

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

May 6, 2015

The Council convened at 7:33 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazy, O'Donnell, Sareini, Shooshanian, Tafelski and President of the Council Dabaja; absent, None. A quorum being present, the Council was declared in session.

Reverend William Kren of the Dearborn Congregational Church delivered the invocation.

By Abraham supported by O'Donnell.

5-186-15. RESOLVED: That the minutes of the previous regular meeting of April 21, and special open and closed meetings of April 14, 2015, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

5-187-15. RESOLVED: That Ordinance No. 15-1463 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

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

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

5-187-15. Upon roll call the Ordinance was unanimously adopted.

Councilmember Bazy introduced Ordinance No. 15-1464, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 14201 Prospect, part of parcel 82-10-184-20-008 from an Industrial B (Medium Industrial District) to a Business C (General Business District) zoning classification. The rezoning shall not include the southern 140 ft. from the south property line.

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.

5-188-15. RESOLVED: That proposed Ordinance No. 15-1464 be laid on the table.

The resolution was unanimously adopted.

Councilmember Bazy introduced Ordinance No. 15-1465, entitled, "An Ordinance to Amend the Water and Sewers Chapter (Chapter 19) of the Code of the City of Dearborn by Amending Article I, entitled 'In General'."

The Clerk read the Ordinance by title.

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

By Abraham supported by O'Donnell.

5-189-15. RESOLVED: That proposed Ordinance No. 15-1465 be laid on the table.

The resolution was unanimously adopted.

By Bazy supported by Abraham.

5-190-15. RESOLVED: That Change Order No. 1 to the Intergovernmental Agreement (IGA) with Wayne County which provides for Pavement Reconstruction and Water Main Installation in Wyoming Avenue under Southern Street Bridge in the amount of \$86,065, bringing the total agreement amount to \$410,000 is hereby approved; be it further

RESOLVED: That this Change Order shall be financed from the project budget CIP Q61313; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

5-191-15. RESOLVED: That Change Order No. 1 with FDM Contracting Company which provides for Greenfield Water Main Replacement - Ford Road to Warren Avenue in the amount of \$140,000, bringing the total contract amount to \$957,451 is hereby approved; be it further

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

RESOLVED: That this Change Order shall be financed from the project budget CIP Q60514; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-192-15. RESOLVED: That the Finance Department is hereby authorized to establish a project in the Engineering Services Fund with Hallmark Ventures, LLC, in the amount of \$3,500 to fund engineering and administrative services performed by city personnel in connection with the Proposed Sewer and Water Main Connections at the Hampton Inn Hotel, 22324 Michigan Ave.; be it further

RESOLVED: That the Engineering staff will monitor the Expendable Trust account during the execution of the construction. If it is determined that the Expendable Trust amount of \$3,500 is about to be exhausted and the construction is not complete, the Engineering Division staff will request that the developer replenish the escrow funds; be it further

RESOLVED: That at project completion, exact engineering, construction inspection and overhead costs will be determined and any difference between actual costs and the deposit will be refunded/charged at that time; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-193-15. RESOLVED: That all bids received for Asphalt Resurfacing and Water Main Replacement 2015 - Phase II (Job #2015-030) are hereby rejected except the bid of DiPonio Contracting, Inc. in the total amount of \$2,755,826.40, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$50,000 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 Local Street Fund, Public Works, Construction Services, and the Water Fund, Public Works, Construction Services accounts, Project Q74007; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-194-15. RESOLVED: That all bids received for Mosquito Control Supplies are hereby rejected except the bid of Univar USA in an amount not to exceed \$27,896, 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 two (2) one-year renewal options upon full execution of the contract; be it further

RESOLVED: That this contract shall be financed from the Sewer Fund, Public Works Department, Sewerage Division, Operating Supplies, Chemicals budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-195-15. RESOLVED: That all bids received for Physical Assessments are hereby rejected except the bid of Midwest Medical Center in an amount not to exceed \$32,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of one (1) year with four (4) one-year renewal options depending upon satisfactory performance by the vendor and approval of the respective Fiscal Year budgets; be it further

RESOLVED: That this contract shall be financed from the General Funds for the following accounts: Human Resources, Health Professional Fees; Public Works, Contractual Services; Police, Health Professional Fees; Police, Professional Services; and Fire, Health Services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

5-196-15. WHEREAS: Purchasing, on behalf of Departments who have used D/A Central for various purchases and repairs including software maintenance as well as a pending project for the Library, requests authorization for purchases for Fiscal Year 15 in the amount of \$33,604.31; therefore be it

RESOLVED: That City Council hereby authorizes purchases for Fiscal Year 2015 in the amount of \$33,604.31 from D/A Central; be it further

RESOLVED: That these purchases shall be financed from various departments' budgets who have requested services from D/A Central; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Bazzy supported by Abraham.

5-197-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal Cooperative Program, Contract No. 071B1300010 for One (1) Vehicle for the Police Department, and

WHEREAS: Snethkamp Jeep Chrysler, the authorized distributor for the State of Michigan, will supply this vehicle at a cost not to exceed \$26,720.59; be it

RESOLVED: That a purchase order be awarded to Snethkamp Jeep Chrysler in the amount of \$26,720.59 for One (1) Vehicle for the Police Department; be it further

RESOLVED: That this purchase order shall be financed from the Police Department, Capital Equipment, Operating Equipment Vehicle budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

5-198-15. WHEREAS: The City presently has a contract with Cascade Engineering C.R. 2-55-15 for the purchase of Residential Waste and Recycling Carts, and

WHEREAS: The Purchasing Division has received a request from the Residential Services Neighborhood Services / Sanitation Division for a modification to the contract to purchase additional Residential Waste/Recycling Carts, and

WHEREAS: The contract modification will include that Cascade Engineering will manufacture and deliver 580 96-gallon recycling carts at a unit price of \$44.51 resulting in a total amount of \$25,815.80; therefore be it

RESOLVED: That the contract for Residential Waste/Recycling Carts with Cascade Engineering is hereby modified as detailed above in the total amount of \$25,815.80; be it further

RESOLVED: That this contract increase shall be financed from the General Fund Sanitation Division Merchandise for Resale budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-199-15. WHEREAS: The City presently has a contract with Republic Parking Systems C.R. 6-289-14 to provide parking lot management services. This contract expires at the end of June 2015, and does not have any renewals left. Since paid parking is no longer in effect after April 30, 2015, funding for the remaining two months had been eliminated, and

WHEREAS: The Purchasing Division has received a request from the Economic and Community Development Department for a modification to the contract to include additional landscaping services in the amount of \$90,311 (\$85,311 for the landscaping and \$5,000 for the management fee). In addition, two other projects were requested; additional waste receptacles and the painting of light poles, both of which will be solicited separately and are not a modification of the contract. The combined projects are projected to cost approximately \$120,000, and

WHEREAS: It is requested that the Finance Director be authorized to appropriate funds from the General Fund balance to the Economic and Community Development's Contractual Services account in the amount of \$120,000; therefore be it

RESOLVED: That the contract for Parking Lot Management with Republic Parking Systems is hereby modified as detailed above in the total amount of \$90,311; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate the General Fund balance to the Economic and Community Development's Contractual Services account in the amount of \$120,000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

5-200-15. WHEREAS: The City presently has a contract with Bell Equipment Company C.R. 12-611-14 for Street Sweeper Brooms, and

WHEREAS: The original contract specifications allow for three renewals of one year beyond the expiration of the present contract, and

WHEREAS: Bell Equipment Company has offered to renew the present contract prices through June 30, 2016; therefore be it

RESOLVED: That the contract for Street Sweeper Brooms is hereby renewed with Bell Equipment Company through June 30, 2016 an amount not to exceed \$51,197.89; be it further

RESOLVED: That this contract shall be financed from the General Fund-Vehicle Repair and Maintenance budget. Funding for FY16 is contingent upon adoption of the budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

5-201-15. That the Advisory Notice stating that the new Council Threshold for procurements is \$26,700 for FY 2016 and the Quotation Threshold will remain at \$3,000 be and is hereby received and filed.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-202-15. WHEREAS: City Council adopted C.R. 1-35-15 which confirmed and approved the Consolidated Miscellaneous Assessment Roll for 2014 for the several services affecting private property in the approximate amount of \$271,147.82 plus the 25% transfer fee allowed per CR 11-1102-02, and

WHEREAS: In accordance with City Charter, the Treasury Division billed all affected private properties and accepted payments through March 13, 2015 and certifies that the following amounts are still due the City for the several services affecting private property as follows:

Weed Cuttings	\$ 77,550.88
Nuisance Abatements	\$ 20,085.00
Annual Inspections	\$ 2,000.00
Annual Inspections-ECD	\$ 4,623.00
Fire Inspections	\$ 300.00
Sales Agreement	\$ 14,750.00
Annual Monitoring	\$ 1,000.00
Special Pickup	\$ 9,380.00
Recycle Bins	\$ 990.00
Trees	\$ 100.00
Secure/Board-Up Building	\$ 5,430.31
Demo/Demo Related Bills	\$ 22,662.00
False Alarm	\$ 8,735.00
General Fund Interest	\$ 8,042.11
Sidewalks Bills	\$ 9,078.31
Sewer	\$ 31,775.03
SD869	\$ 416.62
Total	\$216,918.26

therefore be it

RESOLVED: That this Council does hereby confirm and approve the adjusted Consolidated Miscellaneous Assessment Roll for 2014 for the several services affecting private property in the approximate amount of \$216,918.26 plus 25% in the amount of \$54,229.56 per C.R. 11-1102-02 for transfer to the 2015 tax roll in the amount of \$271,147.82; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

5-203-15. WHEREAS: Section 6.6 of the Dearborn City Charter requires the salary of appointive officials to be set prior to appointments to the office, and

WHEREAS: A vacancy has existed in the appointive office of Chief Labor Negotiator since the retirement of Kim Craig in June 2014, and

WHEREAS: Ms. Craig's salary was set with a 10% differential above her salary at the top of the pay scale for Attorney III, and

WHEREAS: The individual currently handling labor and employment matters is in the classified service as Attorney II, at step 3, for which the salary is \$66,067; therefore be it

RESOLVED: That the salary for Chief Labor Negotiator is established as \$66,067, plus 10%, and shall include the normal step increases and progression to Attorney III at the same intervals that would have occurred had the individual remained in the classified service, keeping the same anniversary date; be it further

RESOLVED: That in addition to the salary set forth above, the Chief Labor Negotiator shall participate in all benefit programs as received by other appointive officers and full time employees, and adjustments thereto as authorized by Section 6.8 of the City Charter; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

5-204-15. RESOLVED: That City Council hereby authorizes the Director of Finance to reallocate the sum of \$30,000 from the fiscal year 2014-2015 Dearborn Recreation budget to the Dearborn Community Arts Council; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

5-205-15. RESOLVED: That City Council hereby authorizes the Fire Department to renew their membership with the Western Wayne County Mutual Aid Association (WWCMAA) in the amount of \$12,796.84; be it further

RESOLVED: That this membership renewal shall be financed from the Fire Department Membership Account #101-2540-621.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

5-206-15. WHEREAS: Ellen Howe, owner of the property located at 25040 Doxtator, (single-family home being sold on Land Contract with a valid C of O, with a driveway and a detached garage), has requested that the City sell her the vacant lot located next to her property so that she may combine it with the adjacent lot she owns, and

WHEREAS: The City Assessor valued this 35 ft. lot at \$6,200, and

WHEREAS: 25030 Doxtator is located between Silvery Lane and Robindale. The only adjoining property is 25040 Doxtator, and

WHEREAS: Ellen Howe has requested to purchase the entire 35 ft. lot for \$6,200. She wishes to increase her lot size and intends to combine the lot with her existing property for tax and assessment purposes. Her lot size will be approximately 75 ft. wide if this sale is approved. She understands that if the sale is approved, she cannot seek any variances from the Dearborn Zoning Ordinance, 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.
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 her right to seek any variances.
7. If Purchaser violates any of the restrictions imposed, she is obligated to sell the land back to the City for \$6,200, 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 \$6,200 to Ellen Howe of the parcel described as:

Land in Section 17, Town 2 South, Range 10 East, beginning on a point on the North line of Doxtator Avenue 60 feet wide, point being South 00 degrees 11 minutes 00 seconds East 440.71 feet and North 89 degrees 44 minutes 00 seconds West 165 feet from the North  $\frac{1}{4}$  corner of Section 17; thence North 00 degrees 11 minutes 00 seconds West 124 feet; thence North 89 degrees 44 minutes 00 seconds West 35 feet; thence South 00 degrees 11 minutes 00 seconds East 124 feet; thence South 89 degrees 44 minutes 00 seconds East

along North line of Doxtator Avenue 35 feet to the point of beginning, City of Dearborn, Wayne County, Michigan

Tax I.D. 82-09-171-28-006

Commonly known as vacant lot at 25030 Doxtator

Lot size: 35' x 124'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Ellen Howe 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 Ellen Howe 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 25030 Doxtator 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 Operation Eyesore Program; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

5-207-15. WHEREAS: Wisam Oda Al-Wahah and Worod Al-Zayadi, owners and occupants of the property at 5465 Middlesex (single-family home 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. The Assessor's Department valued the unbuildable lot at \$4,600, and

WHEREAS: The neighbor who owns the adjoining property on the other side, Laurel Ann Hunt, was also contacted via regular and certified mail, but did not express interest in purchasing any portion of the City lot located at 5473 Middlesex, and

WHEREAS: Wisam Oda Al-Wahah and Worod Al-Zayadi have requested to purchase the entire 35 ft. lot for \$4,600. They wish to increase their lot size and intend to combine the lot with their existing property for tax and assessment purposes. Their lot size will be approximately 70 ft. wide if this sale is approved, and

WHEREAS: They understand that, if the sale is approved, they cannot seek any variances from the Dearborn Zoning Ordinance, 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.
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. Lot 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 owners 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 property back to the City for \$4,600, 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 \$4,600 to Wisam Oda Al-Wahah and Worod Al-Zayadi of the parcel described as:

PART OF LOT 524, ARDROSS SUB. NO. 1 AND PART OF LOT 525, ARDROSS SUB. NO. 2, BEG AT A PT IN E L OF LOT 524, PT BEING N OD50M W 70 F T FROM SE COR OF LOT 524, TH S 89D55M W 103 FT, TH N OD50M W 35 FT, TH N 89D55M E 103 FT, TH S OD50M E 35 FT TO POB//PART OF LOT 524, ARDROSS SUB NO. 1, LIBER 38 PAGE 6 & PART OF LOT 525 ARDROSS SUB. NO. 2 LIBER 39 PAGE 2 DESCRIBED AS BEG AT A PT IN E LI OF LOT 524, PT BEING N OD50M W 70 FT FROM SE COR OF LOT 524, TH S 89D55M W 103 FT, TH N OD50M W 35 FT, TH N 89D55M E 103 FT, TH S OD50M E 35 FT TO POB.

Tax I.D. 82-10-182-05-030  
Commonly known as vacant lot at 5473 Middlesex  
Lot size: 35' x 111'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Wisam Oda Al-Wahah and Worod Al-Zayadi 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 Wisam Oda Al-Wahah and Worod Al-Zayadi 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 5473 Middlesex 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; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

5-208-15. WHEREAS: The vacant lot located at 14232 Robertson was placed on the City's 2014 lot list for the new construction of a single-family house. The minimum bid price was \$21,100. No one bid on the property at the time, and

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

WHEREAS: Ahmed Al-Riyyashi has offered to purchase the lot for the price of \$23,100 cash from the leftover lot list, and

WHEREAS: Ahmed Al-Riyyashi has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council.
2. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
3. If purchaser elects to sell the vacant property during the 12-month period, the purchaser must first offer to resell the property to the City for the purchase price, less 10% and less costs associated with the transfer back to the City of Dearborn.
4. The purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions.

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

and

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

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

South ½ of Lot 217 and South ½ of Lot 218, Williamson Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 32, Page 65 of Plats, Wayne County, Michigan.

Commonly known as vacant lot at 14232 Robertson  
Tax I.D. No. 82-10-184-11-039

to Ahmed Al-Riyyashi for \$23,100; be it further

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

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

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

RESOLVED: That if purchaser wishes to sell the vacant property during this 12-month period, the City shall have the sole right to repurchase the vacant property for the sum of \$23,100, less 10%, and less costs associated with the transfer back to the City of Dearborn; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Abraham supported by Sareini.

5-209-15. WHEREAS: The Wayne County Treasurer notified the City that the substandard house located at 22232 Oxford was deeded to the City of Dearborn at no cost to the City since the winning bidder who purchased it at public auction backed out of the purchase, and

WHEREAS: There have been numerous complaints from a neighbor about the condition of the property, and

WHEREAS: The last City inspection was conducted in 2012 after the previous homeowner passed away, and

WHEREAS: Only a partial inspection was conducted due to the extensive storage of personal items and junk in the house at the time of the inspection, and

WHEREAS: The property was determined to be unfit for occupancy (dog feces/urine, neglect, smoke residue), and

WHEREAS: A relative of the decedent indicated that she intended to clean out the house, but never did, and

WHEREAS: The property appears to have been abandoned and then went into tax foreclosure, and

WHEREAS: It has been the City's past practice to accept tax-foreclosed properties that are offered for \$0 if there is a public purpose, and

WHEREAS: It is recommended that the City accepts the deed for 22232 Oxford and demolishes the substandard house, and

WHEREAS: The City may then offer the vacant lot for new construction or for side yard to adjacent property owners and return the property to the tax rolls; therefore be it

RESOLVED: That the City of Dearborn accepts the deed to 22232 Oxford from the Wayne County Treasurer for the acquisition price of \$0, legally described as:

Lot 183, Pardees Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 39, Page 95 of Plats, Wayne County records

Tax I.D. 82-09-282-22-014

Lot size: 40' x 130'

be it further

RESOLVED: That the acquisition of 22232 Oxford serves the public purpose for which the Neighborhood Stabilization Program was created in that the substandard structure will be demolished and the vacant lot may then be offered for sale for new construction or as sideyard to the adjacent property owners; be it further

RESOLVED: That funding for this purchase and subsequent cost will be from the Neighborhood Stabilization Program, C05500, Account #401-1299-435.71-10.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

5-210-15. WHEREAS: The City of Melvindale has submitted an application for a license to conduct a fireworks display on City of Dearborn-owned property on June 7, 2015, and

WHEREAS: The Fire Department has reviewed the request and required that certain specifications be met in accordance with the International Fire Code and the NFPA (National Fire Protection Association). The required documents have been submitted and approved, and

WHEREAS: The City of Melvindale is also required to submit necessary insurance certificates to the Department of Law for approval to perform the fireworks display before June 7, 2015, and

WHEREAS: Contact has also been made with Elaine Greene, Director of the Dearborn Animal Shelter, to secure two employees to be on site at the Animal Shelter during the event, at a cost to the City of Melvindale, and

WHEREAS: The City of Dearborn will have one of its engines at the site, in case of an emergency, and

WHEREAS: The Dearborn Fire Department shift commander will be present to ensure that there is no unauthorized entry into the sewerage yard, and

WHEREAS: Pursuant to the NFPA, specific approval must be given to the requesting entity by an owner or other authorized party of any building, dwelling, or structure that is located within the display radius/site. Those buildings must either be unoccupied during the event or protected by non-combustible or fire resistant construction, and

WHEREAS: Since there are City-owned buildings that fall within the firing radius, the Dearborn City Council must approve the requested sites within the display radius (Sewerage building, part of Central Garage, Animal Shelter, truck ports on DPW property), and

WHEREAS: It is recommended by the Corporation Counsel and the Fire Chief that the Dearborn City Council approve the City of Melvindale's application and request to use City-owned property for its fireworks display to be held on June 7, 2015; be it therefore

RESOLVED: That the City Council approves the City of Melvindale's application and request to use City-owned property for its fireworks display to be held on June 7, 2015; be it further

RESOLVED: That this approval is contingent upon Melvindale complying with all conditions set forth above and any other requirements of Dearborn Fire Department, Dearborn Department of Law, Dearborn Police Department, International Fire Code, and NFPA; be it further

RESOLVED: That is resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

5-211-15. WHEREAS: Council Resolution 9-469-14 authorized the Mayor to execute a Memorandum of Understanding (MOU) with the Friends for the Dearborn Animal Shelter (Friends) regarding the funding of a new animal shelter, and

WHEREAS: One of the provisions in the MOU provided that the City shall transfer title to the old Amtrak Rail Station to the Friends, for the development as an animal adoption and education center, no later than May 1, 2015, and

WHEREAS: Before the City may transfer the old Amtrak Rail Station to the Friends, Amtrak is required to declare that the lease it had with the City has been terminated and must release all rights it had to the building, and

WHEREAS: Amtrak has assured the City that the documents will be forwarded within the next week, but may not be received in time to meet the deadline to transfer the property to the Friends by May 1, 2015, and

WHEREAS: The Friends also intend to expand the current building on the site in the direction of the Powerhouse building, and

WHEREAS: There are some boundary and survey issues that are currently being resolved between the architect for the Friends and the DPW Department regarding access to the Powerhouse service dock, and

WHEREAS: It is important that the City and the Friends are satisfied that truck traffic will be able to circulate around both buildings before the City transfers the property, and

WHEREAS: It is recommended that the Mayor be authorized to execute an amendment to the MOU, amending the May 1, 2015 deadline in which to transfer the property to a newly established deadline of July 1, 2015, and

WHEREAS: It is also recommended that Corporation Counsel be authorized to make adjustments to the legal description in the MOU, based on a new survey paid for by the Friends, to reflect the adjustments necessary to satisfy truck traffic circulation requirements; therefore be it

RESOLVED: That the Mayor is hereby authorized to execute an amendment to the Memorandum of Understanding between the City of Dearborn and the Friends for the Dearborn Animal Shelter, originally dated September 12, 2014, amending the deadline in which to transfer the property from May 1, 2015 to a newly established deadline of July 1, 2015; be it further

RESOLVED: That Corporation Counsel be authorized to make adjustments to the legal description in the MOU, based on a new survey paid for by the Friends, to reflect the adjustments necessary to satisfy truck traffic circulation requirements; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

5-212-15. RESOLVED: That the Dearborn Firefighters IAFF Local 412 be and they are hereby granted permission to conduct their annual Dearborn Firefighters "Fill the Boot" campaign from June 1 through June 7, 2015 throughout the City for the Muscular Dystrophy Association (MDA), subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

5-213-15. WHEREAS: Council Resolutions 4-215-13 and 4-150-14 approved the sale of the former DPW yard at 2020 South Telegraph to LML Dearborn, LLC (Michael LaFontaine) for \$200,666, and

WHEREAS: Pursuant to the Offer to Purchase and City Council approval, \$14,360 of the purchase price was held in escrow by the title company for a period of time not to exceed 180 days pending LML obtaining a license from MDOT for use of part of the right of way property, and

WHEREAS: When LML failed to obtain the license within the required 180-day period, Council Resolution 11-560-14 was then adopted, providing LML with additional time to obtain the license, and

WHEREAS: LML was provided a total of one year from the original closing date to obtain the MDOT license, and

WHEREAS: April 15, 2015 was the deadline to obtain the MDOT license, including the approved extension, and

WHEREAS: The title company is now looking for direction on how to distribute the escrowed money, and

WHEREAS: As it stands today, LML's request for the license has been denied, and

WHEREAS: Since the money has been held in escrow for more than one year, it is recommended that the City denies LML's request for an extension of time to release the escrowed money, and

WHEREAS: It is also recommended that if LML acquires the MDOT license in 6 months (by October 15, 2015), Corporation Counsel would be authorized to provide a refund of up to \$14,360 from the proceeds of the sale to cover the costs of the MDOT license; therefore be it

RESOLVED: That LML Dearborn, LLC's request for an extension of time in which to release the \$14,360 held in escrow is denied; be it further

RESOLVED: That if LML Dearborn, LLC acquires the MDOT license within 6 months (by October 15, 2015), Corporation Counsel is authorized to provide a refund of up to \$14,360 from the proceeds of the sale to cover the costs of the MDOT license; be it further

RESOLVED: This resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-214-15. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Jeremy Romer, as the Chief Labor Negotiator; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

5-215-15. RESOLVED: That receipts of donations in the amount of \$100 from the Dearborn Village Community Credit Union, \$500 from Health Alliance Plan, \$200 from Minnesota Life, \$25 from Ulliance and a \$500 commitment from Blue Cross/Blue Shield to the City of Dearborn for the Employee Benefits Open Enrollment Fair to be held on May 4, 2015 are hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby authorizes the proceeds be recognized and appropriated in the Designated Purposes Fund, Project Z76900 Employee Benefits Open Enrollment Fair 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 unanimously adopted.



By Bazzy supported by Sareini.

5-216-15. RESOLVED: That receipts of donations in the amount of \$500 from the East Dearborn Downtown Development Authority, the Dearborn Federal Savings Bank and Comerica Bank; \$250 from the Foundation for American Veterans; and the following \$25 donations: American Heritage Girls, Dearborn Democratic Club, Dearborn Exchange Club, Dearborn Sail & Power Squadron, Dearborn Special Olympics, Dogmatic K-9 Drill Team, Cub Scout Pack 1112 and 1114, Cub Scout Pack 1116 - Lindbergh, Cub Scout Pack 1151 - Divine Child, Girl Scout Troop #76466 - Haigh School, Father Patrick O'Kelley Council 3860 Knights of Columbus, Kiwanis Club of Dearborn, Koubeissi Tae Kwon Do, Maltese American Community Club, Mr. Sunshine the Clown, Msgr. Schulte Assembly, 4th Degree Knights of Columbus, PKSA Karate of Dearborn, Polish Alliance Dancers, Relay for Life, Sickles Dance Gallery, Voran Funeral Home, Yemen American Benevolent Association YABA, and Yemeni American Heritage Club; and a \$20 donation from Chup Co-op Preschool to the City of Dearborn for the 2015 Memorial Day Parade are hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby directs the City Treasurer to deposit this money in the proper account, and authorizes the Director of Finance to process expenditures from account #276-2310-714-51.00 Z70600 in support of the purpose for which it was donated.

The resolution was unanimously adopted.

By Sareini supported unanimously.

5-217-15. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Robert Saleh, and

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

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

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:28 P.M.

APPROVED:

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

ATTESTED:

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