

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

January 16, 2018

The Council convened at 7:31 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazy, Byrnes, Herrick, O'Donnell, Sareini and President of the Council Dabaja; absent, none. A quorum being present, the Council was declared in session.

Imam Hassan Habhab of Karbala Islamic Center delivered the invocation.

By O'Donnell supported by Sareini.

1-4-18. RESOLVED: That the minutes of the previous regular meeting of December 19, 2017, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

1-5-18. RESOLVED: That Ordinance No. 17-1601 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1601 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 1.00, Section 1.03, Entitled 'Definitions'."

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

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

1-5-18. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by O'Donnell.

1-6-18. RESOLVED: That Ordinance No. 17-1602 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1602 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 4.00, Section 4.01, Entitled 'Off-Street Parking Requirements'."

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

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

1-6-18. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by O'Donnell.

1-7-18. RESOLVED: That Ordinance No. 17-1603 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1603 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 7.00, Section 7.03, Entitled 'Site Development Standards for Residential 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?"

1-7-18. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by Herrick.

1-8-18. RESOLVED: That Ordinance No. 17-1604 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 17-1604 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 12.00, Section 12.02, Entitled 'Permitted Uses and Structures'."

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

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

1-8-18. Upon roll call the Ordinance was unanimously adopted.

Councilmember Abraham introduced Ordinance No. 18-1605, entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 3.00, Section 3.05, Entitled 'Modification to Nonconforming Uses or Structures'."

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 Herrick.

1-9-18. RESOLVED: That proposed Ordinance No. 18-1605 be laid on the table.

The resolution was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 18-1606, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 5121 Schaefer from a Business B (Community Business 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 O'Donnell supported by Abraham.

1-10-18. RESOLVED: That proposed Ordinance No. 18-1606 be laid on the table.

The resolution was unanimously adopted.

By Abraham supported by Byrnes.

1-11-18. 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. The construction for this project is substantially complete. This project involves Water Main Replacement and Asphalt Resurfacing of Calhoun, Bingham, Jonathon and Reuter Streets, and

WHEREAS: Because of unknown depth of the transmission water lines, all lead water service line replacement was presumed to be replaced by an open cut method during the bidding process involving large quantity of pavement disruption. Therefore, the large quantity of pavement replacement was included in the bid document. Fortunately, the transmission water lines were discovered at a greater depth than we presumed which allowed contractor to implement "jack and bore" method of water service line replacement salvaging large quantities of existing pavement. As a result of implementing "jack and bore" method, we have now over \$700,000 left to be spent for this contract, and

WHEREAS: Because of open cut water service replacement presumption during the bidding process which would normally be an expensive operation, the Water Main and Asphalt Resurfacing for the following streets were excluded from the bidding process:

- Audette from Pelham to Jackson (Water Main and Asphalt Resurfacing)
- Audette from Detroit to Pelham (asphalt resurfacing)
- Jackson from Audette to Westminster Ct (Water Main and Asphalt)
- Jackson from Outer Drive to Audette (Asphalt Resurfacing)
- Westminster Ct (Water Main and Asphalt Resurfacing)
- Replacement of 350' of 10 inch diameter water main on Southern Avenue presently disconnected and service as dead end water mains;

therefore be it

RESOLVED: That Change Order No. 2 with DiPonio Contracting, Inc. (C.R. 12-663-17) which provides for Water Main Replacement and Asphalt Street Resurfacing by adding the additional streets to be paid for by the estimated left over amount of \$700,000 is hereby approved.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

1-12-18. RESOLVED: That Change Order No. 1 with Rowe Professional Services Company (C.R. 7-368-17) which provides for Construction Engineering Services for the Schaefer Road Resurfacing Project, Rail Road Track to Michigan Avenue, Job No. 2017-017, CIP Q62500 in the amount of \$40,000, bringing the total contract to \$140,725 is hereby approved; be it further

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

RESOLVED: That this Change Order shall be financed from the CIP Q62500; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

1-13-18. RESOLVED: That all proposals received for Dependent Eligibility Audit Services are hereby rejected except the proposal of MedBill Management LLC in an amount not to exceed \$22,500, that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$22,500 from the Employee Insurance Fund's FY2018 Retained Earnings to cover fees associated with the Dependent Eligibility Audit Services; be it further

RESOLVED: That this contract shall be financed from the Employee Insurance Fund, Finance Department, Self-Insured Health Care, Professional services budget.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

1-14-18. RESOLVED: That all proposals received for Physical Assessments are hereby rejected except the proposal of First Choice Urgent Care in an amount not to exceed \$190,000 annually, that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of one year with four (4), one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the General Funds for the following accounts: Human Resources, Health Professional Fees; Public Works, Contractual Services; Police, Health Professional Fees; Police, Professional Services; and Fire, Health Services. Future funding is pending the adoption of the respective Fiscal Year budgets.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

1-15-18. WHEREAS: The City is eligible for contract pricing through the City of Rochester Hills cooperative contract RFP-RH-13-30 and MiDeal - 071B7700166 for a Replacement Packer Truck for the Department of Public Works, and

WHEREAS: Wolverine Freightliner, Inc., will supply a Freightliner Chassis in the amount of \$77,321 and Cannon Engineering and Equipment will supply Packer-Body Upfitting Service in the amount of \$63,936.60; therefore be it

RESOLVED: That purchase orders be awarded to Wolverine Freightliner, Inc. and Cannon Engineering and Equipment in an amount not to exceed \$141,257.60 for a Freightliner Chassis and Packer-Body Upfitting Services for the Department of Public Works; be it further

RESOLVED: That these purchase orders shall be financed from the Fleet and Equipment Replacement Fund, Public Works, Sanitation Division, Capital Equipment budget.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

1-16-18. WHEREAS: The City is eligible for contract pricing through the City of Rochester Hills cooperative contract RFP-RH-13-30 for two Replacement Freightliner Chassis and Dump-Body Upfitting Services for the Department of Public Works, and

WHEREAS: Wolverine Freightliner, Inc., will supply two Replacement Freightliner Chassis in the amount of \$183,704 and Truck and Trailer Specialties will supply Dump-Body Upfitting Services in the amount of \$166,522; therefore be it

RESOLVED: That purchase orders be awarded to Wolverine Freightliner, Inc. and Truck and Trailer Specialties in an amount not to exceed \$350,226 for two Freightliner Chassis and Dump-Body Upfitting Services for the Department of Public Works; be it further

RESOLVED: That these purchase orders shall be financed from the Fleet and Equipment Replacement Fund, Public Works, Highways Division, Capital Equipment budget.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

1-17-18. 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; be it

RESOLVED: That Continental Equipment Corporation be designated as a sole source for purchase of a Komatsu Bulldozer in an amount not to exceed \$166,065 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 Fleet and Equipment Replacement Fund, Public Works, Highways Division, Capital Equipment budget.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

1-18-18. RESOLVED: That the proposed resolution by Councilmembers Herrick and Abraham authorizing the Mayor to enter into a three-year lease agreement, with two one-year renew options, with the City of Melvindale for the use of Lock Up Space at the Dearborn Police Department at an approximate rate of \$15 per cell, per day, with additional fees assessed when appropriate, subject to terms and conditions approved by Corporation Counsel be and is hereby tabled.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

1-19-18. WHEREAS: Council Resolutions 9-534-16 and 11-617-16 authorized the Mayor to execute a two-year parking lease agreement with Les Stanford Chevrolet/Cadillac for the use of 83 parking spaces in the West Parking Deck on Levels 3East, 3West, and 4East at a rate of \$2,500 per month. The current lease term is December 1, 2016 - September 30, 2018. The lease also provides for termination of the lease by either party, for any reason, without penalty, by providing at least 30 days' notice, and

WHEREAS: Paul Stanford, President of Les Stanford Chevrolet/Cadillac has requested cancellation of the current lease due to low production scheduling by General Motors, particularly with the Corvette models. The low production by General Motors resulted in significant inventory reduction for the dealership. Thus, the need for storage at the West Parking Deck has been temporarily eliminated, and

WHEREAS: Mr. Stanford has also indicated that production schedules are cyclical and vary from season to season. He is hopeful that the production schedules will increase again in the near future, causing the need for storage of vehicles at the West Parking Deck once again, and

WHEREAS: In order to accommodate the request, it is recommended that the current lease be terminated without penalty in accordance with the provisions of the lease agreement. It is also recommended that the Director of Economic & Community Development be authorized to execute documents necessary to lease the designated spaces to Les Stanford Chevrolet/Cadillac as the need arises on a monthly basis at a rate of \$2,500 per month through December 31, 2019, subject to the review and approval of Corporation Counsel. The terms and conditions contained in the current lease agreements and Council Resolutions 9-534-16 and 11-617-16 shall apply to the monthly lease agreements, and

WHEREAS: Parking spaces in this deck remain available for this purpose until the site between the parking decks is developed; therefore be it

RESOLVED: That the termination of the current parking lease agreement with Les Stanford Chevrolet/Cadillac (C.R. 9-543-16 & 11-617-16) without penalty in accordance with the provisions of the lease agreement be and is hereby authorized; be it further

RESOLVED: That the Director of Economic & Community Development be and is hereby authorized to execute documents necessary to lease the designated spaces to Les Stanford Chevrolet/Cadillac as the need arises on a monthly basis at a rate of \$2,500 per month through December 2019, subject to review and approval of Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

1-20-18. WHEREAS: Construction is about to commence on the replacement building at the former Howell's Bar site at 22085-22087 Michigan Avenue near Mason in West Downtown Dearborn. The special land use and site plan approval for the site include the renovation of the second floor at 22085 Michigan Avenue to include 5 apartments and the construction of a four-story multi-use structure at 22087 Michigan Avenue. The four-story structure will house restaurant/retail on the ground floor, and two apartments each on the second, third and fourth floors, and

WHEREAS: Ali K. Nasser, owner of the properties, has requested to utilize the City-owned surface Parking Lot G south of the Michigan Line Railroad between Mason and Monroe Streets for construction staging. (See attached diagram.) Parking Lot H, which is the City lot directly across West Village Drive from his site is currently under construction for the Wagner Place parking deck and is not available for Mr. Nasser's staging needs, and

WHEREAS: Mr. Nasser's project is also being coordinated with activities at the Ford Land Wagner Place development in order to minimize disruption to businesses in the area. He needs to begin construction now so his foundation and underground utility work is completed prior to DTE commencing their overhead-to-underground utility relocations across the former Howell's property. Therefore construction staging space is required now to accommodate his equipment and materials for the project, and

WHEREAS: The City Assessor has determined that \$30 per space per month is an appropriate lease rate for the use of the parking spaces in Lot G for staging. The identified area represents the equivalent of 20 parking spaces, resulting in a monthly rate of \$600. The contractor is finalizing plans for the construction timeline. It is anticipated that this area will be required for staging for approximately 10 months, resulting in a total of \$6,000 in lease payments. Mr. Nasser will also be required to install the necessary protective fencing at the site and follow the normal City permitting rules for this activity, and

WHEREAS: The Economic & Community Development Department recommends that the City Council approves the request of Ali K. Nasser to lease 20 parking spaces at Lot G at a rate of \$30 per space per month for a maximum term of 14 months (should additional time be required to complete the project). It is also recommended that the City Council authorize the Mayor to execute a lease agreement memorializing the terms, subject to the review and approval of Corporation Counsel. The lease agreement will include the tenant responsibilities such as daily trash/debris removal, compliance with existing laws/ordinances, return of the property in good condition, etc.; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to execute a parking lease agreement with Ali K. Nasser to lease 20 parking spaces at Lot G at a rate of \$30 per space per month for a maximum term of 14 months, subject to certain stipulations.

The resolution was unanimously adopted.



Parking Lot G



 Construction Staging Area

5,850 Sq. Ft.



City of Dearborn
Planning Division
Drawn by: Jeffrey Polkowski
January 4, 2018

By Sareini supported by O'Donnell.

1-21-18. WHEREAS: The City Council of the City of Dearborn and the West Dearborn Downtown Development Authority (WDDDA) Board of Directors, adopted FY2018 expected tax capture revenue budget of \$510,750 with the anticipation of the Brownfield Redevelopment Authority (BRA) capturing the applicable tax revenue associated with the Hampton Inn parcel, and

WHEREAS: The Brownfield Redevelopment Authority (BRA) Board of Directors, adopted FY2018 expected tax capture revenue budget of \$3,105,880 and reimbursement budget of \$3,397,574 for all active Brownfield plans with the same assumption, and

WHEREAS: Per legal counsel, it was determined that the applicable tax capture must first be captured by the WDDDA and then be transferred to the BRA until the completion of the Hampton Inn redevelopment plan. It was also observed that the BRA, unlike the WDDDA, was eligible to capture tax revenue from Henry Ford College (HFC) tax levy. Taxable value adjustments in FY2018 resulted in an increase of the anticipated tax capture revenue and reimbursements associated with this parcel and project plan, and

WHEREAS: The Finance Department has requested that the Finance Director be authorized to amend the FY2018 budget of \$147,405 in the WDDDA to recognize captured tax revenue and appropriate budget in the WDDDA Fund, Interfund Operating Transfer Out - Contributions for the transfer of the captured tax revenue to the BRA Fund, and

WHEREAS: It is also requested that the Finance Director be authorized to amend FY2018 budget of \$147,405 in the BRA to recognize the contribution of captured tax revenue from the WDDDA plus \$18,882 from eligible captured tax revenue from HFC and appropriate budget in the BRA Fund, Other Operating Expenses for the reimbursements associated with this redevelopment plan; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to amend the FY2018 budget of \$147,405 in the WDDDA to recognize and appropriate captured tax revenue; be it further

RESOLVED: That the Finance Director be and is hereby authorized to amend the FY2018 budget of \$166,287 in the BRA to recognize and appropriate captured tax revenue; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

1-22-18. WHEREAS: The City Council of the City of Dearborn, the West Dearborn Downtown Development Authority (WDDDA) Board of Directors, East Dearborn Downtown Development Authority (EDDDA) Board of Directors, the Library Commission, and the Brownfield Redevelopment Authority (BRA), adopted FY2018 expected Local Community Stabilization Authority (LCSA) tax reimbursement revenue budget as follows:

City of Dearborn	\$7,277,000
Library	357,000
BRA	1,032,000
WDDDA	19,000
EDDDA	22,000
<u>CSO Debt</u>	<u>1,515,000</u>
<u>Total Revenue Budget</u>	<u>\$ 10,222,000</u>

and

WHEREAS: Based on the State of Michigan LCSA calculated reimbursement the actual amount received is the following in FY2018:

City of Dearborn	\$14,313,355
Library	1,008,129
BRA	1,202,299
WDDDA	12,332
EDDDA	0
<u>CSO Debt</u>	<u>4,638,345</u>
<u>Total Revenue Budget</u>	<u>\$21,174,460</u>

and

WHEREAS: The Finance Department has requested that the Finance Director be authorized to amend the FY2018 revenue budget to recognize the additional State of Michigan LCSA reimbursement and cancel the applicable EDDDA revenue budget as follows:

City of Dearborn	\$7,036,355
Library	651,129
BRA	170,299
WDDDA	6,669
EDDDA	(22,000)
<u>CSO Debt</u>	<u>3,123,345</u>
<u>Total Revenue Budget</u>	<u>\$10,165,797</u>

therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to amend the FY2018 revenue budget to recognize the additional State of Michigan LCSA reimbursement and cancel the applicable EDDDA revenue budget as described above.

The resolution was unanimously adopted.

By Byrnes supported by O'Donnell.

1-23-18. WHEREAS: The City purchased the house at 2264 Queen from the Wayne County Treasurer in August 2015 for \$9,690.37, and

WHEREAS: The Property Maintenance and Development Services Department performed an inspection and recommended that the house be rehabilitated rather than demolished, and

WHEREAS: In January 2017, the City attempted to sell several City-owned houses by advertisement, but no bids were received, and

WHEREAS: In an attempt to gain more exposure, it was recommended that the City consider utilizing a professional real estate broker to assist the City in managing the listing of the properties for sale, including 2264 Queen, and

WHEREAS: Pursuant to Council Resolution 8-426-17, City Council authorized the Mayor to enter into an agreement with the Dearborn Area Board of Realtors for the marketing of City-owned homes that require rehabilitation and repair, and

WHEREAS: Robert Marx was the chosen real estate broker and listed 2264 Queen sale at \$69,900, and

WHEREAS: The City Assessor determined that the minimum value for the house, in its current condition is \$58,500.

One offer was received on this Property as follows:

Sean and Sophia Dietrich \$58,500 cash sale,

and

WHEREAS: Mr. and Mrs. Dietrich presented an offer that is equal to the Assessor's minimum bid price, and

WHEREAS: They have been notified and have agreed to rehabilitate the house to current City Code requirements and must obtain a Certificate of Occupancy within one year of the date of closing, and

WHEREAS: Mr. and Mrs. Dietrich intend to hire a licensed contractor to perform the work and intend to sell it for owner-occupancy once the rehabilitation is completed. They have agreed to the following conditions pertaining to this transaction:

1. Purchasers may not assign their purchase option without approval of the Dearborn City Council, and
2. Rehabilitation of the Property must be completed within one year of closing and must comply with current Code requirements. Rehabilitation is deemed completed when the Property is approved to receive a Certificate of Occupancy. Repairs must be performed by a licensed contractor, and
3. Once the Property is rehabilitated, it must be owner-occupied for a minimum of 10 years, and
4. 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
5. If Purchasers wish to sell the Property before the rehabilitation is completed, the Property must be offered for sale to the City for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn. Any improvements will become the property of the City of Dearborn, and
6. The Purchasers accept the Property "AS IS", "WHERE IS", and the City makes no warranties or representations as to its condition, and
7. Conditions of the sale will be noted on the deed as a right of reverter in favor of the City of Dearborn if conditions are not met. The City will retain a right to repurchase the Property for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn,

and

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

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

Lot 84, Eastpark Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 38, Page 78 of Plats, Wayne County records.

Tax I.D.: 82-09-281-10-028
Commonly known as house located at 2264 Queen
Lot size: 45' x 118'

to Sean and Sophia Dietrich for \$58,500 cash; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to Sean and Sophia Dietrich 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, approved by Corporation Counsel and based upon Sean and Sophia Dietrich 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 rehabilitation and owner-occupancy for a minimum of 10 years will serve a public purpose by revitalizing and stabilizing the neighborhood and will serve a public purpose by adding the property to the tax rolls to generate revenue for the City; 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 is given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

1-24-18. WHEREAS: Saleh Alawbali and Abeer Elmadari are the owners and occupants of the house located at 7455 Williamson, a single-family home with a valid C of O, but no driveway or garage. Husain and Saqiah Ali, and Hashim Ali and Khawlah Al-Gailani are the owners of the house located at 7509 Williamson, a single-family home with a valid C of O, but no driveway or garage, and

WHEREAS: They have requested that the City split and sell them each 15 ft. of the City-owned vacant lot at 7501 Williamson to combine with their existing lots for use as side yard. The Assessor's Department valued the unbuildable lot at \$4,000, and

WHEREAS: Purchasers wish to increase their lot size from 30 ft. to 45 ft. and will combine the lots for tax and assessment purposes, and

WHEREAS: The sale is conditioned on the following conditions:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Lots may not be resplit or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with Purchasers' adjacent land.

7. Purchasers **must** install off-street parking before transferring the property to another purchaser. When the City property is sold to Purchasers 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.
8. Since the Purchasers own and occupy their properties, 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, Purchasers 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. Purchasers are waiving their right to seek any variances.
9. If Purchasers violate any of the restrictions imposed, they are obligated to sell the land back to the City for \$4,000, less 10% and less costs associated with the transfer of property back to the City.

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; be it therefore

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$2,000 to Saleh Alawbali and Abeer Elmadari the parcel described as:

South 15 ft. of Lot 487, 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 82-10-064-13-024
Commonly known as part of vacant lot at 7501 Williamson

be it further

RESOLVED: That this Council does hereby determine to effect the sale at a price of \$2,000 to Husain and Saqiah Ali, and Hashim Ali and Khawlah Al-Gailani the parcel described as:

North 15 ft. of Lot 487, 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 82-10-064-13-024
Commonly known as part of vacant lot at 7501 Williamson

be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a deed for said property to Saleh Alawbali and Abeer Elmadari, and Husain Ali, Saqiah Ali, Hashim Ali, and Khawlah Al-Gailani, 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 Purchasers 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 HUD \$1 Program, and serves a public purpose by adding the property back to the tax rolls.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

1-25-18. WHEREAS: Pursuant to Council Resolution 8-426-17, City Council authorized the Mayor to enter into an agreement with the Dearborn Area Board of Realtors (DABOR) for the marketing and sale of City-owned houses that require rehabilitation and repair, subject to certain conditions, and

WHEREAS: DABOR was given the authority to assign the houses to the listing brokers on a rotating basis as proposed, and

WHEREAS: DABOR was sent a list of 5 houses that were ready for listing as follows:

22668 Nona
24622 Ross
2645 Byrd
2264 Queen
3736 Katherine, and

WHEREAS: DABOR elected to assign all 5 properties to one realtor, rather than selecting 5 different realtors to sell each property, and

WHEREAS: At the time City Council adopted the resolution authorizing DABOR to market and sell the properties, it was not contemplated that all of the listings would be assigned to one broker, and

WHEREAS: An amendment to CR 8-426-17 is necessary which requires DABOR to assign a different realtor for each separate listing; therefore be it

RESOLVED: That Council Resolution 8-426-17 is hereby amended to contain an additional condition that:

For all listings provided to DABOR after the effective date of this resolution, the Dearborn Area Board of Realtors must assign a different realtor for each separate house listed;

be it further

RESOLVED: That all other terms and conditions contained in CR 8-426-17 shall remain in full force and effect; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

1-26-18. RESOLVED: That City Council hereby authorizes the Mayor to renew the City's membership with the Dearborn Chamber of Commerce in the amount of \$3,100 for the period of January - December 2018; be it further

RESOLVED: That this membership renewal shall be financed from the Citywide account 101-1299-421.65-00.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

1-27-18. RESOLVED: That the Supervisory, Technical and Professional Bargaining Unit Salary Plan adopted by Civil Service Resolution No. 131-80 and Council Resolution No. 11-1062-80 be and is hereby amended to include the new classification of CMMS Program Manager, pursuant to Civil Service Resolution No. 8007-17.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

1-28-18. RESOLVED: That the Executive & Administrative Salary Plan adopted by Civil Service Resolution No. 64-80 and Council Resolution No. 9-863-80 be and is hereby amended to include the new classification of Deputy City Assessor, pursuant to Civil Service Resolution No. 8016-17.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

1-29-18. RESOLVED: That the Executive & Administrative Salary Plan adopted by Civil Service Resolution No. 64-80 and Council Resolution No. 9-863-80 be and is hereby amended to include the new classification of Deputy Director of Human Resources, pursuant to Civil Service Resolution No. 8023-17.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

1-30-18. RESOLVED: That in accordance with Section 11.5 of the Dearborn City Charter, this Council does hereby approve the Salary of the Human Resources Administrator as set pursuant to Civil Service Resolution No. 8031-18.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

1-31-18. WHEREAS: Zouhair Younes submitted a letter to City Council dated November 20, 2017, requesting to repurchase the house located at 7555 Coleman, and

WHEREAS: The City purchased 7555 Coleman through the tax foreclosure process in 2016, and

WHEREAS: In October 2016, Mr. Younes had submitted a similar request; City Council adopted CR 11-621-16, denying his request to repurchase the house on behalf of H&M Corporation, the entity that owned the house before the foreclosure, and

WHEREAS: After City Council denied his request in October 2016, in December 2016, H&M Corporation also filed an action in Wayne County Circuit Court against the City of Dearborn, Wayne County, and the Wayne County Treasurer, asking the court to reverse the foreclosure and to quiet title in H&M's name, and

WHEREAS: After a hearing on H&M's request for a permanent injunction to prevent the eviction from proceeding, Judge Robert Colombo ruled in the City's favor and dissolved the temporary restraining order, and

WHEREAS: The Wayne County Circuit Court then administratively closed the file, and

WHEREAS: The City continued with eviction proceedings, took possession of the house, and intends to offer it for sale through a real estate broker, and

WHEREAS: The City originally purchased 7555 Coleman because it was an occupied registered rental property with an extensive history of code violations, and

WHEREAS: Requests for repurchase have been considered on a case-by-case basis, taking the following criteria into consideration: reason for non-payment, proximity to other City-owned properties, occupancy status, status as rental property, history of maintenance, condition of property, size of property, and public purpose for the City retaining the property, and

WHEREAS: The City Council applied those standards when it voted to deny Mr. Younes' request to repurchase the house in 2016, adopting CR 11-621-16, and

WHEREAS: It is recommended that Mr. Younes' second request dated November 20, 2017 be denied for the same reasons; therefore be it

RESOLVED: That Zouhair Younes' request to repurchase the property located at 7555 Coleman is hereby denied; be it further

RESOLVED: That a public purpose is served by the City denying Mr. Younes' request so that the City may offer the house for sale through advertisement and require that the house be owner-occupied in order to fulfill the City's desire to increase the number of owner-occupied dwellings; be it further

RESOLVED: That a public purpose will further be served by the City denying Mr. Younes' request to repurchase 7555 Coleman since it has had an extensive history of code violations and denying the request will protect surrounding residential properties from decline.

The resolution was unanimously adopted.

By Bazzy supported unanimously.

1-32-18. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Emile 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.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:19 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk