

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

May 1, 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 Terri Pilarski of Christ Episcopal Church delivered the invocation.

By O'Donnell supported by Bazy.

5-184-18. RESOLVED: That the minutes of the previous regular meeting of April 17, 2018, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By O'Donnell supported by Sareini.

5-185-18. RESOLVED: That City Council hereby suspends their Council Rules of Order allowing the presentation of a citation honoring Ali Kabbani for his success and being nationally recognized in the gaming industry.

The resolution was unanimously adopted.

Councilmember Bazzy introduced Ordinance No. 18-1611, entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 16.00, Section 16.02, Entitled 'Permitted Uses and Structures'."

The Clerk read the Ordinance by title.

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

By Herrick supported by O'Donnell.

5-186-18. RESOLVED: That proposed Ordinance No. 18-1611 be laid on the table.

The resolution was unanimously adopted.

Councilmember Bazzy introduced Ordinance No. 18-1612, entitled, "An Ordinance to Amend the Building and Building Regulations Chapter (Chapter 5) of the Code of the City of Dearborn by Amending Section 5-1335, Entitled 'General Requirements for All Signs'."

The Clerk read the Ordinance by title.

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

By Sareini supported by Byrnes.

5-187-18. RESOLVED: That proposed Ordinance No. 18-1612 be laid on the table.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

5-188-18. WHEREAS: Joe Guido is the architect for M-Cantina restaurant which is located at 13214 Michigan Avenue in the east Dearborn downtown district, and

WHEREAS: Mr. Guido submitted a request asking for permission to remove an existing raised concrete planter located in the Michigan Avenue right-of-way in front of M-Cantina in order to provide space for sidewalk café accommodations, and

WHEREAS: Outdoor dining is a permitted use in the B-C zoning district where M-Cantina is located, and

WHEREAS: The proposed project is consistent with the Master Plan, and

WHEREAS: Because Michigan Avenue is a state trunkline, M-Cantina is required to obtain an MDOT permit to remove the concrete planter and to install a sidewalk café, and

WHEREAS: Since the City of Dearborn agreed to pay for the construction and maintenance of the planter as part of an MDOT project in 2003, MDOT requires an approval letter from the City regarding the removal of the concrete planter, and

WHEREAS: The East Dearborn Downtown Development Authority adopted a resolution on 4/19/18, recommending that the request of Joe Guido on behalf of M-Cantina to remove a concrete planter in front of 13214 Michigan Avenue be approved, and

WHEREAS: The East Dearborn Downtown Development Authority also recommended that if a liquor license is obtained by M-Cantina, the site plan shall be reviewed and approved by applicable City departments before outdoor liquor service is authorized, and

WHEREAS: Pursuant to Section 9-363 of the Dearborn Code of Ordinances, the City may issue a revocable permit to a business that applies for a permit to operate an outside establishment as an extension of, or compatible with, the existing business on a portion of a City sidewalk, and

WHEREAS: The Planning Division recommends approval of M-Cantina's request because the required pedestrian clearance will be maintained, the sidewalk café does not interfere with curb uses such as fire hydrants and bus stops, and the proposed objects do not appear to pose any hazard to vehicles; therefore be it

RESOLVED: That this Council hereby approves the request of Joe Guido on behalf of M-Cantina to remove a concrete planter in front of 13214 Michigan Avenue; be it further

RESOLVED: That this Council also requires the applicable City Departments to conduct site plan review and approval if M-Cantina obtains a liquor license.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

5-189-18. RESOLVED: That all proposals received for Auditing Services are hereby rejected except the proposal of Plante & Moran, PLCC in the total amount of \$375,000, 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) five-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That the Finance Director be and is hereby authorized to sign supplemental service agreements for additional scopes of work up to \$15,000 annually; be it further

RESOLVED: That this contract shall be financed from the Professional Services/Audit Services expenditure account(s), 30-40 various funds.

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

By Sareini supported by Bazzy.

5-190-18. RESOLVED: That all proposals received for Catering Services at Dearborn Hills Golf Course are hereby rejected except the proposal of Giving Hands Catering in the amount of \$144,800 annually, that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of five years with two (2) one-year renewals pending satisfactory performance by the vendor.

Councilmembers Bazzy and O'Donnell withdrew their offer and support.

The resolution died for lack of offer and support.

By Sareini supported by Byrnes.

5-191-18. RESOLVED: That the bid from ThermalNetics, Inc. received for two Pool Dehumidification Units is hereby accepted in the amount of \$214,000, 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 Facility Fund, Public Works, Powerhouse Division, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Sareini.

5-192-18. RESOLVED: That a one-season contract to the Michigan State Police (MSP) in an amount not to exceed \$277,200 for Armed Police Services at Camp Dearborn from May 25, 2018 through September 3, 2018, Wednesdays through Sundays be and is hereby authorized; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize net oil and gas royalty revenue received from Camp Dearborn in the amount of \$222,500 and to appropriate \$89,300 in expenditures in the General Fund; be it further

RESOLVED: That this contract shall be financed from the General Fund, Recreation, Camp Dearborn, Contractual Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Sareini.

5-193-18. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) (6) 1, authorizes alternative procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for an alternative procurement for testing and inspection services for the Wagner Place Streetscape; be it

RESOLVED: That the contract for Third-Party Testing/Inspection Services for the Wagner Place Streetscape be awarded to Soil & Materials Engineers (SME) in an amount not to exceed \$42,000; be it further

RESOLVED: That the original Guaranteed Maximum Price (GMP) of \$1,977,763 which was authorized per C.R. 3-133-18 to Roncelli, Inc. be and is hereby reduced by \$50,000 as a result of separating the third-party testing and inspection services; be it further

RESOLVED: That this contract shall be financed from Bond Proceeds; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

5-194-18. WHEREAS: The City is eligible for contract pricing through the City of Rochester Hills cooperative contract RFP-RH-13-30 for a Freightliner Chassis for the Department of Public Works, and

WHEREAS: Wolverine Freightliner, Inc., will supply a Freightliner Chassis in the amount of \$85,454; therefore be it

RESOLVED: That a purchase order be awarded to Wolverine Freightliner, Inc. in the amount of \$85,454 for a Freightliner Chassis for the Department of Public Works; be it further

RESOLVED: That this purchase order shall be financed from the Water Fund, Public Works, Capital Equipment, Operating Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by O'Donnell.

5-195-18. RESOLVED: That the bid from Cannon Equipment received for Freightliner Chassis Upfitting is hereby accepted in the amount of \$75,979, 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 Water Fund, Public Works, Capital Equipment, Operating Equipment budget.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-196-18. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), authorizes sole source procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a sole source procurement; be it

RESOLVED: That CivicScape, LLC be designated as a sole source for purchase of a three-year Subscription of Predictive Crime Software in the amount of \$30,000 annually 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 General Fund, Police, EDP Software Services budget.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

5-197-18. WHEREAS: The City presently has a contract with Orchard, Hiltz & McCliment, Inc. (C.R. 5-266-17) for Sewer Project Consulting Services, and

WHEREAS: The Department of Public Works, Water Division is requesting to increase the contract in the amount of \$60,000 for Sewer Project Consulting Services, bringing the total contract to \$80,000; therefore be it

RESOLVED: That the contract for Sewer Project Consulting Services with Orchard, Hiltz & McCliment, Inc. is hereby increased in the amount of \$60,000, bringing the total contract to \$80,000; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

5-198-18. WHEREAS: The City of Dearborn anticipates an estimated entitlement allocation of \$1,700,000 for the 44th Year (FY 2018-19) Community Development Block Grant (CDBG) program from the US Department of Housing and Urban Development (HUD), and

WHEREAS: The City will also be programming \$300,000 of unprogrammed funds from prior years plus \$50,000 anticipated program income; therefore be it

RESOLVED: That the Mayor is hereby authorized to execute an application and grant agreement in the estimated total amount of \$1,700,000 (includes \$300,000 in unprogrammed funds from prior years and estimated program income) for the 44th Year Community Development Block Grant Program to support eligible projects, programs, and activities; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute subrecipient agreements between the City of Dearborn and the Arab Community Center for Economic and Social Services (ACCESS) and the Leaders Advancing and Helping Communities (LAHC). Also, a contract agreement between the City and the Fair Housing Center of Metropolitan Detroit; be it further

RESOLVED: That prior period funding for the Home Rehabilitation Program (project Z51200) that is unexpended at June 30, 2018 shall roll forward to the 44th Year Home Rehabilitation budget; be it further

RESOLVED: That the Economic and Community Development Department is hereby authorized to administer the program in accordance with program regulations; be it further

RESOLVED: That the Finance Department is hereby authorized to recognize and appropriate the grant award, unprogrammed funds from prior years, and the estimated program income and to receive, direct and disperse those award funds within the Community Development Fund (283) or other funds as supported through the annual schedule of supported resources which could include the General Fund (101), Local Street Fund (203), Library Fund

(271), Water Fund (591), Facilities Fund (634), or Fleet Replacement Fund (668).

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

5-199-18. WHEREAS: The US Department of Housing and Urban Development (HUD) HOME Investment Partnerships Program (HOME) was authorized under Title II of the Cranston-Gonzalez National Affordable Housing Act (NAHA) for the purpose of providing decent affordable housing to low and moderate income households, and

WHEREAS: NAHA provides for the designation of geographically contiguous units of local government to participate as a consortium and be considered a single unit of local government for the purposes of the HOME program, and

WHEREAS: The Cities of Dearborn, Lincoln Park, Livonia, Taylor, and the County of Wayne are contiguous units of local government and desire to form a consortia (the Wayne County HOME Consortia") for the purposes of formulating and submitting required plans for the purpose of receiving an allocation and participating in the HOME Program administered by HUD for which they may be eligible, and for the purpose of cooperating to undertake or to assist in the undertaking of housing assistance activities for the HOME Program, and

WHEREAS: The City of Dearborn Heights withdrew from the Consortia in May 2015, and

WHEREAS: HUD regulations require consortia designations to be re-certified every three years. The current designation expires on June 30, 2018; therefore be it

RESOLVED: That Mayor John B. O'Reilly, Jr. is authorized to execute an Interlocal Agreement defining the City of Dearborn's membership and participation in the Wayne County HOME Consortia for the three year period from July 1, 2018 to June 30, 2021.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

5-200-18. WHEREAS: The City received funding through the Community Development Block Grant for resurfacing and water main replacement on Pinehurst and Middlepointe (Q74031). The construction on Middlepointe Street must be postponed, though, due to the presence of a Great Lakes Water Authority's (GLWA) sixty-six inch water line, and

WHEREAS: Larger diameter water lines, owned by the GLWA, are located throughout the northeast corner of the City and under the road surface under the jurisdiction of the City. These lines mainly service western communities including Dearborn. Unfortunately, GLWA is controlling the City and its contractors by requiring that no construction equipment shall travel over these water lines once the pavement surface is removed. This requirement creates significant construction hurdles, not only for the Asphalt Resurfacing and Water Main Replacement on Middlepointe Street, but also future construction projects, and

WHEREAS: As a short term fix, the City will schedule construction on Middlepointe Street for this fall, a time when the demand for the water use is low. The GLWA has agreed to reduce the water pressure significantly on Middlepointe Street to avoid any catastrophe during the construction. The City will have to apply similar criteria and schedule fall construction for all upcoming projects that requires similar precaution. The CDBG funds, which the CDBG administration would like to be spent in fiscal year 2018, will be spent only on the Pinehurst Street construction, and

WHEREAS: When the CDBG funds were initially recognized (CR 2-64-18), the entire budget was appropriated to the Local Street fund. This budget was expected to cover the cost of resurfacing both streets. Since only one street will be resurfaced, the remaining budget could be used for the water main replacement;

Construction Contract with DiPonio Contracting (E08216)	\$941,909.50
Local Street Resurfacing	524,035.50
Water Main Replacement	417,874.00

and

WHEREAS: The Economic & Community Development Department is requesting to cancel the \$417,874 of the financing and budget for the Pinehurst project Q74031 in the Local Street fund. Additionally, it is also requested to establish \$417,874 in CDBG financing and appropriate the budget in the Water fund. The encumbrance E08216 will be adjusted accordingly; therefore be it

RESOLVED: That C.R. 2-64-18 for Water Main Replacement and Asphalt Street Resurfacing, Phase 1 - 2018 be and is hereby amended by cancelling \$417,874 of the financing and budget for the Pinehurst project in the Local Street fund; be it further

RESOLVED: That the Finance Director be and is hereby authorized to establish \$417,874 in CDBG financing and appropriate the budget in the Water fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

5-201-18. WHEREAS: Two marble panels on the south east corner of Henry Ford Centennial Library were damaged during a delivery by Corporate Dining. Corporate Dining's insurance company, Continental Western Insurance Company, has issued a check to the City in the amount of \$5,250 to pay for the repairs, and

WHEREAS: The Finance Department is requesting that the City Council authorize the Finance Director to recognize revenue in the amount of \$5,250, and to appropriate the same amount in the Library Fund to pay for the repairs; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate revenue in the amount of \$5,250 from Continental Western Insurance Company to pay for the HFCL Overhang Damage Repairs.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

5-202-18. WHEREAS: Council Resolution No. 3-99-15 authorized the City of Dearborn to enter into an inter-local agreement defining its membership and participation in the Wayne County HOME Consortia, and

WHEREAS: The City of Dearborn's share of the consortium's 2017 funding allocation from the US Department of Housing and Urban Development HOME Investment Partnerships Program is \$376,114 plus any program income that may be generated by program activities, and

WHEREAS: HUD HOME Program regulations require a twenty-five percent local match (\$94,029), and

WHEREAS: Council Resolution 11-739-08 stipulates that proceeds from the resale of property acquired through locally funded Neighborhood Stabilization Program project C05500 will be automatically budgeted and appropriated to project C05500. If any such property is donated to the HOME Program, the proceeds from that donation/resale transaction shall be zero; therefore be it

RESOLVED: That the Director and Deputy Director of the Economic and Community Development Department are designated as authorized signatories for plans, applications, agreements, amendments, reports and documents related to this program; be it further

RESOLVED: That the Economic and Community Development Department is authorized to administer HOME program activities and subrecipient agreements; be it further

RESOLVED: That the Director of Finance is hereby authorized to recognize program revenue and appropriate a like amount in the Community Development Fund Wayne County HOME Consortia project C08000 as received; be it further

RESOLVED: That city-owned residential property that is suitable for renovation and resale may be donated to the HOME Program to satisfy local match requirements; be it further

RESOLVED: That when a city-owned property is donated to the HOME Program, the proceeds from the future resale of that property shall become program income to the HOME Program; be it further

RESOLVED: That the Director of Finance may automatically establish a revenue budget and corresponding appropriations in the Community Development Fund project C08000 based upon program income that is generated by HOME Program activities; be it further

RESOLVED: That the Finance Department is hereby authorized to recognize, appropriate, receive and disburse funds as authorized under this resolution.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-203-18. WHEREAS: Jill Keith, Office Specialist in the Engineering Division of the Department of Public Works, has contacted a number of food truck vendors to assess their interest in bringing their food trucks to the DAC during the summer months. Because of the positive response received, the following schedule is proposed:

- A food truck will come to the DAC parking lot every Wednesday from 11:30 a.m.- 1:30 p.m. between the dates of June 6 and October 31, 2018;
- Each vendor will provide the appropriate licenses and insurance for review and approval by the Department of Law;
- The interested vendors include Saucy Joes, Stockyard, Bigalora Wood Fired Cucina, Chili Sauce and Dogs, Nosh Pit, Slows to Go, Brass Kitchen and Heavenly Hot Dogs;

therefore be it

RESOLVED: That the open space on the east side of the DAC parking lot, south of the loading dock, near the existing picnic tables, shall be made available for food truck vendors every Wednesday from 11:30 - 1:30, between the dates of June 6 and October 31, 2018; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported Sareini.

5-204-18. WHEREAS: The Director of Recreation & Parks has requested City Council approve the Fiscal Year 2018 Senior Alliance, Area Agency on Aging 1-C Dearborn Community Funding Match in the total amount of \$7,822. The City of Dearborn has partnered with The Senior Alliance for thirty-eight (38) consecutive years, and

WHEREAS: The Senior Alliance coordinates a comprehensive network of services in Western and Southern Wayne County to enable older persons to function as independently as possible within their respective communities. Older adults in Dearborn are eligible for and continue to receive agency-funded services such as: Adult Day Care, Care Management, Caregiver Support Services, Congregate Meals, Elder Abuse Prevention, Home Delivered Meals, Information and Referral Services, Legal Assistance, Medicare/Medicaid Assistance Program, Outreach, Transportation, etc.; therefore be it

RESOLVED: That City Council hereby approves the Fiscal Year 2018 Senior Alliance, Area Agency on Aging 1-C Dearborn Community Funding Match in the total amount of \$7,822; be it further

RESOLVED: That this community match shall be financed from the General Fund, Recreation and Parks Department, Senior Services Division, Memberships, Distribution Account #101-3090-843.65-00.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

5-205-18. WHEREAS: The West Dearborn Downtown Development Authority (WDDDA) has planned the following events throughout 2018:

- Farmers & Artisans Market: Every Friday June 1 - October 5
- Friday Nites Music & Foodie Rallies: June 22, July 27 and August 24
- Kids Days on the Commons: June 1, July 13 & August 3
- Movies on the Commons: June 8 & July 13
- Ice Cream Social: August 17
- ScrapFest!: October 11-13,

and

WHEREAS: The use of the West Village Commons plaza, West Village Drive, and a portion of the land between the parking decks in the WDDDA district is required for the WDDDA events and place making activities for the 2018 season, and

WHEREAS: As other opportunities become available, subject to the approval of West Village Commons Holdings, LLC, the WDDDA may also require the use and to close off vehicular access to the West Village Commons plaza, West Village Drive, and a portion of the land between the parking decks in the WDDDA district for pop-up special events and place making activities, such as yoga, art exhibits, and other opportunities for the public to congregate which are not yet scheduled, and

WHEREAS: It is recommended that the City Council authorizes the WDDDA to use and close off vehicular access to the West Village Commons plaza (subject to the approval of West Village Commons Holdings, LLC), West Village Drive, and a portion of the land between the parking decks in the WDDDA district, for the 2018 WDDDA events and place making activities listed above, and

WHEREAS: It is also recommended that the City Council authorizes the Mayor to approve the additional use, street closures, and/or plaza closures for pop-up events from June 1, 2018 - October 13, 2018; therefore be it

RESOLVED: That the City Council hereby authorizes the use and closure of the West Village Commons plaza, subject to the approval of West Village Commons Holdings, LLC, West Village Drive, and a portion of the land between the parking decks in the WDDDA district for the 2018 WDDDA events and place making activities listed above; be It further

RESOLVED: That the Mayor is authorized to approve the additional use, street closures, and/or plaza closures (subject to the approval of West Village Commons Holdings, LLC) for pop-up events held between June 1, 2018 - October 13, 2018; be it further

RESOLVED: That this resolution be given effect June 1, 2018.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

5-206-18. WHEREAS: AHC Investments, LLC ("AHC"), by Ali Cheaito, its Member, is the owner of the strip mall located at 7518 Wyoming and the three vacant lots (Lots 38-40) located on the corner of Wyoming and Gould, and

WHEREAS: The City-owned Wyoming Park at 7500 Wyoming is currently located between the AHC properties, and

WHEREAS: AHC has requested to trade the three vacant lots it owns (Lots 38-40) on the corner of Wyoming and Gould for the three City-owned lots on the north end of the park (Lots 22-24), and

WHEREAS: AHC wishes to utilize the additional lots for the expansion of the strip mall and/or for additional parking, and

WHEREAS: The size of the park would remain the same; however, this trade would result in a shift in the park to the south by 62 ft., and

WHEREAS: The City Assessor has determined that the AHC lots and the City lots are similarly valued and opined that it is a fair trade, and

WHEREAS: It is recommended that the request to trade lots be approved, subject to the following conditions:

1. AHC must pay \$3,000 for park improvements.
2. AHC must pay for and relocate the fence that is currently between Lots 21 and 22 to the south property line between Lots 24 and 25, must remove the fence between Lots 37 and 38, and must install a fence along Gould St. which requires an 8 ft. opening centered on the south end of the property.
3. AHC must hire a licensed contractor and must obtain necessary permits.
4. The fence installation and relocation must be completed within sixty (60) days of closing.

5. All costs associated with the permits, surveys, and fence installation and relocation must be paid by AHC.
6. The new fencing must be of similar material and consistent with the fencing currently located at the site.
7. Lots 22-24 may only be sold or developed in combination with AHC's adjacent property. Lots 22-24 must be combined with Lots 11-21 which are also owned by AHC and may not be resplit or combined with other land without Dearborn City Council approval. A lot combination form must be completed at closing. AHC shall pay for all costs associated with such lot combination.
8. Conditions of the sale shall be noted on the deed as a right of reverter in favor of the City of Dearborn if the conditions are not met. The City shall retain a right to repurchase Lots 22-24 for the original sale price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn.
9. AHC shall comply with all requirements in the Dearborn Zoning Ordinance and waives its right to seek any variance.
10. Closing of this transaction must take place within thirty (30) 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;

therefore be it

RESOLVED: That the property trade between the City of Dearborn and AHC Investments, LLC serves a public purpose because the park will be better located by shifting it to the south by 62 ft.; be it further

RESOLVED: That the lots that AHC acquires from the City will assist in the expansion and/or alleviate congestion in the area of the strip mall at 7518 Wyoming; be it further

RESOLVED: That this Council does hereby authorize the Mayor to execute a deed, transferring property described as:

Lots 22, 23, and 24, J.C. McDonald Home Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 42, Page 91 of Plats, Wayne County records.

Tax I.D. part of 82-10-043-51-025
Commonly known as vacant lots on Wyoming, Dearborn, MI

to AHC Investments, LLC, in exchange for AHC Investments, LLC transferring fee simple title to the vacant property described as

Lot 38, J.C. McDonald Home Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 42, Page 91 of Plats, Wayne County records.

Tax I.D. 82-10-043-51-028
Commonly known as vacant lot at 7420 Wyoming, Dearborn, MI

and

Lots 39 and 40, J.C. McDonald Home Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 42, Page 91 of Plats, Wayne County records.

Tax I.D. 82-10-043-51-029
Commonly known as vacant lots at 7400 Wyoming, Dearborn, MI

to the City of Dearborn; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied, and upon the satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That the City Council believes that said offer is fair and reasonable and is in the best interest of the City to accept said offer.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

5-207-18. WHEREAS: The City of Melvindale has submitted an application for a license to conduct a fireworks display on City of Dearborn-owned property on June 10, 2018, or in case of rain, on October 6, 2018, and

WHEREAS: The Fire Department has reviewed the request and required that certain specifications be met in accordance with the International Fire Code and the NFPA (National Fire Protection Association). The required documents have been submitted and approved, and

WHEREAS: The City of Melvindale is also required to submit necessary insurance certificates to the Department of Law for approval to perform the fireworks display before June 10, 2018, and

WHEREAS: Contact has also been made with Elaine Greene, Director of the Dearborn Animal Shelter, to secure two employees to be on site at the Animal Shelter during the event, at a cost to the City of Melvindale, and

WHEREAS: The City of Dearborn will have one of its engines at the site, in case of an emergency, and

WHEREAS: The Dearborn Fire Department shift commander will be present to ensure that there is no unauthorized entry into the sewerage yard, and

WHEREAS: Pursuant to the NFPA, specific approval must be given to the requesting entity by an owner or other authorized party of any building, dwelling, or structure that is located within the display radius/site. Those buildings must either be unoccupied during the event or protected by non-combustible or fire resistant construction, and

WHEREAS: Since there are City-owned buildings that fall within the firing radius, the Dearborn City Council must approve the requested sites within the display radius (Sewerage building, part of Central Garage, Animal Shelter, truck ports on DPW property), and

WHEREAS: It is recommended by the Corporation Counsel and the Fire Chief that the Dearborn City Council approve the City of Melvindale's application and request to use City-owned property for its fireworks display to be held on June 10, 2018, or in case of rain, on October 6, 2018; therefore be it

RESOLVED: That the City Council approves the City of Melvindale's application and request to use City-owned property for its fireworks display to be held on June 10, 2018, or in case of rain, on October 6, 2018; be it further

RESOLVED: That this approval is contingent upon Melvindale complying with all conditions set forth above and any other requirements of Dearborn Fire Department, Dearborn Department of Law, Dearborn Police Department, International Fire Code, and NFPA; be it further

RESOLVED: That is resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

5-208-18. RESOLVED: That Great Lakes Fireworks, 24805 Marine, Eastpointe, Mi 48021 be and they are hereby granted a Special Events License to conduct a fireworks display at the Dearborn Country Club on June 23, 2018, with a rain date of June 27, 2018 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-209-18. RESOLVED: That Zambelli Fireworks, 120 Marshall Dr., Warrendale PA 15086 be and they are hereby granted a Special Events License to conduct fireworks displays at The Henry Ford Museum for its Salute to America Concerts on June 30 through July 4, August 18, September 8, and Holiday Nights on November 30, December 1-2, 7-9, 13-16, 18 - 23, 26 - 27, 2018 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Herrick supported unanimously.

5-210-18. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Matthew Horrigan, and

WHEREAS: This departure at the dictation of Divine Providence, constitutes an irreparable loss to the beloved family and numerous friends and neighbors; be it

RESOLVED: That the Mayor and members of the Council of the City of Dearborn here assembled, hereby sincerely extend and offer in this sad hour of bereavement, heartfelt sympathy and condolence to the family of the deceased.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:01 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk