

**MINUTES OF THE  
VIRTUAL REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL**

**MAY 18, 2020**

Council convened at 7:07 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick, \*Councilmember Lewis, Councilmember Bates, Councilmember Armstrong and Council President Clyburn (5).

\* Councilmember Lewis entered meeting at 7:10pm

Absent: (0).

A quorum being present, Council was declared in session.

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**APPROVAL OF AGENDA**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Armstrong

To approve the agenda. Yeas (5), Nays (0), Absent (0).

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**APPROVAL OF MINUTES**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

To approve the minutes of the Virtual Regular meeting held May 4, 2020. Yeas (5), Nays (0), Absent (0).

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**VETO  
05-18-20-5**

The following VETO Notice was received from the Mayor.

At the Council meeting held on May 4, 2020, the City Council Agenda included a Mayoral Budget Proposal. That Budget Proposal was not the Mayor's approved Budget Proposal as set forth in Charter Section 8-2, *Budget Procedure*. It was placed on the Agenda by the Finance Director, under the mistaken belief that it represented the Mayor's Proposed Budget. The inaccurate Budget was detected by the Mayor who directed the Finance Director to remove the item from the Council Agenda. At the beginning of the meeting, the Finance Director requested the item be removed from the Agenda. The Finance Director

explained that the Budget was not that of the Mayor's and that there was sufficient time for the item to be corrected and brought back to Council at a later date as a receipt and filed item. Thereafter, the City Council refused to withdraw the item and proceeded to vote to receive and file a Budget that only the Mayor has the authority to prepare and present.

It is the exclusive authority under Charter Section 7-7, *Duties of Mayor* to prepare an annual budget. Section 8-2 of the Charter provides that the Finance Director shall tabulate a statement of the expenses and revenues of each department and submit same to the Mayor. The tabulation of the Mayor's recommendations shall constitute his budget proposal and shall be presented to the City Council on or before the third Monday in April. The April deadline was extended based on the State of Michigan Executive Orders relating to COVID-19. Thereafter, on April 6, 2020 the City Council passed a resolution to delay the public hearing and adoption of the fiscal year 2021 budget to a date not to exceed June 15, 2020. At the time of the Finance Director's request, available dates to receive the Mayor's approved Budget existed, i.e. May 18<sup>th</sup>, June 1<sup>st</sup> and June 15<sup>th</sup>. Council was told by Finance Director that there was adequate time to receive and file an accurate budget. The item was not on the Agenda for discussion and no action or vote was required. To grant the Mayor's request would have been inconsequential and to deny it resulted in a violation of the City Charter. Pursuant to Section 7-7 it is the exclusive duty of the Mayor to prepare the annual budget to be submitted through the Finance Director. The Budget submitted by the Finance Director was not that of the Mayor.

Under the revised Charter, Section 6-3, *Veto of Council Action*, the Mayor has broad authority to veto council action, as it states that "No ordinance or resolution of the City Council shall have any force or effect, within five business days, after the adoption thereof, the Mayor shall file in the office of the Clerk a notice, in writing, suspending the operation of such ordinance or resolution and setting forth his reasons therefore. In each case where the Mayor shall file such notice, such ordinance or resolution shall not go into effect, unless the City Council shall, at the next regular meeting of the City Council thereafter vote to adopt such ordinance or resolution by the affirmative vote of four of its members." Based on the authority in Section 6-3 the action of City Council is hereby vetoed and I will present my Budget upon its completion. Because of the Coronavirus Crisis, other jurisdictions have not been held to the strict filing deadlines and will have to take into account the adverse effect upon revenues and expenditures when preparing a Budget. The COVID- 19 Virus is still very much affecting our city, state, county and unforeseen resources.

Moved by Council Pro Tem Patrick  
Supported by Councilmember Lewis

To override the Mayors veto. Yeas (5), Nays (0), Absent (0).

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## **FINANCE**

### **5-18-20-6a**

The monthly financial statement for February 29, 2020 was received and filed.

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### **5-18-20-6b**

The monthly financial statement for March 31, 2020 was received and filed.

**5-18-20-6c**

The monthly financial statement for April 30, 2020 was received and filed.

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**WATER/ENGINEERING**

**5-18-20-7a**

Director Damon Garret gave a status update on the Emergency Restoration Initiative Program.

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**5-18-20-7b**

Director Garrett gave an update on the revised scope of the Water Main Replacement and Lead Service Line Project

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**5-18-20-7c**

Director Garrett gave an update on the revised scope of 2<sup>nd</sup> Avenue Sinkhole Repair and Flow Metering Study.

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**5-18-20-7d**

Director Garrett reported on the GLWA moratorium on water and sewer rates.

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**5-18-20-7e**

Director Garrett shared information about payment assistance post Covid-19.

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**OUTSIDE COMMUNICATION**

**5-18-20-8**

The following communication was submitted for approval.

The Massachusetts Avenue Improvement Association would like approval of the Highland Park City Council to install a maximum of three (3) park benches and two (2) waste receptacles in the park located on the southeast corner of Massachusetts and Woodward Avenues.

We would like to complete this project within the next eight weeks, in order to allow residents

to utilize the park bench while the weather is still nice.

The Massachusetts Avenue Improvement Association will be responsible for the purchase and installation of the benches as well as the waste bins; including regularly emptying the bins when they become full.

Our organization cleans up park debris on a regular basis, filling several garbage bags with liquor bottles, fast-food waste, and miscellaneous trash. We hope to have much less litter after our waste bins are put into place.

Thank you in advance for your approval.

Moved by Councilmember Lewis  
Supported by Council Pro Tem Patrick

To refer to the Legal Department. Yeas (5), Nays (0), Absent (0).

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## **ADJOURNMENT**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Armstrong

To adjourn the meeting, motion carried, meeting adjourned at 8:38 p.m.

## CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the Virtual Regular Meeting held the 18<sup>th</sup> of May 2020 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk