

MINUTES AUGUST 10, 2021 REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

21-400 The meeting was called to order at 7:22 p.m. by Council Chairwoman Malinowski Maxwell.

Roll Call showed the following:

Present: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Dave Wassim Abdallah, Councilman Zouher Abdel-Hak, Councilman Mo Baydoun, Councilman Robert Constan, Councilman Ray Muscat, Councilman Tom Wencel.

Absent: None.

Also Present: City Clerk Senia, Mayor Bazzi, Treasurer Hicks-Clayton, Chief of Staff Hernandez, City Engineer Dib, Community and Economic Development Director Hachem, Comptroller Jawad, Corporation Counsel Miotke, DPW Director Conrad, Emergency Management Coordinator Gavin, Fire Chief Brogan, Grants and Budget Compliance Director Jamal, Human Resource Director Sobota-Perry, Library Director McCaffery, Ordinance Enforcement and Animal Control Director Dishroon, Parks and Recreation Director Laurencelle, Police Chief Meyers.

The Pledge of Allegiance was led by Mrs. Nadia Berry.

21-401 Motion by Councilman Muscat, seconded by Councilman Baydoun to approve the Agenda for the Regular Meeting of August 10, 2021 with the addition of Item 8-E, First Addendum to Demolition Agreement.

Motion unanimously adopted

21-402 Motion by Councilman Abdel-Hak, seconded by Councilman Baydoun to approve the Agenda for the Regular Meeting of August 10, 2021 with the addition of Item 9-M, Extend Local State of Emergency which authorizes the ability to have Zoom meetings until December 31, 2021.

Motion unanimously adopted

21-403 Motion by Councilman Abdallah, seconded by Councilman Baydoun to approve the Minutes for the Regular Meeting of July 27, 2021, as outlined in 4-A.

Motion unanimously adopted

21-404 Motion by Councilman Baydoun, seconded by Councilman Constan to approve Current Claims 6-1 through 6-27 as submitted.

1	All Court Floor Finishing, Inc.	Capital Outlay	\$9,600.00	Parks & Recreation
	All Court Floor Finishing, Inc.	Cap Outlay under \$5,000	\$7,750.00	Parks & Recreation
2	Artistic Landscaping & Lawn Service	Sidewalk/Weed	\$7,960.00	Ordinance
3	Artistic Landscaping & Lawn Service	City Grass Cuts	\$8,000.00	Highway
	Artistic Landscaping & Lawn Service	City Grass Cuts	\$4,000.00	Highway
4	Broadspire Services, Inc.	Workers Comp	\$11,750.00	General Govt
5	BS&A Software	Cont. Serv	\$2,289.00	General Govt
6	Carrico Maldegen Insurance	Workers Comp	\$10,000.00	General Govt
7	Central Wayne County Sanitation Authority	Sanitation	\$67,876.61	General Govt
	Central Wayne County Sanitation Authority	Sanitation	\$5,784.00	General Govt
8	Dearborn Tree Service	Tree Removal	\$5,500.00	Highway
9	Equature/DSS Corporation	Cont. Serv	\$5,649.28	Police
10	Great Lakes Water Authority	Water Purchase	\$667,769.77	Water
11	K9 Academy Training Facility	Cont. Serv	\$1,700.00	Police
12	Library Network, The	Capital Outlay	\$12,957.74	Library

13	Michigan Humane Society	Animal Pro	\$3,486.00	Ordinance
14	Oakland County	Cont. Serv	\$1,704.25	Fire
15	Pipetek Infrastructure Services, LLC	Cont. Cleaning	\$30,071.46	Water
16	Priority Waste	Prof/Con	\$26,775.00	Water
17	Redford Safe & Lock, Inc.	Misc. Exp. Drug	\$2,300.00	Police
18	RKA Petroleum	Motor Fuel	\$2,675.32	Fire
19	SYNCB/Amazon	Capital Outlay	\$3,905.12	Library
20	SysTemp Corporation	Cont. Serv	\$5,008.00	Police
21	Vance Outdoors, Inc.	Ammun. Targ	\$5,881.43	Police
22	Wayne County	Traf Light Maint	\$2,828.02	Highway
23	Wayne County	Sewage Disp. Charges	\$4,300.00	Water
24	Wayne County	Contingency	\$8,840.06	Water
25	Wayne County	Ecorse Creek O&M	\$35,236.34	Water
26	Wayne County	CSO Ret. Basin	\$104,363.75	Water
27	XS-Trash (XST LLC)/Motor City Dumpster	Prof/Con	\$140,000.00	Water

Motion unanimously adopted

Councilman Tom Wencel left the meeting at 8:26 p.m.

21-405 Motion by Councilman Muscat, seconded by Councilman Abdel-Hak to receive, note, and file the Opinion Letter written by Corporation Counsel Gary Miotke, as outlined in 8-A. Per Mayor Bazzi communication dated August 3, 2021.

Ayes: Council Chair Pro Tem Abdallah, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: Council Chairwoman Malinowski Maxwell, Councilman Abdel-Hak.

Absent: Councilman Wencel.

Motion adopted

21-406 Motion by Councilman Baydoun, seconded by Councilman Constan to award the bid for the 2020-2021 CDBG Water Main Improvements on Joy Road and Virgil Avenue to Lawrence M. Clarke, Inc. and authorize the Comptroller's Office to return all bid bonds to the unsuccessful bidders. In addition, approve the proposed Agreement for 2020-2021 CDBG Water Main Project for Joy Road and Virgil Street and the proposed Addendum to Agreement for 2020-2021 CDBG Water Main Project for Joy Road and Virgil Street. Furthermore, authorize the Mayor and City Clerk to sign the proposed Agreement and proposed Addendum to Agreement on behalf of the City, as outlined in 8-B. Per Mayor Bazzi communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-407 Motion by Councilman Baydoun, seconded by Councilman Abdallah to approve Comerica City issued credit cards for each City Department Head with a \$1,400.00 maximum limit to be used solely to pay for eligible City related expenditures, as outlined in 8-C. Per Mayor Bazzi and Treasurer Hicks-Clayton communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-408 Motion by Councilman Muscat, seconded by Councilman Baydoun to approve the termination of departmental petty cash and authorize the Treasurer to establish the only City petty cash at the Treasurer's Office in a revolving/cash amount of \$500.00 for employee's cash reimbursement for eligible City business expenditures up to a maximum \$100.00 per invoice, pending the employee submitting the invoice signed by their department head indicating the GL expenditure account, as outlined in 8-D. Per Mayor Bazzi and Treasurer communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-409 Motion by Councilman Muscat, seconded by Councilman Baydoun to approve the First Addendum to Demolition Agreement and authorize the Mayor and City Clerk to sign the Addendum on behalf of the City, as outlined in 8-E.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-410 Motion by Councilman Abdallah, seconded by Councilman Baydoun to approve the Administrative Order appointment of Lawrence Elassal to the position of part-time Magistrate for the 20th District Court effective August 2, 2021, as outlined in 9-A. Per Chief Judge Plawecki communication dated July 28, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-411 Motion by Councilman Muscat, seconded by Councilman Constan to approve the transfer of \$21,600.00 from Salaries Account (101-130-706.000), to Contractual Services Account (101-130-818.000) to allow for the salary of the position of part-time Magistrate for the 20th District Court, as outlined in 9-G. Per Court Administrator Adkins communication dated July 28, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-412 Motion by Councilman Muscat, seconded by Councilman Abdallah to approve a non-sufficient returned item fee of \$25.00 for all payments; check, e-check, debit or credit card, received by the City of Dearborn Heights Treasurer's Office effective December 1, 2021. In addition, receive, note, and file the Non-Sufficient Returned Items Policy, as outlined in 9-B. Per Treasurer Hicks-Clayton communication dated August 2, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-413 Motion by Councilman Muscat, seconded by Councilman Baydoun to receive, note, and file the Quarterly Investment of Funds Report for June 30, 2021, as outlined in 9-C. Per Treasurer Hicks-Clayton communication dated August 2, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-414 Motion by Councilman Abdallah, seconded by Councilman Muscat to approve and accept renewal Option 1, Proposal Q000012989 of the Michigan Municipal Risk Management Authority (MMRMA) Property and Liability Coverage E-Proposal for the period 7/1/2021 – 7/1/2022 and authorizes Chief of Staff Hernandez to physically sign or electronically sign, as may be appropriate, the proposal on behalf of the City. Additionally, the City approves the payment of \$1,465,334.00 to MMRMA for the City's Annual Contributions stemming from the City's approval and acceptance of this proposal. Moreover, provided the Mayor also authorizes any such payment as a necessary expense, the City Council authorizes warrants to be issued for the payment of amounts toward the City's Annual Contributions with the total amount of these payments not to exceed \$1,465,334.00. By doing so, the City Council is authorizing any such warrant and payment without prior authorization by the City Council of the specific warrant and payment as permitted by and consistent with City Charter Section 8.9.

Furthermore, with respect to the Net Asset Distribution Options, The City chooses to deposit in its bank account \$896,305.00 in the form of an electronic funds transfer, authorizes Chief of Staff Hernandez to complete the Net Asset Distribution Option form accordingly, and authorizes Chief of Staff Hernandez to sign this form electronically or otherwise on behalf of the City as the City's Member Representative, as outlined in 9-D. Per Chief of Staff Hernandez communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-415 Motion by Councilman Muscat, seconded by Councilman Constan to approve the Master Agreement for Municipal Street Lighting ("Master Agreement") between DTE Electric Company and the City of Dearborn Heights. In addition, authorize the Mayor and City Clerk to physically sign or electronically sign, as may be appropriate, the Master Agreement on behalf of the City. Further, the Mayor, the City Engineer, the Chief of Staff, and any other necessary City officers or employees are directed to negotiate the specific terms of the Purchase Agreement with DTE Electric Company that is Exhibit A of the Master Agreement. After negotiation of an appropriate Purchase Agreement, the proposed Purchase Agreement will be presented to the Council for its approval and for the authorization of appropriate signatures, as outlined in 9-E. Per Chief of Staff Hernandez communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-416 Motion by Councilman Abdallah, seconded by Councilman Baydoun to select the following firms as the Developers for the City Action Preservation Program ("CAPP") for 2021: Dynamic Full Consulting, LLC; Endlein Construction LLC; FPJ Investments LLC; and HP Tax Foreclosure LLC. Additionally, for each such Developer, the City Council approves and authorizes the Mayor and the City Clerk to execute on behalf of the City the respective Developer Agreement for 2021 Dearborn Heights City Action Preservation Program submitted by Corporation Counsel Miotke together with his letter dated July 19, 2021 related to the "Selection of CAPP Developers", as outlined in 9-F. Per Corporation Counsel Miotke communication dated July 19, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Constan, Councilman Muscat.
Nays: Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun.
Absent: Councilman Wencel.

Motion defeated

- 21-417** Motion by Councilman Muscat, seconded by Councilman Constan to approve the City of Dearborn Heights/FEMA/MSP Acquisition and Demolition 25% Program match from the water fund. The amount of the match not to exceed \$617,476.00 based on the proposed FEMA/MSP Grant application in the amount of \$2,569,904.00. The final amounts will be determined pending the final award of the grant by FEMA, as outlined in 9-H. Per Grants and Budget Compliance Director Jamal communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.
Nays: None.
Absent: Councilman Wencel.

Motion adopted

- 21-418** Motion by Councilman Muscat, seconded by Councilman Baydoun to authorize the City Clerk to publish the City of Dearborn Heights/FEMA/MSP Public Notice for the Acquisition and Demolition Program as attached, for 30 days according to the City publishing policy and authorize the Mayor and Comptroller to sign the payment of the publishing cost warrant and the Treasurer to pay the amount from the water fund, as outlined in 9-I. Per Grants and Budget Compliance Director Jamal communication dated August 3, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.
Nays: None.
Absent: Councilman Wencel.

Motion adopted

- 21-419** Motion by Councilman Abdallah, seconded by Councilman Abdel-Hak to approve the budget amendment to increase the JAG Grant Purchase Account (101-300-981.056) in the amount of \$21,535.34 and decrease the Police Contractual Service Account (101-300-818.000) in the amount of \$21,535.34, as outlined in 9-J. Per Police Chief Meyers communication dated August 2, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.
Nays: None.
Absent: Councilman Wencel.

Motion adopted

- 21-420** Motion by Councilman Constan, seconded by Councilman Abdel-Hak to approve the purchase of an Extended Maintenance Agreement (EMA) for the Mobile-Vision In-Care Cameras through Safe Fleet in the amount of \$5,250.00. In addition, authorize the Mayor and Comptroller to sign the payment warrant and the Treasurer to issue payment from the Contractual Service Account, as outlined in 9-K. Per Police Chief Meyers communication dated July 20, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.
Nays: None.
Absent: Council Chair Pro Tem Abdallah, Councilman Wencel.

Motion adopted

21-421 Motion by Councilman Constan, seconded by Councilman Abdel-Hak to approve the purchase of taser batteries and holsters from Axon Enterprises in the amount of \$2,103.62. In addition, authorize the Mayor and Comptroller to sign the payment warrant and the Treasurer to issue payment from the Police Department Ammunition Account, as outlined in 9-L. Per Police Chief Meyers communication dated July 27, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Council Chair Pro Tem Abdallah, Councilman Wencel.

Motion adopted

21-422 Motion by Councilman Abdel-Hak, seconded by Councilman Muscat to consent to the further extension until December 31, 2021 of the local state of emergency stemming from Mayor Bazzi's Declaration of Local State of Emergency regarding COVID-19 pandemic and the need to hinder it through the continued use of virtual meetings, as outlined in 9-M.

Ayes: Councilman Abdel-Hak, Councilman Muscat.

Nays: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Baydoun, Councilman Constan.

Absent: Councilman Wencel.

Motion defeated

21-423 Motion by Council Chairwoman Malinowski Maxwell, seconded by Councilman Muscat that the local boards and commissions have the option to hold meetings through ZOOM or in person until December 31, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-424 Motion by Councilman Muscat, seconded by Councilman Constan to authorize the Mayor and IT Department to look into setting up a way for hybrid meetings to be held.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-425 Motion by Councilman Baydoun, seconded by Councilman Muscat to approve the Permanent Traffic Control Device T-287 and install (one) 1 Stop Sign on the north side of Wilson going west bound at Dover. In addition, approve the Permanent Traffic Control Device T-286 and install two (2) Stop Signs on Amboy at Midway; one (1) on north west corner of Amboy/Midway and one (1) on south east corner of Amboy/Midway, as outlined in 13-A. Per Police Chief Meyers communication dated July 19, 2021.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

21-426 Motion by Councilman Muscat, seconded by Councilman Baydoun to adjourn the Dearborn Heights City Council Regular Meeting.

Ayes: Council Chairwoman Malinowski Maxwell, Council Chair Pro Tem Abdallah, Councilman Abdel-Hak, Councilman Baydoun, Councilman Constan, Councilman Muscat.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

The meeting adjourned at 11:10 p.m.

LYNNE M. SENIA
CITY CLERK

DENISE MALINOWSKI MAXWELL
COUNCIL CHAIRWOMAN

DANA FLAMONT
COUNCIL SECRETARY