

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

January 26, 2016

The Council convened at 7:31 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Bazzy, O'Donnell, Sareini, Shooshanian, Tafelski and President of the Council Dabaja; absent, Councilmember Abraham. A quorum being present, the Council was declared in session.

Pastor Dustin Weber of the Dearborn Free Methodist Church delivered the invocation.

By Bazzy supported by O'Donnell.

1-29-16. RESOLVED: That the minutes of the previous regular meeting of January 12, and special meeting of January 5, 2016, and the same are hereby approved as recorded and published.

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

By Bazzy supported by O'Donnell.

1-30-16. RESOLVED: That Ordinance No. 16-1518 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 16-1518 entitled, "An Ordinance to Amend the Fees for Permits and Inspections Chapter (Chapter 9), of the Code of the City of Dearborn by Amending Article XVI Entitled 'City Planning'."

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?"

1-30-16. Upon roll call the Ordinance was adopted as follows: Yes: Bazzy, Dabaja, O'Donnell, Sareini, Shooshanian and Tafelski (6). No: None. Absent: Abraham (1).

Councilmember Bazzy introduced Ordinance No. 16-1519, 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 Clerk read the Ordinance by title.

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

By Shooshanian supported by O'Donnell.

1-31-16. RESOLVED: That proposed Ordinance No. 16-1519 be laid on the table.

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

Councilmember Bazy introduced Ordinance No. 16-1520, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 7231 Neckel Street from a Residential A (One Family Residential District) to a VP (Vehicular Parking District) zoning classification.

The Clerk read the Ordinance by title.

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

By Sareini supported by O'Donnell.

1-32-16. RESOLVED: That proposed Ordinance No. 16-1520 be laid on the table.

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

Councilmember Tafelski introduced Ordinance No. 16-1521, entitled, "An Ordinance to Amend the Administrative Chapter (Chapter 2), Article II (Administrative Services) of the Code of the City of Dearborn by adding Division 2A, entitled 'Department of Public Works'."

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 Sareini.

1-33-16. RESOLVED: That proposed Ordinance No. 16-1521 be laid on the table.

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

Councilmember Bazy introduced Ordinance No. 16-1522, entitled, "An Ordinance to Amend the Community Development Chapter (Chapter 7) of the Code of the City of Dearborn by amending Section 7-27 of Article II, entitled 'Department of Economic and Community Development'."

The Clerk read the Ordinance by title.

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

By Sareini supported by Shooshanian.

1-34-16. RESOLVED: That proposed Ordinance No. 16-1522 be laid on the table.

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

Councilmember Bazy introduced Ordinance No. 16-1523, entitled, "An Ordinance to Amend the Community Development Chapter (Chapter 7) of the Code of the City of Dearborn by renaming Article IIA, and Amending Sections 7-35 through 7-38."

The Clerk read the Ordinance by title.

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

By O'Donnell supported by Sareini.

1-35-16. RESOLVED: That proposed Ordinance No. 16-1523 be laid on the table.

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

By Bazzy supported by Sareini.

1-36-16. WHEREAS: The developer for the St. Kateri Parish located at 16101 Rotunda Drive had submitted the Site Plan to Wayne County for the proposed development. The Site Plan indicated storm sewer from the proposed development connected to Wayne County storm sewer in Rotunda Drive. Later, Wayne County issued a Permit for the proposed development for St. Kateri requiring them to construct a detention system which was not only expensive but site disruptive, unaesthetic and unsafe if not secured properly, and

WHEREAS: Upon further discussion with Reverend Terrence Kerner, the City staff and Wayne County staff, it was agreed that Wayne County would waive the detention system requirements provided Wayne County relinquish and City accept ownership, liability, control of and maintenance responsibility for the portion of the Rotunda Drain Storm water system in front of 16101 Rotunda Drive. Wayne County will relinquish and the City of Dearborn will assume responsibility of 40 l.f. of 12 inch diameter, 11 l.f. of 15 inch diameter, and 30 l.f. of 42 inch diameter of storm sewer including four manholes, and

WHEREAS: Construction at St. Kateri Parish is complete without a storm detention system in place as agreed by all parties, and

WHEREAS: The City Engineer is requesting that the Intergovernmental Agreement between Wayne County and the City of Dearborn be approved subject to a review by the Legal Department and that the Mayor be authorized to execute the agreement on behalf of the City; therefore be it

RESOLVED: That the Intergovernmental Agreement (IGA) between the County of Wayne and the City of Dearborn to provide for the County to relinquish and for the City to accept ownership, liability, control and maintenance responsibility for a portion of the Rotunda Drive storm water system in front of St. Kateri Parish located at 16101 Rotunda Drive be and is hereby approved subject to review by the Legal Department; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute the IGA on behalf of the City; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazy supported by Shooshanian.

1-37-16. RESOLVED: That all bids received for Asphalt Resurfacing and Water Main Replacement 2016, Phase 1 - BG are hereby rejected except the bid of DiPonio Contracting, Inc. in the amount of \$3,530,999.05, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$100,000 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That the City Engineer be and is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this contract shall be financed from the Community Development Block Grant Fund; the Local and Major Street Funds, Maintenance Roads & Streets; and the Water Fund, Capital Project Support, Projects Q74010 and Q74011; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Shooshanian.

1-38-16. RESOLVED: That all bids received for Printing and Mailing of Tax Bills and Assessment Notices are hereby rejected except the bid of Intelligent Document Solutions Inc. in an amount not to exceed \$107,985 for the initial three(3) year contract, 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 for a term of three (3) years with two (2) one-year renewals at the same pricing, terms and conditions; be it further

RESOLVED: That this contract shall be financed from the General Fund Finance, Treasurer, Contractual Services budget (\$49,530) as well as the General Fund, Assessor, Supplies, and Contractual Services budgets (\$58,455). All postage costs will be reimbursed using the respective postage accounts. Future funding is pending adoption of the respective Fiscal Year budgets; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by O'Donnell.

1-39-16. RESOLVED: That the Cooperative Purchase of Toro Commercial Mowing Equipment, Irrigation Parts and Repairs from Spartan Distributors, Inc. an authorized dealer for the State of Michigan, authorized dealer through the National IPA (#083004-01), in an amount not to exceed \$49,100, is hereby approved, 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, Repair and Maintenance Supplies, Parts and Accessories budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Sareini.

1-40-16. WHEREAS: Purchasing, on behalf of all Departments who have used D/A Central for various purchases and repairs including software maintenance, requests authorization for purchases for Fiscal Year 16 in the amount of \$60,000; therefore be it

RESOLVED: That City Council hereby authorizes purchases for Fiscal Year 2016 in the amount of \$60,000 from D/A Central; be it further

RESOLVED: That these purchases shall be financed from various department budgets and projects where applicable; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Bazzy.

1-41-16. WHEREAS: The City of Dearborn has reviewed and has presented to the Council the opportunity to begin a transformative 945 kW solar photovoltaic energy project at the Ford Community & Performing Arts Center (FCPAC). The project will not only set a sustainable example within the community, but will generate clean, renewable solar energy, and is expected to offset electrical costs at the facility by nearly 20%, and

WHEREAS: The City of Dearborn has been pursuing a solar photovoltaic energy project for the municipal campus since 2010. The first concept originated from discussions with staff from the renewable energy program at the Henry Ford College. As a result of that collaboration, a preliminary design for a rooftop solar project on the FCPAC was created. Due to the high cost of solar panels, the project was deferred for more favorable financial terms for the City. In late 2012, another rooftop solar panel project for the FCPAC was developed as a partnership with DTE Energy to construct a utility owned solar panel installation with a minimal lease payment to the City. Unfortunately, the City of Dearborn was not selected as a project site and the solar panels were installed along west bound I-96 near the City of Wixom, and

WHEREAS: From a policy perspective the City took steps in early 2014 to be recognized as a Solar Ready Community. The fundamentals of a Solar Ready Community means the City is proactively addressing solar in policies and procedures, supporting the local and statewide solar industry, responding to the needs of local citizens, and helping developers, homeowners, and businesses through a cost-effective solar installation process. There are ten steps to achieve Solar Ready Community status. The FCPAC project fulfills two key steps - pursue solar business development opportunities and "go the extra mile", and

WHEREAS: The scope of this current project involves the installation of 532 kW solar panels on the roof of the FCPAC and 413 kW of solar carports in the parking lots between the FCPAC and the Police/19th District Court Building. Additionally, the system components include:

- SolarWorld solar panels manufactured in United States.
- Inverter and mounting components from global Tier 1 manufacturers.
- Rooftop Installation Type: Non-penetrating, ballasted rooftop system.

- Solar Carports: Four (4) solar carport structures, covering 142 car spaces; induction or LED lighting to be installed under carports.
- EV Stations: Two (2) EV Charging Stations to be installed under carport structures.
- Connection to the current DTE electrical infrastructure,

and

WHEREAS: The current estimates demonstrate the solar system will generate 26,239.81 MHW of solar energy over 25 years. Once this project has been completed it would be the largest municipal solar development in Wayne and Oakland Counties, and

WHEREAS: Due to the use of Power Purchase Agreement, the total project development cost will be the responsibility of the investor. The City of Dearborn will not be responsible for installation, operation or maintenance of the solar panel photovoltaic system, and

WHEREAS: The Sustainability Coordinator has requested authorization to enter into a 25-year Power Purchase Agreement (PPA) with SRI Energy, LLC (dba Srinerger) and an investor for the installation of a Solar Panel System at the Ford Community & Performing Arts Center. The Investor will own, operate and maintain the system, with zero capital investment required from the City. The Investor will be required to provide for the removal of the panels if the project is abandoned prior to completion or before the PPA is complete. The City will pay the Investor for the solar energy generated by the system at a discounted utility rate resulting in a savings of \$637,085 over the 25 year life of the agreement, and

WHEREAS: The agreement is subject to Legal and Finance Departments review and approval; therefore be it

RESOLVED: That the City be and is hereby authorized to enter into a 25-year Power Purchase Agreement (PPA) with SRI Energy, LLC (dba Srinerger) and an investor for the installation of a Solar Panel System at the Ford Community and Performing Arts Center; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Shooshanian.

1-42-16. WHEREAS: On January 5, 2016 the City of Dearborn was officially notified by the Suburban Mobility Authority for Regional Transportation (SMART) that our new replacement SMART vehicles have been acquired and are now available for the City of Dearborn to take delivery on, and

WHEREAS: The Director of Recreation & Parks has requested that the City Council authorize the City of Dearborn ("Grantee") to accept all terms and conditions and enter into a vehicle lease agreement with Suburban Mobility Authority for Regional Transportation (SMART), an entity organized under the provisions of Act 204 of the Public Acts of 1967, as amended, for the use of grant funding provided by the Federal Transit Administration (FTA), pursuant to the Moving Ahead for Progress in the 21st Century (49 U.S.C. 5310 funding), and

WHEREAS: Per the terms and conditions of the agreement, SMART shall procure and provide, to Grantee and for Grantee's use, five (5) 2016 Ford 7-Passenger Vans ("Project Vehicles"). SMART shall retain title to all project vehicles. As a direct recipient of U.S.C. 5310 funds, SMART is authorized to reassign and/or replace project vehicles as SMART deems necessary to achieve the desired outcome of U.S.C. 5310 grant funding. No project vehicles shall be disposed of or reassigned without prior written approval by SMART. Project vehicles are provided on an "As Is" basis, and

WHEREAS: In order to receive the five (5) new 2016 7-Passenger Vans, the City of Dearborn ("Grantee") must accept the terms and conditions outlined in the vehicle lease agreement, continue to manage and operate certain public transportation services for purposes consistent with SMART's Program Management Plan, and return the existing inventory of SMART Ford E-350 passenger vans (#24104-2004, #24105-2004, #24106-2004, #27115-2208 and #27116-2008) within the City's possession; therefore be it

RESOLVED: That the City be and is hereby authorized to enter into a vehicle lease agreement with the Suburban Mobility Authority for Regional Transportation (SMART) for five (5) new Ford 7-Passenger Vans; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by O'Donnell.

1-43-16. WHEREAS: Hassan and Abir Beydoun, owners of the property at 7524 Steadman (single-family, registered rental with a valid C of O, with a driveway and a detached garage), have requested that the City sell them the vacant lot located next to their property so that they may combine it with the adjacent lot they own, and

WHEREAS: Mr. and Mrs. Beydoun wish to increase their lot size from 35 ft. to 70 ft. and will combine the lots for tax and assessment purposes. They understand that, if the sale is approved, they cannot seek any variances from the Dearborn Zoning Ordinance. The City Assessor valued this 35 ft. lot at \$3,700, and

WHEREAS: The owner of the other neighboring property at 7512 Steadman did not express interest in purchasing any portion of the City lot located at 7520 Steadman, and

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

WHEREAS: The sale is conditioned on the following conditions:

1. The lot must be combined with the Purchasers' property and may not be resplit or combined with other land for a resplitting as two buildable lots. Purchasers may seek permission to split and sell a portion of the side yard to the neighboring property owner.
2. The lot may only be sold or developed in combination with the Purchasers' adjacent property.

3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Use of this property for construction or expansion of any dwelling shall require the owners to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
7. If Purchasers violate any of the restrictions imposed, they are obligated to sell the land back to the City for \$3,700, less 10% and less costs associated with the transfer of property back to the City;

therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$3,700 to Mr. and Mrs. Beydoun of the parcel described as:

Lot 402, Robert Oakman Land Company's Warren Grove Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 91 of Plats, Wayne County records.

Tax I.D. 82-10-063-26-005
Commonly known as vacant lot at 7520 Steadman
Lot size: 35' x 111'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Mr. and Mrs. Beydoun 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. Beydoun closing within ninety (90) days of the effective date of this Resolution; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied, and upon the satisfaction of the terms contained in the Purchase Agreement; be it further

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

RESOLVED: That the sale of 7520 Steadman as side yard serves a public purpose by promoting lot expansion to enhance the neighborhoods and complies with the public purpose identified when the City originally purchased the property through the HUD-NSP Program; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Bazzy.

1-44-16. WHEREAS: Wael Abdo and Hawraa Ahmad, owners and occupants of the single-family house located at 7323 Williamson (a 30 ft. lot with no driveway or garage) have requested to purchase 10 ft. of the adjacent City-owned property located at 7329 Williamson so they can combine it with their adjacent lot, and

WHEREAS: Mr. Abdo and Ms. Ahmad wish to increase their lot size from 30 ft. to 40 ft. and will combine the two lots for tax and assessment purposes, and

WHEREAS: The City Assessor valued the 10 ft. portion of property at \$1,000, and

WHEREAS: The remaining 50 ft. of 7329 Williamson will be offered for new construction on a future lot list, and

WHEREAS: The sale is conditioned on the following conditions:

1. The lot must be combined with the Purchasers' property and may not be resplit or combined with other land for a resplitting as two buildable lots.
2. The lot may only be sold or developed in combination with the Purchasers' adjacent property.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.

5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
7. If Purchasers violate any of the restrictions imposed, they are obligated to sell the land back to the City for \$1,000, less 10% and less costs associated with the transfer of property back to the City;

therefore be it

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$1,000 to Wael Abdo and Hawraa Ahmad the parcel described as:

South 10 ft. of Lot 502, Frischkorn's Columbus Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 47 of Plats, Wayne County records.

Tax I.D. part of 82-10-064-21-027
Commonly known as part of vacant lot at 7329 Williamson

be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a Deed for said property to Wael Abdo and Hawraa Ahmad 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 Wael Abdo and Hawraa Ahmad 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 this property as side yard serves a public purpose by promoting lot expansion to enhance the neighborhood and complies with the public purpose identified when the City purchased the lot through the HUD \$1 Program in 2011; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Sareini.

1-45-16. WHEREAS: City Council Resolution 4-149-14 authorized Fahmi Mawari to purchase the vacant lot at 7115 Payne for \$17,300 so that he may construct a single-family dwelling on the property within 12 months from the date of closing, and

WHEREAS: The closing took place on June 30, 2014; therefore, according to the terms of the Land Sales Guidelines, Mr. Mawari was required to commence construction of a single-family dwelling on the property by June 30, 2015, and

WHEREAS: Mr. Mawari encountered issues when trying to hire a contractor to construct the house and appeared at the August 6, 2015 Committee of the Whole meeting, requesting an extension of time in which to commence construction on the property and requesting a waiver of the fees associated with the extension request, and

WHEREAS: Council Resolution 9-433-15 was adopted, granting an extension to June 30, 2016 in which to commence construction on the vacant lot, but denied his request for a waiver of the fees associated with the extension, and

WHEREAS: Mr. Mawari has now indicated that he wishes to sell the vacant lot back to the City for the original sale price and has requested that the City return all of his deposits and reimburse him for all the costs he incurred hiring a contractor, surveying the property, taxes paid, maintenance fees, and fees paid to the City for the extension to build on the lot, and

WHEREAS: Mr. Mawari contends that since the City advertised the lot size as being 40' x 120' instead of the surveyed lot size of 40' x 110', he is unable to build the size house he wishes to build, and

WHEREAS: Since the City made an error in the advertisement of the lot size, it is the recommendation of Corporation Counsel that the City repurchases the property for the original sale price and refund Mr. Mawari's costs as outlined above, in a total amount not to exceed \$24,000, subject to the review and approval of receipts/invoices submitted to Corporation Counsel for those costs; therefore be it

RESOLVED: That the City is authorized to purchase the following lot:

South 30 ft. of Lot 278 and the North 10 ft. of Lot 279, Melrose Garden Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 42, Page 95 of Plats, Wayne County, Michigan.

Commonly known as vacant lot at 7115 Payne
Tax I.D. No. 82-10-071-04-021

from Fahmi Mawari for \$17,300, plus the costs associated with hiring a contractor, surveying the property, taxes paid, maintenance fees, and fees paid to the City for the extension to build on the lot, subject to the review and approval of receipts/invoices submitted to Corporation Counsel for those costs; be it further

RESOLVED: That the total amount of reimbursement to Mr. Mawari shall not exceed \$24,000; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$17,300, plus costs as outlined above, in a total amount not to exceed \$24,000, as shown on the closing statement prepared by Corporation Counsel, drawn upon fund 401-6100-435.71-10, C03000, payable to Fahmi Mawari, in payment for said land; be it further

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

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Sareini.

1-46-16. WHEREAS: Council Resolution 7-375-13 previously authorized Ahmed Al-Zayadi to purchase the vacant lot at 7427 Kendal for \$16,600 so that he may construct a single-family dwelling on this property within 12 months from the date of closing, and

WHEREAS: The closing took place on September 25, 2013; therefore, Mr. Al-Zayadi was required to commence construction of a single-family dwelling on the property by September 25, 2014, and

WHEREAS: Council Resolution 9-432-15 granted Mr. Al-Zayadi's request for an extension until October 25, 2015 in which to commence construction on this property, and

WHEREAS: Mr. Al-Zayadi is now requesting an additional seven (7) months in which to commence construction on this property and has submitted \$1,262 to cover the required processing fee and extension fees, and

WHEREAS: According to Mr. Al-Zayadi, he was delayed in building on this property pending another request made to City Council, and

WHEREAS: In October 2015, Zahra Al-Zayadi (his sister) requested that City Council allow her to sell 15 ft. of her adjacent property that she had previously purchased from the City so her brother could build a larger home, and

WHEREAS: City Council Resolution 10-561-15 was adopted, denying the request, and

WHEREAS: Mr. Al-Zayadi claims that he could not get his plans finalized until Council took action on that issue, and

WHEREAS: It is recommended that Mr. Al-Zayadi's request for an additional seven (7) months in which to commence construction be granted; therefore be it

RESOLVED: That Ahmed Al-Zayadi's request for a seven (7) month extension in which to commence construction be granted; be it further

RESOLVED: That Ahmed Al-Zayadi is required to commence construction of a single-family dwelling by May 25, 2016; be it further

RESOLVED: That if Mr. Al-Zayadi does not require the full 7 months to commence construction, he may request a refund of \$166 per month if construction commences before May 25, 2016; be it further

RESOLVED: That all other terms and conditions contained in the original purchase agreement and CR 7-375-13 shall remain in effect; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazy supported by O'Donnell.

1-47-16. WHEREAS: Council Resolution No. 3-99-15 authorized the City of Dearborn to enter into an inter-local agreement defining its membership and participation in the Wayne County HOME Consortia, and

WHEREAS: The City of Dearborn's share of the consortium's 2015 funding allocation from the US Department of Housing and Urban Development HOME Investment Partnerships Program is \$345,373, plus any program income that may be generated by program activities, and

WHEREAS: HUD HOME Program regulations require a twenty-five percent local match (\$86,343.25), and

WHEREAS: Council Resolution 11-739-08 stipulates that proceeds from the resale of property acquired through locally funded Neighborhood Stabilization Program Project C05500 will be automatically budgeted and appropriated to Project C05500. If any such property is donated to the HOME Program, the proceeds from that donation/resale transaction shall be zero; therefore be it

RESOLVED: That the Director and Deputy Director of the Economic and Community Development Department are designated as authorized signatories for plans, applications, agreements, amendments, reports and documents related to this program; be it further

RESOLVED: That the Economic and Community Development Department is authorized to administer HOME program activities and subrecipient agreements; be it further

RESOLVED: That the Director of Finance is hereby authorized to recognize program revenue and appropriate a like amount in the Community Development Fund Wayne County HOME Consortia Project C08000 as received; be it further

RESOLVED: That city-owned residential property that is suitable for renovation and resale may be donated to the HOME Program to satisfy local match requirements; be it further

RESOLVED: That when a city-owned property is donated to the HOME Program, the proceeds from the future resale of that property shall become program income to the HOME Program; be it further

RESOLVED: That the Director of Finance may automatically establish a revenue budget and corresponding appropriations in the Community Development Fund Project C08000 based upon program income that is generated by HOME Program activities; be it further

RESOLVED: That the Finance Department is hereby authorized to recognize, appropriate, receive and disburse funds as authorized under this resolution; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Bazzy.

1-48-16. WHEREAS: The Commercial Services Division of the Economic and Community Development Department is being reorganized and assigned to the current Residential Services Department, and

WHEREAS: The current staff and the budgets associated with their revenues and expenditures should be cancelled; therefore be it

RESOLVED: That the positions (excluding zoning administration) currently funded in the Commercial Services Division of the Economic and Community Development be eliminated; be it further

RESOLVED: That the City Council hereby authorizes the Finance Director to cancel expenditures in the amount of \$855,827 and the revenue budget of \$1,306,000 in the General Fund Economic and Community Development - Commercial Services Department; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Bazzy.

1-49-16. WHEREAS: The Commercial Services Division of the Economic and Community Development Department is being reorganized and assigned to the current Residential Services Department, and

WHEREAS: The current staff and the budgets associated with their revenues and expenditures should be recognized and appropriated; therefore be it

RESOLVED: That the City Council hereby authorizes an increase in the current (FY16) staffing for the Residential Services Department by 5.5 full-time and 15 part-time employees (or 8.78 FTE); be it further

RESOLVED: That the City Council hereby authorizes the Finance Director to appropriate expenditures of \$855,827 and recognize a revenue budget of \$1,306,000 in the General Fund Residential Services Department; be it further

RESOLVED: That is resolution be given immediate effect.

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

By O'Donnell supported by Shooshanian.

1-50-16. WHEREAS: In connection with the reorganization and restructuring of the Residential Services Department (RSD) and the Commercial Services Division of the Economic and Community Development Department (Commercial-ECD), the Residential Services Department is requesting six (6) new full time positions as described below:

- Senior HVAC Inspector
- Senior Plumbing Inspector
- Senior Electrical Inspector
- Senior Building Inspector
- Counter Clerk (Inspections)
- Counter Clerk (Permits),

and

WHEREAS: These new positions were identified as an important element in improving work flow, workforce stability and customer service, and

WHEREAS: The Residential Services Department intends to gradually eliminate ten (10) part time positions as the full time positions are filled to partially offset the increase in wages and benefits attributable to the six (6) new full-time positions; therefore be it

RESOLVED: That the City Council hereby authorizes an increase in the current (FY16) staffing for the Residential Services Department by six (6) full-time employees as described above; be it further

RESOLVED: That the City Council hereby authorizes the Finance Director to appropriate the General Fund balance in the amount of \$487,655 to the Residential Services Department salaries & wages and benefits accounts; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to decrease the part-time personnel budget in the amount of \$314,234; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazy supported by O'Donnell.

1-51-16. WHEREAS: The MDEQ is requesting permission to conduct a subsoil investigation at Motor Transport, 2650 Greenfield as a result of an open file concerning a "confirmed release" from an underground storage tank reported to the MDEQ on August 25, 2000, and

WHEREAS: In 2000 Dearborn DPW removed 3 underground fuel tanks at the motor transport site and disposed of 25 yards of contaminated soil to address confirmed reports of fuel soil contamination. The removal and subsequent reports to MDEQ found low level contamination of certain fuel constituents present. MDEQ was given this information and made suggested closure recommendations that were never officially entered. MDEQ wishes now to close their file regarding this site, and

WHEREAS: This investigation is currently being offered to us at no charge. If residual contamination is found at levels needing remediation above that proposed by MDEQ in 2000, the City would be required to perform a comprehensive site assessment and remediate if required and complete a closure report. If the City chooses to deny the Entry Request, it could result in the existing tanks at Motor Transport being red tagged and future fuel deliveries prohibited and we are still liable to conduct the investigation at our expense. The draft MDEQ remediation in 2000, based on the reported contaminant levels found in the soils at the time required minor actions by the City to ensure proper control against exposure to the levels present. There is no reason to believe those levels are substantially different now; therefore be it

RESOLVED: That the MDEQ be and is hereby authorized to conduct a subsoil investigation at the DPW Motor Transport, 2650 Greenfield Rd; also consenting for the MDEQ to enter private property; be it further

RESOLVED: That City Council hereby gives their consent to MDEQ to enter the property; be it further

RESOLVED: That this resolution be given immediate effect.

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

MARIO BOUCHARD, 22351 COLUMBIA STREET and FRANCIS
MARDEUSZ SR., 3067 PARDEE - Requesting permits to park their
work vans on their residential property.

1-52-16. The foregoing matter was referred to the Legal
Department.

There being no further business, upon a motion
duly made, seconded and adopted, the Council then adjourned at
8:23 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk