

REGULAR MEETING OF THE COUNCIL  
OF THE  
CITY OF DEARBORN

September 7, 2010

The Council convened at 7:02 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Abraham, Darany, Hubbard, O'Donnell, Shooshanian and President of the Council Tafelski; absent, Councilmember Sareini. A quorum being present, the Council was declared in session.

Pastor Michael Hill, Sr. of Hill Memorial Church delivered the invocation.

By Abraham supported by Hubbard.

9-513-10. RESOLVED: That the minutes of the previous regular meeting of August 16, special meeting of August 12 and the special closed meeting of August 10, 2010, and the same are hereby approved as recorded and published.

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

By Tafelski supported by Hubbard.

9-514-10 WHEREAS: The Corridor Improvement Authority Act, being Act 280 of the Public Acts of Michigan of 2005, as amended, MCL 125.2871, et. seq. (the "Act") authorizes the City to establish a Corridor Improvement Authority and to designate the boundaries of an Authority Corridor Improvement Development Area provided certain criteria required by the Act have been met for the purpose of correcting and preventing deterioration in business districts, encouraging historic preservation and promoting economic growth, and

WHEREAS: The City has identified an area within the City which it proposes be designated an Authority Corridor Improvement Development Area, and

WHEREAS: It is necessary for the best interests of the public to redevelop its commercial corridors and to promote economic growth and the creation of a Corridor Improvement Authority will further these interests, and

WHEREAS: In compliance with the requirements of the Act, the City Council hereby expresses its intent to establish a Corridor Improvement Authority and to designate the boundaries of an Authority Corridor Improvement Development Area to determine certain criteria of the Act are met with respect to the proposed Authority Corridor Improvement Development Area and to set a public hearing regarding the establishment of the authority and the designation of the development area; therefore, be it

RESOLVED: That the City Council determines that the creation and operation of a Corridor Improvement Authority is in the best interests of the public; be it further

RESOLVED: That the City Council intends to establish the "Warren Business District Improvement Authority" (the "Authority") pursuant to the Act; be it further

RESOLVED: That the City Council intends to establish an Authority Corridor Improvement Development Area to include all property within the boundaries indentified in the attached Exhibit (the "Development Area"); be it further

RESOLVED: That the City Council hereby determines that the Development Area meets the criteria set forth in Section 5 of the Act, being MCL 125.2875, to wit:

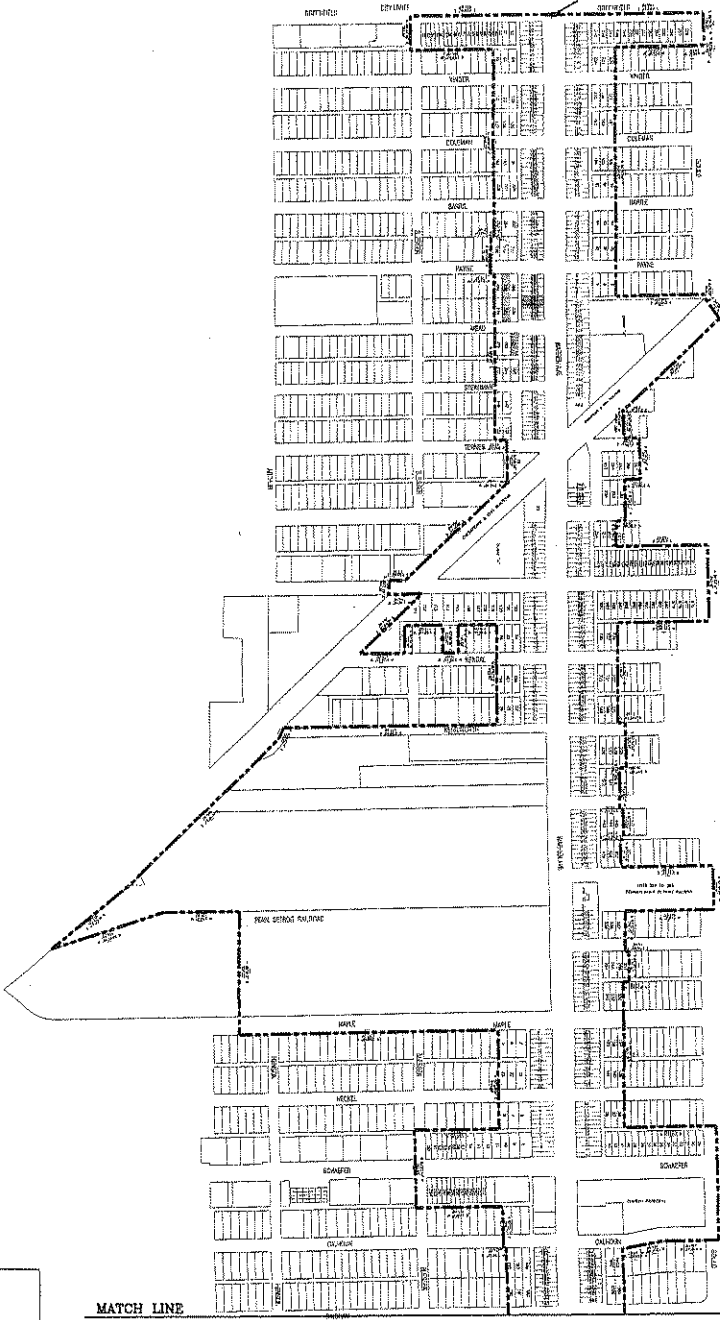
- a) The Development Area is adjacent to or within 500 feet of a road classified as an arterial or collector according to the federal highway administration manual "Highway Functional Classification—Concepts, Criteria and Procedures,"
- b) The Development Area contains at least 10 contiguous acres,
- c) More than one-half of the existing ground floor square footage in the Development Area is classified as commercial real property under Section 34c of the general property tax act, Act 206 of the Public Acts of Michigan of 1893, as amended, being MCL 211.34c,
- d) Residential, commercial or industrial use has been allowed and conducted under the City's Zoning Ordinance in the entire Development Area for the immediately preceding 30 years,
- e) The Development Area is currently served by municipal water and sewer service,
- f) The Development Area is zoned to allow for mixed use that includes high density residential use,
- g) The City agrees to expedite the local permitting and inspection process in the Development Area,
- h) The City agrees to modify its master plan to provide for walkable non-motorized interconnection, including sidewalks and streetscapes, throughout the Development Area to the extent that such is not already provided.

be it further

RESOLVED: That a public hearing be held on Wednesday, November 3, 2010 at 5:30 P.M. to consider the establishment of the Authority and the designation of the Development Area; be it further

RESOLVED: That in accordance with the Act, notice of the public hearing shall be given by (i) publication of a notice of public hearing twice in the Press and Guide, a newspaper of general circulation in the City, not less than 20 days nor more than 40 days before the hearing, (ii) mailing a notice of public hearing by first-class mail to (a) the property taxpayers of record in the proposed Development Area, (b) the governing body of each taxing jurisdiction levying taxes within the proposed Development Area and (c) the Michigan State Tax Commission not less than 20 days before the hearing and (iii) posting notice of the public hearing in at least 20 conspicuous public places in the proposed Development Area at least 20 days before the hearing; be it further

P.O.B.



WARREN AVENUE BUSINESS DISTRICT  
LEGAL DESCRIPTION

THE COMMENCEMENT OF THE LINE OF THE WARREN AVENUE BUSINESS DISTRICT IS AT THE POINT OF BEGINNING SHOWN ON THE ATTACHED PLAT OF THE WARREN AVENUE BUSINESS DISTRICT, DEARBORN, MICHIGAN, FILED FOR RECORD IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF DEARBORN, MICHIGAN, ON THE 15TH DAY OF MARCH, 1906, AND BEING THE POINT OF BEGINNING OF THE SAID DISTRICT, THE SAID DISTRICT IS BOUND AS FOLLOWS:

TO THE POINT OF BEGINNING; THENCE S 89° 15' 00" W 100.00 FEET TO THE POINT OF BEGINNING OF THE WARREN AVENUE BUSINESS DISTRICT, DEARBORN, MICHIGAN, FILED FOR RECORD IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF DEARBORN, MICHIGAN, ON THE 15TH DAY OF MARCH, 1906, AND BEING THE POINT OF BEGINNING OF THE SAID DISTRICT, THE SAID DISTRICT IS BOUND AS FOLLOWS:

LEGEND

LINE OF BUSINESS DISTRICT

MATCH LINE

SHEET #2



JOB # 10-06-089

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF DEARBORN, MICHIGAN

WARREN AVENUE BUSINESS DISTRICT

APPROVED: \_\_\_\_\_  
DATE: \_\_\_\_\_

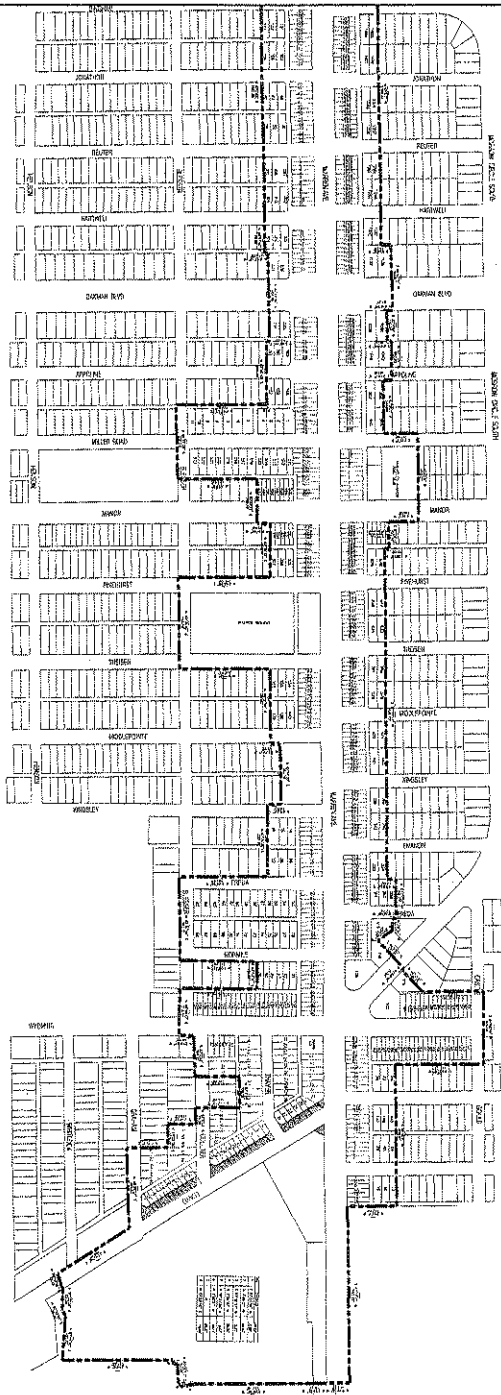
NO.	BY	REVISIONS	DATE

DESIGN: S.X.X. DRAWN: C.X.F. CHECKED: S.X.X.

SCALE: 1" = 100' 1/2" = 100' 1/4" = 100'

MATCH LINE

SHEET #1



LEGEND  
 LIMIT OF BUSINESS DISTRICT  
 - - - - -



JOB # 10-06-089

NO.	BY	REVISIONS	DATE

DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING DIVISION  
 CITY OF DEARBORN, MICHIGAN

WARREN AVENUE BUSINESS DISTRICT

APPROVED: \_\_\_\_\_  
 DATE: \_\_\_\_\_

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by O'Donnell.

9-515-10. RESOLVED: That Ordinance No. 10-1289 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 10-1289 entitled, "An Ordinance to Amend the Buildings and Building Regulations Chapter (Chapter 5) of the Code of the City of Dearborn by Adding Article XIV, entitled 'Property Maintenance Code'."

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

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

9-515-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Darany supported by O'Donnell.

9-516-10 RESOLVED: That Ordinance No. 10-1290 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 10-1290 entitled, "An Ordinance to Amend the City of Dearborn 457 Deferred Compensation Plan."

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

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

9-516-10. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

Councilmember Hubbard introduced Ordinance No. 10-1291, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the southerly portion of the westerly 183 feet of Parcel 82-10-072-17-013, the southerly portion of Parcel 82-10-072-17-014 and parcel 82-10-072-17-001 from an Industrial B (Medium Industrial District) to an Industrial A (Light Industrial 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 Tafelski.

9-517-10. RESOLVED: That proposed Ordinance No. 10-1291 be laid on the table.

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

Councilmember Hubbard introduced Ordinance No. 10-1292, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the east 75 feet of Parcel 82-10-072-17-013 from an Industrial A (Light Industrial District) and Industrial B (Medium 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 O'Donnell supported by Darany.

9-518-10. RESOLVED: That proposed Ordinance No. 10-1292 be laid on the table.

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

Councilmember Hubbard introduced Ordinance No. 10-1293, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the property bounded by Ford Road on the north, Miller Road on the east, CSX Railroad on the south and on the west by Robert Oakman's Michigan Avenue and Oakman Boulevard Subdivision from an Industrial C (Intensive Industrial District) to an Industrial B (Medium Industrial 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.

9-519-10. RESOLVED: That proposed Ordinance No. 10-1293 be laid on the table.

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

Councilmember Hubbard introduced Ordinance No. 10-1294, entitled, "An Ordinance to Amend the City of Dearborn Employees Retirement System (Chapter 22)."

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 Shooshanian.

9-520-10. RESOLVED: That proposed Ordinance No. 10-1294 be laid on the table.

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

By Shooshanian supported by O'Donnell.

9-521-10. WHEREAS: The City Engineer has presented to City Council for approval an Intergovernmental Agreement between Wayne County and the City of Dearborn for the Federal Grant related to the Rouge River National Wet Weather Demonstration Project Round I, Part "A" Grant Program for Control of Combined and Sanitary Sewer Overflow Activities Sewer Separation Analysis for CSO Reduction at Outfalls 13 and 14 (RXA-07), Job #10-01-075, C.I.P. N85000, and

WHEREAS: The work that will be completed by this grant is to gather detailed information about the sewer system and individual building connections in the complex of commercial buildings north of Rotunda Drive and west of the Southfield Freeway (Ford Motor Company properties). The work will primarily consist of manhole inventories and sewer televising. It is anticipated that this will allow better decisions to be made about sizing of detailed facilities for the combined sewer overflow shaft and sewers in this area (CSO 2), and

WHEREAS: The total cost of the project is \$255,000 of which the Federal Grant amount is \$102,000 and the City of Dearborn match amount is \$153,000 which shall be funded from C.I.P. N85000, and

WHEREAS: The City Engineer has requested that the Mayor be authorized to execute the agreement on behalf of the City subject to a review by the Legal Department, and

WHEREAS: The City Engineer has also requested that when the grant amount of \$102,000 is received from Wayne County the Finance Department be authorized to recognize and record it to C.I.P. N85000 Sewer Fund; be it

RESOLVED: That City Council hereby approves the Intergovernmental Agreement between the County of Wayne and the City of Dearborn for the Rouge River National Wet Weather Demonstration Project Round 1, Part "A" Grant Program for Control of Combined and Sanitary Sewer Overflow Activities Sewer Separation Analysis for CSO Reduction at Outfalls 13 and 14 (RXA-07), Job #10-01-075, C.I.P. N85000; be it further

RESOLVED: That City Council hereby authorizes the Mayor to execute this Intergovernmental Agreement on behalf of the City of Dearborn subject to a review by the Legal Department; be it further

RESOLVED: That, when the grant amount of \$102,000 is received from Wayne County, City Council hereby authorizes the Finance Department to recognize and record it to C.I.P. N85000 Sewer Fund; be it further

RESOLVED: That the City of Dearborn match amount of \$153,000 shall be financed from C.I.P. N85000 Sewer Fund; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

9-522-10. RESOLVED: That all bids received for the Sanitary Sewer Construction at the West End of Crowley Park from Notre Dame to Oxford, Job #10-01-071, C.I.P. N95300 are hereby rejected except the bid of C & P Contracting Co. in the total amount of \$138,753, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That City Council hereby authorizes contingency funds in the amount of \$15,000 for any unforeseen conditions encountered during the execution of the project; be it further

RESOLVED: That this contract and contingency funds shall be financed from the available budget in the Sewer Fund Capital Improvement Project C.I.P. N95300; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Shooshanian.

9-523-10. RESOLVED: That all bids received for Three 12 Ton Equipment Trailers are hereby rejected except the bid of JDE Equipment Company in the total amount of \$45,975, that the aforementioned bid is hereby accepted, that the Mayor is hereby authorized to execute a formal contract upon the approval of the Department of Law; provided however, that all of the specifications and instructions in the bid have been fully complied with; be it further

RESOLVED: That this contract shall be financed from the Water Fund, Public Works Department, Facilities Maintenance, Capital Equipment, Operating Equipment Machinery & Equipment Account (Account #591-2011-484.74-20); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by O'Donnell.

9-524-10. RESOLVED: That City Council hereby issues a purchase order to DMC Technology Group, Inc. in the amount of \$27,243.03 for Hardware and Software Maintenance for IBM Products; be it further

RESOLVED: That this purchase order shall be financed as follows: \$6,479.40 from the General Fund, 19th District Court, EDP Software Services Account and \$20,763.63 from the Information Systems Fund, MIS, Operating Equipment R & M Account; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

9-525-10. RESOLVED: That City Council hereby issues a purchase order to Play Environments, Inc. in the amount of \$25,000 for Playground Equipment for A.C.C.E.S.S.; be it further

RESOLVED: That this purchase order shall be financed from the recognized and appropriated Wayne County Parks Millage Allocation of \$25,000 in the Designated Purposes Fund, Recreation, Capital Equipment Account (Project 277613); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Hubbard.

9-526-10. WHEREAS: The City is eligible for contract pricing through the State of Michigan's Extended Purchasing Program, Contract Nos. 071B820004 for "Early Delivery" and 071B6200296 for "Seasonal Backup" of Road Salt for 2010-2011 Winter Season, and

WHEREAS: Morton International, Inc., Morton Salt Division, the authorized vendor for the State of Michigan, will supply 5,000 tons of "Early Delivery" of Road Salt in the amount of \$199,550 and The Detroit Salt company, authorized vendor for the State of Michigan, will supply 3,000 tons of "Seasonal Backup Delivery" of Road Salt in the amount of \$138,330 for the 2010-2011 Winter Season; be it

RESOLVED: That purchase orders be awarded to Morton International, Inc. Morton Salt Division in the amount of \$199,550 for "Early Delivery" of Road Salt and to The Detroit Salt Company in the amount of \$138,330 for "Seasonal Backup Delivery" of Road Salt for the 2010-2011 Winter Season; be it further

RESOLVED: That these purchase orders shall be financed from the General Fund, Department of Public Works, Highways Division, Road and Paving R & M, Rock Salt R & M Account (Account #101-2073-452.63-20); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Tafelski.

9-527-10. RESOLVED: That City Council hereby authorizes an increase to the purchase order with Great Lakes Emergency Products, LLC (C.R. 9-604-09) in the amount of \$45,000, bringing the total purchase order amount to \$90,024 for Additional Turn-out Gear for the Fire Department; be it further

RESOLVED: That this purchase order increase shall be financed from the General Fund, Fire, Uniforms & Clothing Account; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Shooshanian.

9-528-10. WHEREAS: Ordinance No. 05-1062, Section 2-568 (b) 6, authorizes sole source procurement in certain circumstances, and

WHEREAS: The Purchasing Agent has received a request for a sole source procurement; be it

RESOLVED: That Sungard H.T.E., Inc. be designated as a sole source for purchase of Sungard H.T.E. Software Maintenance for the MIS Department in the amount of \$95,709 and that the Purchasing Agent be authorized to enter into a purchase order for the aforementioned items; be it further

RESOLVED: That this purchase order shall be financed from Information Systems Fund, Mgmt. Information Services, IS-AS/400 Support, Professional 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Tafelski supported by Abraham.

9-529-10. RESOLVED: That City Council hereby grants permission to the Public Works' Water and Sewer Division to renew their membership with the Michigan Rural Water Association (MRWA) in the amount of \$525 for the period of October 1, 2010 through September 30, 2011; be it further

RESOLVED: That this membership renewal shall be financed from Account #591-2011-484.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Darany.

9-530-10. RESOLVED: That City Council hereby amends C.R. 6-358-91 which established a project to support the DARE Program for drug awareness education in schools by renaming Project Z70900 the "School Resource Officer (SRO) Program"; be it further

RESOLVED: That City Council hereby authorizes the continued utilization of residual funds from DARE in the amount of \$26,625.18 and any new funds raised for the operation of the SRO Program; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Shooshanian.

9-531-10. WHEREAS: In August of 2009, the Michigan Department of Transportation (MDOT) met with the City of Dearborn to discuss construction of a proposed park and ride lot located on the north side of Michigan Ave. between Wyoming and the westbound ramp to I-94. City Council approved MDOT Contract 09-5730 for the construction per C.R. 5-274-10. The City had concerns over the protection of the property and requested that a line of sight camera system, having direct connection to the Police Department be considered, and

WHEREAS: MDOT agreed to fund the installation of the camera system, with the understanding that the City of Dearborn would be responsible for ownership, maintenance and operation. The City of Dearborn would contract directly with our security vendor and submit the invoice directly to MDOT for reimbursement. D/A Central, our current vendor, has quoted a price of \$10,530 and MDOT has agreed to reimburse the quoted amount; be it

RESOLVED: That City Council hereby authorizes the Finance Director to recognize and appropriate the anticipated reimbursement revenue amount of \$10,530 from MDOT in the Major Street and Trunkline Fund Project Q59110-Park & Ride Michigan and Wyoming for the Michigan-Wyoming Park & Ride Camera System; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Hubbard.

9-532-10. WHEREAS: On April 19, 2010, the Dearborn City Council awarded a contract to TMP Associates, Inc. for architectural and design services associated with facility renovations at the Ford Community and Performing Arts Center (C.R. 4-194-10), and

WHEREAS: Since then, the Recreation Administration has been working with TMP Associates, Inc. and the City Administration to establish and prioritize a facility renovation plan consisting of the following projects:

- Existing Marquee Renovation - This project consists of renovating the outdoor marquee exterior sign structure with a high quality, long-lasting, painted stainless steel skin.
- Center Court Café Renovation - This project consists of renovating the existing Center Court Café area into a full-service vending center.
- Renovation of Clubrooms 1 and 2 into a Single Party/Meeting Room - This project consists of combining Clubrooms 1 and 2 into a single party/meeting room with amenities similar to the existing Wet Rooms, but tailored more to our adult/business clientele.
- Theater/Hubbard Ballroom Restrooms - This project consists of the addition of two new single occupancy restrooms and a storage area by renovating the existing Center Court Café kitchen/storage areas

and

WHEREAS: In order to facilitate the projects listed above, the Recreation Administration has requested City Council authorize the Finance Department to establish a capital improvement project for the renovation of the Ford Community and Performing Arts Center, and

WHEREAS: The Recreation Administration has also requested City Council approve an appropriation in the amount of \$123,794 of General Fund fund balance as a contribution to the Facility Fund in order to complete the funding for these projects and further requests that the Finance Director be authorized to recognize and appropriate the contribution in the Facility Fund projects; be it

RESOLVED: That City Council hereby authorizes the Finance Department to establish a capital improvement project for Renovations at the Ford Community and Performing Arts Center; be it further

RESOLVED: That City Council hereby authorizes the Finance Director to recognize and appropriate a contribution of \$123,794 from the General Fund fund balance to the Facility Fund in order to complete financing of these projects; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by O'Donnell.

9-533-10. RESOLVED: That the 2010-2011 budget be and is hereby amended as shown on the schedule below to carry forward appropriations related to purchases at year end pursuant to requests received from involved departments:

<b>General Fund</b>		
19th District Court	8,680	
Mayor's Office	60,600	
Assessor	110,780	
Legal Department	124,040	
Finance, Accounting	25,000	
DPW, Building Services and Line	4,285	
DPW, Highways	21,275	
DPW, Parks	46,575	
DPW, Fleet R & M Operations	110,025	
Police, Administration	11,050	
Police, Support Services	20,000	
Police, Animal Shelter	38,000	
Recreation, Administration	1,915	
Recreation, Theatre	6,980	
Recreation, Swimming Pools-Admin	3,790	
Library	56,475	
Economic & Community Development	15,890	
Total, General Fund		665,360
Total, Camp Dearborn		102,865
Total, Drug Law		36,000
Total, West Dearborn Downtown Development Authority		73,445
Total, East Dearborn Downtown Development Authority		95,410
Total, Recreation, Golf Course Fund		22,000
Total, Sewer Fund		36,075
Total, Water Fund		28,640
Total, Information Systems Fund		1,750,600
Total, Fleet & Equipment Replacement Fund		30,875
Total, Workers Compensation Fund		42,600
Total, Fleet & Gen. Liability		67,495
<b>Total, All Funds</b>		<b>2,951,365</b>

be it further

RESOLVED: That due to the migration of building maintenance related activities to the Facilities Fund, and the items from the 19th District Court and from the Highways Division of the Department of Public Works are for these type of expenditures, \$29,955 shall be contributed to the Facilities Fund from the General Fund, and the Finance Director be and is hereby authorized to recognize the revenue and appropriate in the Facilities Fund for the anticipated expenditures; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Darany.

9-534-10. WHEREAS: In November 2007 the voters authorized the sale of Dearborn Towers with a condition that the minimum sale price must be at least the average of three appraisals, and

WHEREAS: Three appraisals were completed with the following results:

<u>Appraisal</u>	<u>Valuation Date</u>	<u>Amount of Appraisal</u>
1.	March 21, 2008	\$5,625,000
2.	June 19, 2009	\$6,500,000
3.	January 20, 2010	\$5,800,000

and

WHEREAS: The average amount of the three appraisals is \$5,975,000, and

WHEREAS: The Housing Department has advertised the property for sale during 2010, with an asking price of \$7,500,000. Numerous potential buyers and realtors walked through the building and the following cash offers have been received:

June 11, 2010	-	\$2,800,000
July 6, 2010	-	\$4,500,000
July 8, 2010	-	\$5,000,000
August 26, 2010	-	\$6,700,000

and

WHEREAS: The most recent bid is the only one that meets and exceeds the minimum price of \$5,975,000; now therefore be it

RESOLVED: That the Mayor is authorized to execute a Letter of Intent and Purchase and Sale Agreement with DSR ASAF, LTD, an Israeli Company, for the sale of Dearborn Towers in the amount of Six Million Seven Hundred Thousand Dollars (\$6,700,000), less a flat broker fee of Two Hundred Fifty Thousand Dollars (\$250,000) paid by the City, and subject to closing adjustments for tax proration, title insurance, etc; be it further

RESOLVED: That this resolution be given immediate effect.

The resolution was adopted upon roll call as follows: Yeas: Abraham, Darany, O'Donnell, Shooshanian and Tafelski (5). Nays: Hubbard (1). Absent: Sareini (1).

By Abraham supported by Hubbard.

9-535-10. WHEREAS: Hassan and Nabila Aboualayoui, owners and occupants of the property located at 6516 Ternes, Dearborn, Michigan, are asking the City of Dearborn to sell them the vacant lot next to their property so that they may combine the lot with the adjacent lot they own, and

WHEREAS: Sale is conditioned upon the following:

1. The lot must be combined with the Purchasers' property and may not be re-split or combined with other land for a re-splitting as two buildable lots. Purchasers may seek permission to split and sell a portion of the side yard to the neighboring property owner.
2. The lot may only be sold or developed in combination with the Purchasers' adjacent property.
3. Any construction or expansion of the existing structure to utilize the additional property must comply with the Dearborn Zoning Ordinance. The Purchasers waive any right to seek a variance.
4. 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 entire lot, plus interest and costs, or sell the land back to the City for \$8,400, at the City's sole discretion.

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; therefore be it

RESOLVED: That City Council hereby determines to effect the sale at a price of \$8,400 to Hassan and Nabila Aboualayoui of the parcel described as:

Lot 727, Albert P. Ternes Sub., City of Dearborn, Wayne County, Michigan, as recorded in Liber 40, Page 12 of Plats, Wayne County Records.

Tax I.D. 82-10-071-27-013  
Commonly known as 6530 Ternes

and that the Mayor be and is hereby authorized to execute a Quit Claim Deed for said land to Hassan and Nabila Aboualayoui 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, reviewed and approved by the Office of the Corporation Counsel and based upon Hassan and Nabila Aboualayoui closing 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: Abraham, Darany, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Darany supported by Hubbard.

9-536-10. WHEREAS: The City has been notified by the U.S. Department of Housing and Urban Development (HUD) that a certain property has become available for the City to purchase under its Dollar Sale Program, and

WHEREAS: The City has been offered the opportunity to purchase the following property:

<u>ADDRESS</u>	<u>APPROXIMATE AMOUNT OF TAXES OWED</u>
3050 Geneva (45' x 141')	\$3,000

and

WHEREAS: The City will demolish the house and offer the vacant property for new construction to redevelop the neighborhood, and

WHEREAS: Since the Dollar Sale Program was developed by HUD to help local governments foster opportunities for low to moderate income families, it is recommended that the City deposit profits, if any, into Project J99999 HUD \$1 Proceeds Project Reserve to be administered by the Economic and Community Development Department in accordance with the terms of the HUD Sales Contract Agreement, and

WHEREAS: The City is required to provide HUD with annual reports detailing the status of properties that are purchased under this program. The Economic and Community Development Department will be responsible for such reporting; therefore be it

RESOLVED: That City Council hereby determines to acquire the above property from HUD and pay outstanding taxes and closing costs to acquire the property listed, 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 the Finance Director be and is hereby authorized and directed to issue his proper warrant for the purchase price of \$1, plus the outstanding taxes in the approximate amount of \$3,000, plus closing costs, 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 General Capital Improvement Fund Project No. C03000, HUD Dollar Sale

Program, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to pay additional costs after acquisition (demolition and appurtenant costs) in the approximate amount of \$12,000; be it further

RESOLVED: That the City deposit profits, if any, into Project J99999 HUD \$1 Proceeds Project Reserve to be administered by the Economic and Community Development Department in accordance with the terms of the HUD Sales Contract Agreement; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Abraham.

9-537-10. WHEREAS: Mohamed Alkhafaji and Fatmah Sultan have offered to sell the substandard dwelling located at 8635 Gary, Dearborn, Michigan, to the City of Dearborn for the sum of \$16,000 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 Operation Eyesore Program; therefore be it

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

Lot 1760 and 1761, Smart Farm Sub. No. 1, City of Dearborn, Wayne County, Michigan, as recorded in Liber 38, Page 80 of Plats, Wayne County Records.

Tax I.D. 82-10-091-08-022  
Commonly known as 8635 Gary

from the owners thereof and pay therefore the sum of \$16,000 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 and approved 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 \$16,000, 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 General Capital Improvement Fund Project No. C02300, Operation Eyesore, payable to the grantor, or their nominee, in payment of said land; be it further

RESOLVED: That the Finance Director be and is hereby authorized and directed to pay additional costs after acquisition (demolition and appurtenant costs) in the approximate amount of \$12,000; be it further

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

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Darany.

9-538-10. WHEREAS: The State of Michigan has a duty pursuant to Article 9, § 29 of the Michigan Constitution to pay for new activities and services and an increase in the level of activity required by existing law by providing a corresponding state appropriation to the City to pay for the increased costs, and

WHEREAS: The City is required to provide activities and services by the State pursuant to the NPDES Phase II Stormwater Permitting Program, and

WHEREAS: The State is not providing the corresponding funding for those mandated activities and services as required by Article 9, § 29 of the Michigan Constitution, and

WHEREAS: Matthew J. Zalewski, a taxpayer of the City, is prepared to engage an attorney to join a pending suit against the State of Michigan and its relevant departments and agencies in conjunction with the City and numerous other Communities in Michigan for the failure to fund which is occurring, pursuant to Article 9, § 32 of the Michigan Constitution, and

WHEREAS: The attorney fees and cost of said suit will be shared on a pro-rata basis with numerous other municipalities in Michigan thereby minimizing the fees and costs which will be incurred by this City's participation in said suit, and

WHEREAS: Matthew J. Zalewski, a taxpayer of this City, has requested that the costs incurred in said suit be assumed and paid by this City in consideration for his assigning to this City any financial recovery which may result from said suit, specifically including any recovery for costs to which the said taxpayer may be entitled pursuant to Article 9, § 32 of the Michigan Constitution, and

WHEREAS: It is in the interest of this City and taxpayers which it serves and represents to also have this City be named as a party in said suit; therefore be it

RESOLVED: That the City hereby indemnifies and otherwise agrees with Matthew J. Zalewski, a taxpayer of this City, to assume and pay the apportioned costs of the suit brought against the State of Michigan and its subordinate agencies and departments for the failure to fund activities and the services required by the State to be provided by this City, pursuant to Article 9, § 32 of the Michigan Constitution; be it further

RESOLVED: That this City participate in said suit as a named party seeking relief for the State's failure to meet its funding responsibilities under the Michigan Constitution and that Giarmarco, Mullins & Horton, P.C. be authorized to serve as the City's attorney in said suit; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Tafelski.

9-539-10. RESOLVED: That the Articles of Agreement between the City and the Communications Supervisors Bargaining Unit, be and is hereby amended pursuant to Civil Service Resolution No. 7346-10 for the period July 1, 2008 through June 30, 2010; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Darany.

9-540-10. RESOLVED: That the Articles of Agreement between the City of Dearborn and the Police Officers Association of Michigan Communication Dispatchers, as adopted by Civil Service Resolution No. 7347-10, be and is hereby amended effective July 1, 2007 through June 30, 2010; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

9-541-10. RESOLVED: That the Supervisory, Technical and Professional Unit Employee Salary Plan adopted on November 18, 1980 by C.R. 11-1062-80 be and is hereby amended pursuant to Civil Service Resolution No. 7348-10; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by O'Donnell.

9-542-10. RESOLVED: That the Supervisory, Technical and Professional Unit Employee Salary Plan adopted on November 18, 1980 by C.R. 11-1062-80 be and is hereby amended pursuant to Civil Service Resolution No. 7349-10; be it further

RESOLVED: That his resolution be given immediate effect.

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

By Tafelski supported by Darany.

9-543-10. RESOLVED: That the 32 Degree Masonic Learning Centers for Children be and they are hereby granted permission to conduct the Charles S. Wright Memorial 5K Walk on Sunday, September 26, 2010 beginning at 12:00 P.M. subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the 5k walk route shall be as follows: Beginning at the south picnic shelter in Ford Field Park, event participants will proceed north on Monroe Street past the Children's Learning Center to Michigan Avenue; turn left and continue east on Michigan Avenue, crossing Oakwood Blvd. and Brady Street to the TEA-21 Greenway/Wayne County Rouge Gateway Trail Head, located just east of Andiamos Restaurant; continue north on the Greenway Trail for 1.5 kilometers; then turn around and proceed back to the south picnic shelter at Ford Field Park via the same route; be it further

RESOLVED: That all event participants shall be restricted to utilizing the sidewalks only and no portion of the roadways designated within the walk routes and must make lawful and proper use of all traffic signals and signs in a manner so as not to interfere with any vehicular or pedestrian traffic; be it further

RESOLVED: That City Council hereby authorizes assistance from the Police Department with traffic safety spot checks for the duration of the event;

RESOLVED: That this resolution be given immediate effect.

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

By Tafelski supported by Shooshanian.

9-544-10. WHEREAS: The Dearborn Soccer Club, P.O. Box 741, Dearborn, Michigan, has requested permission to conduct the Dearborn Soccer Club's 19th Annual Soccer Tournament on Friday-Sunday, August 27-29, 2010, each day from 12:00 P.M. to approximately 10:00 P.M., and

WHEREAS: Section 9.3 of the Charter of the City of Dearborn provides that emergency action may be taken by the City Council, if required, in emergency situations affecting life, health, property or the public peace, when adopted by five members of the City Council, and

WHEREAS: The Mayor has identified an emergency exists because this item was inadvertently not approved in advance, and

WHEREAS: It is necessary to provide police assistance for traffic control and emergency personnel from the Fire Department to staff the First Aid station for the event, and

WHEREAS: Parking will be restricted to the south side of Oxford Street during the event; now therefore be it

RESOLVED: That the Dearborn Soccer Club, P.O. Box 741, Dearborn, Michigan, be and is hereby granted permission to conduct its Dearborn Soccer Club 19th Annual Soccer Tournament, subject to the rules and regulations of the Police Department and conditioned upon executing a Hold Harmless/Indemnity Agreement prepared by Corporation Counsel; be it further

RESOLVED: That due to the partnership relationship with Dearborn Soccer Club, the 20x50 tent permit fee will be waived for this event; be it further

RESOLVED: That the City Clerk is hereby authorized and directed to formally record this resolution at the next Regular Meeting of the Council in accordance with the provisions of Ordinance No. 94-590, Section 2.568(b)(10); be it further

RESOLVED: That this resolution be given immediate effect.

S/THOMAS P. TAFELSKI  
Council President Tafelski

S/SUZANNE SAREINI  
Council Pres. Pro Sareini

S/GEORGE DARANY  
Councilmember Darany

S/MARK SHOOSHANIAN  
Councilmember Shooshanian

S/ROBERT A. ABRAHAM  
Councilmember Abraham

S/BRIAN C. O'DONNELL  
Councilmember O'Donnell

S/NANCY A. HUBBARD  
Councilmember Hubbard

I hereby waive my right to veto this Resolution in accord with the provisions of the 2008 City Charter, Section 9.1, in order to give this Resolution immediate effect.

S/JOHN B. O'REILLY, JR.  
Mayor John B. O'Reilly, Jr.

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

By Darany supported by Hubbard.

9-545-10. RESOLVED: That City Council hereby waives the permit and application fees for the East Dearborn Downtown Development Authority to install two reproduced paintings from the Detroit Institute of Arts (DIA) at The Henry Ford and the east wall of Green Brain Comics; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Tafelski.

9-546-10. RESOLVED: That City Council hereby grants permission to the Fairlane Alliance Church, 905 Mason, to park a semi-trailer on Mason Street between the alley and Garrison Street to conduct their annual "Operation Christmas Child" Collection for underprivileged children from November 14 through November 22, 2010.

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

By Hubbard supported by Shooshanian.

9-547-10. RESOLVED: That City Council hereby denies the request of Kimberly Jenkins and Clifford Chisholm to purchase the vacant lot located at 24108 Scott for use as a side yard rather than new construction; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Hubbard.

9-548-10. RESOLVED: That receipt of a donation in the amount of \$280 from Oxford Bowling Lanes to offset bowling admission fees for the Recreation Department's Arts & Recreation Enabling Program is hereby acknowledged and accepted; be it further

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

RESOLVED: That City Council hereby directs the City Treasurer to credit this money to the General Fund, Recreation Department, General Programming Division (Community Center), Distribution Account (Account #101-3055-365.90-00) 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By Hubbard supported by Shooshanian.

9-549-10. RESOLVED: That receipts of donations in the amount of \$6,000 from Kenwal; \$4,500 from Henry Ford Health System; \$3,000 from Dr. Mark Saffer; \$3,000 from REDICO; \$2,500 from Nickel & Saph, Inc.; \$2,500 from Dearborn University Consortium Center; \$1,500 from Premier Dental Care; \$1,500 from SMART; \$1,000 from Cheli's Chili Bar; \$1,000 from Miller, Canfield Paddock & Stone, P.L.C.; \$1,000 from the U of M Dearborn Alumni Society; \$800 from Fordson Varsity Alumni Club; \$500 from O'Kelley Council Knights of Columbus; \$500 from DFCU Financial, \$500 from Fairlane Town Center; \$500 from Henry Ford Community College; \$500 from Pipefitters, Steamfitters, Refrigeration & Air Conditioning Service Local 636; \$500 from Said Deep, \$200 from the Alumni Association of Fordson High School and \$200 from David Bazzy 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, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

By O'Donnell supported by Tafelski.

9-550-10. RESOLVED: That City Council hereby authorizes the Dearborn Firefighter's Burn Drive to place a gumball machine in the Dearborn City Hall building with all proceeds going to the Burn Drive.

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

By Abraham supported unanimously.

9-551-10. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Bradley Schane, 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: Abraham, Darany, Hubbard, O'Donnell, Shooshanian and Tafelski (6). Nays: None. Absent: Sareini (1).

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:10 P.M.

APPROVED:

THOMAS P. TAFELSKI  
President of the Council

ATTESTED:

KATHLEEN BUDA  
City Clerk