

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

April 12, 2022

The Council convened at 7:35 P.M., President of the Council Michael Sareini presiding. Present at roll call were Councilmembers Abraham, Alsawafy, Byrnes, Hammoud, Herrick, Paris and President of the Council Sareini; absent, none (0). A quorum being present, the Council was declared in session.

Fr. Anthony Popski from St. Clement Ohridski Orthodox Church delivered the invocation.

By Hammoud supported by Alsawafy.

04-195-22. RESOLVED: That the Council Rules of Order be temporarily suspended to address Agenda Items #31 & #32.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

04-196-22. WHEREAS: Autism Spectrum Disorder is a neurological and developmental disorder that affects communication and behavior of those affected by it, and

WHEREAS: As more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 44 children nationally with Michigan having the fifth largest autism population as compared to other states, and

WHEREAS: While there is no cure for autism, it is well-documented that if individuals with autism receive early treatment, it often is possible for those individuals to lead significantly improved lives, and

WHEREAS: Individuals with autism often require a lifetime of specialized and community support services needed to ensure their health, safety and opportunities to pursue their full potential and happiness and to support families' resilience as they manage the psychological and financial burdens autism presents, and

WHEREAS: To raise awareness and encourage acceptance, the Dearborn-based nonprofit organization Blue Hands United is Working with the Dearborn police and fire departments to lead local efforts to educate parents, professionals, and the general public about autism and increase overall awareness and acceptance of autism by holding a public event, providing lawn signs, and lighting neighborhoods throughout the month of April to promote participation from the community in this multi-faceted effort; therefore be it

RESOLVED: That the members of the 34th Dearborn City Council hereby recognize April 2022 as National Autism Awareness Month in the City of Dearborn and we call this observance to the attention of all of our employees, residents and members of the business community signed this day of April 12, 2022.

The resolution was unanimously adopted.

By Abraham supported by Alsawafy.

04-197-22. WHEREAS: In 2017, the nonprofit media and education organization, Arab America Foundation and Arab America, began the initiative for the month of April to be designated as National Arab American Heritage Month, and

WHEREAS: In 2019, Governor Gretchen Whitmer proclaimed the month of April as National Arab American Heritage Month in the State of Michigan, and

WHEREAS: By 2021, it was recognized nationally by U.S. President Joseph R. Biden Jr. with the U.S. Department of State, some members of Congress and 37 governors issuing proclamations supporting the month, and

WHEREAS: The month of April serves to celebrate the rich and diverse culture and contributions of Arab Americans in our country. From Farouk El-Baz who served as NASA's lead geologist for the Apollo space program from 1967 to 1972, to Ahmed Zewail who served on the President's Council of Advisors on Science and Technology and won the Nobel Prize in Chemistry in 1999, and to Donna Shalala who is the first Lebanese American to serve in a U.S. government Cabinet post, these individuals work, along with a countless number of others have not gone unnoticed, and

WHEREAS: We not only recognize those who have made their mark in various fields of study, but we also recognize those who live within our community. Known as the hometown of Henry Ford, the City of Dearborn also boasts the largest and most diverse Arab community across the entire nation, and

WHEREAS: The considerable participation of Arab Americans in Dearborn has enriched the life and tapestry of our city, and

WHEREAS: We are committed to making sure these contributions to our country and community are promoted and celebrated so that they are more widely understood and appreciated locally and across our nation; therefore be it

RESOLVED: That the 34th Dearborn City Council, proclaim April 2022 to be National Arab American Heritage Month in the City of Dearborn and encourage our entire community to commemorate this special observance, signed this day of April 12, 2022.

The resolution was unanimously adopted.

By Herrick supported by Paris.

04-198-22. RESOLVED: That the minutes of the previous special meeting of April 5<sup>th</sup>, 2022 and regular meeting of March 22<sup>nd</sup>, 2022 and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Paris supported by Herrick.

04-199-22. RESOLVED: That Ordinance No. 22-1741 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 22-1741, entitled, "An Ordinance to Amend the Traffic and Motor Vehicles Chapter, Chapter 18, Article II, Division 6, Section 18-278 of The Code of Ordinances of The City of Dearborn by Amending Section 18-278, Entitled 'Reckless Driving'."

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?"

Upon roll call the Ordinance was unanimously adopted.

Councilmember Byrnes introduced Ordinance No. 22-1742, entitled - "An Ordinance to Amend the Administration Chapter (Chapter 2) Of The Code of Ordinances of The City of Dearborn by Amending Article IV, Division 4, Entitled "Purchasing and Disposition of Goods and Services," by Amending Sections 2-566 To 2-576."

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.

04-200-22. RESOLVED: That proposed Ordinance No. 21-1742 be laid on the table.

The resolution was unanimously adopted.

By Herrick supported by Byrnes.

04-201-22. WHEREAS: The Engineering Division has presented the Michigan Department of Transportation (MDOT) Contract No. 21-5538, Job #2022-042 for the Hot Mix Asphalt Cold Milling and Resurfacing work along Highway US-12 (Michigan Avenue) from Elm Street to Firestone Street; Including sidewalk, brick paver, curb and gutter, drainage, aggregate base, subbase, excavation, embankment, and maintaining traffic work; together with necessary related work earth located within the corporate limits of the City, and

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

	<b>Total Estimated Cost</b>	<b>Federal Aid</b>	<b>MDOT'S Share</b>	<b>City Share</b>
Construction and Constr. engineering	\$9,622,700	\$7,876,200	\$1,528,200	\$218,300
Preliminary & design engineering	\$1,255,100	\$0	\$1,098,200	\$156,900
<b>Total</b>	<b>\$10,877,800</b>	<b>\$7,876,200</b>	<b>\$2,626,400</b>	<b>\$375,200</b>

AND

WHEREAS: The Engineering division requests that City Council approve this Contract subject to review by the Legal Department, and that the Mayor be authorized to sign the contract on behalf of the City; therefore be it

RESOLVED: That the Michigan Department of Transportation (MDOT) Contract No. 21-5538, Job #2022-042 for the Hot Mix Asphalt Cold Milling and Resurfacing work along Highway US-12 (Michigan Avenue) from Elm Street to Firestone Street; Including sidewalk, brick paver, curb and gutter, drainage, aggregate base, subbase, excavation, embankment, and maintaining traffic work; together with necessary related work is hereby approved; be it further

RESOLVED: That this contract is subject to review by the Legal Department; be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

04-202-22. 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; therefore be it

RESOLVED: That Library Design Associates, Inc. be designated as a sole source for purchase of Shelving for the Henry Ford Centennial Library in the amount of \$84,440; be it further

RESOLVED: 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 the Library Fund, Capital Equipment, Operating Equipment & Machine Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

04-203-22. RESOLVED: That all bids received for Street & Alley Pavement Replacement-2022 are hereby rejected except the bid of Zuniga Cement Construction, Inc. in the amount of \$3,596,914, 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 City Engineer is hereby authorized to execute all change orders or modifications on behalf of the City; be it further

RESOLVED: That this contract shall be financed from the Major and Local Streets, Sewer, Water and General Capital Improvement Funds, Construction Services Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Herrick supported by Hammoud.

04-204-22. RESOLVED: That all bids received for Sewer Repairs in the Easement, Phase 3 are hereby rejected except the bid of Midwest Excavation, LLC in the amount of \$304,500, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That a contingency in the amount of \$40,000 is hereby approved for unseen conditions and quantity variances that may be encountered during the execution of the project; be it further

RESOLVED: That the Finance Director is hereby authorized to appropriate an additional \$400,000 of the Sewer Fund retained earning for the project, to cover the contract and related engineering and inspection charges; be it further

RESOLVED: That the City Engineer is hereby authorized to execute all change orders or modifications on behalf of the City; be it further

RESOLVED: That this contract shall be financed from the Sewer Fund - Sewerage, Construction Services Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

04-205-22. RESOLVED: That all bids received for LED Lighting Update at Dearborn Ice Skating Center (DISC) are hereby rejected except the bid of Wright Energy Solutions in the amount of \$31,825, 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 General Capital Improvement, Recreation, DISC, Capital Project Support, Construction Services Fund.

The resolution was unanimously adopted.

By Byrnes supported by Paris.

04-206-22. RESOLVED: That all bids received for Interior Painting of Vacant Units at Hubbard Manors East and West are hereby rejected except the bid of Industrial Painting, for a one year period, with two one-year renewal options, in the amount of \$69,860, 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 SRS Apts. Operating Fund, Repair & Maintenance Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Hammoud.

04-207-22. RESOLVED: That all bids received for As-Needed Flooring Installation at Hubbard Manors East and West are hereby rejected except the bid of SCI Floorcovering, Inc., for a two-year period, with three one-year renewal options, in the amount of \$119,070, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Senior Apartments Operating Fund, Furniture and Furnishings Repair and Maintenance Fund.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Byrnes.

04-208-22. WHEREAS: The City presently has a contract with AT Law Group, DC Law PLLC and the Law Offices of Ashraf Al-Awamleh (C.R. 08-364-19) for Indigent Defense Services, and

WHEREAS: The original contract specifications allow for four renewal options beyond the expiration of the present contract, and

WHEREAS: DC Law PLLC and the Law Offices of Ashraf Al-Awamleh has offered to renew the present contract prices through September 30, 2022; therefore be it

RESOLVED: That the contract for Indigent Defense Services is hereby renewed with DC Law PLLC and the Law Offices of Ashraf Al-Awamleh through September 30, 2022 in the amount of \$182,000; be it further

RESOLVED: That this contract shall be financed from the Indigent Defense Fund, Professional Services, Indigent Attorney Fees; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Paris.

04-209-22. WHEREAS: The City presently has a contract with Ultimate Parking Management, LLC (C.R. 12-559-19) for Parking Deck Management, and

WHEREAS: Ultimate Parking Management, LLC has offered to renew the present contract prices through March 31, 2023; therefore be it

RESOLVED: That the contract for Parking Deck Management is hereby renewed with Ultimate Parking Management, LLC through March 31, 2023 in the amount of \$208,919.72; be it further

RESOLVED: That this contract shall be financed from the General Fund, Public Works, West Downtown Parking Decks & Wagner Place Parking Deck, Contractual Services Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Hammoud.

04-210-22. WHEREAS: The City currently has a purchase order in the amount of \$122,100 with CompOne (CR# 3-96-20) for the Contract for Workers' Compensation Third Party Administrator Service. Purchasing has received a request from the Law Department to add \$46,000 to that purchase order for the necessary administrative management fees which will result in a total purchase order value of \$268,100; therefore be it

RESOLVED: That the additional expenditures to CompOne be and are hereby authorized in the amount of \$46,000 bringing the total contract amount to \$268,100, for the Contract for Workers' Compensation Third Party Administrator Service; be it further

RESOLVED: That the additional expenditures in the amount of \$46,000 shall be financed from the Worker's Compensation Fund, Law Department, Professional Services Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Hammoud supported by Paris.

04-211-22. WHEREAS: Purchasing, on behalf of the Department of Public Works/Engineering Division, requests to increase the authorized waiver for phases 1-3 to property owners by \$170,000, the authorization of the repair of (29) additional sink hole repairs at an estimate of \$348k and a waiver to property owners of \$95,200. Council has requested this as the final request to repair sink holes related to the flood in 2021, and the authorization of the repair costs to property owners rear yard restoration to all (154) sink hole repair locations at an estimated cost of \$125k, and

WHEREAS: The critical repairs and Phases-1,2 & 3 repairs will complete all Council authorized 125 locations involving 186 individual properties. The waiver of property owner's share at \$2,800 for 186 properties amounts to \$520,000 as compared to the authorized amount of \$350,000, and

WHEREAS: The number of reported sink holes associated with the June 26th flooding has increased to 154. Should Council decide to repair additional locations beyond the authorized 125 locations, the phase 4 project will require additional funds estimated in the amount of \$348,000 (\$12,000 per location for 29 additional locations) and additional waiver of the property owner's share of the cost in the amount of approximately \$95,200. Upon approval by the council for additional locations and the funding, Engineering Division will begin preparing a contract for the Phase-4 sink hole repairs, and

WHEREAS: It is requested Council decides as to who will be responsible for the rear yard restoration (City, property owner and/or FEMA) which is to occur after 12 to 18 months of waiting for ground settlement. Rear yard restoration cost and concrete restoration cost for all 154 locations is approximately \$125,000. This would cover repair costs to fences and backyards to return and fill in yards after the dirt settles, and

WHEREAS: Federal Emergency Management Agency (FEMA) has been notified that sink hole repairs are required for 160 locations. Reimbursement request documents are in process; therefore be it

RESOLVED: That this Council hereby authorizes to increase the Authorized Waiver for phases 1-3 to property owners by \$170,000, the repair of (29) additional sink hole repairs in the amount of \$348,000, a waiver to property owners in the amount of \$95,200, and the repair costs to property owners rear yard restoration to all (154) sink hole repair locations at an estimated cost of \$125,000.

RESOLVED: This is the final request to repair sink holes related to the flood in 2021

The item was withdrawn by the Administration.

By Hammoud supported by Byrnes.

04-212-22. WHEREAS: The City currently has a Professional Services Agreement in the amount of \$200/ hour with Cummings, McClorey, Davis, & Acho, P.L.C. for Professional Services in the matter of Starr Indemnity & Liability Company V. City of Dearborn et. al., and

WHEREAS: The initial established budget for this lawsuit was \$25,000 and as of the March 18, 2022 billing, there is a remaining balance of \$2,780. The Legal department recommends that a contract extension in the amount of \$30,000 be approved for Cummings, McClorey, Davis, and Acho, P.L.C. continued legal services in this case for accrued and future legal services at the original contracted rate of \$200/ hour; therefore be it

RESOLVED: That the additional expenditures to Cummings, McClorey, Davis, & Acho, P.L.C. be and are hereby authorized in the amount of \$30,000 bringing the total contract amount to \$55,000, for continued legal services in the matter of Starr Indemnity & Liability Company V. City of Dearborn et. al. and future legal services at the original contracted rate of \$200/ hour; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.



By Abraham supported by Herrick.

04-213-22. WHEREAS: The City currently has a Professional Services Agreement in the amount of \$250/ hour with August Law, PLLC for Professional Services in the matter of Nawal Berry et. al. v. City of Dearborn et. al., and

WHEREAS: The initial established budget for this lawsuit was \$50,000 and as of the March 18, 2022 billing, there is a remaining balance of \$997.87. The Legal department recommends that a contract extension in the amount of \$50,000 be approved for August Law, PLLC continued legal services in this case for accrued and future legal services at the original contracted rate of \$250/ hour; therefore be it

RESOLVED: That the additional expenditures to August Law, PLLC be and are hereby authorized in the amount of \$50,000 bringing the total contract amount to \$100,000, for continued legal services in the matter of Nawal Berry et. al. v. City of Dearborn et. al. and future legal services at the original contracted rate of \$250/ hour; be it further

RESOLVED: That the Finance Director is hereby authorized to appropriate \$50,00 from the Sewer Fund Retained Earnings; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Paris.

04-214-22. WHEREAS: City Council authorized the settlement of two Workers' Compensation cases following a closed session in March 2022. Case file numbers L19-0027 and L18-0030 were authorized for settlement at the closed session in the total amount of \$275,000. Case L19-0027 settles for \$185,000 and case L18-0030 settles for \$90,000. The FY2022 adopted settlements expense budget for worker's compensation litigation was \$65,000. The cases settled \$210,000 in excess of the FY2022 settlements budget, and

WHEREAS: Throughout FY2021 and FY2022 the Worker's Compensation Fund has experienced high claims and medical related charges as a result of the Covid-19 Pandemic and large medical billings. The FY2022 adopted budget for workers' compensation medical claims was \$404,000. The FY2022 projected medical claims are in excess of the adopted budget by \$156,000. Health services and medical charges related to workers' compensation claims were as follows:

<b>YEAR</b>	<b>HEALTH AND MEDICAL CHARGES</b>	<b>NUMBER OF CLAIMS</b>
FY2019	\$431,000	132 ACTUALS
FY2020	\$365,000	171 ACTUALS
FY2021	\$643,000	260 ACTUALS
FY2022 YEAR-END PROJECTION	\$560,000	160 ESTIMATES

AND

WHEREAS: FY2021 actuals included approximately \$69,000 in claims and \$36,000 in related third-party administrative fees totaling \$105,000 for public safety Covid-19 cases. At the onset of the pandemic, State legislation required that any first responder Covid-19 related cases were to be expensed through the City's existing working compensation service. That requirement has been lifted. Under the Covid-19 grant, the Finance department submitted the \$105,000 for public safety claims/. However, FEMA determined the expenses ineligible stating "these costs may be construed as increased operating costs and revenue loss as a result of the incident which is non-reimbursable..." causing greater strain and use of retained earnings in the Workers' Compensation Fund; therefore be it

RESOLVED: That the Finance Director is hereby authorized to make an appropriation in the total amount of \$350,000 from the operating funds' fund balance/retained earnings to the Worker's Compensation Fund and also recognize revenue contributions from the operating funds, and appropriate the medical charges and settlements expense accounts; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

04-215-22. WHEREAS: On March 22, 2022 City Council passes a resolution to have translated ballots and election materials made available to voters. The language services will provide for greater accessibility to voting for the community including language access for election, materials, translation for all official ballots, notices, absentee ballot applications, registration forms, appropriate signage, and affidavits; therefore be it

RESOLVED: That the Finance Director is hereby authorized to make an appropriation in the amount of \$20,000 from the General Fund's fund balance to the Clerk Department - Elections Division interpreter fees expenditure account to cover costs relation to elections translation services. This appropriation is only eligible for election translation costs and cannot be reallocated within the Clerk's budget; be it further

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Abraham.

04-216-22. WHEREAS: The Department of Public Works and Facilities is requesting authorization in Fiscal Year 2022 to increase the current budgeted staffing levels by two full-time Laborer-I positions. These positions would be responsible to maintain the Dearborn Hills Golf course and designated building maintenance in the off-season months. Also, to help remedy the flooding at the course by planting native plants in the fall. The cost of the two new Laborer positions will be approximately \$120,000 annually including benefits. The positions will be included within the proposed FY23 budget moving forward, and

WHEREAS: Currently, the Recreation Department has a contract with Davey Golf for the maintenance and upkeep of structures and property in the amount of \$298,900 which will not be renewed. The addition of the two Laborer positions will create a cost savings of \$178,000 by decreasing the outside contractual services and improving our operations. There will be an increase in equipment costs in the future, and

WHEREAS: The positions will be budgeted In the Public Service Division and be reimbursed from the Recreation Department budget; therefore be it

RESOLVED: That the request for the addition of two full-time Laborer positions and its associated funding in the amount of approximately \$120,000 annually, including benefits, is hereby approved; be it further

RESOLVED: That the Finance Director is hereby authorized to add 2 full-time laborer positions to the DPW position control in the current FY22 budget and make a transfer in the amount of up to \$30,000 from the Dearborn Hills current budget to the DPW Department for reimbursement of cross departmental cross sharing.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Abraham.

04-217-22. 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 3436 Katherine, zoned RA, and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$11,300. 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: Alyemda Holding LLC, by Ali Mohamed Salim, its Organizer, submitted a bid to purchase the lot from the Previously Advertised Properties List for \$11,300. Mr. Salim on behalf of Alyemda Holding LLC plans to construct a single-family dwelling on this property within one year from the date of the closing, and

WHEREAS: Alyemda Holding LLC has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign its 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 and shall not seek any variances from the Zoning Ordinance requirements, and
10. Purchaser must comply with the Land Sale Guidelines, and
11. Purchaser must comply with applicable neighborhood-imposed guidelines and restrictions, and
12. 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:

South 15 ft. of Lot 251 and the North 25 ft. of Lot 252, Dearborn Boulevard Sub. No. 1, City of Dearborn, Wayne County, MI, as recorded in Liber 40, Page 21 of Plats, Wayne County records.

Tax I.D: 82-09-273-17-020  
Commonly known as vacant lot at 3436 Katherine  
Lot size: 40' x 125'

to Alyemda Holding LLC for \$11,300; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Alyemda Holding LLC 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 Alyemda Holding LLC 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 his 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 Abraham supported by Paris.

04-218-22. 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 3612 Gertrude, zoned RA, and

WHEREAS: The minimum bid price for this property, as established by the City Assessor, was \$11,100. 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: Alyemda Holding LLC, by Ali Mohamed Salim, its Organizer, submitted a bid to purchase the lot from the Previously Advertised Properties List for \$11,100. Mr. Salim on behalf of Alyemda Holding LLC plans to construct a single-family dwelling on this property within one year from the date of the closing, and

WHEREAS: Alyemda Holding LLC has been informed and agrees to the following conditions applicable to the proposed sale:

1. Purchaser may not assign its 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 and shall not seek any variances from the Zoning Ordinance requirements, and

10. Purchaser must comply with the Land Sale Guidelines, and

11. Purchaser must comply with applicable neighborhood-imposed guidelines and restrictions, and

12. 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 420, including ½ vacated alley at the rear thereof, Fordson Heights Sub. 1, City of Dearborn, Wayne County, MI, as recorded in Liber 40, Page 66 of Plats, Wayne County records.

Tax I.D: 82-09-273-30-021  
Commonly known as vacant lot at 3612 Gertrude  
Lot size: 40' x 125'

to Alyemda Holding LLC for \$11,100; be it further

RESOLVED: That the Mayor is hereby authorized to execute a deed for said land to Alyemda Holding LLC 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 Alyemda Holding LLC 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 his 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 Byrnes supported by Hammoud.

04-219-22. WHEREAS: Council Resolution 5-173-20 authorized the sale of the vacant lot at 3165 Walnut to Saleem Alrayashi for the construction of a single-family home. The purchase agreement and Council Resolution that approved the sale states that the Purchaser may not sell the vacant lot without approval from Dearborn City Council, and

WHEREAS: The closing occurred on August 13, 2020, and

WHEREAS: In June 2021, Council Resolution 6-230-21 approved Mr. Alrayashi's request for a twelve-month extension of time in which to commence construction of a single-family home on the vacant lot at 3165 Walnut due to COVID-19 related delays, and

WHEREAS: The deadline to commence construction was extended to August 13, 2022, and

WHEREAS: On March 14, 2022, Mr. Alrayashi submitted a letter stating that he was advised to transfer the vacant lot he purchased at 3165 Walnut to his newly formed LLC, Walnut Dearborn Property, LLC, for liability purposes, and

WHEREAS: Mr. Alrayashi is requesting that Council approve his request to pursue the construction of a home at 3165 Walnut in the name Walnut Dearborn Property, LLC, and

WHEREAS: It is recommended that the City Council approve Saleem Alrayashi's request to assign his interest in the vacant lot at 3165 Walnut to Walnut Dearborn Property, LLC with the understanding that Saleem Alrayashi and Walnut Dearborn Property, LLC are not permitted to further assign or sell the vacant land without approval of the Dearborn City Council, and

WHEREAS: It is also recommended that Mr. Alrayashi be required to pay for all document preparation and recording fees associated with the transfer of the property to Walnut Dearborn Property, LLC; therefore be it

RESOLVED: That this Council does hereby approve Saleem Alrayashi's request to assign his interest in the vacant lot at 3165 Walnut from his personal name to Walnut Dearborn Property, LLC; be it further

RESOLVED: That Mr. Alrayashi and Walnut Dearborn Property, LLC are not permitted to further assign or sell the vacant land without approval of the Dearborn City Council; be it further

RESOLVED: That the approval of the assignment is contingent upon Mr. Alrayashi paying for all document preparation and recording fees associated with the transfer of the property to Walnut Dearborn Property, LLC; be it further

RESOLVED: That all other terms and conditions contained in the purchase agreement and Council Resolutions 5-173-20 and 6-230-21, including all deadlines imposed, shall remain in full force and effect; be it further

RESOLVED: That the transfer/assignment must take place within 30 days of the effective date of the City Council resolution approving such transfer/assignment (by May 14, 2022); be it further

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

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

04-220-22. WHEREAS: Council Resolution 8-455-16 approved the Yemen American Benevolent Association's (YABA) request to purchase the six platted City-owned lots (36' x 110' each) adjacent to the YABA facility located at 2121 Salina for expansion of its current operation, and

WHEREAS: The sale price was \$36,000 for all lots, and

WHEREAS: The Council resolution approving the sale required YABA to combine the lots with its adjacent lots, seek rezoning of the lots from R-D to O-S within one year of closing, and to complete construction within five years from the date of closing, and

WHEREAS: The City retained the right to re-purchase the property for the original sale price, less 10%, and less costs associated with the transfer back to the City, if the City's conditions were not met, and

WHEREAS: The closing for the sale took place on December 14, 2016. Therefore, YABA was required to seek rezoning of the lots by December 14, 2017 and to complete construction by December 14, 2021, and

WHEREAS: To date, YABA has not sought rezoning of the lots, has not submitted plans for the project, has not been approved for permits, and has not commenced construction, and

WHEREAS: In a letter addressed to the Mayor and City Council dated March 16, 2022, Ali Baleed Almaklani, Executive Director for YABA, requested a five-year extension of the deadline in which to complete construction (to December 14, 2026) because YABA was not able to secure necessary funding for the project, primarily due to COVID-19, and

WHEREAS: Since the time of the original sale of the lots to YABA in December 2016, there has been growing demand for the installation of a splash pad in the south end of Dearborn, and

WHEREAS: City staff explored locations for this amenity and concluded that, based on the limited availability of undeveloped property, the most viable option for the park would be in the Wyoming/Salina area which would require the re-acquisition of the lots sold to YABA in 2016 by exercise of the City's right to repurchase, and

WHEREAS: It is the recommendation of Corporation Counsel that the City Council deny the request from YABA for a 5-year extension of time in which to complete construction on its project, and

WHEREAS: It is also recommended that the City exercise its right to repurchase the lots in accordance with the purchase agreement and Council Resolution 8-455-16; therefore be it

RESOLVED: That the request of Ali Baleed Almaklani, Executive Director for YABA, for a five-year extension of the deadline in which to complete construction (to December 14, 2026) on the Salina lots purchased from the City be denied; be it further

RESOLVED: That the City shall exercise its right to repurchase the lots in accordance with the purchase agreement and Council Resolution 8-455-16; be it further

RESOLVED: That Corporation Counsel or his designee is hereby authorized to execute documents on behalf of the City of Dearborn to effectuate the repurchase of the following properties within 60 days:

Lot 561 Dix Ave. Villas Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 41, Page 12 of Plats, Wayne County records.

Tax I.D.: 82-10-213-21-016

Lot 560 Dix Ave. Villas Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 41, Page 12 of Plats, Wayne County records.

Tax I.D.: 82-10-213-21-015

Lot 559 Dix Ave. Villas Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 41, Page 12 of Plats, Wayne County records.

Tax I.D.: 82-10-213-21-014

Lots 557 and 558, Dix Ave. Villas Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 41, Page 12 of Plats, Wayne County records.

Tax I.D.: 82-10-213-21-027

Lot 556 Dix Ave. Villas Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 41, Page 12 of Plats, Wayne County records.

Tax I.D.: 82-10-213-21-011 81

BE IT FURTHER

RESOLVED: That this resolution is given immediate effect.

The resolution was unanimously adopted.

By Byrnes supported by Herrick.

04-221-22. WHEREAS: Noras Mathkour is the owner of the property located at 442 Francesco Ct. The City Is the owner of the adjacent City-owned lots 3615 Westwood and 3625 Westwood along the shared east property line, and

WHEREAS: The property owner wishes to remove the existing chain link fence and install a 5' semi-private vinyl fence with a 1-ft lattice top along this property line for a distance of approximately 107 linear feet, as shown on the provided plot plan, and

WHEREAS: The proposed fence complies with the City's fence ordinance and does not require any variances. The fence ordinance (Article IV Sec.5-122(b)) requires the consent of the adjacent property owner to the location and style of the fence; therefore be it

RESOLVED: That the request of Noras Mathkour, owner of property located at 442 Francesco Ct, to remove the existing chain link fence is hereby approved; be it further

RESOLVED: That the request of Noras Mathkour, owner of property located at 442 Francesco Ct, to install a 5' semi private vinyl fence with a 1-ft lattice top along this property line for a distance of approximately 107 linear feet is hereby approved; be it further

RESOLVED: That Noras Mathkour, owner of property located at 442 Francesco Ct, is hereby subject to all costs associated with the removal of the existing chain link fence and installation of the new 5' semi-private vinyl fence with a 1-ft lattice top.

The resolution was unanimously adopted.



By Byrnes supported by Herrick.

04-222-22. WHEREAS: The West Dearborn Downtown Development Authority (WDDDA) plans to host events and placemaking activities for the 2022 summer season from June 3, 2022 - October 31, 2022, including but not limited to the Dearborn Farmers & Artisans Market, Movies at Wagner Park, Friday Nites Entertainment, and Pumpkin Carving Day/ Trick or Treat, 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 3, 2022 - October 31, 2022, 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.

By Paris supported by Byrnes.

04-223-22. RESOLVED: That Green Brain Comics be and they are hereby granted permission to conduct the "Green Brain Free Comic Book Day" Event in the City-owned parking lot located north of Michigan Avenue between Middlesex and Horger Streets from 8;00 P.M Friday, May 6, 2022 to 12:00 P.M. on Sunday, May 8, 2022, subject to all applicable ordinances, and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council hereby authorizes the closure of the City-owned alley, located north of Michigan Avenue and between Middlesex and Horger Streets from from 8;00 P.M Friday, May 6, 2022 to 12:00 P.M. on Sunday, May 8, 2022; be it further

RESOLVED: That City Council hereby grants permission to Green Brain Comics to erect a 20' X 40' tent in the City-owned alley and have 6 barricades delivered and picked up from DPW to Green Brain Comic Book Store; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

04-224-22. WHEREAS: The Friends for Animals of Metro Detroit has requested permission for their volunteers to work at intersections in the street, at various locations throughout Dearborn to host a one-day street-collection on Saturday, May 14, 2022 at 9 locations within City limits, and

WHEREAS: The money raised from this event will be used to benefit the 17<sup>th</sup> Annual Mutt Strut Walk & Run event, and

WHEREAS: Historically, when considering this or similar requests, the City has encouraged solicitations to take place on private property away from roadways, and

WHEREAS: On July 29, 2016, Bill Schuette, Attorney General for the State of Michigan, issued an opinion (AG Op. No. 7291) which states that charitable solicitation in the improved portion of the roadway that impedes traffic on that roadway violates the Michigan Motor Vehicle Code (adopted and incorporated by reference in Dearborn City Code §18-850), and

WHEREAS: Historically, when permission to solicit funds from motorists has been granted, it has been granted with the instruction that the activity must not impede the normal flow of traffic; therefore, be it

RESOLVED: That Friends for Animals of Metro Detroit be and is hereby granted permission to host a one-day street-collection on Saturday, May 14, 2022 at 9 locations within City limits to benefit the 17<sup>th</sup> Annual Mutt Strut Walk & Run event, subject to the following rules instituted to acknowledge AG Op. No. 7291 and to prevent incidents of impeding traffic:

1. No person shall engage in any solicitation activity that blocks, obstructs, impedes, or otherwise interferes with the normal flow of traffic, and
2. There shall be no solicitation when traffic is moving at any speed, and
3. If an intersection has a traffic light, there shall be no solicitation when the traffic signal is green, and

4. All persons soliciting contributions must be out of the roadway when traffic is moving at any speed or when the traffic signal is green, and

5. Donations shall not be accepted if traffic is moving or the traffic signal is green, and

6. Persons soliciting contributions should do so outside the improved portion of the roadway whenever possible or practical;

be it further

RESOLVED: That a person who violates these rules may be issued a civil infraction; be it further

RESOLVED: That the use of private property for this type of solicitation is strongly encouraged; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Council President Sareini supported  
unanimously.

04-225-22. WHEREAS: The council has learned with sorrow of  
the passing of Marian R. Tasca, and

WHEREAS: This departure at the dictation of  
Divine Providence constitutes an irreplaceable loss to the  
beloved family and numerous friends and neighbors; therefore be  
it

RESOLVED: That the members of the Council of the  
City of Dearborn here assembled, hereby sincerely extend and  
offer in this sad hour of bereavement, heartfelt sympathy and  
condolences to the family of the deceased.

The resolution was unanimously adopted.

By Councilman Paris supported unanimously.

04-226-22. WHEREAS: The council has learned with sorrow of  
the passing of Robert William Drew, and

WHEREAS: This departure at the dictation of  
Divine Providence constitutes an irreplaceable loss to the  
beloved family and numerous friends and neighbors; therefore be  
it

RESOLVED: That the members of the Council of the  
City of Dearborn here assembled, hereby sincerely extend and  
offer in this sad hour of bereavement, heartfelt sympathy and  
condolences to the family of the deceased.

The resolution was unanimously adopted.

By Hammoud supported by Alsawafy.

04-227-22. RESOLVED: That the request of Hassan Chami and Fedora Holdings LLC to conduct the Ramadan Suhoor Festival on the additional dates of April 14, April 17, and May 2, 2022 with the hours of operation remaining from 11:00 P.M. to 3:00 A.M, is hereby approved conditioned on satisfaction of the zoning conditions and the city ordinance requirements as follows:

Zoning Ordinance Conditions

Section 2.07 of the Zoning Ordinance, authorizes City Council to grant temporary use of land and structures for special events and other temporary uses subject to the following general conditions:

- Adequate off-street parking shall be provided.
- The applicant shall specify the exact duration of the temporary use.
- Electrical and utility connections shall be approved by the building official.
- The City may require a performance bond to assure proper cleanup.

City Ordinance Requirements

Section 12 of the City Code of Ordinances requires the following from each vendor:

- A license (Sec 12-2)
- Payment of a vendor license fee of \$35, plus an additional \$150.00 if a vendor vehicle is used (12-6).
- A completed application for a vendor's license (Sec 12-233)
- A health license issued by the local health department (Sec 12-234).

and issuance of required licenses and permits, and review of the event plan by the appropriate City departments (Fire, Police, and Public Works); be it further

RESOLVED: That the request for the use of temporary land and structure use under the previously referenced Zoning Ordinance and a Noise Ordinance Waiver of general nighttime noise regulations contained within Chapter 13, Article II (Noise) for the duration of the festival is hereby approved; 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 10:34 P.M.

APPROVED:

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President of the Council

ATTESTED:

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City Clerk