

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

May 21, 2019

The Council convened at 7:43 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.

Pastor Dan Ramthun of Guardian Lutheran Church delivered the invocation.

By Bazzy supported by Byrnes.

5-221-19. RESOLVED: That the minutes of the previous regular meeting of May 7, 2019, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-222-19. RESOLVED: That Ordinance No. 19-1648 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 19-1648 entitled, "An Ordinance to Amend the Licenses and Business Regulations Chapter (Chapter 12), Article V of the Code of the City of Dearborn by Amending Division 1, Entitled 'Garage Sales'."

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?"

5-222-19. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick, O'Donnell, and Sareini (7). No: None. Absent: None.

By Sareini supported by Byrnes.

5-223-19. RESOLVED: That Ordinance No. 19-1649 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 19-1649 entitled, "An Ordinance to Amend the Licenses and Business Regulations Chapter (Chapter 12), Article V of the Code of the City of Dearborn by Amending Division 2, Entitled 'Sidewalk Sales'."

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?"

5-223-19. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick, O'Donnell, and Sareini (7). No: None. Absent: None.

By Bazzy supported by Herrick.

5-224-19. RESOLVED: That Ordinance No. 19-1650 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 19-1650 entitled, "An Ordinance to Amend the Licenses and Business Regulations Chapter (Chapter 12), Article I of the Code of the City of Dearborn by Amending Section 12-6, Entitled 'License Fees'."

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?"

5-224-19. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick, O'Donnell, and Sareini (7). No: None. Absent: None.

By Bazzy supported by Byrnes.

5-225-19. RESOLVED: That Ordinance No. 19-1651 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 19-1651 entitled, "An Ordinance to Amend the Traffic and Motor Vehicles Chapter (Chapter 18) of the Code of the City of Dearborn by Amending Division 2, Entitled 'Enforcement'."

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?"

5-225-19. Upon roll call the Ordinance was adopted as follows: Yes: Abraham, Bazzy, Byrnes, Dabaja, Herrick, O'Donnell, and Sareini (7). No: None. Absent: None.

Councilmember Abraham introduced Ordinance No. 19-1652, entitled, "An Ordinance to Amend the Nuisance Chapter (Chapter 13), Article I of the Code of the City of Dearborn by Adding Section 13-13, Entitled 'Unsolicited Written Materials'."

The Clerk read the Ordinance by title.

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

By Bazzy supported by Herrick.

5-226-19. RESOLVED: That proposed Ordinance No. 19-1652 be laid on the table.

The resolution was unanimously adopted.

Councilmember Bazzy introduced Ordinance No. 19-1653, entitled, "An Ordinance to Amend the Water and Sewers Chapter (Chapter 19) of the Code of the City of Dearborn by Amending Article 1, Entitled 'In General'."

The Clerk read the Ordinance by title.

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

By Abraham supported by Byrnes.

5-227-19. RESOLVED: That proposed Ordinance No. 19-1653 be laid on the table.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

5-228-19. RESOLVED: That all bids received for Parking Lot Asphalt Resurfacing are hereby rejected except the bid of Nagle Paving Company in the amount of \$1,554,639.40, 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 a contingency in the amount of \$75,000 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

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

RESOLVED: That this contract shall be financed from the Facilities Fund, Public Works, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

5-229-19. RESOLVED: That all bids received for Audiovisual Equipment for the Police Department's Training Classroom are hereby rejected except the bid of TEL Systems in the amount of \$57,564.67, 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 Information Systems Fund, Capital Projects budget.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

5-230-19. WHEREAS: The Deputy Director of Recreation is requesting that the Mayor be authorized to enter into a contract with Gail & Rice, Inc. (Talent Agency) in the amount of \$50,000 plus estimated additional incidental expenditures in the amount of \$3,000 on behalf of the City of Dearborn and Dearborn Community Fund to furnish the entertainment/artist(s) services for Headliner Entertainment on Saturday, August 3, 2019 at the Dearborn Homecoming Festival, and

WHEREAS: The current agreement between the City of Dearborn and Dearborn Community Fund (DCF) specifies that the DCF will serve as the fiduciary agent for the festival, as well as, be responsible for the sponsorship campaign and coordination of the non-profit service club vendors. The City of Dearborn remains responsible for the procurement of various services and materials, logistics, and the securing/contracting of all entertainment acts for the festival. As the festival fiduciary agent, the Dearborn Community Fund is financially responsible for all festival costs and will be paying the artists(s) performance fee of \$50,000 plus estimated additional incidental expenditures in the amount of \$3,000; be it therefore

RESOLVED: That the Mayor be and is hereby authorized to enter into a contract with Gail & Rice, Inc. (Talent Agency) in the amount of \$50,000 plus estimated additional incidental expenditures in the amount of \$3,000 on behalf of the City of Dearborn and Dearborn Community Fund to furnish the entertainment/artist(s) services for Headliner Entertainment on Saturday, August 3, 2019 at the Dearborn Homecoming Festival; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

5-231-19. WHEREAS: Council Resolution 4-159-18 authorized contracts with the law firms of Clark Hill, PLC and Dickinson Wright, PLLC for labor law services and authorized a one-year contract with four one-year renewals in the combined amount of \$150,000 annually, split equally between the two firms, and

WHEREAS: The contracts with the law firms of Clark Hill, PLC and Dickinson Wright, PLLC expire on June 13, 2019, and

WHEREAS: Clark Hill, PLC and Dickinson Wright, PLLC have performed satisfactorily since replacing Miller, Canfield, Paddock and Stone, PLC and Dykema Gossett, PLLC in June 2018, and

WHEREAS: It is recommended that that the professional services contracts with Clark Hill, PLC and Dickinson Wright, PLLC be extended by authorizing the first of four one-year contract renewals available under Council Resolution 4-159-18; therefore be it

RESOLVED: That this Council does hereby extend the professional services contracts with Clark Hill, PLC and Dickinson Wright, PLLC by authorizing the first of four one-year contract renewals available under Council Resolution 4-159-18; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

5-232-19. WHEREAS: The Dearborn Police Department has received grant funding from the Detroit Wayne County Mental Health Authority in the amount of \$50,000, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$50,000 and appropriate a like amount; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize \$50,000 in 101-2410-330-0790 Local Government Revenue and appropriate in the Police Department budget in the General Fund; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

5-233-19. RESOLVED: That the proposed resolution by Councilmembers Abraham and Sareini Authorizing to split the City-owned vacant property located at 801 N. Silvery Lane and to sell Parcel A to Mooney Real Estate Holdings, on behalf of the Archdiocese of Detroit and Parcel B to Dearborn Public Schools, via Glenn M. Maleyko, its Superintendent for the sum of \$200,000 each, subject to certain stipulations be and is hereby tabled.

By Bazzy supported by Herrick.

5-234-19. WHEREAS: City Council passed CR 1-56-19 which confirmed and approved the Consolidated Miscellaneous Assessment Roll for 2018 for the several services affecting private property in the approximate amount of \$303,996.69 including the 25% transfer fee allowed per CR 11-1102-02, and

WHEREAS: In accordance with the City Charter, the Treasury Division billed all affected private properties and accepted payments through April 15, 2019 and certifies that the following amounts are still due the City for the several services affecting private property as follows:

Tall (Weed Cuttings)	\$48,726.87
Litter	5,982.50
Trash	306.50
Dog	103.25
Nuisance Abatements	21 ,808.00
Special Pickup	2,280.00
Ordinance Special Pickup	3,755.00
Recycle Bins	1,925.00
Trees	966.60
Snow Removal	967.00
Secure/Board-Up Building	354.01
Demo/Demo Related Bills	62,005.00
False Alarm	33,861.20
Fire False Alarm Bills	3,025.00
SAD 873 Wagner Parking Maintenance	4,698.00
General Fund Interest	11,418.08
Sidewalk Bills	3,473.10
Sewer	28,805.32
Total	\$234,460.43

therefore be it

RESOLVED: That this Council does hereby confirm and approve the adjusted Consolidated Miscellaneous Roll for 2018 for the several services affecting private property in the approximate amount of \$234,460.43 plus 25% in the amount of \$58,615.11 per Council resolution 11-1102-02 for transfer to the 2019 tax roll in the approximate amount of \$293,075.54; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

5-235-19. WHEREAS: Pursuant to Section 18-150 of the Code of Ordinances of the City of Dearborn, Chief Haddad is submitting to the City Council the temporary traffic rules and regulations and request that the Council approve same as permanent amendments to the City's Traffic Rules and Regulations:

- "Do not block driveway" sign on the easement of 7555 Freda.
- "No parking here to corner" signs (total of 4) at N. York and Edward, and N. York and Oak.
- "School bus only, no parking" signs (total of 3) in the cut out in front of Howard Elementary School 1611 N. York.
- "School zone" sign on north bound Salina north of Vernor.
- "Permit parking only" on the easement of 6357 Yinger.
- "Permit parking only" on the easement of 5038 Reuter.
- "Permit parking only" on the easement of 5110 Kenilworth;

therefore be it

RESOLVED: That the Amended Traffic Rules & Regulations pursuant to Section 18-150 of the Code of Ordinances of the City of Dearborn be and is hereby approved as stated in previous paragraph.

The resolution was unanimously adopted.

By Byrnes supported by Sareini.

5-236-19. WHEREAS: Maryanne Bartles, Director of Libraries, is requesting authorization for the Mayor to execute a lease agreement with Affiliated Sierra Group, LLC, owner of the warehouse located at 15201 Commerce Drive North, and

WHEREAS: The Henry Ford Centennial Library is undergoing major renovation, resulting in the need for all library books and office space to be transferred off-site during the renovations, and

WHEREAS: The Libraries Department had planned to utilize the former Snow Branch Library for this purpose; but, it was not in a condition conducive for the use and was not cost-effective to prepare it for this use, and

WHEREAS: Nazih Jawad, President and Owner, on behalf of Affiliated Sierra Group, LLC, which owns the vacant warehouse at 15201 Commerce Drive North, Dearborn, 48120, has offered to lease 15,000 sq. ft. of warehouse space to the Libraries for \$8.50/sq. ft. on a month to month basis for about 5 months, and

WHEREAS: It is anticipated that the lease will run from the end of May 2019 to the end of October 2019. The total cost of the lease for this time is approximately \$53,125, and

WHEREAS: The City Assessor's Office opined that the value of the leased space is \$8.50/sq. ft., and

WHEREAS: The leased space will also provide amenities, such as, conference rooms, tables and chairs, desks, shelving units for the library collection, data cables throughout, kitchen access, access to existing IT cabinet and cabling, and a loading ramp for delivery of library materials. These amenities as well as all utilities are included in the lease price, and

WHEREAS: Libraries will provide its own computers and phones and will ask Comcast to install a broad band connection in the IT cabinet, and

WHEREAS: It is recommended that the City Council authorizes the Mayor to execute a lease agreement with Affiliated Sierra Group, LLC for the lease of 15,000 sq. ft. of warehouse space located at 15201 Commerce Drive North, for \$8.50 sq. ft., on a month to month basis for approximately 5 months; therefore be it

RESOLVED: That the leased space located at 15201 Commerce Drive North offered to the Libraries for storage of library books and office space during the renovation of Henry Ford Centennial Library is deemed fair and reasonable; be it further

RESOLVED: That the Mayor is authorized to execute a lease agreement on behalf of the City of Dearborn, on a month to month basis, at a rate of \$8.50/sq. ft. annually, for a period not to exceed 5 months, subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That the Finance Director be authorized to appropriate \$53,125 of Library Fund balance to pay for the lease; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$10,625 per month, subject to adjustments for prorations, if any, drawn upon the General Capital Improvement Fund Project No.C05500, Acct. #401 1299 435 7110, payable to the Lessor, or its nominee, in payment of said property; be it further

RESOLVED: A public purpose will be served because the Library functions will still take place during the renovation, providing uninterrupted customer service to the public. The public is still able to request material from the HFCL collection (120,000 items); be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

5-237-19. WHEREAS: Council Resolution 3-143-09 authorized the Dearborn Chamber of Commerce to lease a portion of the first floor at the Bryant Library for its operations and to operate the Welcome and Visitor Center for the City (4,433 sq. ft.), and

WHEREAS: The current lease expires on September 30, 2019, and

WHEREAS: Jackie Lovejoy, on behalf of the Dearborn Chamber of Commerce, has requested to extend the lease by one 10-year term consistent with the rate renewal provisions contained in the expiring lease, and

WHEREAS: The key changes recommended from the expiring lease to the new lease are as follows:

- New expiration date will be September 30, 2029.
- Payment will be \$6,496.16 per year, adjusted annually by the CPI for Detroit-Ann Arbor area.
- Instead of operating and staffing a full-service Welcome Center as required in the expiring agreement, the new agreement requires that the Chamber maintain the Welcome Center and provide the day-to-day upkeep of promotional material and displays.
- If the Property ceases to be used as a library or if the City transfers ownership of the Property, the City must provide appropriate notice to the Chamber. The City may terminate the lease and the Chamber shall vacate the Property without penalty.
- The City will contract with a painter to have the vestibules, conference room, Welcome Center, and two restrooms painted within the first year of the extension, at the City's cost, on a date and time and with paint color that is mutually acceptable to both parties,

and

WHEREAS: In addition to the 10-year lease extension, it is also requested that the City Council approves an amendment to the current lease agreement, and

WHEREAS: Currently, the lease permits the Chamber of Commerce to have exclusive use of the conference room. However, the Chamber of Commerce has agreed to vacate the conference room at Bryant Library from May 1, 2019 - September 30, 2019 so that the Libraries can set up its internet café in that room during the renovations at Henry Ford Centennial Library, and

WHEREAS: The FCPAC and the DAC will provide conference rooms to accommodate meetings that the Chamber of Commerce has scheduled that would otherwise have been held in the conference room at the Bryant Library, and

WHEREAS: It is recommended that all other terms and conditions contained in the expiring lease shall remain in full force and effect, and

WHEREAS: It is recommended that the request to amend the current lease with the Dearborn Chamber of Commerce and 10-year extension be approved, subject to the conditions set forth above; therefore be it

RESOLVED: That the request to amend the current lease agreement with the Dearborn Chamber of Commerce as described above is hereby approved; be it further

RESOLVED: That the request for a 10-year lease extension with the Dearborn Chamber of Commerce is hereby approved, subject to the provisions described above; be it further

RESOLVED: That all other terms and conditions contained in the expiring lease shall remain in full force and effect; be it further

RESOLVED: That the Mayor is hereby authorized to execute the necessary documents on behalf of the City of Dearborn to effectuate the transaction, subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

5-238-19. 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 July 3-6, September 7, and Holiday Nights on December 5-8, 12-15, 17-23, 26-28, 2019 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

From Ray Alcodray, Black Box Gallery, 3700 Monroe, requesting the parking on South Bound Monroe to be changed to the same as North Bound Monroe.

5-239-19. The foregoing matter was referred to the Legal and Police Departments.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 8:40 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk