

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

February 16, 2010

The Council convened at 7:00 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Darany, Hubbard, O'Donnell, Sareini and President of the Council Tafelski; absent, Councilmembers Abraham and Shooshanian. A quorum being present, the Council was declared in session.

Reverend Drew Tomberlin, Jr. of Cherry Hill Presbyterian Church delivered the invocation.

By Darany supported by O'Donnell.

2-59-10. RESOLVED: That the minutes of the previous regular meeting of January 19, special closed meeting of January 20, and special meetings of January 25, January 28, February 2 and February 9, 2010, and the same are hereby approved as recorded and published.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-60-10. WHEREAS: The City of Dearborn, County of Wayne, Michigan (the "City") is authorized by the provisions of Act 381, Public Acts of Michigan, 1996, as amended ("the Act"), to create a brownfield redevelopment authority, and

WHEREAS: Pursuant to the Act, the City Council of the City duly established the Brownfield Redevelopment Authority of the City of Dearborn (the "Authority"), and

WHEREAS: In accordance with the provisions of the Act, the Authority has prepared and approved Brownfield Plan #10 (the "Brownfield Plan"), and

WHEREAS: The Authority has forwarded the Brownfield Plan to the City Council requesting its approval of the Brownfield Plan, and

WHEREAS: Prior to approval of the Brownfield Plan, the City Council desires to hold a public hearing in connection with consideration of the Brownfield Plan as required by the Act, and

WHEREAS: Prior to approval of the Brownfield Plan, the City Council is required to provide notice and a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture under the Act to express their views and recommendations regarding the Brownfield Plan; now, therefore, be it

RESOLVED: That 1. The City Council hereby acknowledges receipt of the Brownfield Plan from the Authority and directs the City Clerk to send a copy of the proposed Brownfield Plan to the governing body of each taxing jurisdiction in the City, notifying them of the Council's intention to consider approval of the Brownfield Plan after the public hearing described below; be it further

RESOLVED: That 2. A public hearing is hereby called on Thursday the 11th day of March 2010 at 6:45 P.M., prevailing Eastern Time, in the City Council Chambers to consider adoption by the City Council of a resolution approving the Brownfield Plan; be it further

RESOLVED: That 3. The City Clerk shall cause notice of said public hearing to be published in a newspaper of general circulation in the City, twice before the public hearing. The first publication of the notice shall not be less than 10 days nor more than 40 days before the date set for the public hearing. The notice shall be published as a display advertisement prominent in size; be it further

RESOLVED: That the notice of the hearing shall be in substantially the following form:

CITY OF DEARBORN COUNTY OF WAYNE, STATE OF MICHIGAN
PUBLIC HEARING ON THE BROWNFIELD PLAN #10 (former Quality Inn site)
BROWNFIELD REDEVELOPMENT AUTHORITY OF THE CITY OF DEARBORN

TO ALL INTERESTED PERSONS IN THE CITY OF DEARBORN:

PLEASE TAKE NOTICE that the City Council of the City of Dearborn, Michigan, will hold a public hearing on Thursday, the 11th day of March, 2010, at 6:45 p.m., prevailing Eastern Time in the City Hall located at 13615 Michigan Avenue, Dearborn, Michigan, to consider the adoption of a resolution approving the Brownfield Plan #10 for the City of Dearborn Brownfield Redevelopment Authority pursuant to Act 381 of the Public Acts of Michigan of 1996, as amended.

The property to which the proposed Brownfield Plan #10 applies is 21430 Michigan Avenue, Dearborn, MI 48124, Parcel ID 82-09-222-01-029. The legal description of the property is as follows:

PART OF LOT 146, DETROIT ARSENAL GROUNDS SUBDIVISION, TOWN 2 SOUTH, RANGE 10 EAST, CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE EAST LINE OF BRADY STREET(66 FEET WIDE) WHICH IS NORTH 17 DEGREES 02 MINUTES WEST 10 FEET ALONG THE EAST LINE OF BRADY STREET FROM THE INTERSECTION OF THE NORTH LINE OF MICHIGAN AVENUE(84 FEET WIDE) AND THE EAST SIDE OF BRADY STREET(66 FEET WIDE); THENCE NORTH 17 DEGREES 02 MINUTES WEST 140.00 FEET, ALONG THE SAID EAST LINE OF BRADY STREET(66 FEET WIDE) THENCE NORTH 73 DEGREES 00 MINUTES EAST 210.00 FEET; THENCE NORTH 17 DEGREES 02 MINUTES WEST 50.00 FEET; THENCE NORTH 73 DEGREES 00 MINUTES EAST 36.50 FEET; THENCE NORTH 58 DEGREES 48 MINUTES WEST 74.00 FEET; THENCE NORTH 41 DEGREES 33 MINUTES WEST 59.52 FEET; THENCE NORTH 35 DEGREES 34 MINUTES WEST 116.93 FEET; THENCE SOUTH 73 DEGREES 00 MINUTES WEST 135.40 FEET TO THE EAST LINE OF BRADY STREET(66 FEET WIDE); THENCE NORTH 17 DEGREES 02 MINUTES WEST 221.50 FEET ALONG THE SAID EAST LINE OF BRADY STREET(66 FEET WIDE); THENCE NORTH 73 DEGREES 00 MINUTES EAST 105.00 FEET; THENCE SOUTH 32 DEGREES 00 MINUTES EAST 67.00 FEET; THENCE SOUTH 38 DEGREES 16 MINUTES 45 SECONDS EAST 80.00 FEET; THENCE SOUTH 43 DEGREES 12 MINUTES 41 SECONDS EAST 337.02 FEET TO THE EAST LINE OF SAID LOT 146; THENCE SOUTH 17 DEGREES 02 MINUTES EAST 190.00 FEET ALONG SAID EAST LINE OF LOT 146; THENCE SOUTH 73 DEGREES 00 MINUTES WEST 300.00 FEET ALONG A LINE 10 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF MICHIGAN AVENUE (84 FEET WIDE) TO THE POINT OF BEGINNING.

Copies of the brownfield plan are available for public inspection at the office of the City Clerk, 13615 Michigan Ave., Dearborn, Michigan, during regular business hours.

At the public hearing, all interested persons desiring to address the City Council shall be afforded an opportunity to be heard in regard to the approval of the Brownfield Plan for the City of Dearborn Brownfield Redevelopment Authority. All aspects of the Brownfield Plan will be open for discussion at the public hearing.

FURTHER INFORMATION may be obtained from the City Clerk.

This notice is given by order of the City Council of the City of Dearborn, Michigan.

Kathleen Buda
City Clerk

Individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate in this hearing should contact the City Clerk (313) 943-2010. Reasonable advance notice is required.

be it further

RESOLVED: That 5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded; be it further

RESOLVED: That 6. That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-61-10. WHEREAS: Council Resolution 3-116-05 approved the award of a contract for Consultant Services for the 2005 Revision of the Master Plan to McKenna Associates, Inc. in the approximate amount of \$25,000 and the contract was recorded and funded in the General Capital Improvement Fund, City Plan Department, Project E01600 South East Dearborn Community Master Plan, and

WHEREAS: Council Resolution 7-491-09 authorized a contract increase in the amount of \$107,000 bringing the total contract amount to \$132,000 with the contract increase to be recorded and funded in the General Fund, Economic & Community Development Department operating budget, and

WHEREAS: It is desirable to have the entire McKenna Associates, Inc. contract recorded in and funded out of the General Capital Improvement Fund, City Plan Department, Project E01600, and

WHEREAS: The scope of Project E01600 expanded from South East Dearborn Community to be inclusive of the entire City of Dearborn; therefore be it

RESOLVED: That City Council authorizes Project E01600 to be renamed City of Dearborn Master Plan; be it further

RESOLVED: That the contract increase authorized by Council Resolution 7-491-09 of \$107,000 and corresponding budget be cancelled in the General Fund, Economic & Community Development Department operating budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By O'Donnell supported by Darany.

2-62-10. WHEREAS: Council Resolution 3-116-05 approved the award of a contract for Consultant Services for the 2005 Revision of the Master Plan to McKenna Associates, Inc. in the approximate amount of \$25,000 and the contract was recorded and funded in the General Capital Improvement Fund, City Plan Department, Project E01600 South East Dearborn Community Master Plan, and

WHEREAS: Council Resolution 7-491-09 authorized a contract increase in the amount of \$107,000 bringing the total contract amount to \$132,000 with the contract increase to be recorded and funded in the General Fund, Economic & Community Development Department operating budget, and

WHEREAS: It is desirable to have the entire McKenna Associates, Inc. contract recorded in and funded out of the General Capital Improvement Fund, City Plan Department, Project E01600; therefore be it

RESOLVED: That City Council authorizes an appropriation of \$107,000 of the General Fund fund balance as a contribution to the General Capital Improvement Fund and that this contribution be recognized and appropriated in the General Capital Improvement Fund, City Plan Department, Project E01600 City of Dearborn Master Plan; be it further

RESOLVED: That City Council hereby authorizes a contract increase with McKenna Associates, Inc. in the amount of \$107,000 bringing the total contract amount to \$132,000, to expand the scope of services for the City of Dearborn Master Plan to be financed from the General Capital Improvement Fund, City Plan Department, Project E01600 City of Dearborn Master Plan; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-63-10. WHEREAS: The City Engineer has presented to City Council, for approval, the Michigan Department of Transportation (M-DOT) Contract No. 09-5759 which provides for:

PART A - ARU 82457; JOB #106814; ARRA 1082 (021); JJ3836; FEDERAL PARTICIPATION

Hot mix asphalt resurfacing work along Miller Road from Warren Avenue to Tireman Road; including drainage structure adjustments, concrete base repairs, sidewalk ramps, and pavement marking work; and all together with necessary related work.

PART B - ARU 82457; JOB #106814; ARRA 1082 (021); JJ3836; NO FEDERAL PARTICIPATION

Water main work along Miller Road from Warren Avenue to Tireman Road; and all together with necessary related work.

PART C - ARU 82457; JOB #106815; ARRA 1082 (020); JJ3835

Hot mix asphalt resurfacing work along southbound Southfield Freeway (Highway M-39) Service Drive from Hubbard Road to Executive Plaza Drive; including cold milling, drainage structure adjustments, concrete pavement repair, concrete curb and gutter, sidewalk ramps, and pavement marking work; and all together with necessary related work.

PART D - ARU 82457; JOB #106816; ARRA 1082 (015); JJ3830

Hot mix asphalt resurfacing work along southbound Southfield Freeway Highway (Highway M-39) Service Drive from Michigan Avenue to Hubbard Road; including cold milling, concrete base repairs, concrete curb and gutter, drainage structure adjustments, and pavement marking work; and all together with necessary related work.

and

WHEREAS: Both Miller Road and southbound Southfield Service Drive are under the jurisdiction of the City of Dearborn. The design engineering of these projects are performed in-house by the Engineering Division. Construction Management for these projects will be performed in-house by the Engineering Division. These projects are funded by Federal Funding, American Recovery and Reinvestment Act of 2009 (ARRA), however there is a cap with Federal funding for the project, and

WHEREAS: The project cost and the Dearborn share of the cost, after Federal Funding is estimated as follows:

	TOTAL ESTIMATED COST	(ARRA) FEDERAL AID CAPPED AT	BALANCE AFTER FEDERAL AID	CITY'S SHARE
PART A	\$ 677,900	\$ 402,000	\$ 275,900	\$ 275,900
PART B	\$ 360,900	\$ 0	\$ 360,900	\$ 360,900
PART C	\$ 168,900	\$ 151,000	\$ 17,900	\$ 17,900
PART D	\$ 327,400	\$ 327,400	\$ 0	\$ 0
TOTAL	\$1,535,100	\$ 880,400	\$ 654,700	\$ 654,700

and

WHEREAS: As stated above, both Miller Road and southbound Southfield Service Drive are under the jurisdiction of the City of Dearborn and so the Federal Aid and the expenditure of same needs to be recorded in the Major Street & Trunkline Fund. Accordingly, the City Engineer has requested that City Council authorize the Finance Department to recognize the estimated revenue from Federal Aid in the amount of \$402,000 for Project Q58510, Miller Road Resurfacing, Warren/Tireman and in the amount of \$478,400 for Project Q58410 Southfield Service Drive Resurfacing, southbound and appropriate same in the Major Street & Trunkline Fund, and

WHEREAS: The City Engineer further requests that the City Council authorize the Finance Department to establish a Capital Improvement Project with a budget of \$22,000 to provide for in-house Engineering charges which shall be funded by a reallocation from the Major Street Infrastructure Reserve; be it

RESOLVED: That City Council hereby approves M-DOT Contract No. 09-5759, City of Dearborn Job #10-09-060 which provides for: a) M-DOT Contract PART A and PART B - the Asphalt Resurfacing and Water Main Replacement on Miller Road from Warren Avenue to Tireman Road, City of Dearborn Job #09-03-058, M-DOT Job #106814, ARRA 1082 (021), C.I.P. Q58510; b) M-DOT Contract PART C - the Asphalt Resurfacing of southbound Southfield Service Drive from Hubbard Drive to Executive Plaza Drive (extended), City of Dearborn Job #09-03-057, M-DOT Job #106814, ARRA 1082 (021), C.I.P. Q58410 and c) M-DOT Contract PART D - the Asphalt Resurfacing of southbound Southfield Service Drive from Michigan Avenue to Hubbard Drive, City of Dearborn Job #09-03-057, M-DOT Job #106816, ARRA 1082 (015), C.I.P. Q58410 in the City's share amount of \$654,700; be it further

RESOLVED: That City Council hereby authorizes the Finance Department to recognize the estimated revenue from Federal Aid in the amount of \$402,000 for Project Q58510 Miller Road Resurfacing, Warren/Tireman and in the amount of \$478,400 for Project Q58410 Southfield Service Drive Resurfacing, southbound and to appropriate same in the Major Street & Trunkline Fund; be it further

RESOLVED: That the City's share of the M-DOT's contract shall be financed as follows:

Part A	Project Q58510 Major Street & Trunkline Fund	\$275,900
Part B	Project Q58510 Water Fund	\$360,900
Part C	Project Q58410 Major Street & Trunkline Fund	\$ 17,900

be it further

RESOLVED: That City Council hereby authorizes the Finance Department to establish a Capital Improvement Project with a budget of \$22,000 to provide for in-house Engineering charges which shall be funded by a reallocation from the Major Street Infrastructure Reserve; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Sareini supported by Darany.

2-64-10. RESOLVED: That all bids received for Private Property Lawn & Yard Maintenance for Non-Compliance Ordinance Violations are hereby rejected except the bid of Brantley Development LLC in the total amount of \$75,000, that the aforementioned bid is hereby accepted, that the checks of the unsuccessful bidders be returned forthwith, 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 Fund, Neighborhood Services, Contractual Services Account with services provided after June 30, 2010 being contingent upon the adoption of the FY11 Budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-65-10. RESOLVED: That all proposals received for Fiber Optic Cabling are hereby rejected except the bid of Turnkey Network Solutions in the total amount of \$119,947, that the aforementioned bid is hereby accepted, that the checks of the unsuccessful bidders be returned forthwith, 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 Information Systems Fund, MIS, Capital Equipment; Project ZT0801; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by Sareini.

2-66-10. RESOLVED: That City Council hereby awards a purchase order to Soil and Materials Engineers, Inc. by piggybacking on the DCC-Brownfield Consortium contract, pursuant to Section 2-569a of the City of Dearborn Code of Ordinances, in the approximate amount of \$48,300 for Hazardous Material and Soil Removal Monitoring for the former Quality Inn Demolition Project; be it further

RESOLVED: That this purchase order shall be financed from the General Capital Improvement, Historical Commission, Capital Project Support, Construction Services, Architect/Engineer Service Account (Account #401-5500-435.45-10), Project C20000 - West Dearborn Gateway Redevelopment; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Sareini supported by O'Donnell.

2-67-10. RESOLVED: That City Council hereby authorizes an increase to Purchase Order #076906 with J&J Truck-Auto-Marine Repair in the amount of \$20,000, bringing the total purchase order amount to \$43,000 for the General Repair of Fire Vehicles; be it further

RESOLVED: That this purchase order increase shall be financed from the General Fund, Public Works, Fleet R&M Operations, Fleet Maintenance, Vehicle Repair & Maintenance Account (Account #101-2085-856.43-65); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Sareini supported by Darany.

2-69-10. WHEREAS: The City presently has contracts with four (4) architecture/engineer firms (C.R. 1-40-07) for Rehabilitation Projects to City Facilities, and

WHEREAS: The original contract specifications allow for two (2) renewals of one-year beyond the expiration of the present contract by mutual consent of the firm and City. This will be the first renewal for each firm, and

WHEREAS: URS Corporation (URS) has offered to renew at an eight (8%) percent billing rate reduction; Anderson, Eckstein and Westrick, Inc. (AEW) and BEI Associates (BEI) have offered to renew at a five (5%) percent billing rate reduction and NSA Architect, Engineers, Planners (NSA) has offered to renew at a three (3%) percent billing rate reduction for the period of March 1, 2010 through February 28, 2011; be it

RESOLVED: That these contract renewals for Rehabilitation Projects to City Facilities is hereby renewed with Anderson, Eckstein and Westrick, Inc. (AEW), BEI Associates, Inc. (BEI), NSA Architect, Engineers, Planners (NSA) and URS Corporation (URS) for the period of March 1, 2010 through February 28, 2011 in the amount of \$125,000, bringing the total funding of the contracts to \$825,000; be it further

RESOLVED: That these contract renewals shall be financed from the project budget for which the architectural/engineer services are being used and are contingent upon budget adoption of the FY11 budget and availability of budget in said projects ; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-70-10. WHEREAS: Zausmer, Kaufman, August, Caldwell & Tayler, P.C. has represented the City of Dearborn in litigation concerning CSO #2, #3, #5, #6, and #7, since January 2008, and

WHEREAS: Council Resolution 1-4-08 established an initial amount of \$100,000 for the contract, with contractual services subsequent to June 30, 2008 being subject to the approval of they FY 2009 and 2010 budgets. Additional funding of \$200,000 was secured through Council Resolution 6-412-08 in June 2008 and in April 2009 by Council Resolution 4-233-09 in the amount of \$200,000, and Council Resolution 8-561-09 authorized an additional \$420,000 in August 2009, and

WHEREAS: It is estimated that legal actions and continued representation in this litigation will require an extension of the professional services agreement in the amount of \$500,000; now therefore be it

RESOLVED: That the professional services agreement with Zausmer, Kaufman, August, Caldwell & Tayler, P.C. is extended in the amount of \$500,000; be it further

RESOLVED: That in order to fund this contract extension, an extension of \$500,000 from the Sewer Fund - CSO, Department of Public Works, Sewerage Division, Legal Fees Account, Project N85000 is approved; be it further

RESOLVED: That this resolution shall be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

Extended on 10-25-10 per C.R. 10-630-10

By Hubbard supported by O'Donnell.

2-71-10. WHEREAS: Zausmer, Kaufman, August, Caldwell & Tayler, P.C. has consulted and acted as co-counsel for the City of Dearborn in the case of the City of Dearborn v Burton-Katzman since September 2009, and

WHEREAS: An initial budget of \$10,000 was established for those professional services, and

WHEREAS: It is estimated that legal actions and continued representation in this litigation will require an extension of the professional services agreement in the amount of \$75,000; now, therefore be it

RESOLVED: That the professional services agreement with Zausmer, Kaufman, August, Caldwell & Tayler, P.C. is extended in the amount of \$75,000; be it further

RESOLVED: That in order to fund this professional services agreement, a transfer of \$75,000 from the General Fund fund balance to the Fleet & General Legal Fees Account is approved; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by Hubbard.

2-72-10. WHEREAS: The City presently has a contract with Professional Services Industries, Inc. (C.R. 4-224-09) for Testing and Geotechnical Services, and

WHEREAS: The original contract specifications allows for two (2) one-year renewals beyond the expiration of the present contract. This will be the second and final renewal, and

WHEREAS: Professional Services Industries, Inc. has offered to renew the present contract prices through April 19, 2011; be it

RESOLVED: That the contract for Testing and Geotechnical Services is hereby renewed with Professional Services Industries, Inc. through April 19, 2011 in the amount of \$75,000; be it further

RESOLVED: That this contract renewal shall be financed from established City-wide project budgets contingent upon available budget; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-73-10. WHEREAS: Wayne County has required a financial guarantee for the restoration of construction activity related to the CSO. The purpose of this financial guarantee is to provide leverage and/or the resources to perform restoration work in the event that a site is not adequately returned to preconstruction conditions, and

WHEREAS: Council Resolution 3-109-08 authorized the issuance of a "Bank Letter of Credit" which expired on February 28, 2009 and Wayne County required that this letter of credit be extended until February 28, 2010, and

WHEREAS: Council Resolution 12-815-08 authorized an extension of this "Bank Letter of Credit" through February 28, 2010 in the amount of \$150,000 and Wayne County has required that this letter of credit be extended until February 28, 2011; be it

RESOLVED: That City Council hereby authorizes the extension of a letter of credit to Wayne County until February 28, 2011 in the amount of \$150,000 for a financial guarantee for the restoration of construction activity related to the CSO Project, Permit #C-44815, Plan Review #R 07-016 in the event that a site is not adequately returned to preconstruction conditions; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-74-10. RESOLVED: That City Council hereby authorizes the Fire Department to renew their annual membership with the Western Wayne County Fire Department (WWCFD) in the amount of \$12,755.26; be it further

RESOLVED: That this membership renewal shall be financed from Account #101-2540-621.65-00, Fire memberships; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-75-10. RESOLVED: That City Council hereby authorizes the Fire Department to renew their annual membership with the Regional Alliance for Fire Training (RAFT) in the amount of \$1,200; be it further

RESOLVED: That this membership renewal shall be financed from Account #101-2540-621.65-00, Fire memberships; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-76-10. WHEREAS: The City of Dearborn Treasury Division reported \$630,547.83 in delinquent miscellaneous and special assessment billings as of December 31, 2009, and

WHEREAS: In accordance with the Dearborn City Charter, the Treasury Division certifies that the amounts are due the City for the several services affecting private property as follows:

Weed Cuttings	\$307,424.21
Nuisance Abatements	28,587.59
Rental Inspections	16,440.00
Annual Monitoring	2,000.00
Special Pickup	2,365.00
Trees	900.00
Sidewalk Bills	14,135.67
Secure/Board-Up Building	81,232.97
Demo/Demo Related Bills	59,845.50
False Alarm Bills	9,550.00
Sewer	47,087.56
General Fund Interest	21,526.11
SD859	<u>39,453.22</u>
Total	\$630,547.83

and

WHEREAS: The City of Dearborn Treasury Division requests that these miscellaneous receivable and special assessment items be spread on the 2009 Miscellaneous Receivable Assessment Roll as supported by the subsidiary Accounts Receivable Systems; therefore be it

RESOLVED: That City Council does hereby confirm and approve the Consolidated Miscellaneous Roll for 2009 for the several services affecting private property in the approximate amount of \$630,547.83 plus 25% per Council Resolution 11-1102-02; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by Hubbard.

2-77-10. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Office of Justice Programs in the amount of \$19,825, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$9,912.50 and appropriate a like amount; be it

RESOLVED: That City Council hereby authorizes the Finance Director to recognize revenue and appropriate expenditures in the amount of \$9,912.50 in the General Fund, Police Department budget and appropriate the local match of \$9,912.50 from the fund balance in the Drug Law Enforcement Fund; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2)..

By Hubbard supported by Darany.

2-78-10. WHEREAS: In calendar year 2009, the City of Dearborn experienced four (4) Hazardous Materials responses with the Fire Department that required the activation of the Western Wayne HAZMAT Team. By agreement the Fire Department was invoiced by Western Wayne HAZMAT (Western Wayne County Fire Department) for services provided. The City of Dearborn then invoices the responsible party to collect cost incurred. Upon collection of funds the Fire Department needs to reimburse the Western Wayne HAZMAT Team, and

WHEREAS: The Fire Department is in need of a resolution to recognize the following reimbursements received:

Henry Ford Hospital Fairlane	\$ 3,590.00
1009 Drexel	4,647.00
3013 Queen	1,458.50
Telegraph/Ford	<u>\$40,024.50</u>
Total	\$49,720.00

and

WHEREAS: The Fire Department has requested that the Finance Department be authorized to recognize reimbursements received from four (4) hazardous materials responses involving the Fire Department that required the activation of the Western Wayne HAZMAT Team in the total amount of \$49,720 and to appropriate the amount for reimbursement to Western Wayne County Fire Department; be it

RESOLVED: That City Council hereby authorizes the Finance Department to recognize reimbursements received from four (4) hazardous materials responses in the total amount of \$49,720 in Account #101-2540-366.90-00 and to appropriate the same amount to Account #101-2540-621.34-90 Contractual Services for reimbursement to the Western Wayne County Fire Department; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by O'Donnell.

2-79-10. WHEREAS: The Director of Recreation has requested City Council approval of the Fiscal Year 2010 The Senior Alliance, Area Agency on Aging 1-C Dearborn community match in the total amount of \$7,822. The City of Dearborn has partnered with The Senior Alliance for thirty (30) consecutive years, and

WHEREAS: 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 in the community. Older adults in Dearborn are eligible for and have received agency-funded services such as care management, personal care, homemaker, respite, legal assistance, Meals on Wheels, congregate meals, adult day care, health screening and Information and Referral Services; be it

RESOLVED: That the Fiscal Year 2010 The Senior Alliance, Area Agency on Aging 1-C Dearborn community match in the amount of \$7,822 be and is hereby approved; be it further

RESOLVED: That this match shall be financed from the General Fund, Senior Services, Memberships, Distribution Account (Account #101-3090-843.65-00); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-80-10. RESOLVED: That City Council hereby approves the request of The Henry Ford to waive permit fees associated with replacing the electrical infrastructure serving Henry Ford Museum in an amount not to exceed \$50,000; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By O'Donnell supported by Hubbard.

2-81-10. WHEREAS: The 19th District Court Union contract expired June 30, 2007, and

WHEREAS: The 19th District Court, Legal Department, Finance Department, Human Resources Department and the Mayor's Office have worked in cooperation to reach agreement on updated job grades and pay ranges, comparable to City jobs of similar responsibility, and

WHEREAS: Adoption of the proposed job grades, salary ranges will streamline future management, and

WHEREAS: As a condition of adoption of the updated job grades and salary ranges, Court Union employees who are not already part of the PTO and Flexible Benefits Programs will be required to convert to those programs in addition to health care and retirement changes; therefore, be it

RESOLVED: That the 19th District Court Union contract changes are adopted; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By O'Donnell supported by Sareini.

2-82-10. WHEREAS: The 19th District Court Administrative Unit Salary Plan expired June 30, 2007, and

WHEREAS: The 19th District Court, Legal Department, Finance Department, Human Resources Department and the Mayor's Office have worked in cooperation to reach agreement on updated job grades and pay ranges, comparable to City jobs of similar responsibility, and

WHEREAS: Adoption of the proposed job grades, salary ranges, and renaming the plan to the 19th District Court Executive and Administrative Unit Salary Plan will streamline future management, and

WHEREAS: As a condition of adoption of the updated job grades and salary ranges, Court Executive and Administrative Plan employees who are not already part of the PTO and Flexible Benefits Programs will be required to convert to those program; therefore be it

RESOLVED: That the 19th District Court Administrative Unit Salary Plan adopted by C.R. 1-53-98, shall be known as the 19th District Court Executive and Administrative Unit Salary Plan, that the proposed job grades and salary ranges are adopted retroactive to July 1, 2007.

The resolution was adopted as follows: Yeas: Hubbard, O'Donnell, Sareini and Tafelski (4). Nays: Darany (1). Absent: Abraham and Shooshanian (2).

By Darany supported by Hubbard.

2-83-10. WHEREAS: The Employer (the City of Dearborn) established the City of Dearborn Group Health Plan effective October 1, 2007, hereinafter referred to as the "Plan", and

WHEREAS: The Genetic Information Nondiscrimination Act of 2008 (Pub.L. 110-233, 122 Stat. 881, enacted May 21, 2008, GINA), is an Act of Congress in the United States designed to prohibit the improper use of genetic information in health insurance and employment. The Act prohibits group health plans and health insurers from denying coverage to a healthy individual or charging that person higher premiums based solely on a genetic predisposition to developing a disease in the future. The legislation also bars employers from using individuals' genetic information when making hiring, firing, job placement, or promotion decisions. The Act contains amendments to the Employee Retirement Income Security Act of 1974^[3] and the Internal Revenue Code of 1986, and

WHEREAS: Effective July 1, 2009 the Employer desires to amend the Plan as set forth below:

The Genetic Information Nondiscrimination Act of 2008 (GINA) includes provisions related to genetic information that affect HIPAA nondiscrimination rules. HIPAA is the Health Insurance Portability and Accountability Act enacted by the U.S. Congress in 1996. Genetic information is defined as information about genetic tests of an individual or an individual's family members, information about the manifestation of a family member's disease or disorder and an individual's request for or receipt of genetic services. Effective May 21, 2009, GINA mandates that a group health plan cannot:

- Adjust premiums or contribution amounts based on genetic information;
- Request or require an individual or an individual's family member to undergo a genetic test;
- Request, require or purchase genetic information prior to or in connection with enrollment in the plan; or
- Use genetic information for underwriting purposes

Group health plans may use the results of genetic tests for payment purposes explained below, as long as the minimum amount of information necessary is used.

now, therefore, be it

RESOLVED: That this Plan is amended by the signature of the officer/person authorized to take any and all action as may be necessary to effectuate this Amendment; be it further

RESOLVED: That the Finance Director is authorized to amend (or sign) the Plan; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by O'Donnell.

2-84-10. WHEREAS: The Employer (the City of Dearborn) established the City of Dearborn Cafeteria Plan effective July 1, 1998, Amended and Restated July 1, 2003, hereinafter referred to as the "Plan", and

WHEREAS: The Genetic Information Nondiscrimination Act of 2008 (Pub.L. 110-233, 122 Stat. 881, enacted May 21, 2008, GINA), is an Act of Congress in the United States designed to prohibit the improper use of genetic information in health insurance and employment. The Act prohibits group health plans and health insurers from denying coverage to a healthy individual or charging that person higher premiums based solely on a genetic predisposition to developing a disease in the future. The legislation also bars employers from using individuals' genetic information when making hiring, firing, job placement, or promotion decisions. The Act contains amendments to the Employee Retirement Income Security Act of 1974⁽³⁾ and the Internal Revenue Code of 1986, and

WHEREAS: Effective July 1, 2009 the Employer desires to amend the Plan as set forth below:

The Genetic Information Nondiscrimination Act of 2008 (GINA) includes provisions related to genetic information that affect HIPAA nondiscrimination rules. HIPAA is the Health Insurance Portability and Accountability Act enacted by the U.S. Congress in 1996. Genetic information is defined as information about genetic tests of an individual or an individual's family members, information about the manifestation of a family member's disease or disorder and an individual's request for or receipt of genetic services. Effective May 21, 2009, GINA mandates that a group health plan cannot:

- Adjust premiums or contribution amounts based on genetic information;
- Request or require an individual or an individual's family member to undergo a genetic test;
- Request, require or purchase genetic information prior to or in connection with enrollment in the plan; or
- Use genetic information for underwriting purposes

Group health plans may use the results of genetic tests for payment purposes explained below, as long as the minimum amount of information necessary is used.

now, therefore, be it

RESOLVED: That this Plan is amended by the signature of the officer/person authorized to take any and all action as may be necessary to effectuate this Amendment; be it further

RESOLVED: That the Finance Director is authorized to amend (or sign) the Plan; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-85-10. WHEREAS: The Employer (the City of Dearborn) established the City of Dearborn Cafeteria Plan effective July 1, 1998, Amended and Restated July 1, 2003, hereinafter referred to as the "Plan", and

WHEREAS: The Health Insurance Portability and Accountability Act (HIPAA) of 1996 restricts the Employer's ability to use and disclose protected health information (PHI), and

WHEREAS: Title XIII of the American Recovery and Reinvestment Act of 2009, the Health Information Technology for Economic and Clinical Health Act (the "HITECH Act"), imposes significant new obligations on "Covered Entities" and "Business Associates" (as defined by HIPAA) regarding breaches of disclosure which is defined as the unauthorized acquisition, access, use, or disclosure of PHI which compromises the security or privacy of the PHI, and

WHEREAS: Effective September 23, 2009 the Employer desires to amend the Plan as set forth below:

1. **Definition of PHI.** PHI is defined as information that is created or received by the Plan and relates to the past, present or future physical or mental health or condition of a Participant; and that identifies the Participant or for which there is a reasonable basis to believe the information of persons living or deceased.
2. **Use and Disclosure of PHI.** The Plan will use PHI to the extent of and in accordance with the uses and disclosures permitted by HIPAA. Specifically, the Plan will use and disclose PHI for purposes related to health care treatment, payment for health care and health care operations. The Plan will also use and disclose PHI as permitted by authorization of the subject of PHI. The Plan may disclose information on whether the individual is participating in the Plan or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the Plan.
 - a. **Payment** includes activities undertaken by the Plan to obtain premiums or determine or fulfill its responsibility for coverage and provision of Plan benefits that relate to an individual to whom health care is provided. These activities include, but are not limited to, the following:
 - 1) Determination of eligibility, coverage and cost-sharing amounts (for example, cost of a benefit, plan maximums and co-payments as determined for an individual's claim);

- 2) Coordination of benefits;
- 3) Adjudication of health benefits claims (including appeals and other payment disputes);
- 4) Subrogation of health benefit claims;
- 5) Establishing employee contributions;
- 6) Risk adjusting amounts due based on enrollee health status and demographic characteristics;
- 7) Billing, collection activities, and related health care data processing;
- 8) Claims management and related health care data processing, including auditing payments, investigating and resolving payment disputes and responding to participant inquiries about payments;
- 9) Obtaining payment under a contract for reinsurance (including stop-loss and excess of loss insurance);
- 10) Medical necessity reviews or reviews of appropriateness of care or justification of charges;
- 11) Utilization review, including pre-certification, preauthorization, concurrent review and retrospective review;
- 12) Disclose to consumer reporting agencies related to the collection of premiums or reimbursement (the following PHI may be disclosed for payment purposes: name and address, date of birth, Social Security number, payment history, account number and name and address of provider and/or health Plan; and
- 13) Reimbursements to the Plan.

b. **Health care operations** include, but are not limited to, the following activities:

- 1) Quality assessment;
- 2) Population-based activities relating to improving health or reduction of health care costs, protocol development, case management and care coordination, disease management, contacting health care providers and patients with information about treatment alternatives and related functions;
- 3) Rating provider and Plan performance, including accreditation, certification, licensing or credentialing activities;
- 4) Underwriting, premium rating and other activities relating to the creation, renewal or replacement of a contract of health insurance or health benefits, and ceding, securing, or placing a contract for reinsurance of risk relating to health care

claims (including stop-loss insurance and excess of loss insurance);

- 5) Conducting or arranging for medical review, legal services and auditing function, including fraud and abuse detection and compliance programs;
- 6) Business planning and development, such as conducting cost-management and planning-related analyses related to managing and operating the Plan, including formulary development and administration, development or improvement of payment methods or coverage policies;
- 7) Business management and general administration activities of the Plan including but not limited to management activities relating to the implementation of and compliance with HIPAA's administrative simplification requirements and customer service, including data analyses for policyholders;
- 8) Resolution of internal grievances;
- 9) Due diligence in connection with the sale or transfer of assets to a potential successor in interest, if the potential successor in interest is a covered entity under HIPAA or following completion of the sale or transfer, will become a covered entity.

3. **Summary Health Information.** The Plan may disclose Summary Health Information for the purpose of (a) obtaining premium bids from health plans for providing health insurance coverage under the Plan; or (b) modifying, amending, or terminating the Plan. Summary Health Information means: information that (a) summarizes the claims history, claims expenses, or type of claims experienced by individuals for whom health benefits were provided under a health plan, and (b) from which the information described at 42 CFR Section 164.514(b)(2)(i) has been deleted, except that the geographic information described in 42 CFR Section 164.514(b)(2)(i)(B) need be aggregated only to the level of a five digit zip code.

4. **Administrative Purposes.** The Plan may use or disclose PHI for administrative purposes only. Administrative purposes mean administration functions performed by the Employer on behalf of the Plan such as quality assurance, claims processing, auditing, and monitoring.

5. **Employer Obligations.** The Employer agrees that with respect to any PHI disclosed to it by the Plan, the Employer shall:
- a. Not use or further disclose PHI other than as permitted or required by the Plan or as required by law;
 - b. Ensure that any agents, including a subcontractor, to whom the Plan provides PHI received from the Plan agree to the same restrictions and conditions that apply to the Employer with respect to such PHI;
 - c. Not use or disclose PHI for employment related actions and decision unless authorized by the individual;
 - d. Not use or disclose PHI in connection with any other benefits or employee benefit plan of the Plan Sponsor unless authorized by an individual.
 - e. Report to the Plan any PHI use or disclosure that is inconsistent with the uses or disclosures provided for, of which it becomes aware;
 - f. Make available to an individual for inspection and copying PHI about the individual as allowed by and in accordance with HIPAA;
 - g. Make PHI available for amendment and incorporate any amendments to PHI in accordance with HIPAA;
 - h. Make available the information required to provide an accounting of disclosures;
 - i. Make internal practices, books and records relating to the use and disclosure of PHI received from Plan available to the HHS Secretary for the purposes of determining the Plan's compliance with HIPAA; and
 - j. If feasible, return or destroy all PHI received for the Plan that the Plan Sponsor still maintains in any form, and retain no copies of such PHI when no longer needed for the purpose for which disclosure was made (or if return or destruction is not feasible, limit further uses and disclosure to those purposes that make the return or destruction feasible).

6. **Access to PHI.** The Employer shall allow those employees identified as needing access to PHI to have access to PHI. The following have been granted access:
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No other persons shall have access to PHI. These specified employees or classes of employees shall have access to and use PHI only to the extent necessary to perform the Plan administration functions that the Employer performs for the Plan.

7. **Noncompliance issues.** In the event that any of these specified employees fail to comply with the provisions of this Section, said employee shall be subject to discipline and termination procedures. The Plan or Privacy Officer shall also document the facts of the violation, actions that have been taken to discipline the offending party, and the steps taken to prevent future violations.
8. **Employer's Obligations under Security Rules.** If the Plan or Employer creates, receives, maintains or transmits ePHI, the Plan or Employer will:
- a. Implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity and availability of ePHI;
 - b. Ensure that any agents, including subcontractors, to whom the Employer provides ePHI or to whom ePHI is provided on behalf of the Employer or Plan implement reasonable and appropriate security measures to protect the ePHI;
 - c. Report to the Plan any Security Incident of which it becomes aware;
 - d. Implement reasonable and appropriate security measures to ensure that only those persons identified in Section 6 have access to ePHI and that such access is limited to the purposes identified herein; and
 - e. Report any Breach and notify individuals of a Breach as defined in the HITECH Act. The definition of the term breach is "the acquisition, access, use or disclosure of PHI in a manner not permitted (by the HIPAA Privacy Rules) which compromises the security or privacy of the PHI." A disclosure does not qualify as a breach unless it causes some harm to the individual; it must pose "a

significant risk of financial, reputational, or other harm to the individual." The HITECH Act requires notification to the individual when there has been a breach of "unsecured PHI" which is defined as PHI "that is not secured through the use of a technology or methodology specified by the HHS Secretary. To render PHI unusable, unreadable, or indecipherable to unauthorized individuals through the use of a technology or methodology specified by the Secretary. "Exceptions to the Breach Rule:

- 1) An unintentional acquisition, access, or use of PHI by a workforce member or person acting under the authority of a Covered Entity or Business Associate, if done in good faith and within the scope of authority, and which does result in further use or disclosure in a manner not permitted under the Privacy Rule.
- 2) Any inadvertent disclosure by a person authorized to access the PHI at a Covered Entity or Business Associate to another person authorized to access the PHI at the same Covered Entity or Business Associate or organized health care arrangement in which the Covered Entity participates, and the PHI is not further used or disclosed in a manner not permitted under the Privacy Rule.
- 3) Any disclosure in which a Covered Entity or Business Associate has a good faith belief that an unauthorized person to whom the disclosure was made would not reasonably have been able to retain such information.

9. **Participant's Rights.** Under the Plan, as required by HIPAA, from and after April 14, 2003, Participants have the following rights regarding their PHI:

- a. Right to inspect and copy PHI;
- b. Right to amend or supplement PHI;
- c. Right to a list of disclosures of PHI made by the Plan in the six years prior to the request of such disclosure except as allowed by HIPAA;
- d. Right to request restrictions or limitations on PHI about a participant for treatment, payment or health care operations, or that is disclosed to someone who may be involved in a participant's care or payment for that care, like a family member or friend, as allowed by HIPAA;

- e. Right to request communication about PHI be made in a certain way or at a certain location in order to maintain confidentiality of that information;
- f. Right to file a complaint with the Plan or with the Secretary of the Department of Health and Human Services if a participant believes his/her privacy rights have been violated; and
- g. Right to receive a paper copy of the Plan and the Privacy Practices Notice as required by HIPAA.

now, therefore, be it

RESOLVED: That this Plan is amended by the signature of the officer/person authorized to take any and all action as may be necessary to effectuate this Amendment; be it further

RESOLVED: That the Finance Director is authorized to amend (or sign) the Plan; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-86-10. WHEREAS: The Employer (the City of Dearborn) established the City of Dearborn Group Health Plan effective October 1, 2007, hereinafter referred to as the "Plan", and

WHEREAS: The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 requires group health plans (of employers that employ more than 50 employees) that provide both medical and surgical benefits and mental health or substance use disorder benefits to ensure that financial requirements and treatment limitations applicable to mental health or substance use disorder benefits are no more restrictive than the predominant financial requirements and treatment limitations applicable to substantially all medical and surgical benefits covered by the plan, and

WHEREAS: Under a Federal law known as the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, as amended, group health plans must generally comply with certain requirements, and

WHEREAS: Section 2721(b)(2) of the Public Health Service Act (PHS Act) and 45 CFR 146.180 of Federal regulations permits state and local governmental employers that sponsor health plans to elect to exempt a plan from these requirements for any part of the plan that is "self-funded" by the employer, rather than provided through a health insurance policy, and

WHEREAS: Effective July 1, 2010 the Employer desires to amend the Plan as set forth below:

In accordance with applicable law and upon formal notice to CMS (Centers for Medicare and Medicaid Services), the City of Dearborn will exempt the Plan from compliance with Mental Health Parity. This election may be renewed for subsequent plan years.

now, therefore, be it

RESOLVED: That this Plan is amended by the signature of the officer/person authorized to take any and all action as may be necessary to effectuate this Amendment; be it further

RESOLVED: That the Finance Director is authorized to amend (or sign) the Plan; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by O'Donnell.

2-87-10. WHEREAS: The City of Dearborn Brownfield Redevelopment Authority had a \$219,312 deficit balance on June 30, 2009, and

WHEREAS: Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury; be it

RESOLVED: That the City of Dearborn's legislative body adopts the following as the City of Dearborn Brownfield Redevelopment Authority Deficit Elimination Plan:

DEARBORN BROWNFIELD REDEVELOPMENT AUTHORITY

**FISCAL YEAR 2009 – 2010
DEFICIT ELIMINATION PLAN**

Anticipated Resources:

Deficit Balance @ 7/1/09 (Per 12/3/09 State Letter) (219,312)

Bond Proceeds and DABC Grant 10,960,000

Anticipated Revenues:

Tax Capture	\$494,646	
Interest Income	<u>10,000</u>	
Total Revenue		<u>504,646</u>
Total Anticipated Resources		<u>11,245,334</u>

Budgeted Expenditures:

Audit	2,000
Bond issuance costs	112,242
Construction--Parking Deck	9,972,993
Debt Service (current portion)	<u>656,464</u>

Total Budgeted Expenditures 10,743,699

be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by Hubbard.

2-88-10. WHEREAS: P.A. 390 of 1994, which amended Section 7u of Act No. 206 of the Public Acts of 1893, as amended by Act No. 313 of the Public Acts of 1993, being Section 211.7u of the Michigan Compiled Laws, requires the local governing body of the assessing unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions under this Section, and

WHEREAS: P.A. 620 of 2002 amended Section 211.7u of the Michigan Compiled Laws and requires that local governing bodies set income levels for their poverty exemption guidelines and that those income levels shall not be set lower by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services; therefore, be it

RESOLVED: That to be eligible for a poverty exemption in the City of Dearborn, a person must be the owner and must occupy the property as a homestead for which the exemption is requested; file a completed, signed and notarized application; file copies of federal and state income tax returns for all persons residing in the homestead, including any property tax credit forms and/or Statement of Benefits Paid from Michigan Department of Social Services or Social Security Administration; meet local Poverty Income Standards; be it further

RESOLVED: That the Poverty income levels be set to: Family of 1 - \$16,450, Family of 2 - \$19,710, Family of 3 - \$22,970, Family of 4 - \$26,230, Family of 5 - \$29,490, Family of 6 - \$32,750, Family of 7 - \$36,010, Family of 8 - \$39,270 and for each additional person add \$3,700; be it further

RESOLVED: That the applicant's annual taxable and non-taxable interest/dividend income must be less than \$1,250; be it further

RESOLVED: That the applicant's total asset of the entire household, excluding homestead, cannot exceed \$30,000; be it further

RESOLVED: That the applicant may not have ownership interest in any real estate other than the homestead; be it further

RESOLVED: That the board of review requires identification of all persons residing in the homestead and proof of ownership of the homestead under consideration for poverty exemption; be it further

RESOLVED: That the board of review may request from the applicant any supporting documents which may be utilized in determining a poverty exemption request; be it further

RESOLVED: That the completed poverty exemption application must be filed after January 1, but before the day prior to the last day of the board of review in the year in which the exemption is sought; be it further

RESOLVED: That the board of review may deviate from the established policy and guidelines only for substantial and compelling reasons. The applicant will be notified, in writing, the reasons for deviating from the policy and guidelines for poverty exemption; be it further

RESOLVED: That to conform to the provisions of P.A. 390 of 1994 and P.A. 620 of 2002, this resolution, is hereby given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By O'Donnell supported by Sareini.

2-89-10. WHEREAS: On November 10, 2008, a City of Dearborn rescue unit was travelling north on Greenfield south of Ford Road with its emergency lights and siren activated while responding to a run, and

WHEREAS: As the rescue unit was moving, Warren Schimmell, age 86 who resides at Henry Ford Village, walked into the path of the rescue as it was passing him, striking the left rear corner of the vehicle, and

WHEREAS: Mr. Schimmell was injured and taken to Henry Ford Hospital for treatment where he remained in the intensive care unit for several days, and

WHEREAS: Mr. Schimmell is currently undergoing rehabilitation at Henry Ford Village, and

WHEREAS: Michigan is a no-fault automobile liability state, and

WHEREAS: There are statutory priorities for payment of claims, regardless of fault, and

WHEREAS: The first priority would be Mr. Schimmell's own auto insurance policy. Mr. Schimmell does not own a car and thus, does not carry auto insurance, and

WHEREAS: The second no-fault priority is a spouse or a resident domiciled in the same household. Mr. Schimmell does not have a spouse and lives alone, and

WHEREAS: The next in the line of priorities for payment is the insurer of the owner or registrant of the motor vehicle involved in the accident (the City), and

WHEREAS: The City is the apparent responsible party to pay the claim since the two higher priorities are inapplicable to this situation, and

WHEREAS: The City is self-insured for this no-fault coverage, and

WHEREAS: The City is responsible to pay for medical benefits for his lifetime as long as they are related to the loss, and

WHEREAS: Several medical bills have been submitted to the City for payment and others are expected to be presented, and

WHEREAS: City Council previously approved payment up to \$100,000 pursuant to Council Resolution 5-325-09, and

WHEREAS: The City has paid out about \$97,000 to cover expenses thus far, and

WHEREAS: Those bills reflect the claimants stay and treatment in the Intensive Care Unit at Henry Ford Hospital, bills for rehabilitation, and other reasonable and customary costs, and

WHEREAS: All bills have been reviewed by Review Works, a company that specializes in medical bill review, and

WHEREAS: Since the City will continue to receive bills for Mr. Schimmell's ongoing treatment, it is recommended that the Corporation Counsel be authorized to remit payment for Warren Schimmell's reasonable and customary costs for medical treatment resulting from the accident that took place on November 10, 2008, for an additional amount of \$200,000; therefore be it

RESOLVED: That the Office of the Corporation Counsel is hereby authorized to pay the reasonable and customary medical bills submitted by Warren Schimmell, in an additional amount not to exceed \$200,000; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in an amount not to exceed \$200,000, drawn upon the Fleet & General settlement fund account (Account #678-1500-815.68-24); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by Hubbard.

2-90-10. WHEREAS: The City of Dearborn purchased 1.77 acres of vacant land on Ford Road from the Michigan Department of Transportation for \$215,000, and

WHEREAS: The deed contained a restriction that the property must be used for public purposes for 10 years or it was subject to reversion back to MDOT, and

WHEREAS: The City paid \$6,300 for the release of the reversionary interest from MDOT and paid \$7,000 for an appraisal of the property, a requirement to release the reversionary interest, and

WHEREAS: The City advertised to lease the property for a 10-year lease term. Mr. Tom Fakih from South Ford Road Investments, LLC, submitted a lease offer to pay \$25,001 per year for 10 years with a 5% escalator after 5 years, and

WHEREAS: Mr. Fakih's offer was the only bid received by the City, and

WHEREAS: Mr. Fakih proposed to develop the property for use as a public parking lot. The parking lot was to be used for a banquet and conference facility that he planned to construct on the property adjacent to the City-owned land, and

WHEREAS: City Council approved the execution of the lease agreement with South Ford Road Investments, LLC and Mr. Fakih pursuant to Council Resolution 7-617-03, and

WHEREAS: South Ford Road Investments, LLC began paying on the lease, but due to the investors' withdrawal from the project, it could not continue with the banquet facility project. Six monthly payments were submitted to the City totaling, \$12,917, and

WHEREAS: South Ford Road Investments, LLC was in default of the lease for non-payment, and

WHEREAS: In 2008, Mr. Fakih requested that the City relieve South Ford Road Investments, LLC of its default status under the lease and allow it to become current on its obligations, and

WHEREAS: Mr. Fakih intended to pursue other projects for the area, and

WHEREAS: City Council approved the request pursuant to Council Resolution 5-318-08, and

WHEREAS: On July 1, 2008, South Ford Road Investments, LLC paid over \$94,000 to the City to bring the lease out of default status and about \$11,000 to redeem the adjoining tax reverted property from the City, and

WHEREAS: Resuming monthly payments in August 2008, South Ford Road Investments, LLC paid the monthly lease payments (totaling \$31,980) to the City until November 2009. In total, South Ford Road Investments, LLC has paid \$148,528.12 for the property that the City acquired from MDOT, and

WHEREAS: South Ford Road Investments, LLC has not paid on the lease since November 2009, and

WHEREAS: Mr. Fakh requested a meeting to discuss termination of the lease agreement. On January 21, 2010, Mayor O'Reilly, Mark Guido, Barry Murray, and Licia Yangouyian met with Mr. Fakh, Sam Fakh, and David Saad to discuss termination of the lease, and

WHEREAS: Mr. Fakh indicated that he has attempted to market the property for new business, but has been unsuccessful. His attempts to attract a banquet facility, Costco Wholesale, and Tim Horton's restaurant did not materialize, and

WHEREAS: Due to the overall poor economic climate, Mr. Fakh has requested that South Ford Road Investments, LLC be relieved of its lease obligations completely from the City, and

WHEREAS: The scheduled lease expiration date is April 7, 2014, and

WHEREAS: Since it is unlikely that Mr. Fakh will be able to utilize the property in the near future, it is recommended that the City allow Mr. Fakh to terminate the lease with the City without penalty, and

WHEREAS: It is also recommended that the termination is contingent upon all taxes being paid by Mr. Fakh up to and including the date in which the termination documents are executed by both parties, and

WHEREAS: The City may explore installing a secondary access road in the area of Ford Road and Wyoming that utilizes a portion of the property as right-of-way; therefore be it

RESOLVED: That the Mayor be authorized to execute documents, reviewed and approved by the Mayor and the Corporation Counsel, to allow South Ford Investments, LLC by Tom Fakih to terminate the existing lease agreement relative to the property described by Tax I.D. 82-10-172-01-012 (see attached Exhibit A for legal description for vacant land, approx. 1.77 acres on Ford Rd.), that is due to expire on April 7, 2014; be it further

RESOLVED: That the termination of the lease agreement is contingent upon all taxes being paid by South Ford Road Investments, LLC/Tom Fakih up to and including the date in which the termination documents are executed by both parties; be it further

RESOLVED: That South Ford Road Investments, LLC/Tom Fakih are relieved of their obligation to make lease payments after November 2009; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

Dx005id

City Of Dearborn, Michigan
Tax Parcel Address/Descriptions

1/17/08
14:53:22

Location ID : 63415 82-10-172-01-012
 Location address : FORD
 Land Mgmt Owner. : CITY OF DEARBORN
 Land Mgmt Own Address. : PO BOX 4000
 Exempt Code . . **E1** : DEARBORN MI 48126
 Prop. Type. . . **IU**
 Tax Payer Name : CITY OF DEARBORN
 Tax Payer Address. : PO BOX 4000
 : DEARBORN MI 48126

M/R Customer Name. : NO MATCH
 M/R Cust. Address. : FOUND

Exhibit A

Property description

THAT PART OF THE FOLLOWING DESCRIBED AS LYING NORTHERLY OF AND EASTERLY OF A LINE DESCRIBED AS; COMMENCING AT THE NORTH QUARTER CORNER OF FRACTIONAL SECTION 17, T.2 S, R.11 E., CI

F3=Exit F12=Cancel

+

Dx005id

City Of Dearborn, Michigan

1/17/08
14:53:22

Tax Parcel Address/Descriptions

Location ID : 63415 82-10-172-01-012
 Location address : FORD
 Land Mgmt Owner. : CITY OF DEARBORN
 Land Mgmt Own Address. : PO BOX 4000
 Exempt Code . . E1 DEARBORN MI 48126
 Prop. Type. . . IU
 Tax Payer Name : CITY OF DEARBORN
 Tax Payer Address. : PO BOX 4000
 DEARBORN MI 48126

M/R Customer Name. : NO MATCH
 M/R Cust. Address. : FOUND

Property description

TY OF DEARBORN, WAYNE COUNTY,
 MICHIGAN ; THENCE N 87-42-24 E
 ALG THE N LINE OF SAID SEC 17
 A DISTANCE OF 819.28 FT; TH S
 2-17-36 E 60 FT TO THE POB; TH
 N 88 W 400 FT; TH S 70-9-35 E

F3=Exit F12=Cancel

+

Dx005id

City Of Dearborn, Michigan
Tax Parcel Address/Descriptions

1/17/08
14:53:22

Location ID : 63415 82-10-172-01-012
 Location address : FORD
 Land Mgmt Owner. : CITY OF DEARBORN
 Land Mgmt Own Address. . . : PO BOX 4000
 Exempt Code . . E1 DEARBORN MI 48126
 Prop. Type. . . IU
 Tax Payer Name : CITY OF DEARBORN
 Tax Payer Address. : PO BOX 4000
 DEARBORN MI 48126

M/R Customer Name. : NO MATCH
 M/R Cust. Address. : FOUND

Property description

107.70 FT; TH S 36-26-20 E 504
 .14 FT; TH N 75-5-34 E 174.49
 FT; TH N 79-5-22 E 121.82 FT;
 TH N 65-26-46 W 207.18 FT; TH
 N 24-21-45 W 101 FT; N 17-59-0
 0 W 191.48 FT TO POB. 2.50 ACR

F3=Exit F12=Cancel

+

Dx005id

City Of Dearborn, Michigan
Tax Parcel Address/Descriptions

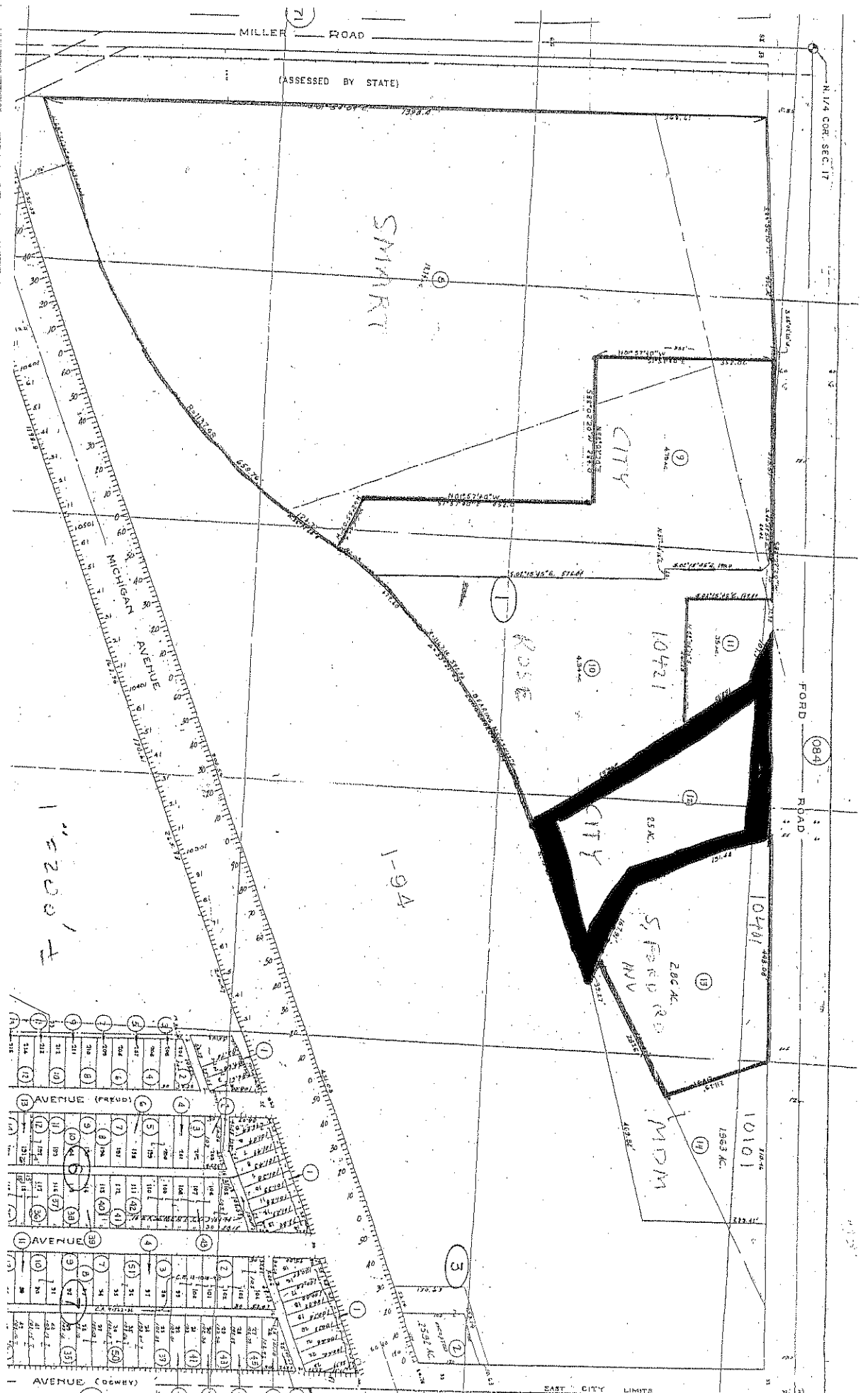
1/17/08
14:53:22

Location ID : 63415 82-10-172-01-012
Location address : FORD
Land Mgmt Owner. : CITY OF DEARBORN
Land Mgmt Own Address. : PO BOX 4000
Exempt Code . . E1 : DEARBORN MI 48126
Prop. Type. . . IU
Tax Payer Name : CITY OF DEARBORN
Tax Payer Address. : PO BOX 4000
DEARBORN MI 48126

M/R Customer Name. : NO MATCH
M/R Cust. Address. : FOUND

Property description
ES MORE OR LESS.

F3=Exit F12=Cancel



MILLER ROAD

(ASSESSED BY STATE)

N. 1/4 COR. SEC. 17

SMART

CITY

ROSE

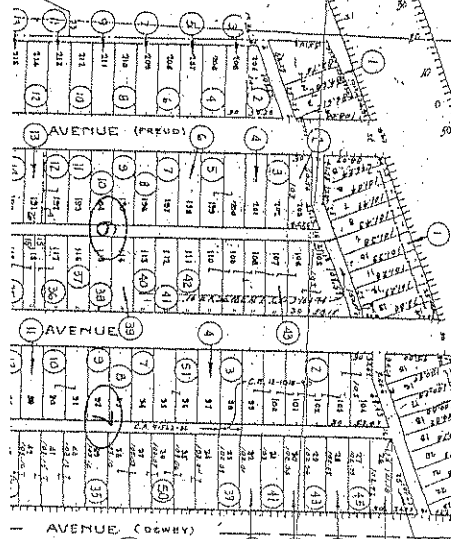
CITY

S. FORD RD
2.86 AC.

MIDM

1" = 200' F

1-94



AVENUE (COONEY)

EAST CITY LIMITS

FORD ROAD

(84)

10421

10101

(9)

(10)

(11)

(12)

(1)

(13)

(2)

(3)

(4)

(5)

(6)

(7)

(8)

(9)

(10)

(11)

(12)

(13)

By Sareini supported by O'Donnell.

2-91-10. WHEREAS: Salah Mohsin, who owns and resides at 3310 Roulo and Salman Talahmeh, who owns the vacant land at 3246 Roulo, are asking the City of Dearborn to split and sell to them the vacant lot located between their lots so that they may combine that portion of the lot with the adjacent lots they own, and

WHEREAS: Sale is conditioned on the following:

1. Purchasers must close simultaneously.
2. Purchasers may not assign their purchase option without approval of the Dearborn City Council.
3. Closing of this transaction must take place within ninety (90) days of the effective date of the Dearborn City Council Resolution which authorizes the sale of the property; failure to close within this period shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
4. The purchasers accept the property "AS IS" and assume all responsibility for soil testing and soil conditions.
5. Lots must be combined with the purchasers' adjacent land for tax and assessment purposes at the closing. Failure to do so shall result in the Resolution automatically being rescinded, deposit forfeited, and the sale declared null and void.
6. Lots may not be re-split or combined with other land for a re-splitting as two buildable lots. Lot may only be sold or developed in combination with buyers' adjacent land.
7. 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 rights to seek any variances.
8. If purchasers violate any of the restrictions imposed, they are obligated to reimburse the City for the difference between the purchase price paid and the Assessor's value of the land, plus interests and costs.

and

WHEREAS: The City has no further need for said land and City 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; be it therefore

RESOLVED: That City Council hereby determines to effect the sale at a price of \$1,800 to Salah Mohsin of the parcel described as:

N. 15 ft. of Lot 18, Eagle-Roulo Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 43 Page 32 of Plats, Wayne County Records.

Tax I.D. Part of 82-10-211-11-007
Commonly known as part of 3300 Roulo

and to effect the sale of price of \$1,800 to Salman Talahmeh of the parcel described as:

S. 15 ft. of Lot 18, Eagle-Roulo Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 43 Page 32 of Plats, Wayne County Records.

Tax I.D. Part of 82-10-211-11-007
Commonly known as part of 3300 Roulo

and that the Mayor be and is hereby authorized to execute a Quit Claim Deed for said land to Salah Mohsin and Salman Talahmeh 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 Office of the Corporation Counsel and based upon Salah Mohsin and Salman Talahmeh closing simultaneously within ninety (90) days of the effective date of this Resolution; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-92-10. WHEREAS: The U.S. Department of Housing & Urban Development, owner of the property, has offered to sell the substandard dwelling located at 7431-33 Kentucky, Dearborn, Michigan, to the City of Dearborn for the sum of \$25,000 cash, and

WHEREAS: The price at which this property is offered to the city is deemed fair and reasonable and the acquisition is within the intent and spirit of the City's HUD-Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 93 J.C. McDonalds Home Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 42, Page 91 of Plats, Wayne County Records.

Tax I.D. 82-10-043-51-011
Commonly known as 7431-33 Kentucky

from the owner thereof and pay therefore the purchase price not to exceed \$25,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as prepared, reviewed, approved, and executed by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$25,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the Community Development Fund (283) Project No. C07700, payable to the grantor, or their nominee, in payment of said property; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 7431-33 Kentucky; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Sareini supported by O'Donnell.

2-93-10. WHEREAS: The U.S. Department of Housing & Urban Development, owner of the property, has offered to sell the substandard dwelling located at 4817 Palmer, Dearborn, Michigan, to the City of Dearborn for the sum of \$25,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable and the acquisition is within the intent and spirit of the City's HUD-Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 24 Cloverdale Park Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 34, Page 87 of Plats, Wayne County Records.

Tax I.D. 82-09-134-05-042
Commonly known as 4817 Palmer

from the owner thereof and pay therefore the purchase price not to exceed \$25,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as prepared, reviewed, approved, and executed by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$25,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the Community Development Fund (283) Project No. C07700, payable to the grantor, or their nominee, in payment of said property; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 4817 Palmer; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-94-10. WHEREAS: The U.S. Department of Housing & Urban Development, owner of the property, has offered to sell the foreclosed dwelling located at 7943 Pinehurst, Dearborn, Michigan, to the City of Dearborn for the sum of \$45,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable and the acquisition is within the intent and spirit of the City's HUD-Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 31 Joslin & Sharrars Bertrams Aviation Field Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 48, Page 6 of Plats, Wayne County Records.

Tax I.D. 82-10-054-04-014
Commonly known as 7943 Pinehurst

from the owner thereof and pay therefore the purchase price not to exceed \$45,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement prepared, reviewed, approved, and executed by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$45,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the Community Development Fund (283) Project no. C07700, payable to the grantor, or their nominee, in payment of said property; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 7943 Pinehurst; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by O'Donnell.

2-95-10. WHEREAS: Wells Fargo Bank, owner of the property, has offered to sell the substandard dwelling located at 4804 Walwit, Dearborn, Michigan, to the City of Dearborn for the sum of \$5,000 cash, and

WHEREAS: The price at which this property is offered to the City is deemed fair and reasonable and the acquisition is within the intent and spirit of the City's HUD-Neighborhood Stabilization Program; therefore be it

RESOLVED: That City Council hereby determines to acquire the property described as:

Lot 100 Walwit Park Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 36, Page 74 of Plats, Wayne County Records.

Tax I.D. 82-10-183-02-009
Commonly known as 4804 Walwit

from the owner thereof and pay therefore the purchase price not to exceed \$5,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

RESOLVED: That this acquisition is contingent upon the terms and conditions set forth in the purchase agreement as reviewed, approved, and executed by the Office of the Corporation Counsel; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of \$5,000, subject to adjustments, if any, as shown on the closing statement prepared, reviewed, and approved by the Office of the Corporation Counsel, drawn upon the Community Development Fund (283) Project No. C07700, payable to the grantor, or their nominee, in payment of said property; be it further

RESOLVED: That Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 4804 Walwit; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported by Hubbard.

2-96-10. RESOLVED: That Running Fit, Inc. be and they are hereby granted permission to conduct the Sixth Annual Martian Marathon on April 10, 2010 from 7:00 A.M. to 2:00 P.M. subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That all six (6) Martian Marathon races will begin and end in the main parking lot at Ford Field as indicated in the attached marathon/run route maps; be it further

RESOLVED: That City Council hereby authorizes assistance from the Dearborn Police Department to facilitate the movement of vehicular and participant foot traffic to conduct the event in a safe and lawful manner; be it further

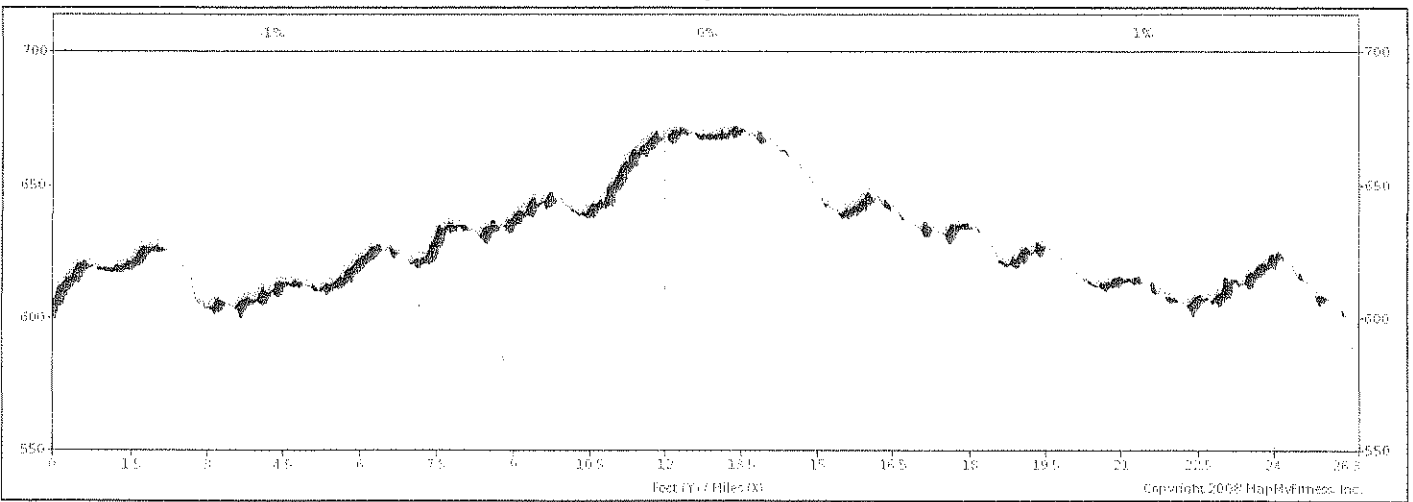
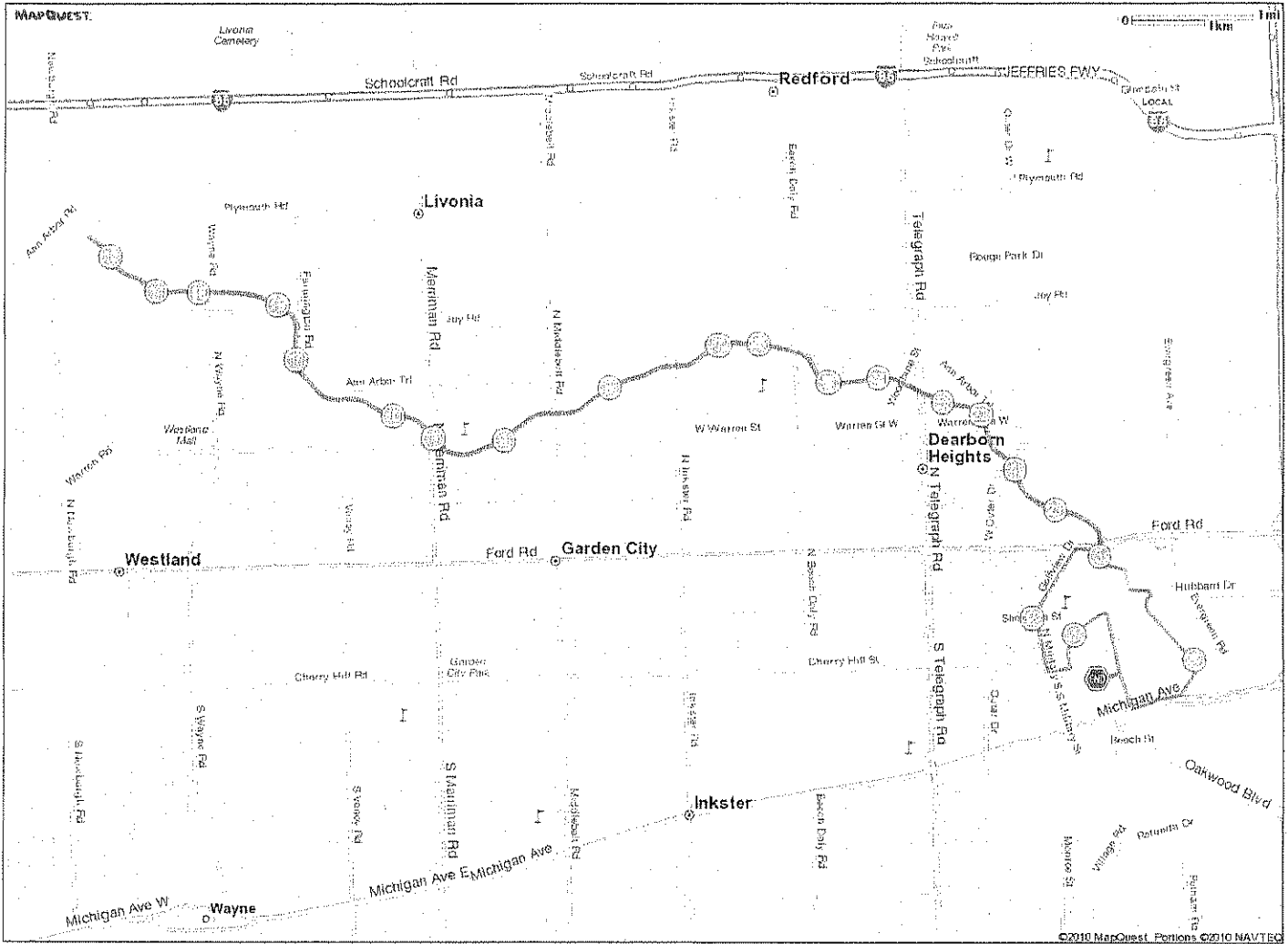
RESOLVED: That City Council hereby authorizes the Chief of Police to make application and sign all required documents relating to the issuance of the necessary state and county permits as follows:

1. Usage and closure of the curb lane and next lane of eastbound Ford Road between Golfview and the exit ramp to Evergreen Road, also, placement of barricades in this area to denote same.
2. Usage and closure of the exit ramp from southbound Hines Drive to Ford Road and the exit ramp from eastbound Ford Road to Evergreen Road.
3. Usage and closure of the curb lane and next lane of westbound Michigan Avenue from approximately the Greenways Trailhead at Andiamos to Brady Street, also, placement of barricades in this area to denote same.
4. Usage and placement of DPW barricades and arrow trucks to assist with the closure of the above areas. The City of Dearborn agrees to place, erect and remove the barricades and trucks.
5. Usage of Dearborn Police Officers for crowd control, traffic control and general security of the event.
6. The event shall not commence before 7:30 A.M. and shall conclude by 2:00 P.M.

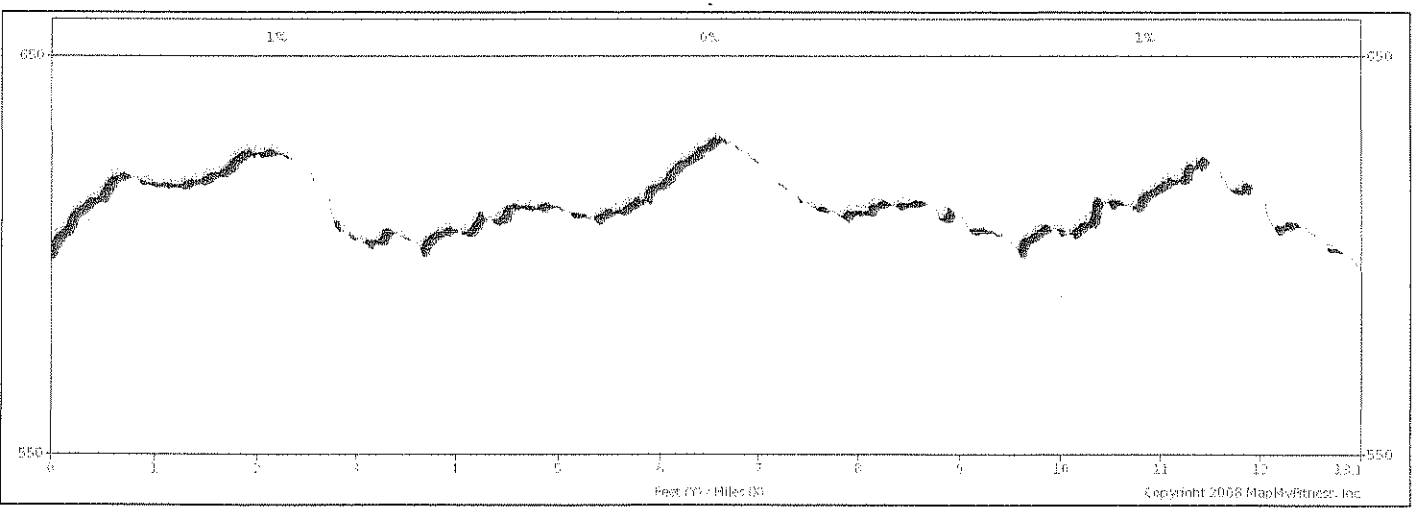
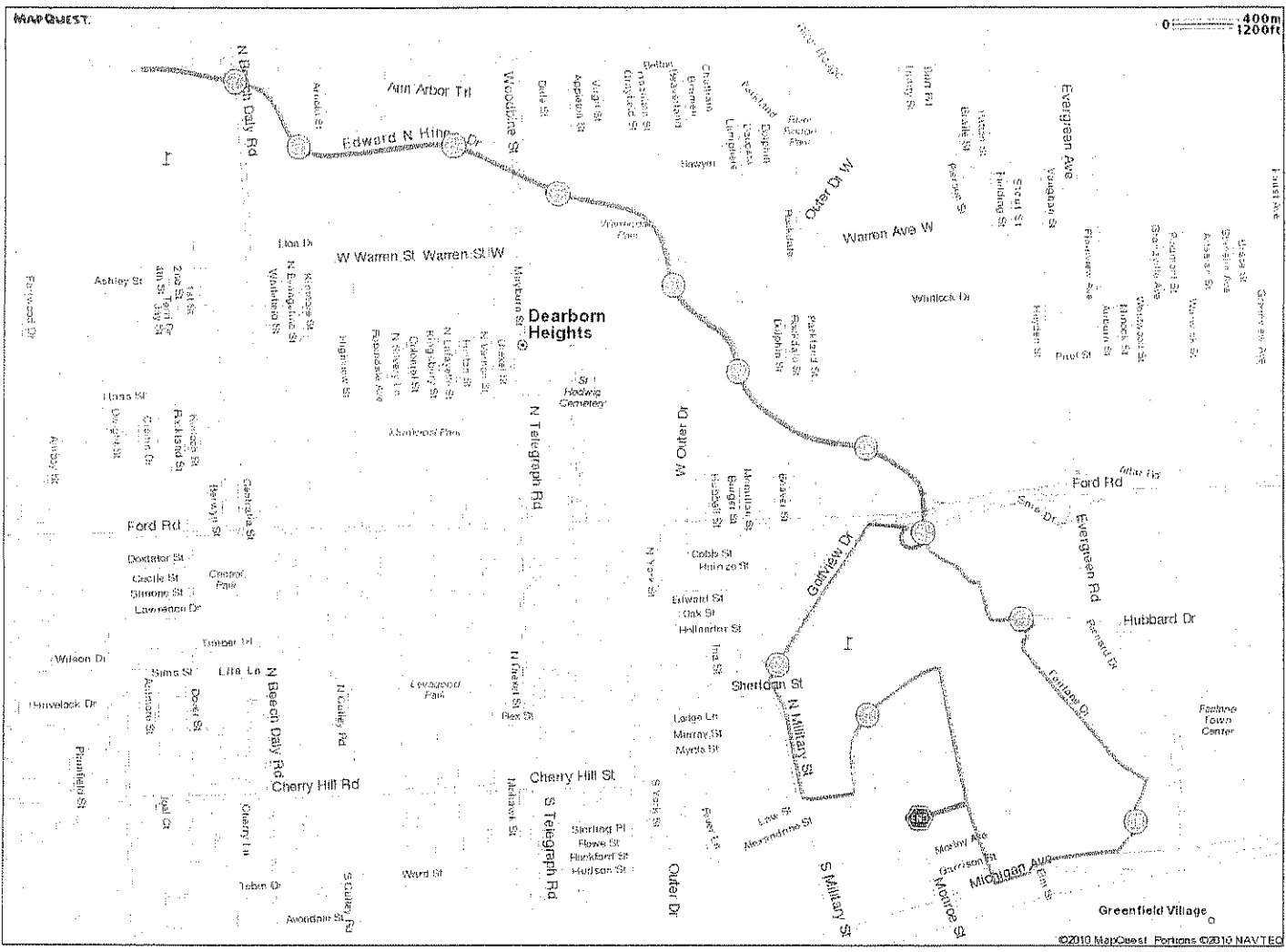
be it further

RESOLVED: That this event is subject to reimbursement from Running Fit, Inc. for all incurred manpower costs of the City of Dearborn; be it further

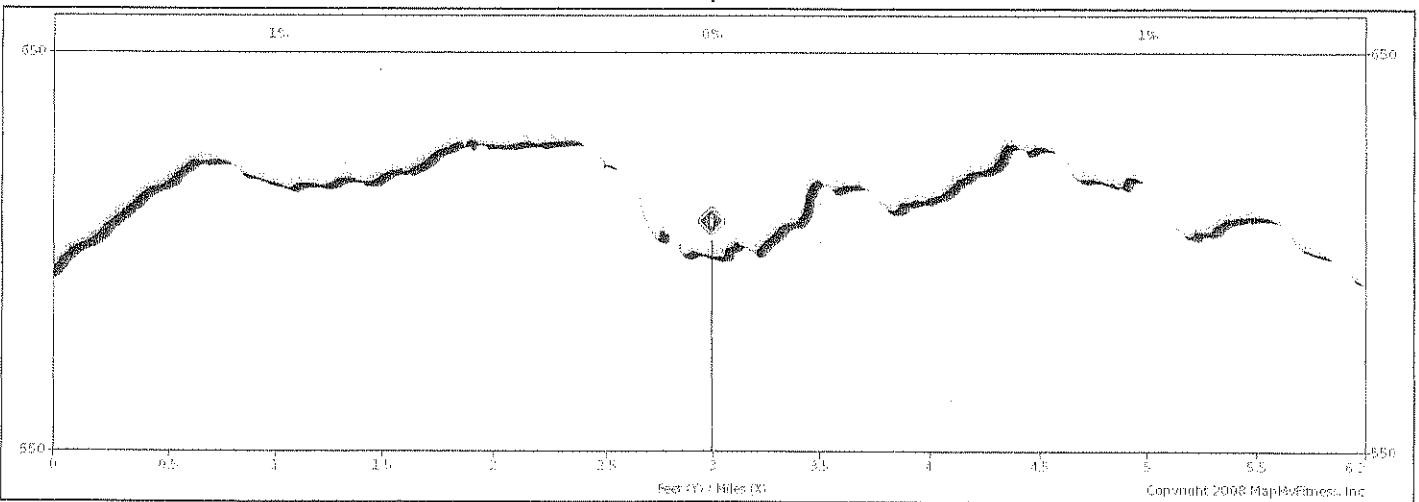
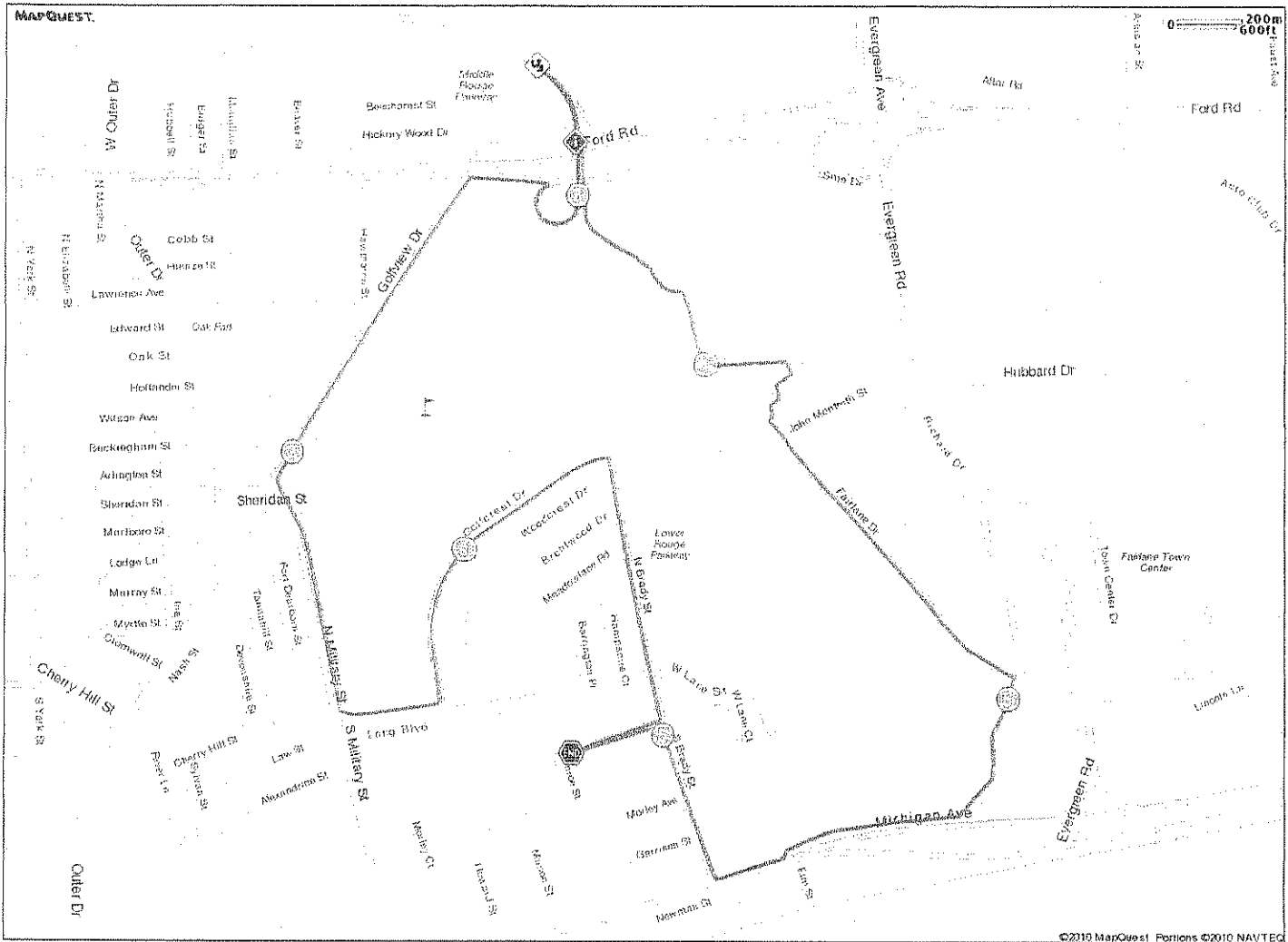
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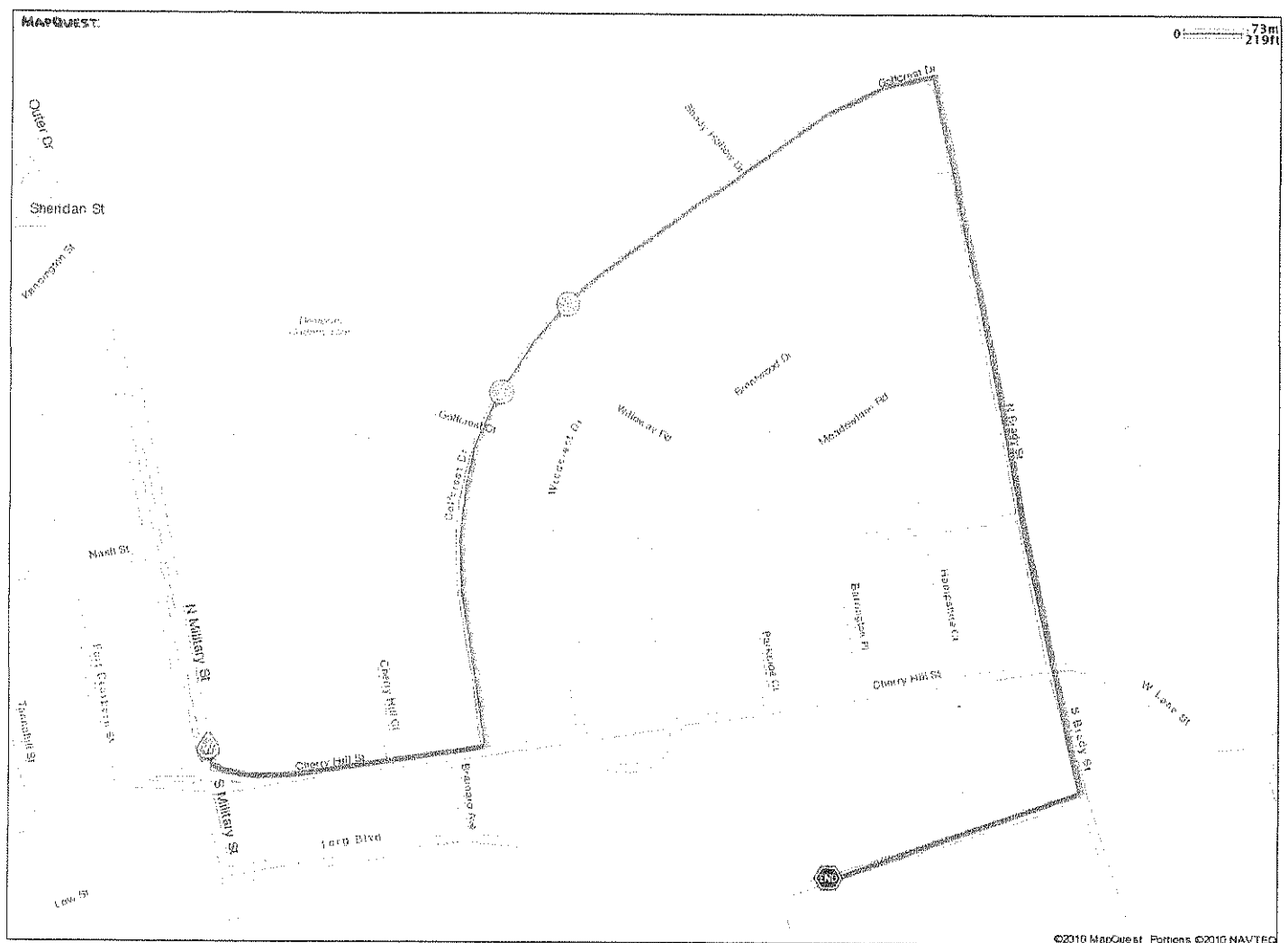
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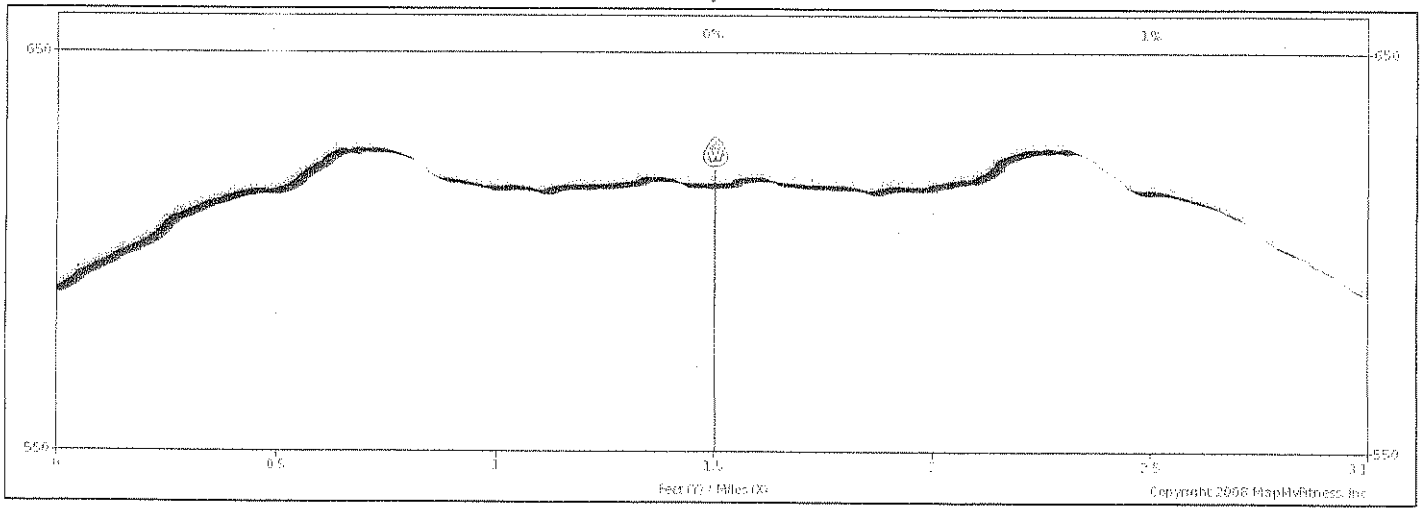
ROUTE DESCRIPTION:
 Description Provided



ROUTE DESCRIPTION:
 Description Provided



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but my Road ID spoke for me."*
-- Cara Maria B., Audubon, PA
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KIDS MINI MARATHON V2 (1.14 Mi.) DEARBORN, MICHIGAN

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Use the URL above to link to this route from your website or embed this map in your blog.

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PRIVATE: Created by [kenmedojs](#) | [View their User Profile](#), and see their other Runs

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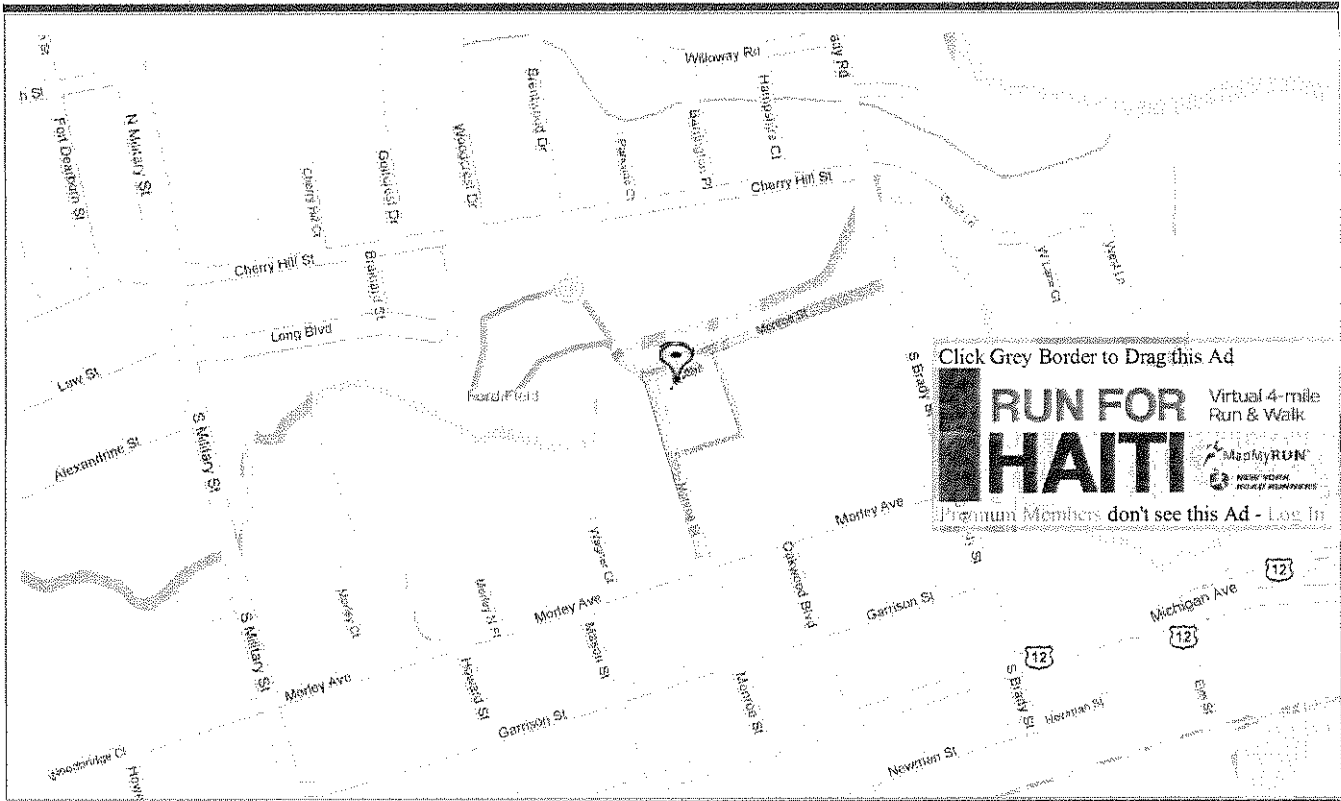
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MapMyFitness, Inc. makes no warranty as to the conditions, safety, distance, accuracy, or suitability of any route for walking, running, hiking, or cycling. Many national forests, wilderness areas, and state, provincial, or national parks maintain express prohibitions relative to the use of certain trails and areas. Contact the relevant officials in advance of your use of a given route should you have questions regarding usage restrictions.

3D view requires [Google Earth](#).

COMMENTS BY OTHER USERS ABOUT THIS RUN | [ADD](#)

None Available... *Be the First to Add One Now!*

ADD YOUR COMMENT

Rate this Run and add your Comments below. You can make a change to your submission at any time by resubmitting this form.

How would you rate this Route?



Please Submit Your Comments (max. 250 chars)

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-97-10. RESOLVED: That the Dearborn Allied War Veterans Council be and they are hereby granted permission to conduct the 86th Annual Memorial Day Parade on Monday, May 31, 2010 from 9:00 A.M. to approximately 12:00 P.M. (from Greenfield Road to Schaefer Road) subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That City Council hereby grants permission to the Dearborn Allied War Veterans Council to use City Hall Park and the War Memorial Plaza for a memorial service; be it further

RESOLVED: That City Council hereby authorizes the Dearborn Allied War Veterans Council to conduct their annual raffle with proceeds directed to help fund its programs and projects and hereby gives all rights to public vending to the Dearborn Allied War Veterans Council and their respected vendors.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported by Darany.

2-98-10. RESOLVED: That the Knights of Columbus, Father Patrick O'Kelley Council, No. 3860, be and they are hereby granted permission to solicit donations on the streets, sidewalks and other public areas within the City of Dearborn for their Annual Mental Impaired Tootsie Roll Drive on March 26 through March 28, 2010, subject to all applicable ordinances and the rules and regulations of the Police Department.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported unanimously.

2-99-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Dr. Jack Alban, and

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

RESOLVED: That the Mayor and 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 condolence to the family of the deceased.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Darany supported unanimously.

2-100-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Irwin S. Kaminski, and

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

RESOLVED: That the Mayor and 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 condolence to the family of the deceased.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Hubbard supported unanimously.

2-101-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Margaret Pickett Sagan, and

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

RESOLVED: That the Mayor and 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 condolence to the family of the deceased.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

By Tafelski supported unanimously.

2-102-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Maureen Henley, and

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

RESOLVED: That the Mayor and 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 condolence to the family of the deceased.

The resolution was adopted as follows: Yeas: Darany, Hubbard, O'Donnell, Sareini and Tafelski (5). Nays: None. Absent: Abraham and Shooshanian (2).

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:02 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk