

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

March 31, 2015

The Council convened at 7:37 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazzy, O'Donnell, Sareini, Shooshanian, Tafelski and President of the Council Dabaja; absent, None. A quorum being present, the Council was declared in session.

Pastor Dan Jongsma of the Dearborn Christian Fellowship delivered the invocation.

By Tafelski supported by Bazzy.

3-112-15. RESOLVED: That City Council hereby suspends their Council Rules of Order to acknowledge the "Take on All Hate" campaign.

By Tafelski supported by Sareini.

3-113-15. WHEREAS: The City of Dearborn supports and protects its citizens regardless of their religion or ethnicity, and

WHEREAS: The City of Dearborn is known for its diversity and for its dynamic history as a home to many immigrant cultures, and

WHEREAS: The Campaign to Take On Hate, sponsored by the National Network for Arab American Communities, seeks to challenge misperceptions and injustices through a coordinated grassroots campaign that involves public education, media and coalition building, and

WHEREAS: The campaign to Take on Hate calls upon all Americans to address the current acceptability of prejudice, to stand up against violence and hate crimes, and to TAKE ON ALL HATE, and

WHEREAS: As public servants we have a greater responsibility to speak out against discrimination and ethnic or religious-based hatred and violence because when the unacceptable becomes the norm in our society, human rights for all are threatened, and

WHEREAS: The City of Dearborn will not tolerate targeting of people based on faith or ethnicity, and

WHEREAS: The City of Dearborn values and appreciates all of its citizens and their rights, including the right to remain free of ethnic and religious bias; therefore be it

RESOLVED: The Dearborn City Council is in support of the Take on Hate Campaign;

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

3-114-15. RESOLVED: That the minutes of the previous regular meeting of March 17, 2015, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Shooshanian supported by O'Donnell.

3-115-15. RESOLVED: That the proposed resolution by Councilmembers Sareini and Abraham authorizing the Finance Director to establish Golf Course projects, debt, and fixed assets budget in the Facilities Fund in the amount of \$1,396,353 for estimated revenues and appropriate \$246,169; also authorizing the Finance Director to establish budget in the Fleet Replacement Fund in the amount of \$34,464 for estimated revenues be and is hereby taken from the table; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

3-115-15a. WHEREAS: The Camp Dearborn Fund and Dearborn Hills Golf Course Fund have been closed, and

WHEREAS: Budget adjustments are required to close the Camp Dearborn Fund and Dearborn Hills Golf course Fund; therefore be it

RESOLVED: That the Finance Director is authorized to process the following Fiscal Year 2016 budget amendments:

General Fund estimated revenues	2,407,485
General Fund appropriation	2,223,362
Camp Dearborn Fund estimated revenues	250,045
General Capital Improvement estimated revenue	269,400
General Capital Improvement Fund appropriation	269,400
Dearborn Hills Golf Course Fund estimated revenues	178,343
Dearborn Hills Golf Course Fund appropriation	1,190,817
Facilities Fund estimated revenues	2,096,885
Facilities Fund appropriation	946,701
Fleet Replacement Fund estimated revenues	34,464

be it further

RESOLVED: That the Camp Dearborn, Mystic Creek Golf Course, and Dearborn Hills Golf Course appropriations are authorized for each at the Recreation Division level and budget can only be reallocated from or to each of these Recreation Divisions with prior approval by the City Council; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 15-1458, entitled, "An Ordinance to Amend the Zoning Ordinance of the City of Dearborn by Amending Article 7.00, Section 7.02 V, entitled 'Site Development Standards for Non Residential Uses - 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 Bazy.

3-116-15. RESOLVED: That proposed Ordinance No. 15-1458 be laid on the table.

The resolution was unanimously adopted.

Councilmember Bazy introduced Ordinance No. 15-1459, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located on the south side of Ford Road from the easterly line of Lots 445, 446, and 447, Maplewood Park Subdivision (located east of Horger) to Chase Road, from a Business A (Local Business District) to a Business B (Community Business District) zoning classification.

The Clerk read the Ordinance by title.

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

By Sareini supported by O'Donnell.

3-117-15. RESOLVED: That proposed Ordinance No. 15-1459 be laid on the table.

The resolution was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 15-1460, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located on the south side of Ford Road from the west line of the John Ford Subdivision (located west of Mead) to Chase, from a Business A (Local Business District) to a Business B (Community Business District) zoning classification.

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.

3-118-15. RESOLVED: That proposed Ordinance No. 15-1460 be laid on the table.

The resolution was unanimously adopted.

Councilmember Tafelski introduced Ordinance No. 15-1461, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located on the west side of Canterbury, south of the alley south of Dix, Lot 673, Dix Avenue Villas Subdivision, from a Residential A (One Family Residential District) to a VP (Vehicular Parking District) zoning classification.

The Clerk read the Ordinance by title.

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

By Sareini supported by O'Donnell.

3-119-15. RESOLVED: That proposed Ordinance No. 15-1461 laid on the table.

The resolution was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 15-1462, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 14540 Ford Road, Lots 331 through 341, Ford-Chase Subdivision, from a Business A (Local Business District) to Business B (Community Business District) zoning classification.

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 Tafelski.

3-120-15. RESOLVED: That proposed Ordinance No. 15-1462 be laid on the table.

The resolution was adopted as follows: Yes: Abraham, Bazzy, O'Donnell, Sareini, Shooshanian and Tafelski (6). Abstained: Dabaja (1). No: None. Absent: None (0).

By Sareini supported by Tafelski.

3-121-15. WHEREAS: The construction of the 8" diameter water main on Middlepointe and Morrow Circle East Streets are proposed. The new 8" diameter water main will be installed over the Detroit Water and Sewerage's (DWSD) 72" diameter water transmission line, and

WHEREAS: The DWSD has implemented a new procedure for their utility crossings. They now require agencies to execute a "Construction Approval Agreement between City of Detroit, Water and Sewerage Department and Agency". Previously, the DWSD's utility crossings were handled by executing Easement Encroachment Permits, and

WHEREAS: The City Engineer hereby requests that the City Council approve the attached agreement subject to a review by the Corporation Counsel and authorize the Mayor to execute this agreement on behalf of the City; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to execute a Construction Approval agreement with the City of Detroit Water and Sewerage Department (DWSD) for the Asphalt Street Resurfacing and Water Main Replacement, Phase 1, Job #2015-018, subject to review and approval of Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Tafelski.

3-122-15. WHEREAS: The construction of a 12" diameter water main on Tireman Road under the Railroad track between Chase and Schaefer Road is proposed to replace the existing 8" diameter water main which is old and observing frequent water main breaks. There was a water main break under the railroad track which required DPW staff to cap the water main on both sides of railroad track. The capped water main is currently providing unlooped water supply to the businesses that must be corrected. The looped water supply is necessary for the domestic supply and fire protection. Tireman Road is under the jurisdiction of Wayne County, therefore the water main construction requires Wayne County review and approval, and

WHEREAS: It is normal practice to replace water main with parallel pipe concept in which new water main is constructed parallel to and away from the existing water main. Once the new water main is tested for pressure and bacteriological test and all services are transferred, the old water main is abandoned, and

WHEREAS: In recent years Wayne County has changed their requirements with regards to underground utility installations. Wayne County now requires that all utility replacement be undertaken at the same location of the existing utility by replacing the existing utility. The purpose of this new requirement is to minimize unused/abandoned pipes within the right of way, and

WHEREAS: Removal of existing water main under railroad track without disturbing the tracks is impractical, and

WHEREAS: Upon further communication with Wayne County, Wayne County has finally agreed to the parallel water main concept provided the City Council adopts a resolution that the City of Dearborn will abide by the following conditions:

1. City of Dearborn shall maintain ownership and responsibility for the abandoned water mains within the Tireman Road rights-of-way (ROW).
2. City of Dearborn shall fill all abandoned water mains, conduits, and structures with flowable fill material.

3. City of Dearborn shall maintain detailed records of the abandoned water mains including, but not limited to, the locations, depths, sizes and type of material. A copy of these records shall be submitted to the Wayne County Permit Office.
4. City of Dearborn must notify "Miss Dig" to record the abandoned water mains as dead/inactive water mains.
5. At the discretion of Wayne County, the City of Dearborn shall remove the abandoned water mains and restore all areas to conditions satisfactory to Wayne County,

and

WHEREAS: The Engineering Division has no objection to the first four Wayne County conditions; however the division has a concern on agreeing to Condition No. 5. However, keeping in mind that it is unlikely that Wayne County will direct the City to remove the abandoned water main under the railroad track unless significant changes are proposed within the right of way in the future such as depressing the pavement, reconstructing the pavement, or vacating the right of way, or removal of railroad tracks. The City Engineer has no objections to agreeing with Condition No. 5, and

WHEREAS: Based on the above mentioned fact, and not to delay the water main project, the City Engineer hereby recommends that the City Council adopt a resolution stating that the City of Dearborn, as part of the Tireman Water Main Replacement Project under the Railroad Track between Chase & Schaefer Roads, Wayne County Review #R15-090, will abide by the Wayne County conditions as stated above; therefore be it

RESOLVED: That the City will abide by the Wayne County conditions for the Tireman Water Main Replacement Project - Under Railroad Track between Chase and Schaefer, Job No. 2014-081; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

3-123-15. RESOLVED: That Change Order No. 1 with Mason Browns Associates, LLC which provides for a Topographic Survey, Job No. 2015-16 for the City's Major and Local Roads in the amount of \$37,000, bringing the new contract total to \$101,166 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 by the C.I.P. N95600; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

3-124-15. RESOLVED: That all bids received for Asphalt Resurfacing and Water Main Replacement 2015 - BG, Job #2015-18 are hereby rejected except the bid of DiPonio Contracting, Inc. in an amount not to exceed \$1,974,953.45, 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 amount of \$75,000 is hereby approved to provide for any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project; be it further

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

RESOLVED: That this contract shall be financed from the Community Development Block Grant Fund; the Local Street Fund, Construction Services; and the Water Fund, Construction Services accounts, Projects Q74007 and Q74002; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

3-125-15. RESOLVED: That all bids received for HMO, PPO and Self-Funded Pharmacy Program are hereby rejected except the bids of HAP and Blue Cross Blue Shield of Michigan (BCBSM) in an amount not to exceed \$11,065,657 for HMO self-funded benefits, \$4,363,792 for PPO, and \$2,534,589 for the Self-Funded Pharmacy Program, that the aforementioned bid is hereby accepted, that the Finance Director is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of one (1) year with one-year renewals at negotiated rates with the renewals ongoing until a new solicitation is required by PA 106; also authorizing the Finance Director to execute the renewals contingent upon satisfactory performance by the vendors and adoption of the respective years' budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

3-126-15. RESOLVED: That all bids received for Dental Benefits and Vision Benefits are hereby rejected except the bids of Delta Dental and Blue Cross Blue Shield of Michigan in a total amount of \$2,582,877 for Dental Benefits and the amount of \$60,441 for Vision Benefits, that the aforementioned bid is hereby accepted, that the Finance Director 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 with Delta Dental shall be for a term of three (3) years with two (2) one-year renewal options possible pending satisfactory performance of the vendor for a total expenditure of \$4,369,573; also the contract with Blue Cross Blue Shield of Michigan shall be for one (1) year with four (4) one-year renewals for a total of \$302,205 contingent upon adoption of the respective years' budgets; be it further

RESOLVED: That the Finance Director is hereby authorized to execute possible renewals with the respective providers; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

3-127-15. RESOLVED: That all bids received for Third Party Administrator Services are hereby rejected except the bid of ASU Group in an amount not to exceed \$39,000 annually, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of three (3) years with two (2) one-year renewal options for a total amount of \$117,000 contingent upon adoption of the respective years' budgets; be it further

RESOLVED: That this contract shall be financed from the Workers' Compensation Fund, Risk Management, Professional Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-128-15. RESOLVED: That all bids received for Excess Workers' Compensation Coverage are hereby rejected except the bid of Nickel & Saph in an amount not to exceed \$55,115, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of one (1) year with four (4) one-year renewal options contingent upon adoption of the respective years' budgets; be it further

RESOLVED: That this contract shall be financed from the Workers' Compensation Fund, Insurance and Risk, Workers' Compensation budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

3-129-15. RESOLVED: That all bids received for Repair of the Penthouse Panels at the Henry Ford Centennial Library are hereby rejected except the bid of Cusack's Masonry Restoration, Inc. in an amount not to exceed \$48,750, 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 amount of \$1,250 is hereby approved to provide for any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project; be it further

RESOLVED: That the Library Director be and 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 Facilities Fund, Libraries, Capital Project budget, Project I30508; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

3-130-15. WHEREAS: The State of Michigan is compiling usage figures to include in their 2015/2016 winter salt solicitation and has inquired if it is the City's intention to continue procuring road salt through the MiDeal Program. All quantities submitted represent a commitment to participate in the State of Michigan road salt solicitation. Pricing for the 2015/2016 salt will be available September, 2015, and

WHEREAS: Most counties and municipalities in Michigan rely on the state contract. The City has realized benefits from this program over the past several seasons when salt availability was limited and prices sky-rocketed. The state contracted vendors have always held firm to their commitment to supplying participating communities before releasing salt for sale on the open market. Dearborn has participated in salt purchases under the MiDeal Program since 2000, and

WHEREAS: The Director of Public Works has requested City Council authorize the Purchasing Agent to make a commitment to the State of Michigan under the MiDeal Program to purchase 6,000 tons of salt for "early delivery" and 2,000 tons as "seasonal back-up" for the 2015/2016 winter period. This compares to a 9,000 tons and 2,000 tons commitment respectively for the current winter season. Current season MiDeal salt prices are \$74.42 per ton for "early delivery" and \$58.95 per ton for "seasonal backup"; 2013/2014 season pricing was \$32.67 per ton and \$35.21 per ton respectively; therefore be it

RESOLVED: That City Council hereby authorizes the Purchasing Agent to make a commitment to the State of Michigan under the MiDeal Program to purchase 6,000 tons of salt for "early delivery" and 2,000 tons as "seasonal back-up" for the 2015/2016 winter period; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

3-131-15. RESOLVED: That all bids received for Construction of Camp Dearborn Cabins - Phase 2 are hereby rejected except the bid of Cross Renovation, Inc. in an amount not to exceed \$336,977, 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 amount of \$23,000 is hereby approved to provide for any possible asphalt replacement during the construction of the new cabins and any unforeseen conditions encountered and for estimated variances in line-item quantities during the execution of the project; be it further

RESOLVED: That the Recreation Director be and 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 Facilities Fund, Camp Dearborn, Capital project Budget, Project I22414; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

3-132-15. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), 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 Tri-County International Truck be designated as a sole source for purchase of International Truck Repairs, Parts and Supplies in the amount of \$100,000 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, Public Works, Vehicle Repair & Maintenance budget, FY16 purchases are contingent upon budget adoption; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Shooshanian.

3-133-15. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), 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 Bell Equipment Company be designated as a sole source for purchase of Elgin and Epoke Parts and Repairs in the amount of \$35,000 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, Public Works, Vehicle Repair & Maintenance budget, FY16 purchases are contingent upon budget adoption; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Bazy.

3-134-15. WHEREAS: The October 21, 2014 Council Resolution C.R. 10-535-14 authorized the elimination of the paid parking system and replaced it with an enforced time limit parking system. The Parking System Funds do not warrant a separate fund and has required General Fund contributions in the past. Consolidation of these funds into the General Fund will increase efficiency with the reduction of associated work, and

WHEREAS: The operations of the Parking System Funds have been moved to the General Fund as of March 7, 2015. Land inventory has been moved to the General Capital Improvement Fund. Fixed assets have been moved to the Facilities Fund and the Fleet Replacement Fund. Debt and active projects have been moved to the Facilities Fund, and

WHEREAS: In order to close the Parking System Funds, the Finance Director requests to establish operational budget in the General Fund of \$18,500 for estimated revenues and appropriate \$210,729 for expenditures, and

WHEREAS: To transfer Parking System projects and land inventory, the Finance Director requests to establish budget in the General Capital Improvement Fund of \$870,138 for estimated revenues as contributions from the West Dearborn Parking System Fund, and

WHEREAS: In order to close the East Dearborn Parking System Fund, the Finance Director requests authority to appropriate budget of \$1,855,264 as a contribution of land to the Facilities Fund, and

WHEREAS: In order to close the West Dearborn Parking System Fund, the Finance Director requests authority to appropriate budget of \$10,610,446 as contributions of land for resale, land, equipment, debt, and vehicles to the General Capital Improvement Fund, Facilities Fund, and Fleet Replacement Fund, and

WHEREAS: To accept the contribution of land, land improvements, equipment, debt, and transfer active Parking System projects the Finance Director requests authority to establish budget in the Facilities Fund of \$11,592,505 and appropriate \$10,801 for expenditures, and

WHEREAS: To accept the contribution of vehicles from the Parking System, the Finance Director requests to establish budget in the Fleet Replacement Fund of \$13,868 for estimated revenues, and

WHEREAS: Total budget requested to be established from this initiative is listed in the table below:

Total Budget Request		
	Revenue Budget	Appropriation
101 General Fund - Operations	18,500	210,729
401 General Capital Improvement	870,138	
514 East Dearborn Parking System		1,855,264
516 West Dearborn Parking System		10,610,446
634 Facilities Fund	11,592,505	10,801
668 Fleet Replacement	13,868	

and

WHEREAS: It is expected that the conversion to the time limit parking system will take place beginning May 1, 2015; therefore be it

RESOLVED: That the Finance Director be and is hereby by authorized to establish operational budget in the General Fund of \$18,500 for estimated revenues and appropriate \$210,729 for expenditures in order to close the Parking System funds; establish budget in the General Capital Improvement Fund of \$870,138 for estimated revenues as contributions from the West Dearborn Parking System Fund, and appropriate budget of \$1,855,264 as a contribution of land to the Facilities Fund; appropriate budget of \$10,610,446 as contributions of land for resale, land equipment, debt, and vehicles to the General Capital Improvement Fund, Facilities Fund, and Fleet Replacement Fund, and establish budget in the Facilities Fund of \$11,592,505 and appropriate \$10,801 for expenditures, and establish budget in the Fleet Replacement Fund of \$3,868 for estimated revenues; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Tafelski.

3-135-15. WHEREAS: On August 9, 2011 the City entered into an Intermodal Passenger Rail Facility Lease agreement "agreement" with National Railroad Passenger Corporation Counsel (Amtrak) approved by City Council Resolution 7-403-11. The agreement term is for 20 years, commencing after the Rail Facility has been completed and an occupancy permit is issued for the rail facility, which was January 15, 2015, and

WHEREAS: Per the agreement, Amtrak shall deposit \$500 per month in a Replacement Reserve Account to pay for no more than Amtrak's proportionate share of improvements of a capital nature. The deposit total for the period January 15, 2015 to June 30, 2015 is expected to be \$2,750, and

WHEREAS: City Council Resolution 12-625-14 approved the Finance Director to set up an interest bearing, federally insured, segregated escrow account in the name of Amtrak and the City to be used as a Replacement Reserve Account, and

WHEREAS: It is requested that the Finance Director be authorized to create a budget for the Capital Replacement funds in the Facilities Fund Public Works Department, Train Station Division, Leases/Nat'l Passenger Railroad revenue account in the amount of \$2,750 and to appropriate budget in the Facilities Fund Public Works Department, Train Station Division, Capital Project Support, undistributed appropriation; therefore be it

RESOLVED: That the Finance Director is hereby authorized to establish a budget for the Capital Replacement funds in the Facilities Fund Public Works Department, Train Station Division, Leases/Nat'l Passenger Railroad revenue account in the amount of \$2,750 for the Train Station Capital Replacement Reserve FY2015 Budget, and appropriate budget in the Facilities Fund Public Works Department, Train Station Division, Capital Project Support, undistributed appropriation.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

3-136-15. RESOLVED: That receipt of a reimbursement in the amount of \$3,150 for Ford Authorized Training from six (6) outside agencies, is hereby acknowledged and accepted; be it further

RESOLVED: That the Finance Director is hereby authorized to establish budget in the amount of \$3,150 in account 101-2085-369.90-00 and to appropriate budget in the Central Garage Training Budget account 101-2085-856.58-10 for the Reimbursements for Ford Authorized Training; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

3-137-15. RESOLVED: That receipt of a grant award in the amount of \$500 from the Dearborn Community Fund for the Pioneer School Program, is hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to recognize the grant revenue and appropriate the monies toward expenditures for the school program in the General Fund Historical Department; be it further

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

3-138-15. WHEREAS: Safe Al-Attabi, owner and occupant of the property at 5519 Maple (single-family home with a driveway and a detached garage), has requested that the City sell him the vacant lot located next to his property so that he may combine it with the adjacent lot he owns, and

WHEREAS: Safe Al-Attabi wishes to increase his lot size from 35 ft. to 70 ft. and will combine the two lots for tax and assessment purposes. He understands that, if the sale is approved, he cannot seek any variances from the Dearborn Zoning Ordinance. The City Assessor valued this 35 ft. lot at \$4,700, and

WHEREAS: The owner of the other neighboring property at 5533 Maple did not express interest in purchasing any portion of the City lot located at 5525 Maple, 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; and

WHEREAS: The sale is conditioned on the following conditions:

1. The lot must be combined with the Purchaser's property and may not be resplit or combined with other land for a resplitting as two buildable lots. Purchaser may seek permission to split and sell a portion of the side yard to the neighboring property owner.
2. The lot may only be sold or developed in combination with the Purchaser's adjacent property.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions.

5. Lots must be combined with the Purchaser's adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchaser is waiving his right to seek any variances.
7. If Purchaser violates any of the restrictions imposed, he is obligated to sell the land back to the City for \$4,700, less 10% and less costs associated with the transfer of property back to the City.

therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$4,700 to Safe Al-Attabi of the parcel described as:

Lot 299, Maplewood Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 32, Page 25 of Plats, Wayne County records.

Tax I.D. 82-10-182-07-038
Commonly known as vacant lot at 5525 Maple
Lot size: 35'x 132'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Safe Al-Attabi 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 Safe Al-Attabi closing within ninety (90) days of the effective date of this Resolution; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied, and upon the satisfaction of the terms contained in the Purchase Agreement; be it further

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

RESOLVED: That the sale of 5525 Maple as side yard serves a public purpose by promoting lot expansion to enhance the neighborhoods and complies with the public purpose identified when the City originally purchased the property through the Neighborhood Stabilization Program; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

3-139-15. WHEREAS: The Divine Child Men's Club have requested that the City of Dearborn recognize it as a "nonprofit organization" and their Articles of Incorporation and/or constitution and bylaws designate their nonprofit status of five (5) plus years; be it

RESOLVED: That Divine Child Men's Club be and is hereby recognized by the City of Dearborn as a "nonprofit organization" functioning within the community; be it further

RESOLVED: That a copy of this resolution be forwarded to the State of Michigan, Bureau of State Lottery, Charitable Gaming Division, 101 E. Hillsdale, Box 30023, Lansing, Michigan 48909, as evidence of the City of Dearborn's recognition of as a "nonprofit organization" functioning within the City of Dearborn.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

3-140-15. WHEREAS: At the June 28, 2007 meeting of the City of Dearborn pension boards, it was decided to increase the deductible for Trustee Fiduciary Liability Insurance to \$10,000. At that time, Mayor O'Reilly made the commitment on behalf of the City to pay any deductible from the City's General Fund in the event of a claim. This memo will confirm the Mayor's commitment to the Boards, and

WHEREAS: Please note that the City reserves the right to seek to recover the deductible and any other costs incurred from any trustee or trustees found to have criminal responsibility in any claim against the City's pension boards, and

WHEREAS: At the April 16, 2015 meeting of the City of Dearborn Pension Boards, the trustees will vote to renew the Annual Trustee Fiduciary Responsibility Insurance Policy. The renewal includes a \$10,000 deductible provision per claim. This will confirm the City's continuing commitment to pay for the deductible in the event of a claim, subject to the criminal responsibility condition noted in the original memo to the Trustees; therefore be it

RESOLVED: That this confirms the City's continuing commitment to pay the \$10,000 deductible for the Trustee Fiduciary Liability Insurance in the event of a claim; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

3-141-15. WHEREAS: Council Resolutions 9-486-14 and 9-487-14 authorized Hallmark Ventures to lease 50 spaces in Lot A from the City, based on daily use rate through the paid parking system in the west downtown district for the Hampton Inn hotel project, and

WHEREAS: Elimination of the City's paid parking system in the district necessitates a modification in the lease agreement between the City and Hallmark Ventures for the use of the parking spaces. When paid parking was in place, it was envisioned that the parking manager would coordinate with the hotel operator on a daily basis to ensure that the hotel had adequate parking to meet its variable needs of up to 50 spaces. Now, since there is no parking manager, Hallmark Ventures has requested to lease 50 dedicated and marked spaces within Lot A, located as closely to the hotel as possible to assure their financing and Hampton Inn flag commitment. Based on discussions with Hallmark Ventures and some comparisons to other like hotels, it has been agreed that the spaces are acceptable within 280 feet (approximately one city block) of the hotel entrance. The attached diagrams illustrate examples of possible configurations, and

WHEREAS: The City assessor has determined that \$10 per square foot is a reasonable value for Lot A. Therefore, an assumption of 10% of that value or \$1 per square foot has been identified as the annual lease rate. A parking space is 10'x20' plus 10'x10' associated adjacent maneuvering space. This equates to 300 square feet/space or \$300 per space/year. The resulting income to the City will be an annual payment of \$15,000 to lease 50 spaces in Lot A, and

WHEREAS: Discussions are also occurring with Oakwood Health System as the other large user of Lot A. It is anticipated that Oakwood will also wish to lease some dedicated spaces in Lot A for its employees at the Muirhead Center. Once the configuration for both Hallmark and Oakwood has been determined, the necessary modifications to Lot A for access, gates, fencing, signs, and trash removal will be determined and costs for the improvements will be shared by the two major users proportionate to their use of Lot A. The recommendations for the modifications to the Oakwood parking agreement will be presented to Council at a later date, and

WHEREAS: It is recommended that the City Council authorizes the Mayor to execute a parking lease with Hallmark Ventures to dedicate 50 spaces in Lot A for hotel use as described herein, subject to final review and approval by Corporation Counsel and the City Engineer. All other previously approved terms contained in C.R. 9-487-14 will remain in effect; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to execute the modified Hallmark Ventures parking lease to dedicate 50 spaces in Lot A for hotel use, subject to final review and approval by Corporation Counsel and the City Engineer; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (6). No: Abraham (1). Absent: None (0).

By Tafelski supported by O'Donnell.

3-142-15. WHEREAS: Les Stanford Chevrolet/Cadillac has requested to enter into a lease agreement with the City on an annual basis for the use of parking spaces in the West Parking Deck above the Security gates on the third floor. The dealership wishes to utilize twenty spaces in the deck for its customer courtesy vehicles and some employees vehicles, and

WHEREAS: The monthly rate for this agreement is \$25/month x 20 vehicles (based on a former monthly rate for the West Deck), or \$500 per month. The lease contemplates a thirty-day cancellation clause should the City need this parking for other purposes, and

WHEREAS: The existing security gates were installed at the time of deck construction to dedicate an area for hotel parking (for the hotel that was to be located between the decks) with the potential for a pedestrian skywalk from the deck to the hotel. The gates were decommissioned, as parts were needed to repair other gate mechanisms within the paid parking system. Now that the paid parking system has been eliminated, parts from other operational gates can be used to reactivate the deck gates. If the lease agreement is approved, Les Stanford Chevrolet/Cadillac will be responsible to reactivate and maintain the security gates during the lease term, and

WHEREAS: Therefore it is recommended that the City Council authorizes the Mayor to execute a parking lease agreement with Les Stanford Chevrolet/Cadillac as described herein subject to final review and approval by Corporation Counsel; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to execute a parking lease agreement with Les Stanford Chevrolet/Cadillac for use of parking spaces in the West Parking Deck above the security gates on the third floor; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Tafelski.

3-143-15. RESOLVED: That Saint Sebastian Parish be and they are hereby granted permission to conduct their Annual Spring Festival and Parade over the weekend of May 15-17, 2015, subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the parade held on Saturday May 16, 2015 shall be as follows: Beginning at 11:00 A.M. in the Saint Sebastian Parish parking lot at the intersection of Merrick and Dartmouth, parade participants will proceed south on Merrick to Annapolis; west on Annapolis to Monroe; north on Monroe to Carlisle; east on Carlisle to Merrick; then continue south on Merrick returning to the parish parking lot; be it further

RESOLVED: That City Council hereby authorizes assistance from the Police, Recreation & Parks and Public Works Departments with traffic safety/control and the provision of various materials/services (sound truck, barricades, trash containers and picnic tables); be it further

RESOLVED: That this event is contingent upon Saint Sebastian Parish reimbursing the City of Dearborn for incurred cost, resulting from the provision of the materials and services listed above for the 2015 Spring Festival and Parade; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by O'Donnell.

3-144-15. RESOLVED: That the Dearborn Chamber of Commerce be and they are hereby granted permission to conduct the 2015 Dearborn Farmer's and Artisan's Market on Fridays for the period of May 8 through September 25, 2015 (except July 3rd) from 9:00 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 City Council hereby authorizes the Dearborn of Chamber of Commerce to use the exterior grounds of the Bryant Library and the eastern ½ (or less) of the City-owned Parking Lot B; be it further

RESOLVED: That, in addition to utilizing the exterior grounds of the Bryant Library and the eastern ½ (or less) of the City-owned Parking Lot B, City Council hereby approves the following:

- The closure of the service drive/alley to thru traffic from just east of the Buddy's Pizza parking lot to the stop sign, located behind Hair Studio 932, during Market hours.
- Waiving of all ECD permitting fees (tents, electrical and sidewalk/temporary sales, etc.) for all Market vendors.
- Installation of street light pole banners (along Michigan Avenue between Monroe Street and Outer Drive) for the period of May 8 through September 25, 2015.
- Installation of street banners across Military and Howard Streets, north of Michigan Avenue for the period of May 8 through September 25, 2015.
- Assistance and various materials from the Recreation & Parks, Public Works, Police, Library and Economic & Community Development Departments.

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Tafelski.

3-145-15. WHEREAS: The West Dearborn Downtown Development Authority (WDDDA), wishes to host the annual Friday Nites in the Park Concert Series in the WDDDA District, by presenting live bands on the evenings of June 12, June 26, July 10, July 24, August 14 and August 28, 2015, and

WHEREAS: The WDDDA wishes to host these live concerts at the Bryant Library, which is public property; be it therefore

RESOLVED: City Council authorizes the WDDDA to hold the Friday Nites in the Park Concert Series on the Bryant Library grounds; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

3-146-15. WHEREAS: The West Dearborn Downtown Development Authority (WDDDA), wishes to host the annual Food Truck Rallies in the WDDDA District, on the evenings of June 26, July 24, and August 28, 2015, and

WHEREAS: The WDDDA wishes to host these Food Truck Rallies in the eastern half of Parking Lot B and the adjacent alley, which is public property; therefore be it

RESOLVED: That the West Dearborn Downtown Development Authority (WDDDA) be and they are hereby granted permission to use the public space in the eastern half of Parking Lot B in the WDDDA District, and closure of the adjacent alley from Garrison to the driveway of Buddy's Pizza for the Food Truck Rallies in conjunction with several of the Friday Nites concert series on the evenings of June 26, July 24, and August 28, 2015; be it further

RESOLVED: That City Council hereby authorizes the waiving of all ECD permitting fees (tents, electrical and sidewalk/temporary sales, etc.) for all vendors; be it further;

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

3-147-15. WHEREAS: The West Dearborn Downtown Development Authority (WDDDA), in financial partnership with Mike Hamame, would like to help sponsor a Cinco de Mayo event in the WDDDA District, which will be organized by Ultimate Fun Productions and The Social Connection, and

WHEREAS: This event would promote the WDDDA District and Free Parking throughout the greater Detroit area and Southeastern Michigan, and

WHEREAS: The WDDDA and promoters would like to make the Cinco de Mayo Party an annual event in the WDDDA District, and

WHEREAS: The event would take place on public property in the WDDDA District, specifically West Village Commons Plaza, West Village Drive between the two parking decks, and the vacant land between the two parking decks, on Friday, May 1 from 4:00 p.m. to midnight and Saturday, May 2 from noon to midnight, and

WHEREAS: On Tuesday, May 5, the promoters are planning activities in the West Village Commons Plaza from 4:00 p.m. to midnight, in conjunction with a 5K Fun Run at 7:00 p.m. via the neighborhood south of the WDDDA District, and a Pub Crawl through the WDDDA District, which is scheduled to begin at 7:30; therefore be it

RESOLVED: That Ultimate Fun Productions and The Social Connection, with participation from the partnership between the WDDDA and Mike Hamame be and they are hereby granted permission to conduct a "Cinco De Mayo" Celebration using public space in the WDDDA District on Friday, May 1 from 4:00 p.m. to midnight, Saturday, May 2, 2015 from noon to midnight, and Tuesday, May 5, 2015 from 4:00 p.m. to midnight, subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council also authorizes assistance from the Police Department with the closure and re-opening of West Village Plaza, as well as, beat patrol spot checks for the duration of the event; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Bazzy.

3-148-15. RESOLVED: That City Council hereby appoints Donald C. Cundy, to the Board of Trustees for Retirement System Chapters 22 and 23 for a term ending January 1, 2018.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:12 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk