

REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

June 21, 2010

The Council convened at 7:01 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Abraham, Darany, Hubbard, O'Donnell, Sareini and President of the Council Tafelski; absent, Councilmember Shooshanian. A quorum being present, the Council was declared in session.

Reverend Linda Anderson of Dearborn Congregational Church delivered the invocation.

By Darany supported by Hubbard.

6-357-10. RESOLVED: That the minutes of the previous regular meeting of June 7, 2010, and the same are hereby approved as recorded and published.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Darany supported by O'Donnell.

6-358-10. RESOLVED: That Ordinance No. 10-1274 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1274, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the south 202 feet of Parcel 82-09-222-01-029, the south 50 feet of Parcel 82-09-222-01-030 and all of Parcel 82-09-222-01-031 from a Business B (Community Business District) and Residential D (Multiple Family Residential District) to a Business C (General Business District) zoning classification.

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

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

6-358-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Darany.

6-359-10. RESOLVED: That Ordinance No. 10-1275 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1275 entitled, "An Ordinance to Amend the Zoning Ordinance (Ordinance No. 06-1111) of the City of Dearborn by Amending Article 1.00, Section 1.03, entitled 'Definitions'."

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

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

6-359-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-360-10. RESOLVED: That Ordinance No. 10-1276 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1276 entitled, "An Ordinance to Amend the Zoning Ordinance (Ordinance No. 06-1111) of the City of Dearborn by Amending Article 14.00, Section 14.02B4, entitled 'Permitted Uses and Structures'."

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

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

6-360-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By O'Donnell supported by Sareini.

6-361-10. RESOLVED: That Ordinance No. 10-1277 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1277 entitled, "An Ordinance to Amend the Zoning Ordinance (Ordinance No. 06-1111) of the City of Dearborn by Adding Subsection 7.02W to Article 7.00, entitled 'Site Development Standards for Nonresidential Uses'."

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

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

6-361-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-362-10. RESOLVED: That Ordinance No. 10-1278 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1278 entitled, "An Ordinance to Amend the Water and Sewers Chapter (Chapter 19) of the Code of the City of Dearborn by Amending Article I, entitled 'In General'."

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

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

6-362-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Darany.

6-363-10. RESOLVED: That Ordinance No. 10-1279 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1279 entitled, "An Ordinance to Amend Article V of the Licenses and Business Regulations Chapter (Chapter 12) of the Code of the City of Dearborn by Amending Section 12-139, entitled 'License Fees'."

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

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

6-363-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Hubbard.

6-364-10. RESOLVED: That Ordinance No. 10-1280 be taken from the table and placed upon its final reading.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

The Clerk then read Ordinance No. 10-1280 entitled, "An Ordinance to Amend Article I of the Licenses and Business Regulations Chapter (Chapter 12) of the Code of the City of Dearborn by Amending Section 12-6, entitled 'License Fees'."

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

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

6-364-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Councilmember Hubbard introduced Ordinance No. 10-1281, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning Lot 205, John H. Walsh's Warren and Chase Park Subdivision from a Residential A (One Family Residential District) to a VP (Vehicular Parking District) zoning classification.

The Clerk read the Ordinance by title.

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

By Sareini supported by Darany.

6-365-10. RESOLVED: That proposed Ordinance No. 10-1281 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Councilmember Hubbard introduced Ordinance No. 10-1282, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning Lots 89-90, John M. Welch's Warren Avenue Subdivision from an Industrial A (Light Industrial District) to a VP(Vehicular Parking District) zoning classification.

The Clerk read the Ordinance by title.

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

By Sareini supported by O'Donnell.

6-366-10. RESOLVED: That proposed Ordinance No. 10-1282 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Councilmember Hubbard introduced Ordinance No. 10-1283, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning Lots 117-123 inclusive, John M. Welch's Warren Avenue Subdivision from an Industrial A (Light Industrial District) to a Business B (Community Business District) zoning classification.

The Clerk read the Ordinance by title.

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

By Darany supported by O'Donnell.

6-367-10. RESOLVED: That proposed Ordinance No. 10-1283 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Councilmember Sareini introduced Ordinance No. 10-1284, entitled, "An Ordinance to Amend the Zoning Ordinance (Ordinance No. 06-1111) of the City of Dearborn by Adding Subsection A15 to Article 15.00, Section 15.02, entitled 'Permitted Uses and Structures'."

The Clerk read the Ordinance by title.

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

By Hubbard supported by O'Donnell.

6-368-10. RESOLVED: That proposed Ordinance No. 10-1284 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Councilmember Darany introduced Ordinance No. 10-1285, entitled, "An Ordinance to Amend the Fees for Permits and Inspections Chapter (Chapter 9) of the Code of the City of Dearborn by Amending Article I, II, IV, V and VI'."

The Clerk read the Ordinance by title.

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

By O'Donnell supported by Sareini.

6-369-10. RESOLVED: That proposed Ordinance No. 10-1285 be laid on the table.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Darany.

6-370-10. WHEREAS: A new 8" diameter water main has been constructed to City standards to service the new fire hydrant, under City inspection and now in service for Kenwal Pickling. This water main was constructed and paid for by Kenwal Steel Corporation. Prior to the City accepting this water main, the City requires a 20 foot wide fire hydrant easement from Kenwal Steel Corporation. The legal description of the fire hydrant and easement is identified as "Fire Hydrant and Easement Agreement, 20' Wide Water Main Easement No. 1," and

WHEREAS: In order to provide better water main and fire protection to the Kenwal Steel Corporation, the City of Dearborn recommends future extension of an existing water main to Warren Avenue. The staffs of the City's Corporation Counsel and Kenwal Steel Corporation have worked out the language of the legal description for the future water main. The legal description of the future water main easement is identified as "10' Wide Water Main Easement No. 2," and

WHEREAS: The City Engineer has presented to City Council both water main easement agreements, 20' wide fire hydrant easement and 10' wide water main easement from Kenwal Steel Corporation for the construction and maintenance of the public water main, and

WHEREAS: The City Engineer has requested authorization to accept these water main easements on behalf of the City, subject to approval by the Corporation Counsel and that the City Clerk be authorized to record the necessary documents with the Wayne County Register of Deeds Office; be it

RESOLVED: That City Council hereby authorizes the City Engineer to accept, on behalf of the City, a 20' wide fire hydrant easement and a 10' wide water main easement from Kenwal Steel Corporation for the construction and maintenance of the public water main for Kenwal Pickling, LLC located at 8223 West Warren Avenue, Dearborn Job #10-09-062, subject to approval by the Corporation Counsel; be it further

RESOLVED: That the City Council hereby authorizes the City Clerk to record the necessary documents with the Wayne County Register of Deeds Office; be it further

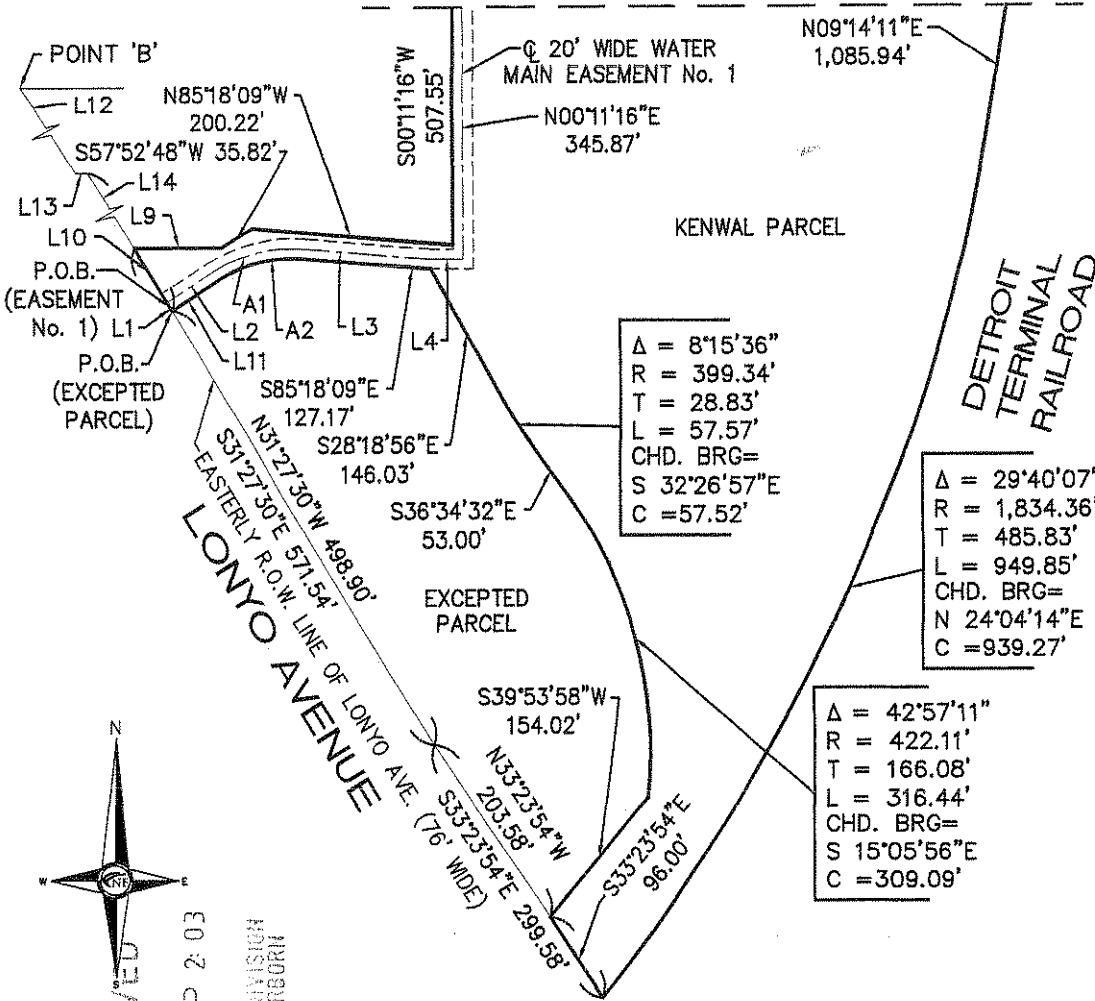
RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Exhibit A

20' WIDE WATER MAIN EASEMENT No. 1

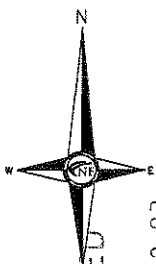
MATCH LINE - SEE SHEET 3 OF 3



$\Delta = 8^{\circ}15'36''$
 $R = 399.34'$
 $T = 28.83'$
 $L = 57.57'$
 $CHD. BRG =$
 $S 32^{\circ}26'57''E$
 $C = 57.52'$

$\Delta = 29^{\circ}40'07''$
 $R = 1,834.36'$
 $T = 485.83'$
 $L = 949.85'$
 $CHD. BRG =$
 $N 24^{\circ}04'14''E$
 $C = 939.27'$

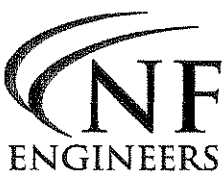
$\Delta = 42^{\circ}57'11''$
 $R = 422.11'$
 $T = 166.08'$
 $L = 316.44'$
 $CHD. BRG =$
 $S 15^{\circ}05'56''E$
 $C = 309.09'$



RECEIVED
 2010 FEB 18 P 2:03
 ENGINEERING DIVISION
 CITY OF DETROIT

ARC TABLE					
ARC	DELTA	RADIUS	LENGTH	CHD. BRG.	CHORD
A1	36°49'07"	145.48'	93.49'	N76°17'20"E	91.89'
A2	36°49'03"	135.48'	87.06'	N76°17'20"E	85.57'

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N31°27'30"W	10.00'
L2	N57°52'48"E	57.89'
L3	S85°18'09"E	127.33'
L4	S89°48'44"E	30.34'
L9	S89°43'24"W	88.39'
L10	S31°27'30"E	72.64'
L11	N57°52'48"E	58.00'
L12	S31°28'30"E	967.14'
L13	N89°48'30"E	11.70'
L14	S31°27'30"E	502.60'



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Prepared For:
 KENWAL STEEL CORP.

Revised 9-14-09
 9-21-09
 9-28-09
 2-11-10

SCALE
 1" = 150'

DATE
 8-24-09

DRAWN
 MRC

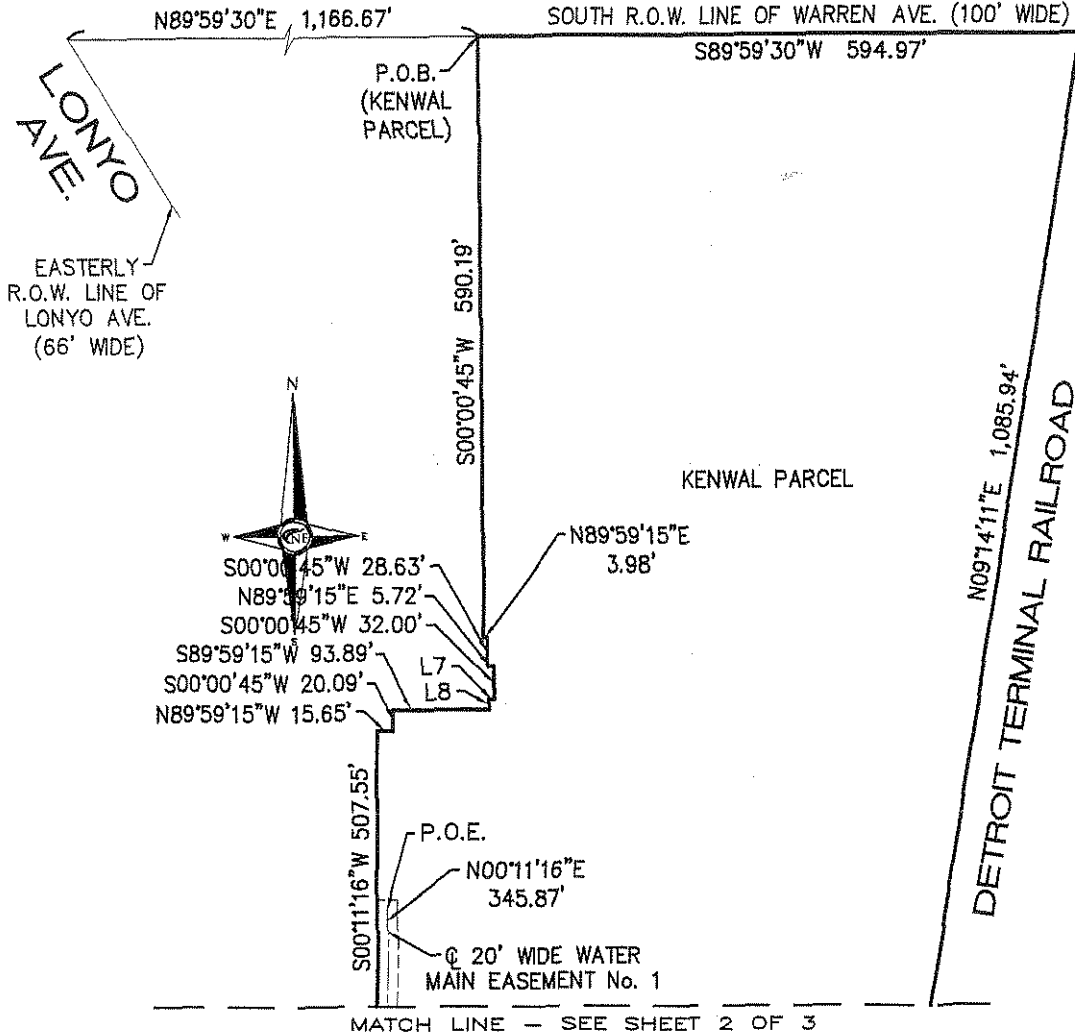
JOB NO.
 9402-03

SHEET
 1 of 2

Exhibit A

20' WIDE WATER MAIN EASEMENT No. 1

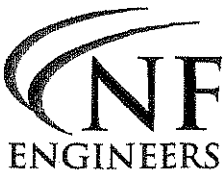
WARREN AVENUE



MATCH LINE - SEE SHEET 2 OF 3

LEGAL DESCRIPTION - 20' WIDE WATER MAIN EASEMENT No. 1

A TWENTY (20) FOOT WIDE EASEMENT FOR WATER MAIN BEING DESCRIBED ALONG ITS CENTERLINE AS: BEGINNING AT A POINT DISTANT N.31°27'30"W., 10.00 FEET FROM THE AFOREMENTIONED POINT OF BEGINNING OF THE EXCEPTED PARCEL; THENCE N.57°52'48"E., 57.89 FEET; THENCE 93.49 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 145.48 FEET (DELTA= 36°49'07", CHORD BEARING= N.76°17'20"E., 91.89 FEET); THENCE S.85°18'09"E., 127.33 FEET; THENCE S89°48'44"E., 30.34 FEET; THENCE N.00°11'16"E., 345.87 FEET TO A POINT OF ENDING.



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Prepared For:
 KENWAL STEEL CORP.

SCALE
 1" = 150'

Revised 9-14-09
 9-21-09
 9-28-09
 2-11-10

DATE
 8-24-09

LINE TABLE		
LINE	DIRECTION	LENGTH
L7	S89°59'15"W	5.67'
L8	S00°00'45"W	10.17'

DRAWN
 MRC

JOB NO.
 9402-03

SHEET
 2 of 2

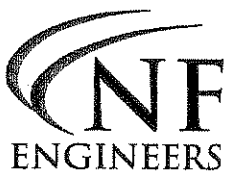
Exhibit B

BURDENED PARCEL

LEGAL DESCRIPTION - KENWAL PARCEL

ALL THAT PART OF THE N.W. 1/4 FRACTIONAL SECTION 9, T.2S., R.11E., CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WARREN AVENUE (100.00 FEET WIDE), WHICH POINT IS DISTANT N.89°59'30"E., 1,166.67 FEET FROM THE INTERSECTION OF SOUTHERLY R.O.W. LINE OF SAID WARREN AVENUE, AS EXTENDED WESTERLY WITH THE EASTERLY R.O.W. LINE OF LONYO AVENUE (66.00 FEET WIDE), AS EXTENDED NORTHERLY; THENCE S.00°00'45"W., 590.19 FEET; THENCE N.89°59'15"E., 3.98 FEET; THENCE S.00°00'45"W., 28.63 FEET; THENCE N.89°59'15"E., 5.72 FEET; THENCE S.00°00'45"W., 32.00 FEET; THENCE S.89°59'15"W., 5.67 FEET; THENCE S.00°00'45"W., 10.17 FEET; THENCE S.89°59'15"W., 93.89 FEET; THENCE S.00°00'45"W., 20.09 FEET; THENCE N.89°59'15"W., 15.65 FEET; THENCE S.00°11'16"W., 507.55 FEET; THENCE N.85°18'09"W., 200.22 FEET; THENCE S.57°52'48"W., 35.82 FEET; THENCE S.89°43'24"W., 88.39 FEET; THENCE ALONG THE EASTERLY R.O.W. LINE OF LONYO AVENUE, AS WIDENED, S.31°27'30"E., 571.54 FEET AND S.33°23'54"E., 299.58 FEET; THENCE 949.85 FEET ALONG THE WESTERLY R.O.W. LINE OF THE DETROIT TERMINAL RAILROAD (100.00 FEET WIDE) ON A CURVE TO THE LEFT (RADIUS= 1,834.36 FEET, DELTA= 29°40'07", CHORD BEARING= N.24°04'14"E., 939.27 FEET) AND ON A LINE TANGENT TO LAST DESCRIBED CURVE, N.09°14'11"E., 1,085.94 FEET; THENCE ALONG THE SOUTHERLY R.O.W. LINE OF SAID WARREN AVENUE, S.89°59'30"W., 594.97 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM (EXCEPTED PARCEL):

ALL THAT PART OF THE N.W. 1/4 FRACTIONAL SECTION 9, T.2S., R.11E., CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT POINT 'B', BEING THE INTERSECTION OF THE WESTERLY EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WARREN AVENUE (100.00 FEET WIDE) WITH THE NORTHERLY EXTENSION OF THE EASTERLY R.O.W. LINE OF LONYO AVENUE (66.00 FEET WIDE); THENCE ALONG SAID EASTERLY R.O.W. LINE S.31°28'30"E., 967.14 FEET AND N.89°48'30"E., 11.70 FEET AND S.31°27'30"E., 502.60 FEET TO THE POINT OF BEGINNING; THENCE N.57°52'48"E., 58.00 FEET; THENCE 87.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS= 135.48 FEET, DELTA= 36°49'03", CHORD BEARING= N.76°17'20"E., 85.57 FEET); THENCE S.85°18'09"E., 127.17 FEET; THENCE S.28°18'56"E., 146.03 FEET; THENCE ALONG THE WESTERLY R.O.W. LINE OF A 17.00 FOOT WIDE SPUR TRACK EASEMENT ON A CURVE TO THE LEFT (RADIUS= 399.34 FEET, AN ARC DISTANCE OF 57.57 FEET, DELTA= 08°15'36", CHORD BEARING= S.32°26'57"E., 57.52 FEET); THENCE ALONG SAID EASEMENT LINE ON A TANGENT TO LAST DESCRIBED CURVE, S.36°34'32"E., 53.00 FEET; THENCE CONTINUING ALONG SAID EASEMENT LINE ON A CURVE TO THE RIGHT (RADIUS= 422.11 FEET, AN ARC DISTANCE OF 316.44 FEET, DELTA= 42°57'11", CHORD BEARING= S.15°05'56"E., 309.09 FEET); THENCE S.39°53'58"W., 154.02 FEET; THENCE N.33°23'54"W., 203.58 FEET ALONG THE EASTERLY R.O.W. LINE OF SAID LONYO AVENUE (76.00 FEET WIDE); THENCE N.31°27'30"W., 498.90 FEET ALONG THE EASTERLY R.O.W. LINE OF SAID LONYO AVENUE TO THE POINT OF BEGINNING. SUBJECT TO EASEMENT FOR RAILROAD SPUR TRACKS, SIDING, RAILS AND OTHER RAILWAY FACILITIES AS DISCLOSED BY TAX MAPS AND AN UNRECORDED PRELIMINARY AGREEMENT FOR EXTENSION AND JOINT USE OF SIDE TRACK DATED MARCH 19, 1976, MADE BY AND BETWEEN LAFAYETTE STEEL COMPANY, HONIGMAN FOUNDATION, INC., ALAN E. SCHWARTZ AND MARIANNE S. SCHWARTZ FOUNDATION, FRED J. MILLER AND FLEETWING TERMINAL CORPORATION.



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Prepared For:
KENWAL STEEL CORP.

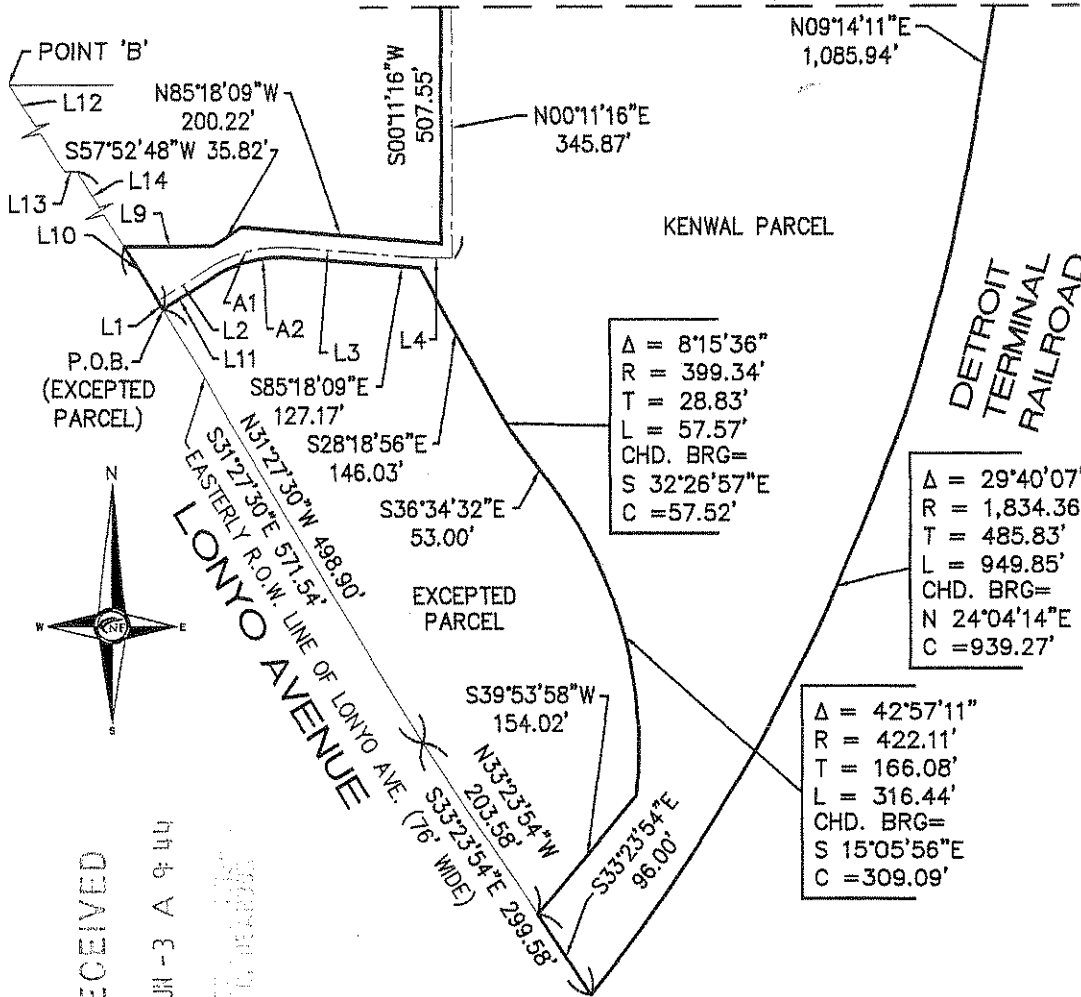
SCALE	DATE	DRAWN	JOB NO.	SHEET
None	8-24-09	MRC	9402-03	1 of 1

Revised 9-14-09
9-21-09
9-28-09
2-11-10

Exhibit A

10' WIDE WATER MAIN EASEMENT No. 2

MATCH LINE - SEE SHEET 2 OF 2



$\Delta = 8'15'36''$
 $R = 399.34'$
 $T = 28.83'$
 $L = 57.57'$
 $CHD. BRG =$
 $S 32'26'57''E$
 $C = 57.52'$

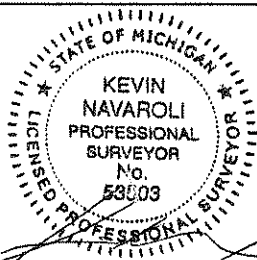
$\Delta = 29'40'07''$
 $R = 1,834.36'$
 $T = 485.83'$
 $L = 949.85'$
 $CHD. BRG =$
 $N 24'04'14''E$
 $C = 939.27'$

$\Delta = 42'57'11''$
 $R = 422.11'$
 $T = 166.08'$
 $L = 316.44'$
 $CHD. BRG =$
 $S 15'05'56''E$
 $C = 309.09'$

RECEIVED
 2010 JUN -3 A 9:44
 CITY OF DETROIT

ARC	DELTA	RADIUS	LENGTH	CHD.BRG.	CHORD
A1	36°49'07"	145.48'	93.49'	N76°17'20"E	91.89'
A2	36°49'03"	135.48'	87.06'	N76°17'20"E	85.57'

LINE	DIRECTION	LENGTH
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L2	N57°52'48"E	57.89'
L3	S85°18'09"E	127.33'
L4	S89°48'44"E	30.34'
L9	S89°43'24"W	88.39'
L10	S31°27'30"E	72.64'
L11	N57°52'48"E	58.00'
L12	S31°28'30"E	967.14'
L13	N89°48'30"E	11.70'
L14	S31°27'30"E	502.60'



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Prepared For: KENWAL STEEL CORP. SCALE: 1" = 150'
 DATE: 8-24-09
 DRAWN: MRC
 JOB NO.: 9402-03
 SHEET: 1 of 2

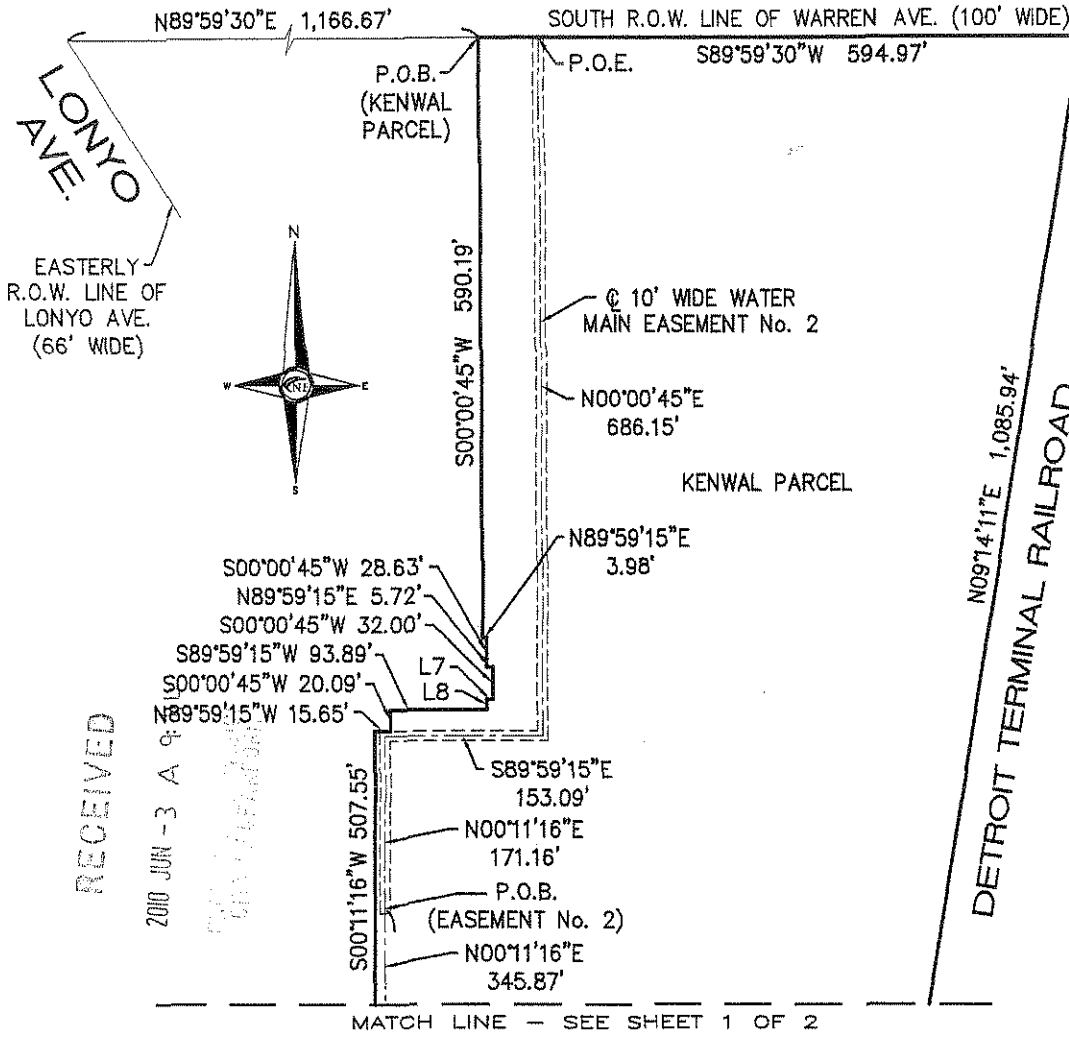
Revised 9-14-09

Exhibit A

10' WIDE WATER MAIN EASEMENT No. 2

WARREN AVENUE

SOUTH R.O.W. LINE OF WARREN AVE. (100' WIDE)



LEGAL DESCRIPTION - 10' WIDE WATER MAIN EASEMENT No. 2

A TEN (10) FOOT WIDE EASEMENT FOR WATER MAIN BEING DESCRIBED ALONG ITS CENTERLINE AS: COMMENCING AT A POINT DISTANT N.31°27'30"W., 10.00 FEET FROM THE AFOREMENTIONED POINT OF BEGINNING OF THE EXCEPTED PARCEL; THENCE N.57°52'48"E., 57.89 FEET; THENCE 93.49 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 145.48 FEET (DELTA= 36°49'07", CHORD BEARING = N.76°17'20"E., 91.89 FEET); THENCE S.85°18'09"E., 127.33 FEET; THENCE S.89°48'44"E., 30.34 FEET; THENCE N.00°11'16"E., 345.87 FEET TO THE POINT OF BEGINNING; THENCE N.00°11'16"E. 171.16 FEET; THENCE S.89°59'15"E., 153.09 FEET; THENCE N.00°00'45"E., 686.15 FEET TO A POINT OF ENDING.



LINE TABLE		
LINE	DIRECTION	LENGTH
L7	S89°59'15"W	5.67'
L8	S00°00'45"W	10.17'

Revised 9-14-09
9-21-09
3-01-10
4-28-10

NF ENGINEERS
NOWAK & FRAUS ENGINEERS
1310 N. STEPHENSON HWY.
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Prepared For: KENWAL STEEL CORP. SCALE: 1" = 150' DATE: 8-24-09 DRAWN: MRC JOB NO.: 9402-03 SHEET: 2 of 2

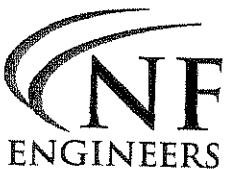
Exhibit B

BURDENED PARCEL

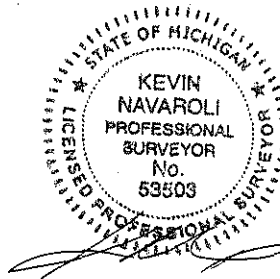
LEGAL DESCRIPTION - KENWAL PARCEL

ALL THAT PART OF THE N.W. 1/4 FRACTIONAL SECTION 9, T.2S., R.11E., CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WARREN AVENUE (100.00 FEET WIDE), WHICH POINT IS DISTANT N.89°59'30"E., 1,166.67 FEET FROM THE INTERSECTION OF SOUTHERLY R.O.W. LINE OF SAID WARREN AVENUE, AS EXTENDED WESTERLY WITH THE EASTERLY R.O.W. LINE OF LONYO AVENUE (66.00 FEET WIDE), AS EXTENDED NORTHERLY; THENCE S.00°00'45"W., 590.19 FEET; THENCE N.89°59'15"E., 3.98 FEET; THENCE S.00°00'45"W., 28.63 FEET; THENCE N.89°59'15"E., 5.72 FEET; THENCE S.00°00'45"W., 32.00 FEET; THENCE S.89°59'15"W., 5.67 FEET; THENCE S.00°00'45"W., 10.17 FEET; THENCE S.89°59'15"W., 93.89 FEET; THENCE S.00°00'45"W., 20.09 FEET; THENCE N.89°59'15"W., 15.65 FEET; THENCE S.00°11'16"W., 507.55 FEET; THENCE N.85°18'09"W., 200.22 FEET; THENCE S.57°52'48"W., 35.82 FEET; THENCE S.89°43'24"W., 88.39 FEET; THENCE ALONG THE EASTERLY R.O.W. LINE OF LONYO AVENUE, AS WIDENED, S.31°27'30"E., 571.54 FEET AND S.33°23'54"E., 299.58 FEET; THENCE 949.85 FEET ALONG THE WESTERLY R.O.W. LINE OF THE DETROIT TERMINAL RAILROAD (100.00 FEET WIDE) ON A CURVE TO THE LEFT (RADIUS= 1,834.36 FEET, DELTA= 29°40'07", CHORD BEARING= N.24°04'14"E., 939.27 FEET) AND ON A LINE TANGENT TO LAST DESCRIBED CURVE, N.09°14'11"E., 1,085.94 FEET; THENCE ALONG THE SOUTHERLY R.O.W. LINE OF SAID WARREN AVENUE, S.89°59'30"W., 594.97 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM (EXCEPTED PARCEL):

ALL THAT PART OF THE N.W. 1/4 FRACTIONAL SECTION 9, T.2S., R.11E., CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT POINT 'B', BEING THE INTERSECTION OF THE WESTERLY EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF WARREN AVENUE (100.00 FEET WIDE) WITH THE NORTHERLY EXTENSION OF THE EASTERLY R.O.W. LINE OF LONYO AVENUE (66.00 FEET WIDE); THENCE ALONG SAID EASTERLY R.O.W. LINE S.31°28'30"E., 967.14 FEET AND N.89°48'30"E., 11.70 FEET AND S.31°27'30"E., 502.60 FEET TO THE POINT OF BEGINNING; THENCE N.57°52'48"E., 58.00 FEET; THENCE 87.06 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS= 135.48 FEET, DELTA= 36°49'03", CHORD BEARING= N.76°17'20"E., 85.57 FEET); THENCE S.85°18'09"E., 127.17 FEET; THENCE S.28°18'56"E., 146.03 FEET; THENCE ALONG THE WESTERLY R.O.W. LINE OF A 17.00 FOOT WIDE SPUR TRACK EASEMENT ON A CURVE TO THE LEFT (RADIUS= 399.34 FEET, AN ARC DISTANCE OF 57.57 FEET, DELTA= 08°15'36", CHORD BEARING= S.32°26'57"E., 57.52 FEET); THENCE ALONG SAID EASEMENT LINE ON A TANGENT TO LAST DESCRIBED CURVE, S.36°34'32"E., 53.00 FEET; THENCE CONTINUING ALONG SAID EASEMENT LINE ON A CURVE TO THE RIGHT (RADIUS= 422.11 FEET, AN ARC DISTANCE OF 316.44 FEET, DELTA= 42°57'11", CHORD BEARING= S.15°05'56"E., 309.09 FEET); THENCE S.39°53'58"W., 154.02 FEET; THENCE N.33°23'54"W., 203.58 FEET ALONG THE EASTERLY R.O.W. LINE OF SAID LONYO AVENUE (76.00 FEET WIDE); THENCE N.31°27'30"W., 498.90 FEET ALONG THE EASTERLY R.O.W. LINE OF SAID LONYO AVENUE TO THE POINT OF BEGINNING. SUBJECT TO EASEMENT FOR RAILROAD SPUR TRACKS, SIDING, RAILS AND OTHER RAILWAY FACILITIES AS DISCLOSED BY TAX MAPS AND AN UNRECORDED PRELIMINARY AGREEMENT FOR EXTENSION AND JOINT USE OF SIDE TRACK DATED MARCH 19, 1976, MADE BY AND BETWEEN LAFAYETTE STEEL COMPANY, HONIGMAN FOUNDATION, INC., ALAN E. SCHWARTZ AND MARIANNE S. SCHWARTZ FOUNDATION, FRED J. MILLER AND FLEETWING TERMINAL CORPORATION.



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FAX (248) 399-0805



Revised 9-14-09
9-21-09

Prepared For:	SCALE	DATE	DRAWN	JOB NO.	SHEET
KENWAL STEEL CORP.	None	8-24-09	MRC	9402-03	1 of 1

By Hubbard supported by Sareini.

6-371-10. RESOLVED: That all bids received for Exercise Equipment for the Recreation Department are hereby rejected except the bid of All Pro Exercise in the total amount of \$24,605, that the aforementioned bid is hereby accepted and 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, Recreation, Fitness Equipment Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Darany.

6-372-10. RESOLVED: That all bids received for the Demolition of the Quality Inn are hereby rejected except the bid of Bierlein Companies, Inc. in the approximate amount of \$534,410, that the aforementioned bid is hereby accepted and that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the General Capital Improvement Fund, Project I40309 Historical Museum Renovation in the approximate amount of \$114,679 and the General Capital Improvement Fund, Project C20000 Dbn Gateway Redevelopment in the approximate amount of \$419,731; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by O'Donnell.

6-373-10. RESOLVED: That all bids received for Quarterly Inspections and Preventative Maintenance for Bulldozers, Graders and Bucket Loaders for the Central Garage are hereby rejected except the bid of Klochko Equipment Rental Company in the approximate amount of \$60,000, 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, Public Works, Fleet Maintenance, Repair & 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: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Renewed on 5/16/11 per C.R. 5-245-11
Renewed on 3/6/12 per C.R. 3-126-12

By Darany supported by Sareini.

6-374-10. WHEREAS: The City of Dearborn (City) recently awarded a seven year contract for Residential Waste, Recycling, and Compost Services to Republic Waste Services. The new contract technically begins July 1, 2010, however, July 1st falls on a Thursday. Therefore, to foster a smoother transition between the outgoing contractor (Waste Management) and Republic Waste, the Department of Public Works recommends extending Waste Management's contract by two days, through Friday July 2, 2010. Waste Management agreed to this extension. The additional cost for the two days of service will be \$31,918.12. The City will deduct those two days from the Republic Waste bill for the month of July, and

WHEREAS: Another transition item is the pay-off of the balloon payment for the carts in the pilot program area to Waste Management. The total pay-off value is \$55,585.83, and

WHEREAS: It has been respectfully requested that the contract with Waste Management be extended through (and including) July 2, 2010 in the total amount of \$31,918.12 and that approval be given to pay-off the balloon payment for the carts from the pilot area in the amount of \$55,585.83; be it

RESOLVED: That City Council hereby authorizes a contract extension with Waste Management through Friday, July 2, 2010 in the amount of \$31,918.12 for Residential Waste, Recycling, and Compost Services; be it further

RESOLVED: That City Council hereby approves the balloon pay-off to Waste Management in the amount of \$55,585.83 for Carts from the Pilot Area; be it further

RESOLVED: That the contract extensions shall be financed from Fiscal Year 2011 General Fund, Public Works, Sanitation, Contractual Services, Refuse Collection Services Account (Account #101-2072-463.34-35) in the approximate amount of \$31,918.12 and the balloon pay-off for the carts shall be financed from the Fiscal Year 2010 General Fund, Public Works, Sanitation, Contractual Services, Refuse Collection Services Account (Account #101-2072-463.34-35) in the amount of \$55,585.83; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by O'Donnell.

6-375-10. WHEREAS: The City presently has a contract with Governmental Consultant Services, Inc. (GCSI) for Lobbyist-Agent Services (C.R. 6-444-09), and

WHEREAS: GCSI has agreed to extend the contract for another year under the same terms and conditions through June 30, 2011; be it

RESOLVED: That the contract for Lobbyist-Agent Services is hereby renewed with GCSI through June 30, 2011 in the amount of \$48,000; be it further

RESOLVED: That this contract renewal shall be financed from the General Fund, Mayor's Department, Community Initiatives Division, Contractual Services, Other Services Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

Renewed on June 20, 2011 per C.R. 6-341-11

By Sareini supported by Darany.

6-376-10. WHEREAS: The City presently has a contract with the Friends for the Dearborn Animal Shelter (C.R. 6-439-09) for the Operations of the Dearborn Animal Shelter, and

WHEREAS: To provide for continuity of effort and uniformity of results, the Purchasing Division has requested pursuant to Section 2-568 (b) 8 that the City Council extend the existing contract with the Friends for the Dearborn Animal Shelter for Operating the Dearborn Animal Shelter; be it

RESOLVED: That City Council hereby extends the contract with the Friends for the Dearborn Animal Shelter in the amount of \$25,000 for the period of July 1, 2010 through October 31, 2010 for Operating the Dearborn Animal Shelter; be it further

RESOLVED: That this contract extension shall be financed from the General Fund, Police Department, Animal Shelter Division, Contractual Services Account; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by O'Donnell.

6-377-10. WHEREAS: The City presently has a contract with NAPA Auto Parts (C.R. 4-281-09) for Automotive Car and Light Truck Non-OEM Replacement Parts, and

WHEREAS: The original contract specifications allow for two renewals of one year beyond the expiration of the present contract. This is the second and final renewal, and

WHEREAS: NAPA Auto Parts has offered to renew the present contract prices through June 30, 2011; be it

RESOLVED: That the contract for Automotive Car and Light Truck Non-OEM Replacement Parts is hereby renewed with NAPA Auto Parts through June 30, 2011 in the approximate amount of \$35,500; be it further

RESOLVED: That this contract renewal shall be financed from the General Fund, Public Works, Fleet R&M Operations, Repair & Maintenance, Vehicle Repair & Maint. Account (Account #101-2085-856.43-65) in the approximate amount of \$35,000 and the General Fund, Public Works, Fleet R&M Operations, Operating Supplies, Shop Supplies Account (Account #101-2085-856.61-10) in the approximate amount of \$500; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Darany.

6-378-10. WHEREAS: The City presently has a contract with Cynergy Wireless (C.R. 9-648-09) for Vehicle Upfitting Services for the Police Department, and

WHEREAS: The original contract specifications allow for three renewal periods of one-year beyond the expiration of the present contract. This will be the third and final renewal, and

WHEREAS: Cynergy Wireless has offered to renew the present contract prices for the period of September 1, 2010 through August 31, 2011; be it

RESOLVED: That the contract for Vehicle Upfitting Services for the Police Department is hereby renewed with Cynergy Wireless for the period of September 1, 2010 through August 31, 2011 in the approximate amount of \$110,000; be it further

RESOLVED: That this contract renewal shall be financed from the Drug Law Enforcement Fund, Police Department, Drug Enforcement - Federal Forfeiture, Capital Equipment, Operating Equipment Vehicle Account (Account #265-2420-543.74-10); be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-379-10. WHEREAS: The City's Property and Casualty Insurance policy expires on June 30, 2010, and

WHEREAS: Nickel & Saph, Inc. was selected in 2006 through a competitive bid process to provide insurance coverage to the City for a period of three years, with two (2) one-year extension options, and

WHEREAS: Fiscal Year 2011 runs parallel with the second one-year extension options, and

WHEREAS: The current coverage secured for the 2009-2010 policy year provided liability limits of \$15,000,000 with a \$1,000,000 self-insured retention (SIR), for a total annual premium of \$971,903, and

WHEREAS: The renewal offered for 2010-2011 reflects the same coverage and limits of liability as the expiring policy for an annual premium of \$962,098, a reduction of over \$9,000 from last year's premium; therefore be it

RESOLVED: That the Mayor is authorized to renew the Property and Casualty Insurance program offered by Nickel & Saph, Inc. at a \$962,098 premium; be it further

RESOLVED: That the Director of Finance is hereby authorized and directed to pay an amount not to exceed \$962,098 to Nickel & Saph, Inc. from the Fleet and General Insurance Liability Fund, Account #678-1500-815.52-10; be it further

RESOLVED: That to ensure the timely implementation of this resolution it is hereby given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Darany.

6-380-10. RESOLVED: That City Council hereby authorizes the Public Works Department to renew the City's membership with the Alliance of Rouge Communities (ARC) in the amount of \$24,214 for the 2010 Assessment; be it further

RESOLVED: That the 2010 Assessment fee shall be financed from Fiscal Year 2011, Sewer Fund Operating Budget, Facilities Maintenance-Memberships Account, Account #590-2006-472.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Tafelski.

6-381-10. WHEREAS: In recognition that the reigning Miss USA, Rima Fakhri, is from Dearborn, a group of businesses and organizations from Dearborn would like to pay for signs to be posted in the City to recognize Dearborn as the hometown of Miss USA, and

WHEREAS: To accommodate this request and any additional donations that may be made for this purpose, the Finance Director/Treasurer has requested a project be established in the Designated Purposes Fund and that the Director of Finance be authorized to recognize donations and appropriate them for this purpose; be it

RESOLVED: That City Council hereby authorizes the Finance Director to establish a project in the Designated Purposes Fund to receive donations for the Miss USA Signage Project and to recognize and appropriate donations for this purpose; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by O'Donnell.

6-382-10. WHEREAS: Grunwell-Cashero reconstructed the City Hall East Wing Porch in 1995. The porch deck was constructed of brick pavers and slate tiles. Due to the severe winters the brick pavers and tiles have raised up and become trip hazards and are in immediate need of replacement, and

WHEREAS: A bid of \$10,240 was received from G.V. Cement for the removal of the pavers and tiles and replacement of 4" thick concrete. This will be a change order to the Street Pavement, Curb & Catch Basin Repair contract, and

WHEREAS: In order to fund this change order the Department of Public Works has reallocated budget of \$12,000 from various General Fund Public Works accounts to a contribution to the General Capital Improvement Fund account. This will cover both the change order and the Engineering Division inspector, and

WHEREAS: The Deputy Director of Public Works has requested City Council authorize the Finance Director to recognize and appropriate this contribution in the General Capital Improvement Fund, Project J05011 East Wing Porch Preservation to finance this change order; be it

RESOLVED: That City Council hereby authorizes the Finance Director to recognize and appropriate a contribution in the amount of \$12,000 from various General Fund Public Works accounts reallocated to the General Capital Improvement Fund, Project J05011 East Wing Porch Preservation in order to finance this change order with G.V. Cement for the City Hall East Wing Porch Replacement Project; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Darany.

6-383-10. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Department of Justice in the amount of \$61,179, and

WHEREAS: The Deputy Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$61,179 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 \$61,179 in the General Fund, Police Department Budget Account #101-2410-511.98-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Darany.

6-384-10. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Department of Justice in the amount of \$40,758, and

WHEREAS: The Deputy Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of \$40,758 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 \$40,758 in the General Fund, Police Department Budget Account #101-2410-511.98-00; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by O'Donnell.

6-385-10. WHEREAS: The Dearborn Police Department has requested that City Council authorize the Finance Director to appropriate Department of Justice Assistance Grant funds in the approximate amount of \$24,000 for reimbursement of transport fees and refurbishment costs incurred for a 1981 Ranger Commando "Peacekeeper" Armored Vehicle which has been received from the Law Enforcement Surplus Office in Grayling, Michigan, and

WHEREAS: The vehicle was transported from Washington D.C. Metro Police and is currently housed at the Police Department. The Dearborn Police Department incurred no costs other than incidentals associated with taking possession of the vehicle. The armored vehicle will be deployed as a raid vehicle for the SWAT and Narcotics Units. It will also be used at any critical incident such as emergency rescues, Explosive Ordinance Disposal, and hostage situations; be it

RESOLVED: That City Council hereby authorizes the Finance Director to appropriate Department of Justice Assistance Grant funds in the approximate amount of \$24,000 to the General Fund, Police Department, Capital Equipment, Operating Equipment Vehicle Account (Account #101-2420-521.74-10) for all repairs and refurbishment of a 1981 Ranger Commando "Peacekeeper" Armored Vehicle; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Hubbard.

6-386-10. WHEREAS: AT&T Wireless has requested to lease a portion of the City property at Ford Woods Park, adjacent to Ford Road, to construct a 120 foot tall cell tower that would replace a light pole at a softball diamond, together with an approximately 12 foot by 20 foot equipment shelter and easements for access and utilities, and

WHEREAS: The lease calls for AT&T Wireless to pay the City a fee of \$2,500 for a one-year option and if the option is exercised, annual rent of \$27,900 with a 3% annual escalator, and the agreement is for a five-year period, with four five-year extensions, for a total of 25 years, and a portion of the revenue will be dedicated for recreation purposes, and

WHEREAS: The lease allows for co-location of antennas by up to two other companies which would provide additional revenue opportunities to the City for renting ground space to the co-locating companies, and

WHEREAS: For aesthetic reasons, all of the antennas and cables will be concealed within the tower; therefore be it

RESOLVED: That based on the above, the City Council authorizes the Mayor to execute an agreement with AT&T Wireless for a lease of property at this location on terms and conditions to be approved by Corporation Counsel; be it further

RESOLVED: That a portion of the revenue from this lease shall be dedicated for recreation purposes; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-387-10. WHEREAS: Comcast of the South, Inc. ("Comcast") has requested permission to enter into an agreement to continue to provide services to Hubbard Manor East and Hubbard Manor West and to re-wire the buildings, and

WHEREAS: The upgraded facilities will make more services available to residents of the buildings including high speed internet service, digital cable service and Comcast telephone service and will ensure that the system is up-to-date, and

WHEREAS: The agreement calls for Comcast to pay the City a one-time fee of \$50 per unit together with payments if certain sales targets are met, and the agreement is non-exclusive and for a period of ten years, with succeeding two-year automatic renewals unless 60 days prior notice is given by either party; therefore be it

RESOLVED: That based on the above, the City Council authorizes the Mayor to execute such agreements as may be necessary with Comcast on terms and conditions to be approved by Corporation Counsel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Darany.

6-388-10. WHEREAS: Henry Ford Village, Inc. (HFV), a non-profit corporation located at 15101 Ford Road, Dearborn, Michigan 48126, is recognized as being exempt from property taxes under the General Property Tax Act (Act 203 of 1893, as amended), and

WHEREAS: The City and HFV have negotiated an agreement that HFV will provide an annual payment in lieu of taxes (PILOT) to be paid to the City for the availability of police, fire, and other public services and benefits; be it

RESOLVED: That the Mayor is hereby authorized to execute the PILOT agreement on behalf of the City; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-389-10. WHEREAS: The Oakbrook Common Senior Living facility, located at 16351 Rotunda Drive, Dearborn, Michigan 48120, owned and operated by Oakwood Health Promotions (OHP), a Michigan Non-Profit Corporation (OHP), and Oakwood Health Care, Inc., is recognized as being exempt from property taxes under the General Property Tax Act (Act 203 of 1893, as amended), and

WHEREAS: The City and OHP have negotiated an agreement that OHP will provide an annual payment in lieu of taxes (PILOT) to be paid to the City for the availability of police, fire, and other public services and benefits; be it

RESOLVED: That the Mayor is hereby authorized to execute the PILOT agreement on behalf of the City; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Darany supported by O'Donnell.

6-390-10. WHEREAS: The City Council, by C.R. 12-820-09, adopted on December 14, 2009, declared its intent to: a) establish a corridor improvement authority and b) establish the boundaries of an authority corridor improvement development area, and determined that certain required criteria had been met with respect to the proposed development area as established by the Corridor Improvement Authority Act, Act 280 of the Public Acts of Michigan of 2005, as amended, MCL 125.2871, et seq. (the "Act"), and

WHEREAS: Pursuant to the Act, a public hearing was held on January 25, 2010 on the establishment of a corridor improvement authority and the establishment of the boundaries of an authority corridor improvement development area, notice of which, as required by the Act, was a) published twice in the Press & Guide, a newspaper of general circulation in the City, not less than 20 days or more than 40 days before the hearing, b) mailed by first-class mail to i) the property taxpayers of record in the proposed development area and ii) the State Tax Commission not less than 20 days before the hearing, and iii) the governing body of each taxing jurisdiction levying taxes within the proposed development area and c) posted in at least 20 conspicuous public places in the proposed development area, and

WHEREAS: All interested persons were given the opportunity to be heard at the public hearing, and

WHEREAS: The City Council has determined to proceed with the establishment of a corridor authority, the establishment of the boundaries of an authority corridor development area and the establishment and composition of an authority board; therefore, be it

RESOLVED: That there is hereby created pursuant to the Act a corridor improvement authority known as the "Dix-Vernor Business District Improvement Authority" (the "Authority"). The Authority shall be a public body corporate which may sue and be sued and shall possess all the powers necessary to carry out the purposes of its creation. The enumeration of a power in this resolution or in the Act shall not be construed as a limitation upon the general powers of the Authority; be it further

RESOLVED: That the development area in which the Authority shall exercise its powers as provided by the Act shall consist of property located within the City and be included within the boundaries identified in the attached Exhibit A ("Development Area"); be it further

RESOLVED: That the Authority shall be under the supervision and control of a board (the "Board") consisting of a) the Mayor or his/her designee, and b) six (6) members appointed by the Mayor and approved by City Council. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the Development Area. At least one (1) of the members shall be a resident of the Development Area or of an area within one half (1/2) mile of any part of the Development Area. Except for the initial appointments, which shall be in accordance with this resolution, appointments to the Board shall be for a term of four (4) years as provided in the Act. Each member of the Board shall serve without compensation and shall hold office until a successor is appointed; be it further

RESOLVED: That the initial appointed members of the Board shall consist of two members appointed to terms ending June 30, 2012, two members appointed to terms ending June 30, 2013 and two members appointed to terms ending June 30, 2014; be it further

RESOLVED: That the Board shall, pursuant to the relevant provisions of the Act, a) adopt rules governing its procedures and the holding of meetings, subject to the approval of City Council, b) select a director, c) elect officers and d) retain legal counsel; be it further

RESOLVED: That upon adoption of this resolution, the City Clerk is directed to file a certified copy with the Michigan Secretary of State and publish a copy in the Press & Guide; be it further

RESOLVED: That all resolutions or parts of resolutions in conflict with the above be rescinded; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

DIX AVE. BUSINESS DISTRICT LEGAL DESCRIPTION

BEGINING AT A POINT ON THE INTERSECTION OF THE NORTH LINE OF VERNOR, 120' WIDE AND THE WEST LINE OF FERNEY, 60' WIDE LYING WITHIN SALINA PARK SUBDIVISION, LIBER 20, PAGE 7, PART OF PRIVATE CLAIM #328 FORMERLY KNOWN AS SPRINGWELLS TOWNSHIP, NOW THE CITY OF DEARBORN, WAYNE COUNTY, MICHIGAN, PROCEEDING THENCE ALONG AN ARC WITH A RADIUS OF 194.78 FEET, AN ARC LENGTH OF 305.15 FEET AN CHORD BEARING OF S.15°45'30"W. AND A CHORD LENGTH OF 272.10 FEET, THENCE S.17°57'2"E., 668.27 FEET, THENCE S.29°13'31"E., 459.91 FEET, THENCE N.60°46'29"E., 208.00 FEET, THENCE N.29°13'32"W., 369.74 FEET, THENCE N.27°42'28"E., 86.95 FEET, THENCE S.62°17'32"E., 68.06 FEET, THENCE S.28°13'31"E., 35.14 FEET, THENCE N.60°50'7"E., 754.27 FEET, THENCE N.29°19'23"W., 590.00 FEET, THENCE N.60°35'24"E., 159.93 FEET, THENCE S.27°16'24"E., 14.64 FEET, THENCE N.60°42'20"E., 540.08 FEET, THENCE N.18°6'20"W., 49.79 FEET, THENCE N. 8°18'30"W., 116.24 FEET THENCE N.60°58'32"E., 119.83 FEET, THENCE N. 4°2'5"W., 284.70 FEET, THENCE N.13°44'46"E., 1627.57 FEET, THENCE N.58°42'11"W., 129.16 FEET, THENCE N.35°52'32"W., 151.88 FEET, THENCE S.22°19'27"W., 518.43 FEET, THENCE N.28°58'31" W., 350.61 FEET, THENCE S.60°25'15"W., 237.27 FEET, THENCE S.29°0'47"E., 449.64 FEET, THENCE S.60°59'13"W., 153.35 FEET, THENCE N.29°0'47"W., 31.60 FEET, THENCE S.60°12'W., 501.46 FEET, THENCE S.81°11'43"W., 133.99 FEET, THENCE S.53°22'47"W. 60.58 FEET, THENCE S.28°42'34"E., 561.66 FEET, THENCE S.61°17'28"W., 311.15 FEET, THENCE S.28°31'27"E., 241.89 FEET, THENCE S.61°28'29"W., 147.37 FEET, THENCE S.29°5'40"E., 119.23 FEET, THENCE S.60°40'19"W., 299.89 FEET, THENCE N.29°5'40"W., 390.00 FEET, THENCE S.60°54'20"W., 118.00 FEET, THENCE N.28°14'52"W., 117.97 FEET, THENCE S.60°16'13"W., 388.07 FEET, THENCE S.28°59'0"E., 644.03 FEET, TO THE POINT OF BEGINNING, CONTAINING 72.3345 ACRES OF LAND MORE OR LESS.

By Darany supported by Sareini.

6-391-10. WHEREAS: The Chief Labor Negotiator has requested an amendment to the City of Dearborn Police and Fire Revised Retirement System (Chapter 23) to allow eligible Deputy Police Chief and Police Commander members with 22 ½ years of service as of September 30, 2010 an option to retire early under certain circumstances, and

WHEREAS: The City Charter, Section 17.2 requires that the City Council "shall obtain a report as to the immediate and long term costs of the change from a qualified actuary of its choosing and may not take final action until at least three months after the report of the actuary is made public at a meeting of the Council," and

WHEREAS: The proposed costs associated with the proposed amendment to the City of Dearborn Police and Fire Revised Retirement System from Gabriel, Roeder, Smith & Company, actuaries, is attached hereto and the retirement provision and costs thereof are summarized as follows:

RETIREMENT PROVISION

Eligible Deputy Police Chief and Police Commander members with 22 ½ or more years of service as of September 30, 2010 can buy up to 2 ½ years of generic service to the extent necessary to achieve 25 years of service with 100% City paid retiree health care. Employees electing to buy this generic service must leave employment by September 30, 2010.

COSTS

Actuarial Statement

CHANGE IN PENSION BENEFITS

Net Change in Total PVFB:* \$319,163

Change in contribution

25 year amortization \$27,038

5 year amortization \$75,652

*Present Value of Future Benefits

therefore, be it

RESOLVED: That the City Council hereby acknowledges and records the cost projections of Gabriel, Roeder, Smith & Company, actuaries, attached hereto and related to the proposed amendment to the provision of the Police and Fire Revised Retirement System (Chapter 23) outlined hereinabove; be it further

RESOLVED: That final action upon the proposed ordinance amendment shall be deferred until the expiration of the three (3) month period identified by the 2008 City Charter, Section 17.2.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Darany,

6-392-10. WHEREAS: The City of Dearborn, in partnership with the Dearborn Chamber of Commerce, West Dearborn Downtown Development Authority, and the East Dearborn Downtown Development Authority, submitted an Urban Revitalization 3.0 Grant application to the Michigan Economic Development Corporation (MEDC) to fund the electronic sign and kiosks for the Dearborn Welcome Center (Way-finding Project), and

WHEREAS: The MEDC awarded the City of Dearborn a grant in the amount of \$25,000 for the Way-finding Project, and

WHEREAS: The WDDDA adopted a resolution to provide \$5,000 towards this project and the EDDDA adopted a resolution to provide \$15,000 towards this project, and

WHEREAS: The MotorCities National Heritage Area approved a reimbursement of \$15,000 for prior expenditures associated with the Welcome Center; be it

RESOLVED: That the Economic & Community Development Director, Barry Murray, is hereby authorized to execute the grant agreement and grant reports; be it further

RESOLVED: That the Finance Director is hereby authorized to recognize and appropriate the grant proceeds of \$25,000 from MEDC, the contribution of \$5,000 from the WDDDA, the contribution of \$15,000 from the EDDDA, and the reimbursement from the MotorCities National Heritage Area of \$15,000 to the General Capital Improvement Fund Project J13207 and disburse funds as authorized within this resolution; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Darany.

6-393-10. WHEREAS: The City of Dearborn's Neighborhood Stabilization Program grant from the U.S. Department of Housing and Urban Development (HUD-NSP) includes funding for the acquisition, rehabilitation and resale of target area homes to low, moderate, or middle-income homebuyers, and

WHEREAS: Council Resolution No. 1-18-10 adopted the "City of Dearborn, Neighborhood Stabilization Program, HUD-NSP Assisted Acquisition & Rehabilitation Homebuyer Assistance Guidelines" as an alternate method for the disposition of HUD-NSP assisted real property, and

WHEREAS: Development Subsidies (property development costs in excess of after-rehabilitation appraised market value) do not provide equity to the homebuyer and should be excluded from the calculation of total homebuyer assistance; therefore be it

RESOLVED: That "City of Dearborn, Neighborhood Stabilization Program, HUD-NSP Assisted Acquisition & Rehabilitation Homebuyer Assistance Guidelines, Revision #1" is adopted as presented; be it further

RESOLVED: That the Economic and Community Development Department is hereby authorized to administer the guidelines in accordance with program regulations; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Sareini supported by Hubbard.

6-394-10. WHEREAS: Chase Bank, owner of the property, has offered to sell the substandard dwelling located at 5920 Neckel, Dearborn, Michigan, to the City of Dearborn for the sum of \$1 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 40 Roemer Jones Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 35, Page 79 of Plats, Wayne County Records.

Tax I.D. 82-10-074-24-006
Commonly known as 5920 Neckel

from the owner thereof and pay therefore the purchase price not to exceed \$1 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 and when the tenants have vacated the premises; 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 \$1, 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 land; 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 5920 Neckel; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-395-10. WHEREAS: The U.S. Department of Housing and Urban Development, owner of the property, has offered to sell the substandard dwelling located at 6548 Reuter, Dearborn, Michigan, to the City of Dearborn for the sum of \$26,000 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 356 Schanhite-Morrison Garden Sub, City of Dearborn, Wayne County, Michigan, as recorded in Liber 37, Page 28 of Plats, Wayne County Records.

Tax I.D. 82-10-081-21-011
Commonly known as 6548 Reuter

from the owner thereof and pay therefore the purchase price not to exceed \$26,000 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 and when the tenants have vacated the premises; 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 \$26,000, 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 land; 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 6548 Reuter; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Hubbard supported by Sareini.

6-396-10. WHEREAS: The City Council has been advised that several west Dearborn bars are seeking Michigan Liquor Control Commission approval to have outdoor service on August 6, 7, and 8, 2010 (Homecoming weekend). In addition, some bars are planning to offer live entertainment, bands, or a DJ outside of their establishment, and

WHEREAS: The City Council has also been advised that certain west Dearborn bars that currently have City approval to provide outdoor service in designated areas in compliance with relevant code provisions (e.g., designated by a permanent fence) have expressed a desire to expand their outdoor service area for the duration of Homecoming weekend, and

WHEREAS: The City Council supports west Dearborn businesses and their desire to offer additional entertainment during Homecoming weekend; therefore, be it

RESOLVED: That west Dearborn bars shall be permitted to offer outdoor service or expand the current outdoor service area, and provide entertainment during Homecoming weekend in accordance with the following fee schedule:

Entire three-day Homecoming weekend	:	\$1,000
Select evenings during three-day Homecoming weekend	:	\$500 per evening

be it further

RESOLVED: That the fees paid by the establishments shall be deposited in the Homecoming Designated Purposes account and be paid by July 20, 2010; be it further

RESOLVED: That upon payment of the aforementioned fee, the fee charged by the Economic and Community Development Department for tent inspection or expanded service area inspection shall be waived; be it further

RESOLVED: That west Dearborn businesses located outside of the designated west downtown district shall be considered as if they are within the designated west downtown district for the 2010 Homecoming weekend and can comply with the noise levels set for district businesses outlined in Sec. 13-44A entitled "Outdoor Music in Downtown Districts" of Article II of Chapter 13 of the Code of Ordinances, entitled "Noise"; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

By Darany supported by O'Donnell.

6-397-10. RESOLVED: That receipts of donations in the amounts of \$2,500 from the University of Michigan-Dearborn and \$1,500 from Comerica Bank to the City of Dearborn for Dearborn's Homecoming are hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby directs the City Treasurer to deposit these monies in the 2010 Homecoming Account, and authorizes the Director of Finance to process expenditures from this account in support of the purpose for which it was donated.

The resolution was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Sareini and Tafelski (6). Nays: None. Absent: Shooshanian (1).

MOHAMMED SOHOUBAH, 6474 KENILWORTH -
Requesting to rezone the property located at 6160 Chase, Sidwell No. 82-10-074-09-033, from a B-A to a V-P zoning classification to construct a new parking lot.

6-398-10. The communication was referred to the City Plan Department.

By Darany supported by Abraham.

6-399-10. RESOLVED: That City Council hereby allows an extension of time enabling Marjorie Powell to take her oath of office for her appointment to the Civil Service Commission in accordance with Section 6.9 of the City Charter.

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

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 9:28 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk