REGULAR MEETING OF THE COUNCIL
OF THE
CITY OF DEARBORN

August 17, 2009

The Council convened at 7:04 P.M., President of the Council Thomas P. Tafelski presiding. Present at roll call were Councilmembers Abraham, Darany, Hubbard, Shooshanian, Thomas and President of the Council Tafelski; absent, Councilmember Sareini. A quorum being present, the Council was declared in session.

Father Slavcho Panev of St. Clement Orthodox Church delivered the invocation.

By Shooshanian supported by Thomas.

8-536-09. RESOLVED: That the minutes of the previous regular meeting of July 13 and special meetings of July 7, July 16, and July 28, 2009, and the same are hereby approved as recorded and published.

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

By Thomas supported by Hubbard.

8-537-09. RESOLVED: That Ordinance No. 09-1232 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 09-1232 entitled, "An Ordinance to Adopt and Restate a Deferred Compensation Plan for City of Dearborn Employees.

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?"

8-537-09. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

By Darany supported by Hubbard.

8-538-09. RESOLVED: That Ordinance No. 09-1233 be taken from the table and placed upon its final reading.

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

The Clerk then read Ordinance No. 09-1233 entitled, "An Ordinance to Amend Article V of Chapter 5 of the Code of the City of Dearborn by Amending Division 2, entitled 'Soil Erosion Control'."

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?"

8-538-09. Upon roll call the Ordinance was adopted as follows: Yeas: Abraham, Darany, Hubbard, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

Councilmember Hubbard introduced Ordinance No. 09-1234, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning Lots 104-108 inclusive, Schaefer Heights Subdivision Section 7 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 Thomas supported by Shooshanian.

8-539-09. RESOLVED: That proposed Ordinance No. 09-1234 be laid on the table.

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

Councilmember Thomas introduced Ordinance No. 09-1235, entitled, "An Ordinance to Amend Section 9.02 of Ordinance No. 06-1111 of the City of Dearborn" by rezoning the easterly 100 feet of Lots 3, 4, 5, and 6, and the northerly 13 feet of Lot 7, Dearborn Gulley Industrial Park Subdivision No. 1 from an Industrial A (Light Industrial District) to a Residential A (One Family Residential 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 Shooshanian.

8-540-09. RESOLVED: That proposed Ordinance No. 09-1235 be laid on the table.

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

Renewed on October 30, 2012 per C.R. 10-559-12

Councilmember Hubbard introduced Ordinance No. 09-1236, entitled, "An Ordinance to Amend the Water and Sewers Chapter (Chapter 19) of the Code of the City of Dearborn by Amending Article II, Division 2, Section 19-77, entitled 'Notice of Violation'."

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 Abraham.

8-541-09. RESOLVED: That proposed Ordinance No. 09-1236 be laid on the table.

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

Councilmember Thomas introduced Ordinance No. 09-1237, entitled, "An Ordinance to Amend the Nuisances Chapter (Chapter 13) of the Code of the City of Dearborn by Amending Article I, Section 13-2, entitled 'Illustrative Enumeration', and Section 13-8, entitled 'Abatement by City'."

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 Darany.

8-542-09. RESOLVED: That proposed Ordinance No. 09-1237 be laid on the table.

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

Councilmember Hubbard introduced Ordinance No. 09-1238, entitled, "An Ordinance to Amend the Occupancy and Building Standards Chapter (Chapter 11) of the Code of the City of Dearborn by Amending Sections 11-303, 11-304, 11-305, 11-306, 11-308, 11-309, 11-310, and 11-311 of Article IV, entitled 'Vacant and Neglected Property'."

The Clerk read the Ordinance by title.

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

By Shooshanian supported by Darany.

8-543-09. RESOLVED: That proposed Ordinance No. 09-1238 be laid on the table.

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

Councilmember Darany introduced Ordinance No. 09-1239, entitled, "An Ordinance to Amend the Fees for Permits and Inspections Chapter (Chapter 9) of the Code of the City of Dearborn by Amending Sections 9-162, 9-163, 9-167 and 9-169 of Article VII, entitled 'Residential and Building Occupancy'."

The Clerk read the Ordinance by title.

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

By Shooshanian supported by Abraham.

8-544-09. RESOLVED: That proposed Ordinance No. 09-1239 be laid on the table.

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

By Thomas supported by Abraham.

8-545-09. RESOLVED: That all of the public alley 18 feet wide, North of Warren, extending from the East line of Payne, to the East line of Lot 1 extended, as platted within Warren Vineyards Subdivision, as recorded in Liber 45, Page 59, of Wayne County Records, be and the same is hereby vacated, discontinued and abolished, reserving and retaining, however, an 18 foot easement on, over, along, across, under, above and through all of such vacated alley as above described for public use and public utility purposes including use for sewers, together with surface drainage and surface drainage structures, utility mains, conduits and poles, together with access for the maintenance and/or installation thereof but not for public travel or transportation; be it further

RESOLVED: That the Clerk be and is hereby directed to record the within resolution in the office of the Wayne County Register of Deeds and the Department of Commerce for the State of Michigan after it has become effective.

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

By Thomas supported by Shooshanian.

8-546-09. RESOLVED: That City Council hereby denies the request of Khodor Ismail to vacate the alley between Chase Road and Kendal from Gould northerly to the north line of Lot 762 (7509 Kendal), Frischkorn's Columbus Park Subdivision No. 1.

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

By Hubbard supported by Shooshanian.

8-547-09. RESOLVED: That City Council hereby denies the request of Hussein Darwiche to vacate the alley between Westland and Korte from the north line of Lot 164 (4561 Westland), Westland Subdivision northerly to Jerome.

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

By Abraham supported by Hubbard.

8-548-09. RESOLVED: That all bids received for Morross Circle Resurfacing Contract, Job #08-04-064 (SAD 869) are hereby rejected except the bid of Nagle Paving Company in the total amount of $101,830, 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 City Council hereby authorizes the Finance Department to establish a Capital Improvement Project to repair and asphalt pave Morross Circle Road (SAD 869) and authorizes the Finance Director to establish a SAD revenue budget and corresponding expenditure appropriation of $119,600 in the General Capital Improvement Fund; be it further

RESOLVED: That this contract shall be financed from Special Assessment District Roll 869; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Abraham.

8-549-09. RESOLVED: That City Council hereby rescinds C.R. 3-104-08 which awarded a three-year contract to Prudential for Employer Paid Life and Accidental Death & Dismemberment (AD&D) and hereby awards this three-year contract to The Hartford in the approximate amount of $216,755.34 effective November 1, 2009 for Employer Paid Life and Accidental Death & Dismemberment (AD&D); be it further

RESOLVED: That this three-year contract shall be financed from the Employee Insurance Fund, Finance Department, Self-Insured Life Insurance, Insurance & Bonds Fund (Account #680-1692-815.52-85) and is contingent upon adoption of future years budgets; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Hubbard.

8-550-09. RESOLVED: That City Council hereby rescinds C.R. 6-427-09 which awarded a contract to Hercules & Hercules for Sodium Hypochlorite (chlorine) and hereby awards this contract to Northwest Pools, Inc. in the approximate amount of $38,715 for Item #2 Sodium Hypochlorite (chlorine); be it further

RESOLVED: That this contract shall be financed from various accounts within the Recreation Department; be it further

RESOLVED: That this resolution be given immediate effect.

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

Renewed on 8-16-10 by C.R. 8-478-10.

By Hubbard supported by Shooshanian.

8-551-09. WHEREAS: The Recreation Director has requested to purchase advertising from the following media outlets to successfully market the 2009-2010 professional season shows. Due to the select market required to successfully advertise each show, the competitive solicitation process would not be effective to reach the target audience required to achieve the Center's marketing goals, and

WHEREAS: To effectively advertise each show, reach the largest target audience possible, and increase theater attendance for the 2009-2010 shows, the following vendors were selected based on the audience they market to. WXYZ has offered the overall best advertising value with the ability to reach the largest target audience and is ranked the number one television station in the viewing area, based on latest Neilson ratings. Anticipated purchases will be $100,000 to WXYZ-TV and $8,078 to Metro Times Weekly Newspaper, and

WHEREAS: Although the purchase for Metro Times would not exceed the Council Threshold, it has been requested that City Council approve the overall marketing plan for a total amount of $108,078. A purchase order will be issued for each purchase; be it

RESOLVED: That City Council hereby issues a purchase order to WXYZ-TV in the amount of $100,000 and to Metro Time Weekly Newspaper in the amount of $8,078 for advertising to successfully market the Recreation Department's 2009-2010 Professional Season Shows; be it further

RESOLVED: That these purchase orders shall be financed from the General Fund, Recreation Department, Theatre Division, Publishing Account (Account #101-3033-734.54-00); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Shooshanian.

8-552-09. 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 REMOTEC, Inc. be designated as a sole source for purchase of a HD-1J Small Robotic Bomb System in the amount of $79,219 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 General Capital Improvement Fund, Police Department, Machinery & Equipment Account (Account #401-2420-435.74-20), Project #K22209, funded 100% by the 2008 Buffer Zone Protection Program Grant through the Michigan Department of State Police; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Thomas.

8-553-09. RESOLVED: That City Council hereby authorizes an increase to Fiscal Year 2009 Purchase Orders with Bell Equipment Company in the approximate amount of $33,062.24, bringing the total purchase order amounts to $106,430.89, for Repairs, Service, and Replacement Parts for the City's fleet of Athey, Elgin, and Tennant Sweepers; Leach Packers; and Epoke Spreaders; be it further

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

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Hubbard.

8-554-09. WHEREAS: On July 14, 2008, the Engineering Division sent a "Must Fix" sewer repair letter to the property located at 2210 N. Waverly and 2211 N. Highland. The cause of the sewer repair was a development of a sink hole in the easement, and

WHEREAS: Sewer repair was performed on August 7, 2008. Radewin Awada, the property owner of 2211 N. Highland informed the City Engineer's Office that he was out of the country when the sewer repair was performed in the easement behind his property. Mr. Awada further stated that he was working with the City Engineer for the restoration of his rear yard and his dispute with the sewer repair charges, and

WHEREAS: Inadvertently, this information was not communicated to the Finance Department in a timely manner, which resulted in the property owner receiving an invoice for a sewer repair on his 2009 summer tax bill, and

WHEREAS: The Assistant City Engineer has requested City Council adjust the 2008 Miscellaneous Assessment Roll for the penalties and fees on the original sewer repair charge that were transferred to the 2009 Tax Roll in error in the total amount of $203.39 broken down as follows: Penalty $27.12, 25% Transfer fee $176.27; be it

RESOLVED: That City Council hereby adjusts the 2008 Miscellaneous Assessment Roll to remove sewer repair charges in the total amount of $203.39 for the property located at 2211 N. Highland which were transferred to the 2009 Tax Roll in error; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Thomas.

8-555-09. WHEREAS: In 2008, G.V. Cement Company, the City's Street Paving Contractor replaced the driveway apron for the property located at 22300 Oxford (Engineering Job No. 07-12-078). The driveway apron was not replaced to City Standard, therefore it was unacceptable. The property owner was informed that she would not receive a bill for the driveway apron replacement until the driveway apron is replaced to City Standard, and

WHEREAS: Inadvertently, this information was not communicated to the Finance Department in a timely manner, which resulted in the property owner receiving an invoice for the unacceptable driveway apron on her 2009 Summer Tax Bill, and

WHEREAS: The Assistant City Engineer has requested that City Council adjust the 2008 Miscellaneous Assessment Roll for the sidewalk charge transferred to the 2009 Tax Roll in error in the total amount of $406.65 broken down as follows: Installment $312.80, Penalty $12.52, 25% Transfer Fee $81,33; be it

RESOLVED: That City Council hereby adjusts the 2008 Miscellaneous Assess Roll to remove sidewalk repair charges in the total amount of $406.65 for the property located at 22300 Oxford which were transferred to the 2009 Tax Roll in error; be it further

RESOLVED: That this be given immediate effect.

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

By Darany supported by Hubbard.

8-556-09. WHEREAS: Several items that were listed on the 2008 Miscellaneous Assessment Roll that City Council approved for transfer to the 2009 Tax Roll were listed on the 2008 Miscellaneous Assessment Roll in error as follows:

Item #1: Parcel 82-09-212-13-030, 22442 Morley – The property owner intended to participate in the deferred sewer 5 part payment plan. The first payment of $600 was paid on time, but Treasury had no record of a completed deferral application being filed. The property owner provided copies of documentation that indicated he had complied with the deferral requirements and $3,120 was transferred to the 2009 Tax Roll in error as follows:

District Code 082505

Principal	$2,400.00
Penalty	96.00
25% Transfer Fee	624.00
Total to Tax Roll	$3,120.00

Item #2: Parcel 82-09-332-27-008, 3805 Lincoln – The property owner made payment in full on a deferred sidewalk 5 part payment plan. The payment was applied to 2009 year instead of the 2008 year, so the paid 2008 installment amount of $151.09 appeared on the 2008 Miscellaneous Assessment Roll in error as follows:

District Code 500101

Principal	$ 91.69
Interest	25.67
Penalty	3.51
25% Transfer Fee	30.22
Total to Tax Roll	$ 151.09

Item #3: Parcel 82-09-221-09-002, 22062 Michigan – Due to a parcel combination, the Parking Capital Improvement Assessment amount was transferred from 82-09-221-09-002 to Parcel 82-09-221-09-005. The assessment was adjusted to zero on Parcel 82-09-221-09-002, but the installment bill amount was not. Therefore, the installment bill amount for Parcel 82-09-221-09-002 appeared on the 2008 Miscellaneous Roll in error as follows:

District Code 085900

Principal	$ 246.76
Penalty	2.47
25% Transfer Fee	62.31
Total to Tax Roll	$ 311.54

And

WHEREAS: The Finance Department has requested that City Council adjust the 2008 Miscellaneous Assessment Roll for items transferred to the 2009 Tax Roll by $3,582.63; be it

RESOLVED: That City Council hereby adjusts the 2008 Miscellaneous Assessment Roll to remove various items that were transferred to the 2009 Tax Roll in error in the total amount of $3,582.63; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

8-557-09. WHEREAS: Prior to fiscal year 2010, utility bills for the City were paid out of a non-departmental account within the general fund. In an effort to move toward full costing, budget for utility bills was moved to the department level in FY2010. In preparing the purchase orders for utilities it was discovered that some accounts were overlooked in preparing the budget in the total amount of $87,950 as follows:

101-2072-463.41-35	$ 600	Sanitation – electric
101-2073-452.41-35	$ 500	Highways – electric
101-2073-452.41-55	$27,900	Highways – gas
101-2073-452.41-80	$ 400	Highways – water
101-3014-691.41-40	$16,750	Recreation – City Parks – electric
101-3014-691.41-55	$ 6,050	Recreation – City Parks – gas
101-3014-691.41-80	$34,250	Recreation – City Parks - water
101-3052-682.41-40	$ 1,500	Ten Eyck Pool – electric

and

WHEREAS: The Finance Director/Treasurer has requested City Council appropriate the amount of $87,950 from the General Fund fund balance to the above mentioned accounts in order to finance these overlooked utilities; be it

RESOLVED: That City Council hereby authorizes an appropriation in the amount of $87,950 from the General Fund fund balance to various departmental accounts that were overlooked for Utility Budget Amendments for Fiscal Year 2010; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Hubbard.

8-558-09. WHEREAS: The Dearborn Police Investigative Division has applied for and received federal grant funding from the Target Corporation in the amount of $500, and

WHEREAS: The Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of $500 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 $500 in the General Fund, Police Department budget; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Shooshanian.

8-559-09. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Department of Justice in the amount of $214,413, and

WHEREAS: The Deputy Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of $214,413 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 $214,413 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, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

By Darany supported by Hubbard.

8-560-09. WHEREAS: The Dearborn Police Department has applied for and received federal grant funding from the Department of Justice in the amount of $2,271,240, and

WHEREAS: The Deputy Chief of Police has requested that the Finance Director be authorized to recognize the grant revenue in the amount of $2,271,240 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 $2,271,240 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, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

By Hubbard supported by Shooshanian.

8-561-09. WHEREAS: Zausmer, Kaufman, August, Caldwell & Tayler, P.C. has represented the City of Dearborn concerning CSO litigation since January 2008, and

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

WHEREAS: More recently, two more lawsuits have been filed by Posen Construction Company concerning CSO #2 and #6, and

WHEREAS: It is estimated that legal actions and continued representation in this litigation will require an extension of the professional services agreement in the amount of $420,000; now therefore be it

RESOLVED: That the professional services agreement with Zausmer, Kaufman, August, Caldwell & Tayler, P.C. is extended in the amount of $420,000; be it further

RESOLVED: That in order to fund this contract extension, a transfer of $420,000 from the Sewer Fund - CSO, Department of Public Works, Sewerage Division, Professional Services Account, Project N85000 is approved; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Darany.

8-562-09. WHEREAS: The City presently has a contract with Cuda Uniform (C.R. 8-529-08) for Police and Fire Uniforms, and

WHEREAS: The original contract specifications allow for one, two (2) year renewal term beyond the expiration of the original contract. This will be the only renewal term for this contract, and

WHEREAS: Cuda Uniform has offered to renew the present contract prices for the period of October 1, 2009 through September 30, 2011; be it

RESOLVED: That the two-year contract for Police and Fire Uniforms is hereby renewed with Cuda Uniforms for the period of October 1, 2009 through September 30, 2011 in the approximate amount of $83,550; be it further

RESOLVED: That this two-year contract renewal shall be financed from the uniform and clothing account for the Police and Fire Departments and is contingent upon the adoption of future year budgets; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Hubbard.

8-563-09. WHEREAS: The consultant contract (MDOT No. 99-0611/S1/A2) between the City of Dearborn (the City) and JJR, LLC for site selection, environmental assessment, and preliminary engineering and design of an intermodal rail passenger station, including tasks related to interfacing with the current Ann Arbor to Detroit commuter rail study, among others, expired on November 26, 2008, and

WHEREAS: The City Council on April 6, 2009 pursuant to Council Resolution 4-230-09 authorized the Mayor to enter into a contract amendment/renewal with JJR, LLC extending the contract through September 30, 2009 and reducing the JJR, LLC contract amount from $1,234,000 to $1,184,000 with the intent of reprogramming the difference subject to Corporation Counsel and Michigan Department of Transportation (MDOT) approval, and

WHEREAS: The City, MDOT, and JJR, LLC were not able to come to terms regarding modification of tasks and reprogramming funds and this contract amendment was not executed, and

WHEREAS: MDOT has now offered to extend its intermodal contract with the City through September 30, 2010, also applicable to the City extending its consultant contract with JJR, LLC, and

WHEREAS: The City and JJR, LLC now desire to renew and extend the contract (MDOT No. 99-0611/S1/A2) to provide additional time for JJR, LLC to complete certain services and perform additional work; therefore be it

RESOLVED: That the City Council authorizes the Mayor to enter into a contract amendment with JJR, LLC (MDOT No. 99-0611/S1/A3) to renew and extend its contract through September 30, 2010 in an amount not to exceed One Million Two Hundred Three Thousand Two Hundred Dollars ($1,203,200) subject to approval by Corporation Counsel and MDOT; be it further

RESOLVED: That all other terms and conditions of the contract shall remain in full force and effect and the remaining fund balance (JO8000) authorized for the contract be carried forward and used to fund the contract amendment; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Darany supported by Shooshanian.

8-564-09. WHEREAS: The contract (MDOT No. 99-0611/A7) between the City of Dearborn (the City) and the Michigan Department of Transportation (MDOT) for site selection, preliminary engineering and design of an intermodal rail passenger station will expire on September 30, 2009, and

WHEREAS: The parties desire to renew and extend the contract term for the City to complete work under the original contract and to perform additional work; therefore be it

RESOLVED: That the City Council hereby authorizes the Mayor to enter into a contract amendment to renew and extend its intermodal contract with MDOT (MDOT No. 99-0611/A8) from April 3, 2009 through September 30, 2010; be it further

RESOLVED: That all other terms and conditions of the contract shall remain in full force and effect and the remaining fund balance (JO8000) authorized for the contract be carried forward and used to fund the contract extension; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

8-565-09. WHEREAS: The National Community Development Association (NCDA) is a national non-profit organization comprised of local governments across the country that administer federally-supported community and economic development, housing and human service programs, including programs of the U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG), and the HOME Investment Partnerships (HOME) Programs, and

WHEREAS: Since 1968, NCDA has been at the forefront in securing effective and responsive housing and community development programs for local governments. The Association provides timely, direct information and technical support to its members and acts as a clearinghouse of ideas for local governments and federal policy-makers; be it

RESOLVED: That the Economic and Community Development Department is authorized to continue its membership with the National Community Development Association (NCDA) for the period of July 1, 2009 through June 30, 2010, for an annual membership fee of $940 (Account #283-6235-914.65-00, Z99800); be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Shooshanian.

8-566-09. WHEREAS: The Michigan Assessors Association's (M.A.A.'s) educational program is unsurpassed in the nation and serves as a model for other states' organizations. Members receive discounted tuition fees to any of the 3 annual, 2 ½ day educational programs as well as the many local classes needed in our profession to maintain our annual State Certifications as Assessors. Each of the members receive the monthly publication of "The Michigan Assessor". Members receive a wealth of information on the association's website, with up-to-date information on Legislation, Michigan Tax tribunal cases, free downloadable files and forms, etc; be it

RESOLVED: That the Assessors Office is authorized to renew these annual memberships with the Michigan Assessors Association (M.A.A.) for the period of July 1, 2009 through June 30, 2010, for the annual membership fee of $75.00 a member for 7 members, totaling $525, financed from the FY 2009-2010 budget account #101-1400-821.65-00; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Hubbard.

8-567-09. RESOLVED: That City Council hereby accepts the Supplemental Actuarial Valuation of Gabriel Roeder Smith & Company regarding the Conversion of a Disability Pension for the General Employees Retirement System (Chapter 22).

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

By Darany supported by Hubbard.

8-568-09. RESOLVED: That City Council hereby accepts the Supplemental Actuarial Valuation of Gabriel Roeder Smith & Company regarding the Conversion of a Disability Pension for the Police and Fire Revised Retirement System (Chapter 23).

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

By Hubbard supported by Shooshanian.

8-569-09. WHEREAS: Section 14.3 of the Dearborn City Charter requires that the City direct the publication of an estimate of cost of construction, determine what manner and from what funds the cost of the public improvements shall be paid and include an estimate of the cost of operating the public improvement for the following three years, prior to a vote to expend the money for improvements, and

WHEREAS: Corporation Counsel has requested that the City Clerk be directed to publish the following Public Disclosure of Cost of Public Improvement for the Water Main Construction - Phase I - Construction and Estimated Operating Costs:

PUBLIC NOTICE
COST OF PUBLIC IMPROVEMENTS

In accordance with the provisions of Section 14.3 of the Dearborn City Charter, the City of Dearborn proposes to undertake the following Public Improvement Project:

Construction of Water Main Construction - Phase I.

PROJECT COSTS

Water Main Construction - Phase I - construction cost
$2,065,000

Financed from:
Drinking Water Revolving Fund Bond proceeds $2,065,000

ESTIMATED OPERATING COSTS

Year 1	$1,550
Year 2	$1,612
Year 3	$1,676

be it

RESOLVED: That City Council hereby directs the City Clerk to publish the above-mentioned Public Disclosure of Cost of Public Improvements for the Water Main Construction - Phase I Construction and Estimated Operating Costs in accordance with the provisions of Section 14.3 of the Dearborn City Charter; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

8-570-09. WHEREAS: Across the nation, automotive franchise dealerships are facing elimination at an alarming pace, placing residents, businesses, neighboring communities and entire states in the path of further economic devastation, and

WHEREAS: The City of Dearborn objects to the decision of the U.S. Automotive Task Force, Chrysler and General Motors to shut down successful dealerships, including a Dodge dealership in Dearborn, and

WHEREAS: Family dealerships have long stood as part of the fabric of our communities, not only by servicing customers and providing jobs but also contributing to local charities and participating in civic groups and activities, and

WHEREAS: The economic health of neighboring business and restaurants depends on these dealerships, and

WHEREAS: The redistribution of dealerships to other locations will harm the economy of Dearborn and is not consistent with our *Free Market* form of economy, and

WHEREAS: Dearborn consumers benefit from greater choice, better service and competitive prices when the automotive dealership marketplace is driven by competition, and

WHEREAS: Given the chance, automotive dealerships would benefit from government policy that creates a fair free market environment based on performance instead of politics, and

WHEREAS: The decision to close dealership will have a continuing major negative impact on the people of Dearborn, Michigan's ninth largest city; therefore be it

RESOLVED: That the City Council of the City of Dearborn encourages residents to immediately contact lawmakers who are making decisions on these issues to ensure their objections to these forced dealership closings are registered before the decisions are irreversible; be it further

RESOLVED: That the City Council of the City of Dearborn encourages other communities being disadvantaged by the forced closure of dealerships that have been successful, and could continue to be successful, to register their opposition; be it further

RESOLVED: That the City of Dearborn urges Michigan Governor Jennifer M. Granholm, the U.S. Automotive Task Force and President Barack Obama to alter the course of events now taking place; be it further

RESOLVED: That copies of this resolution be sent to President Barack Obama, the U.S. Automotive Task Force, Senator Jay Rockefeller (Chairman of the Senate Commerce, Science and Transportation Committee), Senator Debbie Stabenow, Senator Carl Levin, Congressman John D. Dingell, Congressman John Conyers, Governor Jennifer M. Granholm, State Senator Irma Clark-Coleman, State Representative Gino Polidori, State Representative David Nathan, and the Michigan Municipal League State and Federal Affairs Division; be it further

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

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

By Abraham supported by Darany.

8-571-09. WHEREAS: Council Resolution 2-96-09 authorized reduction of hours of operation of the paid parking system for a period not to exceed three months to test the impact of reduced hours on the system, and

WHEREAS: Council Resolution 6-397-09 extended the authorized reduction of hours test period while the recently re-formed Parking Advisory Commission considered options for addressing several operational issues pertaining to the paid parking system including a pre-pay option for certain times and days, and

WHEREAS: The Parking Advisory Commission is currently in the process of completing its recommendations on these subjects to the City Council; be it

RESOLVED: That the reduced hours period for the Paid Parking System may be extended until the Parking Advisory Commission delivers its recommendations to the Council for consideration in the fall of 2009; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Abraham.

8-572-09. WHEREAS: The City has been notified by the U.S. Department of Housing and Urban Development (HUD) that certain properties have 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 properties:

ADDRESS	APROXIMATE AMOUNT OF TAXES OWED
24350 Penn (40' x 126.5')	$3,000
1856 Mayburn (50' x 128')	$5,000

and

WHEREAS: The house located at 24350 Penn will be demolished. Once the building is removed, each adjoining neighbor will be offered an opportunity to purchase ½ of the vacant property to combine with existing lots to increase current lot sizes, and

WHEREAS: The house located at 1856 Mayburn has the potential to be rehabilitated. Once the repairs are completed, it will be offered for sale, 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 the Community Development Block Grant (CDBG) Program, 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 properties from HUD and pay outstanding taxes and closing costs to acquire the properties 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 $1.00 each, plus the outstanding taxes in the approximate amount of $8,000, 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 this resolution be given immediate effect.

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

By Hubbard supported by Shooshanian.

8-573-09. WHEREAS: The U.S. Department of Housing and Urban Development, owner of the property, has offered to sell the substandard dwelling located at 6544 Coleman, Dearborn, Michigan, to the City of Dearborn for the sum of $24,000 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 215 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.: 82-10-071-22-010
Commonly known as 6544 Coleman

from the owner thereof and pay therefore the purchase price not to exceed $24,000 upon furnishing to the City by said owner of a title insurance policy showing marketable title thereon and when a warranty deed to the premises has been properly executed, approved by the Office of the Corporation Counsel and delivered to the City; be it further

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

RESOLVED: That the Finance Director be and is hereby authorized and directed to issue his proper warrant in the amount of $24,000, 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 Project No. C07700, Account #283-6234-914.71-10, payable to the grantor, or their nominee, in payment of said property; be it further

RESOLVED: That the Corporation Counsel or her designee is authorized to execute documents on behalf of the City of Dearborn for the purchase of 6544 Coleman; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Darany.

8-574-09. RESOLVED: That the Supervisory Bargaining Unit Salary Plan for Police Lieutenants and Sergeants, as adopted by Civil Service Resolution No. 7255-09, be and is hereby adopted effective July 1, 2007 through June 30, 2013; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Thomas supported by Abraham.

8-575-09. RESOLVED: That the proposed resolution by Councilmembers Hubbard and Shooshanian approving the transfer of a 2009 Class C Licensed Business, located in Escrow at 20750 Fort, Riverview, Michigan, 48193, Wayne County from Golden China, Inc. to Bistro 222, Inc. and transfer location to 22266 Michigan Avenue, Dearborn, Michigan, 48124, Wayne County be and is hereby tabled.

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

By Shooshanian supported by Hubbard.

8-576-09. 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: The Dearborn Fire Department has requested authorization to conduct its 'Fill the Boot Drive' on and around the public streets of Dearborn from Friday, July 17, 2009 through Sunday, July 20, 2009; now, therefore, be it

RESOLVED: That the Dearborn Fire Department be and is hereby granted permission to conduct its 'Fill the Boot Drive' on or around the public streets of Dearborn from Friday, July 17, 2009 through Sunday, July 20, 2009; 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 accord 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/Nancy A. Hubbard
Council Pres. Pro Tem Hubbard

S/Douglas B. Thomas
Councilmember Thomas

S/Suzanne Sareini
Councilmember Sareini

S/Mark Shooshanian
Councilmember Shooshanian

S/Robert A. Abraham
Councilmember Abraham

S/George Darany
Councilmember Darany

I hereby waive my right to veto this resolution in accord with provisions of the 1980 City Charter, Section 9.1, in order to give this resolution immediate effect.

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

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

By Darany supported by Hubbard.

8-577-09. RESOLVED: That the Dearborn Recreational Dolphins (DRD) be and they are hereby granted permission to conduct "The First Dolphin Carwash" on the east side of Levagood park located at 801 N. Denwood on Saturday, August 29, 2009 from 9:00 A.M. to 12:00 P.M., subject to all applicable ordinances and the rules and regulations of the Police Department; be it further

RESOLVED: That the north and south parking lots adjacent to the swimming pool complex will be utilized, two lanes of carwash service will be provided in the north lot. Carwash line will proceed from north lot through south lot to avoid any congestion or backup on North Denwood or Sheridan Streets; be it further

RESOLVED: That DRD will provide all necessary carwash materials and that the City of Dearborn shall provide water hookups and hoses; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Hubbard supported by Darany.

8-758-09. RESOLVED: That City Council hereby amends C.R. 7-509-09 by changing the dates of the Kiwanis Club of Dearborn's Annual Peanut Sale on the streets of Dearborn to September 10 through September 12, 2009, subject to all applicable ordinances and the rules and regulations of the Police Department.

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

By Hubbard supported unanimously.

8-759-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Anthony (Marc) M. Fox, 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, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

By Darany supported unanimously.

8-580-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Elaine Brown, 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, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

By Hubbard supported unanimously.

8-581-09. WHEREAS: The Mayor and the Council have learned with sorrow of the passing of Anthony Koustas, 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, Shooshanian, Tafelski and Thomas (6). Nays: None. Absent: Sareini (1).

By Darany supported by Thomas.

8-582-09. RESOLVED: That City Council hereby reschedules the cancelled Sunday Homecoming concert and fireworks to Thursday, September 3, 2009 at Ford Field Park, subject to all applicable ordinances and the rules and regulations of the Police and Fire Departments; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Shooshanian supported by Darany.

8-583-09. RESOLVED: That City Council hereby changes the Committee of the Whole Meeting scheduled for Thursday, September 3, 2009 at 7:00 P.M. to Wednesday, September 2, 2009 at 7:00 P.M. due to the rescheduled Homecoming concert and fireworks; be it further

RESOLVED: That this resolution be given immediate effect.

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

By Abraham supported by Hubbard.

8-584-09. WHEREAS: The qualified electors of the City of Dearborn, County of Wayne, State of Michigan (the "City"), at the primary election duly held on August 3, 2004, did by more than the required majority of those voting approve the following proposition:

SEWER SYSTEM IMPROVEMENTS BOND PROPOSAL

> Shall the City of Dearborn, County of Wayne, Michigan borrow the principal sum of not to exceed Three Hundred Fourteen Million One Hundred Twenty Thousand Dollars ($314,120,000), payable in not to exceed thirty (30) years from the date of issue of each series, and issue one or more series of its general obligation unlimited tax bonds to pay for acquiring, constructing and installing improvements to the City's sewer system necessary for complying with federal and state water pollution control regulations, and reducing untreated sewage overflows in the Rouge River? The estimated millage to be levied in 2005 is 3.98 mills ($3.98 per $1,000 of taxable value) and the estimated simple average annual millage rate required to retire the bonds is 3.27 mills ($3.27 per $1,000 of taxable value).

and

WHEREAS: By resolutions duly adopted on August 17, 2004, August 16, 2005, May 23, 2006, August 8, 2007, the City Council approved the issuance of the City's $61,640,000 General Obligation Sewer Bond, Series 2004A (Unlimited Tax General Obligation), $24,500,000 General Obligation Sewer Bonds, Series 2004B (Unlimited Tax General Obligation), $72,895,000 General Obligation Sewer Bond, Series 2005 (Unlimited Tax General Obligation), $7,450,000 General Obligation Sewer Bond, Series 2006 (Unlimited Tax General Obligation), and $99,360,000 General Obligation Sewer Bond, Series 2007 (Unlimited Tax General Obligation) as the first five series of the City's general obligation unlimited tax bonds issued for the purpose of paying a portion of the cost of acquiring, constructing and installing improvements to the City's sewer system necessary for complying with federal and state water pollution control regulations, and reducing untreated sewage overflows in the Rouge River (the "Project"), and

WHEREAS: It is the determination of the City Council that at this time a sixth series of general obligation unlimited tax bonds in the principal amount of not to exceed Eleven Million Three Hundred Twenty Five Thousand Dollars ($11,325,000) should be issued for the purpose of paying a portion of the cost of the Project and paying costs incidental to the issuance of said bonds, and

WHEREAS: The City Council wishes to authorize the Treasurer of the City to take various actions including, but not limited to, approving a date for the sale of the Bonds and approving the terms of the sale of the Bonds within certain parameters contained herein, and

WHEREAS: The Project qualifies in part for the State of Michigan Clean Water Revolving Fund ("SRF") financing program being administered by the Michigan Department of Environmental Quality ("MDEQ") and the Michigan Municipal Bond Authority ("MMBA" or "Authority"); now, therefore, be it

RESOLVED: That 1. Bonds of the City designated **GENERAL OBLIGATION SEWER BONDS, SERIES 2009 (UNLIMITED TAX GENERAL OBLIGATION)** (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Eleven Million Three Hundred Twenty Five Thousand Dollars ($11,325,000), as finally determined by an order of the MDEQ, for the purpose of paying part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be sold to the Authority and shall be in the form of a single fully-registered, nonconvertible bond in the denomination of the full principal amount thereof, dated as of the date of delivery of the Bonds, payable in principal installments serially as finally determined by order of the MDEQ at the time of sale of the Bonds and approved by the MMBA and the Treasurer of the City (the "Authorized Officer" or the "Treasurer"). Final determination of the Principal Amount of the Bonds and the payment dates and amounts of principal installments of the Bonds shall be evidenced by execution of a Purchase Contract (the "Purchase Contract") between the City and the MMBA providing for sale of the Bonds, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above. The Authorized Officer is authorized and directed to make appropriate changes to the designation of the Bonds hereinbefore set forth.

The Bonds or principal installments thereof will be subject to prepayment prior to maturity in the manner and at the times as provided in the form of Bond contained in this Resolution or as may be approved by the Authorized Officer

at the time of sale of the Bonds or by the MMBA at the time of prepayment.

The Bonds shall bear interest at a rate of two and one half percent (2.50%) per annum on the par value thereof or such other rate as evidenced by execution of the Purchase Contract, but in any event not to exceed three percent (3.00%) per annum, and the Authorized Officer shall deliver the Bonds in accordance with the delivery instructions of the MMBA.

The principal amount of the Bonds is expected to be drawn down by the City periodically, and interest on the principal amount shall accrue from the date such principal amount is drawn down by the City.

The Bonds shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Bonds shall be payable as provided in the Bond form in this Resolution as the same may be amended to conform to MMBA requirements.

The Authorized Officer shall record on the registration books payment by the City of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the Authorized Officer.

Upon payment by the City of all outstanding principal of and interest on the Bonds, the MMBA shall deliver the Bonds to the City for cancellation; be it further

RESOLVED: That 2. The Authorized Officer is authorized to open a separate depositary account with a bank or trust company designated by the Authorized Officer or create on the books of the City a fund designated as the 2009 GENERAL OBLIGATION SEWER BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. There shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken

against such annual levy for the Debt Retirement Fund; be it further

RESOLVED: That 3. The Bonds shall be in substantially the following form, subject to such modifications that may be required by the Michigan Attorney General and the MMBA and approved by bond counsel:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF WAYNE

CITY OF DEARBORN

GENERAL OBLIGATION SEWER BOND, SERIES 2009
(UNLIMITED TAX GENERAL OBLIGATION)

REGISTERED OWNER: Michigan Municipal Bond Authority

PRINCIPAL AMOUNT:

_____
Dollars ($___,000)

DATE OF ORIGINAL ISSUE: _____, 2009

The CITY OF DEARBORN, County of Wayne, State of Michigan (the "City"), for value received, hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority"), or registered assigns, the Principal Amount shown above, or such portion thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority [and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Environmental Quality], in lawful money of the United States of America, unless prepaid prior thereto as hereinafter provided.

During the time the Principal Amount is being drawn down by the City under this bond, the Authority will periodically provide to the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding Principal Amount actually advanced, all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth in Schedule A attached hereto and made a part hereof, as such Schedule may be adjusted if less than $___,000 is disbursed to the City or if a portion of the Principal Amount is prepaid as provided below, with interest on said principal installments from the date each said installment is delivered to the holder hereof until paid at the rate of _____ percent (_____%) per annum. Interest is first payable on _____ 1, 20__, and semiannually thereafter on the first day of _____ and _____ of each year, as set forth in the Purchase Contract.

Notwithstanding any other provision of this bond, as long as the Authority is the owner of this bond, (a) this bond is payable as to principal, premium, if any, and interest at the corporate trust office of _____ or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest that is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds that may be made available for such purpose) to pay the

interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

This bond is a single, fully-registered, non-convertible bond in the principal sum of $___,000, issued for the purpose of paying a portion of the cost of acquiring, constructing and installing improvements to the City's sewer system necessary for complying with federal and state water pollution control regulations, and reducing untreated sewage overflows in the Rouge River in the City and paying costs incidental to the issuance of the bonds in pursuance of a vote of the qualified electors of the City voting thereon at the primary election duly held on August 3, 2004.

Bonds may be subject to redemption prior to maturity by the City only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This bond, including the interest hereon, is payable out of the City's Debt Retirement Fund for this issue, and the City is obligated to levy annually sufficient taxes to provide for the payment of the principal of and interest on the series of bonds of which this is one as they mature, without limitation as to rate or amount.

This bond is transferable only upon the registration books of the City by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the City duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the City, by its City Council, has caused this bond to be signed in the name of the City by the manual or facsimile signatures of its Mayor and Clerk and its corporate seal or a facsimile thereof to be printed or impressed hereon, all as of the Date of Original Issue.

CITY OF DEARBORN
County of Wayne
State of Michigan

By_____
_____

Its Mayor

(SEAL)

By_____
Its Clerk

DEQ Project No.
DEQ Approved Amt: $

SCHEDULE A

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the City is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the City and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order or (2) that less than the principal amount of assistance approved by the Order is disbursed to the City by the Authority, the Authority shall prepare a new payment schedule that shall be effective upon receipt by the City.

Principal Installment Due on 1	Amount of Principal Installment

Interest on the Bond shall accrue on principal disbursed by the Authority to the City from the date principal is disbursed, until paid, at the rate of _____ percent (_____%), payable _____ 1, 20___ , and semi-annually thereafter; be it further

RESOLVED: That 4. The estimated period of usefulness of the proposed sewer infrastructure improvements of which the portion of the Project financed with the Bonds is a part is hereby declared to be not less than thirty (30) years and the total cost of said sewer infrastructure improvements is estimated to be Three Hundred Fourteen Million One Hundred Twenty Thousand Dollars ($314,120,000); be it further

RESOLVED: That 5. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes (as opposed to any alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds; be it further

RESOLVED: That 6. The Mayor, Treasurer and City Clerk are each hereby authorized to make application to the Authority and to the MDEQ for placement of the Bonds with the Authority. Any of the Mayor, Treasurer and City Clerk is further authorized to execute and deliver such contracts, documents and certificates as may be required by the Authority or MDEQ or as may be otherwise necessary to effect the approval, sale and delivery of the Bonds, including a Purchase Contract, a Supplemental Agreement, an Issuer's Certificate and a Revenue Sharing Pledge Agreement, if required by the Authority; be it further

RESOLVED: That 7. The Authorized Officer is authorized to take all other actions necessary or advisable, and to make such other filings or certifications as may be necessary to enable the sale and delivery of the Bonds as contemplated herein; be it further

RESOLVED: That 8. The Authorized Officer is hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance,

interest payment dates, redemption rights, the place of delivery and payment, designation of the Bonds, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this Resolution, the interest rate per annum on the Bonds shall not exceed three percent (3.00%), and the Bonds shall mature in not to exceed thirty (30) years from the date of issue; be it further

RESOLVED: That 9. The City determines to the sell the Bonds to the Authority pursuant to a negotiated sale in order to obtain terms not generally available from conventional municipal bond market sources and for the opportunities provided by a negotiated sale to the Authority to select and adjust the terms of the Bonds; be it further

RESOLVED: That 10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded; be it further

RESOLVED: That this resolution be given immediate effect.

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

Councilmember Hubbard introduced Ordinance No. 09-1240, entitled, "An Ordinance to Provide for the Construction, Installation, Furnishing and Equipping of Improvements to the Existing Water Supply System of the City of Dearborn; to Reconfirm Establishment of the System Pursuant to Act 94, Public Acts of Michigan, 1933, as Amended; to Provide for the Issuance and Sale of Revenue Bonds to Pay the Cost thereof; to Prescribe the Form of the Bonds; to Provide for the Collection of Revenues from the System Sufficient for the Purpose of Paying the Costs of Operation and Maintenance of the System and to Pay the Principal of and Interest on the Bonds; to Provide for Security for the Bonds; to Provide for the Segregation and Distribution of the Revenues; to Provide for the Rights of the Holders of the Bonds in Enforcement thereof; and to Provide for Other Matters Relating to the Bonds and the System."

The Clerk read the Ordinance by title.

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

By Thomas supported by Shooshanian.

8-585-09. RESOLVED: That proposed Ordinance No. 09-1240 be laid on the table.

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

By Darany supported by Abraham.

8-586-09. WHEREAS: The City has been advised by the Michigan Department of Environmental Quality ("MDEQ") that financial assistance for the purpose of acquiring, constructing and installing improvements to the City's water supply system (the "Project") is available through the Drinking Water Revolving Fund ("DWRF") Loan Program administered by the Michigan Municipal Bond Authority (the "MMBA" or the "Authority"), and

WHEREAS: Act 99, Public Acts of Michigan, 1933, as amended ("Act 99"), authorizes the City to enter into any contract or agreement for the purchase of real or personal property for public purposes over a period of not to exceed 15 years and not to exceed the useful life of the property acquired, and

WHEREAS: It is necessary to authorize the Treasurer of the City (the "Authorized Officer" or the "Treasurer") to approve the form of and execute a contract or agreement pursuant to Act 99 and to authorize City officers to execute certain other documentation relative thereto; now, therefore, be it

RESOLVED: That 1. In order to fund the first phase of the Project through the DWRF Loan Program, the City shall borrow the principal sum of not to exceed Two Million Five Hundred Thousand Dollars ($2,500,000) as finally determined by an order of the MDEQ, for the purpose of paying part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of an installment purchase contract or agreement for the acquisition and/or construction of the Project (the "Agreement"). The Authorized Officer is hereby authorized to negotiate, approve the form of, execute and deliver the Agreement on behalf of the City within the parameters set forth in this Resolution; be it further

RESOLVED: That 2. The Agreement shall be sold to the Authority as a single fully-registered, instrument, dated as of the date of delivery of the Agreement, payable in principal installments serially as finally determined by order of the MDEQ at the time of that the final terms of the Agreement are approved by the Authorized Officer and the MMBA. Final determination of the principal amount of the Agreement and the payment dates and amounts of principal installments of the Agreement shall be evidenced by execution of a Purchase Contract (the "Purchase Contract") between the City and the MMBA providing for the financing described herein, and the Authorized Officer is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above, *provided*, however, that the

Agreement shall be payable over a period not to exceed 15 years.

The Authorized Officer is authorized and directed to prescribe the form of and make appropriate changes to the Agreement hereinbefore set forth.

The principal installments thereof will be subject to prepayment in the manner and at the times as provided in the Purchase Contract and/or the Agreement or as may be approved by the Authorized Officer prior to the execution of the Agreement.

The interest rate on principal of the Agreement shall be two and one half percent (2.50%) per annum or such other rate as evidenced by execution of the Purchase Contract, but in any event not to exceed three percent (3.00%) per annum, and the Authorized Officer shall deliver the Agreement in accordance with the delivery instructions of the MMBA.

The principal amount of the Agreement is expected to be drawn down by the City periodically, and interest on the principal amount shall accrue from the date such principal amount is drawn down by the City.

The Agreement shall not be convertible or exchangeable into more than one fully-registered instrument. Principal of and interest on the Agreement shall be payable in the manner necessary to conform to MMBA requirements.

The Authorized Officer shall record on the registration books payment by the City of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the Authorized Officer; be it further

RESOLVED: That 3. The City hereby agrees to include in its budget for each year a sum that will be sufficient to pay the principal of and interest on the Agreement coming due before the next fiscal year and irrevocably agrees to treat the obligations under the Agreement as a first budget obligation each year of the City. In addition, the City hereby pledges to levy ad valorem taxes on all taxable property in the City each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional, statutory and charter tax rate limitations; be it further

RESOLVED: That 4. Notwithstanding the foregoing, the City intends to substitute its revenue bond for the Agreement with the approval and consent of the MMBA, and the Authorized Officer is authorized and directed to take such steps and deliver such documents to the MMBA as may be required to give effect to such substitution. In the

event that there is no substitution for the Agreement, the City may use any lawfully available funds to reimburse the general fund for any principal and interest payments made on the Agreement; be it further

RESOLVED: That 5. The Mayor and City Clerk of the City shall execute the Agreement on behalf of the City and the executed Agreement shall be delivered to MMBA in accordance with the Purchase Contract; be it further

RESOLVED: That 6. The City hereby covenants that, to the extent permitted by law, the City shall take all actions within its control necessary to maintain the exclusion of the interest on the Agreement from gross income for federal income tax purposes (as opposed to any alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended, including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Agreement proceeds and moneys deemed to be Agreement proceeds; be it further

RESOLVED: That 7. The Mayor, Treasurer and City Clerk are each hereby authorized to make application to the Authority and to the MDEQ for placement of the Agreement with the Authority. Any of the Mayor, Treasurer and City Clerk is further authorized to execute and deliver such contracts, documents and certificates as may be required by the Authority or MDEQ or as may be otherwise necessary to effect the approval, execution and delivery of the Agreement, including a Purchase Contract, a Supplemental Agreement, an Issuer's Certificate and a Revenue Sharing Pledge Agreement, if required by the Authority; be it further

RESOLVED: That 8. The Authorized Officer is hereby authorized to adjust the final Agreement details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, *provided* that the principal amount of Agreement shall not exceed the principal amount authorized in this Resolution, the interest rate per annum on the Agreement shall not exceed three percent (3.00%), and the Agreement shall be finally due and payable in not to exceed 15 years; be it further

RESOLVED: That 9. The City determines to the sell the Agreement to the MMBA pursuant to a negotiated sale in order to obtain terms not generally available from conventional municipal bond market sources and for the opportunities provided by a negotiated sale to the MMBA to select and adjust the terms of the Agreement; be it further

RESOLVED: That 10. The useful life of the Project is hereby determined to be no less than 15 years; be it further

RESOLVED: That 11. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded; be it further

RESOLVED: That this resolution be given immediate effect.

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

There being no further business, upon a motion duly made, seconded, and adopted, the Council then adjourned at 8:50 P.M.

APPROVED:

THOMAS P. TAFELSKI
President of the Council

ATTESTED:

KATHLEEN BUDA
City Clerk