

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

October 20, 2015

The Council convened at 7:37 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 Imam Mohammad Mardini of the American Muslim Center delivered the invocation.

By Shooshanian supported by Tafelski.

10-527-15. RESOLVED: That the minutes of the previous regular meeting of October 6, and special meetings of September 25 and October 1, 2015, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Tafelski supported by Abraham.

10-528-15. WHEREAS: Carhartt, Inc. has requested that the City of Dearborn consider the establishment of an Industrial Development or a Plant Rehabilitation District under the terms of Act No. 198, P.A. of 1974, as amended, and

WHEREAS: Act No. 198, P.A. of 1974, as amended, Section 4 requires that the legislative body shall give written notice by certified mail to the owners of all real property within the proposed Industrial Development District and shall afford an opportunity for a public hearing on the establishment of the Industrial Development District at which time any of those owners and any other resident or taxpayer of the City may appear and be heard; therefore be it

RESOLVED: That Thursday, November 5, 2015 at 7:25 P.M. in the Dearborn Council Chambers, Dearborn Administrative Center, 16901 Michigan Avenue, Dearborn, Michigan, is hereby designated as the date and place for holding a public hearing on the proposed establishment of the "Fairlane North Industrial Development District No. 1", for properties located 5750, 5800 and 5900 Mercury Drive. See Attachment A for Legal Descriptions; be it further

RESOLVED: That the City Clerk is hereby authorized and directed to notify in writing each of the taxing units of the pending Public Hearing of the City Council on the proposed "Fairlane North Industrial Development District No. 1"; specifically, to provide notice in writing to the following taxing units:

Dearborn Board of Education  
Wayne County Board of Commissioners  
Wayne County Regional Educational Service Agency  
Henry Ford College

be it further

RESOLVED: That the City Clerk is hereby authorized and directed to give notice to publish a copy of the following "Notice of Hearing" in the official newspaper for the City of Dearborn in accordance with the terms of Act No. 198, P.A. of 1974, as amended, as follows:

## NOTICE OF HEARING

To establish the "Fairlane North Industrial Development District No. 1" for the properties located at 5750, 5800 and 5900 Mercury Drive, Dearborn, Michigan, by the City of Dearborn, Michigan.

TO ALL RESIDENTS AND TAXPAYERS OF THE CITY OF DEARBORN, MICHIGAN

TAKE NOTICE that the City Council of the City of Dearborn will be holding a public hearing on the request of the Carhartt Inc. and pursuant to the initiative of the City of Dearborn, to establish an Industrial Development District for properties located at 5750, 5800 and 5900 Mercury Drive, Dearborn, Michigan, in accord with the terms of Act No. 198, P.A. of 1974, as amended, on Thursday, November 5, 2015 at 7:25 p.m. in the City Council Chambers, Dearborn Administrative Center, 16901 Michigan Avenue, Dearborn, Michigan. At this public hearing all residents and taxpayers will have the opportunity to speak on the proposed establishment of the "Fairlane North Industrial Development District No. 1" and the resulting tax relief possible with reference to individual applications for Industrial Facilities Exemption Certificates.

Act No. 198, P.A. of 1974, as amended, provides that the City Council may approve an application for an Industrial Facilities Tax Exemption Certificate for the purpose of establishing a business climate conducive to new development and retaining or expanding employment opportunities within the community. If an Industrial Development District is established and an Industrial Facilities Tax Exemption Certificate is approved with reference to a particular development project, and Industrial Facility Tax would be payable by the applicant determined by multiplying one half of the total mills, except for the State Education Tax (SET), levied as an ad valorem tax for a given year by all taxing units within which the facility is situated by the taxable value of the facility excluding the land for up to a twelve year period.

Representatives from the property owners and lessee within the proposed district, the administration and residents and taxpayers will be afforded a full opportunity to question and comment upon the proposed establishment of the "Fairlane North Industrial Development District No. 1" at the public hearing on Thursday, November 5, 2015 at 7:25 p.m. in the City Council Chambers, Dearborn Administrative Center, 16901 Michigan Avenue, Dearborn, Michigan. The public hearing has been set by the Dearborn City Council in accord with the provisions of Act No.

198, P.A. of 1974, as amended, Section 4(3) of Act No. 198, P.A. of 1974, as amended.

Individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate in this program should contact the Department of Assessment at 943-2140 or the TDD at 943-2074. Reasonable advance notice is required.

The notice is given by order of the City Council of the City of Dearborn, in accord with the requirements of City Council Rules of Order, Section 5.2.

KATHLEEN BUDA  
City Clerk

be it further

RESOLVED: That to insure the timely implementation of the provisions of this resolution, it is hereby given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Tafelski.

10-529-15. RESOLVED: That the proposed resolution by Councilmembers Sareini and Shooshanian granting a twelve (12) month extension of time for Mashawi LLC to commence construction on the vacant lots at 5035 Jonathon (C.R. 6-303-14) and 5065 Middlesex (C.R. 5-253-14), be and is hereby taken from the table.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

10-530-15. WHEREAS: City Council previously authorized Mashawi LLC to purchase the vacant lots at 5035 Jonathon and 5065 Middlesex (C.R. 6-303-14 and C.R. 5-253-14) so it may construct single-family dwellings on these properties within 12 months from the date of closing, and

WHEREAS: The closings took place on September 11, 2014; therefore, Mashawi LLC was required to commence construction of single-family dwellings on these properties by September 11, 2015, and

WHEREAS: According to Mashawi LLC, it has encountered financial issues. It is requesting an additional twelve (12) months in which to commence construction on these properties, and

WHEREAS: Mashawi LLC has submitted the required processing and extension fees, and

WHEREAS: It has been the City's past practice to grant a request for an extension for time in which to commence construction for a good reason, such as this; therefore be it

RESOLVED: That Mashawi LLC's request in which to commence construction on 5035 Jonathon and 5065 Middlesex is extended to September 11, 2016; be it further

RESOLVED: That if Mashawi LLC does not require the full 12 months to commence construction (as defined by the Land Sales Guidelines) on these properties, it may request that Corporation Counsel provide a refund of the amount paid per month (\$196 per month for 5035 Jonathon and \$188 per month for

5065 Middlesex) if construction commences before September 11, 2016; be it further

RESOLVED: That all other terms and conditions contained in the original purchase agreements and C.R. 6-303-14 and C.R. 5-253-14 shall remain in effect; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

10-531-15. RESOLVED: That Ordinance No. 15-1490 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1490, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 7227 Barrie from a Residential A (One Family Residential District) to a VP (Vehicular Parking District) zoning classification

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

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

10-531-15 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.

10-532-15. RESOLVED: That Ordinance No. 15-1491 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1491 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 4.00, Section 4.01, entitled 'Off-Street Parking Requirements'."

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?"

10-532-15. 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.

10-533-15. RESOLVED: That Ordinance No. 15-1492 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1492 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?"

10-533-15. 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 Tafelski.

10-534-15. RESOLVED: That Ordinance No. 15-1493 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1493 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 15.00 (B-B, Community Business District), 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?"

10-534-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (7). No: None. Absent: None.

Ordinance on the Table -

Ordinance No. 15-1494 - "An Ordinance to Amend Article II of Chapter 18 of the Code of the City of Dearborn entitled 'Traffic Code'."

Resolution by Councilmember Abraham in need of support - To take from the table for its final reading.

10-535-15. Ordinance No. 15-1494 remains on the table.



By Abraham supported by Tafelski.

10-536-15. RESOLVED: That Ordinance No. 15-1495 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1495 entitled, "An Ordinance to Amend Division 13 of Article 11 of Chapter 18 of the Code of the City of Dearborn, entitled 'Railway Crossing'."

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?"

10-536-15. 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 Tafelski.

10-537-15. RESOLVED: That Ordinance No. 15-1496 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 15-1496, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 23830 Harvard from an Industrial A (Light Industrial District) to a VPD (Vehicular Parking District - Class A Auto Dealer) 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?"

10-537-15. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, O'Donnell, Sareini, Shooshanian and Tafelski (5). No: Bazzy and Dabaja (2). Absent: None.

Councilmember Tafelski introduced Ordinance No. 15-1497, entitled, "An Ordinance to Amend Chapter 13, Article I of the Code of the City of Dearborn, entitled 'Nuisances'."

The Clerk read the Ordinance by title.

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

By Bazy supported by Shooshanian.

10-538-15. RESOLVED: That proposed Ordinance No. 15-1497 be laid on the table.

The resolution was unanimously adopted.

By Abraham supported by Bazy.

10-539-15. WHEREAS: The City is eligible for contract pricing through the Midwestern Higher Education Compact, Contract MHEC-07012015 for Various Computer Equipment, and

WHEREAS: Ultra Level, Inc., authorized distributor, will supply Various Computer Equipment at a cost not to exceed \$400,000; therefore be it

RESOLVED: That a purchase order be awarded to Ultra Level, Inc. in an amount not to exceed \$400,000 for Various Computer Equipment; be it further

RESOLVED: That this purchase order shall be financed from the Information Systems Fund, MIS, Capital Equipment budget, Project ZT2699; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Tafelski.

10-540-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDEAL Cooperative Program, Contract No. 071-B1300005 for Vehicles for the Recreation and Parks Department from Gorno Ford, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply three (3) vehicles at a unit cost of \$22,365; be it

RESOLVED: That a purchase order be awarded to Gorno Ford in an amount not to exceed \$67,095 for three (3) Vehicles for the Recreation & Parks Department; be it further

RESOLVED: That this purchase order shall be financed from the Fleet Fund, Camp Capital Equipment (\$44,730) and Recreation Capital Equipment (\$22,365) budget; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$5,730 from the Fleet Replacement Fund Retained Earnings to the Camp Dearborn Capital account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

10-541-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDEAL Cooperative Program, Contract No. 071-B1300005 for Vehicles for the Public Works Department, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply twelve (12) vehicles at a cost of \$305,117.10; be it

RESOLVED: That a purchase order be awarded to Gorno Ford in an amount not to exceed \$305,117.10 for Vehicles for the Public Works Department; be it further

RESOLVED: That this purchase order shall be financed from the Fleet & Equipment Replacement, Public Works, BS&M (\$95,121.55); Fleet & Equipment Replacement, Public Works, Fleet Repair and Maintenance (\$52,598.65); Fleet & Equipment Replacement, Public Works, Highways (\$24,933.95); Water Fund, Public Works, Engineering (\$47,322.95); and the Sewer Fund, Public Works, Sewerage (\$85,140), Capital Equipment budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

10-542-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDEAL Cooperative Program, Contract Nos. 071-B1300005 and 071-B1300009 for Vehicles for the Police Department, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply twelve (12) vehicles at a cost of \$314,184, and

WHEREAS: Signature Ford, the authorized distributor for the State of Michigan, will supply two (2) vehicles at a cost of \$39,088; therefore be it

RESOLVED: That purchase orders be awarded to Gorno Ford and Signature Ford in amounts not to exceed \$314,184 and \$39,088, respectively, for Vehicles for the Police Department; be it further

RESOLVED: That these purchase orders shall be financed from the Fleet Fund, Police, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Tafelski.

10-543-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDEAL Cooperative Program, Contract No. 071-B1300005 for a Vehicle for the Management Information Systems (MIS) Department, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply one (1) vehicle at a unit cost of \$25,160; be it

RESOLVED: That a purchase order be awarded to Gorno Ford in an amount not to exceed \$25,160 for a Vehicle for the Management Information Services (MIS) Department; be it further

RESOLVED: That this purchase order shall be financed from the Fleet Fund, MIS, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

10-544-15. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDEAL Cooperative Program, Contract No. 071-B1300005 for a Vehicle for CDTV, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply these vehicles at a unit cost of \$28,888; be it

RESOLVED: That a purchase order be awarded to Gorno Ford in an amount not to exceed \$28,888 for a Vehicle for CDTV; be it further

RESOLVED: That this purchase order shall be financed from the Telecommunications Fund, Public Information, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

10-545-15. RESOLVED: That all bids received for Outdoor Trash Receptacles and Benches are hereby rejected except the bid of OCC Outdoors, Inc. in the amount of \$31,201.45, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Fund, Economic & Community Development, Operating Supplies budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

10-546-15. WHEREAS: Council Resolution 10-526-14 authorized ongoing maintenance costs with New World Systems for a customer information system that was purchased under Council Resolution 2-88-09. In order to control costs for the maintenance, a five-year agreement was requested from New World Systems, resulting in a five-year total of \$179,080. This five-year maintenance agreement, paid annually, will be valid through September 30, 2020; therefore be it

RESOLVED: That a purchase order for Ongoing Maintenance of Customer Information System from October 1, 2015 through September 30, 2020 with New World Systems for a five-year total amount of \$179,080 be and is hereby approved; be it further

RESOLVED: That this contract shall be financed from the Water Fund, Public Works, Professional Services budget. Future funding will be contingent upon adoption of the respective Fiscal Year budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Sareini supported by Abraham.

10-547-15. RESOLVED: That all solicitations received for Job Classification and Salary Study are hereby rejected except the proposal of Gallagher Benefit Services in an amount not to exceed \$92,000, that the aforementioned proposal 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 proposal have been fully complied with; be it further

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

RESOLVED: That an appropriation in the amount of \$17,000 to be added to the \$75,000 originally budgeted and carried forward to the Contractual Services account 101-1299-421.34-90 be and is hereby approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

10-548-15. WHEREAS: The City presently has a contract with The Stevenson Company for Property Insurance for Hubbard Manor East and West, and

WHEREAS: The original contract specifications allow for two (2) one-year renewals and this is the final renewal, and

WHEREAS: The value of the renewal is not to exceed \$61,745 (\$995 less than the expiring premium amount of \$62,740) with a new expiration date of November 30, 2016; be it further

RESOLVED: That the contract for Property Insurance for Hubbard Manor East and West is hereby renewed with The Stevenson Company through November 30, 2016 in an amount not to exceed \$61,745; be it further

RESOLVED: That this contract shall be financed from the Senior Apartment Operating Fund, Housing Department, Insurance & Bonds, General Insurance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

10-549-15. WHEREAS: The Mayor's Office requests authorization to join the National League of Cities (NLC) for the period 9/01/15 to 8/31/2016, in lieu of renewing the United States Conference of Mayor's (USCM) annual membership, which expires on 12/31/15, and

WHEREAS: The cost of the city-wide membership with the NLC is \$7,816, which is based on our U.S. Census reported population, and includes benefits for multiple staff members, and

WHEREAS: Membership provides the City of Dearborn with a collective voice in the nation's capital on federal policy and advocacy issues that concern the City. Membership also networks the City's elected and top appointed officials with the experience and ability of municipal leaders nationwide and provides access to resources used to promote innovation and manage common issues such as Veteran homelessness, local job training programs, local water infrastructure projects, and other transportation programs, and

WHEREAS: Additionally, membership benefits include a weekly newsletter, attendance at annual meetings that offer educational opportunities, and an active website which provides members access to studies, reports, and information that can assist in improving performance; therefore be it

RESOLVED: That the Mayor's Office be and is hereby authorized to join the National League of Cities (NLC) with membership dues in the amount of \$7,816 for the period of September 1, 2015 to August 31, 2016, in lieu of renewing the United States Conference of Mayor's (USCM) annual membership; be it further

RESOLVED: That this membership shall be financed from the membership dues for FY16 in Citywide Account #101-1299-421.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

10-550-15. RESOLVED: That City Council hereby authorizes the Mayor to renew the City's membership with the Michigan Municipal League (MML) in the amount of \$15,585 for the period of December 1, 2015 through November 30, 2016; be it further

RESOLVED: That this membership renewal shall be financed from the membership dues for FY16 in Citywide Account #101-1299-421.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Shooshanian.

10-551-15. RESOLVED: That City Council hereby authorizes the Mayor to renew the City's membership with the Conference of Western Wayne (CWW) for fiscal year 2015/2016 in the amount of \$11,278; be it further

RESOLVED: That this membership renewal shall be financed from the membership dues for FY16 in Citywide Account #101-1299-421.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

10-552-15. WHEREAS: In April 2015, Zausmer, August, and Caldwell substituted as the City's outside counsel in the lawsuit titled Shaw v. City of Dearborn, and

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

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

RESOLVED: That the professional services agreement with Zausmer, August, and Caldwell be extended in this matter in an amount not to exceed \$200,000, to be funded by a transfer of \$200,000 from the General Fund fund balance to the Fleet and General Liability fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

10-553-15. WHEREAS: The Dearborn Police Department has applied for and received grant funding from the Office of Justice Programs, Bureau of Justice Assistance in the amount of \$59,571, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$59,571 and appropriate \$119,212; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize the \$59,571 in 101-2410-330.01-90 General Fund Police Administration Intergovernmental Revenue Federal and appropriate the \$119,212 in 101-2410-511.98-00 General Fund Police Administration; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

10-554-15. WHEREAS: The Dearborn Fire Department was recently a sub-recipient awardee of a highly competitive "2014 Federal Emergency Management Agency - Assistant to Firefighter's Grant" for much needed communication equipment for its firefighters. This grant was a regional effort with nine local communities and Dearborn Heights acting as the lead agency, and

WHEREAS: This grant will be used to purchase communication equipment that includes 5 base station radios, 128 lapel microphones, 6 multi-unit chargers with displays, and 44 radio headsets for the apparatus. All the equipment being purchased will be for the new 800 MHz system. This equipment will permit firefighters to better communicate while responding to and on scene of emergency incidents. The equipment will promote interoperability between fire departments in the region, and

WHEREAS: FEMA awarded \$216,635 for communication equipment for nine communities. Dearborn's portion is \$71,081 in total. The FEMA grant provides 90% funding (\$63,973), requiring a 10% City contribution (\$7,108). The estimated equipment costs are anticipated to be more than the FEMA grant awarded. The actual communication equipment costs are estimated to be \$110,000.

\$110,000	Estimated Communication Equipment Costs
<u>-\$ 63,973</u>	<u>FEMA (90% funding) award</u>
\$ 46,027	Total City portion to be paid to the City of Dearborn Heights (includes 10% match and equipment costs exceeding grant funds),

and

WHEREAS: The bids will be evaluated by Dearborn Heights Purchasing with the assistance of both Dearborn and Dearborn Heights Fire Departments. Based on initial quotes, the value of the contracts for Dearborn is not anticipated to exceed \$110,000, and

WHEREAS: It is respectfully requested that Council authorize the Finance Director to recognize grant revenue of \$63,793 and appropriate grant expenditures of \$71,081. In addition, an appropriation of General Fund balance in the amount of \$38,919 for the amount that the equipment exceeds the grant award is requested, and

WHEREAS: It is also requested that Council authorize payment to the City of Dearborn Heights following the delivery of the communication equipment in the estimated amount of \$46,027, Dearborn's share after the federal portion of the grant award; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize the 2014 Assistance to Firefighters Grant in the amount of \$63,793 and appropriate grant expenditures of \$71,081 for the Purchase of Communication Equipment, and to appropriate the amount of \$38,919 for the balance that the equipment exceeds the grant award, be it further

RESOLVED: That the Finance Director is hereby authorized to pay Dearborn Heights following the delivery of the communication equipment in the estimated amount of \$46,027, Dearborn's share after the federal portion of the grant award; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Bazzy supported by Sareini.

10-555-15. WHEREAS: On August 9, 2011 the City entered into an Intermodal Passenger Rail Facility Lease agreement "agreement" with National Railroad Passenger Corporation (Amtrak) approved by Council Resolution 7-403-11. The agreement term is for 20 years, commencing after the Rail Facility has been completed and an occupancy permit is issued for the rail facility, which was January 15, 2015, and

WHEREAS: Per the agreement, Amtrak shall deposit \$500 per month in a Replacement Reserve Account to pay for no more than Amtrak's proportionate share of improvements of a capital nature. The deposit total for the period July 1, 2015 to June 30, 2016 is expected to be \$6,000, and

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

WHEREAS: It is requested that the Finance Director be authorized to create a budget for the Capital Replacement funds in the Facilities Fund Public Works Department, Train Station Division, Leases/Nat'l Passenger Railroad revenue account in the amount of \$6,000 and to appropriate budget in the Facilities Fund Public Works Department, Train Station Division, Capital Project Support, Undistributed Appropriation, Project J26000; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to create a budget for the Capital Replacement funds in the Facilities Fund Public Works Department, Train Station Division, Leases/Nat'l Passenger Railroad revenue account in the amount of \$6,000 and to appropriate budget in the Facilities Fund Public Works Department, Train Station Division, Capital Project Support, Undistributed Appropriation, Project J26000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Bazzy.

10-556-15. WHEREAS: Generally Accepted Accounting Principles (GAAP) require that an adjustment be recorded when the market value of inventory is lower than cost. Accordingly, the City's auditors, Plante & Moran require that the market value for land inventory be determined annually as of fiscal year end, and

WHEREAS: The market value of the land inventory held in the General Capital Improvement Fund was approximately \$5,837,280 less than the historical cost of \$12,911,370 at June 30, 2015. In FY15 a non-cash entry was made in the amount of \$350,894 to further reduce the value of the land inventory from previous year's reductions and record the unrealized reduction in the statement of revenues, expenditures and changes in fund balance of the General Capital Improvement Fund, and

WHEREAS: It is requested that the Finance Director be authorized to appropriate fund balance in the General Capital Improvement Fund for Fiscal Year 2015 in the amount of \$350,894 for the unrealized reduction in the value of the land inventory; be it

RESOLVED: That the Finance Director is hereby authorized to appropriate fund balance in the General Capital Improvement Fund for Fiscal Year 2015 in the amount of \$350,894 for the unrealized reduction in the value of the land inventory; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

Councilmember Tafelski recused himself and left the Council Chambers at 8:47 P.M.

By Shooshanian supported by Bazzy.

10-557-15. WHEREAS: City Council previously authorized Afafe Mosallam to purchase the vacant lot at 6540 Reuter (CR 7-351-15) for \$22,301 so that she may construct a single-family dwelling on this property within 12 months from the date of closing, and

WHEREAS: She was the only bidder for this property when it was advertised for sale on the 2015 Lot List. The closing was scheduled for September 23, 2015, and

WHEREAS: Ms. Mosallam has now indicated that, due to her medical condition, she is unable to build on this property and is requesting that the City cancel the sale/closing and return all deposits she made, and

WHEREAS: The Offer to Purchase that Ms. Mosallam signed states that the Purchaser agrees to complete the sale within 90 days after City Council acceptance and that in the event of a default by the Purchaser, all deposits shall be forfeited to the Seller as liquidated damages, and

WHEREAS: CR 7-351-15 also states that the closing must take place within 90 days of the effective date of the Dearborn City Council Resolution or the failure to close shall result in the Resolution automatically being rescinded and deposit forfeited, and

WHEREAS: It is recommended that Ms. Mosallam's request to cancel the purchase/closing be granted, but that her request for the return of all of her deposits be denied; therefore be it

RESOLVED: That Afafe Mosallam's request to cancel the purchase/closing of the property located at 6540 Reuter is hereby granted; be it further

RESOLVED: That Afafe Mosallam's request for the return of all of her deposits pertaining to the cancellation of the purchase/closing be denied; be it further

RESOLVED: That this resolution be given immediate effect.

This resolution was adopted as follows: Yeas: Abraham, Bazzy, Dabaja, O'Donnell, Sareini, and Shooshanian (6). Nays: None. Absent: Tafelski (1).

Councilmember Tafelski returned to the Council Chambers at 8:50 P.M.

By Tafelski supported by Abraham.

10-558-15. WHEREAS: The Dix-Vernor Business District Improvement Authority ("Authority") is required by the Corridor Improvement Authority Act, P.A. 280 of 2005, to "adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body", and

WHEREAS: On October 1, 2015, at its inaugural meeting, the Authority approved the adoption of proposed bylaws subject to the approval by City Council, and

WHEREAS: Approval of said bylaws by City Council is necessary for the Authority to conduct business at future meetings; therefore be it

RESOLVED: That the proposed bylaws presented and approved by the Authority on October 1, 2015 are hereby approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Bazy.

10-559-15. RESOLVED: That City Council hereby approves the Proposed Updates to Chapter 21 Investment Policy Statement with New England Pension Consultants (NEPC); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Tafelski.

10-560-15. RESOLVED: That City Council hereby authorizes the removal of a delinquent water lien for the property located at 4868 Maddie Lane, Parcel I.D. 82-09-134-01-100 from the 2015 Tax Roll in the amount of \$1,799.96 due to a billing error; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

10-561-15. WHEREAS: City Council previously authorized Zahra Al-Zayadi, owner and occupant of the property located at 7433 Kendal, a single-family home with no driveway and no garage (30' x 125') to purchase 15 ft. of the City's vacant lot located at 7427 Kendal so she may combine that portion with her adjacent property to create a 45 ft. lot (C.R. 12-636-11), and

WHEREAS: The closing took place on March 6, 2012 and lot split and combination forms were prepared to split off the 15 ft. from the City-owned lot and to combine it with her adjacent property at 7433 Kendal, and

WHEREAS: Zahra Al-Zayadi is now requesting approval to split and sell the 15 ft. that she purchased from the City to her brother, Ahmed Al-Zayadi, who purchased the adjacent City-owned property located at 7427 Kendal (45' x 125') for new construction (C.R. 7-375-13), and

WHEREAS: According to Ahmed Al-Zayadi, he wishes to build a larger home and needs additional property, and

WHEREAS: A review of Zahra Al-Zayadi's property at 7433 Kendal reveals that she has need for that space for additional parking since there is a lengthy history of code enforcement issues and lack of compliance, including inoperable/illegally parked vehicles, tall grass/weeds, and improper trash storage, and

WHEREAS: It is recommended that she keep the 15 ft. that she purchased from the City to install a driveway and garage, and

WHEREAS: It is recommended that Zahra Al-Zayadi's request to sell her brother, Ahmed Al-Zayadi, the 15 ft. she purchased from the City be denied due to the fact that her property located at 7433 Kendal does not have a driveway or garage, and due to the fact that if Ahmed Al-Zayadi purchases the 15 ft. from his sister, Zahra Al-Zayadi, his lot size would be 60 ft. while Zahra Al-Zayadi's lot would be reduced back to a 30 ft. lot with no driveway or garage, and

WHEREAS: Ahmed Al-Zayadi also purchased the buildable lot "as is" which was advertised as a 45' x 125' lot; therefore be it

RESOLVED: That Zahra Al-Zayadi's request to sell her brother, Ahmed Al-Zayadi, the 15 ft. she purchased from the City is hereby denied; be it further

RESOLVED: That the request is denied due to the fact that her property located at 7433 Kendal does not have a driveway or garage, and due to the fact that if Ahmed Al-Zayadi purchases the 15 ft. from his sister, Zahra Al-Zayadi, his lot size would be 60 ft. while Zahra Al-Zayadi's lot would be reduced back to a 30 ft. lot with no driveway or garage; be it further

RESOLVED: That the request is also denied due to the fact that Ahmed Al-Zayadi purchased the buildable lot at 7427 Kendal "as is" which was advertised as a 45' x 125' lot. He should submit plans to build a house suitable for that lot size; be it further

RESOLVED: This resolution is given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

10-562-15. RESOLVED: That Midnight Café be and are hereby granted an exemption of the location requirements set forth under Sec. 12-1207 of the Smoking Lounge Ordinance No. 15-1455 to operate as a Smoking Lounge within 700 feet of a City Park.

The resolution was unanimously adopted.

By Tafelski supported by Sareini.

10-563-15. RESOLVED: That City Council hereby grants permission to the Fairlane Alliance Church, 905 Mason, to park a semi-trailer on Mason Street between the alley and Garrison Street from November 15 through November 23, 2015 for the annual "Operation Christmas Child" collection.

The resolution was unanimously adopted.

By Abraham supported by Tafelski.

10-564-15. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Khalil I. Rahal, to the Dix-Vernor Corridor Authority for a term ending June 30, 2019; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported by Shooshanian.

10-565-15. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Khalil I. Rahal to the Warren Avenue Corridor Authority for a term ending June 30, 2019.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Sareini supported by Bazzy.

10-566-15. WHEREAS: The Dearborn Recreation & Parks Director is requesting City Council approval for the City of Dearborn to enter into a short-term motor vehicle lease agreement with the University of Michigan, Dearborn for use of a 1988 Zamboni Ice Resurfacer from the Dearborn Ice Skating Center (DISC) with immediate effect, and

WHEREAS: On Monday, October 19, 2015, the DISC Administration was contacted/informed by a representative from the University of Michigan, Dearborn Field House that their Zamboni Ice Resurfacer had broken down, and that they wanted to rent one (1) of the DISC's three (3) Zamboni Ice Resurfacer units for a few days. At this time, the Recreation & Parks Department Administration would like to assist the University of Michigan, Dearborn with this hardship and is supportive of their request, and

WHEREAS: Upon approval by the City Council, The City of Dearborn will enter into a short-term motor vehicle lease agreement for use of the DISC's 1988 Zamboni Ice Resurfacer at a cost of \$100/day. In addition to the lease/rental cost, the University of Michigan, Dearborn will be held responsible for all costs associated with transporting the Zamboni Ice Resurfacer to and from both facilities. A hold harmless agreement has also been drafted and will need to be fully executed between both parties; therefore be it

RESOLVED: That the Recreation Director be and hereby is authorized to execute a short-term lease agreement with the University of Michigan-Dearborn for use of a 1988 Zamboni Ice Resurfacer from the Dearborn Ice Skating Center (DISC); be it further

RESOLVED: That the Mayor is authorized to enter into a hold harmless agreement with the University of Michigan, Dearborn for the purpose of a short-term lease agreement to use the DISC's 1988 Zamboni Ice Resurfacer; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:10 P.M.

APPROVED:

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President of the Council

ATTESTED:

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City Clerk