

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

July 22, 2014

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

Father Zbigniew Grankowski of the St. Barbara Catholic Church delivered the invocation.

By Bazy supported by Abraham.

7-326-14. RESOLVED: That the minutes of the previous regular meeting of June 17, special closed meeting of June 12 and special meeting of June 26, 2014 and the same are hereby approved as recorded and published.

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 Abraham.

7-327-14. WHEREAS: The Dearborn Brownfield Redevelopment Authority approved Brownfield Plan #12 for the redevelopment of the property located at 22324 Michigan Avenue, Dearborn, Michigan, and

WHEREAS: The proposed development will transform the functionally and physically obsolete property to a state of the art hotel and retail space, and

WHEREAS: The proposed development will positively impact the environment and the West Downtown Commercial District, and

WHEREAS: Pursuant to Public Act 381 of 1996, as amended, Plan #12 provides for the capture of incremental tax revenues generated by the project over 30 years, and

WHEREAS: It is estimated that the capture time to pay for eligible activities associates with Plan #12 is 10 years, and

WHEREAS: Before approving a Brownfield Plan, MCL 125.2663 requires that the City Council hold a public hearing on the Brownfield Plan; therefore be it

RESOLVED: That this Council hereby sets the time and place of public hearing to consider the approval of Brownfield Plan #12 as follows: Thursday, August 7, 2014 at 7:00 p.m., in the Dearborn City Council Chambers, 13615 Michigan Avenue, Dearborn, Michigan; be it further

RESOLVED: That this City Council hereby acknowledges receipt of Brownfield Plan #12 from the Brownfield Redevelopment Authority and directs the City Clerk to provide notice of the hearing to the taxing jurisdictions that levy taxes subject to capture, pursuant to MCL 125.2663 and MCL 125.2664; be it further

RESOLVED: That the City Clerk shall cause notice of said public hearing to be published in a newspaper of general circulation in the City before the public hearing. The first publication of the notice shall be not less than 10 days nor more than 40 days before the date set for the public hearing and shall be published as a display advertisement prominent in size; be it further

RESOLVED: That the notice of the hearing shall be in substantially the following form:

CITY OF DEARBORN, COUNTY OF WAYNE, STATE OF MICHIGAN
PUBLIC HEARING
ON THE BROWNFIELD PLAN #12 (Hallmark Ventures Hotel)

TO ALL INTERESTED PERSONS IN THE CITY OF DEARBORN:

PLEASE TAKE NOTICE that the City Council of the City of Dearborn, Michigan, will hold a public hearing on Thursday, the 7th day of August, 2014, at 7:00 p. m., prevailing Eastern Daylight Time in the Dearborn City Council Chambers located in the City Hall, 13615 Michigan Avenue, Dearborn, Michigan, to consider the adoption of a resolution approving the Brownfield Plan #12 as submitted by the Dearborn Brownfield Redevelopment Authority pursuant to Act 381 of the Public Acts of Michigan of 1996, as amended.

The property to which the proposed Brownfield Plan #12 applies is 22324 Michigan Avenue, Dearborn, MI 48124, Parcel ID 82 09 221 07 015. The legal description of the property is as follows:

Real property in the City of Dearborn, County of Wayne, State of Michigan, described as follows: Lots 2 and 3 except the North 7.0 feet thereof (taken for alley), "Detroit Arsenal Grounds" Dearborn, Town 2 South, Range 10 East, Dearborn Township (now City of Dearborn), Wayne County, Michigan, as recorded in Volume "B" Page 90 of Private Plats, Wayne County Records.

Copies of the Brownfield Plan are available for public inspection at the office of the City Clerk, 13615 Michigan Ave., Dearborn, Michigan, during regular business hours.

At the public hearing, all interested persons desiring to address the City Council shall be afforded an opportunity to be heard in regard to the approval of Brownfield Plan #12 as submitted by the Brownfield Redevelopment Authority. All aspects of Brownfield Plan #12 will be open for discussion at the public hearing.

FURTHER INFORMATION may be obtained from the City Clerk.

This notice is given by order of the City Council of the City of Dearborn, Michigan.

Kathleen Buda
City Clerk

Individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate in this hearing should contact the City Clerk (313) 943-2010. Reasonable advance notice is required.

be it further

RESOLVED: That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded; 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 Sareini supported by Bazzy.

7-328-14. RESOLVED: That Ordinance No. 14-1429 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. 14-1429 entitled, " An Ordinance to Amend the Fees Chapter (Chapter 9) of the Code of the City of Dearborn by amending Section 9-166 and 9-167, and adding Section 9-172 to Article VII, entitled 'Residential and Building Occupancy'."

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?"

7-328-14. 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 Sareini.

7-329-14. RESOLVED: That Ordinance No. 14-1430 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. 14-1430 entitled, "An Ordinance to Amend the Occupancy and Building Standards Chapter (Chapter 11) of the Code of the City of Dearborn by amending Sections 11-42 and 11-43 of Article II, entitled 'Minimum Housing Standards'."

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?"

7-329-14. 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 Bazzy introduced Ordinance No. 14-1431, entitled, "An Ordinance to Amend the Zoning Ordinance of the City of Dearborn by amending Article 2.00, Section 2.03, entitled 'Accessory Buildings and Structures (Pergolas and Gazebos)'."

The Clerk read the Ordinance by title.

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

By Shooshanian supported by Abraham.

7-330-14. RESOLVED: That proposed Ordinance No. 14-1431 be laid on the table.

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 Sareini introduced Ordinance No. 14-1432, entitled, "An Ordinance to Amend the Offenses Chapter (Chapter 14) of the code of the City of Dearborn by amending Section 14-265, entitled 'Fireworks'."

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.

7-331-14. RESOLVED: That proposed Ordinance No. 14-1432 be laid on the table.

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 Sareini.

7-332-14. WHEREAS: Approximately 2000 sq. yds. of asphalt resurfacing work is required within the parking lot of the Department of Public Works Yard (DPW Yard) located on Greenfield. This area also includes asphalt work associated with recently completed underground work for drainage system modifications. The estimated cost of this work is \$33,000, and

WHEREAS: DiPonio Contracting is presently under contract with the City for the Water Main Replacement & Asphalt Street Pavement Resurfacing 2014, Phase II, for a contract amount of \$1,270,070. DiPonio has substantially completed this project except the lawn restoration work. It is anticipated that the final as built cost for the Water Main & Asphalt Resurfacing Project will be approximately \$65,000 lower than the contract amount, and

WHEREAS: The Engineering staff met with DiPonio Contracting Inc. and asked if they are willing to perform additional asphalt work at the DPW Yard with the same unit price as the contract. After meeting with his subcontractor, he has agreed to perform the additional work at the DPW Yard with the same unit price as contract unit prices, and

WHEREAS: The City Engineer is requesting the additional asphalt work as Change Order No. 1 to the current contract with DiPonio. Since the as built cost of the executed contract is lower, no increase in the contract amount is necessary. The estimate is \$33,000. The approval of this change order is to reflect the scope change and there is no increase in the contract amount, and

WHEREAS: C.R. 5-240-14 authorized Change Order No. 1 with F.D.M. Contracting Company for the drainage system modification at the DPW Yard in the amount of \$70,825, and

WHEREAS: The City Engineer is also requesting that the Finance Director be authorized to establish Capital Improvement Project L20814 for the drainage system modification & asphalt resurfacing at the DPW Yard and that the Finance Director be authorized to appropriate from fund balance of the General Fund a transfer to the Facilities Fund to recognize the transfer in and appropriate to account 634-2001-435.43-01 in the amount of \$103,825 for the drainage system modification of \$70,825 and the \$33,000 of asphalt resurfacing of the DPW Yard Project L20814; therefore be it

RESOLVED: That Change Order No. 1 with DiPonio Contracting Company for asphalt resurfacing work within the parking lot of the Department of Public Works Yard located on Greenfield is hereby approved; be it further

RESOLVED: That the Finance Director is hereby authorized to establish Capital Improvement Project L20814 for the drainage system modification & asphalt resurfacing at the DPW Yard and that the Finance Director is hereby authorized to appropriate from fund balance of the General Fund a transfer to the Facilities Fund to recognize the transfer in and appropriate to account 634-2001-435.43-01 in the amount of \$103,825 for the drainage system modification of \$70,825 and the \$33,000 of asphalt resurfacing of the DPW Yard Project L20814; 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 Sareini supported by Bazzy.

7-333-14. RESOLVED: That all bids received for Commerce Drive Pavement Replacement are hereby rejected except the bid of G.V. Cement Contracting in the total amount of \$867,715, 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 a contingency in the amount of \$30,000 is hereby approved to allow for unforeseen conditions and quantity variances that may be encountered and that the City Engineer is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this contract shall be financed from the Major Street & Trunk Line, Public Works, Construction Services account, Project Q74001, Job #2014-063; 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 Sareini.

7-334-14. RESOLVED: That all bids received for CSO Sewer Separation-Sanitary Sewer Construction, Phase II, Normandy Lane - Woodcroft to Omaha Beach Dr. are hereby rejected except the bid of Lakeshore Global Corporation in an amount not to exceed \$239,322.50, 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 a contingency in the amount of \$20,000 is hereby approved to provide for any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project and that the City Engineer is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

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

7-335-14. RESOLVED: That all bids received for Executive Plaza Drive Resurfacing, Job #2014-065 are hereby rejected except the bid of Cadillac Asphalt, LLC in an amount not to exceed \$986,717, 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 a contingency in the amount of \$40,000 is hereby approved to provide for any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project and that the City Engineer is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this contract shall be financed from the Major Street & Trunk Line, Public Works, Construction Services account, Project Q74006; be it further

RESOLVED: That the contingency shall be funded from the Major Street Fund, Reserve Project Q99999, Street Infrastructure Reserve account; 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 Bazy supported by Shooshanian.

7-336-14. RESOLVED: That all bids received for Mechanical Street Sweepers are hereby rejected except the bid of M-Tech Company in an amount not to exceed \$448,460, 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 Fleet and Equipment Replacement Fund, Public Works, Capital Equipment, Operating Equipment Vehicle budget; 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 Abraham supported by Sareini.

7-337-14. RESOLVED: That all bids received for Pavement Joint sealing 2014, Job #2014-084 are hereby rejected except the bid of Carr's Outdoor Services in an amount not to exceed \$96,950, 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 a contingency in the amount of \$25,000 is hereby approved to provide for any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project and that the City Engineer is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this contract shall be financed from the Major Street & Trunk Lines, Local Street Fund, Public Works, Construction Services accounts, Project Q60913; 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.

7-338-14. RESOLVED: That all bids received for Transverse Pavement Markings, Job #2014-073 are hereby rejected except the bid of R.S. Contracting, Inc. in an amount not to exceed \$37,755.90, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Local Street Fund, Public Works, Construction Services account and the Major Street & Trunk Line, Public Works, Construction Services account, Project Q74003; 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 Shooshanian.

7-339-14. RESOLVED: That all bids received for purchase of Refurbished Telephone Handsets are hereby rejected except the bid of CXTec in an amount not to exceed \$55,029.57, 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 General Fund, MIS Network Support, Equipment budget, Project ZT2698; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Dabaja, Sareini and Shooshanian (5). Nays: Tafelski (1). Absent: O'Donnell (1).

By Sareini supported by Shooshanian.

7-340-14. RESOLVED: That all bids received for the purchase of one Aerial Tree Truck are hereby rejected except the bid of Altec Industries, Inc. in an amount not to exceed \$153,788, 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 Fleet and Equipment Replacement Fund, Public Works, Capital Equipment, Operating equipment Vehicle 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 Bazzy supported by Abraham.

7-341-14. RESOLVED: That all bids received for the purchase of a Vactor Sewer & Catch Basin Cleaner are hereby rejected except the bid of Jack Doheny Companies, Inc. in an amount not to exceed \$413,325.05, 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, Capital Equipment, Operating Equipment Vehicle 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 Bazzy supported by Shooshanian.

7-342-14. RESOLVED: That all bids received for the purchase of an Articulated Loader are hereby rejected except the bid of Southeastern Equipment Companies, Inc. in the amount of \$168,095, 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 Fleet and Equipment Replacement Fund, Public Works, Capital Equipment, Operating Equipment Vehicle 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 Sareini supported by Shooshanian.

7-343-14. RESOLVED: That all bids received for the purchase of a Skid-Steer Loader are hereby rejected except the bid of Carleton Equipment Company, Inc. in an amount not to exceed \$32,259.50, 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 Fleet and Equipment Replacement Fund, Public Works, Capital Equipment, Operating Equipment Vehicle budget; 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 Bazy supported by Abraham.

7-344-14. RESOLVED: That all bids received for the purchase of Cisco Equipment are hereby rejected except the bid of CDW Government, Inc. in an amount not to exceed \$144,000, 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 account, Project ZT2699; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazy, Dabaja, Sareini and Shooshanian (5). Nays: Tafelski (1). Absent: O'Donnell (1).

By Bazy supported by Abraham.

7-345-14. 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

RESOLVED: That Firehouse be designated as a sole source for the purchase of a five-year contract for Application Hosting and Technology Support Services in the amount of \$50,820 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 Fund, Fire, EDP Software Services account. Future funding is contingent upon adoption of the respective Fiscal Years' budgets; 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 Sareini supported by Shooshanian.

7-346-14. RESOLVED: That City Council hereby approves a contract increase with Voice Data Systems (C.R. 11-547-13) in the amount of \$22,780, bringing the total contract amount to an amount not to exceed \$52,780, for the purposes of converting and programming existing telephone licenses to accommodate the new phones in the Dearborn Administrative Center; be it further

RESOLVED: That this contract increase shall be financed from the Information Systems Fund, MIS, Contractual Services account, Project ZT2698; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Bazzy, Dabaja, Sareini and Shooshanian (5). Nays: Tafelski (1). Absent: O'Donnell (1).

By Sareini supported by Shooshanian.

7-347-14. RESOLVED: That City Council hereby approves a contract increase with Advance Underground Inspection, LLC (C.R. 6-304-12) in the amount of \$74,700, bringing the total contract amount to an amount not to exceed \$154,700, for Sewer Pipe Grouting; be it further

RESOLVED: That City Council hereby approves a contract extension with Advance Underground Inspection, LLC (C.R. 6-304-12) for an additional two months, with a new expiration date of August 31, 2014 to complete the repairs in progress; be it further

RESOLVED: That this contract increase shall be financed from the Sewer Fund, Public Works Department, Sewerage Division, Facilities Maintenance Services account; 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.

7-348-14. RESOLVED: That City Council hereby authorizes a contract increase with Secrest Wardle in the amount of \$25,000 bringing the new contract total to \$65,000, for additional funding for litigation in the matter of Shaw, et al v City of Dearborn; be it further

RESOLVED: That this contract increase shall be financed from the Sewer Fund, Public Works Sewerage Division account 590-2006-472.30-12; 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 Shooshanian.

7-349-14. RESOLVED: That City Council hereby approves Change Orders 2 through 4 with Vortex Midwest in the total amount of \$44,350, bringing the total contract to a revised amount of \$394,350, for the Hemlock and Crowley Spray Parks/Splash Pads; be it further

RESOLVED: That this contract increase shall be financed from the Facilities Fund, Recreation and Parks Department, Additions and Improvements budget, Project I51714; 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 Bazzy.

7-350-14. WHEREAS: As the Dearborn Intermodal Passenger Rail Station enters the final phase of construction related to the rail, platforms and plaza completion, additional costs have been quantified and included in this Contract Amendment for Tooles Clark, the General Contractor for the City on this Project. These costs are primarily attributable to the most recent approval delays for the movable platform edge from Amtrak, which has extended the completion date by another three (3) months through the end of September into October, 2014, and

WHEREAS: Other related costs have been caused by the Federal Railroad Administration's (FRA) insistence on procurement of "Buy America" granite ballast, increased flagman costs, and finalization of the Passenger Information Display System (PIDS) per Amtrak's requirements. The total for this Contract Amendment is \$575,000, and

WHEREAS: The breakdown of the additional costs is as follows:

• Tooles Clark labor and General Conditions 6/30/14-9/30/14	\$201,000
• Additional ballast cost to meet FRA Buy America requirement	\$190,000
• Additional PIDS costs to meet Amtrak requirements	\$ 80,000
• Additional movable edge costs to meet Amtrak requirements	\$ 53,000
• Additional flagging costs to extend project timeframe	<u>\$ 51,000</u>
Contract Amendment #7 Total	<u>\$575,000</u>

be it therefore

RESOLVED: That Council hereby authorizes Contract Amendment #7 to Council Resolution No. 7-391-11, which authorized a contract with Tooles Clark for Construction Manager at Risk Services (Intermodal Train Station), to include Project Delays and Amtrak Rail/Platform Requirements in the approximate additional amount of \$575,000, bringing the total contract to an amount of \$19,978,737.43; be it further

RESOLVED: That this Contract Amendment is funded through the agreement between the Michigan Department of Transportation (MDOT) and the City of Dearborn to shift additional dollars from the MDOT rail budget to the City to cover these costs. This can occur because MDOT has combined the ten mile double track rail project (between Dearborn and Wayne, MI) with the Dearborn Station track work and has realized efficiencies of scale in constructing these improvements. With this change, the Tooles Clark total contract amount will become \$19,978,737.43. All of the funding for the Dearborn project (City and MDOT Rail) comes from the original FRA grant of \$28,204,450; 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 Abraham supported by Bazzy.

7-351-14. WHEREAS: The City currently has an agreement with the Dearborn Community Fund ("DCF"), a non-profit organization, regarding the operation of the annual festival known as Dearborn Homecoming, and

WHEREAS: Under the terms of the expiring agreement between the City and DCF, DCF would operate the annual Dearborn Homecoming festival, and

WHEREAS: The renewal agreement is for a term of one year, with a single one-year renewal, and

WHEREAS: As in the previous agreement, DCF would receive a fee of 15% of net revenues for the administration of the Homecoming event, and

WHEREAS: The DCF and the City agree to perform the services shown in the August 1, 2012 contract; therefore be it

RESOLVED: That based on the above, the City Council authorizes the Mayor to enter into an agreement with the DCF on terms and conditions to be approved by Corporation Counsel for the operation of the annual Dearborn Homecoming festival; be it further

RESOLVED: That this agreement is for a term of one year with a single one-year renewal; 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 Shooshanian.

7-352-14. WHEREAS: On July 14, 2014, Wayne County notified the City that it would not execute the Intergovernmental Agreement (IGA) for its financial participation in the operation, maintenance and replacement costs associated with the CSO caissons, which was authorized by C.R. 5-220-14, until there is an expiration term inserted; and

WHEREAS: The IGA that was approved in C.R. 5-220-14 had no specific term; and

WHEREAS: Wayne County proposes a five (5) year term which shall automatically renew unless the City or the County provide a one (1) year advance notice of its intent to terminate; and

WHEREAS: Corporation Counsel recommends that the Mayor be authorized to execute a revised IGA; therefore, be it

RESOLVED: That the City Council authorizes the Mayor to sign a revised IGA containing a five (5) year term which shall automatically renew unless the City or the County provide a one (1) year advance notice of its intent to terminate; be it further

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

7-353-14. WHEREAS: The Dearborn Recreation and Parks Department has historically partnered with many different organizations who utilize City-owned parks/facilities to run various sports programs throughout the City. The attached summary of services provides an overview of those uses, and

WHEREAS: It is requested that the Director of Recreation and Parks be authorized to continue his role in outlining the terms, conditions, responsibilities, and expectations between the partner organizations and the City, and

WHEREAS: The City has a relationship with a variety of organizations, including the Dearborn Youth football and Cheerleading Association, Dearborn Soccer Club, Dearborn Baseball Association, Dearborn Basketball Association, Dearborn Recreation Dolphins, Dearborn Hockey, Dearborn Figure Skating Club, Dearborn Community Tennis Association, and Dearborn Track Club, and

WHEREAS: The Recreation and Parks staff assists the groups in an assortment of ways. In some instances payment is made to the City for use of the facilities and in other instances, the City makes payment to the organizations for their part in the maintenance of the facilities during the season, and

WHEREAS: It is recommended that the City continue its affiliation with the organizations and is recommended that the Director of Recreation and Parks, or his designee, be given the authority to execute agreements between the City and various partner organizations for the continued use of City-owned parks/facilities for the sports programs throughout the City; therefore be it

RESOLVED: That the City shall continue its affiliation with the various Sports Organizations and the Director of the Recreation and Parks Department, or his designee is hereby authorized to execute agreements between the City and various partner organizations for the continued use of City-owned parks/facilities for the sports programs throughout the City; 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 Sareini supported by Bazzy.

7-354-14. WHEREAS: The Dearborn Fire Department was recently awarded a highly competitive "2013 Federal Emergency Management Agency - Assistance to Firefighter Grant" for much needed equipment, facility modification and personal protective equipment, and

WHEREAS: This grant will be utilized to purchase some of the following items: Helmets, EMS Coats, Positive Pressure Fans, Water Appliances, Thermal Imaging Cameras, Power Saws, Ropes, Harnesses, Cardiac Monitors and Basic Hand Tools, and

WHEREAS: The remainder of this grant will be utilized to install a vehicle exhaust removal system into Station 5, which is the only station which currently does not have one of these systems, and

WHEREAS: The total grant award is \$461,040, and the Federal share will be 90 percent or \$414,936 and the City match will be 10 percent or \$46,104. \$200,000 in revenue and expenditures was already budgeted in the FY15 adopted budget in anticipation of the award of the grant, so the Fire Department is requesting that City Council recognize the additional \$214,936 in revenue and appropriate the additional \$261,040 in expenditures needed for the grant, and

WHEREAS: The granting agency reduced the award from the original \$546,640 that was applied for; therefore, the Fire Department is requesting that City Council appropriate the additional \$85,600 that would allow them to buy all the equipment applied for in the grant; be it therefore

RESOLVED: That City Council hereby accepts the Assistance to Firefighter Grant in the amount of \$461,040 of which the City's match is \$46,104; be it further

RESOLVED: That the Finance Director is hereby authorized to recognize revenue in the amount of \$214,936 and to appropriate expenditures of \$346,640 of General Fund fund balance in the Fire Department budget; 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 Sareini supported by Bazy.

7-355-14. RESOLVED: That City Council hereby accepts the award of 36 Portable Motorola Public Safety Radios as part of the 2011/12 Urban Area Securities Initiative (UASI) Grant; be it further

RESOLVED: That the Finance Director is hereby authorized to recognize the revenue and appropriate budgets for recording the in-kind contribution; 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 Sareini supported by Bazzy.

7-356-14. WHEREAS: City Council authorized the transfer of Invoice #30424 in the original amount of \$55.00 to the 2014 Summer Tax Roll by Council Resolution 4-146-14, and

WHEREAS: The unpaid invoice has accrued penalties and fees in the amounts of \$ 0.55 and \$13.89, respectively, and

WHEREAS: The invoice covered the cost of leasing an additional trash cart which was delivered to the property at 23131 Marlboro, and

WHEREAS: The owner of the property at 23131 Marlboro refused the additional trash cart and delivered it back to the City; therefore be it

RESOLVED: That this Council does hereby authorize the Finance Department to cancel Invoice #30424 as follows:

Invoice #30424:	\$55.00
Penalty Fee:	\$00.55
Transfer Fee (25%)	<u>\$13.89</u>
Total Adjustment	\$69.44

be it further

RESOLVED: That this Council does hereby authorize the Finance Department to reduce the 2014 Summer Tax Roll, authorized by Council Resolution 4-146-14, in the total amount of \$69.44 for the property located at 23131 Marlboro as the City's additional trash cart was delivered back to the City; 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 Bazzy.

7-357-14. RESOLVED: That City Council hereby authorizes the Mayor to renew the City's membership with the Southeast Michigan Council of Governments (SEMCOG) in the amount of \$12,059 for the period of June 15, 2014 through June 14, 2015; be it further

RESOLVED: That this membership renewal shall be financed from Citywide Account #101-1299-421-65.00; 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.

7-358-14. WHEREAS: The City Council of the City of Dearborn, Wayne County, Michigan recognizes the role of The Senior Alliance as the designated Area Agency on Aging for Southern and Western Wayne County to be responsible for planning, developing, coordinating, monitoring, and managing a comprehensive organized service delivery system of services for older adults and caregivers, and

WHEREAS: The 34 communities of Southern and Western Wayne County, including the City of Dearborn comprises the Planning and Service Area to the agency's governing body, and

WHEREAS: The Office of Services to the Aging require local Area Agencies on Aging to request approvals of their Annual Implementation Plan from their local governments, and

WHEREAS: The Senior Alliance has submitted the plan to this honorable body in accordance with federal and state laws, and

WHEREAS: The Senior Alliance has held a public hearing for client, caregiver, and service provider population feedback which contributed to the development of the Annual Implementation Plan for Fiscal Year 2015; be it therefore

RESOLVED: That this honorable body of the City of Dearborn approves the Annual Implementation Plan for FY 2015, as presented to the City of Dearborn; 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 Bazy.

7-359-14. RESOLVED: That The Henry Ford be and they are hereby granted permission to conduct its September 9, 2014 Board Meeting at the Dearborn Intermodal Passenger Rail Station 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 adopted as follows: Yeas: Abraham, Bazy, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Shooshanian supported by Sareini.

7-360-14. RESOLVED: That the Susan G. Komen Breast Cancer Foundation be and they are hereby granted permission to conduct the Dearborn portion of the "Susan G. Komen Michigan 3-Day for the Cure Walkathon" event on Sunday, August 17, 2014 at 10:45 A.M. subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the Dearborn portion of the Susan G. Komen Michigan 3-Day for the Cure Walkathon event will begin at approximately 10:45 A.M. with participants entering the City of Dearborn via Outer Drive at Ford Road. Upon reaching Ford Road, the event participants will head west along Ford Road to N. York Street; south along N. York Street to Cherry Hill Road; east along Cherry Hill Road past Military Street to Ford Field Park (Designated Event Pit Stop); then exit Ford Field Park at Brady Street and proceed south along Brady Street crossing Michigan Avenue; then turn left and advance along eastbound Michigan Avenue to American Road; then turn left and cross Michigan Avenue again finishing on the grounds of Ford World Headquarters; be it further

RESOLVED: That all participants shall be restricted to utilizing the sidewalks only, and no portion of the roadways designated within the walk route and must make lawful and proper use of all traffic signals and signs in a manner so as not to interfere with any vehicular or pedestrian traffic; be it further

RESOLVED: That City Council hereby authorizes the use of Ford Field Park and assistance from the Police Department with traffic safety/control for the duration of the event; be it further

RESOLVED: That this event is subject to full reimbursement for all City services provided; 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.

7-361-14. RESOLVED: That the Dearborn Country Club be and they are hereby granted permission to conduct the Michigan Interclub Swimming Association Finals to be held July 25 thru July 27, 2014 with assistance from the Police Department for traffic safety spot checks/parking coordination and control, as well as, the presence of a Fire Department rescue unit on-site for the duration of the event, 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 adopted as follows: Yeas: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). Nays: None. Absent: O'Donnell (1).

By Bazzy supported by Shooshanian.

7-362-14. RESOLVED: That the Kiwanis Club of Dearborn be and they are hereby granted permission to conduct their annual Peanut Street Sale on September 4-6, 2014, subject to all applicable ordinances and the rules and regulations of the Police Department.

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.

7-363-14. RESOLVED: That William Ali on behalf of Students Public Outreach Committee (SPOC) be and they are hereby granted permission to conduct a fundraising Youth Soccer Event at Lapeer Park on Saturday, August 9, 2014 subject to all applicable ordinances and the rules and regulations of the Police Department.

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.

7-364-14. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Michael A. Clay to the Demolition Board of Appeals for a term ending June 30, 2017; be it further

RESOLVED: That City Council hereby concurs in the Mayor's appointment of Mark M. Coleman, to the Demolition Board of Appeals for a term ending June 30, 2016; 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 Bazzy.

7-365-14. RESOLVED: That City Council hereby concurs in the Mayor's appointments of Janice B. Cislo and Kallil I. Kazan, to the East Dearborn Downtown Development Authority for a term ending June 30, 2018; be it further

RESOLVED: That City Council hereby concurs in the Mayor's appointment of Laverne N. Wainwright, to the East Dearborn Downtown Development Authority for a term ending June 30, 2015; 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.

7-366-14. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Daniel M. Merritt, to the East Dearborn Downtown Development Authority for a term ending June 30, 2018; 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.

7-367-14. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Julie L. Turla, to the Economic Development Corporation for a term ending June 30, 2020; 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 Sareini.

7-368-14. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Caryn Charter, to the Planning Commission for a term ending June 30, 2017; 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.

7-369-14. RESOLVED: That receipt of a donation in the amount of \$8,158 from Running Fit, Inc. to the City of Dearborn for the Recreation & Parks Department's Youth Sports Partnership Organizations is hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby directs the Finance Director to credit this money to the Designated Purposes Fund, Project #Z71000 (Special Events), Dearborn Recreation & Parks Department, Donations from Private Source Distribution Account #276-3030-365.90-00 and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

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 Sareini.

7-370-14. RESOLVED: That receipt of a donation in the amount of \$500 from the New York Council for the Humanities to the Library for program costs for the young adult Muslim Voices program is hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby directs the City Treasurer to deposit this money in the Friends of the Library Z71200 project account 276-5100-365.90-00 (Contributions/Donations), and authorizes the Director of Finance to appropriate the money to Friends of the Library Z71200 project account 276-5100-721.98-00 (Undistributed Appropriations) in support of the purpose for which it was donated.

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 by Tafelski.

7-371-14. WHEREAS: The Friends of the Dearborn Symphony have requested use of the two (2) parking structures located in the paid parking system to host the "Cars, Cigars, and Jazz" fund raising event, and

WHEREAS: The Parking Advisory Commission recognizes that special events help to promote and support the vitality of the City of Dearborn and its downtown businesses, and

WHEREAS: The paid parking system will very likely experience an increase in parking revenues due to the additional number of customers using the paid parking system, and

WHEREAS: The Parking Advisory Commission recommends to the City Council that the Friends of the Dearborn Symphony be allowed to use the parking decks, located in the paid parking district, for the "Cars, Cigars, and Jazz" fund raising event at the following rates;

East Deck: flat rate of \$2.00 per car

West Deck: No Charge

therefore be it

RESOLVED: That City Council authorizes the Friends of the Dearborn Symphony to use the East and West parking decks, located in the paid parking district, for the "Cars, Cigars, and Jazz" fund raising event, which is to be held from 6 p.m. to 11 p.m. on Saturday, September 6, 2014, at the following rates:

East Deck: flat rate of \$2.00 per car

West Deck: No Charge

be it further

RESOLVED: That the Friends of the Dearborn Symphony be responsible for meeting all city ordinances, licensing, and insurance requirements; 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 unanimously.

7-372-14 WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Sheik Yousef Berry, and

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

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

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

By Dabaja supported unanimously.

7-373-14. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Gregory J. Mycek, and

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

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

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

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:05 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk