hereby approves a contingency of ten percent (10%) to allow for unforeseen changes in usage or pricing (due to the fluctuating nature of the commodity) for the term of the contract; be it further

RESOLVED: That the contract shall be for a term of two (2) years, beginning July 1, 2014 until June 30, 2016, with two (2), optional one-year renewal periods; be it further

RESOLVED: That this contract shall be financed from various departmental fuel accounts based on usage in the approximate amount of \$1,436,789 for Unleaded Gasoline and \$716,781.76 for #2 ULS Diesel Fuel, future funding is pending 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 Bazzy.

5-244-14. WHEREAS: The City is eligible for contract pricing through the Michigan Intergovernmental Trade Network Cooperative program, Contract RFP-RH-13-00, for the Purchase of Six (6) large Dump Trucks for the Public Works, Highways Division, and

WHEREAS: Wolverine Freightliner-Eastside, Inc., will supply these vehicles at a total price not to exceed \$1,280,394; be it

RESOLVED: That a purchase order be awarded to Wolverine Freightliner-Eastside, Inc. in a total amount not to exceed \$1,280,394 for the Purchase of Six (6) large Dump Trucks for the Public Works, Highways Division; be it further

RESOLVED: That City Council authorizes the Finance Director to appropriate Fleet Replacement Fund Retained Earnings in the amount of \$781,000; be it further

RESOLVED: That this purchase order shall be financed from the Fleet Equipment Replacement Fund, Highways Capital Equipment, Operating Equipment Vehicles Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-245-14. RESOLVED: That all bids received for Various Computer Equipment are hereby rejected except the bid of Ultra Level, Inc. in an amount not to exceed \$400,000, 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 ZT2699; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

5-246-14 WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6, authorizes sole source procurement in certain circumstances, and

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

RESOLVED: That Oakland County be designated as a sole source for procurement of membership and maintenance fees for the CLEMIS Mobile Data Computer System in an amount not to exceed \$130,679 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 the General Fund, Police, Professional Services account, funding is contingent upon adoption of FY15 budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

5-247-14. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6, authorizes sole source procurement in certain circumstances, and

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

RESOLVED: That Cannon Engineering be designated as a sole source for purchase of Versalift Brand Parts and Repairs for the period of July 1, 2014 through June 30, 2015, in the approximate amount of \$27,000 and that the Purchasing Agent be authorized to issue purchase orders for the aforementioned items; be it further

RESOLVED: That these purchase orders shall be charged to the General Fund, Public Works, Vehicle Repair & Maintenance budget. FY15 purchases are contingent upon adoption of FY15 budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

5-248-14. WHEREAS: The City presently has a contract with All Type Truck and Trailer Repair (C.R. 7-368-12) for Spring Repairs and Suspension Parts for Trucks and Vans, and

WHEREAS: The original contract specifications allow for a renewal of two (2) one-year renewals beyond the expiration of the present contract, this is the second renewal, and

WHEREAS: All Type Truck and Trailer Repair has offered to renew the present contract prices through June 30, 2015; be it

RESOLVED: That the contract for Spring Repairs and Suspension Parts for Trucks and Vans is hereby renewed with All Type Truck and Trailer Repair through June 30, 2015 in an amount not to exceed \$30,000; be it further

RESOLVED: That this contract shall be financed from the General Fund-Public Works, Fleet Maintenance, Repair & Maintenance, Vehicle Repair & Maintenance (101-2085-856.43-65) budget, FY15 purchases are contingent upon budget adoption; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

5-249-14. WHEREAS: The City presently has a contract with R & R Fire Truck (C.R. 8-405-12) for Repairs of Fire Apparatus, and

WHEREAS: The original contract specifications allow for two (2) one-year renewal options beyond the expiration of the present contract, and

WHEREAS: R & R Fire Truck has offered to renew the present contract prices through June 30, 2015; be it

RESOLVED: That the contract for Repairs of Fire Apparatus is hereby renewed with R & R Fire Truck through June 30, 2015 in an amount not to exceed \$40,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Vehicle Repair & Maintenance budget, FY15 purchases are contingent upon budget adoption; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

5-250-14. WHEREAS: Zausmer, Kaufman, August & Caldwell, P.C. has consulted and acted as co-counsel for the City of Dearborn in the case City of Dearborn v Burton-Katzman, et al. since September 2009, and

WHEREAS: It is estimated that legal actions and continued representation in this litigation will require an extension of the professional services agreement in the amount of \$100,000; now therefore be it

RESOLVED: That the professional services agreement with Zausmer, Kaufman, August & Caldwell, P.C. is extended in the amount of \$100,000; be it further

RESOLVED: That in order to fund this professional services agreement, the City Council authorizes that the General Fund fund balance is appropriated as a transfer in the amount of \$100,000 to the Fleet & General Liability Fund to be recognized and appropriated in the Legal Fees Account; be it further

RESOLVED: That this resolution shall be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Tafelski.

5-251-14. RESOLVED: That City Council hereby approves a contract increase with Cadillac Asphalt (C.R. 7-363-13) in the amount of \$28,077.63, bringing the total contract amount to \$99,877.63, for additional Purchases of Cold Patch Paving Mixture; be it further

RESOLVED: That this contract increase shall be charged to General Fund, DPW, Highways, Road & Paving Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

5-252-14. WHEREAS: The vacant lot located at 5656 Calhoun was placed on the City's 2013 lot list for the new construction of a single-family house. The minimum bid price was \$22,300. No one bid on the property at the time, and

WHEREAS: Gabriel Ioachimciuc offered to purchase this property for the minimum bid price of \$22,300 cash, and

WHEREAS: Council Resolution 12-596-13 authorized the sale of the vacant lot at 5656 Calhoun to Gabriel Ioachimciuc for \$22,300, but he subsequently withdrew his offer to purchase the lot, and

WHEREAS: Ameen Abdulmalik has now offered to purchase this property for the minimum bid price of \$22,300 and is proposing to build a single-family dwelling on this property within one year of the date of the closing, and

WHEREAS: Ameen Abdulmalik has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council.
2. 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.
3. If Purchaser elects to sell the vacant property during the 12-month period, the purchaser must first offer to resell the property to the City for the purchase price, less 10% and less costs associated with the transfer back to the City of Dearborn.
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions.

5. Construction of a single-family dwelling on this property must begin within a 12-month period from the date of closing.
Construction shall be deemed started when:
 - a. The plans have been approved by the Building and Safety Department.
 - b. Building permits have been issued.
 - c. Excavation of the basement/foundation is started.
6. Purchaser must complete construction before building permits expire.
7. Purchaser agrees that, in constructing a single-family dwelling, he shall comply with **all** zoning requirements, including, but not limited to, setback, lot coverage, and compatibility requirements of the Dearborn Zoning Ordinance. Purchaser further acknowledges that this is a waiver of his right to seek a variance of these requirements.
8. Purchaser must comply with Land Sale Guidelines,

and

WHEREAS: THE City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; be it therefore

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

Lots 22 and 23, Schaefer Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 35, Page 57 of Plats, Wayne County, Michigan.

Commonly known as vacant lot at 5656 Calhoun
Tax I.D. No. 82-10-083-23-010

to Ameen Abdulmalik for \$22,300; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Ameen Abdulmalik 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 Ameen Abdulmalik closing within one hundred twenty (120) days of the effective date of this Resolution; be it further

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

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

RESOLVED: That if purchaser wishes to sell the vacant property during this 12-month period, the City shall have the sole right to repurchase the vacant property for the sum of \$22,300, less 10%, and less costs associated with the transfer back to the City of Dearborn; 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 Council resolution 12-596-13 is rescinded; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

5-253-14. WHEREAS: The vacant lot located at 5065 Middlesex was placed on the City's 2013 lot list for the new construction of a single-family house. The minimum bid price was \$18,800. No one bid on the property at the time, and

WHEREAS: The lot remained on the "leftover lot list" wherein the lots may be purchased on a first-come, first-served basis, and

WHEREAS: Mashawi LLC, by Ahmad Hage, its President, has offered to purchase this property for the minimum bid price of \$18,800 cash from the leftover lot list, and

WHEREAS: Mashawi LLC has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign its purchase option or sell the vacant land without approval of the Dearborn City Council.
2. 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.
3. If Purchaser elects to sell the vacant property during the 12-month period, the purchaser must first offer to resell the property to the City for the purchase price, less 10% and less costs associated with the transfer back to the City of Dearborn.
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions.
5. Construction of a single-family dwelling on this property must begin within a 12-month period from the date of closing. Construction shall be deemed started when:

- a. The plans have been approved by the Residential Services Department.
 - b. Building permits have been issued.
 - c. Excavation of the basement/foundation is started.
6. Purchaser must complete construction before building permits expire.
 7. Purchaser agrees that, in constructing a single-family dwelling, it shall comply with **all** zoning requirements, including, but not limited to, setback, lot coverage, and compatibility requirements of the Dearborn Zoning Ordinance. Purchaser further acknowledges that this waiver of his right to seek a variance of these requirements.
 8. Purchaser must comply with Land Sale Guidelines,

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; be it therefore

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

Lot 106, Ardross Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 30 of Plats, Wayne County, Michigan.

Commonly known as vacant lot at 5065 Middlesex
Tax I.D. No. 82-10-182-24-066

to Mashawi LLC for \$18,800; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Mashawi LLC 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 Mashawi LLC closing within ninety (90) days of the effective date of this Resolution; be it further

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

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

RESOLVED: That if purchaser wishes to sell the vacant property during this 12-month period, the City shall have the sole right to repurchase the vacant property for the sum of \$18,800, less 10%, and less costs associated with the transfer back to the City of Dearborn; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

5-254-14. WHEREAS: The city has been notified by the Wayne County Treasurer's Office that certain tax-foreclosed properties that were not sold by the Treasurer at public auction in 2013 may be transferred to the City at no cost, and

WHEREAS: If the city does not accept them, the properties will be offered for sale at the 2014 auction, and

WHEREAS: The list of properties available to the City at no cost includes the following:

- 7929 Normile - vacant lot - (40'x120')
- 7060 Normile - vacant lot - (55'x125')
- 6462 Ternes - vacant lot - (34'x113.5')

and

WHEREAS: It is recommended that the City Council accepts the deed to 6462 Ternes only since it is not a buildable lot and the City may offer it to the adjoining neighbors for expansion of their existing lots, and

WHEREAS: Acquisition by the City will also prevent the sale of the lot to someone who may attempt to construct a new house that will likely require variances, and

WHEREAS: It is recommended that the City does not accept the deeds to the two lots on Normile since they are considered buildable and may be purchased at auction for the construction of new houses; therefore be it

RESOLVED: That the City of Dearborn accepts the deed to 6462 Ternes from the Wayne County Treasurer for the acquisition price of \$0; be it further

RESOLVED: That the acquisition of the property located at 6462 Ternes serves the public purpose because the City may offer the lot to the adjoining property owners for use as side yard to expand existing lots and to improve the neighborhoods; be it further

RESOLVED: That funding for the acquisition of 6462 Ternes and subsequent costs (approximately \$5,000 for appurtenance costs) will be from the Neighborhood Stabilization Program C05500, Account #401-1299-435.71-10; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

5-255-14. WHEREAS: Every year, the City of Dearborn has installed signs promoting Homecoming on Wayne County roads, as well as State roads, and

WHEREAS: As part of its permitting process, Wayne County has requested a resolution from the Dearborn City Council approving sign placement. The City is seeking approval of placement of the following:

Three 4x3 feet double-sided signs located as follows:

- Hubbard Drive and Northwood Drive median
- Outer Drive and Cherry Hill median
- Outer Drive and Walnut near Southfield

One 4x8 feet sign located as follows:

Rotunda just west of the Southfield Freeway on the south side of Rotunda

be it therefore

RESOLVED: That City Council hereby authorizes the placement of signs on Wayne County and State Roads at the above-mentioned locations promoting the 2014 Homecoming Weekend; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-256-14. WHEREAS: The City Council has been advised that several west Dearborn bars are seeking Michigan Liquor Control Commission approval to have outdoor service on August 1, 2, and 3, 2014 (Homecoming weekend). In addition, some bars are planning to offer live entertainment, bands, or a DJ outside of their establishment, and

WHEREAS: The City Council has also been advised that certain west Dearborn bars that currently have City approval to provide outdoor service in designated areas in compliance with relevant code provisions (e.g., designated by a permanent fence) have expressed a desire to expand their outdoor service area for the duration of Homecoming weekend, and

WHEREAS: The City Council supports west Dearborn businesses and their desire to offer additional entertainment during Homecoming weekend; therefore be it

RESOLVED: That west Dearborn bars shall be permitted to offer outdoor service or expand the current outdoor service area, and provide entertainment during Homecoming weekend in accordance with the following fee schedule:

- Entire three-day Homecoming weekend : \$1,000
- Select evenings during three-day Homecoming weekend : \$500 per evening

be it further

RESOLVED: That the fees paid by the establishments shall be deposited in the Dearborn Community Fund-Homecoming Account and be paid by July 18, 2014; be it further

RESOLVED: That upon payment of the aforementioned fee, the fee for the permit required by the Economic and Community Development Department for the tent inspection and/or the expanded service area inspection shall be waived; be it further

RESOLVED: That west Dearborn businesses located outside of the designated west downtown district shall be considered as if they are within the designated west downtown district for the 2014 Homecoming weekend and can comply with the noise levels set for district businesses outlined in Sec. 13-44A entitled "Outdoor Music in Downtown Districts" of Article II of Chapter 13 of the Code of Ordinances, entitled "Noise"; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

5-257-14. RESOLVED: That Great Lakes Fireworks, 24805 Marine, Eastpointe, Mi 48021 be and they are hereby granted a Special Events License to conduct a fireworks display at the Dearborn Country Club on June 28, 2014 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-258-14. RESOLVED: That City Council hereby grants permission to the East Dearborn Downtown Development Authority to use City Hall Park to hold their "Jazz on the Avenue" concerts to be held on July 9, 16, 23, 30 and August 6 and 13, 2014, subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

5-259-14. RESOLVED: That City Council hereby grants permission to the Detroit Institute of Arts to place six (6) reproduction pieces on City properties; be it further

RESOLVED: That City Council hereby waives the permit and application fees associated with the placement of these pieces on City property located along Michigan Avenue.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

5-260-14. RESOLVED: That The Henry Ford be and they are hereby granted permission to conduct their fireworks displays for "Salute to America" Concerts on July 2-5, 2014, the Old Car Festival on September 6, 2014, and Holiday Nights on December 5-7, 12-14, 18-23 and 26-27, 2014 with a fire engine to be stationed on the property during the event subject to all applicable ordinances and the rules and regulations of the Police Department and reimbursement by The Henry Ford/Greenfield Village for all City Services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

5-261-14. RESOLVED: That City Council hereby authorizes the Director of Finance to reallocate the sum of \$25,000 from the fiscal year 2013-2014 Dearborn Recreation budget to the Dearborn Community Arts Council; be it further

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-262-14. RESOLVED: That Katie Peltz on behalf of the American Cancer Society be and is hereby granted permission to place purple ribbons on the lamp posts lining Michigan Avenue on May 24, 2014 to increase community awareness, and to recognize the Relay for Life event to be held June 7-8, 2014 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

5-263-14. RESOLVED: That the request from the City Engineer designating Lakeshore Global Corporation as the Completion Contractor for Ohio Indemnity Company, conditioned upon the execution of an approved Take Over Agreement in which Lakeshore Global takes over the agreement currently between the City of Dearborn and Lakeshore Toltest Corporation (LTC) be and is hereby tabled.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:37 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk