

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

January 30, 2018

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

The Reverend Mark Philips of Cherry Hill Presbyterian Church delivered the invocation.

By Sareini supported by Byrnes.

1-35-18. RESOLVED: That the minutes of the previous special meeting of January 11, 2018, special closed meeting of January 18, 2018 and regular meeting of January 16, 2018, and the same are hereby approved as recorded and published.

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

By Sareini supported by Herrick.

1-36-18. That the proposed resolution by Herrick and Abraham authorizing the Mayor to enter into a three-year lease agreement, with two one-year renewal 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.

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

By Herrick supported by Abraham.

1-37-18. WHEREAS: Melvindale has asked to enter into a lease with the City of Dearborn for lock-up space at the Dearborn Police Department, and

WHEREAS: After a number of meetings between the mayors of both cities and the chiefs of the two police departments, it was agreed that Dearborn could accommodate Melvindale's request, and

WHEREAS: It is anticipated that the daily rate charged will be approximately \$15.00 per cell, with additional fees assessed when appropriate; therefore be it

RESOLVED: That the Mayor is authorized to enter into a three-year lease agreement, with two one-year renewal options, with the City of Melvindale for the use of lock-up space at the Dearborn Police Department at an approximate rate of \$15.00 per cell, per day, with additional fees assessed when appropriate, subject to terms and conditions approved by Corporation Counsel.

Upon roll call, the resolution was adopted as follows: Yes: Abraham, Byrnes, Dabaja, Herrick and Sareini (5). No: Bazzy (1). Absent: O'Donnell (1).

By Bazzy supported by Sareini.

1-38-18. RESOLVED: That Ordinance No. 18-1605 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 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?"

1-38-18 Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick and Sareini (6). No: None. Absent: O'Donnell (1).

By Sareini supported by Abraham.

1-39-18. RESOLVED: That Ordinance No. 18-1606 be taken from the table and placed upon its final reading.

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

The Clerk then read 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 4121 Schaefer from a Business B (Community Business District) to a VP (Vehicular Parking District) zoning classification.

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

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

1-39-18. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick and Sareini (6). No: None. Absent: O'Donnell (1).

By Bazzy supported by Byrnes.

1-40-18. WHEREAS: City Council recently awarded a contract to DiPonio Contracting, Inc. in the amount of \$5,881,053.75 for the Street Reconstruction Project for the area bounded by Outer Drive, Cromwell, N. Martha and Wilson Streets (CR 12-606-17). A contingency in the amount of \$300,000 was also approved in this resolution. The contractor will begin construction for this project in the middle of February 2018, and

WHEREAS: The needed Outer Drive road surface drainage separation from Hollander to Murray, which is under jurisdiction of Wayne County, is a bit complicated and required detailed review of archives as well as the support from the Wayne county staff. Upon receiving a positive response from the Wayne County staff, the City Engineer believes that they are able to separate the Outer Drive drainage while executing the above-noted Sewer Separation Project. The City Engineer believes that the Outer Drive road surface drainage separation will better serve the City and Wayne county for future years, and

WHEREAS: In order to incorporate the Outer Drive drainage separation into the Street Reconstruction Project, the upsizing of portions of the proposed storm sewers and the construction of the same at a deeper depth will be needed as well as the addition of new storm sewers. The estimated cost increase is \$400,000. The City Engineer believes that this cost increase, as well as Wayne County's share of the corresponding pavement restoration cost will be reimbursed by Wayne County. Wayne County's share for this project is estimated at approximately \$999,861. The City Engineer has already submitted supporting documents to Wayne County regarding their share, and

WHEREAS: The City Engineer has requested that the City Council approve that an additional \$400,000 be added to this project as an additional contingency allowance to pay for additional work associated with the separation of the Outer Drive drainage, bringing the total contingency amount to \$700,000 and that the City Engineer be authorized to execute all change orders or modifications that utilize all approved contingencies, and

WHEREAS: It is further requested that the Finance Director be authorized to recognize all reimbursements when received from Wayne County for this project and appropriate the same; be it therefore

RESOLVED: That an additional \$400,000 be added to the Street Reconstruction Project-2018, Job No. 2017-032, CIP Q74030 project as an additional contingency allowance to pay for additional work associated with the separation of the Outer Drive drainage, bringing the total contingency amount to \$700,000; be it further

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

RESOLVED: That the Finance Director be and is hereby authorized to recognize all reimbursements when received from Wayne County for this project and appropriate the same; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Sareini.

1-41-18. RESOLVED: That all bids received for Greenfield Water Main Replacement, Michigan Avenue to Ford Road are hereby rejected except the bid of Salenbien Trucking & Excavating, Inc. in an amount not expected to exceed \$1,399,082.98, 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 \$75,000 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 Water Fund, Water Supply Division, Capital Project Support, Construction Services budget, Project Q74026; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Herrick supported by Sareini.

1-42-18. RESOLVED: That all bids received for Parking Lot Resurfacing at the Dearborn Police/19th District Court and the Ford Community and Performing Arts Center are hereby rejected except the bid of Al's Asphalt Paving, Inc. in an amount not expected to exceed \$392,690, 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 Funds, Public Works, Capital Project Support budget, Project I52717 and the General Capital Improvement, Recreation, Capital Project Support budget, Project I51111; be it further

RESOLVED: That the use of the current SMART credit balance from the General Fund, in the amount of \$56,606, will be used to fund the Senior Center lot resurfacing portion of this project.

RESOLVED: That the Finance Director be and is hereby authorized to increase General Fund revenue budget in the SMART Division for the credit reclassification and appropriate General Fund balance in the amount of \$56,606 as a contribution to the General Capital Improvement Fund; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the contribution in the General Capital Improvement Fund, Project I51111.

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

By Sareini supported by Abraham.

1-43-18. RESOLVED: That all bids received for Ceiling Replacement at Fire Station 4 are hereby rejected except the bid of Design and Construction Consulting in an amount not expected to exceed \$36,700, 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, Fire, Capital Project Support budget, Project K24952; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Herrick.

1-44-18. RESOLVED: That all bids received for Pool Construction at Ford Woods Park are hereby rejected except the bid of Degenhardt and Sons, Inc. in an amount not expected to exceed \$4,256,200, 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 the Finance Director be and is hereby authorized to appropriate \$2,020,000 of the General Fund fund balance to the Facility Fund as a contribution and to authorize the revenue and appropriate to Project I52814; be it further

RESOLVED: That this contract shall be financed from the Facilities Fund, Recreation & Parks, Ford Woods Pool, Capital Project Support, Construction Services budget, Project I52814; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Abraham.

1-45-18. RESOLVED: That all bids received for Telecommunications Services for the Library are hereby rejected except the bid of The Library Network (TLN) in an amount not to exceed \$108,027 for three years beginning July 1, 2018, 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 the City will be eligible for e-rate reimbursements from the Federal Government and TLN will file for the reimbursements on behalf of the Dearborn Library. Each autumn for three years, the Library will receive e-rate payments from the federal government at the anticipated rate of 80% reimbursement of the annual charges. As a result, the actual net purchase price for the telecommunications services will be \$8,402 annually or \$25,205 over the three-year life of the contract; be it further

RESOLVED: That this contract shall be financed from the Library Fund, Libraries, Telecommunications Services budget for Fiscal Years '19 through '21 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: Abraham, Bazzy, Byrnes, Dabaja, Herrick and Sareini (6). No: None. Absent: O'Donnell (1).

By Bazzy supported by Herrick.

1-46-18. WHEREAS: Recently, the Administration was approached by representatives of The Henry Ford requesting enhanced police protection services at The Henry Ford. Specifically, The Henry Ford is requesting the Police Department designate two FTE Dearborn police officers 363 days a year (Thanksgiving and Christmas Day excepted), from 9:00 a.m. to 5:00 p.m., to patrol The Henry Ford Premises (the museum, the Village, and the movie theater), and

WHEREAS: The proposed contract provides the service of two police officers as requested by The Henry Ford. The significant terms of the contract are as follows:

- The Henry Ford will reimburse the City for the full salary plus benefits for each officer.
- New positions will be created/filled in the Police Department so that the enhanced police protection services at The Henry Ford do not impair or interfere with the City's ability to meet its other law enforcement responsibilities or result in any loss of operation efficiency or readiness.
- The police officers assigned to The Henry Ford shall remain employees of the City of Dearborn.
- The Henry Ford has agreed to the insurance and indemnification language proposed by Corporation Counsel.
- This is a one year contract that will automatically renew; however, either party can terminate the contract with 30 days' notice,

and

WHEREAS: It is recommended that the Council authorize the Mayor to execute a contract with The Henry Ford for the purpose of providing enhanced police protection at The Henry Ford; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to execute a contract with The Henry Ford for the purpose of providing enhanced police protection at The Henry Ford.

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

By Sareini supported by Byrnes.

1-47-18. WHEREAS: Although the Dingell Transit Center at 21201 Michigan Avenue opened in late 2014, some warranty items have not been completed. The City now has a process for finishing this project. Primarily, this relates to the site landscape work and supplemental heaters for the passenger waiting room, and

WHEREAS: The landscape contractor for the project was Cut N' Care (CNC), who completed most of the project work prior to the project opening. However, as with most large commercial projects, some plant materials did not survive and those materials needed to be replaced as part of the normal warranty process. There were also some disagreements between the design team and the landscape contractor about some other aspects of the landscape installation resulting in several meetings to try to resolve various issues. Ultimately, the City staff, General Contractor and Architect agreed on a plan to finish the landscape with CNC, but the contractor didn't return to complete the work, and

WHEREAS: W. H. Canon has been caring for the site since the station opened, as the landscape contractor selected by JLL, the City's Property Manager for the station. After the original contractor failed to return to complete the work after two planting seasons, an estimate was obtained from Canon to finish the landscape consistent with the Architect and Landscape Architect's original plans. Coincidentally, W. H. Canon was the second lowest bidder on the original landscape element of the intermodal station, and is well qualified to complete the project. Funds for this work were retained as part of the City and General Contractor's normal process, so the intent is to have Canon complete the project during the spring of 2018 with funding available from the project budget, and

WHEREAS: The supplemental heaters aspect was the result of the value engineering that occurred on the mechanical system during the course of the design process for the station. Originally, a gas boiler was suggested to provide supplemental space heating for extremely cold days (colder than -10 degrees Fahrenheit). It was determined by the mechanical contractor for the project that the geothermal system could handle temperatures down to that level, but the reality of that

first three years of operation was that the system was unable to maintain a comfortable level during the extreme winter days, and

WHEREAS: During the evaluation of this matter, the mechanical contractor agreed that the design was a result of their process and agreed to fund supplemental heaters which were installed to provide the necessary space heating boost for the waiting room and west wing to cope with extremely cold days, and

WHEREAS: Geothermal systems are particularly efficient at providing summer cooling, so there are no issues during summer extremes, and

WHEREAS: The closeout of this project requires four requests of the City Council including:

- The release of \$36,855.08 from the project retainage to the Tooles-Clark partnership to complete the closeout with the Construction Manager. Additionally, the recognition and appropriation of the forfeiture of the remaining Tooles-Clark retainage of \$33,896.
- The recognition and appropriation of the \$27,000 from DiClemente Siegel Design to cover the cost of the supplemental heaters.
- The recognition and appropriation of the \$5,057 from Neumann Smith Architects to cover the cost for the painting of the supplemental heater installation to match the station interior.
- Award of the landscape contract in the amount of \$65,953 to W. H. Canon to complete the landscape installation for the John D. Dingell Transit Center consistent with the original design as specified by the Neumann Smith Team and subject to final review and approval by Corporation Counsel. This work will be funded via account #401 6100 435 4520 J08011 which provides all of the funding for the identified landscape project from the train station budget;

therefore be it

RESOLVED: That the contract to complete the landscape installation for the John D. Dingell Transit Center consistent with the original design as specified by the Neumann Smith Team and subject to final review and approval by Corporation Counsel be awarded to W.H. Canon in the amount of \$65,953; be it further

RESOLVED: That this contract shall be funded from Account 401-6100-435.45-20, Project J08011; be it further

RESOLVED: That the Finance Director be and is hereby authorized to release \$36,855.08 from the project retainage to the Tooles-Clark partnership to complete the closeout with the Construction Manager; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the forfeiture of the remaining Tooles-Clark retainage of \$33,896; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the \$27,000 from DiClemente Siegel Design to cover the cost of the supplemental heaters; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the \$5,057 from Neumann Smith Architects to cover the cost for the painting of the supplemental heater installation to match the station interior.

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

By Bazzy supported by Abraham.

1-48-18. WHEREAS: Purchasing recommends the award of a list of qualified nuisance abatement contractors. The vendors that have submitted a request for qualification include Dave's Contracting, Inc., R & M Contracting Corp., Inc., and Louie's Landscaping, Inc. This list shall remain active for a term of three (3) years, with two (2) one-year renewals, with an annual cost of \$49,400 for a total cost not to exceed \$247,000; therefore be it

RESOLVED: That City Council does hereby authorize a list of qualified Nuisance Abatement Contractors for a term of three (3) years, with two (2) one-year renewals, with an annual cost of \$49,400 for a total cost not to exceed \$247,000; be it further

RESOLVED: That this contract shall be financed from General Fund, Neighborhood Services Division, Contractual Services, Other Services Account. Future funding is dependent on adoption of the respective Fiscal Years budgets; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Abraham.

1-49-18. WHEREAS: The City presently has contracts with Raftary Real Estate, Heinowski Appraisal & Consulting, LLC, Integra Realty Resources - Detroit, and Terzo & Bologna Inc. (C.R. 8-408-12) for Property Appraisal Services, and

WHEREAS: The original contract specifications allow for two (2), two-year renewal options beyond the expiration of the present contract, this is the final renewal, and

WHEREAS: Raftary Real Estate, Heinowski Appraisal & Consulting, LLC, Integra Realty Resources - Detroit, and Terzo & Bologna Inc. have offered to renew the present contract prices through November 30, 2019; therefore be it

RESOLVED: That the contracts for Property Appraisal Services is hereby renewed with Raftary Real Estate, Heinowski Appraisal & Consulting, LLC, Integra Realty Resources - Detroit, and Terzo & Bologna Inc. through November 30, 2019 in the estimated amount of \$77,000 over the two (2) year contract; be it further

RESOLVED: That these contracts shall be financed from the General Fund, Assessing, Contractual Services budget and pending adoption of the respective Fiscal Year budgets for the remainder of the contract renewal term; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Byrnes.

1-50-18. WHEREAS: Allen Brothers, PLLC has represented the City of Dearborn in the matter of Fakhoury, et.al. v. City et.al. since December 2016, and

WHEREAS: It is estimated that a pending bill for legal services, future legal action, and continued representation in this litigation will require an extension of the professional services agreement in the amount of \$138,000; therefore be it

RESOLVED: That the professional services agreement with Allen Brothers, PLLC is extended in the amount of \$138,000 for this matter and funded from the Fleet & General Liability Insurance, Law Department, Legal Fees Account.

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

By Sareini supported by Herrick.

1-51-18. WHEREAS: The Dearborn Fire Department has been pursuing the improvement of the integration of dispatch data for the better part of five years. The Fire Department has reviewed all potential options including transition to a separate CAD/Dispatch System from the Police. Ultimately, the Fire Department has determined that utilization of an enhanced membership within the CLEMIS system will provide the Fire Department with the information required at the lowest possible price, and

WHEREAS: In order for the Fire Department to access real time data including the most accurate dispatch times, mapping systems, and GPS services, the Fire Department is required to become a full member of CLEMIS and will be required to purchase CLEMIS-specific hardware and software due to the security requirements of CLEMIS. This upgrade will not only improve the accuracy of the Fire Department's times, but will also reduce phone calls into the new dispatch center by approximately 16,000 calls per year by eliminating calls from firefighters to obtain run numbers and response times they were unable to get any other way, and

WHEREAS: The Fire Department is requesting authorization for the Administration to enter into an agreement with Oakland County for the purpose of providing information technology services related to CLEMIS software and for the Mayor to be allowed to sign that agreement, and

WHEREAS: This new agreement with CLEMIS will allow our current CAD/Dispatch system to integrate with both our Fire and EMS records management systems, improve accuracy of times, and eliminate existing redundancies between the dispatch center and the Fire Department. Accurate times (to the second) are also the current national standard and will be part of the Fire Department's eventual accreditation process, and

WHEREAS: The approximate costs for this project include both initial hardware and software costs as well as annual membership fees, and

WHEREAS: The Fire Department is also requesting a General Fund fund balance appropriation of \$133,200 into the Fire Department budget for the purchase of CLEMIS equipment and for the costs of first year membership. They are also requesting a transfer of \$148,000 from the Fire Department budget to the Information Systems Fund to purchase the hardware and equipment and that same amount be recognized and appropriated in the Information Systems Fund; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to enter into an agreement with Oakland County for CLEMIS hardware, software and annual membership fees; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$133,200 from the General Fund fund balance to the Fire Department budget and to transfer \$148,000 from the Fire Department budget into the Information Systems Fund and that the same amount be recognized and appropriated; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Herrick.

1-52-18. WHEREAS: The City Council adopted FY2018 budget, which included a reduction of city garbage and rubbish tax revenue of \$215,700. This same amount was recognized as revenue budget for the West Dearborn Downtown Development Authority (WDDDA), East Dearborn Downtown Development Authority (EDDDA), the Dix-Vernor Business District Improvement Authority (DVBDIA), and the Warren Business District Improvement Authority (WBDIA), for the purpose of litter pick up contracts in the districts. The accounting treatment now requires that this amount be handled as contribution from the General Fund, and

WHEREAS: It is requested that the Finance Director be authorized to appropriate the FY2018 General Fund Property Maintenance and Development Services Sanitation Division Contribution Accounts as a contribution to each of the above mentioned component units in the total amount of \$215,700 and cancel the originally requested contra revenue budget. These corrections will have a \$0 net impact to the General Fund; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to appropriate the FY2018 General Fund Property Maintenance and Development Services Sanitation Division Contribution Accounts as a contribution to the West Dearborn Downtown Development Authority (WDDDA), the East Dearborn Downtown Development Authority (EDDDA), the Dix-Vernor Business District Improvement Authority (DVBDIA), and the Warren Business District Improvement Authority (WBDIA) in the total amount of \$215,700 and to cancel the originally requested contra revenue budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Sareini supported by Byrnes.

1-53-18. WHEREAS: The City purchased the house at 2645 Byrd from the Wayne County Treasurer in August 2015 for \$4,993.65, 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 is managing the listing of the properties for sale, including 2645 Byrd, 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 2645 Byrd for sale at \$69,900, and

WHEREAS: The City Assessor determined that the minimum value for the house, in its current condition is \$60,000, and

WHEREAS: Two offers were received on this Property as follows:

1. Mario Ali Chamseddine \$65,000 mortgage
2. Dearborn Housing LLC \$58,000 cash,

and

WHEREAS: Mr. Chamseddine presented the best offer at \$65,000, subject to a mortgage, and

WHEREAS: He has been notified and has agreed to rehabilitate the house to comply with current City Code requirements and

WHEREAS: Mr. Chamseddine presented the best offer at \$65,000, subject to a mortgage and has been pre-approved for a mortgage, and

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

WHEREAS: He intends to hire a licensed contractor to perform the work and intends to occupy the house himself, and

WHEREAS: Mr. Chamseddine has agreed to the following conditions pertaining to this transaction:

1. Purchaser may not assign his purchase option without approval of the Dearborn City Council.
2. Rehabilitation of 2645 Byrd 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.
3. Once 2645 Byrd is rehabilitated, it must be owner-occupied for a minimum of 10 years.
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 2645 Byrd; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.

5. If Purchaser wishes to sell 2645 Byrd before the rehabilitation is completed, it 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.
6. The Purchaser accepts 2645 Byrd "AS IS", "WHERE IS", and the City makes no warranties or representations as to its condition.
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:

Southerly 20 ft. of Lot 893 and Northerly 30 ft. of Lot 894, Fordson Heights Sub. No. 2, City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 100 of Plats, Wayne County records.

Tax I.D.: 82-09-263-08-011
Commonly known as house located at 2645 Byrd
Lot size: 50' x 134'

to Mario Ali Chamseddine for \$65,000, subject to a mortgage; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to Mario Ali Chamseddine 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 Mario Ali Chamseddine 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 adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick and Sareini (6). No: None. Absent: O'Donnell (1).

By Sareini supported by Byrnes.

1-54-18. WHEREAS: The City purchased the house at 22668 Nona from the Wayne County Treasurer in October 2011 for \$18,578, 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 is managing the listing of the properties for sale, including 22668 Nona, 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: The Dearborn Area Board of Realtors set up a process to assign listings. Robert Marx was the chosen real estate broker and listed 22668 Nona for sale at \$69,900, and

WHEREAS: The City Assessor determined that the minimum value for the house, in its current condition is \$50,000, and

WHEREAS: Offers were received on this Property as follows:

- | | |
|---------------------------------|---|
| 1. Mary Gladstone-Highland | \$90,000 mortgage, 15-day inspection period, and 45-day rehab loan approval - offer withdrawn |
| 2. Khaled Medlej | \$76,500 cash - offer withdrawn |
| 3. Lukas Bondy | \$76,000 cash |
| 4. Ivan and Mariyka Assaliyaska | \$71,900 cash, subject to inspection |
| 5. Hassan Saab | \$70,000 cash |

- | | |
|----------------------------|---------------------------------|
| 6. Karen & Anthony Cipolla | \$67,500 cash - offer withdrawn |
| 7. Richard Rosen | \$60,000 cash |
| 8. Leanna Sayar | \$54,000 cash |
| 9. Wael Alfaish | \$50,000 cash, |

and

WHEREAS: Mr. Bondy presented the best offer at \$76,000, and

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

WHEREAS: He is a licensed builder with the State of Michigan and has represented that he will act as the general contractor who will oversee this renovation project, and

WHEREAS: He will likely renovate the house and sell it to an owner occupant, and

WHEREAS: Mr. Bondy has past experience constructing and renovating condominiums and 2 houses in Allen Park, and

WHEREAS: He has agreed to the following conditions pertaining to this transaction:

1. Purchaser may not assign his purchase option without approval of the Dearborn City Council.
2. Rehabilitation of the house must be completed within one year of closing and must comply with current Code requirements. Rehabilitation is deemed completed when the house is approved to receive a Certificate of Occupancy. Repairs must be performed by a licensed contractor.
3. Once the house is rehabilitated, it must be owner-occupied for a minimum of 10 years.

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 22668 Nona; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
5. If Purchaser wishes to sell the house before the rehabilitation is completed, the house 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.
6. The Purchaser accepts 22668 Nona "AS IS", "WHERE IS", and the City makes no warranties or representations as to its condition.
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 22668 Nona 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 22668 Nona 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 24, Blk B JB Moloney's Sub., City of Dearborn, Wayne County, MI, as recorded in Liber 15, Page 17 of Plats, Wayne County records

Tax I.D.: 82-09-214-17-004
Commonly known as house located at 22668 Nona
Lot size: 50' x 125'

to Lukas Bondy for \$76,000, cash; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said 22668 Nona to Lukas Bondy 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 Lukas Bondy 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 22668 Nona 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 adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick and Sareini (6). No: None. Absent: O'Donnell (1).

By Bazzy supported by Sareini.

1-55-18. WHEREAS: The 19th District Court has evaluated its workflow process and organizational structure. As a result, the Court determined a need to modify the adopted 2017-2018 budgeted personnel positions to reflect a staffing change. The following employee changes are requested for approval:

<u>Classification</u>	<u>Personnel Action</u>
Executive Secretary	Convert one (1) full-time position to one (1) part-time position slot
Court Officer	Add one (1) full-time position slot, eliminate one (1) part-time enforcement officer slot,

and

WHEREAS: Court security is a serious and continuous goal that requires constant monitoring. The court security officer (CSO) staffing level is a critical need in court building security. The Court currently has five (5) full-time court security officers and 3.49 full-time equivalent (FTE) part-time enforcement officers, or 8.49 FTE. Court building security guidelines reflect the following minimum staffing levels:

- 1.33 CSO for the main public entrance
- 4.39 CSO for courtrooms in session (1.33 per courtroom)
- 1.33 CSO per courtroom with in-custody defendants
- 1.33 CSO rover
- 1.33 CSO for in-custody transport
- Total: 9.71 FTE,

and

WHEREAS: Security standards estimate that each CSO post requires approximately 1.33 full-time employees to cover sick, annual leave, training etc. Court building security continues to be a priority; therefore, this action will better align the Court's resources while ensuring adequate staffing levels are maintained so that incidents can be both minimized and mitigated, and

WHEREAS: This request does not change the Court's existing staffing levels or the number of allotted full-time slots. It is anticipated that the cost to the Court's budget will be essentially neutral for the current fiscal year. Furthermore, this change will result in a long term savings due to the fact that the court officer position maximum rate of compensation is less than that of the executive secretary position; therefore be it

RESOLVED: That the 19th District Court staffing changes be and are hereby authorized by converting one Executive Secretary full-time position to one part-time position and adding one Court Officer full-time position and eliminating one part-time enforcement officer slot; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Bazzy supported by Byrnes.

1-56-18. WHEREAS: The Howard Elementary School Administration & PTA is requesting City Council approval to conduct the First Annual Howard Dragon's Color Run event on Saturday, April 28, 2018 from approximately 8:00 A.M. to 12:00 P.M., subject to all applicable ordinances, and rules and regulations of the Dearborn Police Department, and

WHEREAS: The *Howard Dragon's Color Run* is a first-time event, which the Howard Elementary School Administration & PTA are hopeful of making an annual special event for the school and entire Dearborn community. *The Howard Dragon's Color Run* event will be a half-day full of fun and fitness activities for the entire family. The event will consists of the following activities: 5K and 1-Mile Fun Color Run courses on neighborhood streets surrounding Howard Elementary School; yoga and stretching fitness sessions in York Park; a food truck rally; entertainment provided by the Dearborn High School Marching Band; and various on-site media outlets featuring Channel 955 - Detroit's #1 Hit Music Station playing music and interacting with event participants. Approximately 500 to 800 runners and walkers are anticipated to participate in this year's event, and

WHEREAS: Consistent with similar events, the *Howard Dragon's 5K and 1-Mile Fun Color Runs* will begin at the same time in order to minimize the duration of time required for street closures as runners approach various intersections designated within the run routes. Both the 5K and 1-Mile Fun Color Runs will begin at 9:00 A.M., and will start and finish in front of Howard Elementary School, and

WHEREAS: City Council approval is needed for the following:

- Closure of York Street between Lawrence and Hollander Streets from 7:00 A.M. to 1:00 P.M. in order to facilitate set-up of the color run start/finish lines, as well as, provide additional safety for the various children's activities that will be occurring in front of Howard Elementary School.
- Temporary closure of the various neighborhood streets designated within the color run routes for the period 9:00 A.M. - 11:00 A.M.
- Use of York Park in order to conduct the Yoga and Stretching Family Fitness Sessions.
- Provision of Class III Road Closure Barricades by the Public Works Department for the closure of York Street.
- Assistance from the Dearborn Police Department with the closure/re-opening of streets, as well as, traffic safety/control for the duration of the event,

and

WHEREAS: The Dearborn Police, Public Works and Recreation & Parks Department Administrations acknowledge that they are familiar with all of the details in conjunction with this event and have no immediate objection or concerns with the Howard Elementary School & PTA conducting the *First Annual Howard Dragon's Color Run* event on Saturday, April 28, 2018. Please note that this special event request is subject to full reimbursement for all City services provided; therefore be it

RESOLVED: That the Howard Elementary School Student Administration and PTA be and they are hereby granted permission to conduct their First Annual Howard Dragon's Color Run on Saturday, April 28, 2018 from 8:00 A.M. to 12:00 P.M. subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the event is subject to Howard Elementary School reimbursing the City for all City services.

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

By Bazy supported by Abraham.

1-57-18. RESOLVED: That receipt of a donation from The Museum Guild of Dearborn to the Dearborn Historical Museum in the amount of \$1,200 as part of their commitment to fund \$20,000 for the current budget 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 toward expenditures for the Museum in the General Fund Historical Department.

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

By Bazy supported by Sareini.

1-58-18. RESOLVED: That receipt of a donation from the Floyd L. and Mary Dietrich Charitable Trust in the amount of \$10,375.62 to the Dearborn Historical Museum 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 toward expenditures for the Museum in the General Fund Historical Department.

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

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:30 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk