

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

May 24, 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. Hrant Kevorkian from St. Sarkis Armenian Apostolic Church delivered the invocation.

By Byrnes supported by Paris.

05-257-22. RESOLVED: That the Council Rules of Order be temporarily suspended to recognize a moment of silence and send condolences to the families and loved ones of those who have tragically lost their lives from the mass shootings throughout our country in the past week; be it further

RESOLVED: Introducing Hala Mallah and her students from the ASAP Youth Group, and allowing them the opportunity to speak on the regulation of tobacco sales to minors; be it further

RESOLVED: That the Council will bring forward Agenda Items #25 through #28.

The resolution was unanimously adopted.

By Abraham supported by Byrnes.

05-258-22. WHEREAS: Fordson High School recognizes their 100-year Anniversary in May of 2022, and

WHEREAS: Fordson High School's Principal, Administration, Staff, Students, Alumni, and School Board, deserved recognition for their dedication to the school, and

WHEREAS: To honor Fordson High School's centennial year as a Dearborn educational institution; therefore be it

RESOLVED: That this Council acknowledges Fordson High School's 100-year anniversary; be it further

RESOLVED: That this Council further recognizes the achievements of Fordson High School and all of its staff and alumni in the past 100 years, be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

Council President Pro-Tem Byrnes left the Chambers at 7:53 P.M.

Council President Pro-Tem Byrnes returns to the Chambers at 7:56 P.M.

By Abraham Supported by Byrnes.

05-259-22. WHEREAS: Mental Health Awareness Month has been observed each May in the United States since 1949, and

WHEREAS: The American Psychiatric Association defines mental illness as a health condition that adversely affects emotions, thinking, or behavior. Mental health problems can cause dysfunction in a person's social, work, school, or family activities, and

WHEREAS: One in five adults in the United States experience mental illness each year. One in twenty-five Americans lives with a serious mental illness, such as schizophrenia, bipolar disorder, or major depression. Fifty percent of all lifetime mental illness begins by age fourteen, and seventy five percent by age twenty-four. More than fifty percent of people will be diagnosed with a mental illness or disorder at some point in their lifetime, and

WHEREAS: During May, the national movement helps to raise awareness about mental health, to fight stigma, provide support, educate the public and advocate for policies that support people with mental illness and their families; and

WHEREAS: To raise awareness and encourage acceptance, it is encouraged that citizens, government agencies, organizations, healthcare providers, and research institutions recognize May as Mental Health Awareness Month to continue helping Americans live longer, healthier lives; therefore be it

RESOLVED: that the members of the 34th Dearborn City Council here-by recognize May 2022 as National Mental Health 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 May 24, 2022.

The resolution was unanimously adopted.

By Hammoud supported by Paris.

05-260-22. WHEREAS: To declare May 15th through May 21st, 2022, as Police Week in Dearborn, Michigan, and

WHEREAS: In 1962, President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls as National Police Week. Established by a joint resolution of Congress in 1962, National Police Week pays special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others, and

WHEREAS: There are more than 800,000 law enforcement officers serving in communities across the United States, including the approximately 17,000 full-time uniformed police officers in Michigan, and

WHEREAS: Members of law enforcement deserve the appreciation and respect of the people of Dearborn, Michigan for the merit, dignity, bravery, and reliability they exhibit each and every day. We also honor the sacrifices made by families of police officers, as each day they must face constant fear as their loved one works to protect us, and

WHEREAS: Citizens have turned to members of law enforcement for assistance and support in times of distress, whether they are coping with a personal crisis, or struggling through civil disorder or a natural disaster. Our communities rely on these courageous individuals and we are indebted to the unwavering public service of our local and state police. We are indeed fortunate and grateful for the contributions of Dearborn Police Officers and all law enforcement officers to the people of this state and city, and

WHEREAS: Dearborn Police Department's fallen officers will never be forgotten, nor will their service to our community. By choosing to commit themselves to law enforcement, these brave individuals answered the call for service and willingly put their lives in jeopardy. We commend them and recognize their service as a noble career, and for protecting the public safety; and also, all of those who are serving without incident to date; therefore be it

RESOLVED: That the members of the 34th Dearborn City Council hear-by recognize May 15th through May 21st, 2022 as National Police Week 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 May 24, 2022.

The resolution was unanimously adopted.

By Hammoud supported by Alsawafy.

05-261-22. WHEREAS: Since 1960, the American Public Works Association (APWA) has sponsored National Public Works Week, and

WHEREAS: this initiative is used to energize and educate members within the community on the importance of public works in our daily lives, and

WHEREAS: as defined by APWA, "public works is the combination of physical assets, management practices, policies, and personnel necessary for government to provide and sustain structures and services essential to the welfare and acceptable quality of life for its citizens", and

WHEREAS: Public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people across this country, and

WHEREAS: These services could not be provided without the dedicated efforts of public works professionals who represent Federal, State, and local governments and private sector organizations throughout the United States, and

WHEREAS: These experts design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, sanitation and waste management systems, and

WHEREAS: These professionals have played, and will continue to play, a key role in helping the United States recover from the COVID-19 pandemic, and

WHEREAS: Understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of this country; therefore be it

RESOLVED: That the members of the 34th Dearborn City Council hereby recognize May 15th through May 21st, 2022 as "National Public Works Week" 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 May 24, 2022.

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Paris.

05-262-22. RESOLVED: That the minutes of the previous regular meeting of May 10, 2022 and the same are hereby approved as recorded and published.

The resolution was unanimously adopted.

By Abraham supported by Hammoud.

05-263-22. RESOLVED: That Ordinance No. 22-1743 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 22-1743, entitled, "An Ordinance to Amend the Licenses and Business Regulations Chapter (Chapter 12) of the Code of the City of Dearborn by Amending Article VIIA, Entitled "Food Trucks"."

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.

By Alsawafy supported by Abraham.

05-264-22. RESOLVED: That Ordinance No. 22-1744 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 22-1744, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property located at 7600 Greenfield Road from an Industrial A (Light Industrial District to a Business B (Community Business District) zoning classification."

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

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

Upon roll call the Ordinance was unanimously adopted.

By Herrick supported by Paris.

05-265-22. RESOLVED: That Ordinance No. 22-1745 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 22-1745, entitled, "An Ordinance to Amend the Zoning Ordinance of The City of Dearborn by Amending Article 10.00, Section 10.02, Entitled "R-A and R-B, One Family Residential Districts"."

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.

By Herrick supported by Alsawafy.

05-266-22. RESOLVED: That Ordinance No. 22-1746 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 22-1746, entitled, "An Ordinance to Amend the Zoning Ordinance of The City of Dearborn by Amending Article 2.00, Section 2.16, Entitled "General Provisions"."

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.

By Paris supported by Herrick.

05-267-22. RESOLVED: That Ordinance No. 22-1747 be taken from the table and placed upon its final reading.

The resolution was unanimously adopted.

The Clerk then read Ordinance No. 22-1747, entitled, "An Ordinance to Amend the Zoning Ordinance of The City of Dearborn by Amending Article 12.00, Section 12.02, Entitled "R-C, R-D, and R-E Multiple Family Residential Districts"."

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.

By Hammoud in need of support.

05-268-22. RESOLVED: That Ordinance No. 22-1748 be taken from the table and placed upon its final reading.

Councilman Hammoud withdrew his offer.

The resolution died for lack of offer and support.

Councilmember Alsawafy introduced Ordinance No. 22-1749, entitled, "An Ordinance to Amend the Streets, Sidewalks and Other Public Places Chapter (Chapter 17) of the Code of the City of Dearborn by Adding Article VII, Entitled "Small Wireless Communications Facilities Deployment"."

The Clerk read the Ordinance by title.

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

By Hammoud supported by Herrick.

05-269-22. RESOLVED: That proposed Ordinance No. 22-1749 be laid on the table.

The resolution was unanimously adopted.

By Herrick supported by Abraham.

05-270-22. WHEREAS: Somat Engineering, Inc. is conducting a soil investigation for Wayne County for the proposed Industrial Road bridge replacement over Dix Avenue, and

WHEREAS: Somat Engineering, Inc. is requesting City Council approval for access to enter the City of Dearborn rights of way of Industrial Road and Dix Avenue for the purpose of collecting soil samples, and

WHEREAS: Somat Engineering, Inc. will install three (3) soil borings in the ROW of Industrial Avenue and Dix Avenue as depicted on the attached site plan using a Geoprobe drilling rig the soil borings will be advanced to a maximum 25 ft. below grade, and

WHEREAS: The Engineering Division and the Economic Development Department have no objection provided the following conditions are met:

- a. There are 8-inch, 12-inch and 36-inch water mains, a 66-inch sanitary sewer and sewer storm sewers located within the rights of way of Industrial Avenue and Dix Avenue in the vicinity of the proposed soil borings, and
- b. Permits from the Economic Development Department shall be obtained. A location and detail plan of soil boring and vapor points is required with the application, and
- c. The location plan should be reviewed with private utility companies for conflicts with their facilities, and
- d. A "Hold Harmless Agreement" shall be executed with the City, and
- e. The MISS DIG system (1-800-482-7171) shall be notified three (3) working days prior to drilling well casing or soil boring, and
- f. The Economic Development Department and the Engineering Division shall be contacted two (2) working days prior to any work, and
- g. Water samples taken will not be permitted into the city sewer system, and
- h. If pumping of groundwater above the amount needed for sampling is required arrangement for the disposal of the groundwater into the City sewer system will be subject to the approval of the Sewerage Division and

- treatment fees will be charged based upon quantity of flow, and
- i. A permit from Wayne County is required for work within Dix Avenue right-of-way, and
 - j. Wells shall be removed upon completing of testing/sampling. The wells or boring holes shall be filled with grout and surface restored to its previous condition, and
 - k. Two (2) days prior to any pavement or walk replacement work the contractor shall contact the Engineering division for inspection, and
 - l. A copy of the results of the completed monitoring well report shall be provided to the Office of the City Engineer

THEREFORE BE IT

RESOLVED: That Somat Engineering, Inc be and is hereby granted permission for a Right of Way Permit for the purpose of installing three (3) soil borings and to collect soil samples in the ROW of Industrial Avenue and Dix Avenue; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Hammoud.

05-271-22. RESOLVED: That all bids received for Greenfield-Jerome Area Sewer Separation are hereby rejected except the bid of HMC, LLC in the amount of \$348,039, 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 to provide for any unforeseen conditions encountered during the execution of the project; be it further

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

RESOLVED: That this contract shall be financed from the CSO, Sewerage, Capital Project Support, Construction fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

05-272-22. RESOLVED: That the bid from Westborn Jeep received for Police Surveillance Replacement Vehicles is hereby accepted in the amount of \$42,000, 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 Drug Law Enforcement Fund, Capital Equipment fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Alsawafy.

05-273-22. WHEREAS: The Collective Bargaining Agreement between the City of Dearborn and the International Association of Firefighters allows for the members to purchase up to three years of Military or prior fire service time in the MERS Defined Benefit Retirement Plan, and

WHEREAS: The City requires that members work a minimum of three years prior to requesting to purchase time through MERS to establish a representative Final Average Compensation (FAC). As provided by the MERS Plan Document, the additional credited service must be approved by the Governing Body of the City of Dearborn, and

WHEREAS: Michael Salliotte is a fire fighter in the MERS Pension System who has submitted a request to purchase 3 years of prior military service credit. Please find the attached Application for Additional Service Credit Purchases, which provides the cost estimate and the calculation assumptions used. As per the attached, the cost to Mr. Salliotte is \$33,947, and

WHEREAS: This represents the estimated cost of the service credit, as required by the MERS plan document. It is requested that the City Council adopt the following resolution as provided by MERS:

As provided by the MERS Plan Document, and in accordance with the Employer's policy, the employer hereby authorizes the participant named above to make a service credit purchase from MERS as described above. The Employer understands this is an estimated cost, calculated using actuarial assumptions approved by the Retirement Board. Any difference between the assumptions and actuarial experience will affect the true cost of the additional service to the employer. The calculation assumptions are outlined above and the employer understand and agrees it is accountable for any difference between estimated and actual costs;

THEREFORE BE IT

RESOLVED: That Michael Salliotte, Dearborn Firefighter be and is hereby authorized to purchase 3 years of Military/Prior Service Time through the MERS Defined Benefit Retirement Plan; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Alsawafy

05-274-22. WHEREAS: The Finance Department consistently reviews current year actuals and forecasted expenditures as a total for all departments throughout the year, to ensure proper budgetary coverage, and

WHEREAS: In review of the Mayor's department, it was determined that an additional appropriation in the amount of \$140,000 is needed to cover wages and benefits through the end of the current fiscal year. The additional appropriation is necessary due to final payouts totaling \$190,185 for personnel in the previous administration, as authorized in the budget adoption resolution, CR 6-271-21, and

WHEREAS: In an effort to be fiscally responsible, the Finance Department has reviewed other departments for balancing purposes. The following cancellations for FY2022 are requested to facilitate a zero effect on the use of additional General Fund fund balance:

ED-Permit Services (PT Wages)	Cancellation \$115,000
ED-Inspection Programs (PT Wages)	Cancellation \$25,000
TOTAL	\$140,000

THEREFORE BE IT

RESOLVED: That the Finance Director be and is hereby authorized to make a cancellation in the ED-Permit Services (PT Wages) fund in the amount of \$115,000, and make a cancellation in the ED-Inspection Programs (PT Wages) fund in the amount of \$25,000; be it further

RESOLVED: That the Finance Director be and is hereby authorized to make an appropriation in the amount of \$140,000 from the General Fund to the Mayor's Department to cover wages and benefits through the end of the current fiscal year; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Herrick supported by Paris.

05-275-22. WHEREAS: The Finance Department and Police Department are establishing standard written procedures to handle seized and forfeited assets for Local Organized Retail Crime (LORC) civil and criminal proceedings unrelated to narcotic forfeiture. These seizures and forfeitures will be a result of enforcement, in part, of Criminal Enterprise offenses, Organized Retail Crime offenses, and offenses under the Michigan Omnibus Forfeiture Act, and

WHEREAS: The need to establish these procedures has been prompted by recently adjudicated criminal cases related to these offenses, in which court orders resulted in the distribution and restitution of seized cash and property to the Dearborn Police Department (including the sale of such property) and restitution or return to Wayne County Prosecuting Office and original owners, and

WHEREAS: It is respectfully requested the Council approve the developed standard operating procedures for handling of Local ORC forfeiture activity; therefore be it

RESOLVED: That this Council hereby approves of the developed standard operating procedures for handling of Local ORC forfeiture activity; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

05-276-22. RESOLVED: That the Finance Director be and is hereby authorized to make an appropriation and transfer in the amount of \$344,575 from the General Fund fund balance to the Drug Enforcement Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Alsawafy supported by Herrick.

05-277-22. WHEREAS: On April 28, 2022, the State of Michigan Department of Treasury issued payment for the updated Constitutional Revenue Sharing Projections for FY2022 and FY2023. Based on these updated estimates which encompass the 2020 US Census population adjustment, the FY2022 adopted budget for sales tax revenue sharing is low:

State Shared Revenue	Adopted Budget	Updated Estimate	Variance
Constitutional	\$8,639,565	\$10,108,321	\$1,468,756

AND

WHEREAS: The Finance Department requests to recognize \$1,468,756 in the State Shared Revenue Sharing Budget; therefore be it

RESOLVED: That the Finance Department be and is hereby authorized to make a recognition in the amount of \$1,468,756 in the State Shared Revenue Sharing Budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Abraham supported by Herrick.

05-278-22. WHEREAS: The City of Dearborn has partnered with The Senior Alliance for 40 consecutive years. The Senior Alliance coordinates a comprehensive network of services in Western and Southern Wayne County to enable older persons to function as independently as possible within their respective communities. Older adults in Dearborn are eligible for and have received agency-funded services such as Legal Assistance, Adult Day Care, Care Management, Congregate Meals, Health Screening and other Information and Referral services, and

WHEREAS: The Senior Alliance Dearborn Community funding match was approved as part of the FY2021 and FY22 budgets, and upon approval will be funded from the General Fund, Senior Services, Memberships, and Distribution Account #101-3090-843.65-00; therefore be it

RESOLVED: That the Fiscal Year 2021 and 2022 Senior Alliance, Area Agency on Aging 1-C Dearborn community funding match in the total amount of \$15,644 (\$7,822-FY21 and \$7,822-FY22) be and is hereby approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Alsawafy supported by Herrick.

05-279-22. RESOLVED: That the request of the Islamic Center of Detroit to hold an EID Celebration from July 15th, 2022 through July 17th, 2022 on City Property, near the Ford Community and Performing Arts Center be and is hereby approved, subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the Islamic Center of Detroit will need additional trash cans, barricades, as well as assistance from the Police Department for general traffic control, and will be responsible for reimbursement to the City for all incurred costs; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was unanimously adopted.

By Paris supported by Herrick.

RESOLVED: That Scott Cherry, 6142 Coleman be and is hereby granted permission to hold weekly showings of a 12-part TV Series at Hemlock Park titled "The Chosen" from May 30th through September 27th, 2022 at 7:00 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That this resolution be given immediate effect.

05-280-22. A Motion was made by Councilwoman Byrnes and supported by Councilwoman Herrick to table this item.

The resolution to table was unanimously adopted.

By Paris supported by Herrick.

05-281-22. RESOLVED: That receipt of Ice Cream with a value of \$600, as a gift from The Custard Company to the City of Dearborn Employee Appreciation Lunch on May 24th, 2022 is hereby acknowledged and accepted; be it further

RESOLVED: That this Council hereby extends its appreciation for the aforementioned gift to the donor.

The resolution was unanimously adopted.

By Herrick supported by Hammoud.

05-282-22. RESOLVED: That receipt of a donation in the amount of \$5,152 from Country Club Estates/ Neighborhood Association President Eddie Osman, to the City of Dearborn for a Cherry Hill Speed Box 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 Director be and is hereby authorized to recognize the donation in the amount of \$5,152; 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 11:23 P.M.

APPROVED:

President of the Council

ATTESTED:

City Clerk