

**MINUTES OF THE VIRTUAL & IN-PERSON
REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL**

November 20, 2023

Council convened at 7:02 p.m. with Council President Thomas presiding.

Present: Council President Thomas, Council Pro Tem Robinson, Councilwoman Manica, Councilwoman Martin, and Councilman Ash-Shafii (5).

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilman Ash-Shafii
Supported by Councilwoman Manica

To approve the agenda with the removal of items Va from Community Development and VIb from Legal. Yeas (5), Nays (0), Absent (0).

APPROVAL OF MINUTES

Moved by Councilwoman Martin
Supported by Councilwoman Manica

To approve the minutes of the In-Person and Virtual Regular meeting held November 6, 2023. Yeas (3), Nays (2) Ash-Shafii and Robinson, Absent (0).

**COMMUNITY DEVELOPMENT
11-20-23 V**

The following item was submitted for approval.

RESOLUTION TO SUBMIT APPLICATION(S) FOR 2024 STATE OF MICHIGAN GRANT FOR FINANCIALLY DISTRESSED CITIES, VILLAGES OR TOWNSHIPS (FDCVT)

Moved by Councilman Ash-Shafii
Supported by Council Pro Tem Robinson

WHEREAS, the State of Michigan is providing \$2.5M in 2024 for grants to financially distressed cities, villages, or townships (FDCVT) to be used to pay for specific projects or services that move the city, village, or township toward financial stability; and

WHEREAS, Highland Park qualifies for subject grant; and

WHEREAS, Highland Park has been successful in past applications, receiving grants for a police vehicle, blue light project, ADA front entrance to City Hall, solar lights, and stand-by generator for the Recreation Center; and

NOW, THEREFORE, BE IT RESOLVED that the City approves applying for the 2024 FDCVT grant.
Yeas (5), Nays (0), Absent (0).

LEGAL
11-20-23 VI

The following resolution was submitted for approval.

RESOLUTION TO CONVENE INTO CLOSED SESSION PURSUANT TO MCL 15.268(1)(h) TO REVIEW AN ATTORNEY-CLIENT PRIVILEGED MEMORANDUM FROM THE CITY ATTORNEY

Moved by Councilman Ash-Shafii
Supported by Councilwoman Manica

To recess into Closed Session. Yeas (5), Nays (0), Absent (0). Regular meeting recessed at 7:13 p.m.

*

Moved by Councilwoman Manica
Supported by Councilman Ashi-Shafii

To reconvene the Regular meeting at 7:24 p.m. Yeas (5), Nays (0), Absent (0).

FINANCE
11-20-23 VII

Moved by Councilwoman Manica
Supported by Council President Thomas

To receive and file the Monthly Financial Statement October 2023. Yeas (2), Nays (3) Ash-Shafii, Martin and Robinson, Absent (0).

ENGINEERING
11-20-23 VIII a

The following item was submitted for approval.

A RESOLUTION GRANTING THE DEDICATION OF OAKLAND PARK BOULEVARD PARCELS TAX ID NO. 43-014-01-0001-304 AND 43-014-01-0001-311 TO PUBLIC ROAD RIGHT OF WAY

Moved by Councilman Ash-Shafii
Supported by Councilwoman Manica

WHEREAS, the Treasurer of the City of Highland Park is the owner of said parcels representing Oakland Park Boulevard; and

WHEREAS, the City of Highland Park Engineering Department approves the dedication of said parcels representing Oakland Park Boulevard be public right of way; and

WHEREAS, the City of Highland Park Engineering Department approves of the revision which reserves Oakland Park Boulevard for public road right of way and utilities; and

NOW, THEREFORE, BE IT RESOLVED, the City of Highland Park Engineering Department grants approval of the dedication of Oakland Park Boulevard, Parcels 43-014-01-0001-304 and 43-014-01-0001-311 to public road right of way. Yeas (5), Nays (0), Absent (0).

*

11-20-23 VIII b

The following item was submitted for approval.

A RESOLUTION TO ACCEPT WAYNE COUNTY ANNUAL MAINTENANCE PERMIT A-24058, ANNUAL PAVEMENT RESTORATION PERMIT A-24113, ANNUAL PERMIT FOR SPECIAL EVENTS A-24146 AS REQUESTED BY THE CITY ENGINEERING DEPARTMENT

Moved by Councilwoman Manica
Supported by Council President Thomas

WHEREAS, City of Highland Park (hereinafter the “Community”) periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the “County”) for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and county road located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel; and

WHEREAS, pursuant to Act 51 of 1951, being MCL 247.651 et seq., the County permits and regulates such activities noted above and related to temporary road closures; and

NOW, THEREFORE, BE IT RESOLVED, in consideration of the County granting such permit (hereinafter the “Permit”), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents, and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgement for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor’s behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents, and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours, and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulated that the requesting Community shall assume full responsibility for the cost of repairing damage done to the county road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issued or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time of permit is signed by the Community's authorized representative.

BE IT FURTHER RESOLVED that the following individual is authorized in their official capacity as the Community's authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within county road right-of-way or local roads on behalf of the Community. Yeas (5), Nays (0), Absent (0).

WATER
11-20-23 IX a

The following resolution was submitted for approval.

A RESOLUTION TO HOLD A PUBLIC HEARING FOR THE FY 2024 WATER DEPARTMENT BUDGET AND RATES AS REQUESTED BY THE WATER DEPARTMENT

Moved by Councilwoman Manica
Supported by Council President Thomas

WHEREAS, pursuant to chapter 1040.17 and 1042.01 of the City Code of Ordinances, it is the responsibility of the City of Highland Park to establish water and sewer rates and to determine an annual budget; and

WHEREAS, the as part of a condition of the settlement between the Great Lakes Water Authority (GLWA) and the City of Highland Park, an interim budget for Fiscal Year 2024, between January 1, 2024, to June 30, 2024, including updated water and sewer rates shall be presented and adopted in December 2023 and go into effect January 1, 2024; and

WHEREAS, the Highland Park City Council shall receive comments on the recommended water and sewer rates and proposed budget from citizens at a duly advertised public hearing; and

WHEREAS, all comments received from citizens at a duly advertised public hearing, will be documented; and

WHEREAS, it is the intent of the Water Department, after City Council approval and following all requirements set forth State of Michigan statutes, City of Highland Park Charter, and Municipal Ordinances, to adhere to the approved budget and water and sewer rates for FY 2024; and

NOW, THEREFORE, BE IT RESOLVED, the City of Highland Park Water Department requests a public hearing to be held at the regular City Council Meeting tentatively scheduled for December 18, 2023, to receive these comments regarding the FY 2024 Water Department Budget and Water and Sewer Rates. Yeas (5), Nays (0), Absent (0).

*

11-20-23 IX b

The following resolution was submitted for approval.

A RESOLUTION REQUESTING THE PUBLIC ADVERTISEMENT FOR PURPOSES OF RECEIVING CONSTRUCTION BIDS FOR THE 2023 WATER MAIN AND SERVICE LINE REPLACEMENT PROJECT AS FUNDED BY THE AMERICAN RESCUE PLAN – STATE REVOLVING FUND GRANT (ARP FUNDED)

Moved by Councilwoman Manica
Supported by Council President Thomas

WHEREAS, it is necessary for the City of Highland Park Water Department to address water main improvements identified in the 2016 MDEQ (EGLE) Violations Notice and Administrative Consent Order; and

WHEREAS, the City of Highland Park previously received a Significant Deficiency Violation Notice from EGLE on April 11, 2016, regarding the existing water infrastructure; and

WHEREAS, the City of Highland Park previously received a Lead and Copper Monitoring – Action Level (AL) Exceedance letter from EGLE on July 12, 2019, regarding the community water supply’s 90th percentile value exceeding the action level for lead during the most recent round of lead and copper monitoring between June and September 2019; and

WHEREAS, as a result of exceeding the lead Action Level (AL) the City of Highland Park is required under the administrative rules promulgated under the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399) to meet additional requirements including water quality parameter monitoring, source water monitoring, corrosion control treatment, and public education, as well as being mandated to replace a higher percentage of lead service lines; and

WHEREAS, the City Council has reviewed and approved the FY2020 DWRP Project Plan Application, that included a multiple year plan between FY2020 through FY2024, as submitted to EGLE, of which the 2021 project is portion of the scope removed from the 2020 project; and

WHEREAS, it is the intent of the Water Department Director that when funds are awarded by the State of Michigan Department of Treasury to begin construction tentatively in March of 2024; and

BE IT RESOLVED, the City of Highland Park City Water Department requests to publicly advertise the 2023 Water Main and Service Line Replacement project for purposes of soliciting construction bids, after receiving EGLE permit, tentatively anticipated on Wednesday, December 13th, 2023. Yeas (5), Nays (0), Absent (0).

ADJOURNMENT

Moved by Councilwoman Manica
Supported by Councilwoman Martin

To adjourn the meeting, motion carried, meeting adjourned at 8:39 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the proposed minutes of the In-Person and Virtual Regular Meeting held the 20th day of November 2023 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk