

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

March 13, 2018

The Council convened at 7:35 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazzy, Byrnes, Herrick, O'Donnell, Sareini and President of the Council Dabaja; absent, none. A quorum being present, the Council was declared in session.

Chaplain Marianne Burnett of Beaumont Hospital-Dearborn delivered the invocation.

By O'Donnell supported by Sareini.

3-92-18. RESOLVED: That the minutes of the previous regular meeting of February 27, 2018, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

3-93-18. RESOLVED: That City Council hereby suspends their Council Rules of Order to acknowledge William Morano - State Wrestling Champion from Edsel Ford High School.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

3-94-18. RESOLVED: That Ordinance No. 18-1607 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 18-1607 entitled, "An Ordinance to Amend the City of Dearborn Employees Retirement System (Chapter 22)."

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?"

3-94-18. Upon roll call the Ordinance was unanimously adopted.

By Bazzy supported by O'Donnell.

3-95-18. RESOLVED: That Ordinance No. 18-1608 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 18-1608 entitled, "An Ordinance to Amend the City of Dearborn Police and Fire Revised Retirement System (Chapter 23)."

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?"

3-95-18. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by Bazzy.

3-96-18. RESOLVED: That all bids received for Bituminous Patching Work on the City's Parking Lots and Park Facilities 2017/2018 - Job 2018-014 are hereby rejected except the bid of Al's Asphalt Paving Co. in an amount not expected to exceed \$380,976, 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 recognize and appropriate \$177,000 of the General Fund balance and \$36,384 of the Library Fund balance as a contribution to the General Capital Improvement Fund, Project M26000; be it further

RESOLVED: That a contingency in the amount of \$40,000 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 General Capital Improvement, Public Works, Engineering, Capital Project Support, Construction Services budget, Project M26000.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

3-97-18. RESOLVED: That all bids received for Construction of the Dearborn-Oakwood Hospital Storm Sewer, Job #2015-034 are hereby rejected except the bid of Zito Construction Co. in an amount not expected to exceed \$6,541,270, 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 an additional budget appropriation in the amount of \$1,300,000 from the Sewer Fund Retained Earnings be and is hereby authorized. This amount includes Engineering and inspection charges of \$650,000; be it further

RESOLVED: That a contingency in the amount of \$150,000 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 Sewer Fund, Public Works, Capital Project Support, Construction Services budget, Project N69000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

3-98-18. RESOLVED: That all bids received for a Replacement Projector and Lens to be used in the Michael A. Guido Theater are hereby rejected except the bid of TEL Systems (Thalner Electronic Laboratories, Inc.) in an amount not expected to exceed \$50,950, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Facilities Fund, Recreation Department, Theatre Division, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

3-99-18. RESOLVED: That all bids received for Mosquito Control Supplies are hereby rejected except the bid of Univar in an amount not to exceed \$29,392, 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 one year with two (2), one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the Sewer Fund, Public Works, Operating Supplies budget.

The resolution was unanimously adopted.

By Byrnes supported by Abraham.

3-100-18. RESOLVED: That all proposals received for a Tee-Time Reservation System are hereby rejected except the proposal of GolfNow, LLC in an approximate amount of \$127,680, 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 value of the contract shall be determined by the trade in tee-times given to the vendor in exchange for the use of the reservation system; 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.

This resolution was unanimously adopted.

By Abraham supported by Herrick.

3-101-18. WHEREAS: The City is eligible for contract pricing through the U.S. Communities Contract EV2370 for purchase of As-Needed Electrical Supplies, and

WHEREAS: The Purchasing Division recommends the purchase via a cooperative contract for as-needed electrical supplies from Graybar Electric, U.S. Communities Contract EV2370, and

WHEREAS: This contract is effective February 1, 2018 through January 31, 2023, in an amount not expected to exceed \$500,000 (\$100,000 per year); therefore be it

RESOLVED: That purchases of As-Needed Electrical Supplies, is hereby awarded to Graybar Electric via the U.S. Communities Contract EV2370 for the period February 1, 2018 through January 31, 2023 in an amount not expected to exceed \$500,000 (\$100,000 per year); be it further

RESOLVED: That this contract shall be financed from various departmental budgets as needed. Future funding dependent upon adoption of the respective Fiscal Year budgets.

The resolution was unanimously adopted.

By Byrnes supported by O'Donnell.

3-102-18. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal contract #071-B3200141 for a Model 19XPC Bandit Intimidator Chipper for the Department of Public Works, and

WHEREAS: Bandit Industries, Inc., will supply a Model 19XPC Bandit Intimidator Chipper in an amount not to exceed \$63,748; therefore be it

RESOLVED: That a purchase order be awarded to Bandit Industries, Inc. in an amount not to exceed \$63,748 for a Model 19XPC Bandit Intimidator Chipper for the Department of Public Works; be it further

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

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

3-103-18. 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; therefore be it

RESOLVED: That Ground Works Solutions, Inc. be designated as a sole source for purchase of Uretek Polymer Sealing Services of the sewer pipe joints from Brady to Silvery Lane in an amount not to exceed \$50,000 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 Sewer Fund, Public Works, Sewerage Division, Facilities Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

3-104-18. 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; therefore be it

RESOLVED: That DTE Energy be designated as a sole source for Purchase and Installation of 30 Special Order Lamp Posts and 36 new LED Light Fixtures in an amount not expected to exceed \$220,865 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 Facilities Fund, Economic and Community Development, Public Works, Capital Project Support budget, Project A65000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

3-105-18. WHEREAS: Ordinance No. 05-1062, Section 2-569, authorizes a Cooperative Purchase in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a cooperative purchase; therefore be it

RESOLVED: That the cooperative purchase of CLEMIS Equipment for the Fire Department in the total amount of \$91,302.92 be awarded to Dell Marketing in the amount of \$61,500 and CDW Government in the amount of \$29,802.92 and that the Purchasing Agent be authorized to enter into contracts for the aforementioned items; be it further

RESOLVED: That these purchase orders shall be financed from the Information Systems Fund, Management Information Services, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

3-106-18. WHEREAS: The City presently has a contract with Canfield Equipment Service (C.R. 4-167-17) for Vehicle Upfitting Services, and

WHEREAS: The Management Information Systems Department is requesting to increase the contract in the amount of \$56,000 for Vehicle Upfitting Services, bringing the total contract to \$691,000; therefore be it

RESOLVED: That the contract for Vehicle Upfitting Services with Canfield Equipment Service is hereby increased in the amount of \$56,000, bringing the total contract to \$691,000; be it further

RESOLVED: That this contract increase shall be financed from the Information Systems Funds, Management Information Services, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by O'Donnell.

3-107-18. WHEREAS: The City presently has a contract with Zuniga Cement Construction, Inc. (C.R. 3-122-16 & 2-75-17) for Street Paving, Curb, Catch Basin, and Sidewalk Replacement, and

WHEREAS: The original contract specifications allow for two, one-year renewal options beyond the expiration of the present contract, this is the second and final renewal; therefore be it

RESOLVED: That the contract for Street Paving, Curb, Catch Basin, and Sidewalk Replacement - 2018, Phase 1, Job #2018-024 is hereby renewed with Zuniga Cement Construction, Inc. in an amount not expected to exceed \$3,232,050; be it further

RESOLVED: That this contract shall be financed from the Major Street & Trunkline and Local Street Funds, Maintenance Roads & Streets budgets, the Water and Sewer Funds, Capital Project Support budgets, and the General Capital Improvement Fund, Capital Project Support budget, Project Q74032 (\$2,382,050); the General Capital Improvement Fund, Capital Project Support budget, Project Q59017 (\$500,000); and Major Street & Trunkline Fund, Maintenance Roads & Streets budget, Project Q74035 (\$350,000); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

3-108-18. WHEREAS: The City presently has a contract with ASU Group (C.R. 3-127-15) to Provide Third Party Administrator Services for Workers' Compensation claims, and

WHEREAS: The original contract specifications allow for two, one-year renewal options beyond the expiration of the present contract, and

WHEREAS: ASU has offered a reduced rate for its administration fees and file review fees if the City agrees to commit to a two-year renewal rather than two, one-year renewals which will result in a new expiration date of April 6, 2020; be it

RESOLVED: That the contract to Provide Third Party Administrator Services for Workers' Compensation claims is hereby renewed with ASU Group through April 6, 2020 in an amount not expected to exceed \$37,000 per year, with a total value for two years of \$74,000; be it further

RESOLVED: That this contract shall be financed from the Workers' Compensation Fund, Risk Management, Professional Services budget. Future funding is pending adoption of the respective Fiscal Year budgets.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

3-109-18. RESOLVED: That City Council hereby authorizes the City of Dearborn to enter into an Inter-Governmental Agreement (IGA) with Wayne County for the acceptance and recognition of a FY18 Wayne County Parks Millage Allocation in the amount of \$83,000 to assist in funding the Levagood Park Comfort Station and sand volleyball court improvements at Lapeer Park; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to appropriate the FY18 Wayne County Parks Millage Allocation in the amount of \$83,000 for expenditures; be it further

RESOLVED: That upon final execution of the IGA with Wayne County, additional funding in the amount of \$63,000 will be allocated to Project #I29500 (Levagood Park Comfort Station Replacement), and funding in the amount of \$20,000 to establish Project #I52515 (Lapeer Park Improvements); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

3-110-18. WHEREAS: The Henry Ford Village Senior Community is seeking City Council approval to utilize a small portion of the City-owned parking lot at the Dearborn Ice Skating Center (DISC) for the purpose of providing off-site parking for Henry Ford Village employees, residents, and visitors of the Village while parking lot and roof renovations are under way, subject to all applicable ordinances, rules and regulations, and

WHEREAS: Henry Ford Village would like to use approximately 100 to 150 parking spaces in the west parking lot furthest from the Dearborn Ice Skating Center (DISC) from 5 a.m. to 6 p.m., seven (7) days per week. Weekend use will be much lower due to less scheduled employees. Henry Ford Village plans to provide shuttle service to and from its campus for employees, residents, and visitors who park in the lot, and

WHEREAS: The parking lot and roof construction projects at Henry Ford Village are scheduled to begin on or around April 1, 2018 and end approximately by November 1, 2018. The Henry Ford Village has agreed to a monthly lease rate per space of \$20.00. The monthly lease fee will be between \$2,000 to \$3,000 per month. This lease rate was established after consultation with the City Assessor and the Legal Department; therefore be it

RESOLVED: That the Mayor be and is hereby authorized to execute a parking lease agreement with Henry Ford Village for use of parking spaces in the City-owned lot west of the Dearborn Ice Skating Center (DISC) with a monthly lease fee between \$2,000 and \$3,000 per month.

This resolution was unanimously adopted.

By Sareini supported by Byrnes.

3-111-18. WHEREAS: The City purchased the house at 3736 Katherine from the Wayne County Treasurer in August 2015 for \$6,072.34, 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 3736 Katherine, 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 3736 Katherine for sale at \$69,900, and

WHEREAS: The City Assessor determined that the minimum value for the house, in its current condition, is \$40,000, and

WHEREAS: Innovative Property Investments, LLC, by Lisa Fawaz, its Member, submitted an offer for \$52,000, cash sale, and

WHEREAS: Ms. Fawaz 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: She intends to hire a licensed contractor to perform the work and intends to sell the house to an owner-occupant once it is rehabilitated, and

WHEREAS: Ms. Fawaz has 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%, 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". 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; therefore be it

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

Lot 78, South Dearborn Park Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 39, page 79 of Plats, Wayne County records.

Commonly known as 3736 Katherine
Tax I.D. #82-09-341-01-018

to Innovative Property Investments, LLC for \$52,000 cash; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said Property to Innovative Property Investments, 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 Innovative Property Investments, 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 is given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

3-112-18. WHEREAS: The City Council Office is requesting authorization in FY2018 to increase current budgeted staffing levels by one full-time position for an Executive Assistant, E24 in the Executive and Administrative group; requesting to convert one full-time budgeted position of Office Assistant III, W22 in the Municipal Workers of Dearborn group to an Office Assistant I, W12; moreover, to eliminate one part-time position in order to meet a rising demand for service and succession planning of the office. Request will require a budget reallocation from the offices part-time wage account to the full-time wage account to provide FY2018 with sufficient funding for this request; therefore be it

RESOLVED: That a Full-Time Staffing Change be and is hereby authorized for the City Council Office by adding one Executive Assistant full-time position, converting one Office Assistant III full-time position to one Office Assistant I full-time position and eliminating one part-time position; be it further

RESOLVED: That a budget reallocation from Council's part-time wage account to the full-time wage account be and is hereby authorized.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

3-113-18. RESOLVED: That the proposed resolution by Councilmembers Abraham and Sareini authorizing the City Clerk's Office to waive the fees for up to five death certificates for any Veteran who resided in Dearborn at the time of their death be and is hereby tabled.

The resolution was unanimously adopted.

By Byrnes supported by O'Donnell.

3-114-18. RESOLVED: That the Knights of Columbus, Father Patrick O'Kelley Council, No. 3860 be and they are hereby granted permission to solicit donations on the streets, sidewalks, and other public areas within the City of Dearborn for their annual Tootsie Roll Drive to benefit People with Intellectual Disabilities on March 23, 24 and 25, 2018, subject to the rules and regulations of the Police Department and Section 18-559 of the City Code.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

3-115-18. RESOLVED: That City Council authorizes the Dearborn Exchange Club to host a street collection drive on Saturday, April 28, 2018 in conjunction with the annual "Mutt Strut and Pet Expo" to be held on Saturday, May 12, 2018 with all funds raised directly benefitting the Friends For Animals of Metro Detroit, subject to the rules and regulations of the Police Department and Section 18-559 of the City Code.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:45 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk