

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

June 16, 2020

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

Pastor Erick Ewaskowitz from the Dearborn Free Methodist Church delivered the invocation.

By O'Donnell supported by Herrick.

6-212-20. RESOLVED: That the minutes of the previous special meeting of May 28, and regular meeting of June 2, 2020, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

Councilmember Byrnes introduced Ordinance No. 20-1676, entitled, "An Ordinance to Amend Chapter 14, section 14-6 of the Code of the City of Dearborn, Entitled "Cruelty to Animals Prohibited"."

The Clerk read the Ordinance by title.

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

By Herrick supported by Bazy.

6-213-20. RESOLVED: That proposed Ordinance No. 20-1676 be laid on the table.

The resolution was unanimously adopted.

By Bazy supported by Herrick.

6-214-20. RESOLVED: That the bid from Cadillac Asphalt received for Cold Patch Paving Mixture and Related Materials for the Department of Public Works is hereby accepted in the total amount of \$199,800 (\$99,900 annually), 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, Maintenance Roads & Streets; Water and Sewer Funds, Public Works, Facilities Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

6-215-20. RESOLVED: That C.R. 4-166-19 be and is hereby rescinded which authorized a contract with Decima, LLC for Emergency Generators at Hubbard Manors East and West in the amount of \$365,700.52; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

6-216-20. RESOLVED: That all bids received for Replacement of Emergency Generators at Hubbard Manors East and West are hereby rejected except the bid of J. Ranck Electric, Inc. in the amount of \$516,450, 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 Senior Apartment Operating Fund, Housing, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

6-217-20. RESOLVED: That all bids received for Sewer Grouting and Manhole Rehabilitation for the Department of Public Works are hereby rejected except the bid of Advanced Underground Inspection, LLC in the amount of \$210,000 (\$70,000 annually), 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 Sewer Fund, Public Works, Sewer Repair & Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Byrnes.

6-218-20. WHEREAS: The City is eligible for contract pricing through Sourcewell's Contract #062916-ORA, for the purchase of Non-Stock and Non-OEM Aftermarket Auto, Truck and Automotive Shop Supplies for Public Works through September 6, 2021, and

WHEREAS: O'Reilly Auto Parts, the authorized distributor of the Sourcewell Contract #062916-ORA, will supply Non-Stock and Non-OEM Aftermarket Auto, Truck and Automotive Shop Supplies for Public Works in the amount of \$48,500; therefore be it

RESOLVED: That a contract be awarded to O'Reilly Auto Parts, the authorized distributor of the Sourcewell Contract #062916-ORA in the amount of \$48,500 for Non-Stock and Non-OEM Aftermarket Auto, Truck and Automotive Shop Supplies for Public Works through September 6, 2021; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Fleet Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

6-219-20. WHEREAS: The City is eligible for contract pricing through the Rochester Hill's, Contract #RFP-RH-13-030, for the purchase of EVO 5.0 Hot Patch Heaters, and

WHEREAS: Truck & Trailer Specialties, Inc., the authorized distributor for Rochester Hills Contract #RFP-RH-13-030, will supply EVO 5.0 Hot Patch Heaters in the amount of \$30,825; therefore be it

RESOLVED: That a contract be awarded to Truck & Trailer Specialties, Inc., an authorized distributor for Rochester Hills in the amount of \$30,825 for EVO 5.0 Hot Patch Heaters; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Maintenance, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

6-220-20. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), authorizes sole source procurement in certain circumstances, and

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

RESOLVED: That TYR Tactical be designated as a sole source for purchase of Body Armor for the Police Department in the amount of \$43,328 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from Drug Law Enforcement Fund, Police, Public Safety, Operating Supplies budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

6-221-20. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), authorizes sole source procurement in certain circumstances, and

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

RESOLVED: That M-Tech Company be designated as a sole source for purchase of Non-Warranty, Global Mechanical Street Sweeper Parts & Repairs in the amount of \$30,000 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from General Fund, Public Works, Fleet Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

6-222-20. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6 (b), authorizes sole source procurement in certain circumstances, and

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

RESOLVED: That Wolverine Truck Sales be designated as a sole source for purchase of Non-Warranty Heavy Duty Ford and Freightliner Parts and Repairs in the amount of \$35,000 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from General Fund, Public Works, Fleet Maintenance budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Abraham.

6-223-20. WHEREAS: The City presently has a contract with Nickel and Saph, Inc. (C.R. 6-257-19) for Property and Casualty Insurance Coverage, and

WHEREAS: The Purchasing Division has received a request from the Legal Department to increase the amount of the second year of the three (3) year contract due to annual fluctuations in premiums and claims history in an amount not to exceed \$1,541,615 for the period of July 1, 2020 through June 30, 2021; be it therefore

RESOLVED: That the contract with Nickel and Saph for Property and Casualty Insurance Coverage is hereby increased in the new amount of \$1,541,615; be it further

RESOLVED: That this contract increase shall be financed from the Fleet and General Liability Insurance Fund budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

6-224-20. WHEREAS: The City presently has a contract as authorized by C.R. 6-261-19 with Governmental Consultant Services, Inc. (GCSI) for Lobbyist-Agent Services, and

WHEREAS: The Purchasing Division received a request from the Mayor's Office for a continuance for three (3) years for Lobbyist-Agent Services; therefore be it

RESOLVED: That the contract for Lobbyist-Agent Services is hereby extended with Governmental Consultant Services, Inc. (GCSI) for the period of July 1, 2020 through June 30, 2023 in the amount of \$144,000 (\$48,000 annually); be it further

RESOLVED: That this contract shall be charged to the General Fund, Mayor's Department, Contractual Services account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

6-225-20. WHEREAS: The City presently has a contract as authorized by C.R. 6-317-18 with the Wayne County Jail System for Prisoner Housing, and

WHEREAS: The Purchasing Division received a request from the Police Department for a continuance for the next Fiscal Year of Prisoner Housing at the Wayne County Jail System, and

WHEREAS: The Wayne County Jail System has offered to extend the present contract prices through June 30, 2021; be it therefore

RESOLVED: That the contract for Prisoner Housing is hereby extended with the Wayne County Jail System through June 30, 2021 in an amount not to exceed \$250,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Police Department, Contractual Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

6-226-20. WHEREAS: The City presently has a contract with Park Place Catering Company (C.R. 8-396-18) for Prisoner Meals, and

WHEREAS: The original contract specifications allow for four, one-year renewals beyond the expiration of the present contract. This will be the second renewal, and

WHEREAS: Park Place Catering Company has offered to renew the contract at the present contract prices for the period July 1, 2020 through June 30, 2021; therefore be it

RESOLVED: That the contract for Prisoner Meals is hereby extended with Park Place Catering Company. for the period July 1, 2020 through June 30, 2021 in the amount of \$75,000; be it further

RESOLVED: That this contract shall be financed from the General Fund, Police, Operating Supplies budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

6-227-20. WHEREAS: In April 2020, the City sold the property at 5146 Porath for \$9,130.44. The sales cost covered the costs of outstanding taxes, delinquent water, and administrative fees related to the property. The Finance Department requests to recognize and appropriate the \$9,130 in the General Capital Improvement Project A40000 - Industrial Park Development, and

WHEREAS: In August 2019, the City received a rebate of \$12,938.64 from DTE for LED lights in the Kilpatrick Arena. The Finance Department requests to recognize the \$12,939 in the General Capital Improvement project I51021 - DISC Lighting; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the \$9,130 in the General Capital Improvement Project A40000 - Industrial Park Development; be it further

RESOLVED: That the Finance Department be and is hereby authorized to recognize and appropriate a rebate in the amount of \$12,939 in the General Capital Improvement Project I51021 from DTE for LED Lights in the Kilpatrick Arena; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

6-228-20. WHEREAS: On May 15, 2020, the State of Michigan Department of Treasury issued updated Constitutional and Statutory Revenue Sharing Projections for FY2020 and FY2021. Based on these updated estimates, the FY2020 adopted budget for sales tax revenue sharing is high. The Finance department requests to cancel \$549,700 in state revenue sharing budget:

State Shared Revenue	Adopted Budget	Updated Estimate	Variance
Constitutional	\$ 8,831,200	\$8,292,391	(\$538,809)
Statutory	1,601,950	1,591,059	(10,891)
Total	\$10,433,150	\$9,883,450	(\$549,700)

and

WHEREAS: On May 20, 2020, the City of Dearborn received the second Local Community Stabilization Act personal property tax replacement payment for FY2020. Based on this final payment for the fiscal year, the FY2020 adopted budget for LCSA revenue is low. The Finance department requests to recognize \$2,111,437 in LCSA revenue budget, with \$1,645,819 in the General Fund, \$74,930 in the Library fund, and \$390,688 in the CSO Debt Service fund:

LCSA Revenue	Adopted Budget	Actual Revenue	Variance
General Fund	\$13,582,760	\$15,228,579.21	\$1,645,819
Library Fund	1,186,560	\$ 1,261,490.45	74,930
CSO Debt Service Fund	\$ 3,100,295	\$ 3,490,983.30	\$ 390,688
Total	\$17,869,615	\$19,981,052.96	\$2,111,437

and

WHEREAS: Additionally, the LCSA payments received for the component units were as below. The Finance Department requests to cancel \$25,320 in LCSA revenue budget in the West Dearborn Downtown Development Authority, to recognize \$2,483 in LCSA revenue budget in the East Dearborn DDA, and recognize and appropriate \$328,155 in the Brownfield Redevelopment Authority:

LCSA - Components	Adopted Budget	Actual Revenue	Variance
West Dearborn DDA	\$25,320	\$0.00	(\$25,320)
East Dearborn DDA	23,740	\$26,222.90	2,483
BRA - Redico	0	4,578.50	4,579
BRA - AK Steel	1,202,430	1,526,006.31	323,576
Total	\$1,251,490	\$1,556,807.71	\$305,318

therefore be it

RESOLVED: That the Finance Department be and is hereby authorized to cancel budget for reduced State sales tax revenue in the amount of \$549,700 and for the reduced LCSA revenue amount of \$25,320; be it further

RESOLVED: That the Finance Department be and is hereby authorized to recognize budget adjustments for LCSA revenue in the total amount of \$2,442,075; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

6-229-20. 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 101-2410-330.07-90 Local Government Revenue and appropriate in the Police Department budget in the General Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.
By Byrnes supported by Herrick.

6-230-20. WHEREAS: The Historical Museum has requested to acknowledge the receipt of \$6,600 from the Michigan Humanities Council to the Dearborn Historical Museum, and

WHEREAS: The Historical Museum requests that the City Council authorize the Finance Director or his designee to recognize the grant in the Federal/other Revenue. This grant is an aid during the COVID19 to cover Part Time/ Seasonal wages; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize the grant in the Federal/other Revenue to cover Part Time/Seasonal wages during COVID-19.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

6-231-20. WHEREAS: On March 11, 2020, the World Health Organization declared COVID-19 a pandemic, and

WHEREAS: The COVID-19 pandemic is both a public health crisis and economic crisis affecting businesses, households, families, and individuals throughout the United States, the State of Michigan, and the City of Dearborn, and

WHEREAS: On March 10, 2020, in order to minimize the spread of COVID-19 in the State, Michigan Governor Gretchen Whitmer declared a State of Emergency via Executive Order (EO) 2020-4, which was followed by EO 2020-21 and subsequent EOs that included stay-at-home directives for most persons and limited the operations of businesses in the State to only those identified as essential, and

WHEREAS: During the State of Emergency, following guidelines from the Centers for Disease Control (CDC), limitations on the number of persons permitted to gather in once place and at one time, and the imposition of "social-distancing" requirements, restaurants and retail and service businesses have been especially affected operationally and economically, and

WHEREAS: The imposition of social-distancing during the COVID-19 crisis limits the indoor capacity of restaurants and retail and service businesses throughout the City of Dearborn and the City wishes to provide options that will enable those businesses to expand capacity and overcome the limitations due to social-distancing and provide support for other needs that will help them recover from the economic slowdown during the crisis; therefore be it

RESOLVED: That the overall goal of promoting public safety, health and welfare, in response to the conditions created by the COVID-19 pandemic and the actions taken to respond to it, and to assist those businesses that have suffered substantial negative impacts from such, City Council makes the following temporary alterations to the Ordinances of the City:

- Temporary outdoor service areas on private property:
 - Reduce required parking for retail and restaurant businesses under DZO Section 4.01 by 50% to make space in the parking lot available for outdoor service areas
 - Waive site development standards for outdoor dining areas related to location, parking, landscaping and Design Review Committee review in the BD district under DZO Section 7.02 (W)
 - Waive development standards in B (Business) zoning districts that prohibit outdoor business activity to allow temporary outdoor service areas for retail businesses (DZO sections 14.03.A.2, 15.03. A.2, and 16.03.A.2)
 - Waive Planning Commission approval of a site plan changes related to temporary outdoor service areas for special land uses under DZO Section 32.02. all such site plans shall be reviewed administratively.
- Sidewalk cafe permits:
 - Waive all fees associated with sidewalk café permits
 - Waive the 120 day time limit on sidewalk café permits under DCO Section 9-363
- Sidewalk sale licenses:
 - Waive all fees associated with sidewalk sale licenses.
- Tent permits:
 - Waive all fees associated with tent permits for temporary outdoor service areas (only required for tents over 400 s.f. in area).

- Electrical permits:
 - Waive all fees associated with electrical permits for temporary outdoor service areas.
- Signs:
 - Waive all permits and fees for temporary event and sandwich board signs related to restaurant and retail businesses, otherwise all standards related to such signs under DCO section 5-1337 shall apply and be complied with.
- Temporary outdoor service areas on public rights-of-way and public or privately owned parcels:
 - Delegate City Council authority to approve such under City Charter Section 8.4 to the administration (Mayor or designee).
 - Delegate City Council authority to approve Special Events under DZO Section 2.07(A.4) and DCO Sections 17-26 to 17-37 to the administration (Mayor or designee).
- Lighting:
 - Delegate to the administration (Mayor or designee) the ability to reduce site lighting restrictions under DZO Section 2.12 to the extent necessary for safety and functionality at temporary outdoor service areas.
- Noise:
 - Delegate to the administration (Mayor or designee) the ability to reduce noise restrictions under DCO Sections 13-41 to 13-47 and DZO Section 8.02(A) to the extent necessary for the functionality of the temporarily outdoor service areas.

- Enforcement & resolution of issues: the City will not be waiving its ability to revoke or suspend permits for cause or its normal enforcement and abatement authorities under the various applicable ordinances and nuisance regulations. Should voluntary compliance to resolve an issue not work, enforcement or abatement will be taken by the normal procedures for such;

be it further

RESOLVED: That City Council authorizes the administratively approved outdoor service areas located on City of Dearborn property, such as a city sidewalk, lot, street, or public parking lot for the new Limited Permanent Outdoor Service applications offered by the Michigan Liquor Control Commission (LCC-204a) through the spring, summer, and fall seasons of 2020 only, expiring on October 31, 2020; be it further

RESOLVED: That City Council authorization expires at 12:01am on November 1, 2020, unless extended by further Council action, and that all temporary permits and provisions issued as a result of this resolution shall expire at the same time and date; be it further

RESOLVED: That this resolution be given immediate effect.

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The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

6-232-20. RESOLVED: That the Friends for Animals of Metro Detroit (FAMD) be and they are hereby granted permission to sell tickets for the Trey Taylor Fundraising Concert on Saturday, July 18, 2020, located at 16121 Reckinger Road in the west parking lot subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the Friends for Animals of Metro Detroit (FAMD) be and they are hereby granted permission to set up a 30x75 tent in the City-owned parking lot; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Byrnes.

6-233-20. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Matthew Dietz, to the East Dearborn Downtown Development Authority for a term ending June 30, 2023; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Abraham.

6-234-20. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Heidi Merino, to the East Dearborn Downtown Development Authority for a term ending June 30, 2021; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

6-235-20. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Eric M. Woody, to the East Dearborn Downtown Development Authority for a term ending June 30, 2022; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported unanimously.

6-236-20. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of William Harry Hackett, 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 9:53 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk