

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

January 27, 2015

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.

Father John Kopson of the Church of the Divine Child delivered the invocation.

By Bazy supported by Shooshanian.

1-22-15. RESOLVED: That the minutes of the previous regular meeting of January 13, and special closed meeting of January 15, 2015, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

1-23-15. RESOLVED: That Ordinance No. 15-1453 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1453 entitled, "An Ordinance to Amend the Fees for Permits and Inspections Chapter (Chapter 9) of the Code of the City of Dearborn by Amending Section 9-10, entitled 'Fees for Extensions'."

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

The President of the Council then put the question, "Shall this Ordinance pass?"

1-23-15. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by Shooshanian.

1-24-15. RESOLVED: That Ordinance No. 15-1454 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1454 entitled, "An Ordinance to Amend Article II of Chapter 5 of the Code of the City of Dearborn, by adding Section 5-30, entitled 'Building Permits; Expiration'."

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

The President of the Council then put the question, "Shall this Ordinance pass?"

1-24-15. Upon roll call the Ordinance was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 15-1455, entitled, "An Ordinance to Amend the Licensing and Business Chapter (Chapter 12) of the Code of the City of Dearborn by adding Article XXV, entitled "Smoking Lounges".

The Clerk read the Ordinance by title.

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

By Tafelski supported by Bazzy.

1-25-15. RESOLVED: That proposed Ordinance No. 15-1455 be laid on the table.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

1-26-15. WHEREAS: The Michigan Department of Transportation (MDOT) will begin a HMA crack treatment project at the following locations: 1) Michigan Avenue (US-12) between Firestone Street and Wyoming Avenue, 2) Michigan Avenue (US-12) between Gulley Road and Elm Street, and 3) Telegraph Road (US-24) between Fordson Road and Ford Road (up to Plymouth Road), and

WHEREAS: The scope of the project work will include sawing/routing cracks and sealing them with hot-poured joint sealant along the roads. Double lane closures will be needed to treat cracks in inside lanes, and ramps may need to be closed temporarily and detoured, and

WHEREAS: The work operations will occur on weekday nights, to minimize the adverse impacts to mobility from the necessary double lane closures. MDOT is proposing to allow the Contractor to start operations at night starting at 9 p.m. and continue working until 5 a.m. the following day, Monday through Thursday, and

WHEREAS: MDOT has respectfully requested a reprieve from Dearborn's ordinance regarding work and noise during the nighttime hours, and

WHEREAS: The contractor will be running compressed air machines to blow out the cracks before applying the overband crack fill. Occasionally, the contractor may use a router at some locations where the cracks are still developing. There may also be occasional beeping of a vehicle backup, and

WHEREAS: The work will progress through closure and will not be at any particular location for more than an hour. Once the Contractor is finished with one side of the road he will come back one more night to do the other side, so there should be no more than three nights (weather permitting) where work will be adjacent to any house, and

WHEREAS: Joint sealing operations are anticipated between the months of June and August of 2015. The exact construction schedule will be forwarded to the City when the project is bid out and the contract is awarded; therefore be it

RESOLVED: That the City Council hereby approves Michigan Department of Transportation's request for a reprieve from Dearborn's ordinance regarding work and noise between 9:00 p.m. and 5:00 a.m. Monday thru Thursday for night-time joint sealing work to be done along Michigan Avenue and Telegraph Road between the months of June and August 2015; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

1-27-15. RESOLVED: That Change Order No. 1 with the Michigan Department of Transportation 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 Rail Road Track and associated water main work, Dearborn Job No. 2013-075, CIP Q61514 in the amount of \$39,300, bringing the City's share to a total of approximately \$130,000 is hereby approved; be it further

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

RESOLVED: That this Change Order shall be financed from C.I.P. Q61514; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

1-28-15. RESOLVED: That all bids received for a 2015 Police Patrol Vehicle are hereby rejected except the bid of Red Holman Buick, GMC in an amount not to exceed \$28,200, 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 Police Department's Capital Equipment, Operating Equipment Vehicle budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

1-29-15. RESOLVED: That all bids received for City Vehicles are hereby rejected except the bids of Signature Ford (\$502,871) and Gorno Ford (\$172,766) in an amount not to exceed \$675,637, 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 multiple City budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Tafelski.

1-30-15. RESOLVED: That City Council hereby authorizes a contract increase with Secrest Wardle in the amount of \$15,000 bringing the new contract total to \$80,000, for additional funding for litigation in the matter of Shaw 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 unanimously adopted.

By Tafelski supported by Sareini.

1-31-15. WHEREAS: The Fire and Police Departments has requested City Council to approve the Downriver Community Conference (DCC), Downriver Mutual Aid Inter-Local Agreement, and

WHEREAS: The Fire and Police Departments has requested City Council authorization to renew its membership in the Downriver Mutual Aid Association, and

WHEREAS: The membership provides the communities to have access to the following DCC special teams: Dive, Hazmat, Fire Investigation, and SWAT; be it therefore

RESOLVED: That City Council hereby authorizes the Downriver Community Conference (DCC), Downriver Mutual Aid Inter-Local Agreement; be it further

RESOLVED: That City Council hereby authorizes the renewal of the Fire Department's membership in the amount of \$15,515.70 and the Police Department's membership in the amount of \$18,090.66; be it further

RESOLVED: That this membership fee for the Fire Department dues shall be financed from account #101-2540-621.65-00 and the Police Department dues shall be financed from account #101-2410-511.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Sareini supported by Bazzy.

1-32-15. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Department of Justice, Office of Community Policing Services (COPS) in the amount of \$500,000, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the federal grant revenue in the amount of \$500,000 and appropriate expenditures of \$399,603; therefore be it

RESOLVED: That City Council does hereby authorize the Finance Director to recognize revenues of \$500,000 and appropriate expenditures of \$399,603 in the General Fund, Police Department budget 101-2410-511.98-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Shooshanian.

1-33-15. WHEREAS: The Dearborn Recreation and Parks Department and the Dearborn Finance Department are requesting implementation for Hardware, Software, Training, and Security in the amount of \$149,493, plus a 10% contingency of \$14,949 for implementation modifications, for a total project budget of \$164,442 at Recreation and Parks Department Facilities, and

WHEREAS: City Council Resolution 2-97-12 authorized Experis Finance to conduct an internal controls evaluation and to suggest enhancements to the following Recreation and Parks Department facilities: Camp Dearborn, Mystic Creek Golf Course, Dearborn Hills Golf Course, Dearborn Ice Skating Center, and the Ford Community & Performing Arts Center, and

WHEREAS: The scope of Experis Finance review included internal controls for cash handling and recommendations to enhance efficiency through automation. The automation process includes the purchase of a point-of-sale (POS) system including hardware, software and employee training to meet the recommendations of the review, and

WHEREAS: A margin for incidentals is being offered due to interfacing with the Recreation and Parks Department's three (3) operating systems: Choice, RecTrac, and FORE Reservations, and

WHEREAS: Implementation of this project will allow for completely automated cash management forgoing the manual systems currently utilized at some facilities; therefore be it

RESOLVED: That City Council does hereby authorize the Finance Director to establish a project and budget in the Technology Fund by appropriating \$164,442 from the General Fund fund balance to the Facility Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

1-34-15. WHEREAS: The Assessor's Office has requested that two part-time Department Associate positions be converted to one full-time Department Technician position. They anticipate this will help the department meet its day-to-day assessment related tasks and, more importantly, also enhance their potential for completing their residential reappraisal project on schedule so it doesn't lapse into an additional assessment year, and

WHEREAS: This project is being done by part-time interns, but employee turnover and other commitments such as school attendance have limited hours worked on the reappraisal project and have resulted in less production than anticipated. A Property Appraiser III has been assigned to devote full and uninterrupted time to the project, but that has resulted in the need to contract for residential appraisals needed to defend MTT appeals, and

WHEREAS: It is anticipated that the cost to the City will be essentially neutral or could possibly result in a small savings as the use of contracted residential appraisals falls with the Property Appraiser III returning to the higher-level tasks associated with that position; therefore be it

RESOLVED: That City Council does hereby authorize the Assessor's Office to add a full-time Department Associate position which will be financed by the elimination of two part-time Department Associate positions and a reduction in contracted residential appraisal services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

1-35-15. WHEREAS: The City of Dearborn Treasury Division reported \$269,113.56 in delinquent miscellaneous and special assessment billings as of December 31, 2014, and

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

Weed Cuttings	\$ 90,394.25
Nuisance Abatements	23,957.00
Annual Inspections	2,500.00
Annual Inspections - ECD	6,871.00
Fire Inspections	300.00
Sales Agreement	17,850.00
Annual Monitoring	2,000.00
Annual Maintenance	194.33
Special Pickup	13,020.00
Recycle Bins	1,485.00
Trees	100.00
Secure/Board-Up Building	7,507.09
Demo/Demo Related Bills	29,636.00
False Alarm Bills	11,320.00
General Fund Interest	10,425.08
Sidewalk Bills	9,799.31
Sewer	41,337.88
SD869	416.62
Total	\$ 269,113.56,

and

WHEREAS: The City of Dearborn Treasury Division requests that these miscellaneous receivable and special assessment items spread on the 2014 Miscellaneous Receivable Assessment Roll as supported by the subsidiary Accounts Receivable systems; therefore be it

RESOLVED: That this Council does hereby confirm and approve the Consolidated Miscellaneous Roll for 2014 for the several services affecting private property in the approximate amount of \$269,113.56 plus 25% per Council resolution 11-1102-02; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

1-36-15. RESOLVED: That the City of Dearborn, in accord with Section 436.17 of the Michigan Liquor Control Act, does hereby approve the transfer of their type of liquor license classification from a Tavern License to a Class C License located at 22266 Michigan Avenue, Dearborn, Michigan, for the Bistro 222 restaurant; be it further

RESOLVED: That such approval shall not be effective and shall not be so forwarded unless and until the payment of all personal property taxes assessed to the transferor have been made; be it further

RESOLVED: That a certified copy of this resolution be forwarded to the Michigan Liquor Commission, State Secondary Governmental Complex, 7150 Harris Drive, P.O. Box 30005, Lansing, Michigan 48909.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Tafelski.

1-37-15. RESOLVED: That the City of Dearborn, in accord with Section 436.17 of the Michigan Liquor Control Act, does hereby approve the temporary Microbrewers License to John Rucinski the owner of Dearborn Brewing located at 21930 Michigan Avenue, Dearborn, Michigan; be it further

RESOLVED: That such approval shall not be effective and shall not be so forwarded unless and until the payment of all personal property taxes assessed to the transferor have been made and no sales would be allowed until final approval; be it further

RESOLVED: That a certified copy of this resolution be forwarded to the Michigan Liquor Commission, State Secondary Governmental Complex, 7150 Harris Drive, P.O. Box 30005, Lansing, Michigan 48909.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

1-38-15. RESOLVED: That the Supervisory, Technical and Professional Unit Employee Salary Plan adopted on November 18, 1980 by C.R. 11-1062-80 be and is hereby amended pursuant to Civil Service Resolution No. 7689-14; effective August 21, 2014; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

1-39-15. RESOLVED: That the Executive and Administrative Unit Salary Plan adopted September 16, 1980 by C.R. 9-863-80 be and is hereby amended pursuant to Civil Service Resolution No. 7712-14, effective December 18, 2014; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

1-40-15. RESOLVED: That City Council hereby authorizes changing the date of the Council Meeting of Tuesday, May 5 to Wednesday, May 6, 2015 due to an unscheduled election called by the State of Michigan.

The resolution was unanimously adopted.

By Tafelski supported by Bazy.

1-41-15. WHEREAS: Hallmark Ventures, the developer of the proposed Hampton Inn at 22324 Michigan Avenue, is currently in the process of finalizing its project financing and the parking lease agreement with the City of Dearborn for up to 50 public parking spaces to support the hotel. As part of this process, the developer has approached the City to approve a request from its lender. Specifically, Hallmark is requesting approval from the City to assign the parking lease to Wells Fargo Bank - National Association in the unlikely event of a mortgage foreclosure on the project. This will ensure that the hotel project remains viable in the marketplace to be remarketed to another operator. The parking lease would ultimately be re-assigned to a qualified party by the lender, subject to approval by the Corporation Counsel. All other terms and conditions of the lease remain as agreed upon; therefore be

RESOLVED: That in the event of a mortgage foreclosure by Hallmark Ventures on the project, Council hereby authorizes the future assignment of the Parking Lease for the proposed Hampton Inn located at 22324 Michigan Avenue to Wells Fargo Bank - National Association, subject to final review and approval by Corporation Counsel to a new owner; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

1-42-15. RESOLVED: That Running Fit, Inc. be and they are hereby granted permission to conduct their Annual Martian Marathon on April 18, 2015 from 7:00 A.M. to 2:00 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That all five (5) Martian Marathon races will begin and end in the main parking lot at Ford Field as indicated in the attached marathon/run route maps; be it further

RESOLVED: That City Council hereby authorizes assistance from the Dearborn Police Department to facilitate the movement of vehicular and participant foot traffic to conduct the event in a safe and lawful manner; be it further

RESOLVED: That City Council hereby authorizes the Chief of Police to make application and sign all required documents relating to the issuance of the necessary state and county permits as follows:

1. Usage and closure of the curb lane and next lane of eastbound Ford Road between Golfview and the exit ramp to Evergreen Road. Also, placement of barricades/traffic cones in this area to denote same.
2. Usage and closure of the exit ramp from southbound Hines Drive to Ford Road and the exit ramp from eastbound Ford Road to Evergreen Road.
3. Usage and closure of the curb lane and next lane of westbound Michigan Avenue from approximately the Greenways Trailhead at Andiamos to Brady Street. Also, placement of barricades/traffic cones in this area to denote same.
4. Usage and placement of DPW barricades and arrow trucks to assist with the closure of the above areas. The City of Dearborn agrees to place, erect and remove the barricades and trucks.
5. Usage of Dearborn Police Officers for crowd control, traffic control and general security of the event.
6. The event shall not commence before 7:15 A.M. and will conclude by 2:00 P.M.

be it further



RESOLVED: That this event is subject to reimbursement from Running Fit, Inc. for all incurred manpower costs of the City of Dearborn; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

1-43-15. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Afan A. Bapacker, to the Board of Ethics for a term ending June 30, 2016; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported unanimously.

1-44-15. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Thomas McLennan, 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 Dabaja supported unanimously.

1-45-15. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Kathryne Munson, 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 Shooshanian supported unanimously.

1-46-15. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Leonard Rutkowski, 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 Abraham supported unanimously.

1-47-15. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Mary Shady, 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.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:07 P.M.

APPROVED:

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

ATTESTED:

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