

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

**JULY 6, 2020**

Council convened at 7:03 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick, Councilmember Bates, Councilmember Armstrong and Council President Clyburn (4).

Absent: Councilmember Lewis (excused) (1).

A quorum being present, Council was declared in session.

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**APPROVAL OF AGENDA**

Moved by Councilmember Armstrong  
Supported by Council Pro Tem Patrick

To approve the agenda as presented. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**APPROVAL OF MINUTES**

Moved by Councilmember Bates  
Supported by Councilmember Armstrong

To approve the minutes of the Virtual Regular meeting held July 6, 2020. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**ADMINISTRATION**

**07-06-20-4**

The following resolution was submitted for approval.

**MAINTENANCE FOR BUILDING AT 13233 HAMILTON OWNED BY HIGHLAND PARK  
(LESSEE) AND LEASED TO DHHS (LESSOR)**

Moved by Councilmember Bates  
Supported by Council Pro Tem Patrick

**WHEREAS**, Article III, Paragraph 3.1(s) of the Sublease between the City of Highland Park ("Lessor") and the Department of Technology, Management & Budget ("Lessee") for 13233 Hamilton Avenue states that "The Lessor shall keep the Leased premises in good repair and ...free from dangerous or defective conditions... at the Lessor's sole expense... "; and

**WHEREAS**, the Highland Park Water Department issued an Inspection Non-Compliance Notice on 3/2/20 for the building leased to DHHS requiring the installation of a double-check detector valve in supply to the fire protection system (see attached); and

**WHEREAS**, the purpose of the double check detector valve is to eliminate possible contamination to the public water distribution system; and

**WHEREAS**, Great Lakes Power, the City-approved on-call maintenance contractor, provided a quote for \$9,560 to remedy the double-check detector valve deficiency; and

NOW, THEREFORE, BE IT RESOLVED by the City of Highland Park that a double check detector valve be installed in the DHHS building at a cost not to exceed \$9,560 to fulfill Highland Park's lease obligations to the State of Michigan. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**CITY ADMINISTRATOR**  
**07-06-20-5**

The following resolution was submitted for approval.

**RESOLUTION AUTHORIZING  
2020 CAPITAL IMPROVEMENT BONDS, SERIES B  
(LIMITED TAX GENERAL OBLIGATION)**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

**WHEREAS**, the City does hereby determine that it is necessary to pay all or part of the costs of acquiring, constructing, installing, repairing and improving certain capital improvements in the City, including lead service lines in the City's water supply system, together with all necessary interests in land, rights of way, appurtenances and attachments thereto (the "Project"); and

**WHEREAS**, the Project qualifies for the State of Michigan Drinking Water Revolving Fund financing program administered by the Michigan Finance Authority (the "Authority") and the Michigan Department of Environment, Great Lakes & Energy ("EGLE"), whereby the bonds of the City are sold to the Authority and bear interest at a fixed rate of not to exceed two percent (2.00%) per annum; and

WHEREAS, the City Council deems it necessary to borrow the principal amount of not to exceed Four Hundred Fifty Thousand Dollars (\$450,000) and issue capital improvement bonds (the "Bonds") pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), to finance the cost of the Project and to pay certain costs of issuance of the Bonds; and

WHEREAS, in connection with the sale of the Bonds to the Authority, the Authority is requiring that, in addition to a pledge of the City's limited tax, full faith, credit and resources, the Bonds be secured by a pledge, pursuant to the authority of Act 227, Public Acts of Michigan, 1985, as amended ("Act 227"), of the payments the City is eligible to receive from the State of Michigan under Act 140, Public Acts of Michigan, 1971, as amended, and other sources of revenues as defined in the Trust Indenture (as hereinafter defined) (collectively, "Distributable State Aid"); and

WHEREAS, the City previously entered into a certain Amended and Restated Debt Retirement Trust Agreement between the City and U.S. Bank National Association, as trustee (the "Trustee"), dated as of August 1, 2018 (the "Trust Indenture"), in connection with the City's pledge of Distributable State Aid as security for certain outstanding obligations of the City ("Outstanding DSA Obligations") pursuant to the provisions of Act 227; and

WHEREAS, in connection with the issuance and sale of the Bonds to the Authority and the pledge of Distributable State Aid as security therefor, the City is required to enter into a supplemental indenture (the "Supplemental Indenture") with the Trustee to authorize the issuance of the Bonds as additional bonds to be secured by Distributable State Aid under the Trust Indenture.

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, in order to be reimbursed from proceeds of the Bonds, the City must state its intention to do so in advance.

NOW, THEREFORE., BE IT RESOLVED THAT:

1. Notice of Intent: Publication. The City Clerk is authorized and directed to publish a notice of intent to issue bonds in the *Michigan Chronicle*, a newspaper of general circulation in the City.

2. Form of Notice of Intent. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. Findings. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best

calculated to give notice to the City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. Reimbursement Declarations. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(a) As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.

(b) The expenditures described in this paragraph (b) are for the paying of the costs of the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds of the City or the revenues of the water supply system.

(c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$450,000.

5. Authorization of Bonds: Bond Terms. Subject to no proper petition being filed within the 45-day period, bonds of the City designated 2020 CAPITAL IMPROVEMENT BONDS, SERIES B (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Four Hundred Fifty Thousand Dollars (\$450,000) as finally determined by order of the EGLE for the purpose of paying part of the cost of the Project, including the capitalized interest and the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery, payable in principal installments in the years 2021 through 2050 or as finally determined by the order of the EGLE at the time of sale of the Bonds and approved by the Authority and by the Mayor, the City Administrator, the City Clerk or the Finance Director of the City (each an "Authorized Officer"). Interest on the Bonds shall be payable on April 1 and October 1 of each year, commencing April 1, 2021, or on such other interest payment dates as determined by an Authorized Officer at the time of the sale of the Bonds. Final determination of the principal amount of and interest on the Bonds and the payment dates and amounts of principal installments of the Bonds and interest thereon shall be evidenced by execution of the Bonds and of a purchase contract between the Authority and the City (the "Purchase Contract") and each of the Authorized Officers is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above.

The Bonds or principal installments thereof shall be subject to redemption prior to maturity at any time with the prior written consent of Authority on terms approved by Authority.

The Bonds shall bear interest at an interest rate per annum on the par value thereof as

evidenced by execution of the Purchase Contract, but in any event not to exceed two percent (2.00%) per annum, and any of the Authorized Officers as shall be appropriate shall deliver the Bonds in accordance with the delivery instructions of the Authority. The principal amount of the Bonds is expected to be drawn down by the City periodically, and interest on the principal amount drawn down shall accrue from the date such principal amount is drawn down by the City. The Bonds are also subject to the payment of "additional interest" as described in the form of the Bonds included in Section 10 of this Resolution.

The Bonds shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Bonds shall be payable as provided in the Bond form in Section 10 of this Resolution.

The Bonds or principal installments thereof shall be subject to prepayment at any time prior to maturity by the City with the prior approval of the Authority and on such terms as may be required by the Authority.

The City Treasurer shall record on the registration books payment by the City of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the City Treasurer.

Upon payment by the City of all outstanding principal of and interest on the Bonds, the Authority shall deliver the Bonds to the City for cancellation.

6. Execution of Bonds. The Mayor and the City Clerk are authorized to execute and deliver the Bonds in accordance with the delivery instructions of the Authority. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the City Clerk and shall have the seal of the City, or a facsimile thereof printed or impressed on the Bonds. The Bonds bearing the manual or facsimile signatures of the Mayor and the City Clerk sold to the Authority shall require no further authentication.

7. Transfer Agent; Transfer of Bonds. The Trustee, acting as the bond registrar, transfer agent, and paying agent for the Bonds (the "Transfer Agent"), shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be

surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

8. Security: Debt Retirement Fund: Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City shall, each year, budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall if debt service on the Bonds is not paid first from Distributable State Aid in accordance with the Trust Indenture, advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City, subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

As additional security for repayment of the Bonds, the City hereby pledges the Distributable State Aid collected by the State of Michigan and returned to the City pursuant to Act 140, to the Authority as purchaser and holder of the Bonds, and the City hereby authorizes an Authorized Officer to approve, execute and deliver a Revenue Sharing Pledge Agreement (the "Revenue Sharing Pledge Agreement") between the City and the Authority, authorizing the State Treasurer to transmit the revenue sharing moneys assigned and pledged therein directly to the Authority, its designee or the Trustee in accordance with the Trust Indenture. In connection with the pledge of Distributable State Aid to secure payment of the Bonds, the City hereby authorizes an Authorized Officer to approve, execute and deliver the Supplemental Indenture to provide for the payment of Distributable State Aid on the Bonds .

The City hereby establishes and creates the 2020B Capital Improvement Bond Fund, a special, separate and segregated fund held by the Trustee under the Trust Indenture, for the benefit of the holders of the Bonds in accordance with the terms and conditions of the Trust Indenture . The City Treasurer is authorized and directed to establish and create such additional accounts and funds as are necessary to facilitate the payment of the Bonds under the Supplemental Indenture.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

9. Construction Fund; Proceeds of Bond Sale. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by an Authorized Officer, to be designated 2020 CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND, SERIES B (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

10. Bond Form. The Bonds shall be in substantially the following form, subject to such modifications which may be required by the Michigan Attorney General and the MFA and approved by bond counsel and with such changes as may be required to conform the Bonds to the final terms of the Bonds established by the Sale Order:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN COUNTY  
OF WAYNE

CITY OF HIGHLAND PARK  
2020 CAPITAL IMPROVEMENT BOND, SERIES B  
(LIMITED TAX GENERAL OBLIGATION)

Registered Owner: Michigan Finance Authority

Principal Amount:

Date of Original Issue:

The City of Highland Park, County of Wayne, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Michigan Finance Authority (the "Authority"), or registered assigns, the Principal Amount shown above, or such portion thereof as shall have been advanced to the City pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Natural Resources and Environment, in lawful money of the United States of America, unless prepaid or reduced prior thereto as hereinafter provided.

During the time the Principal Amount is being drawn down by the City under this Bond, the Authority will periodically provide to the City a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information, provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the City of its obligation to repay the outstanding Principal Amount actually advanced (subject to any principal forgiveness as provided for in Schedule A), all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this Bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on the Schedule A attached hereto and made a part hereof, as such Schedule may be adjusted if less than [\$ \_\_\_\_\_] is disbursed to the City or if a portion of the Principal Amount is prepaid as provided below, with interest on said principal installments from the date each said installment is delivered to the holder hereof until paid at the rate of two percent (2.00%) per annum. Interest is first payable on \_\_\_\_\_ 1, 2001 and semiannually thereafter and principal is payable on the first day of \_\_\_\_\_ commencing \_\_\_\_\_ 1, 2021 (as identified in the Purchase Contract) and annually thereafter.

Notwithstanding any other provision of this Bond, so long as the Authority is the owner of this bond, (a) this bond is payable as to principal, premium, if any, and interest at the corporate trust office of [ \_\_\_\_\_ ], [ \_\_\_\_\_ ] or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

#### Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

This bond is the single, fully registered, nonconve11ible bond in the principal sum of [\$ \_\_\_\_\_], issued for the purpose of paying the cost of capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the City.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the City, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the City for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

As additional security for the City's obligation to pay the bond, pursuant to Act 227 the City has pledged the payments that the City is eligible to receive from the State of Michigan under Act 140, Public Acts of Michigan, 1971, as amended ("Distributable Aid"), and certain monies in the funds and accounts established by the City with U.S. Bank National Association, as trustee (the "Trustee"), pursuant to the terms and conditions of an Amended and Restated Trust Agreement dated as of August 1, 2018, and supplemented as of [ \_\_\_\_\_ ], 2020 and [ \_\_\_\_\_ ], 2020, between the City and the Trustee (as supplemented, the "Trust Indenture"). The pledge and lien on Distributable Aid securing this bond is [ \_\_\_\_\_ ] standing and priority of lien as to the City's Distributable Aid securing the City's outstanding [ \_\_\_\_\_ ] and of [senior] standing and priority of lien as to the City's Distributable Aid security the City's outstanding [ \_\_\_\_\_ ]. The City has reserved the right to make additional pledges or assignments of Distributable Aid on a parity or subordinate basis with the pledge of Distributable Aid securing this bond as security for future bonds or obligations of the City, subject to the requirements for the issuance of additional bonds and obligations as provided in the Trust Indenture.

This bond is transferable only upon the books of the City by the registered owner in person or the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent, duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution, and upon payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the City of Highland Park, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

(EXAMPLE ONLY)

EGLE Project No :  
EGLE Approved Amt:  
Loan Amount Forgiven:  
Loan Amount to be Repaid:

SCHEDULE A

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the Bond shall be made until the full amount advanced to the City is repaid. In the event the Order of Approval issued by the Michigan Department of Environment, Great Lakes & Energy (the "Order") approves a principal amount of assistance less than the amount of the Bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event that (1) the payment schedule approved by the City and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, (2) that less than the principal amount of assistance approved by the Order is disbursed to the City by the Authority, or (3) that any portion of the principal amount of assistance approved by the Order and disbursed to the City is forgiven pursuant to the Order, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the City.

Interest on the bond shall accrue on principal disbursed by the Authority to the City from the date principal is disbursed, until paid, at the rate of (\_\_.00%) per annum, payable \_\_\_\_\_ 1, 20\_\_\_\_ and semi-annually hereafter.

The City agrees that it will deposit with the Authority's Depository, or such other place as shall be designated in writing to the City by the Authority payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the City's deposit by 12:00 noon on the scheduled day, the City shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

11. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than thirty (30) years.

12. Negotiated Sale: Application to EGLE and Authority: Execution of Documents. The City determines that it is in the best interest of the City to negotiate the sale of the Bonds to the Authority because the Drinking Water Revolving Fund financing program provides significant interest savings to the City compared to competitive sale in the municipal bond market. The Authorized Officers are hereby authorized to make application to the Authority and to the EGLE for placement of the Bonds with the Authority. The actions taken by the Authorized Officers with respect to the Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officers are each authorized to execute and deliver the Purchase Contract, a Revenue Sharing Pledge

Agreement, the Supplemental Agreement, the City's Certificate, a Distributable Aid Deposit Agreement and such other documents if required by the Authority. Any Authorized Officer is further authorized to execute and deliver such contracts, documents and certificates as are necessary or advisable to qualify the Bonds for the Drinking Water Revolving Fund. The Authorized Officers are each hereby authorized to negotiate with the Trustee and execute a Supplemental Indenture providing for the issuance of the Bonds. Prior to the delivery of the Bonds to the Authority, any Authorized Officer is hereby authorized to make such changes to the form of the Bonds contained in Section 10 of this Resolution as may be necessary to conform to the requirements of Act 227, including, but not limited to changes in the principal maturity and interest payment dates and references to additional security required by Act 227.

13. Tax Covenant. If the Bonds are issued on a tax-exempt basis, the City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds.

14. Adjustment of Bond Terms; Authorization of Other Actions. Each Authorized Officer is hereby authorized to adjust the final bond details to the extent necessary or convenient to complete the transaction authorized in this Resolution, and in pursuance of the foregoing are each authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, and other matters, all subject to the parameters established in this Resolution.

The Authorized Officers are each hereby authorized and directed to take all other actions necessary or advisable, and to make such other filings with and pay related fees to any parties, to enable the sale and delivery of the Bonds as contemplated herein, including filing an application with the Michigan Department of Treasury for an Order or Orders of Approval to issue all or a portion of the Bonds under Act 34, Public Acts of Michigan, 2001, as amended, and an application for exemption of the investment grade rating requirement.

15. Bond Counsel. The City hereby confirms the appointment of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Bonds, notwithstanding the periodic representation in unrelated matters of parties or potential parties to the transaction contemplated by this resolution. The legal fees of Miller, Canfield, Paddock and Stone, P.L.C. shall be paid from the proceeds of the sale of such Bonds or such other legally available funds of the City.

16. Municipal Advisor. The City hereby confirms the appointment of Robert W.

Baird & Co., to act as its Municipal Advisor with respect to the Bonds. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds or such other legally available funds of the City.

17. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**CITY COUNCIL**  
**07-06-20-6a**

The following resolution was submitted for approval.

**RESOLUTION TO ESTABLISH A COVID-19 JUST RECOVERY TASK FORCE IN  
THE CITY OF HIGHLAND PARK**

Moved by Councilmember Bates  
Supported by Councilmember Armstrong

**WHEREAS**, in accordance with Section 7-18 of the City of Highland Park Charter, City Council may from time to time appoint such boards, committees, or commissions as are deemed appropriate or necessary to advise and consult with them and with appropriate officers or department heads of the City regarding any Municipal activity or to carry out duties established by State or Federal laws or other appropriate authority, **and**,

**WHEREAS**, The COVID-19 Just Recovery Task Force (JRTF) will be a joint initiative of Highland Park City Council and Highland Park Community Crisis Coalition (HPC3) to ensure a just recovery from the COVID-19 crisis for Highland Park, **and**,

**WHEREAS**, the JRTF will help strengthen communication and collaboration between District Council Representatives, Citizen's District Advisory Councils (CDAC) and community organizations providing relief and support to residents and businesses, as well as create a Just Recovery Plan (JRP), **and**,

**WHEREAS**, the JRTF will support effective monitoring of cases and deaths in Highland Park and recommend best practices for community safety, case tracing, and conduct research to support the JRP, including full accounting of the impact of COVID- 19 on Highland Park, rigorous analysis of risk factors and proposed solutions, **and**,

**WHEREAS**, advise City Council on opportunities at state and federal level and advise on legislation to support the JRP, **and**,

**WHEREAS**, The JRTF will include two (2) representatives from City Council, appointed by the Council, and three (3) representatives from HPC3, appointed by the HPC3 steering

committee; the JRFT will keep minutes of their meetings and make them publicly accessible online, **and,**

**WHEREAS,** The JRFT will aim to complete its responsibilities by the end of 2020, which will include the following deliverables:

- A complete JRP, submitted to City Council and Administration
- A documented system for tracking and consistently communicating data on cases and deaths from COVID-19 to the community and stakeholders
- A documented system for coordination between service providers, City Council, Administration, and CDAC for immediate and ongoing relief, and,

**WHEREAS,** upon completion of these deliverables, the JRFT will meet to determine if it should continue operating as an implementer or cease its operations; either decision will need to be decided in meeting minutes and formally ratified by City Council, **NOW,**

**THEREFORE BE IT RESOLVED,** that the Highland Park City Council will establish the COVID-19 Just Recovery Task Force to improve community resilience through community-led solutions aimed to protect public health and community welfare, while building economic, infrastructural, and health resilience through crisis response in lieu of the COVID-19 Pandemic. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**07-06-20-6b**

The following resolution was submitted for approval.

**RESOLUTION DECLARING THERE IS A ‘BONA FIDE’ DISPUTE THAT EXISTS BETWEEN THE HIGHLAND PARK CITY COUNCIL AND MAYOR HUBERT YOPP IN THE MATTER OF THE NON-APPROVED CONTRACT BETWEEN THE AJAX PAVING INDUSTRIES, INC. AND MAYOR HUBERT YOPP**

Moved by Council Pro Tem Patrick

Supported by Councilmember Armstrong

**WHEREAS,** by the City Charter, the City Attorney (Terry Ford and the Ford Law Firm) represents both the Mayor AND the City Council in legal matters for the City of Highland Park, **and,**

**WHEREAS,** the City Attorney has continuously engaged in behavior favorable only to his friend, Mayor Hubert Yopp, **and,**

**WHEREAS,** the Highland Park City Council does not feel it has adequate legal representation from Terry Ford and the Ford Law Firm in legal matters facing the City of Highland Park or its City Council, **and,**

**WHEREAS,** in the matter of the illegal, No Bid, unapproved contract that was awarded to

Ajax Paving Industries, the City Council has requested documented contract information and has been denied by Mayor Hubert Yopp and City Attorney Terry Ford. This denial has triggered a ‘bona fide’ dispute between the Highland Park City Council and Mayor Hubert Yopp based on Section 7-5 (Item 4) and Section 7-5 (Item 6-c) of the Highland Park City Charter, **and**,

**WHEREAS**, the Highland Park City Council would like to issue a statement of ‘**NO CONFIDENCE**’ in the legal representation provided to the City Council, the City and its residents for Terry Ford and the Ford Law Firm as it pertains to legal matters in the City of Highland Park, **and**,

**WHEREAS**, the Highland Park City Council declares Charter Violations have occurred of Section 7-5 subsection (1), (5), (6b) by the City Attorney Terry Ford and the Ford Law Firm, **NOW**,

**THEREFORE BE IT RESOLVED**, that the Highland Park City Council now requests that Mayor Hubert Yopp ‘*remove and replace*’ Terry Ford and the Ford Law Firm from representing the City of Highland Park in any and all Legal Matters and the contract along with this Resolution be submitted to the Michigan State Attorney Grievance Commission immediately. Yeas (4), Nays (0), Absent (1) Councilmember Lewis..

\*

**07-06-20-6c**

The following resolution was submitted for approval.

**RESOLUTION REQUIRING THAT MAYOR HUBERT YOPP FOLLOW THE LAW AND ABIDE BY ORDINANCE 580; 1959 CODE SECTION 2-102 OF THE CITY OF HIGHLAND PARK, MI**

Moved by Councilmember Bates  
Supported by Council Pro Tem Patrick

**WHEREAS**, Ordinance #580; 1959 Code Section 2-102 clearly states: ‘*No person who is drawing a pension from the City shall at the same time, receive compensation by reason of employment in any City department. However, no such person shall be employed or appointed unless such pensioner first executes and files a waiver of his or her pension payments during the period of his or her employment by the City*’, **and**

**WHEREAS**, Mayor Hubert Yopp has deemed the city ‘indigent’ based upon its financial challenges, **and**

**WHEREAS**, Mayor Hubert Yopp *has not* filed such a waiver in accordance with the law of the City of Highland Park, **and**

**WHEREAS**, this violation of the law is also a violation of the *newly* Revised City Charter, Section 7-3 Duties of the Mayor, Item #2, ‘See that all laws and Ordinances are enforced within the City’, **Now**

**THEREFORE BE IT RESOLVED**, that Mayor Hubert Yopp has **30 days** from today’s date (**July 6, 2020**) to file the required waiver, based on law, of pension payments during the remainder of his time as an Administrator in the City of Highland Park. Proof of that filing needs to be provided to the City Council. The Highland Park City Council reserves the right to revisit this issue at the next Regularly Scheduled City Council Meeting **post the 30-day period, August 17, 2020** to determine the next course of action if the waiver *has not been* filed. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**COMMUNITY DEVELOPMENT**  
**07-06-20-7**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE THE CUTTING AND CAPPING OF WATER LINES  
FOR 60 CITY-OWNED PROPERTIES SCHEDULED FOR DEMOLITION**

Moved by Councilmember Bates  
Supported by Council Pro Tem Patrick

**WHEREAS**, the City seeks to eliminate blighted properties while protecting the health and safety of community residents; and

**WHEREAS**, Wayne County has agreed to demolish 60 Highland Park properties (see attached list) under the Community Block Development Grant (CBDG) Program; and

**WHEREAS**, Highland Park is responsible for cutting and capping water lines at each property prior to demolition; and

**WHEREAS**, CPI will perform the cutting and capping at a cost of \$950 per property for a total cost of \$57,000; and

**WHEREAS**, the Community Block Development Grant (CBDG) program has allocated funds that may be used for the demolition of the above properties and will reimburse Highland Park for the cost of cutting and capping; and

**NOW, THEREFORE, BE IT RESOLVED** by the City that the Department of Community and Economic Development be permitted to issue a contract to CPI for the cutting and capping of water lines at the 60 specified properties for a price of \$950 per property or a total cost of \$57,000 with said costs being reimbursed by Wayne County from CBDG funds. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**POLICE**  
**07-06-20-8**

The following resolution was submitted for approval.

**RESOLUTION TO SOLICIT QUOTES FOR POLICE UNIFORMS**

Moved by Councilmember Armstrong  
Supported by Councilmember Bates

**WHEREAS**, the mission of the Highland Park Police Department is to maintain order, preserve human life and protect property within our community; and

**WHEREAS**, in the past, police officers have provided their own equipment, including uniforms, that lead to a non-uniform, unprofessional appearance and expired safety equipment such as ballistic vests; and

**WHEREAS**, the current police contract states that "the City shall provide and maintain employees with all necessary turnout gear, equipment and articles of clothing required in the performance of their duties"; and

**WHEREAS**, the Police Department is requesting permission to solicit quotes for police uniforms, including point blank ballistic vests and point blank guardian vest carriers (see attached); and

**NOW, THEREFORE, BE IT RESOLVED**, that the City approves the solicitation of quotes for police uniforms. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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**PUBLIC WORKS**  
**07-06-20-9**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE CONTRACT WITH T-COMM FOR TREE TRIMMING,  
TREE REMOVAL AND STUMP GRINDING SERVICES**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

**WHEREAS**, the City of Highland Park is responsible for the maintenance of its public rights-of-way; and

**WHEREAS**, the City has identified up to 330 trees in the public rights-of-way that are dead or dying (see attached); and

**WHEREAS**, over the past two years, the City has solicited quotes from professional tree service companies to service the tree trimming and tree removal needs of the City of Highland Park; and

**WHEREAS**, selected contractors were interviewed, and the Department of Public Works is recommending T-Comm as the professional tree service company for the City of Highland Park; and

**WHEREAS**, T-Comm will trim/remove trees that pose a tremendous hazard to the public; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City approves the contract with T-Comm for tree trimming, tree removal and stump grinding services. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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## **COUNCIL AFFAIRS**

Moved by Councilmember Armstrong  
Supported by Council Pro Tem Patrick

To raise the fine for illegal dumping from \$2,500 to \$5,000. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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## **ADJOURNMENT**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Armstrong

To adjourn the meeting, motion carried, meeting adjourned at 8:25p.m.

**CERTIFICATE**

I hereby certify that the attached is a copy of the minutes of the Virtual Regular Meeting held the 6<sup>h</sup> of July 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