

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

February 13, 2018

The Council convened at 7:32 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.

Pastor Joel Basely of Emmanuel Lutheran Church delivered the invocation.

By Bazy supported by O'Donnell.

2-60-18. RESOLVED: That the minutes of the previous regular meeting of January 30, 2018, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

2-61-18. RESOLVED: That City Council hereby suspends their Council Rules of Order to acknowledge Boy Scout Troop 1112 from 1<sup>st</sup> United Methodist Church & their den leader Andrew Gertz, students from Whitmore Bolles, Nowlin, and Duvall Schools in attendance at tonight's meeting.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-62-18. RESOLVED: That all bids received for Environmental Abatement, Structure Demolition and Site Restoration of the Orchard Street Project located at 7041 Orchard are hereby rejected except the bid of Universal Consolidated Enterprises in an amount not expected to exceed \$319,325, 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 Brownfield Redevelopment, E&CD, Capital Project Support budget, Project A35000 (abatement) and the General Capital Improvement, E&CD, Capital Project Support budget, Project A35000 (demolition) and local and federal assistance authorized by the U.S. Environmental Protection Agency; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-63-18. RESOLVED: That all bids received for Repair of Damaged Tennis, Basketball & Inline Skating Courts are hereby rejected except the bid of Racquet Sports in an amount not expected to exceed \$61,359.40, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement, Public Works, Engineering, Capital Project Support, Construction Services budget, Project M26000.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

2-64-18. RESOLVED: That all bids received for Water Main Replacement and Asphalt Street Resurfacing, Phase 1-2018 BG Job #2018-016 are hereby rejected except the bid of DiPonio Contracting, Inc. in an amount not expected to exceed \$891,909.50, 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 \$50,000 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 funding for this contract is contingent upon the final approval of the Community Development Block Grant (CDBG) re-programmed funds of \$205,671.33 to Project Q74031; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the CDBG reprogrammed funds when approved in the Local Street Fund; be it further

RESOLVED: That this contract shall be financed from the Local Street Fund, Public Works, Maintenance Roads & Streets, Project Q74031; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-65-18. RESOLVED: That all proposals received for Dental Benefits are hereby rejected except the proposal of Delta Dental in an amount not expected to exceed \$1,920,000 (\$615,000 year one, \$640,000 year two, and \$665,000 for year three) for three (3) years, with two (2) one-year renewals possible, that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Employee Insurance Fund, Finance Department, Self-Insured Dental, General Government, Insurance/Risk Management, and Professional Services. Future funding is pending the adoption of the respective Fiscal Year budgets.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

2-66-18. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal Cooperative Program, Contract No. 071-B7700181 for a 2018 Ford Escape for the Police Department, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply this vehicle at a unit cost of \$21,270; therefore be it

RESOLVED: That a purchase order be awarded to Gorno Ford in an amount not to exceed \$21,270 for a 2018 Ford Escape for the Police Department; be it further

RESOLVED: That this purchase order shall be financed from the Fleet and Equipment Replacement Fund, Police, Capital Equipment budget.

The resolution was unanimously adopted.

By O'Donnell supported by Herrick.

2-67-18. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal Cooperative Program, Contract No. 071-B7700181 for a 2018 Ford F-150 for the Recreation and Parks Department, and

WHEREAS: Gorno Ford, the authorized distributor for the State of Michigan, will supply this vehicle at a unit cost of \$24,676; therefore be it

RESOLVED: That a purchase order be awarded to Gorno Ford in an amount not to exceed \$24,676 for a 2018 Ford F-150 for the Recreation and Parks Department; be it further

RESOLVED: That this purchase order shall be financed from the Fleet and Equipment Replacement Fund, Recreation, Capital Equipment budget.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-68-18. WHEREAS: The City presently has a contract with Commercial Grounds for Snow and Ice Removal Services for City Buildings, Various Parking Lots, and Sidewalks, and

WHEREAS: The Department of Public Works is requesting to increase the contract in the amount of \$15,303 for Snow and Ice Removal Services for City Buildings, Various Parking Lots, and Sidewalks, bringing the total contract to an amount not expected to exceed \$40,808; therefore be it

RESOLVED: That the contract for Snow and Ice Removal Services for City Buildings, Various Parking Lots, and Sidewalks with Commercial Grounds is hereby increased in the amount of \$15,303, bringing the total contract to an amount not expected to exceed \$40,808; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Parks Division, Contractual Services budget; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$10,205 from the General Fund FY2018 fund balance to the Public Works contract service account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

2-69-18. WHEREAS: The City presently has a contract with Four Seasons Property Management (C.R. 11-592-15) for Snow Removal Services for City Parking Lots, and

WHEREAS: The Department of Public Works is requesting to increase the contract in the amount of \$40,125 for Snow Removal Services for City Parking Lots, bringing the total contract amount to \$107,000; therefore be it

RESOLVED: That the contract for Snow Removal Services for City Parking Lots with Four Seasons Property Management is hereby increased in the amount of \$40,125, bringing the total to an amount not expected to exceed \$107,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Highways Division, Contractual Services budget; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$26,750 from the General Fund FY2018 fund balance to the Public Works contract service account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

2-70-18. WHEREAS: The City of Dearborn Treasury Division reported \$285,922.32 in delinquent miscellaneous and special assessment billings as of December 31, 2017, and

WHEREAS: In accordance with City Charter, the Treasury Division certifies that the amounts are due the City for the several services affecting private property as follows:

Tall (Weed Cuttings)	\$ 87,935.38
Litter	8,177.75
Trash	306.50
Nuisance Abatements	12,793.00
Special Pickup	3,790.00
Ordinance Special Pickup	5,527.50
Recycle Bins	3,300.00
Secure/Board-Up Building	685.50
Demo/Demo Related Bills	48,280.20
False Alarm Bills	57,026.75
Fire False Alarm Bills	4,950.00
Snow Removal	509.75
General Fund Interest	10,917.39
Sidewalk Bills	2,621.93
<u>Sewer</u>	<u>39,100.67</u>
<b>Total</b>	<b>\$285,922.32</b>

and

WHEREAS: The City of Dearborn Treasury Division requests that these miscellaneous receivable and special assessment items be spread on the 2017 Miscellaneous Receivable Assessment Roll as supported by the subsidiary Accounts Receivable systems; therefore be it

RESOLVED: That this Council does hereby confirm and approve the Consolidated Miscellaneous Roll for 2017 for the several services affecting private property in the approximate amount of \$285,922.32 plus 25% per Council Resolution 11-1102-02; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Abraham supported by O'Donnell.

2-71-18. WHEREAS: The Finance Department is currently beyond the half-way point of the FY18 budget which allows them to more accurately calculate budget-to-actual performance to project year-end capacity. Based on this analysis, they have determined that certain departments will require additional resources to accommodate payroll activities associated with the recent adoption of C.R. 1-1-18 Compensation for Appointed Officers and C.R. 1-30-18 Human Resources Administrator salary pursuant to the related Civil Service Commission resolution. Therefore, it is requested that the Finance Director be authorized to appropriate General Fund fund balance in the estimated amount of \$27,500 in the following departments:

Mayor	\$ 4,300
Legal	\$ 4,100
Human Resources	\$ 6,800
Public Information	\$ 2,000
Fire	\$ 4,900
PMDS	\$ 3,200
Public Works	\$ 700
Economic Community Development	\$ 1,500

therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to appropriate General Fund fund balance in the estimated amount of \$27,500 in several departments as listed above to accommodate payroll activities associated with the adoption of C.R. 1-1-18 and C.R. 1-30-18.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-72-18. WHEREAS: City Council adopted CR 1-23-18, approving the sale of 2264 Queen to Sean and Sophia Dietrich for \$58,500, and

WHEREAS: Due to a miscommunication, it is requested that CR 1-23-18 be rescinded and replaced to reflect the purchaser's name as D & A Property Management, LLC (not Sean and Sophia Dietrich), and

WHEREAS: Sean and Sophia Dietrich had originally made an offer to purchase 2264 Queen for \$50,000; the City made a counter-offer since the City Assessor determined that the minimum value for the house is \$58,500, and

WHEREAS: When the real estate broker made the counter-offer to the Dietrich's, they declined. However, an offer from D & A Property Management, LLC to purchase the house for \$58,500 was submitted shortly thereafter, and

WHEREAS: Due to a miscommunication, it was not clear that a purchaser other than the Dietrich's had made an offer, and

WHEREAS: D & A Property Management, LLC, by its managing members Hussein Diab and Ali Anani presented an offer that is equal to the Assessor's minimum bid price, and

WHEREAS: Mr. Diab and Mr. Anani have been notified and have 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: They intend to hire a licensed contractor to perform the work and intend to sell it for owner-occupancy once the rehabilitation is completed, and

WHEREAS: Mr. Diab and Mr. Anani have agreed to the following conditions pertaining to this transaction:

1. Purchaser may not assign its purchase option without approval of the Dearborn City Council.

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.
3. Once the Property 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 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.
5. If Purchaser wishes 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%, less 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 the Property "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%, less 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; therefore be it

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 D & A Property Management, LLC, for \$58,500 cash; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to D & A Property Management, 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, approved by Corporation Counsel and based upon D & A Property Management, LLC, 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 hereby rescinds and replaces CR 1-23-18; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-73-18. RESOLVED: That the Dearborn Allied War Veterans Council is hereby granted curb to curb control and permission to conduct the 94<sup>th</sup> Annual Memorial Day Parade on Monday, May 28, 2018 from 9:00 A.M. to approximately 12:00 P.M. on Michigan Avenue (from Maple to the new Veterans Park and War Memorial at Henry Ford Centennial Library) subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council hereby grants permission to the Dearborn Allied War Veterans Council to use the front of the Henry Ford Centennial Library and the Veterans Park and War Memorial until 2:00 P.M. for the noon remembrance ceremony and the usual activities associated with Memorial Day including a roped off area west of the library to be used for beer sales; be it further

RESOLVED: That City Council hereby grants permission to the Dearborn Allied War Veterans Council to close Maple Road from Schaefer Road to Michigan Avenue from 8:00 A.M. to 1:00 P.M. with use of City owned parking lots on Calhoun, Neckel as well as the Cityscape Lot for the funeral procession, and the staging of parade participants; be it further

RESOLVED: That City Council hereby authorizes the Dearborn Allied War Veterans Council to conduct its annual raffle with proceeds directed to help fund its programs and projects and hereby gives all rights to public vending to the Dearborn Allied War Veterans Council and its selected vendors.

The resolution was unanimously adopted.

2-74-18. City of Highland Park City Council -  
Submitting a resolution regarding official notice to Great  
Lakes Water Authority regarding request for meeting to  
resolve contract issues, disproportionate sewer billing  
practices, failure to abide by Federal Court  
judgments/agreements, and public slander.

This communication was received and ordered  
filed.

There being no further business, upon a  
motion duly made, seconded and adopted, the Council then  
adjourned at 8:05 P.M.

APPROVED:

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President of the Council

ATTESTED:

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City Clerk