

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

June 13, 2017

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

Chaplain Maryanne Burnett of the Oakwood Hospital Chaplains delivered the invocation.

By O'Donnell supported by Sareini.

6-297-17. RESOLVED: That the minutes of the previous regular meeting of May 23, special meetings of May 18 and 23, and closed meeting of May 18, 2017, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Shooshanian supported by O'Donnell.

6-298-17. RESOLVED: That Ordinance No. 17-1582 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1582 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?"

6-298-17. Upon roll call the Ordinance was unanimously adopted.

By Abraham supported by Sareini.

6-299-17. RESOLVED: That Ordinance No. 17-1583 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1583, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 15538 Michigan from an Office S (Business Office District) to a Business A (Local 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?"

6-299-17. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by Abraham.

6-300-17. RESOLVED: That Ordinance No. 17-1584 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1584, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 15544 Michigan from an Office S (Business Office District) to a Business A (Local 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?"

6-300-17. Upon roll call the Ordinance was unanimously adopted.

By Abraham supported by O'Donnell.

6-301-17. RESOLVED: That Ordinance No. 17-1587 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1587 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 II, Entitled 'In General'."

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?"

6-301-17. Upon roll call the Ordinance was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 17-1573, entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 14.00, Section 14.02 Entitled 'B-A, Local Business District'."

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 Abraham.

6-302-17. RESOLVED: That proposed Ordinance No. 17-1573 be laid on the table.

The resolution was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 17-1588, 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 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 Shooshanian.

6-303-17. RESOLVED: That proposed Ordinance No. 17-1588 be laid on the table.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

6-304-17. WHEREAS: Council Resolution No. 12-663-16 authorized a contract for Water Main Replacement and Asphalt Street Resurfacing, Phase 1-2017 to DiPonio Contracting, Inc. in the amount of \$4,326,264.80 with a Contingency Fund in the amount of \$100,000, and

WHEREAS: Per request from the residents of Wagner Court, a private street, the City Council is in process of creating a Special Assessment District for the repaving of private Wagner Court in the amount of \$37,280. In conjunction with the concrete paving of Wagner Court, the Engineering Division also recommends replacing the aged 6 inch diameter water main on Wagner Court. Based on DiPonio's unit prices, the construction cost of repaving with concrete surface is estimated at \$67,781.25 and the construction cost of the water main replacement is estimated at \$47,120.00, and

WHEREAS: DiPonio's unit prices for the Water Main Replacement and Asphalt Street Resurfacing, Phase 1-2017 contract are reasonable. Therefore, the Engineering Division hereby requests City Council authorize DiPonio Contracting Inc. to perform water main replacement and repaving of Wagner Court with concrete surface in the amount of \$114,901.25 as Change Order No. 1 to their current contract and authorize the City Engineer to execute this change order on behalf of the City. Approval of this change order will bring the total contract amount with DiPonio Contracting, Inc. to \$4,441,166.05, and

WHEREAS: The Engineering Division is requesting that the City Council authorize the Finance director to create a Capital Improvement Project, Water Main Replacement and Repaving of Wagner Court in the amount of \$126,400. This amount includes Engineering and inspection charges; therefore be it

RESOLVED: That Change Order No. 1 with DiPonio Contracting, Inc. which provides for Water Main Replacement and Asphalt Street Resurfacing, Phase 1-2017 in the amount of \$114,901.25, bringing the total contract amount to \$4,441,166.05, is hereby approved; be it further

RESOLVED: That the City Engineer be and is hereby authorized to execute the Change Order on behalf of the City; be it further

RESOLVED: That the Finance Director be and is hereby authorized to create a Capital Improvement Project in the amount of \$126,400; be it further

RESOLVED: That this Change Order shall be financed from the Water Fund (\$89,120) and the Local Street Fund (\$37,280) to be refunded by the SAD.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

6-305-17. WHEREAS: The new 8" diameter water main has been constructed to City standards and is now in service for Schaefer Pavilion, LLC. This water main was constructed and paid for by Schaefer Pavilion, LLC. Prior to the City accepting this water main, the City requires a water main easement from Schaefer Pavilion, LLC, and

WHEREAS: Attached is the water main easement agreement from Schaefer Pavilion, LLC for the construction and maintenance of the public water main, and

WHEREAS: The City Engineer hereby recommends and requests that the City Council authorize the City Engineer to execute easement agreements on behalf of the City of Dearborn, subject to review and approval of the Corporation Counsel and that the Engineering Division be authorized to record the necessary documents with the Wayne County Register of Deeds; therefore be it

RESOLVED: That the City Engineer be and is hereby authorized to execute the Easement Agreement with Schaefer Pavilion, LLC at 6275 Schaefer Road on behalf of the City, subject to review and approval of the Corporation Counsel, and is also authorized to record the necessary documents with the Wayne County Register of Deeds; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.





## WATER MAIN EASEMENT AGREEMENT

For valuable consideration, receipt of which is hereby acknowledged, The Schaefer Pavilion, LLC, (herein called Principal) whose address is 6275 Schaefer Road, Dearborn, MI 48126 (herein called Grantor), being title holder of the parcel of land at 6275 Schaefer Road Dearborn, MI 48126, more particularly described in Exhibit "A" annexed hereto, does hereby give, grant and convey unto the CITY OF DEARBORN, a Michigan municipal corporation with offices at 16901 Michigan Avenue Suite 14, Dearborn, Michigan 48126 (herein called Grantee), a perpetual, non-exclusive easement (herein called the Easement) and right-of-way for the construction, installation, maintenance, repair, alteration, operation, replacement and/or removal of water mains, and appurtenances thereto (herein collectively called the Utilities), in, upon, over, under, through, and across the parcels of Land (herein collectively called the Land) in the City of Dearborn, Wayne County, Michigan, as more particularly described in Exhibit "A" annexed hereto.

The Easement is granted to, and accepted by, Grantee subject to the following terms and conditions:

1. All work performed by Grantee, its agents and servants, in and about the construction, installation, maintenance, repair, alteration, operation, replacement and/or removal of the Utilities shall be conducted in accordance with good engineering practice and with the least possible inconvenience to Grantor. Upon the completion of any work, Grantee, at its own cost and expense, shall promptly remove all debris, materials and equipment and restore the surface of the Land and installations thereon to the same condition including, but not limited to, replacement of roads, curbs, walks, parking areas, fences and ground cover, as the same existed prior to such work. Grantee shall also, at its own expense, replace and/or repair any property of Grantor which is damaged or destroyed as a result of Grantee's actions or the action of its agents, contractors, employees or licensees.

2. Grantor shall not erect any permanent structure within the limits of the Land, but shall at all times have the right to make such other use thereon including, without limitation, installation of paved walks, drives, curbs, landscaping, and/or parking areas, as shall not be inconsistent with the exercise by Grantee of the rights and privileges granted to it hereunder.

3. Grantee shall, in the exercise of the rights and privileges granted to it hereunder, adhere to and comply with all laws, orders, regulations and ordinances applicable to the construction, installation, maintenance, repair, alteration, operation, replacement and/or removal of the Utilities.

4. The easement hereby conveyed is granted subject to the existing rights, if any, of third persons including, without limitation, any and all rights of way, easements and licenses, whether of record or unrecorded, heretofore acquired or granted in, over and across the Land.

5. To the extent permitted by law, Grantee shall indemnify, defend and hold Grantor harmless from and against any and all loss, cost, liability, claim or expense, including, without limitation, attorney's fees and costs, relating to the exercise by Grantee of any of its rights or obligations hereunder.

6. If Grantee shall discontinue use of any one or more of the parcels which make up the Land for any period of sixty (60) or more consecutive months, all rights granted hereunder shall cease and terminate as to such parcel or parcels, and upon written notice from Grantor, Grantee, at its sole cost and expense, shall remove all of its property and equipment from and restore the surface of such parcel or parcels.

7. The Easement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor and Grantee have caused this instrument to be duly executed and shall be in effect on the date last notarized below.

**THIS SPACE INTENTIONALLY LEFT BLANK**

STATE OF MICHIGAN)

COUNTY OF Wayne)

On this 10 day of May, 2017, before me appeared Imad Faraj to me personally known who, being sworn by me, did say that he/she is the     General Member of The Schaefer Pavilion, LLC, and that said instrument was signed on behalf of said company, and acknowledged said instrument to be the free act of said company.

WITNESSES:

The Schaefer Pavilion, LLC

Salwa Fawaz  
Salwa Fawaz

[Signature]  
BY: Imad Faraj

[Signature]  
Hassan Faraj

ITS: General Member  
Salwa Fawaz  
Salwa Fawaz

Notary Public  
Wayne County, Michigan  
Commission expires: 05-01-19

NOTE: Notary may also sign as a witness.

SALWA FAWAZ  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires May 01, 2019  
Acting in the County of Wayne

THIS SPACE INTENTIONALLY LEFT BLANK

STATE OF MICHIGAN)

COUNTY OF WAYNE)

On this day of \_\_\_\_\_, 20\_\_\_\_, before me appeared Mohmedyunus Patel to me personally known who, being sworn by me, did say that he is the City Engineer of the City of Dearborn, and that said instrument was signed on behalf of The City of Dearborn by authority of C.R.

\_\_\_\_\_ attached as Exhibit "B", and acknowledged said instrument to be the free act and deed of The City of Dearborn.

WITNESSES:

City of Dearborn

\_\_\_\_\_  
Edward Sajewski

\_\_\_\_\_  
Mohmedyunus Patel  
City Engineer

\_\_\_\_\_  
Carol Jones

\_\_\_\_\_  
Notary Public  
Wayne County, Michigan  
Commission expires: \_\_\_\_\_

This instrument was prepared by:

When recorded return to:

William H. Irving  
Assistant Corporation Counsel  
16901 Michigan Avenue, Suite 14  
Dearborn, Michigan 48126

CITY OF DEARBORN  
Engineering Division  
16901 Michigan Avenue, Suite 19  
Dearborn, Michigan 48126

By Shooshanian supported by O'Donnell.

6-306-17. RESOLVED: That all bids received for Tennis Court Resurfacing at Ford Woods Park are hereby rejected except the bid of Al's Asphalt Paving Company in an amount not expected to exceed \$246,100, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Facilities Fund, Recreation, Capital Project Support budget, Project I50711; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

6-307-17. RESOLVED: That all bids received for Water Main Repair Parts are hereby rejected except the bids of EJ USA, Inc., HD Supply Waterworks and Etna Supply Company in an amount not expected to exceed \$70,000, that the aforementioned bids are hereby accepted, that the Mayor is hereby authorized to execute formal contracts upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bids have been fully complied with; be it further

RESOLVED: That this contract shall be for a one-year term, with two (2) one-year renewal periods estimated at \$70,000 per renewal, for a total contract amount not expected to exceed \$210,000, and is contingent upon the adoption of the respective Fiscal Years' budget; be it further

RESOLVED: That this contract shall be financed from the Water Fund, Public Works, Repair & Maintenance Supplies budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

6-308-17. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal Cooperative Program, Contract No. 071B2200303 for the purchase of a Robotic Total Station, and

WHEREAS: Leica Geosystems, Inc., the authorized distributor for the State of Michigan, will supply the Robotic Total Station at a unit cost of \$36,136; therefore be it

RESOLVED: That a contract be awarded to Leica Geosystems, Inc., an authorized distributor for the State of Michigan, in an amount not to exceed \$36,136 for a Robotic Total Station; be it further

RESOLVED: That this contract shall be financed from the Sewer Fund, Public Works, Sewerage Division, Capital Equipment budget, Project Q74015.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

6-309-17. WHEREAS: The City is eligible for contract pricing through the City of Rochester Hills cooperative contract RFP-RH-13-30 for a Freightliner Chassis for the Department of Public Works, and

WHEREAS: Wolverine Freightliner, Inc., will supply a Freightliner Chassis in the amount of \$85,454; therefore be it

RESOLVED: That a purchase order be awarded to Wolverine Freightliner, Inc. in an amount not to exceed \$85,454 for a Freightliner Chassis for the Department of Public Works; be it further

RESOLVED: That this purchase order shall be financed from the Water Fund, Public Works, Water Supply Division, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Shooshanian supported by Sareini.

6-310-17. RESOLVED: That City Council hereby authorizes purchase orders to Baker & Taylor in the amount of \$5,000; Baker and Taylor Books in the amount of \$180,000; Cengage Learning, Inc. in the amount of \$22,000; Ingram Library Service in the amount of \$22,000; Midwest Tape, LLC in the amount of \$110,000; Random House, Inc. in the amount of \$3,700; and Recorded Books, LLC in the amount of \$3,000 for a total amount not to exceed \$345,700 for Various Purchases for the Library Department through the Michigan Library Cooperative Directors Association Program; be it further

RESOLVED: That these purchase orders, in an amount not to exceed \$345,700 shall be financed from the Library Fund, Libraries, Capital Equipment budget.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

6-311-17. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) (6) b, authorizes sole source procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a sole source procurement; therefore be it

RESOLVED: That Oakland County be designated as a sole source for procurement of Membership and Maintenance Fees for the CLEMIS Mobile Data Computer System Program for the Police Department in an amount not to exceed \$150,645 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from the General Fund, Police, Professional Services account.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

6-312-17. WHEREAS: The City presently has a contract as authorized by CR 6-281-14 with Nickel & Saph, Inc. for Property & Casualty Insurance Coverage, and

WHEREAS: The original contract specifications were for a term of three (3) years with two (2) one-year renewal options, this is the first renewal, and

WHEREAS: Nickel & Saph, Inc. has offered to renew the present contract through June 30, 2018 with a 11.9% increase over the expiring premium; be it therefore

RESOLVED: That the contract for Property & Casualty Insurance Coverage is hereby renewed with Nickel & Saph, Inc. through June 30, 2018 in an amount not to exceed \$1,039,228; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate a General Fund fund balance in the amount of \$70,000 as a contribution to the Fleet and General Liability Insurance Fund; be it further

RESOLVED: That this contract shall be charged to the Fleet and General Liability Insurance Fund, Law Department, General Insurance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

6-313-17. RESOLVED: That City Council hereby authorizes the Mayor to renew the City's membership with Southeast Michigan Council of Governments (SEMCOG) in the amount of \$12,117 for the period of June 15, 2017 through June 14, 2018; be it further

RESOLVED: That this membership renewal is budgeted in the citywide account 101-1299-421.65-00.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

6-314-17. WHEREAS: The Police Department is requesting authorization to renew its membership with the Transportation Improvement Association of Michigan (TIA) for a one year period. The annual cost of this membership is \$33,700. Membership fees are based on one half of one percent of the City's Act 51 funds, and

WHEREAS: TIA, which was formed in 1967, is a non-profit organization that serves as a resource to communities, works on road safety enhancements and changing driver behavior. The organization focuses on providing engineering services, educational opportunities and enforcement activities, and

WHEREAS: Membership will allow TIA to conduct an evaluation of Stop and No Turn on Red signs in the city. Approximately 400 intersections can be reviewed annually by the transportation engineering team which will include onsite data collection (traffic counts) and field reviews, an examination of the traffic crash history, warrant analysis using the Michigan Manual of Uniform Traffic Control Devices and a final report. The report will provide a summary of the data collected and analyzed, in addition to a recommendation based on the laws pertaining to the use of traffic control devices, and

WHEREAS: Other membership benefits include access to TIA's Traffic Crash Analysis Tool (TCAT). TCAT is a comprehensive web-based traffic crash analysis program that was designed for the detailed study of traffic crashes at any location within the State of Michigan. Educational seminars and partnership opportunities with law enforcement agencies, high schools and colleges will be provided as well; therefore be it

RESOLVED: That City Council hereby authorizes the Police Department to renew their membership with the Transportation Improvement Association of Michigan (TIA) in the amount of \$33,700 for the period of one year; be it further

RESOLVED: That this membership renewal shall be financed from account 101-2410-511.65-00; be it further

RESOLVED: that this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

6-315-17. RESOLVED: That City Council hereby authorizes the Dearborn Public Library to renew their membership with the Michigan Library Association (MLA) in the amount of \$3,639 for the period of July 1, 2017 through June 30, 2018; be it further

RESOLVED: That this membership renewal shall be financed from the Library account 271-5100-721.65-00.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

6-316-17. WHEREAS: The City presently has a contract as authorized by C.R. 5-297-16 with Governmental Consultant Services, Inc. (GCSI) for Lobbyist-Agent Services, and

WHEREAS: The Purchasing Division received a request from the Mayor's Office for a continuance for the next Fiscal Year for Lobbyist-Agent Services; therefore be it

RESOLVED: That the contract for Lobbyist-Agent Services is hereby extended with Governmental Consultant Services, Inc. (GCSI) through June 30, 2018 in an amount not to exceed \$48,000; be it further

RESOLVED: That this contract shall be charged to the General Fund, Mayor's Department, Contractual Services account.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

6-317-17. WHEREAS: The City presently has a contract with the Wayne County Jail System for Prisoner Housing, and

WHEREAS: The Purchasing Division received a request from the Police Department for a continuance for the next Fiscal Year of Prisoner Housing at the Wayne County Jail System, and

WHEREAS: The Wayne County Jail System has offered to extend the present contract prices through June 30, 2018; be it therefore

RESOLVED: That the contract for Prisoner Housing is hereby extended with the Wayne County Jail System through June 30, 2018 in an amount not to exceed \$320,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Police Department, Contractual Services, Prisoner Maintenance account.

The resolution was unanimously adopted.

By Sareini supported by Shooshanian.

6-318-17. WHEREAS: The City presently has a contract with Calhoun County for Sentenced Prisoner Housing and Transportation, and

WHEREAS: The Purchasing Division received a request from the Police Department for a continuance for the next Fiscal Year for Sentenced Prisoner Housing and Transportation at Calhoun County, and

WHEREAS: Calhoun County has offered to extend the present contract prices through June 30, 2018; be it therefore

RESOLVED: That the contract for Sentenced Prisoner Housing and Transportation is hereby extended with Calhoun County through June 30, 2018 in an amount not to exceed \$465,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Police Department, Contractual Services, Prisoner Maintenance account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

6-319-17. WHEREAS: The City presently has a contract with Friends for Animals of Metro Detroit (C.R. 5-296-16) for Animal Shelter Operations, and

WHEREAS: The Police Department has requested to extend the contract effective July 1, 2017 through June 30, 2018; be it therefore

RESOLVED: That the contract for Animal Shelter Operations is hereby extended with Friends for Animals of Metro Detroit, through June 30, 2018 in an amount not to exceed \$85,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Police Department, Animal Shelter Division, Contractual Services account.

The resolution was unanimously adopted.



By Sareini supported by O'Donnell.

6-320-17. WHEREAS: Per Council Resolutions 5-266-12 and 10-509-15, Sungard Public Sector was authorized as the software provider for an Enterprise Reserve Planning (ERP) System and a Time and Attendance System respectively. Purchasing received a letter effective May 17, 2017, from Superior, LLC, requesting that the formal contracts be assigned to Superior, LLC, as a result of purchasing the assets Sungard Public Sector. Superior, LLC has agreed to honor all of the terms, conditions, and pricing that Sungard Public Sector offered, and

WHEREAS: It is requested that Council rescind the original authorizations to Sungard Public Sector and authorize the assignment of the contracts in the name of Superior, LLC; therefore be it

RESOLVED: That a Change in Contract Name for an Enterprise Reserve Planning (ERP) System and a Time and Attendance System (C.R. 5-266-12 & C.R. 10-509-15) from Sungard Public Sector to Superior, L.L.C. be and is hereby authorized; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

6-321-17. WHEREAS: Beginning April 12, 2017 through May 10, 2017, vacant City owned property was advertised for sale for four weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant 50' lot located at 3140 Culver, zoned Residential "A" and

WHEREAS: The minimum bid price for this property was \$18,800. All bids were submitted in sealed envelopes and opened in City Council Chambers on May 10, 2017, and

WHEREAS: Two bids were received on this property as follows:

1. Adnan Hijazi \$19,100
2. Wayne Roberts Construction \$17,000  
and Barcly's Construction

and

WHEREAS: Wayne Roberts Construction and Barcly's Construction's bid was rejected because it did not submit the minimum bid price, and

WHEREAS: Adnan Hijazi was the highest bidder and has offered to purchase this property for the sum of \$19,100 cash. He plans to construct a single-family dwelling on this property within one year of the date of the closing, and

WHEREAS: Adnan Hijazi has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council, and

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, and
3. If Purchaser elects to sell the vacant property during the 12-month period, the purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn, and
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and
5. Construction of a single-family dwelling on this property must begin within a 12-month period from the date of closing. Construction shall be deemed started when:
  - a. The plans have been approved by the Property Maintenance & Development Services Department, and
  - b. Building permits have been issued, and
  - c. Excavation of the basement/foundation is started, and
6. Purchaser must complete construction before building permits expire, and
7. Purchaser agrees that, in constructing a single-family dwelling, he shall comply with **all** zoning requirements, including, but not limited to, setback, lot coverage, and compatibility requirements of the Dearborn Zoning Ordinance. Purchaser further acknowledges that this is a waiver of his right to seek a variance of these requirements, and

8. Purchaser must comply with all residential landscaping requirements in accordance with Dearborn Zoning Ordinance §5.02(A)(3) and §5.05(C). Purchaser will not receive a full certificate of occupancy until landscaping is completed. If Purchaser fails to comply with the landscaping requirements, the City may exercise its right to repurchase the property for the purchase price, less 10%, and less costs associated with the transfer back to the City of Dearborn, and
9. Purchaser must comply with Land Sale Guidelines,

and

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

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

Lot 19 and the North 10 ft. of Lot 20, Hitchmans Golden Gate Park Sub., City of Dearborn, Wayne County, MI, as recorded in Liber 41, Pages 58 of Plats, Wayne County records.

Tax I.D: 82-09-263-11-112  
Commonly known as vacant lot at 3140 Culver  
Lot size: 50' x 113'

to Adnan Hijazi for \$19,100; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Adnan Hijazi 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 Adnan Hijazi closing within ninety (90) days of the effective date of this resolution; be it further

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

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

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

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

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

6-322-17. WHEREAS: 1st Metro-Dearborn, LLC is the owner of the two-family, registered rental home with a valid C of O located at 5257 Hartwell (with no driveway or garage). Hussein Mazloun, is the Resident Agent for 1st Metro-Dearborn, LLC and has requested to purchase the adjacent City-owned lot located at 5263 Hartwell to combine with its adjacent property, and

WHEREAS: The City Assessor valued the vacant lot at 5263 Hartwell at \$3,900, and

WHEREAS: The other adjacent property owner at 5269 Hartwell was contacted but did not express any interest in purchasing any portion of the vacant lot at 5263 Hartwell, and

WHEREAS: The sale is conditioned on the following conditions:

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

5. Lots must be combined with the Purchaser's adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Purchaser **must** install off-street parking within five (5) years from the date of closing and before it is transferred to another purchaser. When the City property is sold to Purchaser for side yard, the deed will contain a restriction containing the requirements set forth herein. Installation of off-street parking is deemed completed when all permits have been finalized by the Property Maintenance & Development Services Department.
7. If the installation of the off-street parking is completed to meet the requirements of the Zoning Ordinance within five (5) years of the date of the closing on the purchase of the side yard from the City, Purchaser may request a \$1,000 refund of the purchase price, or request a refund of the actual purchase price of the lot, whichever is less.
8. Purchaser is waiving its right to seek any variances.
9. If Purchaser violates any of the restrictions imposed, it is obligated to sell the land back to the City for \$3,900, less 10% and less costs associated with the transfer of property back to the City,

and

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

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$3,900 to 1st Metro-Dearborn, LLC the parcel described as:

Lot 94, Woodbridge Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 30, Page 59 of Plats, Wayne County records.

Tax I.D. 82-10-171-14-024  
Commonly known as vacant lot at 5263 Hartwell;

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 Mayor be and is hereby authorized to execute a deed for said property to 1st Metro-Dearborn, LLC 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 1st Metro-Dearborn, LLC 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, complies with the public purpose identified when the City purchased the lot through the Operation Eyesore Program, and serves a public purpose by adding the property back to the tax rolls.

The resolution was unanimously adopted.



By Sareini supported by Shooshanian.

6-323-17. WHEREAS: City Council previously authorized Tyrian Properties, Inc. to purchase the vacant lot at 6540 Reuter (C.R. 5-251-16) for \$20,700 so that it may construct a single-family dwelling on this property within 12 months from the date of closing, and

WHEREAS: The closing took place on June 2, 2016; therefore, Tyrian Properties, Inc. is required to commence construction of a single-family dwelling on the property by June 2, 2017, and

WHEREAS: Mohamad Charafeddine, Agent for Tyrian Properties, Inc., has encountered scheduling issues with its sub-contractors and surveyors. Mr. Charafeddine has requested an additional four (4) months in which to commence construction on this property, and

WHEREAS: Tyrian Properties, Inc. has submitted \$928 to cover the required processing fee and extension fees, and

WHEREAS: Tyrian has successfully purchased property from the City in the past and has met the deadlines without requesting extensions (4571 Curtis and 5911 Hartwell), 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, and

WHEREAS: It is recommended that Tyrian Properties, Inc.'s request for a four (4) month extension of time in which to commence construction be granted; therefore be it

RESOLVED: That Tyrian Properties, Inc.'s request for a four (4) month extension of time in which to commence construction is hereby extended to September 2, 2017; therefore be it

RESOLVED: That if Tyrian Properties, Inc. does not require the full four (4) months to commence construction (as defined by the Land Sales Guidelines), it may request a refund of \$207 per month from Corporation Counsel if construction commences before September 2, 2017, be it further

RESOLVED: That all other terms and conditions contained in the original purchase agreement and C.R. 5-251-16 shall remain in effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

6-324-17. WHEREAS: Council Resolution 12-625-14 authorized the Finance Director to set up an interest bearing, escrow account in the name of Amtrak and the City, to be used as a replacement reserve account for the Intermodal Passenger Rail Facility. A project was established to account for contributions made to the account from Amtrak, interest revenue received, and expenditures made, and

WHEREAS: Language was not included in the original resolution authorizing the establishment of revenue budget when interest revenue is received from the account, as well as corresponding appropriations, and

WHEREAS: It is requested that the Finance Director be authorized to establish the revenue budget, and appropriate when interest revenue is received; therefore be it

RESOLVED: That C.R. 12-625-14 is hereby amended by authorizing the Finance Director to establish revenue budget when interest revenue is received from the escrow account for the Intermodal Passenger Rail Facility; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Shooshanian.

6-325-17. RESOLVED: That Zambelli Fireworks, 20 Mercer St. South, New Castle, PA 16101 be and they are hereby granted a Special Events License to conduct fireworks displays at The Henry Ford Museum for its Salute to America Concerts on June 30 through July 3, and Holiday Nights on December 1-3, 8-10, 15- 17, 19 - 23, 26 - 27, and 29-30 2017 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Shooshanian supported by Sareini.

6-326-17. WHEREAS: The Payment in Lieu of Taxes ("PILOT") Agreement between Henry Ford Village, Inc. ("HFV"), 15101 Ford Rd., Dearborn, MI 48126 and the City of Dearborn, dated June 30, 2010, requires Henry Ford Village, Inc. to make an annual PILOT to the City on July 1st of each year, and

WHEREAS: In 2015, HFV asked the City Council for permission to make six monthly payments without interest, rather than one annual payment, and

WHEREAS: C.R. 6-303-15 denied the request for HFV to make six monthly payments without interest on a one-time basis, and

WHEREAS: HFV has once again requested permission to make six monthly payments rather than one annual payment in order to address cash flow issues; therefore be it

RESOLVED: That the City Council concurs in the recommendation from the Finance Director that the terms and conditions of the PILOT Agreement with HFV shall remain unchanged and HFV is granted permission to make its annual PILOT in six (6) monthly installments of \$94,551.57, which includes interest at an annual rate of 8%, compounded monthly, beginning July 1, 2017 through December 31, 2017.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

6-327-17. RESOLVED: That receipt of a donation in the amount of \$1,000 from the Dearborn Rotary to the City of Dearborn for the Library is hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby directs the Finance Director to recognize the donation and authorizes the Finance Director to deposit the money into Library account 276-5100-365.90-00 (Donations) Project Z71200.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

6-328-17. RESOLVED: That receipts of donations in the amount of \$2,000 from DTE Energy Foundation; \$500 from the Foundation for American Veterans, Dearborn Federal Savings Bank, and the East Dearborn Downtown Development Authority; \$200 from the Dearborn Rotary Foundation; \$25 from the Msgr. Schulte Assembly, 4th Degree K of C; and \$20 from the Yemeni American Heritage Association to the City of Dearborn for the 2017 Memorial Day Parade are hereby acknowledged and accepted; be it further

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

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

The resolution was unanimously adopted

By Shooshanian supported by O'Donnell.

6-329-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Michael A. Clay, to the Demolition Board of Appeals for a term ending June 30, 2020; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Shooshanian.

6-330-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointments of Anthony Rugiero and Janet Thompson, to the Dix-Vernor Corridor Authority for terms ending June 30, 2021; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Shooshanian supported by O'Donnell.

6-331-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of J. Scott Saionz, to the East Dearborn Downtown Development Authority for a term ending June 30, 2021; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Shooshanian.

6-332-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Paul J. Draus, to the Economic Development Corporation for a term ending June 30, 2023; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Abraham.

6-333-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointments of Christine Sickle and Kevin Watts, to the Planning Commission for terms ending June 30, 2020; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

6-334-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointments of Youseff Joe Bazzi and Keith Ward, to the Warren Avenue Corridor Authority for terms ending June 30, 2021; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

6-335-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointment of Jacqueline Lovejoy, to the West Dearborn Downtown Development Authority for a term ending June 30, 2021; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

6-336-17. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Mohammed Hider, to the West Dearborn Downtown Development 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 Abraham supported by O'Donnell.

6-337-17. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Douglas P. Van Noord, to the West Dearborn Downtown Development Authority for a term ending June 30, 2020; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Abraham supported by Sareini.

6-338-17. RESOLVED: That City Council hereby concurs in the Mayor's re-appointments of Glen M. Green and Gerald Stockwell, to the Zoning Board of Appeals for terms ending June 30, 2020; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

6-339-17. RESOLVED: That City Council hereby re-appoints Margaret Schaefer, to the Civil Service Commission for a term ending June 30, 2021; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Tafelski supported unanimously.

6-340-17. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Salvatore A. Guido, and

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

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

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

6-341-17. RESOLVED: That the Supervisory, Technical and Professional Unit / Gallagher Benefits Services Salary Range and Unit Job Descriptions be and are hereby approved pursuant to Civil Service Resolution 7961-17 with an effective date of June 25, 2017; be it further

RESOLVED: That the resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

6-342-17. RESOLVED: That the Tentative Agreement between the 19th District Court and the Police Officers Association of Michigan be and is hereby approved with an effective date of July 1, 2017; be it further

RESOLVED: That the resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Tafelski.

6-343-17. RESOLVED: That the Operative Unit / Gallagher Benefits Services Salary Range and Unit Job Descriptions be and are hereby approved pursuant to Civil Service Resolution 7962-17 with an effective date of June 25, 2017; be it further

RESOLVED: That the Tentative Agreement between the Teamsters Local #214 Representing the Operative Unit and the City of Dearborn be and is hereby approved pursuant to Civil Service Resolution 7962-17 with an effective date of July 1, 2017; be it further

RESOLVED: That the resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

6-344-17. RESOLVED: That the MWD / Gallagher Benefits Services Salary Range and Unit Job Descriptions be and are hereby approved pursuant to Civil Service Resolution 7959-17 with an effective date of June 25, 2017; be it further

RESOLVED: That the Tentative Agreement between the Municipal Workers of Dearborn Represented by MAPE and the City of Dearborn be and is hereby approved pursuant to Civil Service Resolution 7963-17 with an effective date of July 1, 2017; be it further

RESOLVED: That the resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazy.

6-345-17. WHEREAS: As part of the Consolidated Dispatch project, it has become necessary for the City of Dearborn to renew and update its membership with the Michigan's Public Safety Communication System (MPSCS). The original Membership Agreement was executed on June 16, 2002. Additionally, the City of Dearborn must execute an Integration Agreement with the MPSCS, and

WHEREAS: Neither the Member Subscriber Agreement nor the Integration Agreement imposes fees upon current subscribers/members, and

WHEREAS: The Member Subscriber Agreement with the MPSCS provides Template Design, System Management, Training, Network Communications Center (operates and manages the System on a 24/7 basis), MPSCS Radios Performance, MPSCS Portable Radio Coverage, Emergency Alerts Availability, Performance Standards, MPSCS Emergency Management Plan, and MPSCS Upgrades and Enhancements, and

WHEREAS: The MPSCS Integration Agreement provides integration of the Dearborn Dispatch consoles onto the MPSCS 800MHz Radio Communication System. The Integration Agreement enhances coverage, performance and interoperability, and

WHEREAS: The MIS Department is requesting that City Council approve these Agreements subject to review by the Law Department; it is also requested that the Mayor be authorized to sign these Agreements as well as all MPSCS required documents on behalf of the City; therefore be it

RESOLVED: That City Council hereby approves the Member Subscriber Agreement and the MPSCS Integration Agreement subject to review by the Law Department; be it further

RESOLVED: That the Mayor be and is hereby authorized to sign the Member Subscriber Agreement and the MPSCS Integration Agreement as well as all MPSCS required documents on behalf of the City; 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 9:59 P.M.

APPROVED:

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President of the Council

ATTESTED:

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Acting City Clerk