

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

August 11, 2015

The Council convened at 7:35 P.M., President Pro-
Tem of the Council Thomas P. Tafelski presiding. Present at
roll call were Councilmembers Abraham, Bazy, Sareini,
Shooshanian, and Tafelski; absent, Councilmembers Dabaja and
O'Donnell. A quorum being present, the Council was declared in
session.

Father Terrence Kerner of the St. Kateri Catholic
Church delivered the invocation.

By Bazy supported by Tafelski.

8-362-15. RESOLVED: That the minutes of the previous
regular meeting of July 21, and special meetings of July 16 and
20, 2015, and the same are hereby approved as recorded and
published.

The resolution was adopted as follows: Yes:
Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No:
None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Shooshanian.

8-363-15. RESOLVED: That Ordinance No. 15-1475 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

The Clerk then read Ordinance No. 15-1475, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at Lots 69-74 inclusive (7041 Orchard), and Lots 77-81 inclusive (parking lot on Ternes Ave), John H. Walsh's Warren and Chase Park Subdivision, from an Industrial A (Light Industrial District) and a VP (Vehicular Parking District) to a Residential D (Multiple Family Residential District) zoning classification.

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

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

8-363-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

Councilmember Bazzy introduced Ordinance No. 15-1476, entitled, "An Ordinance to Amend the Administration Chapter (Chapter 2) of the Code of the City of Dearborn by Amending Article IV, Division 4, Entitled 'Purchasing and Disposition of Goods and Services'."

The Clerk read the Ordinance by title.

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

By Shooshanian supported by Tafelski.

8-364-15. RESOLVED: That proposed Ordinance No. 15-1476 be laid on the table.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Tafelski.

8-365-15. WHEREAS: Friends of the Dearborn Animal Shelter (FFDAS) requested an approximately 30 foot wide easement parallel to and abutting the westerly property line of the Dearborn Powerhouse located at 16001 Michigan Avenue presently owned by the City of Dearborn, and

WHEREAS: The easement requested by FFDAS is for unrestricted access to the proposed garage facility for the New Dearborn Animal Shelter, if a garage is constructed, and

WHEREAS: The drawing and legal description of the proposed easement is being prepared by the consultant retained by FFDAS. The Legal Department will prepare an "Easement Agreement", subject to the review and approval by the City Engineer, and

WHEREAS: The Friends of the Dearborn Animal Shelter is requesting that the City Council dedicate an approximately 30 foot wide non-exclusive easement to FFDAS for unrestricted access to the garage facility, if a garage is constructed, subject to review of drawing and legal description by the City Engineer, and

WHEREAS: It is also recommended that if the Animal Shelter project and/or garage is abandoned or transferred to another owner or occupant, the easement shall be revoked and/or shall require City Council approval; therefore be it

RESOLVED: That an approximately 30 foot wide non-exclusive easement be and is hereby dedicated to the Friends for the Dearborn Animal Shelter (FFDAS) for unrestricted access to the garage facility, if a garage is constructed, subject to review of drawing and legal description by the City Engineer; be it further

RESOLVED: That if the Animal Shelter project and/or garage is abandoned or transferred to another owner or occupant, the easement shall be revoked and/or shall require City Council approval; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Sareini.

8-366-15. RESOLVED: That all bids received for the installation of Four Dumpster Enclosures are hereby rejected except the bid of Future Fence Co. in an amount not to exceed \$48,682, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement, Residential Services, Construction Services budget, Projects M30114 & M30014; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Sareini.

8-367-15. RESOLVED: That all bids received for Dunworth Pool Renovations are hereby rejected except the bid of Chester Pool Systems for a one-time purchase in an amount not to exceed \$466,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Facilities Fund, Capital Project Support, Repair & Maintenance, Swimming Pools budget, Project I26700; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Shooshanian supported by Bazzy.

8-368-15. RESOLVED: That all bids received for DPW Yard Concrete Enclosure are hereby rejected except the bid of McCarthy Construction in an amount not to exceed \$56,890, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement Fund, Public Works Division, Construction Services budget, Project L20880; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-369-15. RESOLVED: That all bids received for Consulting and Project Management Services for Dispatch Consolidation are hereby rejected except the bid of D. Kerry Laycock, LLC in an amount not expected to exceed \$144,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Facilities Fund, Capital Projects, Contractual Services budget, Project K22515; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-370-15. WHEREAS: The City presently has a contract with Goodyear Tire & Rubber Company (C.R. 2-58-15), through the State of Michigan's Extended Purchasing Program, Contract No. 071B8200076 for the Procurement of Tires and Tubes; therefore be it

RESOLVED: That the contract for Procurement of Tires and Tubes is hereby extended with Goodyear Tire & Rubber Company and the authorized distributor, Belle Tire for the period of July 16, 2015 through January 15, 2016 to coincide with the State's extension in an amount not to exceed \$40,500; be it further

RESOLVED: That this contract extension shall be paid from the General Fund, Public Works, Fleet Maintenance, Vehicle Repair & Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Shooshanian.

8-371-15. RESOLVED: That City Council hereby authorizes the City of Dearborn to enter into an Inter-Governmental Agreement (IGA) with Wayne County for the acceptance and recognition of a FY15 Wayne County Parks Millage Allocation in the amount of \$218,400 to assist in funding the construction of a Splash Pad and restroom facilities at Whitmore-Bolles Park; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to appropriate the FY15 Wayne County Parks Millage Allocation in the amount of \$218,400 for expenditures; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Abraham supported by Shooshanian.

8-372-15. WHEREAS: The Dearborn Police Department Training Unit has applied for and received grant funding from the Target Corporation in the amount of \$1,000, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$1,000 and appropriate a like amount; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize \$1,000 in 101-2410-365.90-00 Contributions Donations from Private Source and appropriate in 101-2460-515.61-00 Training Operating Supplies; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazy supported by Sareini.

8-373-15. RESOLVED: That City Council hereby accepts the FY2015 Emergency Management Performance Grant in the amount of \$57,793 for the Salary and Fringe Benefits of the Emergency Management Coordinator and the development and maintenance of the Emergency Management Program; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Shooshanian.

8-374-15. WHEREAS: The Finance Department and Fire Department have requested approval to make payment to the Western Wayne County Fire Department for services rendered during the March 11, 2015 Tanker Truck explosion, and

WHEREAS: The Dearborn Fire Department responded to a commercial fuel tanker fire which released over 16,000 gallons of diesel and gasoline onto the I-94 expressway near Wyoming. Fire crews remained on scene for multiple hours combating the blaze. Due to the nature of the fire and the need to prevent further contamination into the environment from released unburned fuel, the Western Wayne County Hazardous Material Team was contacted for support, and

WHEREAS: The HazMat team provided much needed support to the Dearborn Fire Department and was able to assist us in limiting environmental exposure. The Western Wayne County Mutual Aid Association by-laws require that a bill for services is paid by the community requesting the mutual aid response. The invoice for \$14,841.98 has been submitted for payment, and

WHEREAS: Additionally, the Dearborn Fire Department through its billing contract company Accumed is in the process of obtaining reimbursement for these costs from the Rex Carrier based out of Romulus, and

WHEREAS: The Fire Department is requesting that the Finance Director be authorized to appropriate General Fund balance in FY15 to the Fire Department in the amount of \$14,845 to process this payment request, and

WHEREAS: Reimbursements received will be deposited in the General Fund upon receipt; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to appropriate General Fund balance in FY15 to the Fire Department in the amount of \$14,845 to process this payment request; be it further

RESOLVED: That reimbursements received will be deposited into the General Fund as they are received; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Tafelski.

8-375-15. WHEREAS: The existing generator at the Powerhouse is in excess of 15 years old and has been undersized since its installation. It is currently nonfunctional and in need of a minimum of \$5,000 in repairs. This generator serves the purpose of providing emergency power to sustain basic building lighting and maintains one boiler during winter time conditions. Without this generator and in the event of a power failure the FCPAC, Police/Courts and Library would have no heat and steam pipes would cool down causing additional problems, and

WHEREAS: The Public Works Department is requesting the authority for the acquisition and installation of a new generator with the appropriate capacity to provide these functions on a consistent and reliable basis, and

WHEREAS: It is requested that the Finance Director be authorized to establish Project L03000 - Powerhouse Generator Replacement, establish an initial project budget appropriation in the amount of \$50,000, and appropriate the General Fund fund balance in the amount of \$40,000 as a contribution to the Facility Fund with the remaining \$10,000 reallocated from the Powerhouse Repairs and Maintenance Reserve Project J27000; therefore be it

RESOLVED: That the Public Works Director be and is hereby granted authority for the acquisition and installation of a new generator with the appropriate capacity to provide these functions on a consistent and reliable basis; be it further

RESOLVED: That the Finance Director be and is hereby authorized to establish Project L03000 - Powerhouse Generator Replacement, with an initial project budget appropriation in the amount of \$50,000, and appropriate the General Fund fund balance in the amount of \$40,000 as a contribution to the Facility Fund with the remaining \$10,000 reallocated from the Powerhouse Repairs and Maintenance Reserve Project J27000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Abraham.

8-376-15. WHEREAS: During the 2013 annual maintenance week at the Ford Community & Performing Arts Center, the Michael A. Guido Theater main stage sustained water damage pursuant to work done by the window contractor. Keifer Specialty Flooring, Inc. was engaged to sand and apply 2 coats of finish to the wood flooring at a cost of \$9,520. On Friday, October 10, 2014, Kiefer completed the repair/refinishing of the Theater Main Stage to the satisfaction of the Recreation & Parks Department Administration. Insurance proceeds in the amount of \$9,520 were received on October 24, 2014 and deposited into Project I51002 Center Maintenance, and

WHEREAS: The Recreation & Parks Director is requesting that the Finance Director be authorized to recognize and appropriate the insurance proceeds of \$9,520 in Project I51002 Center Maintenance in Fiscal Year 2015; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the insurance proceeds in the amount of \$9,520 in Project I51002 Center Maintenance in Fiscal Year 2015; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-377-15. RESOLVED: That receipt of a reimbursement in the amount of \$300 from the New York Council for the Humanities for program costs for the young adult Muslim Voices program is hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby directs the Finance Director to deposit this money into the Friends of the Library Z71200 project account 276-5100-365.90-00 (Contributions/Donations) and then to appropriate the money to Friends of the Library Z71200 project account 276-5100-721.61-00 (Undistributed Appropriations).

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Sareini.

8-378-15. WHEREAS: Beginning April 15, 2015 through May 10, 2015, vacant City-owned property was advertised for sale for four weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant 50' lot located at 5239 Horger, zoned Residential A, and

WHEREAS: The minimum bid price for this property was \$22,600. All bids were submitted in sealed envelopes and opened in City Council Chambers on May 13, 2015, and

WHEREAS: One bid was received on this property as follows:

1. Tyrian Properties, Inc. \$23,100

and

WHEREAS: Tyrian Properties, Inc. was the only bidder for this property and has offered to purchase this property for the sum of \$23,100 cash. It plans to construct a single-family dwelling on this property within one year of the date of the closing. Tyrian Properties, Inc. has purchased several buildable lots from previous lot lists (6128 Maple - house almost completed, 4581 Curtis - plans approved - construction to begin within 2 weeks, and 5911 Hartwell - plans approved - construction to begin within 2 weeks), and

WHEREAS: Tyrian Properties, Inc. has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign its 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%, all deposits, 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.
 - b. Building permits have been issued.
 - c. Excavation of the basement/foundation is started.
6. Purchaser must complete construction before building permits expire.
7. Purchaser agrees that, in constructing a single-family dwelling, it 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 its 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; therefore be it

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

North 25 ft. of Lot 434 and South 25 ft. of Lot 435, Ardross Sub. No. 1, City of Dearborn, Wayne County, MI, as recorded in Liber 38, Page 6 of Plats, Wayne County records.

Tax I.D: 82-10-182-15-050
Commonly known as vacant lot at 5239 Horger
Lot size: 50' x 120'

to Tyrian Properties, Inc. for \$23,100; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Tyrian Properties, Inc. 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 Tyrian Properties, Inc. 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; 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 purchase price, less 10%, all deposits, 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 adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Tafelski.

8-379-15. WHEREAS: Beginning April 15, 2015 through May 10, 2015, City owned property was advertised for sale for four weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among the properties offered was a Row Housing Unit located at 6333 Miller, zoned Residential Improved, and

WHEREAS: The minimum bid price for this property was \$500. All bids were submitted in sealed envelopes and opened in City Council Chambers on May 13, 2015, and

WHEREAS: One bid was received on this property as follows:

1. Yousaf Mohamed \$2,001.01

and

WHEREAS: Yousaf Mohamed was the only bidder for this property and has offered to purchase this property for the sum of \$2,001.01 cash. He plans to repair the housing unit to the current code within 12 months from the date of closing. Mr. Mohamed is also in the process of purchasing the vacant lot located at 14221 Lithgow for new construction, and

WHEREAS: Yousaf Mohamed 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 property 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 property during the 12-month period, the Purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, 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 the condition of the housing unit.
5. Repairs listed pursuant to the inspection completed on June 10, 2015 must be completed within 12 months of the date of Closing and be approved by the Residential Services Department.
6. Repairs are deemed completed when Purchaser receives a temporary Certificate of Occupancy by the Residential Services Department,

and

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

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

North 16.07 ft. of South 18.56 ft. of Lot 140, Robert Oakmans Oakman Blvd. and Miller Ave. Sub., City of Dearborn, Wayne County, MI, as recorded in Liber 54, Page 44 of Plats, Wayne County records.

Tax I.D: 82-10-083-08-043
Commonly known as part of Row Housing Unit at 6333 Miller
Size: 16' x 90'

to Yousaf Mohamed for \$2,001.01; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said property to Yousaf Mohamed 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 Yousaf Mohamed 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; be it further

RESOLVED: That the sale of the property for the rehabilitation of the row housing unit will serve a public purpose by removing it from its current fire-damaged condition and by adding it to the tax rolls to generate revenue for the City; be it further

RESOLVED: That if Purchaser wishes to sell the property during this 12-month period, the City shall have the sole right to repurchase the property for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn; be it further

RESOLVED: That the property must be owner-occupied for a period of ten years after the completion of construction and the deed shall contain a restriction to effectuate this requirement and provide for a reversion to the City if the restriction is violated; 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 adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Shooshanian.

8-380-15. WHEREAS: Monassar and Nemah Omian, owners and occupants of the property at 2781 Akron (single-family home with a driveway and an attached 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: Mr. and Mrs. Omian wish to increase their lot size from 120 ft. to 150 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 30 ft. lot at \$1,600, and

WHEREAS: The owner of the other neighboring property at 2759 Akron did not express interest in purchasing any portion of the City lot located at 2763 Akron, 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 assumes 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 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 land back to the City for \$1,600, 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 \$1,600 to Mr. and Mrs. Omian of the parcel described as:

Lot 129, Fairfield Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 57 of Plats, Wayne County records.

Tax I.D. 82-10-213-05-041
Commonly known as vacant lot at 2763 Akron
Lot size: 30' x 120'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Mr. and Mrs. Omian 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 Mr. and Mrs. Omian 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 2763 Akron 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 HUD \$1 Program; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Tafelski.

8-381-15. WHEREAS: Abdulrahman Elhaj and Ghanimah Elhaj, owners and occupants of the property at 6437 Steadman (single-family home 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: Mr. and Mrs. Elhaj wish to increase their lot size from 33 ft. to 66 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 33 ft. lot at \$4,000, and

WHEREAS: The owner of the other neighboring property at 6445 Steadman did not express interest in purchasing any portion of the City lot located at 6441 Steadman, 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 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 land back to the City for \$4,000, 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 \$4,000 to Mr. and Mrs. Elhaj of the parcel described as:

Lot 980, Albert P. Ternes Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 72 of Plats, Wayne County records.

Tax I.D. 82-10-071-34-024
Commonly known as vacant lot at 6441 Steadman
Lot size: 33' x 111'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Mr. and Mrs. Elhaj 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 Mr. and Mrs. Elhaj 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 6441 Steadman 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 adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-382-15. WHEREAS: Abe and Randa Saad, owners of the property at 6833 Theisen, a single-family rental with a valid C of O, with a driveway and detached garage, and Ali and Amal Aoun, owners and occupants of 6817 Theisen, a single-family home with a driveway and detached garage, are asking the City of Dearborn to split and sell to them the vacant lot located between their lots so that they may combine that portion of the lot with the adjacent lots they own, and

WHEREAS: The Assessor's Department valued the unbuildable lot at \$4,600, and

WHEREAS: Sale of the lot is recommended and conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
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. Lots may not be resplit or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with Purchasers' adjacent land.

7. 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.
8. If Purchasers violate any of the restrictions imposed, they are obligated to sell the property back to the City for \$2,300, less 10% and less costs associated with the transfer of property back to the City,

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; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$2,300 to Mr. and Mrs. Saad of the parcel described as:

North 17 ½ ft. of Lot 222, Robert Oakman Land Cos Detroit Seamless Steel Tubes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 54 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-082-11-022

and to effect the sale at a price of \$2,300 to Mr. and Mrs. Aoun of the parcel described as:

South 17 ½ ft. of Lot 222, Robert Oakman Land Cos Detroit Seamless Steel Tubes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 54 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-082-11-022

and that the Mayor be and is hereby authorized to execute a deed for said land to Mr. and Mrs. Saad, and Mr. and Mrs. Aoun 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 Mr. and Mrs. Saad, and Mr. and Mrs. Aoun closing simultaneously 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 Offer to Purchase Real Estate; 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 the vacant lot at 6825 Theisen as side yard for the expansion of lots is consistent with the public purpose identified when the City originally purchased the property through the HUD NSP Program and serves a public purpose by promoting lot expansion to enhance the neighborhoods; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Shooshanian.

8-383-15. WHEREAS: Saleh and Ayeh Nasser, owners and occupants of 6315 Barrie, a single-family home with a driveway and detached garage, and Munther and Dalal Hassan Alazzawi, owners and occupants of 6301 Barrie, a single-family home with a driveway and no garage, are asking the City of Dearborn to split and sell to them the vacant lot located between their lots so that they may combine that portion of the lot with the adjacent lots they own, and

WHEREAS: The Assessor's Department valued the unbuildable lot at \$4,200, and

WHEREAS: Sale is conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
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. Lots may not be resplit or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with Purchasers' adjacent land.

7. 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.

8. If Purchasers violate any of the restrictions imposed, they are obligated to sell the property back to the City for \$2,100, less 10% and less costs associated with the transfer of property back to the City,

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; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$2,100 to Saleh and Ayeh Nasser of the parcel described as:

North 17 ½ ft. of Lot 265, Albert P. Ternes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 12 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-073-03-027

and to effect the sale at a price of \$2,100 to Munther and Dalal Hassan Alazzawi of the parcel described as:

South 17 ½ ft. of Lot 265, Albert P. Ternes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 12 of Plats, Wayne County records.

Tax I.D.: Part of 82-10-073-03-027

and that the Mayor be and is hereby authorized to execute a deed for said land to Mr. and Mrs. Nasser, and Mr. and Mrs. Alazzawi 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 Mr. and Mrs. Nasser, and Mr. and Mrs. Alazzawi closing simultaneously 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 Offer to Purchase Real Estate; 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 the vacant lot at 6305 Barrie as side yard for the expansion of lots is consistent with the public purpose identified when the City originally purchased the property through the Operation Eyesore Program and serves a public purpose by promoting lot expansion to enhance the neighborhoods; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Shooshanian.

8-384-15. WHEREAS: Sara Estrada and Laurie Brown are the owners of the property located at 3760 Zeigler, and

WHEREAS: The City of Dearborn is the owner of the adjacent vacant lot at 3744 Zeigler, and

WHEREAS: Sara Estrada and Laurie Brown are requesting the City's consent to install a 5' high semi private fence with 1' high lattice accent, along the property line between their property located at 3760 Zeigler and the adjacent City-owned vacant lot located at 3744 Zeigler for a distance of approximately 56 feet, and

WHEREAS: The proposed fence complies with City fence ordinance and does not require any variances, and

WHEREAS: The City fence ordinance requires the consent of the adjacent property owner to the location and style of the fence; therefore be it

RESOLVED: That this Council does hereby consent to the installation of a 5' high semi private fence with 1' high lattice accent along the property line between the property located at 3760 Zeigler and the adjacent City vacant lot located at 3744 Zeigler for a distance of approximately 56 feet provided that Sara Estrada and Laurie Brown pay for all costs associated with installation of the fence; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Tafelski.

8-385-15. WHEREAS: Ali Kaid Shajrah is the owner of the property located at 4701 Walwit, and

WHEREAS: The City of Dearborn is the owner of the adjacent vacant lot at 4715 Walwit, and

WHEREAS: Ali Kaid Shajrah is requesting the City's consent to install a 5' high semi private fence with 1' high lattice accent, along the property line between his property located at 4701 Walwit and the adjacent City-owned vacant lot located at 4715 Walwit for a distance of approximately 60 feet, and

WHEREAS: The proposed fence complies with City fence ordinance and does not require any variances, and

WHEREAS: The City fence ordinance requires the consent of the adjacent property owner to the location and style of the fence; therefore be it

RESOLVED: That this Council does hereby consent to the installation of a 5' high semi private fence with 1' high lattice accent along the property line between the property located at 4701 Walwit and the adjacent City vacant lot located at 4715 Walwit for a distance of approximately 60 feet provided that Ali Kaid Shajrah pays for all costs associated with installation of the fence; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-386-15. RESOLVED: That the Executive and Administrative Unit Salary Plan adopted September 16, 1980 by C.R. 9-863-80 be and is hereby amended pursuant to Civil Service Resolution No. 7770-15, effective August 23, 2015; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Bazzy supported by Abraham.

8-387-15. RESOLVED: That the Supervisory, Technical and Professional Unit Employee Salary Plan adopted on November 18, 1980 by C.R. 11-1062-80 be and is hereby amended pursuant to Civil Service Resolution No. 7771-15; effective August 23, 2015; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-388-15. WHEREAS: In response to structural problems currently being experienced by its Police Department, the City of Allen Park has asked to enter into a lease with the City of Dearborn for lock-up space at the Dearborn Police Department, and

WHEREAS: After a number of meetings between the Chiefs of the two Police Departments, it was agreed that Dearborn could accommodate Allen Park's request, and

WHEREAS: It is anticipated that the daily rate charged will be approximately \$27 per cell, with additional fees assessed when appropriate, and

WHEREAS: Insurance language and hold harmless language are still being negotiated; therefore be it

RESOLVED: That the Mayor is authorized to enter into a lease agreement with the City of Allen Park for the use of lock-up space at the Dearborn Police Department at an approximate rate of \$27 per cell, per day, with additional fees assessed when appropriate, subject to terms and conditions approved by Corporation Counsel; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

8-389-15. RESOLVED: That City Council hereby designates Mayor John B. O'Reilly, Jr. as the Official Voting Delegate and Debra A. Walling as the Official Alternate Voting Delegate for the Michigan Municipal League's Annual Meeting in Traverse City, MI on September 16-18, 2015; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Bazzy.

Authorizing a Special Event License for The Friends for the Dearborn Animal Shelter (FFDAS) to conduct the Tent Adoption Event to be held at 23239 Michigan Avenue on August 22, 2015, subject to certain restrictions and requesting immediate effect.

Withdrawn by The Friends of the Dearborn Animal Shelter.

By Sareini supported by Abraham.

8-390-15. RESOLVED: That City Council hereby concurs in the appointment of Brigitte Fawaz-Anouti, to the Dix-Vernor Corridor Authority with a term ending June 30, 2018; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Tafelski.

8-391-15. RESOLVED: That City Council hereby concurs in the appointment of Hussein Siblani, to the Warren Avenue Corridor Authority with a term ending June 30, 2018; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

JOSEPH A. GUIDO, GUIDO ARCHITECTS INC., 23419
FORD RD. requesting consideration to amend a zoning ordinance to
allow indoor and outdoor vehicle and recreational vehicle
storage as a permitted use within an Industrial A zoning
district.

8-392-15. The foregoing matter was referred to the Legal
and City Plan Departments.

By Tafelski supported unanimously.

8-393-15. WHEREAS: The Mayor and the Council have learned
with sorrow of the passing of Danielle Cipolloni, and

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

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

The resolution was adopted as follows: Yes:
Abraham, Bazzy, Sareini, Shooshanian and Tafelski (5). No:
None. Absent: Dabaja and O'Donnell (2).

By Sareini supported by Shooshanian.

8-394-15. WHEREAS: In February of 2015, the Council amended Chapter 12 of the City Code to regulate smoking lounges in Dearborn (Ord. No. 15-1455). At that time, only smoking lounges with a state exemption could be licensed; that is, only smoking lounges that sold tobacco products could be licensed in Dearborn, and

WHEREAS: The February 2015 amendment required smoking lounges to be licensed by the City within 180 days of the adoption of the amendment (August 18, 2015), and

WHEREAS: In June of 2015, the Council further amended Chapter 12 to delete the state exemption requirement and to permit smoking lounges that sold herbal products to operate in the City with a smoking lounge license (the effective date of the June amendment was July 2, 2015; Ord. No. 15-1469). However, the August 18, 2015 compliance date was not changed, and

WHEREAS: As of August 11, 2015, eight smoking lounges have successfully completed the application process and have received City licenses. Three additional smoking lounges are seeking special land use approval from the Planning Commission as the ordinance requires; however, at its August 10, 2015 meeting, the Planning Commission tabled all three requests and has asked for additional information (e.g. police reports, property maintenance records), and

WHEREAS: The owners/operators of herbal smoking lounges have expressed concern with their ability to meet the August 18 deadline in the short time allotted by the July amendment (47 days), and

WHEREAS: This is a new process with some unforeseen delays (e.g. the Planning Commission meets only once a month and the next meeting is not until September 8, 2015); therefore be it

RESOLVED: That the August 18, 2015 compliance date be extended to December 31, 2015 for tobacco and herbal smoking lounge license applicants who have initiated the licensing process in some way before August 18, 2015 (e.g., filed an smoking lounge application with the City Clerk, filed a special land use application for consideration by the Planning Commission); be it further

RESOLVED: That if, by December 31, 2015, the cap of 15 licenses has not been reached; the matter will be brought back to Council for further review; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazy, Sareini, Shooshanian and Tafelski (5). No: None. Absent: Dabaja and O'Donnell (2).

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:29 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk