

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

July 14, 2020

The Council convened at 7:32 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 Bob McCabe from Church of the Divine Child delivered the invocation.

By Herrick supported by O'Donnell.

7-239-20. RESOLVED: That the minutes of the previous special meeting of June 23, and regular meeting of June 16, 2020, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

7-240-20. RESOLVED: That Ordinance No. 20-1676 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read 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 President of the Council announced that this was the final reading of the Ordinance.

The President of the Council then put the question, "Shall this Ordinance pass?"

7-240-20. Upon roll call the Ordinance was unanimously adopted.

Councilmember Bazzy introduced Ordinance No. 20-1677, entitled, "An Ordinance to Amend the Offenses Chapter (Chapter 14) of the Code of Ordinances of the City of Dearborn by Amending Section 14-158, Entitled 'Marijuana'."

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 Sareini.

7-241-20. RESOLVED: That proposed Ordinance No. 20-1677 be laid on the table.

The resolution was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 20-1678, entitled, "An Ordinance to Amend the Offenses Chapter (Chapter 14) of the Code of Ordinances of the City of Dearborn by Amending Section 14-106, Entitled 'Trespass Upon Lands or Premises of Another'."

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 Bazzy.

7-242-20. RESOLVED: That proposed Ordinance No. 20-1678 be laid on the table.

The resolution was unanimously adopted.

Councilmember Dabaja introduced Ordinance No. 20-1679, entitled, "An Ordinance to Amend the Nuisances Chapter (Chapter 13) of the Code of Ordinances of the City of Dearborn, by Amending Section 13-5.1, Entitled 'Immediate Abatement'."

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 Byrnes.

7-243-20. RESOLVED: That proposed Ordinance No. 20-1679 be laid on the table.

The resolution was unanimously adopted.

Councilmember Dabaja introduced Ordinance No. 20-1680, entitled, "An Ordinance to Amend the Nuisances Chapter (Chapter 13) of the Code of Ordinances of the City of Dearborn by Adding Section 13-5.3 Entitled 'Dust Control; Paved, Partially Paved, Unpaved and Storage Lots'."

The Clerk read the Ordinance by title.

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

By Byrnes supported by Herrick.

7-244-20. RESOLVED: That proposed Ordinance No. 20-1680 be laid on the table.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

7-245-20. WHEREAS: Council Resolution 7-307-19 authorized a contract with Major Cement Company in the amount of \$2,742,365.50 with a contingency in the amount of \$120,000 for Downtown West Dearborn Streetscape Project. Noted below are the out of scope services which were not part of the contract:

- Construction of 775 l.f. of 8" diameter water main in Monroe Street was specified as a replacement for 6" diameter water main. This water main is connected to the Great Lake Water Authority's (GLWA) 42" diameter water main in Morley Street. This water main connection with GLWA transmission line is one of the recommended locations determined as part of the GLWA Water Contract negotiations which requires 16" diameter water main in Monroe Avenue instead of 8" diameter. The cost differential between 8" diameter water main and 16" diameter water main is \$113,000.
- Lead Water service line replacement for seven (7) properties- \$31,500
- Irrigation system- \$50,000.
- Work at Bryant Library- This is not part of the contract and it is totally optional to add to the contract the estimated cost of which is at \$60,000. The City Engineer may seek working with other City contractor(s) to bring the cost down,

and

WHEREAS: The construction for the project is anticipated to be completed by July 31, 2020. The Engineering Division hereby requests that the City Council authorize an additional contingency in the amount of \$225,000 for this project. It is also requested that the City Engineer be authorized to execute all change orders or modifications that utilize all approved contingency. This additional cost will be paid for by the existing project budget; therefore be it

RESOLVED: That the additional contingency with Major Cement Company (C.R. 7-307-19) in the amount of \$225,000, for the Downtown West Dearborn Streetscape Project, Job No. 2016-023 be and is hereby approved; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

7-246-20. WHEREAS: Council Resolution No. 6-252-19 authorized a contract with the Michigan Department of Transportation for asphalt resurfacing work and storm sewer work along south bound Military Avenue from Golfview Drive to Cherry Hill. The cost included in the MDOT agreement was based on the Engineer's estimate and not based on actual bid received, and

WHEREAS: This is a federal aid project administered by the Michigan Department of Transportation (MDOT) and the City of Dearborn providing design and construction engineering/inspection services. The project has a federal cap set at \$437,500, whereas the City share was set at \$113,500. MDOT has been directly paying the contractor for the construction cost and they have been billing the City of Dearborn for its participation. The City is responsible for any amount over the federal cap amount. The Sewer Separation of both southbound and northbound Military Avenue the value of which is \$282,400 was also performed as an added benefit to the City as part of its overall Sewer separation. The Sewer Separation in a normal case is not paid for by the federal aid allotted for roads, and

WHEREAS: The project was bid out by MDOT in the year 2019 with only one bid received, which was very high; therefore, the bid was rejected. The project was rebid this year. Construction is almost complete, and

WHEREAS: Although the as-built construction cost will be lower than the bid amount, an additional amount of \$95,000 is needed to pay MDOT and to close out the project because of a federal cap on the project cost, and

WHEREAS: The Engineering Division hereby requests that the City Council authorize an additional \$95,000 to the above listed MDOT Contract; therefore be it

RESOLVED: That the contract with the Michigan Department of Transportation (MDOT) (C.R. 6-252-19) be and is hereby increased in the amount of \$95,000, for Hot Mix Asphalt, Cold Milling and Storm Sewer Work; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

7-247-20. WHEREAS: The City of Detroit under a federal aid program has a contract for Hot Mix Asphalt Resurfacing of NB Southfield Road from Paul Avenue to Joy Road within the City of Detroit City limit. The center line of NB Southfield Road and Paul Avenue is the City limit or jurisdiction limit for both Cities of Detroit and Dearborn, the northerly portion of the intersection is in the City of Detroit and the southerly portion is in City of Dearborn. This intersection is failing with approximately six inches (6") drop in the middle. No issues with underground utilities were noted, and

WHEREAS: The City of Detroit original construction plan for the Hot Mix Asphalt Resurfacing was to stay within the Detroit City limit and replace half of the intersection (northerly half) with proper elevation which would leave the Dearborn side (southerly half) remain dropped by six inches (6") with some temporary wedge. This concept would have created safety hazards for both drivers and drainage flow; therefore, it was not acceptable, and

WHEREAS: With ongoing communications with the City of Detroit staff, the entire intersection of NB Southfield Road and Paul Avenue will now be addressed utilizing the federal aid with both cities paying their fair share, and

WHEREAS: Presented herewith is the City of Detroit Agreement for paving the southerly half of the NB Southfield and Paul intersection within the Dearborn City limit, and

WHEREAS: The project cost and the respective shares of the parties, after Federal Aid is estimated as follows:

	<b>Total Estimated Cost</b>	<b>Federal Aid @ 81.85%</b>	<b>City Share</b>
Construction	\$37,357.70	\$30,577.28	\$6,780.42
Construction Engineering, Construction Materials Testing and Inspection	\$5,603.65	\$0.00	\$5,603.65
<b>Total</b>	<b>\$42,961.35</b>	<b>\$30,577.28</b>	<b>\$12,384.07</b>

and

WHEREAS: The Engineering Division hereby requests that City Council approve this Agreement subject to review by the Legal Department. It is also requested that the Mayor be authorized to sign the Agreement on behalf of the City. This project will be funded by CIP No. Q74044; therefore be it

RESOLVED: That the agreement with the City of Detroit be and is hereby approved associated with Paving of the North Bound Southfield Road and Paul Avenue Intersection with the City's share in the total amount of \$12,384.07, subject to review by the Legal Department; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

7-248-20. RESOLVED: That all bids received for Ballpark Replacement Fencing are hereby rejected except the bid of Nationwide Construction Group in an amount not to exceed \$41,739, 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 Capital Improvement Fund, Recreation Department, Sports Programs Division budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was given immediate effect.



By Sareini supported by Herrick.

7-249-20. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) (6) e, authorizes Continuity of Professional Services procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a Continuity of Professional Services procurement; therefore be it

RESOLVED: That D/A Central, Inc. be designated as a sole source for purchase and installation of Security Cameras for the West Village Parking Deck in the amount of \$39,316.95 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, Downtown Parking Decks, Contractual Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

7-250-20. RESOLVED: That all bids received for Tree Planting Services are hereby rejected except the bid of Crimboli Nursery in the amount of \$276,500, 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 two (2) one-year renewals pending satisfactory performance by the vendor; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

7-251-20. RESOLVED: That all bids received for Removal and Replacement of Veterans Park Signage are hereby rejected except the bid of Johnson Sign Co. in an amount not to exceed \$28,995, 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 Finance Director be and is hereby authorized to transfer the budget from the Facilities Fund to the General Capital Improvement Fund and appropriate the budget for the transfer; be it further

RESOLVED: That this contract shall be financed from the Capital Improvement Fund, Public Works Department, Highways Division budget.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

7-252-20. RESOLVED: That C.R. 3-70-20 be and is hereby rescinded which authorized a contract with Cross Renovation, Inc. for the Design-Build of a Comfort Station at Camp Dearborn in the amount of \$674,500; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

7-253-20. RESOLVED: That all bids received for Electrical Upgrades at Camp Dearborn's Trailer Village 2 are hereby rejected except the bid of Harlan Electrical in the amount of \$529,992.16, 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 Facility Fund, Camp Dearborn, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

7-254-20. RESOLVED: That City Council hereby issues purchase orders to Baker & Taylor in the amount of \$193,000; Ingram Library Service in the amount of \$15,000, and Midwest Tape, LLC in the amount of \$160,000 for Various Purchases for the Library Department through the Michigan Library Cooperative Directors Association Program; be it further

RESOLVED: That these purchase orders, in the total amount of \$368,000 shall be financed from the Capital Equipment, Library Materials Budget.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

7-255-20. 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 Sutphen Corporation be designated as a sole source for purchase of a Sutphen Fire Engine in an amount not to exceed \$481,666.25 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 Fleet and Equipment Replacement Fund, Fire, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

7-256-20. 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 Oakland County be designated as a sole source for purchase of Membership and Maintenance Fees for the CLEMIS Mobile Data Computer System Program for the Police Department in the amount of \$148,840.88 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from General Fund, Police, Professional Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

7-257-20. WHEREAS: The City presently has contracts with John E. Green and DE-CAL (C.R. 6-263-18) for CSO Facility/Equipment Maintenance and Repair, 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: John E. Green and DE-CAL has offered to renew the present contract prices through June 30, 2021; therefore be it

RESOLVED: That the contract for CSO Facility/Equipment Maintenance and Repairs is hereby renewed with John E. Green and DE-CAL through June 30, 2021 in the amount of \$800,000 (\$400,000 for each vendor); be it further

RESOLVED: That this contract shall be financed from the Sewer Fund, Sewerage Division, Contractual Services Sewer Fund, CSO Operating Division, Contractual Services budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

7-258-20. RESOLVED: That City Council hereby authorizes the Library to renew the membership with the Michigan Library Association (MLA) in the amount of \$4,199.35 for the period of July 1, 2020 through June 30, 2021; be it further

RESOLVED: That this membership renewal shall be financed from the Library account 271-5100-721.65-00.

The resolution was unanimously adopted.

By O'Donnell supported by Herrick.

7-259-20. WHEREAS: The FY2020 Major and Local Street fund revenue and expenditure budgets need to be adjusted based on the following updated estimates. Please see the attached table for Details, and

WHEREAS: The investment revenue in the Major and Local Street funds are currently under budget, and are estimated to be so after the final quarterly interest payment is recorded. This is due to reduced interest rates as a result of Covid-19 market effects. The estimated total interest revenue requires a cancelation in the budget for the Major Streets of \$20,000, and for the Local Streets of \$60,000, and

WHEREAS: The Metro Act revenue in the Local Street fund was received in May 2020, and the revenue budget requires an increase of \$109,600, and

WHEREAS: The Gas and Weight Tax revenue in the Major and Local Street funds are expected to be over budget. The City has received 83% of the Act 51 state payments for FY2020 for the July to April period, with 91% of the revenue budget being realized. Based on the updated MDOT distribution estimates released May 28th, an additional \$1.6 million is anticipated for the May and June payments (which will be received in July and August). Additional revenue budget in the Major Streets of \$555,520 and in the Local Streets of \$132,655 is needed, and

WHEREAS: The Gas and Weight Tax transfer from the Major to the Local Street fund for FY2020 is 45%. Based on the estimates for the Major Streets Gas and Weight Tax revenue, the transfer from the Major to the Local Street fund will also require a budget increase of \$249,981. The transfer is recorded as an expenditure in the Major Street fund, and a revenue in the Local Street fund, and

WHEREAS: The road maintenance expense budget for the Major Street fund is over budget, and the final monthly highways cost allocation still needs to be recorded. The estimated June costs are based on the May costs, and include labor, equipment, and supplies costs for sweeping. The estimated total road maintenance cost requires an increase in budget for the Major Streets of \$60,000, and

WHEREAS: The winter maintenance expense budget for the Major and Local Street funds is over budget, and the final monthly highways cost allocation still needs to be recorded. The estimated June costs are based on the May costs, and include labor, equipment, and supplies costs for patching. The estimated total winter maintenance cost requires an increase in budget for the Major Streets of \$29,000 and for the Local Streets of \$27,000, and

WHEREAS: The Finance Department requests that the Finance Director be authorized to recognize \$535,520 in revenue budget in the Major Street fund and \$432,236 in revenue budget in the Local Street fund. It is also requested that the Finance Director be authorized to appropriate \$338,981 in expenditure budget in the Major Street fund and \$27,000 in expenditure budget in the Local Street fund; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to recognize the revenue budget increase in the Major Street Fund budget in the amount of \$535,520 and the Local Street Fund budget in the amount of \$432,236; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate expenditure budget in the Major Street Fund budget in the amount of \$338,981 and the Local Street Fund budget in the amount of \$27,000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



## FY2020 Major and Local Street Funds Budget

<b>Major Street fund</b>	<b>Adjusted Budget</b>	<b>YTD Actual</b>	<b>Remaining Estimate</b>	<b>Requested Budget</b>
<u>Revenue</u>				
Interest	106,487	73,378	13,109	<b>(20,000)</b>
Gas & Weight Tax	7,814,150	7,137,670	1,232,000	<b>555,520</b>
				<b>\$ 535,520</b>
<u>Expenditure</u>				
G&W Tax Transfer	3,516,370	3,211,951	554,400	<b>249,981</b>
Road Maintenance	489,300	501,557	47,743	<b>60,000</b>
Winter Maintenance	295,400	297,377	27,023	<b>29,000</b>
				<b>\$ 338,981</b>

<b>Local Street fund</b>	<b>Adjusted Budget</b>	<b>YTD Actual</b>	<b>Remaining Estimate</b>	<b>Requested Budget</b>
<u>Revenue</u>				
Interest	128,734	58,363	10,371	<b>(60,000)</b>
Metro Act	270,000	379,600	0	<b>109,600</b>
Gas & Weight Tax	2,334,100	2,098,755	368,000	<b>132,655</b>
G&W Tax Transfer	3,516,370	3,211,951	554,400	<b>249,981</b>
				<b>\$ 432,236</b>
<u>Expenditure</u>				
Winter Maintenance	465,700	474,135	18,565	<b>27,000</b>
				<b>\$ 27,000</b>

BY Sareini supported by Herrick.

7-260-20. WHEREAS: The delinquent water liens were placed in error on the property addresses 13245 Michigan Ave. Parcel ID: 82-10-173-02-052 in the amount of \$22,767.83 and 13241 Michigan Ave. Parcel ID: 82-10-173-02-052 in the amount of \$571.31, and

WHEREAS: The delinquent water liens placed on these accounts need to be removed due to an erroneous meter reading which occurred by transposing the reading to the wrong account, and

WHEREAS: The Water Division has requested City Council authorize the Finance Director to cancel the delinquent water liens including waiving the penalty and any associated fees. The delinquent water liens will be re-established on the current water accounts, without the 25% transfer fee; therefore be it

RESOLVED: That the Finance Director be and is hereby authorized to cancel the delinquent water liens that were placed in error on property addresses 13245 Michigan Ave. and 13241 Michigan Ave., including waiving the penalty and any associated fees; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

7-261-20. WHEREAS: In 2017 and 2018 City-owned buildable lots were advertised for sale in the Dearborn Press and Guide, on the City's website, and on CDTV, and

WHEREAS: Among those parcels offered were 23030 Columbia, 2920 Grindley Park, and 2216 Grindley Park, and

WHEREAS: All 2017 and 2018 bids for new construction were placed on hold, pending the review and adoption of amendments to the residential standards requirements in the Dearborn Zoning Ordinance, and

WHEREAS: Once the final amendments were adopted by City Council in September 2019, the highest bidders from each of the properties from the 2017 and 2018 lot lists and bidders from the Leftover Lot Lists were contacted and provided a copy of the new Code provisions and asked if they wished to proceed with the purchases, and

WHEREAS: Gafai Group, LLC, by Ahmed Gelan indicated that it wished to proceed with the purchase of the following properties for which it was the winning bidder:

Address	Size	Min. Bid Price	Sale Price	Deposits	CR#
23250 Wilson	40'x128'	\$24,800	\$45,100	\$500 bid + \$4,510 EMD	2-58-20
23030 Columbia	45'x135'	\$19,200	\$19,200	\$500 bid + \$1,920 EMD	2-53-20
2920 Grindley Park	45'x109'	\$14,100	\$14,100	\$500 bid + \$1,410 EMD	2-55-20
2216 Grindley Park	45'x109'	\$14,100	\$14,100	\$500 bid + \$1,410 EMD	2-54-20

and

WHEREAS: The sale of these properties was approved at a City Council meeting in February 2020 which required closing within 90 days. The deadline to close was May 11, 2020, and

WHEREAS: Mr. Gelan submitted a request to extend the deadline in which to close on 23250 Wilson which is pending before Council, and

WHEREAS: Mr. Gelan asked to cancel Gafai Group, LLC's bids for the other three properties and requested that all deposits be returned, and

WHEREAS: Mr. Gelan contends that his companies are facing some challenges in selling single family homes in Dearborn, due to increased construction costs and higher property tax rates, and

WHEREAS: Mr. Gelan is also a partner in AGNA Homes, LLC, which has also purchased from the City's lot list in the past. Gafai and AGNA have previously purchased six properties from the City. Property Maintenance & Development Services did not perform any abatements at their previous projects, and

WHEREAS: The Council resolutions approving the sales of 23030 Columbia, 2920 Grindley Park, and 2216 Grindley Park state that closings must take place within 90 days of the effective date of the resolutions; failure to close shall result in the resolutions automatically being rescinded, deposits forfeited, and the sales declared null and void, and

WHEREAS: Since the offers were approved by City Council and since the closings did not occur within 90 days, it is recommended that Mr. Gelan's request for Gafai Group, LLC to cancel the sale of 23030 Columbia, 2920 Grindley Park, and 2216 Grindley Park be granted, but the request for the deposits to be returned be denied; therefore be it

RESOLVED: That because Council Resolutions #2-53-20, #2-54-20, #2-55-20 which approved the sales of 23030 Columbia, 2920 Grindley Park, and 2216 Grindley Park to Gafai Group, LLC state that closings must take place within 90 days of the effective date of the resolutions; failure to close shall result in the resolutions automatically being rescinded, deposits forfeited, and the sales declared null and void, Gafai Group, LLC's request to cancel the offers to purchase 23030 Columbia, 2920 Grindley Park, and 2216 Grindley Park is hereby granted; be it further

RESOLVED: That since the offers were approved by City Council and since the closings did not occur within 90 days as required, Gafai Group, LLC's request for the deposits to be returned is hereby denied.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

7-262-20. WHEREAS: City Council previously adopted C.R. 2-58-20 which authorized Gafai Group, LLC to purchase the vacant lot located at 23250 Wilson for the construction of a new house, and

WHEREAS: The Council resolution authorizing the sale of the vacant lot at 23250 Wilson required Gafai Group, LLC to close on the property within 90 days of the effective date of the resolution. The 90-day deadline to close expired on May 11, 2020, and

WHEREAS: Ahmed Gelan on behalf of Gafai Group, LLC has requested to extend the time in which to close on the purchase of the property to August 14, 2020, and

WHEREAS: Due to COVID-19, and challenges encountered with the sale of other single-family houses, construction activities were delayed for Gafai Group, LLC, and

WHEREAS: Mr. Gelan submitted the required \$100 fee to accompany the request for an extension to close on lots that were sold from the City's lot list, as required by the City's Land Sales Guidelines, and

WHEREAS: Mr. Gelan is also a partner in AGNA Homes, LLC, which has also purchased from the City's lot list in the past. Gafai and AGNA have purchased 6 properties from the City in the past. Property Maintenance & Development Services did not perform any abatements at their previous projects, and

WHEREAS: It is recommended that Gafai Group, LLC's request for an extension until August 14, 2020 to close on the purchase of 23250 Wilson be approved; therefore be it

RESOLVED: That this Council does hereby approve Gafai Group, LLC's request for an extension of time to close on the purchase of 23250 Wilson; be it further

RESOLVED: That the new deadline for the purchase of 23250 Wilson from the City is August 14, 2020; be it further

RESOLVED: That all other terms and conditions contained in the Offer to Purchase and C.R. 2-58-20 shall remain in full force and effect; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

7-263-20. WHEREAS: Detroit Medical Center/Rehabilitation Institute of Michigan (DMC) currently leases office space at the Ford Community and Performing Arts Center for \$3,000 per month, and

WHEREAS: The contract expires on August 12, 2021, and

WHEREAS: Although DMC is current with rental payments, a request was submitted, asking for a two-month deferral for the August and September 2020 payments, and

WHEREAS: DMC has lost revenue from physical therapy and sports medicine patients at the civic center due to closure of the Ford Community and Performing Arts Center during a period of time from the Governor's stay home order during the COVID-19 pandemic, and

WHEREAS: DMC is requesting to forego its \$3,000 August and September rental payments, but has proposed to make up the payments by paying an additional \$1,000 in rent for the October 2020 - March 2021 payments, and

WHEREAS: The current contract with DMC was approved in 2014. DMC has faithfully made payments to date, and

WHEREAS: Therefore, in order to allow DMC to catch up from lost revenue from a period of closure at the Ford Community and Performing Arts Center during the COVID-19 pandemic, it is recommended that the City Council approves DMC's request to forego the \$3,000 August and September rental payments, conditioned upon DMC's agreement to make up the deferred payments by paying an additional \$1,000 in rent for the October 2020 - March 2021 lease payments; therefore be it

RESOLVED: That this Council does hereby grant the request of Detroit Medical Center/Rehabilitation Institute of Michigan to forego its \$3,000 August and September rental payments; be it further

RESOLVED: That the lease deferral for August and September is conditioned upon DMC agreeing to make up the payments by paying an additional \$1,000 in rent for the October 2020 - March 2021 payments; be it further



RESOLVED: That the Mayor is hereby authorized to execute lease amendment documents necessary, to effectuate the lease deferral and repayment, subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That all other provisions contained in the current lease agreement 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 Sareini.

7-264-20. WHEREAS: On January 15, 2019, CR 1-27-19 authorized the engagement of two securities monitoring companies, Labaton Sucharow and Levi & Korsinsky. These companies identify and investigate any circumstances that may indicate fraudulent activity, and

WHEREAS: The City of Dearborn Post Employment Health Care Fund purchased shares of WWE on March 22, 2019, and

WHEREAS: On March 27, 2019, Defendant Vince McMahon allegedly sold 3,204,427 shares of WWE stock for proceeds of more than \$261,000,000 just days before the close of a disappointing first quarter and weeks before disclosing the expiration of a contractual media rights agreement in the Middle East which was not yet public information, and

WHEREAS: On June 8, 2020 a consolidated amended class action complaint was filed against World Wrestling Entertainment, Inc. (WWE), and

WHEREAS: Labaton Sucharow, one of the City's two securities monitoring companies, would like to bring claims against Defendant McMahon for insider trading pursuant to Section 20A of the Exchange Act requiring that an investor traded stock around the same time that McMahon effectuated his stock trades, and

WHEREAS: The City of Dearborn Post Employment Health Care Fund is the only Labaton Sucharow client with such a trade, and

WHEREAS: The City of Dearborn could assist similarly situated investors of this stock by entering the case as an Additionally-Named Plaintiff in the next stage of litigation, and

WHEREAS: Labaton Sucharow has proposed to work on a contingent fee basis, indemnifying the City for all costs and expenses associated with the litigation, and its fee is capped at 18% of the recovery, if any, for the WWE claim and litigation; therefore be it

RESOLVED: That the Finance Director be authorized to enter into litigation against WWE as an Additionally-Named Plaintiff under the terms and conditions set forth in the previous paragraph in order to protect the integrity of the investments made with monies ultimately intended to fund the City of Dearborn's retiree healthcare benefits; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

7-265-20. WHEREAS: The Department of Public Works Director is proposing a policy extending the \$500 Rebate Program to Eligible Single Family Residential Customers that are eligible to downsize their water meter, through September 30, 2020, and

WHEREAS: This proposal would authorize extending the current residential meter size reduction \$500 rebate program by 90 days due to the COVID-19 Pandemic. The current credit program adopted via Council Resolution 7-324-19 is set to expire on June 30, 2020, and

WHEREAS: It has come to the Water and Sewerage Division's attention that there are a number of individuals that were attempting to comply with the requirements of this program and were slowed by the residents inability to acquire a plumber to perform the work during the Stay at Home quarantine, and

WHEREAS: It is therefore the Water and Sewerage Division's request to extend the expiration of the Residential Meter size redaction \$500 rebate program until September 30, 2020. And that all final approvals and acceptances must be submitted by this date to be eligible for the rebate, and

WHEREAS: Not all residential customers will be eligible to reduce the size of their water meter. In order to be eligible for the credit associated with an eligible meter downsizing, all work must be done by a licensed plumber with a permit, and inspected and approved by the City of Dearborn PMDS Division, and the Water Department; therefore be it

RESOLVED: That the current residential meter size reduction program \$500 rebate for single family residential customers who are eligible to downsize their water meter be and is hereby extended through September 30, 2020; be it further

RESOLVED: that this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

7-266-20. WHEREAS: The Chief of Police has issued temporary rules and regulations provided for under authority of Chapter 18, Section 18-150 (23), entitled "Traffic Code" of Ordinance No. 96-661, on a 60-day trial basis, and

WHEREAS: The Chief of Police has reported that experience to date would suggest that the temporary rules and regulations be made permanent; therefore be it

RESOLVED: That the Traffic Rules & Regulations pursuant to Section 18-150 of the Code of Ordinances of the City of Dearborn as follows:

- Three (3) "begin higher fines zone," three (3) "end higher fines zone," four (4) "no parking," and two (2) school crossing signs on Salina St. near Salina Elementary School
- Three (3) "no left turn," three "no right turn," and six (6) "no thru traffic" signs on Carlisle St. and Penn St. east of Telegraph
- Two (2) "permit parking only" signs. One on the easement of 1645 Salina St. and one on the easement of 2701 Bennett St.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

7-267-20. WHEREAS: Fordson Varsity Alumni Club with One Dearborn are seeking City Council approval to conduct a Homecoming Chicken Dinner Fundraiser BBQ (Carryout) Dinner on Saturday, August 8, 2020 from 4 P.M. to 7:30 P.M., expected attendance will be 250-500 automobiles stopping for pickup of dinner orders. Subject to all applicable ordinances, rules, and regulations of the Dearborn Police Department, and

WHEREAS: The Fordson Varsity Alumni Club, Homecoming Chicken Dinner Fundraiser BBO event with the purpose of raising funds to meet funding challenges in our community related to the Covid-19 pandemic. The proceeds will benefit Exchange Club of Dearborn, Fordson High School Varsity Alumni Club, Dearborn Firefighters Burn Drive, Friends for Animals of Metro Detroit and Dearborn Goodfellows. The Homecoming BBQ Dinner Fundraiser will be conducted at the Old Kroger Parking Lot, 23000 Michigan Avenue, beginning at 4 P.M. to 7:30 P.M.

- Group to provide permission letter from owner of the property for authorizing the use of their parking lot for the fund raiser.
- Group is requesting permission to place signage on the Michigan Avenue right of way on City property advertising the fundraiser and its location.
- BBQ Dinners are being prepared by Park Place Catering who is licensed by Wayne County Health Department to provide food service.
- DPW assistance to provide barricades;

therefore be it

RESOLVED: That the Fordson Varsity Alumni Club be and is hereby granted permission to conduct a Homecoming Chicken Dinner Fundraiser BBQ (Carryout) Dinner on Saturday, August 8, 2020 from 4 p.m. to 7:30 p.m. at 23000 Michigan Avenue (old Kroger parking lot), subject to all applicable ordinances, rules, and regulations of the Dearborn Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

7-268-20. WHEREAS: The City of Dearborn, in cooperation with the West Dearborn Downtown Development Authority (WDDDA), is making improvements to Howard, Mason, and Monroe Streets north of Michigan Avenue in West Downtown, and

WHEREAS: The improvements to Mason Street have led to the recommendation to create additional on-street parking spaces adjacent to the Bryant Library and to close the parking lot adjoining the library to the north, and

WHEREAS: On February 26, 2020, a public meeting was held to seek input and discuss concept designs for redeveloping the parking area north of the library into a public greenspace, and

WHEREAS: Public input received at the February 26, 2020 meeting led to modifications of the concept designs, including the location of handicap parking and possible modifications to the adjacent "Lot B," which is northwest of the library, and

WHEREAS: Concept designs and other information about the proposed greenspace area and adjacent parking were presented to City Council at a briefing session on July 7, 2020, and a recommended design was identified and other, related issues were discussed, and

WHEREAS: The Bryant Library and adjoining parking lot is City-owned property and Section 8.2 of the City Charter vests the City Council with the power to "control and regulate the use of ... public places and the space above and beneath them;" therefore be it

RESOLVED: That the conversion of the parking lot adjoining the north side of Bryant Library into a public greenspace, based upon the recommended design presented to City Council on July 7, 2020, is approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

7-269-20. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Ronald Berry, to the Dix-Vernor Corridor Authority for a term ending June 30, 2024; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

7-270-20. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Richard Audi, to the Economic Development Corporation for a term ending June 30, 2026; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

7-271-20. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Mike Kaid, to the Economic Development Corporation for a term ending June 30, 2026; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Byrnes supported by Herrick.

7-272-20. WHEREAS: The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It spreads rapidly from person to person regardless of whether symptoms are present. Although COVID-19 can affect persons of all ages, it places those with pre-existing chronic illnesses and our older population at a higher risk. There is currently no approved vaccine or antiviral treatment for this disease, and

WHEREAS: On Tuesday, July 14, 2020, Governor Gretchen Whitmer ("Governor Whitmer") signed Executive Order 2020-151 (the "Order"). The Order constitutes a state of emergency declaration under the Emergency Powers of the Governor Act of 1945 and will remain in effect until August 11, 2020 at 11:59 pm. This Executive Order rescinds Executive Order 2020-127. As you know, on March 17, 2020, the Mayor declared a local state of emergency, which was extended by this City Council on March 24, 2020, April 14, 2020, April 28, 2020, May 18, 2020, May 28, 2020, and June 23, 2020. The Mayor's goal has been clear; protect life by stopping or at least suppressing the transmission of COVID-19 to help bring this emergency situation that exists within our community under control. Following the recommendations of public health experts as well as coordinating efforts and resources is crucial to creating a stable path to recovery for our state and local community, and

WHEREAS: The extension of the local declaration is vital to providing City departments with the necessary flexibility needed for sustaining alternate work assignments and schedules, among other things, relating to our staff members. This is particularly important following the re-opening of certain City facilities to the general public on Monday, June 15, 2020. Almost all City departments have implemented alternate work schedules and certain departments are participating in the State of Michigan Work Share Program until Friday, July 31, 2020. This flexibility permits City departments to provide the highest level of service to the public while maintaining the safest protocols and procedures for the staff on site, and

WHEREAS: In response to the widespread and severe health threats posed by COVID-19, while under the declaration of a local state of emergency we have made the following necessary expenditures from the account established by the Council for pandemic related expenses:

Building Cleaning:	\$55,900
Disinfectants <sup>7</sup> :	\$83,900
PPE/Medical Supplies:	\$69,800
Equipment/Signage:	\$14,000
Communications:	\$3,700
<u>Donations/Stimulus:</u>	<u>(\$64,000)</u>
Total Expenditures:	\$163,300

and

WHEREAS: Presently, of the \$1.5 million set aside by the City Council, an available fund balance of \$1,336,700 remains after accounting for all expenditures, donations, and stimulus reimbursement. The above referenced expenditures were necessary to protect life and property in an effort to bring the emergency situation within our community under control. Additional expenditures may be necessary to help suppress the transmission of COVID-19 as well as protect our emergency responders and staff members while the declaration of a local state of emergency remains in effect, and

WHEREAS: Section 2-615 of the Dearborn City Code states that the declaration of a local state of emergency by the Mayor shall not be continued or renewed for a period in excess of seven days except with consent of the City Council. While the measures the City has put in place have been effective, the conditions that prompted the Mayor's initial declaration and subsequent extensions have not yet improved to a point where it is prudent to discontinue the local state of emergency. At this time, the Mayor believes it is in the community's best interest to extend the declaration of a local state of emergency to at least August 11, 2020, and

WHEREAS: Therefore, the Mayor requests that the City Council extend the declaration of local state of emergency until August 11, 2020 at 11:59 pm in unification with Governor Whitmer's Executive Order 2020-151; therefore be it

RESOLVED: That the declaration of a local state of emergency is continued until 11:59 p.m. on August 11, 2020; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

Councilmember Dabaja left the Zoom Meeting at  
9:26 P.M.

There being no further business, upon a motion  
duly made, seconded and adopted, the Council then adjourned at  
9:42 P.M.

APPROVED:

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President of the Council

ATTESTED:

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City Clerk