

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

April 21, 2015

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

Pastor Joel Basely of the Church of the Emmanuel Lutheran delivered the invocation.

By Bazzy supported by Tafelski.

4-155-15. RESOLVED: That the minutes of the previous regular meeting of March 31, 2015, special open and closed meetings of March 23, and special meeting of April 1, 2015, and the same are hereby approved as recorded and published.

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

By Bazzy supported by Tafelski.

4-156-15. RESOLVED: That Ordinance No. 15-1458 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 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?"

4-156-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). No: None. Absent: O'Donnell (1).

By Bazzy supported by Tafelski.

4-157-15. RESOLVED: That Ordinance No. 15-1459 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 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?"

4-157-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). No: None. Absent: O'Donnell (1).

By Tafelski supported by Bazzy.

4-158-15. RESOLVED: That Ordinance No. 15-1460 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 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?"

4-158-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). No: None. Absent: O'Donnell (1).

By Sareini supported by Shooshanian.

4-159-15. RESOLVED: That Ordinance No. 15-1461 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 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?"

4-159-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). No: None. Absent: O'Donnell (1).

By Tafelski supported by Bazzy.

4-160-15. RESOLVED: That Ordinance No. 15-1462 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 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?"

4-160-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). Abstain: Dabaja (1) No: None. Absent: O'Donnell (1).

Councilmember Sareini introduced Ordinance No. 15-1463, entitled, "An Ordinance to Amend Section 2-518 of the Administration Chapter (Chapter 2) of the Code of the City of Dearborn entitled 'Veto Power of the Mayor'."

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 Tafelski.

4-161-15. RESOLVED: That proposed Ordinance No. 15-1463 be laid on the table.

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

By Abraham supported by Bazzy.

4-162-15. RESOLVED: That all bids received for Caisson Abandonment at Colson/Palmer Site C5, Job 10-04-082 (10-05-086) are hereby rejected except the bid of Ric-Man Construction in an amount not to exceed \$7,664,230.50, 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 amount of \$500,000 is hereby approved to provide for any unforeseen conditions encountered 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 Sewer Fund-CSO, Public Works, Construction Services; the Local Street Fund, Public Works, Construction Services; and the Water Fund, Public Works, Construction Services accounts, Project N85050; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Shooshanian.

4-163-15. RESOLVED: That all bids received for Seniors Passenger Bus are hereby rejected except the bid of Transportation Equipment Sales Corp. in an amount not to exceed \$51,800, 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 Seniors Apartment Operating Fund, Housing Division, Capital Equipment, Operating Equipment Vehicle budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Abraham.

4-164-15. RESOLVED: That the bid from B & B Pool Service and Supply Co. received for City Outdoor Pool Opening and Closing Services is hereby accepted in the total amount of \$24,560, 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 \$5,000 is hereby approved to provide for any possible replacement parts and any unforeseen repairs encountered 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 the contract shall be for a term of one (1) year with two (2) one-year renewal options upon full execution of the contract; be it further

RESOLVED: That this contract shall be financed from the General Fund, Recreation Department, Contractual Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Tafelski.

4-165-15. RESOLVED: That all bids received for the Purchase of Golf Carts are hereby rejected except the bid of Midwest Golf and Turf in an amount not to exceed \$231,250, 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 Finance Director be and is hereby authorized to appropriate the General Fund balance in the amount of \$57,812.50 to the Recreation Department Dearborn Hills Golf Course Division, and establish the same revenue budget estimate in the Fleet Replacement Fund and appropriate \$231,250 in said fund to finance this purchase. The fiscal year 2016-2018 budgets will include equal installment payments to the Fleet Replacement Fund to fully reimburse for this purchase; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Sareini.

4-166-15. WHEREAS: The City presently has a contract with Kone, Inc. (C.R. 3-122-12) for City Elevator Maintenance Services, and

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

WHEREAS: Kone, Inc. has offered to renew the present contract prices through April 1, 2017; be it

RESOLVED: That the contract for City Elevator Maintenance Services is hereby renewed with Kone, Inc. through April 1, 2017 in an amount not to exceed \$73,000; be it further

RESOLVED: That this contract shall be financed from various City budgets. Funding for FY16 and FY17 is contingent upon the adoption of the budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Tafelski.

4-167-15. WHEREAS: The City presently has a contract with Alliance Payment Solutions, Inc. (C.R. 2-95-12) for Lock Box Services, and

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

WHEREAS: Alliance Payment Solutions, Inc. has offered to renew the present contract prices through March 30, 2018; be it

RESOLVED: That the contract for Lock Box Services is hereby renewed with Alliance Payment Solutions, Inc. through March 30, 2018 in an amount not to exceed \$90,000 (\$30,000/year); be it further

RESOLVED: That this contract shall be financed from the General Fund, Finance, Contractual Services budget and the Water Fund, Public Works, Contractual Services budget. Future funding is contingent upon the adoption of the respective Fiscal Years budgets; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Shooshanian.

4-168-15. WHEREAS: Secrest Wardle was selected in November, 2013 as the lowest cost/highest responsible bidder to represent the City in Shaw v. City of Dearborn, and

WHEREAS: The Plaintiff's Class Action Complaint challenges the legality of the City's retail water and sewer rates, and

WHEREAS: The City would be well-served by legal representation from Gary August of Zausmer, August, and Caldwell, due to Mr. August's extensive knowledge of the City's CSO projects through other litigation on the City's behalf, and

WHEREAS: Mr. August submitted a proposal in November 2013 when an RFP was issued for legal representation in this case; therefore be it

RESOLVED: That the professional services agreement with Zausmer, August, and Caldwell be extended to include representation of the City in this matter in an amount not to exceed \$50,000, to be funded from the Fleet and General Liability fund; be it further

RESOLVED: That this resolution is given immediate effect is requested.

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

By Shooshanian supported by Sareini.

4-169-15. RESOLVED: That the Mayor is hereby authorized to renew the City's membership with the Dearborn Chamber of Commerce in the amount of \$3,100 for the period of January - December 2015; be it further

RESOLVED: That this membership renewal shall be financed from the citywide account 101-1299-421.65-00.

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

By Bazzy supported by Sareini.

4-170-15. WHEREAS: The City of Dearborn anticipates an entitlement allocation of approximately \$1,721,248 for the 41st Year (FY 2015-16) Community Development Block Grant (CDBG) program from the US Department of Housing and Urban Development (HUD), and

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

RESOLVED: That the Mayor is hereby authorized to execute an application and grant agreement in the approximate total amount of \$1,721,248 for the 41st Year Community Development Block Grant Program to support eligible projects, programs, and activities; be it further

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

RESOLVED: That prior period funding for the Home Rehabilitation Program (project Z51200) that is unexpended at June 30, 2015 shall roll forward to the 41st Year Home Rehabilitation budget; be it further

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

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

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Abraham.

4-171-15. WHEREAS: The Dearborn Police Department has received an additional \$2,971.50 in federal grant funding from the Department of Justice for our participation in the 2011 Project Safe Neighborhoods Grant initiative, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$2,971.50 and appropriate a like amount; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize \$2,971.50 in 101-2410-330.01-90 General Fund Police Administration Intergovernmental Revenue Federal and appropriate in 101-2410-511.98-00 General Fund Police Administration Public Safety Undistributed Appropriation; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Tafelski.

4-172-15. WHEREAS: Ghassan Hariri and Kamar Ramadan, owners of the property located at 7923 Yinger (single-family, registered rental with a valid C of O, with a driveway and a detached garage), have requested that the City sell them the vacant lot located next to their property so that they may combine it with the adjacent lot they own, and

WHEREAS: Ghassan Hariri and Kamar Ramadan wish to increase their lot size from 72 ft. to 108 ft. and will combine the lots for tax and assessment purposes. They understand that, if the sale is approved, they cannot seek any variances from the Dearborn Zoning Ordinance. The City Assessor valued this 36 ft. lot at \$3,300, and

WHEREAS: The owner of the other neighboring property at 7909 Yinger did not express interest in purchasing any portion of the City lot located at 7917 Yinger, 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 Purchasers' property and may not be resplit or combined with other land for a resplitting as two buildable lots. Purchasers 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 Purchasers' adjacent property.

3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
7. If Purchasers violate any of the restrictions imposed, they are obligated to sell the land back to the City for \$3,300, 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 \$3,300 to Ghassan Hariri and Kamar Ramadan of the parcel described as:

Lot 811, Robert Oakman Land Company's Warren Grove Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 91 of Plats, Wayne County records.

Commonly known as vacant lot at 7917 Yinger
Tax I.D. 82-10-063-01-005

and that the Mayor be and is hereby authorized to execute a Deed for said land to Ghassan Hariri and Kamar Ramadan 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 Ghassan Hariri and Kamar Ramadan 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 7917 Yinger 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 adopted as follows: Yes: Abraham, Bazy, Dabaja, Sareini, Shooshanian and Tafelski (6). No: None. Absent: O'Donnell (1).

By Bazzy supported by Tafelski.

4-173-15. WHEREAS: Ahmad Nazha, owner and occupant of the property at 7919 Mead (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: Ahmad Nazha wishes to increase his lot size from 36 ft. to 72 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 36 ft. lot at \$3,800, and

WHEREAS: The owner of the other neighboring property at 7931 Mead did not express interest in purchasing any portion of the City lot located at 7923 Mead, 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 \$3,800, 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 \$3,800 to Ahmad Nazha of the parcel described as:

Lot 566, Robert Oakman Land Company's Warren Grove Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 91 of Plats, Wayne County records.

Commonly known as vacant lot at 7923 Mead
Tax I.D. 82-10-063-05-026

and that the Mayor be and is hereby authorized to execute a Deed for said land to Ahmad Nazha 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 Ahmad Nazha 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 7923 Mead 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 adopted as follows: Yes: Abraham, Bazzy, Dabaja, Sareini, Shooshanian and Tafelski (6). No: None. Absent: O'Donnell (1).

By Sareini supported by Abraham.

4-174-15. WHEREAS: The City filed a lawsuit against the owners of the gas station located at 10419 Ford Rd. when it was discovered that the gas station driveway is encroaching onto the adjacent City-owned property, and

WHEREAS; The City acquired the property adjacent to the gas station in 2003 from MDOT; a formal survey was not provided, and

WHEREAS: Reviewing historical aerial maps, it appears that the concrete encroachment has been in place since before 1996, and

WHEREAS: In an effort to resolve the lawsuit, the owners of the gas station have requested to purchase the encroachment area (1,413 sq. ft.), plus an additional 2,917 square feet of property to add to their site in the event they wish to expand the fast food establishment that is currently located on the property, and

WHEREAS: The City Assessor valued the property at \$8,660, and

WHEREAS: It is recommended that the City be authorized to sell 4,330 sq. ft. of City-owned property to the owners of the adjacent gas station located at 10419 Ford Road for \$8,660, subject to the following conditions:

1. The lot must be combined with the adjacent property at 10419 Ford Rd. and may not be resplit. It must be sold or developed in combination with 10419 Ford Rd. only.
2. Closing of this transaction must take place within fourteen (14) days after the entry of the Consent Judgment pertaining to Wayne County Circuit Court Case No. 14-009769-CH.
3. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions.

4. The Purchaser must apply for and obtain any and all permits and approvals that are necessary for any construction or modification of any structure at 10419 Ford Rd.
5. The Purchaser is required to pay for all costs associated with the transaction, including but not limited to, closing costs, title fees, recording fees, lot combination fees, and survey fees;

therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$8,660 to the owners of the gas station located at 10419 Ford Rd., the parcel described as:

Land in the Northeast $\frac{1}{4}$ of Section 17, Town 2 South, Range 11 East, City of Dearborn, Wayne County, Michigan, being more particularly described as:

Beginning at a point S.88°00'00"E., 1139.28 feet, along the north line of said section 17 and S.02°00'00"W., 60.00 feet; thence S.88°00'00"E., 135.54 feet along the southerly line of Ford Road (120 feet wide); thence S.01°48'46"W., 90.79 feet; thence N.33°12'31"W., 62.16 feet; thence N.66°11'55"W., 107.70 feet, to the point of beginning.

Containing 4,330 square feet or 0.099 acre of land more or less.

Part of Tax ID No.: 82-10-172-01-012;

be it further

RESOLVED: That this Council and the Mayor be and are hereby authorized to execute a deed for said property to the owners of the gas station located at 10419 Ford Rd., 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 the on the Closing Statement, prepared by Corporation Counsel and based upon the gas station owners closing within fourteen (14) days after the entry of the Consent Judgment pertaining to Wayne County Circuit Court Case No. 14-009769-CH; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied, upon the satisfaction of the terms contained in the Offer to Purchase Real Estate, upon the satisfaction of the terms contained in the Agreement for Entry of a Consent Judgment, and entry of the Consent Judgment pertaining to Wayne County Circuit Court Case No. 14-009769-CH; 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 City has no further need for said land and this Council believes that this offer is a fair and reasonable price for said land and is in the best interest of the City to accept such offer; be it further

RESOLVED: That the sale of this property to resolve the pending lawsuit and to eliminate an encroachment on City-owned property serves a public purpose; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Shooshanian.

4-175-15. WHEREAS: Ashley Sword submitted a letter asking for permission to install a Little Free Library at Cherry Hill Park located on Cherry Hill at Reginald, and

WHEREAS: Little Free Library, Ltd. is tax exempt organization that began in 2009 in Wisconsin to promote literacy, the love of reading, and to promote a sense of community by building book exchanges, and

WHEREAS: Over the past six years, it has evolved into a worldwide volunteer initiative, with an estimated 25,000 locations, including several locations throughout Michigan, and

WHEREAS: The "free libraries" house boxes of books where people may stop by, retrieve a book, and deposit another one to share, and

WHEREAS: The free libraries may be installed outdoors on public and private property, or indoors (i.e. in a coffee shop, office waiting room, etc..), and are managed by a library "steward" who is responsible for the construction, maintenance, and monitoring of the boxes, and

WHEREAS: Free libraries will benefit the citizens of Dearborn and serve a public purpose by promoting literacy and providing a sense of community in public areas, and

WHEREAS: It is recommended that individuals or organizations seeking approval to install the free libraries on public property be required to enter into hold harmless agreements designating a steward and outlining responsibilities of the steward, and

WHEREAS: It is also recommended that the City Council authorize the Mayor to enter into hold harmless agreements with designated free library stewards to utilize City-owned property to install free libraries, on a case-by-case basis, and

WHEREAS: The agreements may be revocable at any time by the City; therefore be it

RESOLVED: That the Mayor is authorized to enter into hold harmless agreements with designated free library stewards to utilize City-owned property to install free libraries, on a case-by-case basis; be it further

RESOLVED: That the hold harmless agreements are subject to the review and approval of the Mayor and Corporation Counsel; be it further

RESOLVED: That a public purpose will be served by supporting the free library concept on public property; be it further

RESOLVED: That the hold harmless agreements may be revoked at any time by the Mayor; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Tafelski.

4-176-15. WHEREAS: B.L.S. Properties, L.L.C. has granted permission for the City to utilize its parking lot outside the Kroger store located at 15255 Michigan Avenue, Dearborn, Michigan for the staging of the units that are participating in the City's Memorial Day Parade, and

WHEREAS: The City will use the parking lot on Monday, May 25, 2015 from 8:30 a.m. - 12:00 p.m., and

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

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

RESOLVED: That the Mayor is authorized to enter into a hold harmless agreement with B.L.S. Properties, L.L.C. for the purpose of staging the City's Memorial Day Parade on Monday, May 25, 2015; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Abraham.

4-177-15. WHEREAS: City Hall Artist Lofts Limited Dividend Housing Association, LP, and City Hall Commercial, LLC, owners of the property located at 13615 Michigan Avenue for the use of the War Memorial, War Memorial lawn and a portion of City Hall Park immediately in front of City Hall steps at the property known as City Hall Artspace Lofts, to conduct the solemn Remembrance Ceremony following the parade and for the placement of the grandstand and portable potties for the Memorial Day Parade, and

WHEREAS: The City will use the property at 13615 Michigan Avenue from May 22, 2015 at 10:00 a.m. - May 25, 2015 at 5:00 p.m., and

WHEREAS: The War Memorial, War Memorial lawn, and City Hall Park are easily accessible and conveniently located for the City to utilize for the Memorial Day Parade, and

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

RESOLVED: That the Mayor is authorized to enter into a hold harmless agreement with City Hall Artist Lofts Limited Dividend Housing Association, LP, and City Hall Commercial, LLC, for the purpose of using the War Memorial, War Memorial lawn and a portion of City Hall Park in front of City Hall steps located at 13615 Michigan Avenue for the Memorial Day Parade from May 22, 2015 at 10:00 a.m. - May 25, 2015 at 5:00 p.m.; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Abraham.

4-178-15. WHEREAS: The Dearborn Area Chamber of Commerce is requesting to make some improvements to its leased space at the Bryant Library in West Downtown Dearborn. Per the Legal Department, the provisions of the lease between the City and the Chamber require City Council approval for such improvements as noted below:

4. **Alterations**

The Lessee may make no alterations, additions, or improvements to the Leased Premises without the Lessor's prior written consent. All such alterations, additions and improvements shall be at the expense of the Lessee and Lessee hereby indemnifies and holds Lessor harmless from all costs, liability and loss of any kind and all claims of loss or liability, in any way arising out of or by reason of any such alterations, additions or improvements. Upon vacation of the Leased Premises, said improvements, additions and alterations shall become the property of the Lessor. All furnishings and equipment which are not attached or affixed to the Leased Premises made or placed by Lessee upon the Leased Premises shall be the property of the Lessee, and the Lessee shall be permitted to remove the same at the end of the Term of this Agreement, and/or within thirty (30) days of termination date but only if such removal causes no damage or injury to the leased Premises or the building in which the Leased Premises is located,

and

WHEREAS: The attached drawing reflects the improvements the Chamber is proposing to their Bryant Library space. Essentially they are proposing to add a wall and door to provide more privacy where cubicle partitions were previously used to define one of their work spaces. As the remaining cubicle spaces in this area have been staffed, it has increased general noise levels in the office, requiring this modification. The plan also indicates the potential for some reconfiguration of adjacent existing office cubicles, which does not alter the building, and

WHEREAS: It is requested that the City Council approve the Chamber's request to modify its space as noted to provide an improved work place environment for its staff. The Chamber will follow normal plan review, permitting and inspection procedures to complete this work. All other provisions of the existing lease with the Chamber remain in effect; therefore be it

RESOLVED: That the Chamber of Commerce's request to modify its leased space at the Bryant Library in West Downtown Dearborn to provide an improved work space for its staff is hereby approved; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Shooshanian.

4-179-15. RESOLVED: That the Residential Services Department/Neighborhood Services Division, the City Beautiful Commission and the Dearborn Public Schools be and they are hereby granted permission to conduct the 2015 Dearborn Public Schools/City Beautiful Clean-up Parades during the period of May 5 through May 21, 2015 subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

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

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

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Sareini.

4-180-15. RESOLVED: That receipt of a donation in the amount of \$150 from the American Association of University Women to the City of Dearborn for the Pioneer School 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 Finance Director to deposit this money in the General Fund Historical Department, and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

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

By Tafelski supported by Bazy.

4-181-15. RESOLVED: That City Council hereby sets Tuesday, June 2, 2015 at 6:30 P.M. as the date and time to hold a Public Hearing on the City's proposed Fiscal Year 2015/2016 Budget.

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Bazzy.

4-182-15. RESOLVED: That Green Brain Comics be and they are hereby granted permission to conduct the "Green Brain Free Comic Book Day" Event in the City-owned alley located north of Michigan Avenue between Middlesex and Horger Streets on Saturday, May 2, 2015 from 10:00 A.M. to 8:00 P.M., subject to all applicable ordinances, and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council hereby authorizes the closure of the City-owned alley, located north of Michigan Avenue between Middlesex and Horger Streets from 8:00 P.M. on Friday, May 1, 2015 to approximately 12:00 P.M. on Sunday, May 3, 2015; be it further

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

RESOLVED: That this resolution be given immediate effect.

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

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:22 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk