

REGULAR MEETING OF THE COUNCIL

FEBRUARY 16, 2010

AGENDA

1. ROLL CALL.
2. INVOCATION BY Reverend Drew Tomberlin, Jr. of Cherry Hill Presbyterian Church.
3. PLEDGE OF ALLEGIANCE.
4. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Approving the minutes of the previous regular meeting of January 19, special closed meeting of January 20, and special meetings of January 25, January 28, February 2 and February 9, 2010.
5. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –  
Setting Thursday, March 11, 2010 at 6:45 P.M. as the date and time of public hearing to consider the adoption of a resolution approving Brownfield Plan #10 for the redevelopment of the former Quality Inn site and requesting immediate effect.
6. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Authorizing the name change of Project E01600 from South East Dearborn Community Master Plan to City of Dearborn Master Plan; also authorizing the cancellation of the contract increase authorized by C.R. 7-491-09 with McKenna Associates, Inc. in the amount of \$107,000 and the corresponding budget in the General Fund, Economic & Community Development Department operating budget and requesting immediate effect.

7. RESOLUTION BY COUNCILMEMBERS O'DONNELL AND DARANY –  
Authorizing an appropriation of \$107,000 of the General Fund fund balance as a contribution to the General Capital Improvement Fund and that this contribution be recognized and appropriated in the General Capital Improvement Fund, City Plan Department, Project E01600 City of Dearborn Master Plan; also authorizing a contract increase with McKenna Associates, Inc. in the amount of \$107,000, bringing the total contract amount to \$132,000, to expand the scope of services for the City of Dearborn Master Plan and requesting immediate effect.
  
8. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Approving the Michigan Department of Transportation Contract No. 09-5759 in the total amount of \$654,700 (city's share of costs) for Asphalt Resurfacing and Water Main Replacement on Miller Road from Warren to Tireman and Asphalt Resurfacing of southbound Southfield Service Drive from Hubbard Drive to Executive Plaza Drive and Michigan Avenue to Hubbard Drive; also authorizing the Finance Department to recognize revenue from Federal Aid in the total approximate amount of \$880,400 and appropriate the same in the Major Street & Trunkline Fund and establish a Capital Improvement Project with a budget of \$22,000 for in-house engineering charges and requesting immediate effect.
  
9. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND DARANY –  
Awarding a contract to Brantley Development, LLC in the amount of \$75,000 for Private Property Lawn & Yard Maintenance for Non-Compliance Ordinance Violations and requesting immediate effect.
  
10. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Awarding a contract to Turnkey Network Solutions in the amount of \$119,947 for Fiber Optic Cabling and requesting immediate effect.
  
11. RESOLUTION BY COUNCILMEMBERS DARANY AND SHOOSHANIAN –  
Awarding a purchase order to Soil and Materials Engineers, Inc. (SME) by piggybacking on the DCC-Brownfield Consortium contract in the approximate amount of \$48,300 for Hazardous Material and Soil Removal monitoring for the former Quality Inn Demolition Project and requesting immediate effect.

12. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND O'DONNELL – Authorizing an increase to Purchase Order No. 076906 with J&J Truck-Auto-Marine Repair in the amount of \$20,000, bringing the total purchase order amount to \$43,000, for General Repair of Fire Vehicles and requesting immediate effect.
13. RESOLUTION BY COUNCILMEMBERS DARANY AND SHOOSHANIAN – Renewing the contract with Otis Elevator Company (C.R. 11-773-06) in the amount of \$66,675 for Elevator Maintenance Services through February 28, 2011 and requesting immediate effect.
14. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND DARANY – Approving one-year contract renewals with URS Corporation (URS), Anderson, Eckstein and Westrick, Inc. (AEW), BEI Associates, Inc. (BEI), and NSA Architect, Engineers, Planners (NSA) in the amount of \$125,000 for Architecture/ Engineer Firms for Various Rehabilitation Projects to City Facilities and requesting immediate effect.
15. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – Extending the professional services agreement with Zausmer, Kaufman, August, Caldwell & Tayler, P.C. in the amount of \$500,000 for continued representation in litigation concerning CSO Projects #3 and #5 and requesting immediate effect.
16. RESOLUTION BY COUNCILMEMBERS HUBBARD AND O'DONNELL – Extending the professional services agreement with Zausmer, Kaufman, August, Caldwell & Tayler, P.C. in the amount of \$75,000 for continued representation in litigation concerning Burton Katzman and requesting immediate effect.
17. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD – Renewing the contract with Professional Services Industries, Inc. (C.R. 4-224-09) in the amount of \$75,000 for Testing and Geotechnical services through April 19, 2011 and requesting immediate effect.

18. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Extending the "Letter of Credit" to Wayne County for a Financial Guarantee of \$150,000 for the restoration of construction activity related to the CSO project in the event that a site is not returned to its preconstruction conditions and requesting immediate effect.
19. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Authorizing the Fire Department to renew their annual membership with the Western Wayne County Fire Department (WWCFD) in the amount of \$12,755.26 and requesting immediate effect.
20. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –  
Authorizing the Fire Department to renew their annual membership with the Regional Alliance for Fire Training (RAFT) in the amount of \$1,200 and requesting immediate effect.
21. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Confirming and approving the 2009 Consolidated Miscellaneous Roll for several services affecting private property in the approximate amount of \$630,547.83 plus 25% per C.R. 11-1102-02 and requesting immediate effect.
22. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD –  
Authorizing the Finance Director to recognize revenue and appropriate expenditures from the Office of Justice Programs 2009 Bullet Proof Vest Partnership in the amount of \$9,912.50 in the General Fund, Police Department budget and appropriate the local match of \$9,912.50 from the fund balance in the Drug Law Enforcement Fund and requesting immediate effect.
23. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –  
Authorizing the Finance Department to recognize reimbursements received from 4 hazardous materials responses involving the Fire Department that required the activation of the Western Wayne HAZMAT Team in the total amount of \$49,720 and to appropriate the amount for reimbursement to Western Wayne County Fire Department and requesting immediate effect.

24. RESOLUTION BY COUNCILMEMBERS HUBBARD AND O'DONNELL – Approving the FY 2010 Senior Alliance, Area Agency on Aging 1-C Dearborn community match in the total amount of \$7,822 and requesting immediate effect.
25. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – Approving the request of The Henry Ford to waive permit fees associated with replacing the electrical infrastructure serving the Henry Ford Museum in an amount not to exceed \$50,000 and requesting immediate effect.
26. RESOLUTION BY COUNCILMEMBERS O'DONNELL AND HUBBARD – Adopting the 19<sup>th</sup> District Court Union Contract effective from July 1, 2007 which includes a 1% wage increase retroactive each year of the contract with a new pay scale comparable to that of MWD, PTO and Flexible Benefits mandatory for the entire unit, health care co-pays, benefit banks for existing employees, and HSA and RMSA for new hires and requesting immediate effect.
27. RESOLUTION BY COUNCILMEMBER O'DONNELL IN NEED OF SUPPORT – Authorizing the renaming of the 19<sup>th</sup> District Court Administrative Unit Salary Plan adopted by C.R.1-53-98 to the 19<sup>th</sup> District Court Executive and Administrative Unit Salary Plan; also adopting the proposed job grades and salary ranges retroactive to July 1, 2007 and requesting immediate effect.
28. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD – Authorizing an amendment to the City of Dearborn's Group Health Plan to comply with the Genetic Information Nondiscrimination Act of 2008 (GINA) effective July 1, 2009.
29. RESOLUTION BY COUNCILMEMBERS HUBBARD AND O'DONNELL – Authorizing an amendment to the City of Dearborn's Cafeteria Plan to comply with the Genetic Information Nondiscrimination Act of 2008 (GINA) effective July 1, 2009.

30. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL –  
Authorizing an amendment to the City of Dearborn's Cafeteria Plan Document to comply with the Health Information Technology for Economic and Clinical Health Act (the "HITECH Act") effective September 23, 2009.
31. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –  
Authorizing an amendment to the City of Dearborn's Group Health Plan Document for Blue Cross Blue Shield to exempt the Plan from compliance with Mental Health Parity effective July 1, 2010.
32. RESOLUTION BY COUNCILMEMBERS HUBBARD AND O'DONNELL –  
Adopting the City of Dearborn's Brownfield Redevelopment Authority Deficit Elimination Plan in compliance with Act 275 of the Public Acts of 1980 and requesting immediate effect.
33. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD –  
Adopting the Poverty Exemption Guidelines for 2010 pursuant to Public Act 620 of 2002 and Public Act 390 of 1994 and requesting immediate effect.
34. RESOLUTION BY COUNCILMEMBERS O'DONNELL AND SHOOSHANIAN – Approving the payment of reasonable and customary medical bills submitted by Warren Schimmell in an additional amount not exceed \$200,000 due to an accident involving a city rescue unit on November 10, 2008 and requesting immediate effect.
35. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD –  
Authorizing the Mayor to execute documents, reviewed and approved by the Mayor and Corporation Counsel, to allow Mr. Tom Fakh of South Ford Road Investments, LLC to terminate the existing lease agreement for the 1.77 acres of vacant land on Ford Road, west of Wyoming, contingent upon payment of all taxes up to and including the date in which the termination documents are executed by both parties and requesting immediate effect.

36. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND O'DONNELL – Splitting the vacant lot located at 3300 Roulo and approving the sale of the N. 15 ft. to Salah Mohsin and the S. 15 ft. to Salman Talahmeh for the sum of \$1,800 each, subject to certain stipulations and requesting immediate effect.
37. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL – Approving the purchase of the property located at 7431-33 Kentucky (under the HUD Neighborhood Stabilization Program) from the U.S. Department of Housing & Urban Development for the sum of \$25,000 and requesting immediate effect.
38. RESOLUTION BY COUNCILMEMBERS SHOOSHANIAN AND O'DONNELL – Approving the purchase of the property located at 4817 Palmer (under the HUD Neighborhood Stabilization Program) from the U.S. Department of Housing & Urban Development for the sum of \$25,000 and requesting immediate effect.
39. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY – Approving the purchase of the property located at 7943 Pinehurst (under the HUD Neighborhood Stabilization Program) from the U.S. Department of Housing & Urban Development for the sum of \$45,000 and requesting immediate effect.
40. RESOLUTION BY COUNCILMEMBERS DARANY AND O'DONNELL – Approving the purchase of the property located at 4804 Walwit (under the HUD Neighborhood Stabilization Program) from Wells Fargo Bank for the sum of \$5,000 cash and requesting immediate effect.
41. RESOLUTION BY COUNCILMEMBERS DARANY AND HUBBARD – Granting permission to Running Fit, Inc. to conduct the Sixth Annual Martian Marathon on April 10, 2010 from 7:00 A.M. to 2:00 P.M. with assistance from the Police Department for certain lane closures, crowd control, traffic control and general security for the event, subject to reimbursement for all City services, all applicable ordinances and the rules and regulations of the Police Department; also authorizing the Police Chief to make application and sign all required documents relating to the issuance of the necessary state and county permits and requesting immediate effect.

42. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –  
Granting permission to the Dearborn Allied War Veterans Council to conduct the 86<sup>th</sup> Annual Memorial Day Parade on Monday, May 31, 2010 from 9:00 A.M. to approximately 12:00 P.M. (from Greenfield to Schaefer) with use of City Hall Park and the War Memorial Plaza for a memorial service, subject to all applicable ordinances and the rules and regulations of the Police Department; also authorizing them to conduct their annual raffle with proceeds directed to help fund its programs and projects and giving all rights to public vending to the DAWVC and their respected vendors.
43. RESOLUTION BY COUNCILMEMBERS HUBBARD AND DARANY –  
Granting permission to the Knights of Columbus, Father Patrick O'Kelley Council No. 3860, to solicit donations on the streets, sidewalks, and other public areas within the City of Dearborn for their annual Mentally Impaired Tootsie Roll Drive to be conducted on March 26 through March 28, 2010, subject to all applicable ordinances and the rules and regulations of the Police Department.

#### NEW BUSINESS

44. RESOLUTION BY COUNCILMEMBER DARANY SUPPORTED  
UNANIMOUSLY – Offering condolences to the family of Dr. Jack Alban.
45. RESOLUTION BY COUNCILMEMBER DARANY SUPPORTED  
UNANIMOUSLY – Offering condolences to the family of Irwin S. Kaminski.
46. RESOLUTION BY COUNCILMEMBER HUBBARD SUPPORTED  
UNANIMOUSLY – Offering condolences to the family of Margaret Pickett Sagan.
47. RESOLUTION BY COUNCIL PRESIDENT TAFELSKI SUPPORTED  
UNANIMOUSLY – Offering condolences to the family of Maureen Henley.