

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

February 9, 2021

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.

Father Bob McCabe from Church of the Divine Child delivered the invocation.

By Byrnes supported by Bazzy.

2-65-21. RESOLVED: That the minutes of the previous regular meeting of January 26, 2021, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

2-66-21. RESOLVED: That Ordinance No. 20-1695 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 20-1695, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property at 2600 Saulino Court from Residential A (Single Family Residential District) to B-B (Community Business District) and Residential A (Single Family Residential District) zoning classifications.

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?"

2-66-21. Upon roll call the Ordinance was unanimously adopted.

By Bazzy supported by Herrick.

2-67-21. RESOLVED: That Ordinance No. 21-1696 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 21-1696 entitled, "An Ordinance to amend the Zoning Ordinance of The City of Dearborn by Amending Article 27.00, Section 27.05, Entitled, "Uses."

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?"

2-67-21. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by Herrick.

2-68-21. RESOLVED: That Ordinance No. 21-1699 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 21-1699, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning properties located at 6122 and 6050 Greenfield from OS (Business Office) to Business A (Local Business District) zoning classification.

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?"

2-68-21. Upon roll call the Ordinance was unanimously adopted.

By Herrick supported by Sareini.

2-69-21. RESOLVED: That Ordinance No. 21-1700 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 21-1700, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning properties located at 6150 and 6140 Greenfield from OS (Business Office) to Business A (Local Business District) zoning classification.

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?"

2-69-21. Upon roll call the Ordinance was unanimously adopted.

Ordinance No. 21-1697 - Introduced by Councilmember Herrick - "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning properties bounded by Southfield Road, Mercury Drive, and Ford Road and 5600 Mercury Drive from Business B (Community Business District) to Business C (General Business District) zoning classification.

Resolution by Byrnes in need of support to table the Ordinance.

By O'Donnell supported by Herrick.

2-70-21. RESOLVED: That all proposals received for Property Brokerage Services are hereby rejected except the proposal of CBRE, Inc., that the aforementioned proposal is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the proposal have been fully complied with; be it further

RESOLVED: That the contract shall be for a term ending June 30, 2021 with four (4) one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the Sales Commissions - Withheld from Sales; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

2-71-21. WHEREAS: The City currently has a purchase order in the amount of \$527,765 with SirsiDynix (C.R. 5-210-14) for Integrated Library System Upgrade. Purchasing has received a request from the Library to add \$52,401.17 to that purchase order for Integrated Library System Upgrade, resulting in a total purchase order amount of \$580,166.17; therefore be it

RESOLVED: That the additional expenditures for SirsiDynix be and is hereby authorized in the amount of \$52,401.17, bringing the total contract amount to \$580,166.17, for the Integrated Library System Upgrade; be it further

RESOLVED: That the additional expenditures shall be financed from the Library Fund, Professional Services, EDP Software Service budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Sareini.

2-72-21. WHEREAS: New Cingular Wireless PCS, LLC, has requested to amend its lease on the monopole located behind the Police and Courts building to provide for a renewal of five years, with four additional five-year renewals, for a total of 25 years, and

WHEREAS: Corporation Counsel has recommended that the lease amendment be approved; therefore be it

RESOLVED: That based on the above, the City Council authorizes the Mayor to execute a lease amendment with New Cingular Wireless PCS, LLC on terms and conditions approved by the Corporation Counsel.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

2-73-21. WHEREAS: The COVID-19 pandemic has negatively affected the national, state, and local economy, and

WHEREAS: The dining and restaurant industry has been disproportionately affected by public health restrictions that limit their capacity to serve customers, and

WHEREAS: City Council passed resolution CR 6-231-20 on June 16, 2020 making a number of temporary alterations to the Ordinance of the City to permit administrative approval of temporary outdoor service areas for restaurants and retail sales/service businesses in response to the negative impacts of complying with social distancing requirements related to the COVID-19 pandemic, and

WHEREAS: City Council passed resolution CR 10-453-20 on October 20, 2020 extending CR 6-231-20 to 12:01 am on January 3, 2021 and adding a fee waiver for permits related to heating elements for outdoor service areas, and

WHEREAS: The City of Dearborn wishes to assist restaurants within the City further by providing them the means to have greater dining capacity, which can be done via increased outdoor dining options and expanding areas where outdoor dining may take place including certain rights-of-way and other City owned property, and

WHEREAS: City Council passed resolution CR 12-529-20 and CR 12-530-20 in support of outdoor dining for restaurants on December 30, 2020, and

WHEREAS: Assistance for restaurants by the City of Dearborn will help sustain the businesses and support retention and creation of jobs; therefore be it

RESOLVED: That the closure of Howard Street from Michigan Avenue on the north to West Village Drive on the south, from February 1, 2021 - May 1, 2021, or as outdoor dining is extended by City Council, is hereby approved; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

2-74-21. WHEREAS: The COVID-19 pandemic has negatively affected the national, state, and local economy, and

WHEREAS: The dining and restaurant industry has been disproportionately affected by public health restrictions that limit their capacity to serve customers, and

WHEREAS: City Council passed resolution C.R. 6-231-20 on June 16, 2020 making a number of temporary alterations to the Ordinance of the City to permit administrative approval of temporary outdoor service areas for restaurants and retail sales/service businesses in response to the negative impacts of complying with social distancing requirements related to the COVID-19 pandemic, and

WHEREAS: City Council passed resolution C.R. 10-453-20 on October 20, 2020 extending C.R. 6-231-20 to 12:01 am on January 3, 2021 and adding a fee waiver for permits related to heating elements for outdoor service areas, and

WHEREAS: The City of Dearborn wishes to assist restaurants within the City further by providing them the means to have greater dining capacity, which can be done via increased outdoor dining options and expanding areas where outdoor dining may take place including certain rights-of-way and other City owned property, and

WHEREAS: City Council passed resolution CR 12-529-20 and CR 12-530-20 in support of outdoor dining for restaurants on December 30, 2020, and

WHEREAS: Assistance for restaurants by the City of Dearborn will help sustain the businesses and support retention and creation of jobs; therefore be it

RESOLVED: That the closure of Williamson Street from Michigan Avenue on the north to the Wellesley parking lot on the south, from February 1, 2021-May 1, 2021, or as outdoor dining is extended by City Council, is hereby approved; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by O'Donnell.

2-75-21. RESOLVED: That City Council hereby authorizes changing the date of the Committee of the Whole meeting of Thursday, November 4, 2021 to Tuesday, November 9, 2021 and respectively changing the date of the Regular Meeting of November 9, 2021 to November 16, 2021.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

2-76-21. WHEREAS: The City of Dearborn in participation with the West Dearborn Downtown Development Authority seeks to create a Social District Plan and operations policy, and

WHEREAS: The West Dearborn Downtown Development Authority seeks to take advantage of Michigan Public Act 124 of 2020 signed into law on July 1, 2020, and

WHEREAS: This enabling legislation allows Michigan municipalities to establish Social Districts that would allow for "common areas" where two or more contiguous licensed establishments (bars, distilleries, breweries, restaurants and tasting rooms) could sell alcoholic beverages in special cups to be taken into the common area for consumption, and

WHEREAS: At its August 20, 2020, Board meeting, the WDDDA approved a draft plan supporting the establishment of the Social District prior to businesses applying for the State permit. Since that time, the WDDDA has refined the plan with input from the City of Dearborn Police Department, ECD, and potential license holders, and a work session that was held with the City Council on November 10, 2020, and

WHEREAS: At a Special Meeting on December 30, 2020, the City Council approved an allocation of up to \$200,000 for the purchase of tents, tables, chairs, heaters and lighting for outdoor dining common areas which will be utilized by a mixture of restaurants and bars in the East and West Downtowns, and the Southend, and

WHEREAS: In order for some of the restaurants and bars in the West Downtown to fully utilize these additional amenities and benefit from them, a Social District is recommended to help simplify the liquor license complexities and enhance the consumer experience, and

WHEREAS: The proposed Dearborn Social District boundary consists of:

- Michigan Avenue from 310 ft. east of Oakwood to 280 ft. west of Military;
- W. Village Drive from 310 ft. east of Oakwood to 280 ft. west of Military;
- The connector streets of Monroe, Mason, and Howard from W. Village Drive to the northern edge of the alley north of Michigan Avenue businesses, and
- Alleys abutting the north side of Michigan Avenue businesses from Oakwood to Military,

and

WHEREAS: Within the Dearborn Social District, specific "**common areas**" are defined where consumption may occur, including:

- West Village Commons Plaza,
- Muirhead Plaza,
- Public property at the northeast corner of Howard and Michigan Avenue,
- Pocket Park between Brome and Sheeba Restaurants;
- West Village Drive between Mason and Oakwood, Monroe from Michigan Avenue to West Village Drive, and Monroe from Michigan Avenue to the alley north of Michigan (as authorized by Council through street closures),
- West Village Drive between Tenny and Howard Streets (as authorized by Council through street closures),
- Commandant's Quarters grounds,

and

WHEREAS: Streets in the Social Districts will remain open to traffic and for parking, unless parking spaces are given to outdoor dining or if Council approves a street closure, and

WHEREAS: Liquor license holders within the Dearborn Social District may apply for a Social District liquor license permit from the Michigan Liquor Control Commission, and

WHEREAS: A Social District licensee agreement authorizing the use and maintenance requirements of the Social District for liquor license holders shall be established according to the Dearborn Social District plan; therefore be it

RESOLVED: That the City Council hereby approves the Dearborn Social District plan, establishes the Dearborn Social District boundaries and authorizes issuance of notification to the Michigan Liquor Control Commission for the Dearborn Social District from February 11, 2021 until September 30, 2021, unless extended by City Council; be it further

RESOLVED: That the Dearborn Social District plan authorizes liquor license holders located within the Dearborn Social District to apply for a Social District license from the Michigan Liquor Control Commission; be it further

RESOLVED: That the City Council hereby authorizes the City of Dearborn Mayor to execute Social District licensee agreements with liquor license holders permitted by the Michigan Liquor Control Commission on behalf of the City of Dearborn; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

There being no further business, upon a motion duly made, seconded and adopted, the Council then adjourned at 9:49 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk