

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

April 21, 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.

Father Hrant Kevorkian from St. Sarkis Armenian Apostolic Church delivered the invocation.

By O'Donnell supported by Herrick.

4-127-20. RESOLVED: That the minutes of the previous special meeting of April 6, and regular meeting of March 31, 2020, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

4-128-20. RESOLVED: That all bids received for Ceiling and Lighting Replacement at Fire Station 1 are hereby rejected except the bid of 3LK Construction, LLC in the amount of \$53,850, 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 & Maintenance budget.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

4-129-20. RESOLVED: That all bids received for Incidental Tree Services are hereby rejected except the bid of CutMyTreeDown.com in the amount of \$80,000 for a one-year term, with two (2) one-year renewal options, totaling \$240,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Contractual Services budget. Future funding is contingent upon adoption of the respective Fiscal Year budgets; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

4-130-20. RESOLVED: That all bids received for Replacement of Rubber Flooring at the Dearborn Ice Skating Center (DISC) are hereby rejected except the bid of MBCM Service Experts in the amount of \$38,307.14, 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 General Fund, Recreation, Repair and Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

4-131-20. RESOLVED: That all proposals received for Medicare Prescription Drug Plans are hereby rejected except the proposals of Humana Insurance Company (\$1,969,371) and Health Alliance Plan (\$953,778) in a total amount of \$2,923,149 for the periods of July 1, 2020 - December 31, 2020, and January 1, 2021 - December 31, 2021, that the aforementioned proposals are 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 proposals have been fully complied with; be it further

RESOLVED: That the contract shall be for a term of 6 months and a one-year renewal option, with three (3) one-year remaining renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the Post Employment Health Care Fund, Finance Department, Insurance/Risk Management, Professional Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Bazzy.

4-132-20. RESOLVED: That all bids received for Theater Lighting Upgrades, Phase 1 at the Michael A. Guido Theater are hereby rejected except the bid of MicroWise, Inc. in the amount of \$61,128, 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, Theater, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By O'Donnell supported by Herrick.

4-133-20. RESOLVED: That all bids received for Theater Lighting LED Upgrades, Phase 2 at the Michael A. Guido Theater are hereby rejected except the bid of Vincent Lighting Systems in the amount of \$61,854, 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, Theater, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

4-134-20. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal contract #071-B7700088 for Three (3) UV34 Bobcat Utility Vehicles for the Department of Public Works, and

WHEREAS: Bobcat Company will supply Three (3) UV34 Bobcat Utility Vehicles in the amount of \$38,052; therefore be it

RESOLVED: That a purchase order be awarded to Bobcat Company in the amount of \$38,052 for Three (3) UV34 Bobcat Utility Vehicles for the Department of Public Works; be it further

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

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

4-135-20. WHEREAS: The City presently has a contract with Four Seasons Property Maintenance (C.R. 8-363-19) for Turf Maintenance, and

WHEREAS: The original contract specifications allow for four, one-season renewal options beyond the expiration of the present contract, this is the first renewal, and

WHEREAS: Four Seasons Property Maintenance has offered to renew the present contract prices through November 2020; be it

RESOLVED: That the contract for Turf Maintenance is hereby renewed with Four Seasons Property Maintenance through November 2020 in the amount of \$256,087; be it further

RESOLVED: That this contract shall be financed from the General and Sewer Funds, Public Works, Contractual Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Byrnes.

4-136-20. WHEREAS: The City presently has a contract with Johnson Controls (C.R. 2-80-18) for Mechanical Systems Inspections at Hubbard Manors East and West, and

WHEREAS: The original contract specifications allow for three (3), one-year renewal options beyond the expiration of the present contract, this is the first renewal, and

WHEREAS: Johnson Controls has offered to renew the present contract through April 11, 2021; be it

RESOLVED: That the contract for Mechanical Systems Inspections at Hubbard Manors East and West is hereby renewed with Johnson Controls through April 11, 2021 in the amount of \$61,752.59; be it further

RESOLVED: That this contract shall be financed from the Seniors Apartment Operating Fund, Housing, Repair and Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

4-137-20. WHEREAS: Allen Brothers, PLLC has represented the City of Dearborn in the matter of Fakhoury, et.al. v. City of Dearborn, et.al. since December 2016, and

WHEREAS: It is estimated that future legal action and continued representation in this litigation will require an extension of the professional services agreement in the amount of \$85,000; therefore be it

RESOLVED: That the professional services agreement with Allen Brothers, PLLC is extended in the amount of \$85,000 for this matter, at the blended rate of \$160/hour, and it will be funded from the Fleet & General Liability Insurance, Law Department, Legal Fees Account; be it further

RESOLVED: That the Finance Director is hereby authorized to appropriate \$85,000 of FY2020 budget in the Fleet and General Liability Fund from the Funds reserve balance to the Fleet and General Liability, Law Department, Legal Fees account, be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

4-138-20. WHEREAS: Council Resolution #5-236-19 authorized the Mayor to execute a lease agreement with Affiliated Sierra Group, LLC for the storage of library books and to set up office space for library staff during the renovation of Henry Ford Centennial Library, and

WHEREAS: The authorization approved the execution of a lease for the period May 28, 2019 - October 28, 2019, at a rate of \$10,625 per month, and

WHEREAS: The rented facility is located at 15201 Commerce Drive North; Libraries utilizes 15,000 sq. ft. of the 27,550 sq. ft. building, and

WHEREAS: Due to asbestos remediation which delayed the HVAC contractor and the contractor responsible for the second floor restrooms and first floor cafe, the renovations were delayed, and

WHEREAS: Council Resolution #9-446-19 was adopted, authorizing an extension of the lease with Affiliated Group, LLC through December 31, 2019 at the same rental rate, and

WHEREAS: The renovations to the second floor restrooms and the first floor café were not completed by the end of 2019, necessitating another extension through April 30, 2020, and

WHEREAS: Council Resolution #1-12-20 was adopted, authorizing an extension of the lease with Affiliated Sierra Group, LLC through April 30, 2020, on a month to month basis for the same rental rate, and

WHEREAS: Due to the current state of emergency and stay home order issued by Governor Whitmer, other than the fire alarm contractor, no other contractors have been working at the site, and

WHEREAS: Nazih Jawad, on behalf of Affiliated Sierra Group, LLC, has agreed to extend the terms of the lease agreement until the renovations at the Henry Ford Centennial Library are completed, at the same rental rate and on the same lease terms, and

WHEREAS: The Libraries Department is recommending that City Council authorizes a third amendment to the lease which will revise the current expiration date from April 30, 2020 to the new expiration date of October 31, 2020, on a month to month basis, and

WHEREAS: It is also recommended that the Mayor be authorized to execute a third lease amendment which outlines the new terms, subject to the review and approval of Corporation Counsel, and

WHEREAS: It is recommended that the Finance Director be authorized to appropriate an amount not to exceed \$63,750 (\$10,625 x 6 months), of Library Fund fund balance to the Library operating budget in order to fund the cost of the lease extension; therefore be it

RESOLVED: That a third lease amendment between the City of Dearborn and Affiliated Sierra Group, LLC which reflects a new expiration date of October 31, 2020, at a lease rate of \$10,625 per month, on a month to month basis, is hereby approved; be it further

RESOLVED: That the Mayor is hereby authorized to execute a third lease amendment which outlines the new terms, for the period May 1, 2020 - October 31, 2020, subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That the Finance Director is authorized and directed to issue her proper warrant in an amount not to exceed \$63,750 (\$10,625 x 6 months), subject to adjustments for prorations, if any, drawn upon the Library Fund, Acct. #271-5100-721.68-80, payable to the Lessor, or its nominee, in the payment for lease of said property; be it further

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

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

4-139-20. WHEREAS: The Dearborn Chamber of Commerce has been leasing 4,433 sq. ft. of the first floor of the Bryant Library since 2009, including use of the Conference Room, and

WHEREAS: Due to a major renovation project at the Henry Ford Centennial Library, Council Resolution #5-237-19 authorized the Mayor to execute a lease amendment with the Dearborn Chamber of Commerce to reflect Libraries' exclusive use of the Bryant Library conference room as a temporary internet cafe through September 30, 2019, and

WHEREAS: Libraries was also responsible to pay for the utility costs associated with the exclusive use of the conference room, and

WHEREAS: Due to asbestos remediation which delayed the HVAC contractor and the contractor responsible for the second floor restrooms and first floor cafe, the renovations were delayed at Henry Ford Centennial Library, and

WHEREAS: Council Resolution #10-468-19 was adopted, authorizing another amendment to the lease and approving the Libraries' exclusive use of the Bryant Library conference room through December 31, 2019, and

WHEREAS: The renovations to the second floor restrooms and the first floor cafe were not completed by the end of 2019, necessitating the adoption of Council Resolution #1-13-20, extending the lease through April 30, 2020, and

WHEREAS: Due to the current state of emergency and stay home order issued by Governor Whitmer, other than the fire alarm contractor, no other contractors have been working at the Henry Ford Centennial Library project site, and

WHEREAS: Jackie Lovejoy, on behalf of the Dearborn Chamber of Commerce, has agreed to amend the lease agreement to allow for Libraries to have exclusive use of the Bryant Library conference room through October 31, 2020, and

WHEREAS: Libraries will continue to pay for the utility bill costs associated with the use of the conference room through October 31, 2020 and will provide accommodations for the Chamber to hold meetings that would otherwise be held in the conference room at Bryant Library, and

WHEREAS: It is recommended that the City Council approves another amendment to the lease with the Chamber of Commerce to reflect Libraries' exclusive use of the Bryant Library conference room through October 31, 2020; therefore be it

RESOLVED: That the City Council hereby approves a fourth amendment to the lease with the Dearborn Chamber of Commerce to reflect Libraries' exclusive use of the Bryant Library conference room through October 31, 2020, to pay the utility costs associated with the use of the conference room, and to provide alternate accommodations for Chamber meetings; be it further

RESOLVED: That the Mayor is hereby authorized to execute necessary documents on behalf of the City of Dearborn to memorialize the amendment which outlines the new terms, for the period May 1, 2020 - October 31, 2020, subject to the review and approval of Corporation Counsel; be it further

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

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

4-140-20. WHEREAS: The City of Dearborn anticipates an entitlement allocation of \$1,953,792 for the 46th Year (FY 2020-21) Community Development Block Grant (CDBG) program from the US Department of Housing and Urban Development (HUD), and

WHEREAS: The City will be programming \$371,500 of the 46th year Grant for eligible activities in response to community needs resulting from the COVID-19 pandemic, with specific uses to be determined and approved by City Council at a later date, and

WHEREAS: The City will also be programming \$70,000 (Contingencies) of anticipated program income; therefore be it

RESOLVED: That the Mayor is hereby authorized to execute an application and grant agreement in the amount of \$1,953,792 and estimated \$70,000 in program income for the 46th Year Community Development Block Grant Program to support eligible projects, programs, and activities; be it further

RESOLVED: That the specific programming for the \$371,500 of the 46th year Grant for eligible activities in response to community needs resulting from the COVID-19 pandemic, once determined, shall be presented to City Council for approval; 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, 2020 shall roll forward to the 46th 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 Director is hereby authorized to recognize and appropriate the grant award 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 Byrnes supported by Bazzy.

4-141-20. WHEREAS: The City of Dearborn has always taken a special interest in supporting our seniors and especially those in the City and the Dearborn Housing Commission (DHC) apartment buildings. The COVID-19 pandemic is creating hardships for businesses, families, and individuals throughout our community and across the nation, none more so than seniors, who are especially susceptible to the virus, and

WHEREAS: The residents of the five City and DHC buildings have been asked to stay home and stay safe in their own units and to not congregate in common areas, meaning they are isolated and limited in the opportunities they have to do shopping for even basic supplies. We look for ways to ease their burden, and

WHEREAS: The City, in partnership with the Dearborn Housing Commission, is seeking available grant funding from the United Way of Southeastern Michigan to support our seniors with food, personal care items, and paper products. The grant proposal is for \$20,000, and

WHEREAS: The Economic & Community Development Department respectfully requests the City Council approve the grant proposal, accept the grant if it is awarded, authorize the Mayor to execute the grant agreement, and authorize the City Finance Director to recognize and appropriate the grant award; therefore be it

RESOLVED: That a Grant Proposal to United Way be and is hereby approved in the amount of \$20,000 for support of our seniors with food, personal care items, and paper products; be it further

RESOLVED: That the Mayor be and is hereby authorized to execute the grant agreement; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the grant if it is awarded; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

4-142-20. WHEREAS: Beginning February 5, 2020 through March 4, 2020, vacant City-owned property was advertised for sale for four weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant 60' lot located at 2806 Salina, zoned Residential "A," and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$11,300. All bids were submitted in sealed envelopes and opened in City Council Chambers on March 5, 2020. Four bids were received on the property at that time:

Nasr Saleh	\$37,500
Zaid Ahmed Nasser	\$30,550
Aref Adnan Awad	\$22,277
Mohammed Shagera	\$16,120

and

WHEREAS: Nasr Saleh was the highest bidder for this property, bidding \$37,500, and

WHEREAS: Nasr Saleh wishes to proceed with the purchase of 2806 Salina. He plans to construct a single-family dwelling on this property within one year of the date of the closing, and

WHEREAS: Nasr Saleh has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council, and
2. 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, and

3. If Purchaser wishes to sell the vacant property during the 12-month period, the Purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn, and
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and
5. Construction of a single-family dwelling on this property must commence within a 12-month period from the date of closing. Construction shall be deemed "commenced" when:
 - a. The plans have been approved by the Property Maintenance & Development Services Department, and
 - b. Building permits have been issued, and
 - c. Excavation of the basement/foundation is started, and
6. Purchaser must complete construction before building permits expire, and
7. Purchaser must comply with all residential landscaping requirements in accordance with Dearborn Zoning Ordinance §5.02(A)(3) and §5.05(C). Purchaser shall not receive a full certificate of occupancy until landscaping is completed. If Purchaser fails to comply with the landscaping requirements, the City may exercise its right to repurchase the property for the purchase price, less 10%, and less costs associated with the transfer back to the City of Dearborn, and
8. The house shall not be occupied until a Certificate of Occupancy has been approved, and
9. Purchaser must comply with all requirements contained in the Dearborn Zoning Ordinance, including, but not limited to, newly amended and adopted §2.05 and §29.02, and
10. Purchaser shall not seek any variances from the Zoning Ordinance requirements, and

11. Purchaser must comply with Land Sale Guidelines, and
12. Purchaser must comply with applicable neighborhood imposed guidelines and restrictions, and
13. If Purchaser fails to comply with the terms and conditions imposed, the City may, repurchase the property for the original sale price, less 10%, and less costs associated with the transfer back to the City of Dearborn,

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land 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 parcel described as:

Lots 5 and 6, Assessor's Dearborn Plat No.1, City of Dearborn, Wayne County, MI, as recorded in Liber 64, Page 82 of Plats, Wayne County records.

Tax I.D: 82-10-213-04-081
Commonly known as vacant lot at 2806 Salina
Lot size: 60' x 120'

to Nasr Saleh for \$37,500; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Nasr Saleh upon delivery to the City of the above purchase price, subject to adjustments, if any, as shown on the Closing Statement, prepared by Corporation Counsel and based upon Nasr Saleh closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon full compliance with the conditions outlined above and satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the property for the construction of a new house will serve a public purpose by revitalizing and stabilizing the neighborhood and 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.

The resolution was unanimously adopted.

By O'Donnell supported by Abraham.

4-143-20. WHEREAS: Beginning February 5, 2020 through March 4, 2020, vacant City-owned property was advertised for sale for four weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant 60' lot located at 2818 Salina, zoned Residential "A," and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$11,300. All bids were submitted in sealed envelopes and opened in City Council Chambers on March 5, 2020. Four bids were received on the property at that time:

Nasr Saleh	\$37,500
Zaid Ahmed Nasser	\$30,550
Fatima Abdulrahman Muthanna	\$18,500
Aminah Alrayyashi	\$12,121

and

WHEREAS: Nasr Saleh was the highest bidder for this property, bidding \$37,500, and

WHEREAS: Nasr Saleh wishes to proceed with the purchase of 2818 Salina. He plans to construct a single-family dwelling on this property within one year of the date of the closing, and

WHEREAS: It is recommended that the City be authorized to sell 2818 Salina for the construction of a new house to Nasr Saleh for \$37,500, subject to the following conditions:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council, and
2. 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, and

3. If Purchaser wishes to sell the vacant property during the 12-month period, the Purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn, and
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and
5. Construction of a single-family dwelling on this property must commence within a 12-month period from the date of closing. Construction shall be deemed "commenced" when:
 - a. The plans have been approved by the Property Maintenance & Development Services Department, and
 - b. Building permits have been issued, and
 - c. Excavation of the basement/foundation is started, and
6. Purchaser must complete construction before building permits expire, and
7. Purchaser must comply with all residential landscaping requirements in accordance with Dearborn Zoning Ordinance §§.02(A)(3) and §§.0S(C). Purchaser shall not receive a full certificate of occupancy until landscaping is completed. If Purchaser fails to comply with the landscaping requirements, the City may exercise its right to repurchase the property for the purchase price, less 10%, and less costs associated with the transfer back to the City of Dearborn, and
8. The house shall not be occupied until a Certificate of Occupancy has been approved, and
9. Purchaser must comply with all requirements contained in the Dearborn Zoning Ordinance, including, but not limited to, newly amended and adopted §2.0S and §29.02, and
10. Purchaser shall not seek any variances from the Zoning Ordinance requirements, and

11. Purchaser must comply with Land Sale Guidelines, and
12. Purchaser must comply with applicable neighborhood imposed guidelines and restrictions, and
13. If Purchaser fails to comply with the terms and conditions imposed, the City may, repurchase the property for the original sale price, less 10%, and less costs associated with the transfer back to the City of Dearborn,

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land 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 parcel described as:

Lots 7 and 8, Assessor's Dearborn Plat No.1, City of Dearborn, Wayne County, MI, as recorded in Liber 64, Page 82 of Plats, Wayne County records.

Tax I.D: 82-10-213-04-080
Commonly known as vacant lot at 2818 Salina
Lot size: 60' x 120'

to Nasr Saleh for \$37,500; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Nasr Saleh upon delivery to the City of the above purchase price, subject to adjustments, if any, as shown on the Closing Statement, prepared by Corporation Counsel and based upon Nasr Saleh closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon full compliance with the conditions outlined above and satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the property for the construction of a new house will serve a public purpose by revitalizing and stabilizing the neighborhood and 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.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

4-144-20. WHEREAS: Beginning February 5, 2020 through March 4, 2020, vacant City owned property was advertised for sale for four weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant 40' lot located at 3240 Salina, zoned Residential "A," and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$10,300. All bids were submitted in sealed envelopes and opened in City Council Chambers on March 5, 2020. One bid was received on the property at that time, and

WHEREAS: Zaid Nasser was the only bidder for this property, bidding \$18,000, and

WHEREAS: Zaid Nasser wishes to proceed with the purchase of 3240 Salina. He plans to construct a single-family dwelling on this property within one year of the date of the closing, and

WHEREAS: Zaid Nasser has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council, and
2. 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, and
3. If Purchaser wishes to sell the vacant property during the 12-month period, the Purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn, and

4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and
5. Construction of a single-family dwelling on this property must commence within a 12-month period from the date of closing. Construction shall be deemed "commenced" when:
 - a. The plans have been approved by the Property Maintenance & Development Services Department, and
 - b. Building permits have been issued, and
 - c. Excavation of the basement/foundation is started, and
6. Purchaser must complete construction before building permits expire, and
7. Purchaser must comply with all residential landscaping requirements in accordance with Dearborn Zoning Ordinance §5.02(A)(3) and §5.05(C). Purchaser shall not receive a full certificate of occupancy until landscaping is completed. If Purchaser fails to comply with the landscaping requirements, the City may exercise its right to repurchase the property for the purchase price, less 10%, and less costs associated with the transfer back to the City of Dearborn, and
8. The house shall not be occupied until a Certificate of Occupancy has been approved, and
9. Purchaser must comply with all requirements contained in the Dearborn Zoning Ordinance, including, but not limited to, newly amended and adopted §2.05 and §29.02, and
10. Purchaser shall not seek any variances from the Zoning Ordinance requirements, and
11. Purchaser must comply with Land Sale Guidelines, and
12. Purchaser must comply with applicable neighborhood imposed guidelines and restrictions, and

13. If Purchaser fails to comply with the terms and conditions imposed, the City may, repurchase the property for the original sale price, less 10%, and less costs associated with the transfer back to the City of Dearborn,

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land 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 parcel described as:

N. 10 ft. of Lot 168 and all of Lot 169, Clippert's Eagle Ave. Sub., City of Dearborn, Wayne County, MI, as recorded in Liber 39, Page 76 of Plats, Wayne County records.

Tax I.D: 82-10-211-10-099
Commonly known as vacant lot at 3240 Salina
Lot size: 40' x 141'

to Zaid Nasser for \$18,000; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Zaid Nasser upon delivery to the City of the above purchase price, subject to adjustments, if any, as shown on the Closing Statement, prepared by Corporation Counsel and based upon Zaid Nasser closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon full compliance with the conditions outlined above and satisfaction of the terms contained in the Purchase Agreement; be it further

RESOLVED: That the sale of the property for the construction of a new house will serve a public purpose by revitalizing and stabilizing the neighborhood and 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 Abraham supported by Herrick.

4-145-20. WHEREAS: As part of the Sewer Separation Project, the existing 12 ft. diameter combined sewer on Colson Street between Greenfield Road and Ternes Street will be converted to a storm sewer to transport rain water to the river, and

WHEREAS: A new sanitary sewer will be installed on the north side of Colson to transfer sewer leads from the houses and rear yard sewers along Colson, and

WHEREAS: The new sanitary sewer will be installed within the public right-of-way; however, trench excavation associated with the installation will encroach onto the private properties by up to 5 ft. behind the sidewalk, and

WHEREAS: Since the garage at 5104 Steadman was constructed without setbacks and falls within the influence of the sewer trench excavation on Colson Street, it is recommended that the City acquires the house at 5104 Steadman for the public purpose of demolition of the over-sized, legally non-conforming garage, and

WHEREAS: Alternatives to open machine excavation were explored, but were significantly more costly and there is a likelihood that the 800 sq. ft. garage which already has cracks, will cause the cracks to open up, and

WHEREAS: If the City utilizes open excavation by machine which is less costly, and if the City owns the lot at 5104 Steadman, there is no concern about encroaching onto private property and the threat of damage to property is mitigated, and

WHEREAS: The overall more efficient and long-term cost-effective option is to purchase the house for demolition of the garage, and

WHEREAS: The owner of the duplex at 5104 Steadman, Cheryl Jenkins, has offered to sell it to the City for \$186,600, and

WHEREAS: After the property is acquired, the City will demolish the garage. After the project is completed, the house will be offered for sale, and

WHEREAS: The house is currently a duplex, but the owner is occupying only one unit, and

WHEREAS: The owner has requested permission to lease the house for a few months until she is able to find a new residence, and

WHEREAS: The City Assessor opined that \$925 per month is a fair rental rate for the house and is consistent with the rent being paid by the tenant at 5104 Mead, and

WHEREAS: The house was built in 1930 on a 51' x 116' lot. The house is 2,200 sq. ft.; the detached garage which was formerly a garage home and faces Colson Street is 800 sq. ft. and is considered non-conforming with current Code requirements due to lot coverage and setbacks. There is also a 130 sq. ft. shed on the property, and

WHEREAS: The Assessor's value for the house is \$186,600, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable, and

WHEREAS: It is recommended that the City Council authorizes the City to purchase 5104 Steadman for \$186,600. The estimated additional costs after acquisition (demolition of the garage and appurtenant costs) will be approximately \$3,000; therefore be it

RESOLVED: That this Council does hereby determine to acquire the property described as:

Lot 252, Orchard Blvd. Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 33, Page 13 of Plats, Wayne County records.

Tax I.D. 82-10-181-08-021
Lot size: 51' x 116'
Commonly known as 5104 Steadman

from the owner thereof and pay therefore the sum of \$186,600 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by Corporation Counsel and delivered to the City; be it further

RESOLVED: That the acquisition of 5104 Steadman will be paid from the Sewer Separation project fund N95602; be it further

RESOLVED: That, after the project is completed in the area, the City shall sell 5104 Steadman in accordance with City Code §2-576 and is directed to deposit proceeds from the sale back into the Sewer Separation project fund N95602; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue her proper warrant in the amount of \$186,600, subject to adjustments, if any, as shown on the closing statement, reviewed and approved by Corporation Counsel, drawn upon the Sewer Separation Project Phase C5 Phase 2C, CIP N95602, Acct. #598-2006-435.71-10, payable to the owner or her nominee, in payment for said property; be it further

RESOLVED: That the current owner's request to lease the house for \$925 per month until October 1, 2020 is approved; be it further

RESOLVED: That the Mayor is authorized to execute a lease agreement on behalf of the City of Dearborn, reviewed and approved by Corporation Counsel; be it further

RESOLVED: That the Finance Director is authorized to recognize and appropriate lease revenues received into the Sewer Separation project fund N95602; be it further

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

RESOLVED: That the acquisition of 5104 Steadman serves a public purpose because it will provide the City Engineer with unrestricted access to the right-of-way on Colson Street to complete a portion of the Sewer Separation Project, will mitigate the threat of damage to private property, will allow a more efficient and cost-effective method for trenching, and will remove a garage that is non-conforming with current Code requirements due to lot coverage and setbacks; be it further

RESOLVED: That the acquisition is contingent upon the terms and conditions set forth in the purchase agreement as reviewed and approved by Corporation Counsel; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

4-146-20. WHEREAS: Council Resolution 3-81-20 was adopted, authorizing the City to purchase 5104 Mead for \$117,000, and

WHEREAS: It was determined that purchasing the house and demolishing the garage was an efficient and long-term cost-effective option to allow for the Engineering division to trench along Colson near Mead as part of the Sewer Separation Project, and

WHEREAS: The Council Resolution also permitted the City to lease 5104 Mead to the current tenant until June 30, 2020 for \$700/month so that the tenant's 4 children could complete the school year, and

WHEREAS: The City Assessor opined that \$700/month is a fair rental value for the house, and

WHEREAS: The current tenant has now expressed interest in purchasing the house from the City, and

WHEREAS: The Engineering division does not oppose the future sale of the house, but recommends that the City holds off on the sale until after construction in the area is completed, and

WHEREAS: It is recommended that the City Council approves the current tenant at 5104 Mead to lease the house from the City for \$700/month until December 31, 2020 or until construction is completed in the area, and

WHEREAS: It is also recommended that the Mayor be authorized to execute a lease agreement, reviewed and approved by Corporation Counsel; therefore be it

RESOLVED: That the request to allow the current tenant at 5104 Mead to lease the house from the City for \$700/month until December 31, 2020 or until the construction in the area is completed is hereby approved; be it further

RESOLVED: That the Finance Director is authorized to recognize and appropriate lease revenues received in project N95602; be it further

RESOLVED: That the Mayor is hereby authorized to execute documents necessary to effectuate the transaction, subject to the review and approval of Corporation Counsel.

The resolution was unanimously adopted.

By Byrnes supported by Dabaja.

4-147-20. WHEREAS: The Dearborn Police Department on behalf of CVS is requesting City Council approval to utilize the Henry Ford Centennial Library south parking lot (16301 Michigan Ave.) as a drive-up Covid-19 rapid testing site. In critical response to the Covid-19 Pandemic, the City of Dearborn sought out partnership with CVS in an effort to serve our community and surrounding area which has been severely affected by the Covid-19 virus. The test site would utilize approximately 30 Abbott Labs 15-minute test systems that would allow for an estimated 750 tests per day. The proposed testing would occur Monday-Friday from 9AM-6PM, Saturday from 9AM-5PM and Sunday 10AM-4PM. CVS is proposing a soft opening on Sunday April 19, 2020 and a regular opening on Monday April 20, 2020. The testing is anticipated to last approximately 6 weeks through the end of May, and

WHEREAS: CVS is also seeking permission for their volunteers to utilize the main floor south library restrooms. The test site volunteers will be utilizing appropriate PPE and will be screened for Covid-19. The test site will be monitored by the Dearborn Police Department; therefore be it

RESOLVED: That CVS be and is hereby authorized to utilize the Henry Ford Centennial Library south parking lot (16301 Michigan Avenue) as a drive-up COVID-19 Rapid Testing Site from April 19, 2020 through approximately the end of May, 2020; be it further

RESOLVED: That the CVS volunteers be and are hereby authorized to use the main floor south Library restrooms; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

4-148-20. RESOLVED: That the request of Cheat Treats Café, 5838 Schaefer for outdoor seating during the month of Ramadan, be and is hereby denied.

The resolution was unanimously adopted.

4-149-20. Councilmembers Bazzy and Herrick withdrew their offer and support from proposed resolution Approving the request of Steven Dornbos, on behalf of MKK Holding, Inc. ("Blue Fish", 22001 Michigan Avenue, Suite 160), to reclassify a Tavern liquor license to a Class C liquor license.

By Herrick supported by Bazzy.

4-150-20. WHEREAS: MKK Holding, Inc. has requested to transfer a tavern license purchased from Genova Pizzeria in Canton, Michigan to the proposed Blue Fish restaurant at 22001 Michigan Ave., Suite 160 in Dearborn, and

WHEREAS: A tavern license permits the on-premises sale and consumption of beer and wine, and

WHEREAS: Several meetings and discussions have been held by the City Council concerning this proposed transfer, including but not limited to the number of available tavern and/or Class C licenses in Dearborn; recent sales and value of licenses; the background, violation history, and experience of the applicant; efforts by the applicant to acquire an available license in Dearborn; and the Guidelines for Transfers which were established by the City Council in 2005; therefore be it

RESOLVED: That the request by MKK Holding, Inc. to transfer a tavern license purchased in Canton, Michigan, to the proposed Blue Fish restaurant at 22001 Michigan Ave., Suite 160, Dearborn, is approved.

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

Note: The vote was 6-1 in favor of approval. The "no" vote by Council President Pro Tem Sareini was based upon his objections that: (1) there was no good-faith documented attempt(s) to obtain an escrowed license in Dearborn and (2) the geographic distance between Canton and Dearborn is too far to assume that patrons from the licensed premises in Canton will travel to Dearborn to patronize the new establishment. Both of these objections are founded upon the Guidelines for Transfers, No. 1 and No. 3, which were established by the City Council in 2005 (copy attached). And, an additional objection was based on the fact that at the present time there are 76 licenses in Dearborn, which are 11 more than Dearborn's statutory quota of 65 licenses.

CITY OF DEARBORN
GUIDELINES FOR
OUT-OF-AREA CLASS C LIQUOR LICENSE TRANSFERS

Pursuant to MCL 436.1531, on-premise escrowed liquor licenses issued outside the City of Dearborn may be transferred to the City of Dearborn, *subject to local legislative approval*. The Dearborn City Council shall consider the following when considering a request to transfer of an out-of-area Class-C liquor license to the City of Dearborn:

1. Whether the requestor has made a good-faith, documented attempt to obtain an escrowed license originally issued in the City of Dearborn.
2. Whether the proposed license to be transferred was originally issued in a community of comparable size to the City of Dearborn (population of 100,000 or less). Comparable communities include, but are not limited to: Allen Park, Dearborn Heights, Garden City, Inkster, Lincoln Park, Melvindale, Redford Township, and Westland.
3. Whether the comparable community is within a geographical radius to the City of Dearborn such that it can be anticipated that patrons of the previous license holder in the comparable community would likely be patrons of the new establishment in the City of Dearborn.
4. Whether the proposed license to be transferred is of comparable value to the licenses currently in use in the City of Dearborn.

By Abraham supported by Byrnes.

4-151-20. WHEREAS: MKK Holding, Inc. has requested to transfer a tavern license purchased from Genova Pizzeria in Canton, Michigan to the proposed Blue Fish restaurant at 22001 Michigan Ave., Suite 160 in Dearborn, and to reclassify the tavern license to a Class C license, and

WHEREAS: A tavern license permits the on-premises sale and consumption of beer and wine and a Class C license permits the on-premises sale and consumption of beer, wine, and spirits, and

WHEREAS: Several meetings and discussions have been held by the City Council concerning this proposed transfer and proposed reclassification, including but not limited to the number of available tavern and/or Class C licenses in Dearborn; recent sales and value of licenses; the background, violation history, and experience of the applicant; efforts by the applicant to acquire an available license in Dearborn; and the Guidelines for Transfers which were established by the City Council in 2005, and

WHEREAS: In the action immediately preceding this item, the City Council voted 6-1 to approve the transfer of the tavern license from Canton to Dearborn; therefore be it

RESOLVED: That the request by MKK Holding, Inc. to reclassify the tavern license to a Class C license, which was purchased in Canton, Michigan, and is proposed to be transferred to the proposed Blue Fish restaurant at 22001 Michigan Ave., Suite 160, Dearborn, is approved.

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

Note: The vote was 6-1 in favor of approval. The "no" vote by Council President Pro Tem Sareini was based upon his objections that: (1) there was no good-faith documented attempt(s) to obtain an escrowed license in Dearborn and (2) the geographic distance between Canton and Dearborn is too far to assume that patrons from the licensed premises in Canton will travel to Dearborn to patronize the new establishment. Both of these objections are founded upon the Guidelines for Transfers, No. 1 and No. 3, which were established by the City Council in 2005 (copy attached). And, an additional objection was based on

the fact that at the present time there are 76 licenses in Dearborn, which are 11 more than Dearborn's statutory quota of 65 licenses.

CITY OF DEARBORN
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1. Whether the requestor has made a good-faith, documented attempt to obtain an escrowed license originally issued in the City of Dearborn.
2. Whether the proposed license to be transferred was originally issued in a community of comparable size to the City of Dearborn (population of 100,000 or less). Comparable communities include, but are not limited to: Allen Park, Dearborn Heights, Garden City, Inkster, Lincoln Park, Melvindale, Redford Township, and Westland.
3. Whether the comparable community is within a geographical radius to the City of Dearborn such that it can be anticipated that patrons of the previous license holder in the comparable community would likely be patrons of the new establishment in the City of Dearborn.
4. Whether the proposed license to be transferred is of comparable value to the licenses currently in use in the City of Dearborn.

By Byrnes supported by Herrick.

4-152-20. RESOLVED: That receipt of a donation in the amount of \$500 from Raja Beydoun to the City of Dearborn for Purchase of Personal Protective Equipment COVID Response Supplies for the Police Department is hereby acknowledged and accepted; be it further

RESOLVED: That City Council hereby extends its appreciation to the donor for the aforementioned gift; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize the amount of \$500 in account 101-2410-365.90-00 (Project ZE2020) and appropriate the \$500 to account 101-2410-511.61-00 where it will be used to purchase Personal Protective Equipment and other required Emergency Supplies for COVID response for the Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

4-153-20. WHEREAS: The Dearborn Allied War Veterans Council (DAWVC) respectfully requests that the Dearborn City Council rescind Resolution 1-40-20 adopted on January 28, 2020, as it relates to the use of public property and the closure of Michigan Avenue for the 96th annual Memorial Day Parade which had been scheduled for Monday, May 25, 2020, and

WHEREAS: After a great deal of consideration, the DAWVC has decided not to move forward with the 2020 Memorial Day Parade, Solemn Ceremony and funeral procession, due to serious concerns about the health and safety of our veterans and the public, and

WHEREAS: The DAWVC is making this decision now based on health and safety, and also to acknowledge secondary concerns. Among those are the fact that no school bands would be available for the parade, that the usual extensive planning that takes place in April can't effectively occur, that the number of groups who have applied to march in the parade is down by half as of April 3, and that the DAWVC does not wish to tax police and public safety resources on the day of the parade, and

WHEREAS: The DAWVC is committed to ensuring that those who died in service to our country are honored on Memorial Day in an appropriate way. The DAWVC plan to continue to work with the Department of Public Information, including CDTV, to make sure a video tribute is created and broadcast on Memorial Day. The DAWVC also will be looking for other opportunities in which those who gave the ultimate sacrifice can be remembered in 2020, in ways that are in line with public safety directives in effect at the time. Although COVID-19 has altered their plans for 2020, nothing will impact their dedication to always remember those who died for us. The DAWVC knows the City shares the same commitment; therefore be it

RESOLVED: That C.R. 1-40-20 be and is hereby rescinded which allowed the Dearborn Allied War Veterans Council permission to conduct the 96th Annual Memorial Day Parade on Monday, May 25, 2020.

The resolution was unanimously adopted.

By Sareini supported unanimously.

4-154-20. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Dr. Hassen Hammoud, 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.

By Dabaja supported unanimously.

4-155-20. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of George Harvey, 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.

By Sareini supported unanimously.

4-156-20. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of William Kizoff, 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.

By Herrick supported unanimously.

4-157-20. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of State Representative Isaac Robinson, 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 9:27 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk