

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

February 27, 2018

The Council convened at 7:33 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.

Reverend Lim of the Good Shepherd United Methodist Church delivered the invocation.

By O'Donnell supported by Byrnes.

2-75-18. RESOLVED: That the minutes of the previous special meeting of February 6, and regular meeting of February 13, 2018, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

Councilmember Bazy introduced Ordinance No. 18-1607, entitled, "An Ordinance to Amend the City of Dearborn Employees Retirement System (Chapter 22)."

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 Herrick.

2-76-18. RESOLVED: That proposed Ordinance No. 18-1607 be laid on the table.

The resolution was unanimously adopted.

Councilmember Bazzy introduced Ordinance No. 18-1608, entitled, "An Ordinance to Amend the City of Dearborn Police and Fire Revised Retirement System (Chapter 23)."

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 Byrnes.

2-77-18. RESOLVED: That proposed Ordinance No. 18-1608 be laid on the table.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

2-78-18. WHEREAS: The United States Army Corps of Engineers (USACE) is requesting a right of entry permit for survey and exploration as well as geo-tech core samples as a preliminary project investigation. In order to complete analysis for the project, several surveys must be completed to include cultural resources, wetland delineation and threatened and endangered species survey. While most of the surveys will be visual in nature, some surveys will require shovel tests and/or vegetation sample collection to be conducted. This work is part of the USACE's study into the potential removal of the concrete channel, and

WHEREAS: The United States Army Corps of Engineers is also requesting that the City execute a Right of Entry (ROE) Agreement provided by the USACE, and

WHEREAS: The Engineering Division and Legal Department have reviewed the request and have no objection to the work provided that the subcontractors hired by USACE for this phase of the project name the City as an additional insured on their applicable insurance policies. While the City would prefer a hold harmless agreement, USACE has historically refused to provide these agreements, and

WHEREAS: The Engineering Division also recommends that the City Council authorize the Mayor to execute the requested ROE Agreement with the USACE; therefore be it

RESOLVED: That the United States Army Corps of Engineers (USACE) be and is hereby authorized a right-of-way entry permit for City Properties along the Rouge River channel for Visual Survey and Soil/Vegetation Samplings subject to certain stipulations; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute a Right of Entry (ROE) Agreement with the USACE; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

2-79-18. RESOLVED: That all proposals received for a Benefit Administration System are hereby rejected except the proposal of Benefits Technology by Benefits People (BenTek) in an amount not to exceed \$41,500 for the first year and \$31,500 for subsequent years totaling \$356,500, 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 contract shall be for a term of five years with two (2), three-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$41,500 from the Employee Insurance Fund FY2018 Retained Earnings to cover fees associated with the BAS; be it further

RESOLVED: That this contract shall be financed from the Employee Insurance Fund. Future funding is pending the adoption of the respective Fiscal Year budgets.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

2-80-18. RESOLVED: That all bids received for Mechanical Systems Inspections at Hubbard Manors East and West are hereby rejected except the bid of Johnson Controls in an amount not expected to exceed \$180,000, 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 contract shall be for a term of two years with up to three (3), one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$20,000 from the Senior Apartment Fund Retained Earnings to the Senior Apartments Operating Fund, Housing, Repair and Maintenance budget; be it further

RESOLVED: That this contract shall be financed from the Senior Apartments Operating Fund, Housing, Repair and Maintenance budget. Future funding is contingent upon adoption of the respective Fiscal Year budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

2-81-18. WHEREAS: The City of Dearborn submitted a grant application for the America Walks Community Change Micro Grant which was subsequently awarded for the development of a decorative crosswalk pattern in the Dix-Vernor corridor in an effort to improve cross-corridor access for pedestrian and bicycle traffic, and

WHEREAS: The grant award is supported by the City of Dearborn's 2030 Master Plan, revitalizing and enhancing corridors; therefore be it

RESOLVED: That the Dearborn City Council authorizes the Finance Director to recognize and appropriate the \$1,500 grant from the America Walks Community Change Micro Grant in the Dix-Vernor Business District Improvement Authority.

The resolution was unanimously adopted.

By O'Donnell supported by Bazy.

2-82-18. RESOLVED: That City Council hereby authorizes the Director of Finance to appropriate the sum of 800,000 from the Senior Apartment Fund Retained Earnings to the Senior Apartment Operating Fund Housing for the identified items of improvements for Hubbard Manors East and West as listed below:

Project Number	Project Description	FY 17/18 Request
H45209 Project Increase	Common Room Kitchens Hubbard Manors E &W	\$14,220
H45615 Project Increase	Rooftop Air Handlers HME & HMW	\$201,000
H45675	Security Cameras-Key Card Entry HME & HMW	\$94,500
H45690	lobby HVAC Replacement HME &HMW	\$94,500
H45715 Project Increase	Emergency Generator Replacement & Upgrade HME & HMW	\$100,000
H45710	Vacant Unit Renovations HME & HMW	\$186,334
2017 Contract Increase	SCI Flooring for Modernization of 60 units (\$800/unit)	\$48,000
2017 Contract Increase	GE appliances for Modernization of 60 units (\$800/unit)	\$48,000
2017 Contract Increase	Painting by Eco Painting for Modernization of 60 units (\$255/unit)	\$12,750
Total	\$799,304	

be it further

RESOLVED: That the resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Herrick.

2-83-18. RESOLVED: That City Council hereby approves the Revised City-wide Travel Policy adopted by C.R. 5-327-09.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

2-84-18. WHEREAS: The City of Dearborn is drawing close (March 7, 2018) to submitting the application for Transportation Alternatives Program (TAP) funding through the Michigan Department of Transportation (MDOT) to assist in the streetscape and median improvements to Michigan Avenue within the West Downtown Area. The Council has approved \$3 million for this project, and the request is pending for an additional \$2 million in MDOT support to complete the segment between Outer Drive on the west and Elm Street (Dingell Transit Center) on the east, and

WHEREAS: A great deal of discussion, analysis and design has occurred to maximize the improvements to this corridor to improve its image, walkability, traffic calming, appearance and function to balance the need to move traffic on a state trunk line and for Michigan Avenue to serve as Dearborn's Main Street. To that end, the concept of adding medians to the downtown segments has been developed and explored. MDOT staff has worked closely with the City to determine what may or may not work, and in the final analysis, MDOT must approve the design and its related traffic and safety measures prior to any improvements occurring, and

WHEREAS: The current design, as prepared by the City's consultants with input and review from MDOT staff, contemplates medians only in the core of the downtown from Military Street to Oakwood Boulevard. This will minimize disruption of the center left turn on a corridor that is very old, and disturbing a subsurface road base that has many unknowns. There has been a strong desire by the City to have some medians to calm traffic and improve the aesthetics of the district, so this compromise will achieve those goals within the walkable core now, while the remainder of the medians between Outer Drive and Elm will be added when the road is reconstructed at some date in the future (yet to be determined), and

WHEREAS: During MDOT's analysis of the medians as proposed, they have suggested eliminating as many left turn movements within the downtown area as possible to maximize smooth traffic flow in a zone where more pedestrians will be crossing. The current proposal would only allow left turn movements at Military and Oakwood (and potentially Monroe). This will cause drivers accessing the district to move to Garrison and West Village

Drive from both ends and through traffic to proceed unimpeded. This scenario is used in many downtown districts successfully and relies on drivers finding the "path of least resistance" to reach their destinations, and

WHEREAS: An important aspect of this project is that the City requires a letter of support from MDOT to be able to move this project into the application review process for TAP funding. To obtain the MDOT letter of support, several commitments are required by MDOT of the City, especially pertaining to the installation of medians within the roadway of a state trunk line. Essentially, MDOT is requiring the City to take responsibility for the center lane of the roadway where the medians are installed, to maintain it, and to repair it if it is damaged by any traffic accidents for the life of the improvements. Maintenance of the medians will be rolled into DDA programs in the district, but there are likely some additional costs for the periodic repair of the median structures when damaged, and

WHEREAS: It is requested that the City Council to authorize the Mayor to sign this letter in its final form as approved by Corporation Counsel and the City Engineer for submittal to MDOT to secure their support for the Michigan Avenue project; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to sign a Commitment Letter to MDOT in its final form as approved by Corporation Counsel and the City Engineer to secure MDOT support for the Michigan Avenue Streetscape/Medians project; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

2-85-18. WHEREAS: In the spring of 2017, vacant City-owned property was advertised for sale for four weeks in the Dearborn Press & Guide, the City's website, and on CDTV. Among those parcels offered was a vacant parking lot located at 14255 Michigan Avenue, zoned B-C. This property was advertised for sale for the construction of a minimum two-story and mixed use structure, and

WHEREAS: The minimum bid price for this property was \$55,000; four bids were received on this property as follows:

- | | |
|--------------------------|--------------|
| 1. Hassan Achkar | \$100,250.00 |
| 2. Hassan Sharara | \$ 80,900.00 |
| 3. Yousef Mohamed | \$ 71,101.01 |
| 4. Freetown Construction | \$ 70,050.00 |

and

WHEREAS: Hassan Achkar was the highest bidder, but withdrew his bid and forfeited the bid deposit, stating he no longer wished to purchase this property due to financial reasons, and

WHEREAS: Hassan Sharara was the next highest bidder and offered to purchase 14255 Michigan Avenue for the sum of \$80,900. He submitted the required \$500 bid deposit and executed a purchase agreement with an additional earnest money deposit of \$8,090, and

WHEREAS: Mr. Sharara then appeared before Council and requested that the City allow him to purchase the property in the name of his company, Charara Estate, Inc., stating that it would be easier to secure a performance bond if the deed was titled in his company's name rather than his individual name, and

WHEREAS: A performance bond of \$100,000 is one of the City-imposed requirements to ensure completion of the project within 18 months of closing, and

WHEREAS: City Council adopted CR 9-470-17, authorizing Mr. Sharara to purchase the property in the name of his company, Charara Estate, Inc., and

WHEREAS: To date, deposits in the amount of \$8,590 have been submitted with the bid and purchase agreement by Mr. Sharara in his personal capacity, not in the name of Charara Estate, Inc., and

WHEREAS: According to Hassan Sharara and Mohamed Charara on behalf of the company, Charara Estate, Inc., was unable to secure a \$100,000 performance bond, and

WHEREAS: They made application with several bonding companies without success, and

WHEREAS: Charara Estate, Inc. is requesting the City waive its performance bond requirement and also grant its request for an extension of time in which to close since the delay in closing was due to the issues relating to the several attempts to secure a performance bond. Closing was required to take place by December 11, 2017, and

WHEREAS: Another company that Mr. Sharara is affiliated with (Prestige 1 Construction), has been involved in residential renovation projects in the past (no commercial experience) in Dearborn, and

WHEREAS: The Property Maintenance & Development Services Department does not support waiver of the performance bond requirement; therefore be it

RESOLVED: That Charara Estate, Inc.'s request to waive the performance bond and to extend the time in which to close on the purchase of 14255 Michigan Avenue is denied; be it further

RESOLVED: All deposits submitted by Mr. Sharara shall be returned, except the \$500 bid deposit; be it further

RESOVLED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Bazzy.

2-86-18. RESOLVED: That Running Fit, Inc. be and they are hereby granted permission to conduct their 12th Annual Martian Marathon - "Invasion of Races" on Saturday, April 14, 2018 from 7:00 A.M. to 3:00 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That all five (5) Martian Marathon races will begin and end in the main parking lot at Ford Field; be it further

RESOLVED: That City Council hereby authorizes assistance from the Dearborn Police Department to facilitate the movement of vehicular and participant foot traffic to conduct the event in a safe and lawful manner; be it further

RESOLVED: That City Council hereby authorizes the Chief of Police to make application and sign all required documents relating to the issuance of the necessary state and county permits as follows:

1. Usage and closure of the curb lane and next lane of eastbound Ford Road between Golfview and the exit ramp to Evergreen Road. Also, placement of barricades/traffic cones in this area to denote same.
2. Usage and closure of the exit ramp from southbound Hines Drive to Ford Road and the exit ramp from eastbound Ford Road to Evergreen Road.
3. Usage and closure of the curb lane and next lane of northbound Outer Drive from approximately Nash Street to Military Street. Also, placement of barricades/traffic cones in this area to denote same.
4. Usage and placement of DPW barricades and arrow trucks to assist with the closure of the above areas. The City of Dearborn agrees to place, erect and remove the barricades and trucks.
5. Usage of Dearborn Police Officers for crowd control, traffic control and general security of the event.
6. The event shall not commence before 7:15 A.M. and will conclude by 2:00 P.M.

be it further

RESOLVED: That this event is subject to reimbursement from Running Fit, Inc. for all incurred manpower costs of the City of Dearborn.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

2-87-18. RESOLVED: That the Friends for Animals of Metro Detroit (FAMD) be and they are hereby granted permission to conduct the 13th Annual Mutt Strut and Pet Expo on Saturday, May 12, 2018 from approximately 8:00 A.M. to 3:00 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the Mutt Strut routes are attached and that all participants in the events shall be restricted to utilizing the sidewalks only, and no portion of the roadways designated within the dog walk route and must make lawful and proper use of all traffic signals and signs in a manner so as not to interfere with any vehicular or pedestrian traffic; be it further

RESOLVED: That City Council hereby approves the installation of street light pole banners (along Michigan Avenue between Brady and Military Streets) and temporary lawn signs/balloons (along Brady Street between Cherry Hill Road & Morley Street and on the Rouge River Gateway Trail, and along Garrison Street between Brady and Haigh Streets); waives all ECD permitting fees (tents, electrical and sidewalk/temporary sales, etc.) for all merchandise/food vendors; and authorizes assistance and use of materials from the following departments: Recreation & Parks, Public Works, Police, and Property Maintenance & Development Services Department.

The resolution was unanimously adopted.

By Byrnes supported by Sareini.

2-88-18. WHEREAS: The Dearborn City Council supported the submission of a grant application titled "City of Dearborn Sustainable Lawns 50/50 Cost-Share" which was subsequently awarded by the Great Lakes Commission's Great Lakes Emerging Champions Mini-Grant Program for the development of a cost-share program that encourages Improvements to residential lawns and environmental stewardship through water quality and Best Management Practices, and

WHEREAS: The grant award is supported by the City of Dearborn's 2030 Master Plan, imploring sustainable practices be implemented, and

WHEREAS: ITC Transmission Company has donated an additional \$1,000 to support the City of Dearborn Sustainable Lawns 50/50 Cost-Share program; therefore be it

RESOLVED: That the Dearborn City Council authorizes the Finance Director to recognize and appropriate the additional donation of \$1,000 from ITC Transmission Company in the City Plan division of the Legal Department.

The resolution was unanimously adopted.

By Dabaja supported unanimously.

2-89-18. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of James (Jimmy) Berry, 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 8:54 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk