

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

March 17, 2020

The Council convened at 7:37 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.

Dr. Shadi Azar from Solid Rock Church of Dearborn delivered the invocation.

By Bazzy supported by Herrick.

3-88-20. RESOLVED: That the Council Rules of Order be temporarily suspended to discuss the Coronavirus.

The resolution was unanimously adopted.

By O'Donnell supported by Byrnes.

3-89-20. RESOLVED: That the minutes of the previous regular meeting of March 3, 2020, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by Bazy.

3-90-20. WHEREAS: The City Engineer is requesting that the Finance Department be authorized to establish a project in the Engineering Services Fund with UHS of Delaware, Inc. whose address is 367 South Gulph Road, King of Prussia, PA 19406-0958 in the amount of \$30,000.00 for the construction services and inspection for the sewer connections within the Oakwood Boulevard and Rotunda Drive rights of way and construction of a public water main within the property. This account will be used to fund engineering and administrative services performed by City personnel for the project, and

WHEREAS: The Engineering staff will monitor the Engineering Services account during the execution of the construction. If it is determined that the Engineering Services amount of \$30,000.00 is about to be exhausted and the construction is not complete, the Engineering Division staff will request that the developer replenish the escrow funds, and

WHEREAS: Exact engineering, construction inspection and overhead costs will be determined and any differences between actual costs and the deposit amount will be refunded/charged at that time; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to establish a project in the Engineering Services Fund with UHS of Delaware, Inc. in the amount of \$30,000 for the construction services and inspection for the Proposed Sewer Connection and Water Main Construction at the UHS & Beaumont Behavioral Health Facility, 18001 Rotunda Drive, which will be used to fund Engineering Services; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by O'Donnell.

3-91-20. RESOLVED: That all proposals received for Construction Engineering Services for the Schaefer Road Resurfacing Project are hereby rejected except the proposal of Spalding DeDecker Associates in the amount of \$146,749.27, 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 "Third Party Agreement" be and is hereby approved, subject to review by the Legal Department; be it further

RESOLVED: that the Mayor be and is hereby authorized to execute the Agreement on behalf of the City; be it further

RESOLVED: That this contract shall be financed from the Major Street & Trunkline, Engineering, Architect/Engineer Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

3-92-20. RESOLVED: That all bids received for Construction of a new Comfort Station at Lapeer Park are hereby rejected except the bid of Elgin Builder, Inc. in the amount of \$246,547, 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 \$24,000 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That the Director of Recreation and Parks, or their designee, 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, Recreation, City Parks, Capital Project Support, Construction Contractor Services budget.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

3-93-20. RESOLVED: That all bids received for Floor Polishing at the Fire Department Training Center are hereby rejected except the bid of Master Craft Carpet Services in an amount not to exceed \$32,975, 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, Fire, Capital Project Support, Repair and Maintenance budget.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

3-94-20. RESOLVED: That all bids received for Park and Nona Reconstruction are hereby rejected except the bid of HMC, LLC in the amount of \$3,011,834.50, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$125,000 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 Local Street Fund, Sewer Fund, Water Fund, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Sareini.

3-95-20. RESOLVED: That all bids received for Storm Sewer Separation CSO 001 Contract #3, Job #10-01-073 are hereby rejected except the bid of Pamar Enterprises, Inc. in the amount of \$18,383,673.53, 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 \$600,000 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 CSO Fund, Sewerage Division, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Abraham.

3-96-20. RESOLVED: That all bids received for Workers' Compensation Third Party Administrator Service are hereby rejected except the bid of CompOne Administrators, Inc. in the amount of \$122,100, 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 three years with two (2) one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the Workers Compensation Fund, Risk Management, Professional Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Abraham.

3-97-20. RESOLVED: That all bids received for Excess Workers' Compensation Coverage are hereby rejected except the bid of Nickel & Saph, Inc. through Midwest Employers Casualty Company in the amount of \$140,194, 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 up to four (4) one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the Workers' Compensation Fund, Law Department, Insurance and Bonds budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

3-98-20. RESOLVED: That all proposals received for Servers and Storage as well as five years maintenance are hereby rejected except the proposal of Access Interactive, LLC in an amount not to exceed \$386,851, that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the MIS Fund, Capital Equipment budget.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

3-99-20. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal Cooperative Program, Contract No. 071B6600110, for the purchase of Cradlepoint Mobile Antennas and Routers for the Police Department, and

WHEREAS: CDW Government, the authorized distributor for the State of Michigan, will supply Cradlepoint Mobile Antennas and Routers for the Police Department in the amount of \$50,050; therefore be it

RESOLVED: That a contract be awarded to CDW Government, an authorized distributor for the State of Michigan in the amount of \$50,050 for Cradlepoint Mobile Antennas and Routers for the Police Department; be it further

RESOLVED: That this contract shall be financed from the MIS Fund, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted

By Herrick supported by O'Donnell.

3-100-20. WHEREAS: The City is eligible for contract pricing through the Sourcewell Contracts GM 062117 and CE-042815 for the purchase of Three Kubota Tractors with a 60" snow blade attachment, and

WHEREAS: The Purchasing Division recommends the purchase via a cooperative contract for Three Kubota Tractors with a 60" snow blade attachment from Carleton Equipment Company, Sourcewell Contracts GM 062117 and CE-042815, and

WHEREAS: The contract is in the amount of \$87,889.38; therefore be it

RESOLVED: That the purchase of Three Kubota Tractors with a 60" snow blade attachment, is awarded to Carleton Equipment Company, via Sourcewell Contracts GM 062117 and CE-042815 in the amount of \$87,889.38; be it further

RESOLVED: That this contract shall be financed from the Fleet and Equipment Replacement Fund, Parks, Capital Equipment budget.

The resolution was unanimously adopted.

By Abraham supported by Byrnes.

3-101-20. WHEREAS: The City presently has a contract with Zuniga Cement Construction, Inc. (C.R. 3-130-19) for Street and Alley Pavement Replacement - 2019, Job No. 2020-038, and

WHEREAS: The original contract specifications allow for two (2), one-year renewal options beyond the expiration of the present contract, this is the first renewal; therefore be it

RESOLVED: That the contract for Street and Alley Pavement Replacement - 2019, Job No. 2020-038 is hereby renewed with Zuniga Cement Construction, Inc. in the amount of \$3,339,000; be it further

RESOLVED: That this contract shall be financed from the Major Street & Trunkline Fund, Local Street Fund, General Capital Improvement Fund, Sewer Fund, Water Fund budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported Herrick.

3-102-20. WHEREAS: The Director of Recreation & Parks has requested City Council approve the Fiscal Year 2020 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 forty (40) 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 Assistance & Services, Outreach, Transportation, etc.; therefore be it

RESOLVED: That City Council hereby approves the Fiscal Year 2020 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; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

3-103-20. WHEREAS: Yahia Allahabi owns the multi-unit apartment building located at 10037 Burley, and

WHEREAS: Council Resolutions 5-278-17 and 8-432-17 previously authorized him to purchase the vacant City-owned lot at 9982 Tuxedo located behind 10037 Burley for the purpose to install off-street parking and a dumpster storage area, and

WHEREAS: Currently, there is no off-street parking available for the tenants of 10037 Burley and no area to place the dumpster. The dumpster is currently positioned on the public street, and

WHEREAS: One of the conditions of the sale required Mr. Allahabi to rezone the lot from R-A to V-P. His request to rezone the vacant lot was made and ultimately approved in November 2017, and

WHEREAS: Another condition of the sale required Mr. Allahabi to pave and improve the property as a parking lot within 18 months of closing, and

WHEREAS: Mr. Allahabi requested and received an extension of time in which to improve the lot pursuant to CR 3-149-19. The new deadline in which to improve the lot was extended to October 3, 2019, and

WHEREAS: To date, no ZBA petitions for variances have been filed, and

WHEREAS: In September 2019, Mr. Allahabi submitted a letter requesting that he be permitted to retain the lot and place a dumpster enclosure on the lot only. He contends that it is not economically feasible to improve the lot for parking, and

WHEREAS: Because parking is sparse in that area, and because Mr. Allahabi currently does not provide any parking for his tenants, it is recommended that his request to remove the conditions requiring the installation of parking be denied; therefore be it

RESOLVED: That Mr. Allahabi's request to amend Council Resolutions 5-278-17, 8-432-17, and 3-149-19 to remove the conditions requiring him to improve 9982 Tuxedo and provide parking is hereby denied; be it further

RESOLVED: That since Mr. Allahabi has not complied with the conditions of the sale, and has represented that he does not intend to install parking, the City is hereby authorized to repurchase 9982 Tuxedo, pursuant to the original terms of the purchase agreement and Council Resolutions applicable to the original sale; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to effectuate the sale back to the City; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by O'Donnell.

3-104-20. RESOLVED: That the request of Fakh Management, Inc. to have outdoor Ramadan gatherings and an Eid Celebration on their business property located at 10401, 10403, 10405 and 10413 Ford Road, be and is hereby denied; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

3-105-20. WHEREAS: The Economic and Community Development Department recommends the acceptance of up to \$40,000 in Grant Funds via the Michigan Municipal League for upcoming 2020 Census activities. All funds received will be allocated towards Census endeavors which will include but not be limited to paid volunteers, English and Arabic marketing and educational resources, and a television segment; therefore be it

RESOLVED: That the Economic and Community Development Department be and is hereby authorized to accept up to \$40,000 in Grant Funds via the Michigan Municipal League for upcoming 2020 Census activities; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:00 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk