

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

May 11, 2021

The Council convened at 7:30 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.

Fr. Terrence Kerner from St. Kateri Catholic Church delivered the invocation.

By O'Donnell supported by Bazzy.

5-181-21. RESOLVED: That the minutes of the previous special closed meeting of April 22, and regular meeting of April 27, 2021, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

5-182-21. RESOLVED: That Ordinance No. 21-1708 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 21-1708 entitled, "An Ordinance to Amend Chapter 13 by Adding Section 13-5.3 of the Code of Ordinances of the City of Dearborn, Entitled "Dust Control; Paved, Partially Paved, Unpaved, and Storage Lots."

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?"

5-182-21. Upon roll call the Ordinance was unanimously adopted.

By Sareini supported by Herrick.

5-183-21. RESOLVED: That all bids received for Concrete Deck Repair at Dunworth Pool are hereby rejected except the bid of McCarthy Construction Company, Inc. in the amount of \$48,660, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$10,000 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That the Recreation and Parks Director (or designee) be and is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That the Finance Director be and is hereby authorized to perform a transfer of \$58,660 from the Dunworth Operating budget to the General Fund to the Facilities Fund and to recognize and appropriate the \$58,660 transfer in the Facilities Fund CIP I26700 Dunworth Pool Complex; be it further

RESOLVED: That the Finance Director be and is hereby authorized to recognize and appropriate the \$262,427 transfer in the Capital Improvement Fund CIP S04801 Street Light Fixture Replacement; be it further

RESOLVED: That this contract shall be financed from the Facility Fund, Dunworth Pool, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by O'Donnell.

5-184-21. RESOLVED: That all bids received for Powerhouse Renovations - Phase 4 are hereby rejected except the bid of Motor City Electric Co. in the amount of \$219,400, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$20,600 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That the Director of Public Works (or designee) be and is hereby authorized to execute all change orders or modifications that utilize all approved contingency; be it further

RESOLVED: That this contract shall be financed from the Facility Fund, Powerhouse, Capital Project Support budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

5-185-21. 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 DTE be designated as a sole source for purchase of City-Wide LED Light Conversion in the amount of \$280,357.58 for additional expenditures and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That the Finance Director be and is hereby authorized to transfer from the following projects; L20800 LED Campus (\$107,574); L15000 Reroof Highways (\$75,584); and L20820 Motor Transport UGST Investigation (\$79,269) in a total amount of \$262,427; be it further

RESOLVED: That this purchase order shall be financed from Capital Improvement, Infrastructure, Street Lights budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Abraham.

5-186-21. 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, and

WHEREAS: Among those parcels offered was a vacant 40' lot located at 24805 Calvin, zoned Residential "A", and

WHEREAS: The minimum bid price for this property was \$9,700, and

WHEREAS: All bids were submitted in sealed envelopes and opened in City Council Chambers on March 5, 2020. No bids were received on this property at that time, and

WHEREAS: In January 2021, Matthew Ainsworth and Andrea Chavez, owners and occupants of the house located at 24737 Calvin, a single-family home with a driveway and detached garage, requested to purchase 24805 Calvin as side yard, and

WHEREAS: Since the property was not advertised as side yard, the neighbors who own the adjoining property on the other side at 24811 Calvin, Fuad Ammary and Anisa Abdulghafoor, were contacted via regular and certified mail to see if they had interest in purchasing a portion of 24805 Calvin as side yard as well. Mr. Ammary and Ms. Abdulghafoor did not express interest in purchasing any portion of the lot, and

WHEREAS: The lot has appeared on the City's lot lists since 2015 and has not sold for new construction. Due to no bids being submitted for the construction of a new house on the lot, and since Mr. Ammary and Ms. Abdulghafoor are not interested in purchasing any portion of this property, Matthew Ainsworth and Andrea Chavez has requested to purchase the entire 40 ft. lot for the minimum bid price of \$9,700, and

WHEREAS: They wish to increase their lot size and intend to combine the lot with their existing property for tax and assessment purposes. Their lot size will be approximately 80 ft. wide if this sale is approved. They understand that if the sale is approved, they cannot seek any variances from the Dearborn Zoning Ordinance, and

WHEREAS: The following conditions are recommended and set forth in the proposed resolution pertaining to this transaction:

1. The lot must be combined with the Purchasers' property and may not be resplit or combined with other land for a resplitting as two buildable lots. Purchasers may seek permission to split and sell a portion of the side yard to the neighboring property owner.
2. The lot may only be sold or developed in combination with the Purchasers' adjacent property.
3. 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.
4. The Purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the Purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Use of this property for construction or expansion of any dwelling shall require the owner to comply with lot coverage and side yard setbacks of the Dearborn Zoning Ordinance. Purchasers are waiving their right to seek any variances.
7. If Purchasers violate any of the restrictions imposed, they are obligated to sell the property back to the City for \$9,700, less 10% and less costs associated with the transfer of property back to the City,

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 at a price of \$9,700 to Matthew Ainsworth and Andrea Chavez of the parcel described as:

Lot 426, Dearborn Telegraph Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 51, Page 19 of Plats, Wayne County Records.

Tax I.D. 82-09-294-16-036
Commonly known as 24805 Calvin
Lot size: 40' x 135'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Purchasers upon delivery to the City of the above purchase price and full compliance with the conditions outlined above, subject to adjustments, if any, as shown on the Closing Statement, prepared by Corporation Counsel and based upon Purchasers closing within ninety (90) days of the effective date of this resolution; be it further

RESOLVED: That the sale is contingent upon the above-referenced conditions being satisfied, and upon the satisfaction of the terms contained in the Purchase Agreement; 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 the sale of 24805 Calvin as side yard complies with one of the public purposes identified when the City originally purchased the property through the Neighborhood Stabilization Program, serves a public purpose by promoting expansion of lots to improve the neighborhoods, and serves a public purpose by adding the property back to the tax rolls to generate revenue for the City.

The resolution was unanimously adopted.

By Abraham supported by Sareini.

5-187-21. WHEREAS: City Council passed CR 1-46-21 which confirmed and approved the Consolidated Miscellaneous Assessment Roll for 2020 for the several services affecting private property in the approximate amount of \$227,253.18 including the 25% transfer fee allowed per CR 11-1102-02, and

WHEREAS: In accordance with City Charter, the Treasury Division billed all affected private properties and accepted payments through April 16, 2021 and certifies that the following amounts are still due the City for the several services affecting private property as follows:

Tall Vegetation	\$31,001.55
Litter	4,670.00
Trash	325.00
Nuisance Abatements	16,484.00
Snow Removal	1,907.95
Special Pickup	1,965.00
Ordinance Special Pickup	3,535.00
Recycle Bins	3,360.00
Trees	2,941.60
Secure/Board-Up Building	1,115.90
Demo/Demo Related Bills	16,195.20
False Alarm	37,180.00
Fire False Alarm Bills	3,080.00
SAD 871 West Parking Maintenance	1,138.57
General Fund Interest	6,876.17
Sidewalk Bills	13,436.80
<u>Sewer</u>	<u>24,242.86</u>
Total	\$168,455.60

therefore be it

RESOLVED: That this Council does hereby confirm and approve the adjusted Consolidated Miscellaneous Roll for 2020 for the several services affecting private property in the approximate amount of \$168,455.60 plus 25% in the amount of \$42,113.91 per Council resolution 11-1102-02 for transfer to the 2021 tax roll in the approximate amount of \$210,569.51; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

5-188-21. RESOLVED: That Great Lakes Fireworks, 24805 Marine, Eastpointe, Mi 48021 be and they are hereby granted a Special Events License to conduct a fireworks display at the Dearborn Country Club on June 26, 2021, with a rain date of July 01, 2021 subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

5-189-21. WHEREAS: The West Dearborn Downtown Development Authority (WDDDA) plans to host events and placemaking activities for the 2021 summer season from Friday, June 4 - Sunday, October 31, 2021, including but not limited to the Dearborn Farmers & Artisans Market, Movies in the Park, Tunes at Noon, Social District entertainment, and Pumpkin Carving Day, and

WHEREAS: The WDDDA wishes to host these events and activities at Wagner Park and on West Village Drive between Mason and Monroe Streets, and the temporary, weekly closure of West Village Drive will provide the needed area for the events and activities; therefore be it

RESOLVED: That the City Council hereby authorizes the use and vehicular closure of West Village Drive between Mason and Monroe Streets from June 4 - October 31, 2021, weekly on Fridays at 8 a.m. through Mondays at 8 a.m.; be it further

RESOLVED: 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 9:20 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk