

Approved for the Agenda of:	APPROVED
04-11-23	Motion No. 23 - 173

4-A

MINUTES MARCH 28, 2023 REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

23-134 The meeting was called to order at 6:01 p.m. by Council Chairman Dave Wassim Abdallah.

Roll Call showed the following:

Present: Council Chairman Dave Wassim Abdallah, Council Chair Pro Tem Ray Muscat, Councilman Hassan M. Ahmad, Councilman Mo Baydoun, Councilwoman Nancy Bryer, Councilman Robert Constan.

Absent: Councilman Tom Wencel.

Also Present: City Clerk Senia, Mayor Bazzi, Treasurer Hicks-Clayton, Building & Engineering Director Watland, Chief of Staff Hernandez, City Engineer Dib, CEDD Director Jamal, Comptroller King, Corporation Counsel Farinha, DPW Director Conrad, Emergency Management Director Ankrapp, Fire Chief Brogan, Human Resource Director Hazlett, Library Director McCaffery, Ordinance Enforcement & Animal Control Director Dishroon, Parks and Recreation Director Laurencelle, Police Chief Hart.

The Pledge of Allegiance was led by Police Officer Brock Bacher.

23-135 Motion by Councilman Baydoun, seconded by Councilman Ahmad to approve the Agenda for the Regular Meeting of March 28, 2023 with the following changes:

- Removal of Item 11-D Comptroller King - Resolution Approving Policy for Automated Clearing House (ACH) Arrangements and Electronic Transactions of Funds
- Addition of Item 13-B Temporary Food Truck/Tent/Cart License Applications
- Acceptance of the revised backup for Item 9-E Comptroller King - Budget Amendments.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-136 Motion by Councilman Ahmad, seconded by Councilman Baydoun to approve the Minutes for the Regular Meeting of March 14, 2023, as outlined in 4-A.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-137 Motion by Councilman Baydoun, seconded by Councilwoman Bryer to approve the Minutes for the Special Meeting of March 21, 2023, as outlined in 4-B.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-138 Motion by Councilman Baydoun, seconded by Councilman Constan to approve Current Claims 6-1 through 6-30 as submitted.

1	AJAX MATERIALS CORPORATION	\$ 6,233.60
2	ALL SEASONS UNDERGROUND	\$ 8,000.00
3	ANTHONY FUOCO ASSESSING CNSLT, INC.	\$ 27,549.66
4	BOUND TREE MEDICAL, LLC	\$ 5,807.53
5	CONTRACTORS CONNECTION	\$ 1,717.21
6	D & D WATER & SEWER, INC.	\$ 5,710.00
7	DOWNRIVER UTILITY WASTEWATER AUTH	\$ 139,024.68
8	ETNA SUPPLY	\$ 3,515.00
9	GREAT LAKES WATER AUTHORITY	\$ 331,331.19
10	J & B MEDICAL SUPPLY	\$ 1,938.81
11	NEW IMAGE BUILDING SERVICES, LLC	\$ 2,716.20
12	NONA AGENCY / NABIL NONA	\$ 1,639.38
13	OGLETREE, DEAKINS, NASH, SMOAK	\$ 17,340.36
14	O'REILLY, RANCILIO, NITZ, ANDREWS &	\$ 19,269.37
15	PIPE TEK INFRASTRUCTURE SERVICES LLC	\$ 82,100.71
16	PLANTE & MORAN PLLC	\$ 40,035.25
17	PLANTE MORAN	\$ 34,700.00
18	PRIORITY WASTE LLC	\$ 213,465.28
19	QUAD-TRAN OF MICHIGAN, INC.	\$ 10,756.00
20	SHI INTERNATIONAL CORP	\$ 6,474.04
21	SHULTS EQUIPMENT, LLC	\$ 6,046.50
22	SITEONE LANDSCAPE SUPPLY, LLC	\$ 21,408.86
23	SOUTHEAST MICHIGAN COUNCIL	\$ 8,968.00
24	STATE OF MICHIGAN	\$ 3,752.37
25	SYNCB/AMAZON	\$ 1,821.81
26	TIRE DISCOUNT HOUSE, INC.	\$ 7,051.94
27	TRANSPORTATION IMPROVEMENT ASSOC	\$ 29,800.00
28	WADE TRIM	\$ 78,223.11
29	WINDER POLICE EQUIPMENT INC.	\$ 16,936.20
30	ZUNIGA CEMENT CONSTRUCTION, INC	\$ 159,338.10
TOTAL		\$ 1,292,671.16

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-139 Motion by Councilman Muscat, seconded by Councilwoman Bryer to award the bid for the Berwyn Senior Center Carpet Replacement Project to New Carpet & Flooring Inc. as the lowest qualified bidder, in the amount of \$32,804.00, plus up to 20% in change orders as needed, according to the bid responses package, and authorize the Comptroller's Office to return all bid bonds to the unsuccessful bidders. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants, and the Treasurer to issue payment as follows: \$18,452.27 from the CEDD/CDBG restricted fund 103-960-963.018 and the remaining balance as calculated at the time of completion from the CEDD/CDBG restricted fund 103-960-963.022. Furthermore, authorize Mayor and Clerk to sign the contract on behalf of the City pending any necessary legal adjustments by Corporation Counsel that may be required according to related laws and regulations, as outlined in 7-A. Per Hassane Jamal communication dated March 15, 2023.

Ayes: Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Abstain: Council Chairman Abdallah

Absent: Councilman Wencel.

Motion adopted

23-140 Motion by Councilman Ahmad, seconded by Councilman Muscat to award the bid for the replacement of the outdoor electric panel serving the irrigation system at Warren Valley Golf Course to IB Electric Inc. as the lowest bidder, in the amount of \$5,632.00, and authorize the Comptroller's Office to return all bid bonds to the unsuccessful bidders. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants on behalf of the City, and the Treasurer to issue payment from GL Account #101-753-932.000, as outlined in 7-B. Per City Engineer Dib communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-141 Motion by Councilman Muscat, seconded by Councilman Baydoun to award the bid for two (2) outdoor restroom repairs at Warren Valley Golf Course to Allied Building Services of Detroit as the lowest bidder, in the amount of \$19,955.76, and authorize the Comptroller's Office to return all bid bonds to the unsuccessful bidders. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants on behalf of the City, and the Treasurer to issue payment from GL Account #101-753-932.000, as outlined in 7-C. Per City Engineer Dib communication dated March 18, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-142 Motion by Councilwoman Bryer, seconded by Councilman Muscat to award the bid for the construction of a pre-fabricated equipment storage building at the Warren Valley Golf Course to Dave's Contracting Inc. as the lowest bidder, in the amount of \$154,211.00, and authorize the Comptroller's Office to return all bid bonds to the unsuccessful bidders. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants, and the Treasurer to issue payment from GL Account #101-753-932.000, as outlined in 7-D. Per City Engineer Dib communication dated March 21, 2023.

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

Nays: Councilwoman Bryer.

Absent: Councilman Wencel.

Motion adopted

23-143 Motion by Councilman Muscat, seconded by Councilman Baydoun to award the bid for the repair and extension of the cart paths at the Warren Valley Golf Course to Bowen Paving as the lowest bidder, in the amount of \$814,866.00, and authorize the Comptroller's Office to return all bid bonds to the unsuccessful bidders. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants, and the Treasurer to issue payment from GL Account #101-753-932.000, as outlined in 7-E. Per City Engineer Dib communication dated March 21, 2023.

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

Nays: Councilwoman Bryer.

Absent: Councilman Wencel.

Motion adopted

23-144 Motion by Councilman Ahmad, seconded by Councilman Baydoun to concur with the Mayoral appointment of Mr. Ali Turfe to the Planning Commission, term to expire January 2025. This is to fill a vacancy left by Ms. Andrea Zammitt, as outlined in 8-A. Per Mayor Bazzi communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-145 Motion by Councilman Constan, seconded by Councilwoman Bryer to concur with the Mayoral appointment of Ms. Andeina Mendoza to the Community & Cultural Relations Commission, term to expire August 2023. This is to fill a vacancy left by Ms. Lora Cernuto, as outlined in 8-B. Per Mayor Bazzi communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-146 Motion by Councilman Muscat, seconded by Councilman Ahmad to grant permission to Highview Elementary School to hold their Color Run on Friday, May 26, 2023 at 2:00 p.m., as outlined in 8-C. Per Mayor Bazzi communication dated March 16, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-147 Motion by Councilman Muscat, seconded by Councilman Constan to approve the Animal Sheltering agreement between the City and the Michigan Humane Society for the housing and care of Dearborn Heights domestic animals. In addition, authorize the Mayor and Clerk to sign the agreement on behalf of the City, as outlined in 8-D. Per Mayor Bazzi communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-148 Motion by Councilman Ahmad, seconded by Councilwoman Bryer to rescind City Council Motion #22-384, and approve the revised Third Amendment Sublease Agreement between the City and Wayne County. In addition, authorize the Mayor and Clerk to sign the agreement on behalf of the City, as outlined in 8-E. Per Mayor Bazzi communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-149 Motion by Councilman Constan, seconded by Councilman Muscat to receive, note, and file the 2023 Liquor License Review, and direct Corporation Counsel to contact and/or draft a letter to businesses with a deficiency, if the department that sited the deficiency has not already done so, requesting the deficiencies be addressed within 30 days of said letter, as outlined in 9-A. Per City Clerk Senia communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-150 Motion by Councilman Muscat, seconded by Councilman Constan to approve the re-zoning of the following four (4) parcels referred to as 6428 North Inkster from Office (O) to Commercial Mixed Use (CX): 33-012-01-0021-306, 33-012-01-0021-307, 33-012-01-0021-308, 33-012-01-0021-309, as outlined in 9-B. Per Building & Engineering Director Watland communication dated March 22, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-151 Motion by Councilman Constan, seconded by Councilman Baydoun to approve the Lower Rouge CSO L-42 Sewer Separation Project Scope Modification Contract Change Order #2 for \$1,528,173.60. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants and the Treasurer to issue payments from Account #592-537-981.005 and P.O. #22-535, as outlined in 9-C. Per City Engineer Dib communication dated March 18, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-152 Motion by Councilman Constan, seconded by Councilwoman Bryer to authorize the transfer of American Rescue Plan Act (ARPA) recovery funds in the amount of \$7,842,769.00 from the ARPA Fund to the General Fund, as outlined in 9-D. Per Comptroller King communication dated March 20, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-153 Motion by Councilman Baydoun, seconded by Councilman Constan to approve the budget amendments for the 2022-2023 Fiscal Year General Fund, as outlined in the revised backup provided for Item 9-E. Per Comptroller King communication dated March 20, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-154 Motion by Councilman Muscat, seconded by Councilwoman Bryer to approve the purchase and payment of (35) red maple trees and (5) oak trees from Troy Clogg Landscape Associates LLC for a total of \$17,800.00. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants, and the Treasurer to issue payment. Funds for this purchase will be transferred from Highway Contractual Services Account #101-000-283-440 to the tree removal permit fund to the Tree Planting Account #101-000-283-440, as outlined in 9-F. Per DPW Director Conrad communication.

After further discussion, the motion was amended to reflect the following:

Motion by Councilman Muscat, seconded by Councilman Baydoun to refer the Purchase and Payment of Replacement Trees back to administration. Per DPW Director Conrad communication.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-155 Motion by Councilman Muscat, seconded by Councilman Constan to approve the increase of the Police Department's petty cash credit card credit line to \$30,000.00 as outlined in 9-G. Per Police Chief Hart communication dated March 16, 2023.

Ayes: Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Constan.

Nays: Council Chairman Abdallah, Councilman Baydoun, Councilwoman Bryer.

Absent: Councilman Wencel.

Motion defeated

23-156 Motion by Councilman Constan, seconded by Councilman Ahmad to rescind City Council Motion #22-422 and accept the U.S. Department of Justice Grant, 2022 Justice Assistance Grant (JAG) in the amount of \$17,609.50. In addition, authorize the Mayor to sign the required documentation on behalf of the City, as outlined in 9-H. Per Police Chief Hart communication dated March 16, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-157 Motion by Councilman Muscat, seconded by Councilman Constan to suspend the rules so that the City Council may reconsider Item 9-G Police Chief Hart - Permission to Increase Credit Limit.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-158 Motion by Councilman Muscat, seconded by Councilman Constan to approve the increase of the Police Department's petty cash credit card credit line to \$30,000.00 as outlined in 9-G. Per Police Chief Hart communication dated March 16, 2023.

Ayes: Council Chair Pro Tem Muscat, Councilman Ahmad, Councilwoman Bryer, Councilman Constan.
Nays: Council Chairman Abdallah, Councilman Baydoun.
Absent: Councilman Wencel.

Motion adopted

23-159 Motion by Councilman Constan, seconded by Councilman Muscat move that Proposed Ordinance No. H-23-01, AN ORDINANCE OF THE CITY OF DEARBORN HEIGHTS, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF DEARBORN HEIGHTS, BE AMENDED BY AMENDING SECTION 6-97 CONCERNING THE UNLAWFUL FEEDING OF PIGEONS, GULLS AND DOVES TO INCLUDE AN ADDENDUM TO ADDRESS UNLAWFUL GROUND FEEDING; UNLAWFUL FEEDING OF FERAL CATS OR DOGS; AND UNLAWFUL FEEDING OF PIGEONS, GULLS AND DOVES, be considered read for the first time, as outlined in 11-A. Per Mayor Bazzi communication dated March 21, 2023.

Ayes: Council Chair Pro Tem Muscat, Councilman Constan.
Nays: Council Chairman Abdallah, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer.
Absent: Councilman Wencel.

Motion defeated

23-160 Motion by Councilman Muscat, seconded by Councilman Ahmad to refer back to Administration the first reading of Proposed Ordinance No. H-23-01, Amendment to Section 6, Article 97 - Unlawful Ground Feeding. Per Mayor Bazzi communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.
Nays: None.
Absent: Councilman Wencel.

Motion adopted

A recess was taken at 8:21 p.m. and the meeting was resumed at 8:26 p.m.

23-161 Motion by Councilman Muscat, seconded by Councilman Baydoun to refer to a Study Session the first reading of Proposed Ordinance No. H-23-02 - Sections 36-64 - Taylor Dearborn Heights Gateway Overlay District. Per Building & Engineering Director Watland communication dated March 22, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.
Nays: None.
Absent: Councilman Wencel.

Motion adopted

23-162 Motion by Councilman Ahmad, seconded by Councilman Constan to further extend the amended Resolution regarding City Council Approval Process for Temporary Food Uses and Licenses at Specific Locations, for an additional one-hundred and eight (180) days, as outlined in 11-C. Per Council Chairman Abdallah communication dated March 21, 2023.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.
Nays: None.
Absent: Councilman Wencel.

Motion adopted

23-163 Motion by Councilwoman Bryer, seconded by Councilman Muscat to renew the Business Licenses for Polish Legion of American Veterans #16 at 25222 Warren and Denny's Gin Mill at 4901 South Telegraph, as outlined in 13-A.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

23-164 Motion by Councilman Ahmad, seconded by Councilman Baydoun to approve the Temporary Food Truck/Tent/Cart Business License Applications for Shawarmaje, La Fork, and Heights Hotdogs, as outlined in 13-B.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilman Baydoun, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Wencel.

Motion adopted

Councilman Mo Baydoun asked to be excused at 8:36 p.m.

23-165 Motion by Councilman Muscat, seconded by Councilman Constan to adjourn the Dearborn Heights City Council Regular Meeting.

Ayes: Council Chairman Abdallah, Council Chair Pro Tem Muscat, Councilman Ahmad, Councilwoman Bryer, Councilman Constan.

Nays: None.

Absent: Councilman Baydoun, Councilman Wencel.

Motion adopted

The meeting adjourned at 9:31 p.m.

LYNNE M. SENIA
CITY CLERK

DAVE WASSIM ABDALLAH
COUNCIL CHAIRMAN

GEORGANNE SEMENIUK
COUNCIL SECRETARY