

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

September 22, 2015

The Council convened at 7:32 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazy, O'Donnell, Sareini, Shooshanian, Tafelski and President of the Council Dabaja; absent, none. A quorum being present, the Council was declared in session.

The Father Hrant Kevorkian of St. Sarkis Armenian Apostolic Church delivered the invocation.

By Shooshanian supported by O'Donnell.

9-447-15. RESOLVED: That the minutes of the previous regular meeting of September 8, 2015, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

9-448-15. WHEREAS: The Economic Development Corporations Act, Act No. 338, Public Acts of Michigan, 1974, as amended (the "Act"), recognizes that there exists in the State of Michigan (the "State") the need for programs to alleviate and prevent conditions of unemployment, to assist and retain local industries and commercial enterprises, to encourage and assist the location and expansion of such enterprises to provide needed services and facilities to the City of Dearborn (the "City") and its residents, and

WHEREAS: The Act provides a means by which these needs may be addressed, and

WHEREAS: Henry Ford Village, Inc., a Michigan nonprofit corporation (herein referred to as the "Applicant"), has proposed a project (the "Project") to The Economic Development Corporation of the City of Dearborn (the "Issuer") which would assist in the alleviation of the aforementioned conditions, and

WHEREAS: The Issuer, in conformity with the Act, has designated a Project Area and Project District Area for its Project to this Council for its approval thereof; therefore be it

RESOLVED: That 1. The following Project Area, as designated by the Issuer, is hereby certified as approved: See Exhibit A; be it further

RESOLVED: That 2. The territory surrounding said designated Project Area will not be significantly affected by the Project and, therefore, a Project District Area having the same description as the Project Area herein certified as approved is hereby established. Pursuant to Section 20 of the Act, a Project Citizens District Council is not required for the Project and therefore, such a Council shall not be formed; be it further

RESOLVED: That 3. This Council hereby advises and consents to the appointment by the Mayor of the City of Linda Hiveley and Richard Gatza as additional directors to the Board of Directors of the Issuer, pursuant to Section 4(2) of the Act, said persons being representative of neighborhood residents and business interests likely to be affected by the Project; be it further

RESOLVED: That 4. A public hearing upon the Project Plan for the Project to be prepared and recommended by the Issuer and the issuance of bonds in an amount not to exceed \$45,000,000, shall be held at 7:25 p.m. on November 5, 2015, or such other regularly scheduled meeting date of the City Council Committee of the Whole as the City Clerk may determine, in the City Council Chambers in the Dearborn Administrative Center. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed bond issue and the Project Plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat; be it further

RESOLVED: That 5. Upon receipt of the Project Plan recommended by the Issuer, the City Clerk is hereby directed to give notice of such public hearing by (1) publishing a notice thereof in a newspaper of general circulation in the City on or before October 22, 2015; (2) posting in at least ten (10) public and conspicuous places in the project district area; and (3) mailing to the last known owner of each parcel of real property in the project district area at the last known address of the owner as shown by the tax assessment records, which posting and mailed notices shall be given at least ten (10) full days prior to the date set for said hearing. Such notice shall be in the form attached hereto as Exhibit B, with such changes as may be necessary to comply with the Act. If the Project Plan is not recommended by the Issuer to the City with sufficient time to publish, post and mail the notice of such public hearing for a hearing date of November 5, 2015, then the hearing date may be rescheduled to such other regular meeting date of this City Council as determined by the City Clerk as will allow sufficient time for publication, posting and mailing of the notice of hearing as described above and the notice of hearing shall be revised accordingly; be it further

RESOLVED: That 6. The City Clerk is hereby directed to forward three (3) certified copies of this Resolution to the Secretary of the Issuer; be it further

RESOLVED: That 7. All resolutions or parts thereof in conflict with this Resolution are hereby repealed but only to the extent of such conflict; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

EXHIBIT A

Project Area and Project District Area Description

The Project Area consists of certain property in the City of Dearborn, Wayne County, Michigan, described as follows:

Part of the Northwest fractional 1/4 of Section 18, Town 2 South, Range 11 East, City of Dearborn, Wayne County, Michigan, described as follows: Beginning at the point of intersection of the Southerly Right-of-Way line of Ford Road (variable width) and the Easterly Right-of-Way line of Greenfield Road (120.00 feet wide), distant South 89 degrees 53 minutes 57 seconds East (recorded as South 89 degrees 54 minutes 20 seconds East) 33.01 feet along the Northerly line of said Section 18 and South 01 degree 13 minutes 50 seconds East 163.04 feet from the Northwest corner of said Section 18; thence along the Southerly Right-of-Way line of Ford Road, North 87 degrees 04 minutes 00 seconds East 567.79 feet; thence North 72 degrees 26 minutes 40 seconds East 230.81 feet; thence North 82 degrees 58 minutes 10 seconds East 166.62 feet; thence South 89 degrees 45 minutes 50 seconds East (recorded as South 89 degrees 05 minutes 34 seconds East) 320.14 feet (recorded as 320.65 feet) to the Northwest corner of Lot 1 of JOHN FORD SUBDIVISION, as recorded in Liber 44 of Plats, page 73, Wayne County Records; thence along the Westerly line of said JOHN FORD SUBDIVISION and JOHN FORD SUBDIVISION NO. 1, as recorded in Liber 45 of Plats, page 15, Wayne County Records, South 01 degree 33 minutes 58 seconds East (recorded as South 00 degrees 47 minutes 00 seconds East) 1253.93 feet (recorded as 1253.21 feet) to the Northeast corner of GARLING AND LAWRY MANOR SUBDIVISION, as recorded in Liber 70 of Plats, page 96, Wayne County Records; thence along the Northerly line of said GARLING AND LAWRY MANOR SUBDIVISION, South 89 degrees 22 minutes 20 seconds West (recorded as South 88 degrees 39 minutes 10 seconds West) 1282.26 feet to the Easterly Right-of-Way line of Greenfield Road; thence along the Easterly Right-of-Way line of Greenfield Road North 01 degree 13 minutes 50 seconds West (recorded as North 01

degree 57 minutes 00 seconds West) 1150.03 feet (recorded as 1150.96 feet) to the Point of Beginning.

Tax Item No. 82-100-181-01-001

Commonly known as: 15101 Ford Road

Exhibit B

NOTICE OF PUBLIC HEARING
BEFORE THE CITY COUNCIL OF THE CITY OF DEARBORNPROJECT PLAN FOR THE ECONOMIC DEVELOPMENT CORPORATION OF THE
CITY OF DEARBORN HENRY FORD VILLAGE, INC. PROJECT AND PLAN OF
FINANCING FOR ISSUANCE OF LIMITED OBLIGATION REVENUE REFUNDING
BONDS NOT TO EXCEED \$45,000,000

NOTICE IS HEREBY GIVEN that the City Council of the City of Dearborn will hold a public hearing at 7:25 p.m. in the City Council Chambers, Dearborn Administrative Center, 16901 Michigan Avenue, Dearborn, Michigan 48126, on November 5, 2015 on a Project Plan prepared by The Economic Development Corporation of the City of Dearborn ("EDC") for its Henry Ford Village, Inc. Project (the "Project") and on a plan of financing for the proposed issuance of Limited Obligation Revenue Refunding Bonds (the "Bonds") in one or more series in the maximum principal amount of \$45,000,000 by the EDC to provide funds to loan to Henry Ford Village, Inc., a Michigan nonprofit corporation (the "Borrower"), to assist the Borrower with (i) financing the renovation and improvement of certain independent living units, assisted living units, skilled nursing units and common areas, together with parking and site improvements therefor, and the furnishing and equipping of such facilities at Henry Ford Village (as described below); (ii) refunding all or a portion of the Issuer's outstanding Limited Obligation Revenue and Refunding Revenue Bonds (Henry Ford Village, Inc. Project), Series 2008 (the "2008 Bonds"); (iii) funding a debt service reserve fund to secure the bonds; and (iv) paying costs of issuance of the bonds. The proceeds of the 2008 Bonds were used to finance certain improvements to the facilities at Henry Ford Village and refinance the EDC's Variable Rate Demand Limited Obligation Revenue Bonds, Series 1998 (Henry Ford Village, Inc. Project) previously issued by the EDC on behalf of the Borrower to finance the acquisition, construction, furnishing and equipping of the continuing care retirement community known as "Henry Ford Village" on the Borrower's 35 acre campus located at 15101 Ford Road, Dearborn, Michigan. Henry Ford Village is owned and operated by the Borrower in furtherance of its charitable mission to provide residential, nursing and health care services to the elderly.

All aspects of the proposed Project Plan will be open for discussion at the public hearing including the plan of financing for the issuance of limited obligation revenue refunding bonds in one or more series in the maximum aggregate

amount of \$45,000,000 by the EDC. The bonds proposed to be issued shall not be a debt of the City of Dearborn and the City of Dearborn shall not be liable for the payment thereof. The City Council will consider the approval of the Project Plan and the proposed bond issue only after the public hearing has been completed.

The City Council shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the hearing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the proposed Project Plan and the issuance of bonds.

THIS NOTICE is given pursuant to the requirements of Section 17 of Act 338, Public Acts of Michigan, 1974, as amended, and of Section 147(f) of the Internal Revenue Code of 1986, as amended. The Project Plan and relevant maps or plats are available for inspection at the City Clerk's office.

Kathleen Buda
City Clerk
City of Dearborn

By Shooshanian supported by Abraham.

9-449-15. RESOLVED: That Ordinance No. 15-1477 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1477 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 2.00, Section 2.14 entitled 'Trash Removal and Collection'."

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?"

9-449-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by O'Donnell.

9-450-15. RESOLVED: That Ordinance No. 15-1478 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1478 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 1.00, Section 1.03 entitled 'Definitions'."

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?"

9-450-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Shooshanian supported by Abraham.

9-451-15. RESOLVED: That Ordinance No. 15-1479 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1479 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 7.00, Section 7.02 entitled 'Site Development Standards for Nonresidential Uses'."

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?"

9-451-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by O'Donnell.

9-452-15. RESOLVED: That Ordinance No. 15-1480 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1480 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 15.00, Section 15.02 entitled 'Permitted uses and Structures'."

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?"

9-452-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Shooshanian supported by Sareini.

9-453-15. RESOLVED: That Ordinance No. 15-1481 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1481 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 16.00, Section 16.02 entitled 'Permitted Uses and Structures'."

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?"

9-453-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by O'Donnell.

9-454-15. RESOLVED: That Ordinance No. 15-1482 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1482 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 1.00, Section 1.03 entitled 'Definitions'."

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?"

9-454-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by O'Donnell.

9-455-15. RESOLVED: That Ordinance No. 15-1483 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1483 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 7.00, Section 7.02 entitled 'Site Development Standards for Nonresidential Uses'."

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?"

9-455-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Shooshanian supported by Sareini.

9-456-15. RESOLVED: That Ordinance No. 15-1484 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1484 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 16.00, Section 16.02 entitled 'Permitted Uses and Structures'."

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?"

9-456-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by Shooshanian.

9-457-15. RESOLVED: That Ordinance No. 15-1485 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1485 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 18.00, Section 18.02 entitled 'Permitted Uses and Structures'."

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?"

9-457-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By O'Donnell supported by Abraham.

9-458-15. RESOLVED: That Ordinance No. 15-1486 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1486 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 19.00, Section 19.02 entitled 'Permitted Uses and Structures'."

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?"

9-458-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by Shooshanian.

9-459-15. RESOLVED: That Ordinance No. 15-1487 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1487 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 20.00, Section 20.02 entitled 'Permitted Uses and Structures'."

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?"

9-459-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Sareini supported by Shooshanian.

9-460-15. RESOLVED: That Ordinance No. 15-1488 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1488, 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 (parcel 82-10-184-20-008) from an Industrial B (Medium Industrial District) to a Business C (General Business District) zoning classification."

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

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

9-460-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Abraham supported by O'Donnell.

9-461-15. RESOLVED: That Ordinance No. 15-1489 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1489 entitled, "An Ordinance to Amend the Streets, Sidewalks, and Other Public Places Chapter (Chapter 17) of the Code of the City of Dearborn by Amending Article IV, Division 2, entitled 'Obstructions,' by Amending Section 17-99, entitled 'Permitted Obstructions' and by Adding Section 17-99.1, entitled 'Temporary Obstructions'."

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?"

9-461-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

By Shooshanian supported by Bazzy.

9-462-15. WHEREAS: Presented herewith is the Michigan Department of Transportation (MDOT) Contract No. 15-5380, Job No. 120341A and 120341C which provides for: Installation of LED Street Name Signs at the Intersection of Highway US-12 and Monroe Street and Highway US-12 and Schaefer Road; together with necessary related work, located within the corporate limits of the City, and

WHEREAS: The Michigan Department of Transportation is planning signal modernization work at the intersections of Highway US-12 (Michigan Avenue) and Monroe Street, Schaefer Road and Oakman Boulevard. The City of Dearborn has requested installation of "LED" Street Name Signs at the intersection of Monroe Street and Schaefer Road as additional work to be paid for fully by the City. The estimated cost of this additional work requested by the City is \$25,300, and

WHEREAS: The Engineering Department is requesting that City Council approve this Contract in the amount of \$25,300 subject to review by the Legal Department and that the Mayor be authorized to sign the contract on behalf of the City. This project will be funded by CIP U01900, Major Street Fund, and

WHEREAS: It is also requested that the Finance Director be authorized to establish CIP Project U01900 for the installation of LED Street Name Signs at the intersection of Highway US-12 and Monroe Street and Highway US-12 and Schaefer Road with a total budget of \$28,000. This budget includes in house estimated Engineering charges in the amount of \$2,700; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to sign the MDOT Contract No. 15-5380 for the Installation of LED Street Name Signs at the Intersection of Highway US-12 and Monroe Street and Highway US-12 and Schaefer Road; together with necessary related work in the amount of \$25,300, subject to review by the Legal Department; be it further

RESOLVED: That the Finance Director be and is hereby authorized to establish CIP Project U01900 for the installation of LED Street Name Signs at the intersections of Highway US-12 and Monroe Street and Highway US-12 and Schaefer Road with a total budget of \$28,000, which includes in house estimated Engineering charges in the amount of \$2,700; therefore be it

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Sareini.

9-463-15. RESOLVED: That Change Order No. 1 with Inland Waters Pollution Control, Inc. (C.R. 8-382-14) which provides for Combined Sewer Rehabilitation 2014, Phase 2 in the amount of \$180,000 is hereby approved; be it further

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

RESOLVED: That this Change Order shall be financed from the Sewer Fund, Public Works, Construction Services account, Project N02015; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

9-464-15. WHEREAS: According to Sec. 12-1231 of the smoking lounge ordinance, a smoking lounge licensee may petition the City Council for permission to allow smoking in an outdoor patio area, and

WHEREAS: The Council has asked City Plan to review the petition of Mango's Café, 14927 W. Warren, a licensed smoking lounge, for smoking in its outdoor patio area, and

WHEREAS: The City Plan Division recommends denial of smoking in the outdoor seating area of Mango's Café. The property owner is not in good standing with the City due to the delinquent water bill. In addition, the potential public health nuisance of outdoor second-hand hookah smoke could negatively impact the neighboring R-A (One Family Residential) Zoning District, and

WHEREAS: The property owner has since paid the delinquent water bill and is now in good standing with the City; therefore be it

RESOLVED: That Mango's Café, 14927 W. Warren be and they are hereby granted permission to allow smoking in its outdoor patio area 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 Bazzy supported by Shooshanian.

9-465-15. RESOLVED: That all bids received for Fitness Equipment at the Ford Community and Performing Arts Center are hereby rejected except the bid of Fitness Things, Inc. in the amount of \$125,000, 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 General Fund, Recreation, Fitness Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

9-466-15. RESOLVED: That City Council hereby awards contracts to Local 4 (\$25,000), CBS Radio (\$25,000), CBS Outdoor (\$3,600), Times Herald Newspaper (\$1,000) and the Detroit Free Press (\$9,000), the best source media outlets, in the total amount of \$63,600 to Provide Advertising for the Recreation & Parks Department's 2015-2016 Professional Show Season; be it further

RESOLVED: That these contracts shall be financed from the General Fund, Recreation, Professional Shows, Publishing budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

9-467-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's Extended Purchasing Program, Contract No. 071B1300339 for "Early Delivery" and "Seasonal Backup Delivery" of Road Salt for the 2015-2016 Winter Season, and

WHEREAS: The Detroit Salt Company, the authorized distributor for the State of Michigan, will supply this road salt at a cost of \$421,820; therefore be it

RESOLVED: That a purchase order be awarded to The Detroit Salt Company in the amount of \$421,820 for "Early Delivery" and "Seasonal Backup Delivery" of Road Salt for the 2015-2016 Winter Season; be it further

RESOLVED: That this purchase order shall be financed from the General Fund, Department of Public Works, Highways Division, Road and Paving R&M, Rock Salt R&M Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

9-468-15. RESOLVED: That all bids received for Ammunition are hereby rejected except the bid of Vance Outdoors in an amount not to exceed \$27,426, 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 Drug Law Enforcement Fund, Police, Operating Supplies budget in the amount of \$22,504, and to the General Fund, Police, Range Supplies budget in the amount of \$18,637; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

9-469-15. RESOLVED: That all bids received for Demolition of Commercial Property - 10530 Tuxedo are hereby rejected except the bid of Able Demolition in an amount not to exceed \$49,980, 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, Economic & Community Development Commercial Services, Contractual Services budget, Project C12000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

9-470-15. RESOLVED: That all bids received for Demolition of Crowley Pool and Buildings are hereby rejected except the bid of Able Demolition 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 this contract shall be financed from the Facilities Recreation, Swimming Pools, Capital Project Support, Contractual Services, Building Demolition Services budget, Project I51300; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

9-471-15. RESOLVED: That all bids received for Landfill Facility Services are hereby rejected except the bid of Sauk Trail Hills Development (Republic Services) in an amount not to exceed \$80,000 annually or approximately \$240,000 for a three (3) year term, 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 will be for three (3) years beginning October 1, 2015, with two (2) one-year renewal options available under the same pricing, terms and conditions; be it further

RESOLVED: That this contract shall be financed from the General Fund, DPW, Sanitation Division, Contractual Services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

9-472-15. RESOLVED: That City Council hereby approves the Fiscal Year 2016 SMART Municipal and Community Credit Contract in the total amount of \$219,676 which provides transportation for residents of Dearborn 60 years of age or older, as well as, individuals with disabilities; be it further

RESOLVED: That this contract shall be financed from the General Fund, Recreation & Parks Department, SMART Transportation Intergovernmental Revenue, Distribution Account #101-3093-330.04-90; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

9-473-15. WHEREAS: The City presently has a contract with Miller, Canfield, Paddock and Stone for Bond Counsel and Related Services (C.R. 5-278-13), and

WHEREAS: Miller, Canfield, Paddock and Stone has offered to extend the present contract and to maintain the current discounted pricing through June 30, 2016; be it therefore

RESOLVED: That the contract for Bond Counsel Services is hereby extended with Miller, Canfield, Paddock and Stone through June 30, 2016; be it further

RESOLVED: That Miller, Canfield, Paddock and Stone will be assisting the City with an IRS examination of the 2007 sewer bonds. That engagement is not expected to exceed \$15,000 and shall be charged to the Sewer Fund; be it further

RESOLVED: That payment for these services will only be made when debt is issued and will be paid from the proceeds of the debt; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

9-474-15. RESOLVED: That City Council hereby authorizes a contract increase with Weed Eraser, Inc. (C.R. 6-270-15) in an amount not to exceed \$50,000, bringing the total contract to an amount of \$117,500, for additional weed and vegetation control services; be it further

RESOLVED: That this contract increase shall be financed from the General Fund, Residential Services, Neighborhood Services, Contractual Services, Weed Control budget; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$50,000 from the General Fund fund balance, into the General Fund, Residential Services, Neighborhood Services, Contractual Services, Weed Control budget to cover the cost of the additional work; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

9-475-15. RESOLVED: That City Council hereby authorizes a contract increase with Signature Ford-Lincoln (C.R. 1-29-15) in the amount of \$383,468, bringing the new total contract to an amount of \$886,339, for the purchase of Dump Trucks for the Department of Public Works; be it further

RESOLVED: That this contract increase shall be financed from the Fleet Equipment Replacement, Public Works, Highways Division, Capital Equipment (\$65,635); Fleet Equipment Replacement, Public Works, Parks Division, Capital Equipment (\$131,270); and the Water Fund, Public Works, Water Supply Division, Capital Equipment (\$185,536) budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Abraham.

9-476-15. WHEREAS: The State of Michigan's FY2016 Budget (Public Act 84 of 2015, Article 17, Section 120 & 121), included one-time funding of \$260,478,900 of General fund for the state and local road and bridge program. This act specifies these General funds shall be distributed based on the Public Act 51 of 1951 distribution formula, and

WHEREAS: As a result, the City of Dearborn is scheduled to receive an additional distribution of \$1,048,638.73 in funding. This distribution will occur in quarterly installments beginning November 215, February 2016, May 2016 and August 2016, and

WHEREAS: The Finance Department is requesting that the City Council authorize the Finance Director to recognize and appropriate \$1,048,639 in the Local Street Fund, for the fiscal year ended June 30, 2016. The additional appropriation will be used for capital projects; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate Public Act 84 of 2015 funding in the amount of \$1,048,639 in the Local Street Fund for fiscal year ending June 30, 2016; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

9-477-15. WHEREAS: The EDDDA has recognized the need and benefit of two additional projects to reconstruct the public parking lots within the EDDDA district and has approved plans for two new parking projects to be added to the East Dearborn Parking Master Plan number M20006 in FY2016, and

WHEREAS: One project in the amount of \$50,000 for Al's Asphalt for the ring road north of Michigan and east of Schaefer and a pilot project in the amount of \$95,000, and

WHEREAS: The EDDDA requests that the City Council of the City of Dearborn recognize additional budget for the East Dearborn Parking Master Plan project number M20006 in an amount not to exceed \$145,000, and

WHEREAS: It is also requested that the Finance Director be authorized to appropriate EDDDA fund balance in the amount of \$145,000 for the EDDDA, Capital Project Support account; therefore be it

RESOLVED: That City Council approves the additional budget for the East Dearborn Parking Master Plan Project number M20006 in an amount not to exceed \$145,000; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate EDDDA fund balance in the amount of \$145,000 for the EDDDA, Capital Project Support account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

9-478-15. WHEREAS: Economic and Community Development (ECD) and Residential Services have been working closely with the Downtown Development Authorities to implement several efforts to improve the appearance of the districts and add staffing to assist with organization and business development/attraction efforts. Many aspects of the appearance programs have been implemented and are having the desired positive impact on the appearance of the Districts. The DDA's are moving forward with the organization and business attraction elements, and

WHEREAS: Previously, the City Council approved the addition of an Assistant Department Director within ECD to provide staffing that hasn't existed for these purposes in several years. Since that approval the DDA's have been discussing the most efficient manner to move forward to obtain the necessary services they need to accomplish their goals, and

WHEREAS: The West Dearborn DDA has recently contracted (not to exceed \$45,000) with POW! Strategies (Cristina Sheppard-Decius, formerly the Ferndale DDA Executive Director) to work on a series of issues as identified below. Once these elements are complete, it is envisioned that the DDA's will launch a joint structure and retain a full time Executive Director to advance the Main Street Michigan Avenue vision of the 2030 Master Plan while maintaining the two established DDA Boards working on the improvement of these essential business districts:

- A. "Establish a joint DDA organizational structure to achieve the Dearborn Master Plan 2030 vision of Main Street Michigan Avenue."
- B. "Develop a strategic plan for the unified organization of the East and West Dearborn DDA's. This will establish the vision, mission, goals, and strategies to create a strong tone for future direction."
- C. "Organize and commission branding initiative for Main Street Michigan Ave. and East/West downtowns (East-Arts and Culture; West-Tourism and Entertainment)."
- D. "Commissions targeted marketing strategy for the West Dearborn DDA and update the East DDA."

- E. "Coordinate with the City Economic and Community Development Department (ECD) on short-term business attractions and development opportunities."
- a. Inventory and make personal contact with all business and property owners in the district to compile an existing profile.
 - b. Identify strategic gaps to inform a target list of businesses to attract.
 - c. Develop a recruitment strategy for each targeted business.
 - d. Implement strategy and celebrate incremental successes.
 - e. Regularly report activities and results.
- F. "Represent the City for the requirements of the Michigan Main Street Program and begin to form a committee structure for future involvement."
 "The Contractor will report only to the West Dearborn Downtown Development Authority Board..",

and

WHEREAS: In addition to staffing, two important program elements noted above also need to be funded to move forward including the West DDA Market Strategy and the Main Street Michigan Avenue Branding Initiative. Both of these items are identified in the POW! Strategies work scope and were previously budgeted at \$30,000 and \$50,000 in the General Fund under ECD (see attached summary) respectively, and

WHEREAS: The Finance and ECD Departments request that the Dearborn City Council establish additional budget of \$88,000 for the consultant and executive director and \$80,000 for market and branding strategies, totaling \$168,000 in the West Dearborn Downtown Development Authority (WDDDA) Fund. The budget in the General Fund will be reallocated as a contribution to the WDDDA within the ECD budget; therefore be it

RESOLVED: That the City Council hereby establishes additional budget of \$88,000 for the consultant and executive director and \$80,000 for marketing and branding strategies, totaling \$168,000, in the West Dearborn Downtown Development Authority (WDDDA) Fund; be it further

RESOLVED: That the General Fund will be reallocated as a contribution to the WDDDA within the ECD budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

9-479-15. RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the 2014 Federal Emergency Management Agency - Assistance to Firefighters Grant in the total amount of \$1,095,129, with the local match being \$99,557; be it further

RESOLVED: That the Finance Director be and is hereby authorized to establish Project K25602-2014 Assistance to Firefighter Grant in the General Capital Improvement Fund and to recognize grant revenue of \$995,572 and appropriate an initial budget of \$1,095,129 in the project; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$99,557 of General Fund fund balance to the General Capital Improvement Fund for the local match and recognize the corresponding contribution revenue in the project; be it further

RESOLVED: That an appropriation of \$150,000 of General Fund fund balance to a new Training Facility division of the Fire Department in the General Fund for the building preparation is hereby authorized; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

9-480-15. RESOLVED: That City Council hereby accepts the FY2014 Emergency Management Agency - Assistance to Firefighters Grant-Fire Safety and Prevention Grant in the total amount of \$73,240 for the development and implementation of a smoke detector installation program; be it further

RESOLVED: That the grant will be utilized to purchase smoke detectors and two part-time clerical staff members for the grant performance period of one year; be it further

RESOLVED: That the total grant award is in the amount of \$73,240 and the federal share will be 95% or \$69,578 and the local match of 5% or \$3,662; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize revenue of \$69,753 and appropriate expenditures of \$73,240 of General Fund balance in the Fire Department budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

9-481-15. WHEREAS: The Fire Department applied to the Michigan Firefighters Training Council to fund an on-site training by Firehouse software, their current fire and EMS reporting software. The cost of the class is \$4,000 and was approved for full reimbursement by the State program under 1966 Public Act 291 as amended, and

WHEREAS: The Fire Department is requesting that the Finance Director be authorized to recognize \$4,000 in 101-2540-330.04-90 and appropriate the same in account 101-2540-621.58-10 where it will be used for the cost of the on-site training; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate State of Michigan Firefighter Training Council Training Allocations in the amount of \$4,000 for on-site training by Firehouse software; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

9-482-15. WHEREAS: While inventorying City-owned lots, the Residential Services Division discovered that a City-owned lot on Holly was fenced in by the adjoining property owner at 2535 Holly, and

WHEREAS: The owners of the house at 2535 Holly, Ali and Gamilah Kaid, previously owned and lost the vacant lot next to 2535 Holly due to unpaid taxes back in 1982, and

WHEREAS: The City purchased this property from the Department of Natural Resources for \$391 in 1985, and

WHEREAS: It appears that the Kaid's had previously owned the vacant lot and the house which were never combined and had inadvertently missed paying taxes on the vacant lot, and

WHEREAS: The vacant lot has been fenced in with their adjoining house and the Kaid's have been maintaining the vacant lot for the past 30 years, and

WHEREAS: Mr. and Mrs. Kaid wish to purchase the vacant lot from the City for \$391 plus any closing costs, and

WHEREAS: They have agreed to combine the vacant lot with their adjacent property at closing for tax and assessment purposes, and

WHEREAS: The office of Corporation Counsel has reviewed this matter with the City Assessor; he has no objection to the redemption of the property as long as the Kaid's agree to pay tax bills issued against the vacant lot for 2014 and 2015, and

WHEREAS: Since Mr. and Mrs. Kaid have been maintaining this vacant property for the past 30 years, it is recommended that the Mayor be authorized to execute a quit claim deed to Ali and Gamilah Kaid, conditioned upon the payment of \$391, plus closing costs, payment of tax bills for 2014 and 2015, redemption fees, lot combination fees, and deed filing fees, and

WHEREAS: The sale is conditioned on the following:

1. Purchasers may not assign their purchase option 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. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
4. 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.
5. 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.
6. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
7. If Purchasers violate any of the restrictions imposed, they are obligated to sell the property back to the City for \$391, less 10% and less any costs associated with the transfer back to the City, and
8. Purchasers recognize that the Property should have been on the tax roll for 2014 and 2015 and have agreed to pay tax billed issued against the vacant lot for 2014 and 2015,

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 \$391, plus closing costs, payment of tax bills for 2014 and 2015, redemption fees, lot combination fees, and deed filing fees, of the parcel described as:

Lot 28, Frederick Schweizer's Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 50, Page 59 of Plats, Wayne County records.

Lot 24, Fairfield Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 57 of Plats, Wayne County records.

Tax I.D. 82-10-213-12-057

and that the Mayor be and is hereby authorized to execute a deed for said land to Mr. and Mrs. Kaid 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. Kaid 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 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 on Holly as side yard for the expansion of lots is consistent with the public purpose identified when the City originally purchased the property through the Neighborhood Stabilization 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 unanimously adopted.

By Abraham supported by Bazzy.

9-483-15. RESOLVED: That the City of Dearborn, in accord with Section 436.1501 of the Michigan Liquor Control Act, does hereby approve a New Micro Brewer License and Small Wine Maker License to Dean Downey and John Downey the owners of Downey Brewing Company LLC located at 13121 Prospect, Dearborn, Michigan; be it further

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

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

9-484-15. RESOLVED: That City Council hereby grants the request of Jeremy Roth, Redeemer Community Church, to waive the second Zoning Board of Appeals fee in the amount of \$550 and that the second application fee for the meeting in August be refunded; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

9-485-15. RESOLVED: That Gary Tanner on behalf of the Michigan Wounded and Returning Warrior Program (MWRWP) be and they are hereby granted permission to conduct the 2nd Annual Michigan Wounded Warrior Guns and Hoses Benefit Softball Game at King Boring Field on Saturday, October 3, 2015, subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the fee for the use of King Boring Field is hereby waived; be it further

RESOLVED: That the City shall advertise this event on the CDTV cable access channel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

9-486-15. RESOLVED: That Mr. Mohamad Awada on behalf of The Ashura Project be and they are hereby granted permission to conduct their Third Annual 'March for Justice' Procession/Rally on Sunday, October 25, 2015, from approximately 10:30 A.M. to 2:30 P.M., subject to reimbursement of all City Services, all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the parade route shall be as follows: Beginning in the Fordson High School East Parking Lot, the march participants will proceed south exiting the parking lot to the north side of Ford Road; turn right and head west along Ford Road (sidewalk & easement only) to Greenfield Road; turn right and advance north along Greenfield Road (sidewalk & easement only) to Donald Street; then turn right again and continue east along Donald Street (sidewalk & easement only) to the Ford Woods Park entrance gate, located just west of the pool; and finish inside the park near the Comfort Station; be it further

RESOLVED: That City Council hereby authorizes assistance from the Police Department with traffic safety/crowd control for the entire duration of the parade route; be it further

RESOLVED: That City Council also authorizes the use of Ford Woods Park to conduct the event; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

Denying the request of La Posta Café (POSH), 1006 S. Military, for smoking in its outdoor patio area and requesting immediate effect.

Withdrawn by petitioner.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:49 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk