

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

September 14, 2021

The Council convened at 7:33 P.M., President of the Council Susan Dabaja presiding. Present at roll call were Councilmembers Abraham, Bazy, Byrnes, Herrick, O'Donnell, Sareini and President of the Council Dabaja; absent, none. A quorum being present, the Council was declared in session.

Reverend Mark Philips from Cherry Hill Presbyterian Church delivered the invocation.

By O'Donnell supported by Herrick.

9-390-21. RESOLVED: That the minutes of the previous regular meeting of August 17, 2021, and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Bazy supported by Herrick.

9-391-21. WHEREAS: Council Resolution No. 5-216-18 created Special Assessment District No. 873, and

WHEREAS: The Department of Assessment has prepared Special Assessment Roll No. 873 for the purpose of distributing the cost of maintaining the city-owned parking lots and the surrounding area in the East Dearborn Business District, and

WHEREAS: The cost was incurred during the maintenance period of July 1, 2020 - June 30, 2021, and

WHEREAS: The Assessor has certified the Special Assessment Roll is based on a prorate basis according to the benefit to be derived by affected property owners, and

WHEREAS: The Special Assessment Roll No. 873 will be available for public inspection in the City Clerk's Office on Monday, September 20, 2021, and

WHEREAS: The Department of Assessment requested a public hearing for the distribution of costs of Special Assessment District No. 873 for the public purpose of maintaining city-owned parking lots and the surrounding area in the East Dearborn Business District for a one-year period; therefore be it

RESOLVED: That the City Council shall meet on Thursday, October 7, 2021 in the Council Chambers at the Dearborn Administrative Center, City of Dearborn at 7:00 p.m., or as soon thereafter as the Council order of business will permit, to review and to hear objections to Special Assessment Roll No. 873; be if further

RESOLVED: That Special Assessment Roll No. 873 was prepared for the public purpose of distributing the cost of maintenance incurred by the City of Dearborn for city owned parking lots and surrounding area in the East Dearborn Business District. Said roll is hereby ordered to be filed by the Assessor in the office of the City Clerk for public inspection during regular business hours; be if further

RESOLVED: That the City Clerk is hereby authorized and directed to publish a copy of the following "Notice of Hearing" in the official newspaper for the City of Dearborn in accordance with Section 15.2 of the City Charter and by mailing at least 15 days prior to the hearing to affected property owners:

NOTICE OF HEARING

**CONFIRMATION OF SPECIAL ASSESSMENT ROLL No. 873
(East Dearborn Business District)**

The Dearborn City Council will hold a public hearing at a special meeting on Thursday, October 7, 2021 at 7:00 p.m. in the Council Chambers of the Dearborn Administrative Center, 16901 Michigan Avenue, for the confirmation of Special Assessment Roll No. 873. The public purpose is for distributing costs of maintaining city-owned parking lots and surrounding area in the East Dearborn Business District for a one-year period. The maintenance period was July 1, 2020 through June 30, 2021.

A notice will be been sent to the owner of each business property located within Special Assessment District No. 873 by mail at least 15 days prior to the public hearing. The proposed Special Assessment Roll No. 873 will be available for public inspection at the City Clerk's Office Monday, September 20, 2021. Any persons having objections to the distribution of costs within the special assessment district must either attend the hearing or file their objections in writing with the City Clerk prior to the hearing date.

The owner or any person having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

Individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate in this meeting should contact the City Clerk at 943-2010 or the TDD at 943-2074. Reasonable advance notice is required.

George Darany
City Clerk

be it further

RESOLVED: That notice of said meeting be published in the official newspaper of the City as soon as possible in the interest of informing the largest number of members of the public; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-392-21. WHEREAS: The Department of Assessment has requested a public hearing for the creation of Special Assessment District No. 874 for the public purpose of maintaining city-owned parking lots and the surrounding area in the West Dearborn Business Maintenance District for five annual one-year periods, and

WHEREAS: The first of five annual maintenance periods are from July 1, 2020 through June 30, 2021 and the fifth of five annual maintenance periods is from July 1, 2024 through June 30, 2025; therefore be it

RESOLVED: That the City Council shall hold a public hearing on Thursday, October 7, 2021 in the Council Chambers, Dearborn Administrative Center, 16901 Michigan Avenue, City of Dearborn at 6:30 p.m., or as soon thereafter as the Council order of business will permit, to create Special Assessment District No. 874 for the public purpose of maintaining city-owned parking lots and the surrounding area in the West Dearborn Business Maintenance District for five annual one-year periods; be it further

RESOLVED: That the City Clerk is hereby authorized and directed to publish a copy of the following "Notice of Hearing" in the official newspaper for the City of Dearborn as follows:

NOTICE OF HEARING

CREATION OF SPECIAL ASSESSMENT DISTRICT No. 874 (West Dearborn Business Maintenance District)

The Dearborn City Council will hold a public hearing at a special meeting on Thursday, October 7, 2021 at 6:30 p.m. in the Council Chambers of the Dearborn Administrative Center, 16901 Michigan Avenue, for the creation of Special Assessment District No. 874. The public purpose is for maintaining city-owned parking lots and the surrounding area in the West Dearborn Business Maintenance District for five annual one-year periods. The first of five annual maintenance periods are from July 1, 2020 through June 30, 2021 and the fifth of five annual maintenance periods is from July 1, 2024 through June 30, 2025

The legal descriptions of the properties to be included in the proposed Special Assessment District are located within the following boundary:

LAND IN THE CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN,

BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF S. MILITARY ROAD (66 FEET WIDE) AND THE CENTERLINE OF MICHIGAN AVENUE (VARIABLE WIDTH); THENCE ALONG SAID CENTERLINE OF S. MILITARY ROAD N. $16^{\circ}01'28''$ W. 619.03'; THENCE N. $71^{\circ}43'32''$ E. 1274.97' ALONG THE NORTHERLY LINE OF LOTS 55 THRU 66 (EXTENDED) OF "DETROIT ARSENAL GROUND", T. 2 S., R. 10 E., VILLAGE OF DEARBORN (NOW THE CITY OF DEARBORN), WAYNE COUNTY, MICHIGAN, AS RECORDED IN VOLUME "B" ON PAGE 90 OF PRIVATE PLATS, WAYNE COUNTY RECORDS; THENCE S. $18^{\circ}31'28''$ E. 32.00'; THENCE N. $71^{\circ}43'32''$ E. 155.00' TO A POINT ON THE CENTERLINE OF MASON STREET (60 FEET WIDE); THENCE N. $18^{\circ}31'28''$ W. 250.00' ALONG SAID CENTERLINE OF MASON STREET TO A POINT ON THE CENTERLINE OF MORLEY STREET (80 FEET WIDE); THENCE ALONG SAID CENTERLINE OF MORLEY STREET N. $71^{\circ}43'32''$ E. 570.00' TO A POINT ON THE CENTERLINE OF MONROE STREET (80 FEET WIDE); THENCE ALONG SAID CENTERLINE OF MONROE STREET S. $18^{\circ}31'28''$ E. 307.00'; THENCE ALONG THE NORTHERLY LINE OF LOTS 73 AND 76 (EXTENDED) OF SAID "DETROIT ARESENAL GROUND" N. $71^{\circ}43'32''$ E. 370.00' TO A POINT ON THE CENTERLINE OF OAKWOOD STREET (60 FEET WIDE); THENCE ALONG SAID CENTERLINE OF OAKWOOD STREET S. $18^{\circ}31'28''$ E. 533.00' TO A POINT ON THE CENTERLINE OF MICHIGAN AVENUE (84 FEET WIDE); THENCE ALONG THE CENTERLINE OF SAID MICHIGAN AVENUE S. $71^{\circ}43'32''$ W. 2.50'; THENCE ALONG THE CENTERLINE OF OAKWOOD STREET S. $18^{\circ}11'09''$ E. 751.20' TO A POINT ON THE CENTERLINE OF PARK STREET (30 FEET WIDE); THENCE ALONG THE CENTERLINE OF SAID PARK STREET S. $71^{\circ}42'30''$ W. 370.00' TO THE CENTERLINE OF MONROE STREET (80 FEET WIDE); THENCE ALONG SAID CENTERLINE OF MONROE STREET S. $18^{\circ}11'09''$ E. 115.00'; THENCE S. $71^{\circ}53'58''$ W. 190.00' ALONG THE SOUTHERLY LINE OF LOT 26 (WEST SIDE, EXTENDED) OF "PLAN OF DEARBORNVILLE", TOWN OF DEARBORN (NOW THE CITY OF DEARBORN), WAYNE COUNTY, MICHIGAN, AS RECORDED IN UBER 11 OF DEEDS, PAGES 203-204, WAYNE COUNTY RECORDS; THENCE N. $18^{\circ}11'09''$ W. 115.00' TO A POINT ON THE CENTERLINE OF SAID PARK STREET (30 FEET WIDE); THENCE ALONG SAID CENTERLINE OF PARK STREET S. $71^{\circ}53'58''$ W. 50.00'; THENCE ALONG THE EASTERLY LINE OF LOT 21 (EXTENDED) OF SAID "PLAN OF DEARBORNVILLE" N. $18^{\circ}11'09''$ W. 175.00'; THENCE S. $71^{\circ}53'58''$ W. 100.00' TO A POINT ON THE EASTERLY LINE OF LOT 22 OF SAID "PLAN OF DEARBORNVILLE"; THENCE ALONG SAID EASTERLY LINE OF LOT 22 S. $18^{\circ}11'09''$ E. 110.00'; THENCE S. $71^{\circ}53'58''$ W. 230.00' TO A POINT ON THE CENTERLINE OF MASON STREET (60 FEET WIDE); THENCE ALONG SAID CENTERLINE OF MASON STREET N. $18^{\circ}11'09''$ W. 21.51' TO A POINT ON THE CENTERLINE OF ABBEY LANE (20 FEET WIDE); THENCE ALONG SAID CENTERLINE OF ABBEY LANE S. $70^{\circ}55'32''$ W.

230.00'; THENCE N. 18°11'09" W. 193.40' TO A POINT ON THE NORTHERLY LINE OF MICHIGAN CENTRAL RAILROAD (VARIABLE WIDTH); THENCE ALONG SAID NORTHERLY LINE OF MICHIGAN CENTRAL RAILROAD S. 71°29'59" W. 898.23'; THENCE S. 79°06'50" W. 50.36'; THENCE S. 70°07'20" W. 442.04'; THENCE N. 15°22'20" W. 486.63' TO A POINT ON THE CENTERLINE OF MICHIGAN AVENUE (VARIABLE WIDTH); AND THENCE ALONG SAID CENTERLINE OF MICHIGAN AVENUE N. 71°49'23" E. 141.61' TO THE POINT OF BEGINNING. CONTAINING 70.52 ACRES OF LAND, MORE OR LESS.

A notice will be sent to the owner of each business property located within the proposed district by mail at least 15 days prior to the public hearing. Any persons having objections to the creation of the special assessment district must either attend the hearing or file their objections in writing with the City Clerk prior to the hearing date.

Individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate in this meeting should contact the City Clerk at 943-2010 or the TDD at 943-2074. Reasonable advance notice is required.

George Darany
City Clerk

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Herrick.

9-393-21. RESOLVED: That Ordinance No. 21-1710 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 21-1710, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 7029 Kendal from VP (Vehicular Parking District) to Residential A (Single Family Residential District) and VP (Vehicular Parking 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?"

9-393-21. Upon roll call the Ordinance was unanimously adopted.

By Bazzy supported by Herrick.

9-394-21. RESOLVED: That Ordinance No. 21-1717 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 21-1717 entitled, "An Ordinance to Amend The Building and Building Regulations Chapter (Chapter 5), Article XIII titled "Flood Damage Prevention" of the Code of Ordinances of the City of Dearborn by Amending Section 5-1363, entitled 'Designation of Regulated Flood Prone Areas'."

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?"

9-394-21. Upon roll call the Ordinance was unanimously adopted.

Councilmember Sareini introduced Ordinance No. 21-1718, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 3031 S. Telegraph from B-B (Community Business District) and V-P (Vehicular Parking District) to B-C (General Business District) and V-P (Vehicular Parking District) zoning classification.

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.

9-395-21. RESOLVED: That proposed Ordinance No. 21-1718 be laid on the table.

The resolution was unanimously adopted.

Councilmember Bazy introduced Ordinance No. 21-1719, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the properties located at 7100 Ternes Ave., 7044 Ternes Ave., and 7041 Orchard Blvd. from R-D (Multiple Family Residential District) to R-A (Single Family Residential District) zoning classification.

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 Abraham.

9-396-21. RESOLVED: That proposed Ordinance No. 21-1719 be laid on the table.

The resolution was unanimously adopted.

By Abraham supported by Bazzy.

9-397-21. WHEREAS: The construction for the Water Main Replacement and Asphalt Street Resurfacing Phase 1-2020 Contract with Aielli Construction Company is almost complete. The contract award for the project was \$4,646,129.60 and a contingency of \$150,000 (CR 1-11-20) with a scope involving 131 pay items, and

WHEREAS: Additional contingency in the amount of \$50,000 because of unforeseen conditions is required to close out the project. The final as built cost is approximately 4% higher than the bid amount, and

WHEREAS: The Engineering Division hereby requests that the City Council authorize an additional contingency in the amount of \$50,000 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, and

WHEREAS: This additional cost will be paid for by the existing project budget; therefore be it

RESOLVED: That an additional contingency for Aielli Construction Company (C.R. 1-11-20) be and is hereby authorized in the amount of \$50,000 for the Water Main Replacement and Asphalt Street Resurfacing Phase 1-2020 Contract, Job No. 2019-030, CIP Q74041; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by O'Donnell.

9-398-21. WHEREAS: Sewer Separation (partial) in East Dearborn in lieu of caisson construction, west of Chase Road will be completed by October 31, 2021. The Separation Project was designed and constructed to abide by the federal requirements of the Clean Water Act to eliminate waste water entering the Rouge River during the rain events. The project was never funded and designed to address neighborhood basement flooding, and

WHEREAS: Oceans, lakes, rivers and creeks water levels are rising with climate change and torrential rains throughout the globe. Dearborn is adversely impacted with the rise in Rouge River water elevations. Our two major sewer outlets in East Dearborn, one at Prospect Avenue (Caisson Site C6) and the other at Hubbell - Southfield Sewage treatment Facility along Rouge River, south of Michigan Avenue, remain partially or fully submerged adversely impacting their conveyance capacity causing sewer backups. In Dearborn, all sewers flow by gravity to caissons and to Greenfield and Miller Road pump stations, and

WHEREAS: With the rising Rouge River water elevations and the recent Sewer Separations in East Dearborn as part of the federal mandate of pollution control, we now have an opportunity to implement measures to assist with basement flooding in the recently separated drainage area in East Dearborn as described below and shown in attachments:

- Drainage area west of Chase between Michigan Avenue and the Railroad (North of Warren Avenue) is now 95% separated with new storm sewers. The existing combined sewers in this drainage area now collect waste water, foundation drains and 5% of rain water. These combined sewers are now oversized and have sufficient storage capacity to detain waste water for approximately 6 to 8 hours without impacting basements. Unfortunately, with the absence of a sanitary trunk sewer in the vicinity, the downstream ends of these oversized combined sewers remain connected to a large diameter combined trunk sewer on Orchard Street that still causes the basements to flood during high intensity rains, especially when the water level at the Rouge River is high because of a "back water effect." There are a total of five (5) sub drainage areas, each with separate connections to the Orchard sewer. They are located at Gould Street, Arthur Street, Donald Street, Colson Street and at the alley, south of Michigan Avenue. The City Engineer is proposing that five light weight large diameter backflow

valves (flappers) operated only by gravity be installed to prevent combined sewers flowing into the separated area especially when the Orchard sewer is flowing at higher elevations and/or is surcharged. Once, the Orchard sewer begins to flow at normal elevations, the stored waste water from the separated area will flow by gravity via the flappers. In order to receive maximum benefit, the removal of the remaining 5% of rain water from the combined sewers is recommended. In the meantime, the City Engineer is working with the staff of the Michigan Department of Transportation to remove storm water from the combined sewers for the westbound Michigan Avenue Service Drive between Firestone Street and Korte Street as part of their resurfacing project slated for the next year (Elm Street to Firestone). Minor additional rerouting of sewers will be necessary to accommodate some more areas east of Chase. Installation of backflow valves will help to minimize the risk of basement flooding for approximately 4,200 houses.

- There is an existing 12-foot diameter storm sewer along Mercury Drive that is servicing the drainage area west of Chase that has a separate free gravity flow outfall just south of the GLWA's Hubbell- Southfield combined sewage outfalls. This sewer and outfall remain at 70 % full with normal Rouge River water elevation. With the upstream water pressure head and no current or velocity at the Rouge River during the non-rainy days, the 30% available space within the 12-foot diameter sewer is sufficient to convey storm flow. However, the 12-foot diameter storm sewer loses its conveyance capacity during high intensity rain events especially when the Rouge River water elevations are high and the Rouge begins to flow into the 12-foot storm sewer resulting in street flooding west of Chase Road. Considering the rising Rouge River water elevation and in order to take full advantage of both conveyance and storage capacity of the 12-foot diameter sewer and to prevent Rouge River flowing into the 12-foot diameter storm sewer, construction of a concrete weir wall (dam) and large backflow valve (flapper) is proposed at the outfall. In addition, installation of dewatering pump(s) is also proposed to continue the draining during rain events and to keep the 12-foot sewer free of water following every rain event,

and

WHEREAS: FEMA has informed us that cities and communities may apply for a grant to design and execute construction projects that will address basement and street flooding. In recent years, we received two grants from FEMA for construction related activities; for the Oakwood Storm sewer and C7/C8 Regulators and Overflow Structure at Morley. FEMA's grant application is very detailed requiring almost 50% design drawings and continual back and forth communication with them, and

WHEREAS: The firm of Applied Science Inc. (ASI) who has performed hydraulic evaluation for the city sewer system for the last 20 years and submitted two recent successful FEMA applications and prepared design drawings to meet FEMA's requirements is very familiar with the process. The Engineering Division will be seeking a FEMA grant in the approximate grant amount of \$3M with a 25% Dearborn match, and

WHEREAS: ASI has provided their cost estimate of \$91,460 to prepare and submit FEMA applications with 50% design for the abovementioned two projects. Since the allocation of the grant by FEMA is strictly on the basis of cost/benefit, communications with FEMA will be time-consuming for both the City Engineer and ASI, and

WHEREAS: The firm of ASI was retained by the city to provide design engineering (\$194,106, CR 4-164-17, PO 093331), construction management (\$222,466.00, change order no 1, CR 3-125-18, PO 094888) for the Oakwood Storm Sewer Project, (\$112,000, CR 8-361-19, PO 098138), (\$350,000, CR 1-8-21, PO 099475, for CSO Project Performances), and

WHEREAS: The Engineering Division is hereby requesting that the firm of ASI be retained to provide the above-mentioned services for the amount of \$91,460. It is also requested that the Finance Department is authorized to create a capital improvement project with an initial budget of \$125,000 from the Sewer Fund. Additional funds will be requested if and when the projects are qualified to receive a FEMA Grant and it becomes available; therefore be it

RESOLVED: That a contract be and is hereby awarded to Applied Science Inc. (ASI) in the amount of \$91,460 to prepare and submit FEMA applications and that the Mayor is hereby authorized to execute a formal contract upon approval of the Department of Law; be it further

RESOLVED: That the Finance Department be and is hereby authorized to create a Capital Improvement Project with an initial budget of \$125,000 from the Sewer Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

9-399-21. RESOLVED: That all bids received for Audio Equipment Upgrades for the City Council Chambers are hereby rejected except the bid of Conti Inc. in the amount of \$45,078.74, 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 appropriate \$45,079 of the General Fund fund Restricted Peg Fee balance to the Public Information, Telecommunications Department, Capital Equipment expenditures for this purchase; be it further

RESOLVED: That this contract shall be financed from the General Fund fund balance appropriation of Restricted Peg fees account.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

9-400-21. RESOLVED: That all bids received for Backflow Inspection Services are hereby rejected except the bid of HydroCorp in the amount of \$122,900, 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 four (4) one-year renewals pending satisfactory performance by the vendor; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Abraham.

9-401-21. RESOLVED: That all bids received for Bulk Leaf Pickup and Hauling are hereby rejected except the bid of Klochko Equipment Company in the amount of \$144,211, 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 season with two (2) one-season renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, Sanitation Division, Contractual Services budget.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

9-402-21. RESOLVED: That all bids received for Integrated Library System Upgrade are hereby rejected except the bid of SirsiDynix in an amount not to exceed \$600,684, 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 Library Fund, Professional Services, EDP Software budget. This amount includes the maintenance contract of \$572,077 and a contingency of \$28,604 (5%) to cover the maintenance of any additional software developed and purchased over the life of the contract. Future funding will be contingent upon adoption of the respective budgets. Annual renewal dates will be October of each year, beginning October 2021 through October 2027; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Bazzy.

9-403-21. RESOLVED: That all bids received for Six (6) License Plate Scanners for the Police Department are hereby rejected except the bid of Flock Group, Inc. in the amount of \$30,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Police Administration, Operating Supplies, Equipment - Non Capital budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

9-404-21. RESOLVED: That all proposals received for Wellness Services at the Ford Community & Performing Arts Center are hereby rejected except the proposal of Detroit Medical Center/Rehabilitation Institute of Michigan with an annual revenue of \$37,800 (\$189,000 total), 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 of five years with two (2) one-year renewals pending satisfactory performance by the vendor; be it further

RESOLVED: That this contract revenue shall be recognized in the General Fund, Facility Administration - Community Center account 101-3056-363.20-90, Rents & Royalties budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-405-21. 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 Tyler Technologies be designated as a sole source for purchase of Ongoing Maintenance of the Utility Division's Customer Information System in the amount of \$43,433.01 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 Water Fund, Public Works, EDP Software Service budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

9-406-21. RESOLVED: That all bids received for Accident Repair Services of a Freightliner Truck are hereby rejected except the bid of Truck and Trailer Specialties, Inc. in an amount not to exceed \$80,000, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$3,000 is hereby approved to provide for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$80,000 of the General Fund fund balance to cover the repair; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

9-407-21. RESOLVED: That all bids received for a Freightliner Chassis are hereby rejected except the bid of Wolverine Freightliner (\$90,941) and all bids received for Chassis Upfitting are hereby rejected except the bid of Bell Equipment (\$136,000) in a total amount of \$226,941, that the aforementioned bids are hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bids have been fully complied with; be it further

RESOLVED: That the Finance Director be and is hereby authorized to appropriate \$6,941 of the Department of Public Works Service Division's Fleet and Equipment Reserve Balance to the Public Works Fleet Operating Equipment Fund; be it further

RESOLVED: That this contract shall be financed from the Fleet, Public Works, Capital Equipment, Operating Equipment Vehicle budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-408-21. WHEREAS: The City is eligible for contract pricing through the Sourcewell Cooperative program, Contract #062916-ORA, for Non-Stock and Non-OEM Aftermarket Auto, Truck and Automotive Shop Supplies for Public Works from O'Reilly Auto Parts, and

WHEREAS: O'Reilly Auto Parts, the authorized distributor for the Sourcewell Cooperative program, will supply the Non-Stock and Non-OEM Aftermarket Auto, Truck and Automotive Shop Supplies for Public Works in the amount of \$113,300; therefore be it

RESOLVED: That a purchase order be awarded to O'Reilly Auto Parts in the amount of \$113,300 for Non-Stock and Non-OEM Aftermarket Auto, Truck and Automotive Shop Supplies for Public Works; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-409-21. WHEREAS: The City is eligible for contract pricing through the State of Michigan's MiDeal Cooperative program, Contract #071B2200101, for Radio Equipment for the Consolidated Dispatch Center from Motorola Solutions, and

WHEREAS: Motorola Solutions, the authorized distributors for the State of Michigan's MiDeal Cooperative program, will supply the Radio Equipment for the Consolidated Dispatch Center in the amount of \$594,416; therefore be it

RESOLVED: That a purchase order be awarded to Motorola Solutions in the amount of \$594,416 for Radio Equipment for the Consolidated Dispatch Center; be it further

RESOLVED: That this purchase order shall be financed from the Facilities Fund, Police, Capital Equipment budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Byrnes.

9-410-21. WHEREAS: In April 2015, Zausmer, August and Caldwell (now known as Zausmer P.C.) substituted as the City's outside counsel in the lawsuit titled *Shaw v City of Dearborn*, and

WHEREAS: The Plaintiff's Class Action Complaint challenged the legality of the City's retail water and sewer rates, and

WHEREAS: The City prevailed in Wayne County Circuit Court in December 2017 and the Plaintiff appealed that decision to the Michigan Court of Appeals, and

WHEREAS: The City prevailed in the Michigan Court of Appeals in a published opinion released on September 19, 2019, and

WHEREAS: The City would be well-served by continued legal representation and consultation in this matter from Gary August of August Law PLLC (formerly with Zausmer, August, and Caldwell), due to Mr. August's extensive knowledge of this case and the City's CSO projects through this and other litigation on the City's behalf, and

WHEREAS: Gary August has recently formed the law firm known as August Law, PLLC; therefore be it

RESOLVED: That the professional services agreement with Zausmer P.C. be extended to include August Law PLLC, along with the remaining funding in the previous authorization in the approximate amount of \$3,376.56; be it further

RESOLVED: That an additional \$30,000 is authorized for this engagement; be it further

RESOLVED: That the Finance Director be and is hereby authorized to transfer \$30,000 from the General Fund fund balance to the Fleet and General Liability fund for this engagement; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

9-411-21. RESOLVED: That City Council hereby authorizes the Mayor to renew the City's membership with the Southeast Michigan Council of Governments (SEMCOG) in the amount of \$13,116 for the period of June 15, 2021 through June 14, 2022; be it further

RESOLVED: That this membership renewal is budgeted in the citywide account 101-1299-421.65-00.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

9-412-21. RESOLVED: That receipt of a donation in the amount of \$176.40 as the final distribution of escrow from the Steven N. Fecko and Helen Fecko Revocable Trust for the Library is hereby acknowledged and accepted; be it further

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

RESOLVED: That the Finance Department be and is hereby authorized to recognize the final distribution of escrow donation into Library Donation Account 271-5100-365.90-00.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-413-21. WHEREAS: Dearborn Public Schools ("DPS") operates security cameras within the public areas of its buildings. No cameras exist in areas where an individual has a reasonable expectation of privacy, such as locker rooms and rest rooms, and

WHEREAS: DPS has agreed to allow the police department and dispatch center to have access to the security camera feeds to assist in the response to serious criminal activity and medical emergencies occurring in the buildings, and

WHEREAS: The City and DPS have agreed to enter into an Interlocal Agreement ("IGA") to set the terms and conditions for such access, and

WHEREAS: The proposed IGA contains safeguards to limit access to the feeds to only authorized persons and requires notice to DPS whenever the feeds are accessed by the police department or dispatch center; therefore be it

RESOLVED: That based on the above, the City Council authorizes the Mayor to execute an IGA with DPS on terms and conditions to be approved by Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-414-21. WHEREAS: EnviroSolids, LLC is the owner and operator of the solid waste processing facility located at 6011 Wyoming, and

WHEREAS: In 2013, City Council adopted CR 10-508-13, approving EnviroSolids' request to provide Host Community approval for inclusion in Wayne County's solid waste disposal plan, and

WHEREAS: The waste disposal plan is required by the Natural Resources and Environmental Protection Act (NREPA), and

WHEREAS: On August 31, 2021, Lawrence Pierce on behalf of EnviroSolids, LLC submitted a letter to Council, advising that it had entered into an agreement to sell its assets to Valicor Environmental Services, LLC and requested the City's permission to assign the Host Community Agreement (HCA), dated November 7, 2013 to Valicor as the new operator of the facility, and

WHEREAS: Section 18(a) of the current HCA does not permit any transfer or assignment of the agreement without express consent of the City, and

WHEREAS: The request was reviewed by the Law Department, PMDS, and DPW, and

WHEREAS: There is no objection to the assignment at this time. Currently, there are no outstanding Code violations, and all payments for taxes and water/sewer invoices are up-to-date. Once the new owner files a Property Transfer Affidavit, PMDS will determine if an interval inspection is due for re-occupancy, and

WHEREAS: Pursuant to the HCA, in the event the facility or operation is in violation of any local, state, or federal regulations, or if the NREPA permit is revoked, the City may withdraw its host community support, and

WHEREAS: It is recommended that the City Council approve the assignment of the HCA to Valicor Environmental Services, LLC, provided Valicor provides evidence of insurance as required by the HCA and provided Valicor abides by all local, state, and federal regulations; therefore be it

RESOLVED: That City Council approves the assignment of the November 7, 2013 Host Community Agreement from EnviroSolids, LLC to Valicor Environmental Services, LLC, provided Valicor provides evidence of insurance as required by the HCA, provided Valicor abides by all local, state, and federal regulations, and provided Valicor files a Property Transfer Affidavit and schedules an inspection for re-occupancy; be it further

RESOLVED: That the Mayor is hereby authorized to execute documents on behalf of the City to effectuate approval of the assignment, subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazy supported by Herrick.

9-415-21. WHEREAS: Beginning May 2, 2021 through May 20, 2021, vacant City-owned property was advertised for sale for three 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 24620 Cherry, zoned RA, and

WHEREAS: The minimum bid price for this property was \$9,800, and

WHEREAS: The City did not receive any bids for new construction for 24620 Cherry, and

WHEREAS: Stephen and Lory Popp, owners and occupants of the house located at 24628 Cherry, a single-family home with a driveway and detached garage, have offered to purchase this property from the Previously Advertised Properties List for \$9,800 for additional side yard, and

WHEREAS: Since the property was not advertised as side yard, the neighbors who own the adjoining property on the other side, Mr. and Mrs. Holgate, were contacted via regular and certified mail, and in person, to see if they had interest in purchasing a portion of 24620 Cherry as side yard as well. Mr. and Mrs. Holgate stated they had no interest in purchasing any portion of the lot, and

WHEREAS: Due to no bids being submitted for the construction of a new house on the lot, and since Mr. and Mrs. Holgate are not interested in purchasing any portion of this property, Stephen and Lory Popp have requested to purchase the entire 40' lot for \$9,800, and

WHEREAS: They wish to increase their lot size and intend to combine the lot with their existing property for tax and assessment purposes, and

WHEREAS: It is recommended that Stephen and Lory Popp's offer to purchase 24620 Cherry be approved, subject to the following conditions:

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 assumes all responsibility for soil testing and soil conditions.
5. Lot 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 \$9,800, 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 \$9,800 to Stephen and Lory Popp of the parcel described as:

Lot 632, Georgia Park Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 41, Page 2 of Plats, Wayne County Records.

Tax I.D. 82-09-292-16-022
Commonly known as 24620 Cherry
Lot size: 40' x 137'

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 24620 Cherry as side yard 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 Bazzy supported by Herrick.

9-416-21. WHEREAS: Beginning May 2, 2021 through May 20, 2021, vacant City-owned property was advertised for sale for three weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant lot located at 9557 Eagle, zoned RA, and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$8,950. All bids were submitted in sealed envelopes and opened in City Council Chambers on May 20, 2021, and

WHEREAS: No bids were received on this property at that time, and

WHEREAS: Mohamed Salim submitted a bid to purchase the lot from the Previously Advertised Properties List for \$9,000. He plans to construct a single-family dwelling on this property within one year from the date of the closing. Mohamed Salim has not purchased from the City's lot list in the past, and

WHEREAS: Mohamed Salim has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign his purchase option or sell the vacant land without approval of the Dearborn City Council, and
2. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void, and
3. If Purchaser elects to sell the vacant property during the 12-month period, the Purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn, and
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and

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

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

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale of the parcel described as:

East 20 ft. of Lot 11 and all of Lot 12, Eagle-Roulo Sub., City of Dearborn, Wayne County, MI, as recorded in Liber 43, Page 32 of Plats, Wayne County records.

Tax I.D: 82-10-211-11-065
Commonly known as vacant lot at 9557 Eagle
Lot size: 60' x 100'

to Mohamed Salim for \$9,000; be it further

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

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

RESOLVED: That the sale of the property for the construction of a new house will serve a public purpose by revitalizing and stabilizing the neighborhood and by adding the property to the tax rolls to generate revenue for the City; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-417-21. WHEREAS: Beginning May 2, 2021 through May 20, 2021, vacant City-owned property was advertised for sale for three weeks in the Dearborn Press and Guide, the City's website, and on CDTV, and

WHEREAS: Among those parcels offered was a vacant 60' lot located at 10205 Tireman, zoned RA, and

WHEREAS: The minimum bid price for this property was \$15,600, and

WHEREAS: The City did not receive any bids for new construction for 10205 Tireman, and

WHEREAS: Rafael Ramirez, owner of the house located at 10217 Tireman (lot size 40' x 120'), a single-family, registered vacant home with a driveway and detached garage, is requesting to purchase the vacant City-owned lot adjacent to his property for \$15,600 for additional side yard use, and

WHEREAS: The lot has appeared on the City's lot lists since 2011 and has not sold for new construction. Due to no bids being submitted for the construction of a new house on the lot, Rafael Ramirez has requested to purchase the entire 60' lot for \$15,600, and

WHEREAS: Mr. Ramirez wishes to increase his lot size and intends to combine the lot with his existing property at 10217 Tireman for tax and assessment purposes, and

WHEREAS: He understands that if the sale is approved, he cannot seek any variances from the Dearborn Zoning Ordinance, and

WHEREAS: His lot size will be approximately 100' wide if this sale is approved, and

WHEREAS: It is recommended that Rafael Ramirez's offer to purchase 10205 Tireman be approved, subject to the following conditions:

1. The lot must be combined with the Purchaser's property located at 10217 Tireman and may not be resplit or combined with other land for a resplitting as two buildable lots.

2. The lot may only be sold or developed in combination with the Purchaser's adjacent property located at 10217 Tireman.
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 Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions.
5. Lot must be combined with the Purchaser's adjacent property at 10217 Tireman 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. Purchaser is waiving his right to seek any variances.
7. If Purchaser violates any of the restrictions imposed, he is obligated to sell the property back to the City for \$15,600, 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 \$15,600 to Rafael Ramirez of the parcel described as:

Lot 261, Robert Oakman Land Company's Aviation Field Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 44, Page 5 of Plats, Wayne County Records.

Tax I.D. 82-10-054-10-023
Commonly known as 10205 Tireman
Lot size: 60' x 120'

and that the Mayor be and is hereby authorized to execute a Deed for said land to Purchaser 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 Purchaser 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 10205 Tireman as side yard 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 Bazzy supported by Byrnes.

9-418-21. WHEREAS: Beginning May 2, 2021 through May 20, 2021, vacant City-owned property was advertised for sale for three weeks in the Dearborn Press and Guide, the City's website, and on CDTV. Among those parcels offered was a vacant lot located at 3744 Zeigler, zoned RA, and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$14,600. All bids were submitted in sealed envelopes and opened in City Council Chambers on May 20, 2021, and

WHEREAS: No bids were received on this property at that time, and

WHEREAS: Taha Alrahomni submitted a bid to purchase the lot from the Previously Advertised Properties List for \$14,600. She plans to construct a single-family dwelling on this property within one year from the date of the closing. Taha Alrahomni has not purchased from the City's lot list in the past, and

WHEREAS: Taha Alrahomni has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign her purchase option or sell the vacant land without approval of the Dearborn City Council, and
2. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council resolution which authorizes the sale of the property; failure to close within this period shall result in the resolution automatically being rescinded, deposit forfeited, and the sale declared null and void, and
3. If Purchaser elects to sell the vacant property during the 12-month period, the Purchaser must first offer to resell the property to the City for the purchase price, less 10%, all deposits, and less costs associated with the transfer back to the City of Dearborn, and
4. The Purchaser accepts the property "AS IS" and assumes all responsibility for soil testing and soil conditions, and

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

and

WHEREAS: The City has no further need for said land and this Council believes that said offer is a fair and reasonable price for said land and it is in the best interest of the City to accept said offer; therefore be it

RESOLVED: That this Council does hereby determine to effect the sale of the parcel described as:

Lot 211 and the South 20 ft. of Lot 212, Zeigler Park Sub., City of Dearborn, Wayne County, MI, as recorded in Liber 40, Page 97 of Plats, Wayne County records.

Tax I.D: 82-09-342-28-031
Commonly known as vacant lot at 3744 Zeigler
Lot size: 60' x 134.62'

to Taha Alrahomni for \$14,600; be it further

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

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

RESOLVED: That the sale of the property for the construction of a new house will serve a public purpose by revitalizing and stabilizing the neighborhood and by adding the property to the tax rolls to generate revenue for the City; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn to complete this transaction; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Sareini supported by Bazzy.

9-419-21. WHEREAS: The City has dedicated all available resources to effectuate the removal of 7,186 tons¹ of refuse and debris from homes and businesses which were damaged and/or destroyed by the flooding and sewer backups caused by the severe rain event on June 25/26, 2021, and

WHEREAS: President Biden declared the event on June 25/26, 2021 a national disaster for which FEMA funds are available to reimburse certain losses, and

WHEREAS: Wet furniture, drywall, clothing and other materials represent an imminent danger to the public and must be removed as quickly as possible, and

WHEREAS: The City has engaged numerous contractors to cause the removal of this refuse and debris as quickly as possible at no charge to residents and business owners, and

WHEREAS: Property owners continue to clean-up from the tremendous property losses as a result of the excessive rain, sewer backups, and flooding on June 25/26, 2021, and

WHEREAS: The City is seeking reimbursement from FEMA for its substantial losses and costs incurred due to this event, including the costs of removing damaged goods and materials from basements, and

WHEREAS: The Administration has indicated that it will continue its efforts to pick-up flood damaged materials, refuse, debris, and drywall placed at the curb through September 30, 2021; therefore be it

RESOLVED: That the Council authorizes the waiver of special pick-up fees for flood damaged materials, debris, and drywall through September 30, 2021; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Bazzy supported by Byrnes.

9-420-21. WHEREAS: Council Resolutions 12-666-15, 4-169-17, and 7-373-18 were adopted, authorizing the lease of 1500 sq. ft. of outdoor seating area in the West Village Commons Plaza to West Village Michigan LLC, the owner of the building at 22269 Michigan Avenue for Bar Louie's patrons, and

WHEREAS: The lease was a five-year lease which expired on July 15, 2021, and

WHEREAS: The base rent for the previous lease was \$2,250 per year, with an annual \$200 administrative fee, and

WHEREAS: West Village Michigan LLC, the owner of the building, no longer wishes to act as the lessee for the outdoor seating areas, and

WHEREAS: Bar Louie wishes to continue the lease for the outdoor seating area on its own behalf, and

WHEREAS: Trey Noonan, Executive Vice President of Development for BLH Acquisitions Co., LLC (Bar Louie), submitted a request to continue to lease the outdoor seating area for Bar Louie in the publicly owned plaza at West Village Commons (22255 Michigan Avenue), and

WHEREAS: The request was reviewed by the Economic and Community Development Department, Law Department, and City Assessor, and

WHEREAS: Outdoor seating in the west downtown is in alignment with the goals and policies of the City with regard to the continued vibrancy and development of the district, and

WHEREAS: It is recommended that the request to continue the lease of 1500 sq. ft. of outdoor seating for Bar Louie be approved, subject to certain conditions and that the City Assessor's current opinion of value is \$2.10/sq. ft. for the leased space; therefore be it

RESOLVED: That this Council does hereby approve Bar Louie's (BLH Acquisitions Co., LLC) request to continue to lease 1500 sq. ft. of the publicly owned plaza at 22255 Michigan (West Village Commons Plaza) for \$3, 150 per year for a period of 5 years, adjusted annually in accordance with the Consumer Price Index, retroactive beginning July 1, 2021, plus \$200 annual administrative fee, taxes, and responsibilities outlined in the lease agreement, which are subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That the Mayor is hereby authorized to execute a lease agreement on behalf of the City of Dearborn to memorialize the lease terms, subject to the review and approval of Corporation Counsel; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

9-421-21. WHEREAS: Dearborn Police Officers Charities is requesting City Council approval to conduct their Dearborn Police Officers Charities 5k Run for Mental Health Awareness on Sunday, October 10, 2021, subject to all applicable ordinances, rules and regulations of the Dearborn Police Department, and

WHEREAS: The race expects to attract 100-200 persons with minimal disruption to the neighborhoods within the designated run routes. The race begins at 8 a.m. at the Monroe Street and Brady entrance to Ford Field Park then south on Brady to the Rouge Gateway Trail. The run will result in one lane of Brady Street being closed for only 15 minutes between 7:50 a.m. and 8:30 a.m. between Cherry Hill and the Rouge Gateway Trail. The run route will follow the Rouge Gateway Trail to the University of Michigan Dearborn Campus then transition to the Fairlane Lane Drive Road and pass in front of the Henry Ford Estate to Rouge Gateway Trail to North Bound Brady to Monroe Street entrance of Ford Field Park at the finish line, and

WHEREAS: The City of Dearborn will continue to inform/communicate with all neighborhoods impacted by this event via the Federation of Neighborhood Associations, press releases and direct e-mail correspondence to neighborhood association representatives, and

WHEREAS: Upon approval, The Dearborn Police Officers Charities 5K Run will begin and end in the main parking lot at Ford Field. (See attached run/walk route maps), and

WHEREAS: In order to facilitate the movement of vehicular and participant foot traffic and to conduct the event in safe and lawful manner. police control of Brady Street will be needed on this date from approximately 7:50 A.M. until 9:30 A.M. To the extent that these roadways are under the jurisdiction of the City of Dearborn, Dearborn Police Charities must receive permission from the University of Michigan - Dearborn and the Henry Ford Estate to use their roadways. Accordingly the Recreation & Parks Director is requesting that the City Council adopt a resolution approving the below described proposals and authorizing the Chief of Police to make application and sign all required documents relating to the issuance of the necessary state and county permits as follows:

1. Usage and closure of the curb lane south bound Brady Street from Cherry Hill Road to Rouge Gateway Trail entrance. Also, placement of barricades/traffic cones in this area to denote same.

2. The event will not commence before 7 A.M. and will conclude by 10:00 A.M.
3. The Dearborn Police Officers Charities will be renting the North pavilion at Ford Field Park where they will be offering food and beverages,

and

WHEREAS: The Dearborn Police and Recreation & Parks Department Administrations acknowledge that they are familiar with all of the details in conjunction with this event and have no Immediate objection or concerns with Dearborn Police Officers Charities conducting the "Dearborn Police Charities 5K Run" on Sunday, October 10, 2021; therefore be it

RESOLVED: That the Dearborn Police Officers Charities be and they are hereby granted permission to conduct their "Dearborn Police Officers Charities 5k Run for Mental Health Awareness" on Sunday, October 10, 2021 from approximately 7:50 a.m. to 8:30 a.m., with assistance from the Police Department for traffic safety/crowd control for the entire duration of the event subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was unanimously adopted.



RACE COURSE LEADING FROM FORD FIELD PARKING LOT – BRADY ST S/B – ROUGE RIVER GATEWAY TRAIL N/B – BACK S/B ON SAME TRAIL – BRADY ST N/B – BACK TO PARKING LOT

ROADWAY CLOSURES 'X' (0950-1100HRS) ON BRADY ST AT MORLEY AND AT CHERRY HILL

By Bazy supported by Byrnes.

9-422-21. RESOLVED: That the Museum Guild of Dearborn be and are hereby granted permission to close and use the City-Owned parking lot, located on the east side of Monroe Street directly behind the Dearborn Historical Museum's Commandants Quarters from October 7, 2021 at 7 a.m. to Saturday, October 9, 2021 at 7 a.m. to conduct the 8th Annual Beer Tasting event; be it further

RESOLVED: That City Council hereby waives the tent permit fees for the Dearborn Historical Museum's 7th Annual Beer Tasting Party Fundraiser event to be held on Friday, September 20, 2019 from 5:00 p.m. to 11:00 p.m. subject to all applicable ordinances.

The resolution was unanimously adopted.

By Bazy supported by Byrnes.

9-423-21. RESOLVED: That Colleen Fitzgerald be and they are hereby granted permission that a replacement tree not be planted in front of her house in the easement.

The resolution was unanimously adopted.

By Bazzy supported by Herrick.

9-424-21. WHEREAS: It was recently discovered that there are members of certain City commissions who have not been confirmed by the City Council, as required by Section 10.9 of the City Charter. A list of those commissioners is attached, and

WHEREAS: The previous City Charters did not contain the provision which requires Council confirmation of certain commissioners. It appears that the inadvertent omission of Council confirmation arises from a document created by the City Clerk's office many years ago. That document lists which commissioners require Council confirmation, and which do not. The City Clerk and Deputy City Clerk who were working at the time of the City Charter revision in 2007 retired several years ago; so, there is no explanation available for why their word document was not updated when the City Charter was changed in 2007. Unfortunately, some people were not aware the document existed nor that employees from departments involved in the appointment process continued to rely on that document having no idea that it was outdated or contained misinformation, and

WHEREAS: A review of the minutes from the Charter Commission meetings in 2006 and 2007 shows that the confirmation requirement was added at the last Charter Commission meeting, less than two months prior to the vote on the new Charter. It was among many changes/clarifications being made within a compressed deadline to respond to comments from the Attorney General's office concerning the proposed charter. This may explain why the City Clerk did not update the internal document concerning appointments at that time, and

WHEREAS: In any event, the commissioners in the attached list have been serving on their respective boards and Mayor O'Reilly is fully supportive of the Council confirming them in accordance with Section 10.9 of the City Charter, retroactively to the date their respective terms of office began. If the Council confirms these commissioners, they will not need to take another oath of office. Section 6.9 of the City Charter requires that the oath of office be taken "within ten days of election or appointment," which they have completed; therefore be it

RESOLVED: That City Council hereby concurs in the confirmation of the list of commissioners not confirmed by City Council as required by Section 10.9 of the City Charter; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

NAME	ADDRESS	PHONE	EMAIL	EXPIRATION DATE
BUILDING BOARD OF APPEALS				
John Hamood	1645 Dacosta, 48128	505-9000	Johnham1010@yahoo.com	6/30/23
Stephen Kwasnik	1034 N Elizabeth, 48128	565-1034	S_kwasnik@yahoo.com	6/30/22
Ahmad Moubadder	22310 Lawrence, 48124	903-7778	Amoubadder7@gmail.com	6/30/22
Patrick Murray	251 Beechmont, 48124	561-3423	Pmurray_mcc@yahoo.com	6/30/22 (Alternate)
Timothy J. Sarb	1728 N Gulley, 48128	278-3392	tjsarb@comcast.net	6/30/23
BOARD OF SAFETY ENGINEERS				
Nathaniel Ampunan	28586 Golfpointe Blvd Farmington Hills, 48331	220-0560	nampunan@ford.com	6/30/23
Gary Giacomantonio	24200 Otter Road New Boston, 48164	(734) 753-4618	ggiacoma@ford.com	6/30/22
James L. Olson	22375 Gage Grosse Ile, 48138	(734) 341-9325	j-lresources@comcast.net	6/30/23
Timothy T. Turner	10370 Turner Lane S. Rockwood, 48179	(734) 777-7673	turnert@oakwood.org	6/30/22
CITY BEAUTIFUL COMMISSION				
Ziad Abdulmalik	4330 Jonathon, 48126	898-4251	suburbanglobal@gmail.com	6/30/23
Kimberly Field	1524 Dacosta, 48128	277-5843	kfieldstudio@gmail.com	6/30/22
Colleen E. Johnson	24434 Rockford, 48124	418-8675	cebjohnson@comcast.net	6/30/22
Mary Ann Lawler	23438 Fordson, 48124	359-3320	maryannlawler@yahoo.com	6/30/22
Kathleen Malone	22524 Law, 48124	277-3300	gvscmalone@yahoo.com	6/30/23
Todd C. Schebor	24720 Rockford, 48124	441-9275	tschebor@dykema.com	6/30/22
COMMISSION ON DISABILITY CONCERNS				
Rahme A. Al-Mehdi	6339 Jonathon, 48126	469-5173	raleck@umich.edu	6/30/22
Richard Bazy	2 Middlebury Ct, 48120	920-4129	Johnnyb1979@yahoo.com	6/30/24
Jessica Burt	3003 Dudley, 48124	(734) 644-1350	indoburt@gmail.com	6/30/24
Gary B. Filiak	21329 Donaldson, 48124	274-5381	garyfiliak@hotmail.com	6/30/23
Cheryl A. Fregolle	2480 Academy, 48124	561-7574	cfregolle@stepcentral.org	6/30/23
Courtney E. Morrison	3404 Bennet, 48124	278-3709	courtmor@umich.edu	6/30/23
Colette M. Richards	22721 Cleveland, 48124	333-0121	Colette415@gmail.com	6/30/22

DESIGN REVIEW COMMISSION				
J. Michael Kirk	23540 Rockford, 48124	730-1561	mkaia@aol.com	6/30/22
Ken Foley	Building Official	2774	kfoley@ci.dearborn.mi.us	Indefinite
HEARING OFFICER				
Howard Pingston	23258 Oak, 48128	350-4728	Derbydog38@yahoo.com	Indefinite
HISTORICAL COMMISSION				
Hassan Bazzi	1738 N Drexel, 48128	(248) 672-2185	Hassan.bazzi2020@gmail.com	6/30/22
Joseph Borrajo	9958 Frederick, 48120	912-4566	Jborrajo41@gmail.com	6/30/24
Mary M. Bugeia	7 Cherry Hill Ct, 48124	562-7524	marybugeia@comcast.net	6/30/22
Mariya Toohey Fogarasi	22203 Long Blvd, 48124	(734) 263-7156	mariyatf@umich.edu	6/30/24
David L. Good	710 N Waverly, 48128	278-5271	Dgood42@yahoo.com	6/30/23
Karen Lee Krepps	5850 Oakman Blvd, 48126	402-8261	klkrepps@aol.com	6/30/22
Michael P. McCaffery	3013 Roosevelt, 48124	(248) 229-9639	mpmccaffery@gmail.com	6/30/23
L. Glenn O'Kray	752 Wagner Ct, 48124	724-8203	lglennokray@bignet.net	6/30/24
Mark Shooshanian	19195 Snow, 48124	801-5343	Shoosh10203@yahoo.com	6/30/23
Mohamed A. Sion	21800 Morley #1104, 48124	792-8852	Sionm03@gmail.com	6/30/22
Michael J. Tate	22144 Morley, 48124	561-0915	Tatem60@sbcglobal.net	6/30/24
HOUSING COMMISSION				
Rima El-zein	731 S Denwood, 48124	445-4011	elzeinrima@yahoo.com	6/30/25
Sean M. Green	3321 Williams, 48124	(248) 210-8791	Mseangreen1969@gmail.com	6/30/22
Terry Kaminski	1515 Mason #412, SM, 48124	(517) 936-3994	Tlk49203@yahoo.com	6/30/23
LIBRARY COMMISSION				
Barth Bucciarelli	165 S Rosevere, 48124	277-3707	barthbucciarelli@yahoo.com	6/30/24
Ali H. Dagher	248 Tannahill, 48124	574-4034	adagher@dgdlegal.com	6/30/24
Eva Gogola	22951 Cherry Hill, 48124	804-1642	evagro@gmail.com	6/30/22
Jihan A. Jawad	7031 Oakman Blvd, 48126	581-0443	Jihan_plutoassociates@comcast.net	6/30/23
Michelle Jawad	201 Hampshire Ct, 48124	350-9551	jawadshelly@comcast.net	6/30/24
Ryan E. Lazar	32 Shady Hollow Dr, 48124	562-3299	ryanericlazar@yahoo.com	6/30/23
Arrwa Mogalli	1737 Salina, 48120	673-5967	mogalla@dearbornschools.org	6/30/22
Marcel J. Pultorak	1719 Sherwood Ct, 48124	510-0638	marcelpultorak@gmail.com	6/30/23
Mansour S. Sharha	4024 Charles, 48126	(412) 915-8988	sharha@gmail.com	6/30/22

RECREATION & PARKS COMMISSION				
Rami A. Abousaleh	24637 Cherry, 48124	282-7120	therami@yahoo.com	6/30/22
Adam Y. Abusalah	7740 Littlefield Blvd, 48126	694-8750	abusalahadam@gmail.com	6/30/23
Jamal M. Aljahmi	6906 Oakman Blvd, 48126	377-7088	aljahmi@gmail.com	6/30/23
Mark Bruce	1146 Mayburn, 48128	330-8710	Mbruce1@bcbsm.com	6/30/22
John R. Cialone	720 Meridan, 48124	623-8882	jrcialone@gmail.com	6/30/22
Walid S. Fidama	4828 Chovin, 48126	377-0818	Fidama2006@yahoo.com	6/30/23
Greg Gomolak	23211 Carlisle, 48124	274-2441	glg@chrysler.com	6/30/23
Warren R. Hartley	901 N Highland, 48128	561-4352	warrlind@wowway.com	6/30/22
Kevin D. Kreger	241 Nash, 48124	205-4000	Kkreger9@yahoo.com	6/30/22
Cade C. McLogan	22900 Cherry Street, 48124	530-0149	Cmclogan11@gmail.com	6/30/22
John M. Sczomak	23850 Buckingham, 48128	562-0675	Bulldog813@aol.com	6/30/22
Johanna Seidel	21701 Morley, 48124	565-5665	johanna@ameritech.net	6/30/23
EmmaJean Woodyard	1030 S Highland, 48124	318-6371	EWoodyard56@yahoo.com	6/30/23
SECURITY SYSTEMS BOARD				
Cristy S. Rankin	743 N Rosevere, 48124	516-1971	Cristy_Rankin@yahoo.com	6/30/22
SENIOR CITIZENS COMMISSION				
Rahme A. Al-Mehdi	6339 Jonathon, 48126	469-5173	raleck@umich.edu	6/30/22
Lucia Gliese	5069 Chase, 48126	581-7291		6/30/23
Marsha D. Movsesian	421 N Elizabeth, 48128	277-5624	rmovsesian@cs.com	6/30/23
TRAFFIC COMMISSION				
Thomas A. Barszczowski	1829 N Highland, 48128	730-9714	Tombar13@hotmail.com	6/30/23
Joseph Bojovic, Jr.	3 Robindale Ct, 48124	909-4656	Jobo2522@icloud.com	6/30/22
Henry A. Calka	1824 N Lafayette, 48128	919-1413	hcalka@yahoo.com	6/30/23
Loretta G. Walls	300 Meridan, 48124	278-3588	l.gail.walls@gmail.com	6/30/22
Jacklin Zeidan	7744 Wisconsin, 48126	934-5109	desertsilk@sbcglobal.net	6/30/22

September 13, 2021

By Abraham supported by Herrick.

9-425-21. RESOLVED: That City Council hereby concurs in the Mayor's appointment of Kyle W. Ramakers to the Traffic Commission for a term ending June 30, 2023; be it further

RESOLVED: That this resolution be 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 10:52 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk