

MINUTES JANUARY 23, 2024
REGULAR MEETING OF THE DEARBORN HEIGHTS CITY COUNCIL

Approved for
the Agenda of:

02-13-24

APPROVED

Motion No.
24 - 057

24-027 The meeting was called to order at 6:05 p.m. by Council Chairman Mo Baydoun.

Roll Call showed the following:

Present: Council Chairman Mo Baydoun, Council Chair Pro Tem Hassan Ahmad, Councilwoman Nancy Bryer, Councilman Robert Constan, Councilwoman Denise Malinowski Maxwell, Councilman Hassan Saab, Councilman Tom Wencel.

Absent: None.

Also Present: City Clerk Senia, Mayor Bazzi, Building & Engineering Director Watland, City Engineer Dib, CEDD Director Jamal, Comptroller King, Corporation Counsel Farinha, DPW Director Conrad, Emergency Management Coordinator Ankrapp, IT Director Cooper, Ordinance Enforcement & Animal Control Director Dishroon, Parks & Recreation Director Laurencelle.

The Pledge of Allegiance was led by Police Officer Eddie Zahr.

Councilman Hassan Ahmad presented a City Council Tribute in memory of Faye Awada.

State Representative Erin Byrnes presented an update of State funding being allocated for a new Fire Station.

24-028 Motion by Councilman Ahmad, seconded by Councilman Saab to approve the Amended Agenda for the Regular Meeting of January 23, 2024 as submitted with the following adjustments:

- To take **Item 9-A** out of order to be considered after Section 5 – Public Comments on Agenda Items and before Section 6 – Fund Transfers and Current Claims, and
- To take **Items 9-J and 9-K** out of order to be considered at the beginning of Section 9 – Reports from City Officials.

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

- With the addition of the following new items to the Agenda:
 - **Item 9-L** – Motion of No Confidence: Corporation Counsel Farinha
 - **Item 9-M** – Motion of No Confidence: Police Chief Hart
 - **Item 9-N** – Motion of No Confidence: Mayor Bazzi

Motion unanimously adopted

24-029 Motion by Councilman Ahmad, seconded by Councilwoman Bryer to approve the Minutes for the Regular Meeting of January 9, 2024, with the correction that Clerk Senia called the meeting to order, as outlined in 4-A.

Motion unanimously adopted

24-030 Motion by Councilman Ahmad, seconded by Councilman Saab to approve the Minutes for the Special Meeting of January 16, 2024, as outlined in 4-B.

Motion unanimously adopted

24-031 Motion by Councilman Ahmad, seconded by Councilman Saab to approve the Attorney Fee Agreement with Gary T. Miotke and the Retainer Agreement with Hammoud, Dakhallah & Associates PLLC retaining them as special legal counsel pursuant to Section 5.13(j) of the City Charter. In addition, the Council Chair is authorized to execute these agreements on behalf of the City. If the Mayor fails or refuses to execute either or both of these agreements, these agreements shall be effective without his signature, as outlined in 9-A. Per Council Chairman Baydoun communication dated January 17, 2024.

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

Motion by Councilman Ahmad, seconded by Councilman Saab to approve the Attorney Fee Agreement with Gary T. Miotke and the Retainer Agreement with Hammoud, Dakhlallah & Associates PLLC retaining them as special legal counsel pursuant to Section 5.13(j) of the City Charter. In addition, the Council Chair, Mayor, and City Clerk are authorized to execute these agreements on behalf of the City. If the Mayor fails or refuses to execute either or both of these agreements, these agreements shall be effective without his signature, as outlined in 9-A. Per Council Chairman Baydoun communication dated January 17, 2024.

Ayes: Council Chairman Baydoun, Council Chair Pro Tem Ahmad, Councilman Constan, Councilwoman Malinowski Maxwell, Councilman Saab.

Nayes: Councilwoman Bryer, Councilman Wencel.

Absent: None.

Motion adopted

24-032 Motion by Councilman Ahmad, seconded by Councilman Saab to approve Current Claims and ACH/Wire Transfers 6-1 through 6-56 as submitted.

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

Motion by Councilman Ahmad, seconded by Councilman Saab to approve Current Claims and ACH/Wire Transfers 6-1 through 6-56 as submitted, with the removal of Claims 6-3, 6-6, and 6-34.

1	ALLIED BUILDING SERVICES OF	\$2,181.00	DPW
2	ALLIED BUILDING SERVICES OF	\$3,129.71	DPW
3	ALLIED BUILDING SERVICES OF	\$15,431.00	Golf Course
4	AMAZON	\$11,036.05	All Dept
5	AMD ENGINEERING GROUP	\$12,562.50	Engineering
6	ARTISTIC LANDSCAPING & LAWN	\$13,367.42	General
7	ATG DETROIT	\$1,960.00	Parks and Rec
8	BILL'S GARAGE	\$1,851.72	DPW
9	BOUND TREE MEDICAL, LLC	\$2,024.20	Fire
10	BOUND TREE MEDICAL, LLC	\$4,114.82	Fire
11	BSB COMMUNICATIONS INC	\$4,900.00	IT
12	CENTRAL WAYNE COUNTY SANITATION	\$1,838.93	DPW
13	CENTRAL WAYNE COUNTY SANITATION	\$7,952.00	DPW
14	CENTRAL WAYNE COUNTY SANITATION	\$48,704.95	DPW
15	CONTRACTORS CONNECTION	\$2,370.00	DPW
16	DETROIT ROOFING INSPECTION SERVICES	\$2,500.00	Library
17	DUKE'S ROOT CONTROL INC.	\$10,296.88	DPW
18	DUKE'S ROOT CONTROL INC.	\$18,109.55	DPW
19	EJ USA, INC.	\$3,989.47	DPW
20	EJ USA, INC.	\$3,839.87	DPW
21	FAMILY FARM AND HOME	\$2,685.19	DPW
22	FERGUSON WATERWORKS #3386	\$5,931.60	DPW

23	GREAT LAKES WATER AUTHORITY	\$335,811.38	DPW
24	GREAT LAKES WATER AUTHORITY	\$346,060.78	DPW
25	GREAT LAKES WATER AUTHORITY	\$332,041.77	DPW
26	GUARDIAN ALARM COMPANY	\$1,784.94	DPW
27	GUARDIAN ALARM COMPANY	\$1,662.03	Library
28	HENNESSEY ENGINEERS, INC	\$1,600.00	Engineering
29	HENNESSEY ENGINEERS, INC	\$1,600.00	Engineering
30	HENNESSEY ENGINEERS, INC	\$2,611.00	Engineering
31	HENNESSEY ENGINEERS, INC	\$3,301.60	Engineering
32	HOME DEPOT CREDIT SERVICES	\$1,641.66	DPW
33	INTEGRITY BUSINESS SOLUTIONS	\$1,639.60	General
34	KODA GROUP INC.	\$1,650.00	Police
35	MACKENZIE ALVAE	\$2,644.00	Police
36	MACKENZIE ALVAE	\$17,692.23	Police
37	MICHIGAN MUNICIPAL RISK	\$9,634.67	General
38	MOHAMED CHAMI	\$11,059.68	Police
39	NEW IMAGE BUILDING SERVICES, LLC	\$2,852.01	Library
40	OAKLAND COUNTY	\$1,808.00	Fire
41	OAKLAND COUNTY TREASURERS	\$18,495.50	Police
42	PAT MILLIKEN FORD	\$13,126.34	Police
43	PLANTE & MORAN PLLC	\$34,815.75	Comptroller
44	PRINTING SYSTEMS, INC.	\$3,103.80	Clerk
45	PRINTING SYSTEMS, INC.	\$1,520.98	Clerk
46	PURPLE ROSE THEATER COMPANY	\$1,540.00	Parks and Rec
47	QUAD-TRAN OF MICHIGAN, INC.	\$2,707.11	Court
48	QUAD-TRAN OF MICHIGAN, INC.	\$7,684.00	Court
49	RKA PETROLEUM COMPANIES, INC	\$25,584.12	DPW
50	SAAD LAW, PLLC	\$4,665.00	Corp Counsel
51	SAAD LAW, PLLC	\$5,235.00	Corp Counsel
52	SOUTHEAST MICHIGAN COUNCIL	\$9,730.00	Mayor
53	THE ACCUMED GROUP	\$7,258.41	Fire
54	VILLANOVA CONSTRUCTION	\$59,719.24	DPW/ Building
55	WESTBORN CHRYSLER DODGE JEEP RAM	\$4,484.00	Police
56	ZEHNDER'S OF FRANKENMUTH	\$2,146.00	Parks and Rec

Motion unanimously adopted

- 24-033** Motion by Councilman Ahmad, seconded by Councilman Constan to award the bid for the Berwyn Senior Center Blinds Replacement Project to Nour Curtains as the lowest qualified bidder for a cost of \$34,000.00, and authorize the Mayor and Clerk to sign the contract agreement on behalf of the City. In addition, authorize the CEDD Director to approve necessary change orders up to \$6,800.00 (20% of the bid amount), and authorize the Mayor and Comptroller or Clerk to sign the necessary warrants not to exceed a total of \$40,800.00. Further, authorize the Treasurer to issue payment from Fund 103 – Berwyn Senior Center Improvement – General Ledger Tracking Accounts, and to pay from the unrestricted General Fund Pool Bank Account to be reimbursed from the US Treasury accordingly, as outlined in 7-A. Per CEDD Director Jamal communication dated January 11, 2024.

Motion unanimously adopted

- 24-034** Motion by Councilman Constan, seconded by Councilwoman Bryer to approve the Michigan Department of Transportation (MDOT) Annual 2024 Permit Package and Performance Resolution for Annual Maintenance, Pavement Restoration, and Special Events to be performed on MDOT Road Rights-of-Way in our jurisdiction during 2024. In addition, authorize DPW Director Conrad to sign the documents on behalf of the City, as outlined in 8-A. Per Mayor Bazzi communication dated January 16, 2024.

Motion unanimously adopted

- 24-035** Motion by Councilman Ahmad, seconded by Councilman Saab to approve the Wayne County Annual 2024 Permit Package and Performance Resolution for Annual Maintenance, Pavement Restoration, and Special Events to be performed on Wayne County Road Rights-of-Way in our jurisdiction during 2024. In addition, authorize DPW Director Conrad to sign the documents on behalf of the City, as outlined in 8-B. Per Mayor Bazzi communication dated January 16, 2024.

Motion unanimously adopted

- 24-036** Motion by Councilwoman Bryer, seconded by Councilman Saab to concur with the Mayoral appointment of Tim Emery to the Ecorse Creek Commission, term to expire January 2025, as outlined in 8-C. Per Mayor Bazzi communication dated January 16, 2024.

Motion unanimously adopted

Council Chairman Baydoun asked Clerk Senia to read City Charter Section 7.13 - Veto by Mayor.

No action was taken on Item 8-D – Mayoral Vetoes of City Council Motion 24-017 City Council Resolution – Budget Amendment, Dearborn Heights Police Directors, adopted at the Regular Meeting of January 9, 2024, and City Council Motion 24-025 Retention of City Council Special Legal Counsel, adopted at the Special Meeting of January 16, 2024.

The following was reintroduced for possible reconsideration of City Council Motions 24-017 and 24-025:

- 24-037** Motion by Councilman Ahmad, seconded by Councilman Saab to reconsider City Council Motion 24-017 and readopt City Council Resolution – Budget Amendment, Dearborn Heights Police Directors.

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

Motion by Councilman Ahmad, seconded by Councilman Wencel to suspend the rules to consider the following motion out of order.

Motion unanimously adopted

- 24-038** Motion by Councilman Ahmad, seconded by Councilman Saab that the City Council finds the Mayor's January 22, 2024 Vetoes of Council Motions 24-017 and 24-025 were filed too late with the City Clerk to be timely under City Charter Section 7.13. Accordingly, the City Council declares that these vetoes are invalid. Further if the city council takes any action to override either or both of these vetoes any such action is being undertaken without prejudice with the Council's declaration that the vetoes are invalid.

Motion unanimously adopted

24-039 Motion by Councilman Ahmad, seconded by Councilman Saab to reconsider City Council Motion 24-017 and readopt City Council Resolution – Budget Amendment, Dearborn Heights Police Directors.

Motion unanimously adopted

24-040 Motion by Councilman Saab, seconded by Councilman Ahmad to reconsider City Council Motion 24-025 and readopt Retention of City Council Special Legal Counsel.

Motion unanimously adopted

24-041 Motion by Councilman Ahmad, seconded by Councilman Constan to rescind Council Motion 23-567 due to the inability to close accounts by the requested date of April 30, 2023. In addition, to approve the Closure of Bank Accounts – Phase 3 proposal, presented by Plante Moran on March 7, 2023, with the removal of Act 345XXXXX7344 and CDBG @ Chase XXX-X-XXX938-7 accounts from the original Closure List.

- American Relief Plan Act Cash XXXX7452
- PEG FeesXXXXXXXX9696
- Mayor Streets XXXX5439
- Local Streets XXXX7429
- Escrow @ Chase XXXXXXXX1158

Further, authorize the Treasure to move the funds to the Comerica General Fund XXXX7191, as outlined in 9-B. Per Council Chairman Baydoun communication dated January 17, 2024.

Motion unanimously adopted

24-042 Motion by Councilman Ahmad, seconded by Councilman Saab to approve the increase of the Deputy Clerk's salary to \$70,000.00 per year, and for the Comptroller to make the necessary budget amendment from the City's Fund Balance. This in no way reflects a cost-of-living increase, as outlined in 9-C. Per Clerk Senia communication dated January 16, 2024.

Motion unanimously adopted

24-043 Motion by Councilman Constan, seconded by Councilwoman Bryer to approve Environmental Testing & Consulting (ETC) change order #1 requesting extension to their services contract with the City of Dearborn Heights for an additional 2 years, affecting October 1, 2023, to September 30, 2025, as allowed by HUD regulations with the same terms and conditions, except for the service rates which will be addressed in the ETC Change Order #2, as outlined in 9-D. Per CEDD Director Jamal communication dated January 11, 2024.

Motion unanimously adopted

24-044 Motion by Councilwoman Bryer, seconded by Councilman Saab to approve Environmental Testing & Consulting (ETC) change order #2 requesting approval for the service rates according to the GSA contract services rate, as outlined in 9-E. Per CEDD Director Jamal communication dated January 17, 2024.

Motion unanimously adopted

24-045 Motion by Councilwoman Bryer, seconded by Councilman Saab to approve change order #1 to the Eton Center Boiler Room Pipes & Valves Replacement Project in the amount of \$10,500.00 for a total contract amount of \$29,000.00. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants and the Treasurer to issue payment, as outlined in 9-F. Per CEDD Director Jamal communication dated January 11, 2024.

Motion unanimously adopted

24-046 Motion by Councilman Ahmad, seconded by Councilman Constan to approve the amendments to the Fiscal Year 2023-2024 budgets by the amounts in the attachment, as outlined in 9-G. Per Comptroller King communication dated January 16, 2024.

Motion unanimously adopted

24-047 Motion by Councilman Ahmad, seconded by Councilman Constan that the Dearborn Heights City Council finds that Saad Auto Investment LLC, despite not having a business license, was an established used car dealer prior to the moratorium. Further, that Saad Auto Investment LLC be granted a business license and be permitted to continue to operate as a used car dealer, as outlined in 9-H. Per Corporation Counsel Farinha communication dated January 17, 2024.

Motion unanimously adopted

24-048 Motion by Councilman Ahmad, seconded by Councilman Constan to approve the purchase and payment of three (3) laptop computers for use by the Lieutenants in the Police Department for a total cost of \$3,420.00. In addition, authorize the Mayor and Comptroller or Clerk to sign the necessary warrants and the Treasurer to issue payment from Police Federal Forfeiture Funds Account #265-000-636.200. Further, provided the Mayor also authorizes any such payment as necessary expense, the City Council authorizes warrants to be issued for the payment of these services. By doing so, the City Council is authorizing any such warrants and payments without prior authorization by the City Council of the specific warrant and payment as permitted by and consistent with City Charter Section 8.9, as outlined in 9-I. Per IT Director Cooper communication dated January 11, 2024.

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

Motion by Councilman Ahmad, seconded by Councilman Constan to table Item 9-I until the Council receives two (2) more bids from IT Director Cooper.

Ayes: Council Chairman Baydoun, Council Chair Pro Tem Ahmad, Councilwoman Malinowski Maxwell, Councilman Saab, Councilman Wencel.

Nayes: Councilwoman Bryer, Councilman Constan.

Absent: None.

Motion adopted

24-049 Motion by Councilman Saab, seconded by Councilman Ahmad, in light of substantial concerns regarding the performance and conduct of Corporation Counsel, I hereby propose a motion of "No Confidence", grounded in the following observations:

1. Failure to effectively represent the City Council.
2. Demonstrated hostility towards elected officials.
3. Unprofessional expression of emotions towards residents.
4. Lack of alignment with the city's best interests.
5. Failure to provide essential documents requested by the Council.
6. Questioning decisions based on emotional considerations rather than adherence to the City Charter.

These collective issues prompt a vote of "No Confidence", signifying the City Council's diminished trust in the Corporation Counsel's ability to fulfill their responsibilities in a manner consistent with the city's best interests and performance standards, as outlined in 9-L. Per Councilman Saab communication dated January 23, 2024.

Ayes: Council Chairman Baydoun, Council Chair Pro Tem Ahmad, Councilwoman Malinowski Maxwell, Councilman Saab, Councilman Wencel.

Nayes: Councilwoman Bryer, Councilman Constan.

Absent: None.

Motion adopted

24-050 Motion by Councilman Saab, seconded by Councilman Ahmad to approve the following:

WHEREAS, Chief Jarrod Hart has engaged in political involvement beyond the scope of responsibilities designated for law enforcement officials, encroaching upon matters reserved for elected officials, and

WHEREAS, Chief Hart has demonstrated a pattern of undermining decisions made by the City Council, thereby compromising the democratic decision-making process, and

WHEREAS, Chief Hart has openly defied City Council decisions, creating a discordant relationship with the legislative body, and

WHEREAS, Chief Hart lacks the authority to supersede or dictate decisions made by the legislative body, as such authority lies within the purview of elected officials,

Be it hereby resolved that this City Council formally expresses a vote of “No Confidence” in Chief Jarrod Hart due to the aforementioned reasons. This motion is a testament of our commitment to preserving the separation of powers and upholding the authority of the legislative body in municipal governance, as outlined in 9-M. Per Councilman Saab communication dated January 23, 2024.

Ayes: Council Chairman Baydoun, Council Chair Pro Tem Ahmad, Councilwoman Malinowski Maxwell, Councilman Saab, Councilman Wencel.

Nayes: Councilwoman Bryer, Councilman Constan.

Absent: None.

Motion adopted

24-051 Motion by Councilman Saab, seconded by Councilman Ahmad, in light of serious concerns surrounding Mayor Bill Bazzi's actions, I propose a motion of “No Confidence” based on the following reasons:

1. Violation of the City Charter by the Mayor.
2. Defiance of the authority vested in the City Council.
3. Demonstrated lack of respect towards duly elected officials.
4. Suspected preferential hiring practices, allegedly based on personal connections rather than merit.
5. Alleged influence on how administrators treat individuals in the city, fostering a system that appears to reward compliance over fairness.

These cumulative issues compromise the integrity of the leadership and raise doubts about the Mayor's commitment to principles of transparency, fairness, and adherence to established protocols. Therefore, a vote of “No Confidence” is warranted to express the City Council's loss of trust in Mayor Bill Bazzi's ability to lead with accountability and fairness, as outlined in 9-N. Per Councilman Saab communication dated January 23, 2024.

Ayes: Council Chairman Baydoun, Council Chair Pro Tem Ahmad, Councilwoman Malinowski Maxwell, Councilman Saab, Councilman Wencel.

Nayes: Councilwoman Bryer, Councilman Constan.

Absent: None.

Motion adopted

24-052 Motion by Councilman Ahmad, seconded by Councilman Saab to approve the resolution regarding the street safety grant recently received by the City, and that the following be resolved:

WHEREAS, the City of Dearborn Heights has recently received a street safety grant in the amount of \$400,000, and additionally has access to \$600,000 from the ARPA funds; and

WHEREAS, ensuring the safety of our children is of paramount importance to the community; and

WHEREAS, improving lighting, floor markings, and signage around schools has been identified as a significant measure to enhance public safety; and

WHEREAS, it is imperative to provide equal resources for all school districts within the City;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the allocation of \$1 million from the street safety grant and ARPA funds to implement the following safety measures:

1. Installation of additional lighting around all schools within the entire city of Dearborn Heights with a focus on areas identified as having insufficient illumination.
2. Application of floor paint around all schools located within a one-mile radius, clearly marking "school zone" on the floor to increase visibility and raise awareness of the presence of schools.
3. Placement of signs and flashing yellow lights indicating school zones in strategic locations near schools, ensuring better recognition and adherence to safety regulations.

BE IT FURTHER RESOLVED that the allocated funds and resources will be distributed equally among all school districts within the city, ensuring that every district benefits from the proposed safety measures.

BE IT FURTHER RESOLVED that this resolution shall be known as the "Joey Smith Safety for Our Children Resolution"

RESPECTFULLY SUBMITTED on this day, by Council Chair Mo Baydoun.

as outlined in 11-A. Per Council Chairman Baydoun communication dated January 17, 2024.

After further discussion, the motion was amended to include the following addition:

In addition, add a timeline for all work to be done before the next school year, August 31, 2024.

Motion unanimously adopted

24-053 Motion by Councilman Constan, seconded by Councilman Ahmad to approve the Temporary Food Truck/Tent/Cart License Application for SMASH'D LLC, as outlined in 13-A.

Motion unanimously adopted

24-054 Motion by Councilman Ahmad, seconded by Councilwoman Malinowski Maxwell to adjourn the Dearborn Heights City Council Regular Meeting.

Motion unanimously adopted

The meeting adjourned at 10:00 p.m.

LYNNE M. SENIA
CITY CLERK

MO BAYDOUN
COUNCIL CHAIRMAN

GEORGANNE SEMENIUK
COUNCIL SECRETARY