

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

JUNE 1, 2020

Council convened at 7:04 p.m. with Council President Clyburn presiding.

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

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

To approve the agenda with the addition of a communication from Mayor Yopp regarding the proposed budget and a communication from Cathy Square City Administrator regarding the proposed budget. Yeas (5), Nays (0), Absent (0).

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 (4), Nays Councilmember Armstrong (1), Absent (0).

**CITY ADMINISTRATOR
6-01-20-4a**

The following resolution was submitted for approval.

**RESOLUTION AMENDING RESOLUTION AUTHORIZING 2020 CAPITAL
IMPROVEMENT BONDS**

Moved by Councilmember Bates
Supported by Councilmember Armstrong

WHEREAS, the City Council by resolution adopted on May 4, 2020 (the "Bond Resolution"), authorized the issuance of its 2020 Capital Improvement Bonds (Limited Tax General Obligation) (the "Bonds") in the aggregate amount of not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") to pay all or part of the costs of certain capital improvements in the City, including sinkholes, sanitary sewer conduits, sewer lining, and conducting a flow metering and CCTV study, together with all necessary interests in land, rights of way, appurtenances and attachments thereto (the "Project"); and to pay for certain costs of issuance of the Bonds; and

WHEREAS, upon the advice of the City's Municipal Advisor, the Bond Resolution included certain parameters applicable to the issuance of Bonds, including a maximum interest rate of 2.00% per annum; and

WHEREAS, bonds issued to evidence a loan from the Michigan Finance Authority pursuant to the Clean Water Revolving Fund program which mature in 30 years, as opposed to the customary 20 years, accrue interest at an annual rate of 2.25%; and

WHEREAS, the City Council desires to amend the Bond Resolution to amend the parameters that govern the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Amendment to the Second Recital of the Bond Resolution.** The Second Recital of the Bond Resolution is hereby amended and restated in its entirety as follows:

WHEREAS, the Project qualifies for the State of Michigan Clean 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 and one quarter percent (2.25%) per annum; and

2. **Amendment to Section 1 of the Bond Resolution.** Section 1 of the Bond Resolution is hereby amended and restated in its entirety as follows:

1. **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 (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) 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 and one quarter percent (2.25%) 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 6 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 6 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.

3. Amendment to Section 6 of the Bond Resolution. Section 6 of the Bond Resolution is hereby amended and restated in its entirety as follows:

6. 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 Authority 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 Purchase Contract:

4. Defined Terms. Capitalized terms used herein and not defined herein shall have the meanings ascribed to them in the Bond Resolution.

5. Rescission and Amendment to Bond Resolution. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Except as otherwise amended by this resolution, all provisions of the Bond Resolution shall remain in full force and effect. Yeas (5), Nays (0), Absent (0).

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06-01-20-4b

The following communication was received from City Administrator Cathy Square.

Due to the pandemic, I am rescinding my request for the raise the City Council approved last December 2019.

Moved by Council Pro Tem Patrick

Supported by Councilmember Lewis

To receive and file the above communication from City Administrator Cathy Square. Yeas (5), Nays (0), Absent (0).

MAYOR

06-01-20-5

The following communication was received from Mayor Yopp.

I would like to make the following changes to the Proposed Budget for Fiscal Year 2020-2021:

1. To award \$5,000 to each of the 3 Districts for clean-ups and district related issues. This would be an increase to the City Council Budget of \$15,000.00

2. To award the 8 workers in the DPW department an increase of wages. The increase includes 7 workers going from \$10 to \$12 and 1 worker from \$14 to \$18. This would be an increase of \$30,000
3. To reduce the salary amount of the City Administrator from \$110,000 to \$95,000.

Moved by Councilmember Lewis
Supported by Councilmember Bates

To receive and file the above communication from Mayor Yopp regarding changes to the Proposed Budget for Fiscal Year 2020-2021. Yeas (5), Nays (0), Absent (0).

**CITY COUNCIL
06-01-20-6**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE THE PROPOSED MUNICIPAL BUDGET FOR
THE PERIOD OF JULY 1, 2020 TO JUNE 30, 2021**

Moved by Council Pro Tem Patrick
Supported by Councilmember Lewis

WHEREAS, the City of Highland Park is required by the State of Michigan to submit an annual operating budget to accurately reflect current operations; **and**,

WHEREAS, the Mayor of the City of Highland Park submitted a Proposed Budget for the year of 2020-2021 to the members of the Highland Park City Council; **and**,

WHEREAS, the members of the Highland Park City Council held a Public Hearing on Tuesday, May 26, 2020 to review and discuss the Proposed Annual Budget for the year 2020-2021 as submitted by Mayor Hubert Yopp; **NOW**,

THEREFORE, BE IT RESOLVED, that the Highland Park City Council adopts the Proposed Budget for the year 2020-2021 with the following amendments: To amend the 8 staff members in the DPW Department an increase in wages which includes 7 of the 8 staff members receiving a wage increase from \$10.00 per hour *to* \$12.00 per hour and 1 staff member receiving a wage increase from \$14.00 per hour *to* \$18.00 per hour. This would be an increase of \$30,000 as requested by the Mayor Huber Yopp. To amend the City Council budget by \$15,000 for district communications and district related activities as requested by Mayor Hubert Yopp. To amend the salary amount of the City Administrator from \$110,000 annually to \$95,000 annually as requested by Mayor Hubert Yopp. The Highland Park City Council reserves the right and is duty

bound by the Charter to amend this budget as necessary during the fiscal year 2020-2021. Yeas (4), Nays Councilmember Armstrong (1), Absent (0).

PUBLIC WORKS

06-01-20-7a

The following resolution was submitted for approval.

RESOLUTION TO ACCEPT THE AWARD OF THE FINANCIALLY DISTRESSED CITIES, VILLAGES AND TOWNSHIPS (FDCVT) GRANT PROGRAM FROM THE STATE OF MICHIGAN

Moved by Councilmember Lewis
Supported by Councilmember Bates

WHEREAS, the City of Highland Park applied to the Department of Treasury, Office of Revenue and Tax Analysis (ORTA) for the FDCVT Grant, and

WHEREAS, on May 20, 2020, the City of Highland Park received a letter from ORTA advising the City of its intent to award the City of Highland Park a total of \$75,000 (Seventy-Five Thousand Dollars) for an ADA Compliant Front Entrance to Highland Park City Hall, and

WHEREAS, the State of Michigan requires each municipality's governing body to adopt a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's FDCVT grant program.

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the City of Highland Park hereby accepts the award of the FDCVT grant in the amount of \$75,000. Yeas (5), Nays (0), Absent (0).

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06-01-20-7b

The following resolution was submitted for approval.

RESOLUTION TO SOLICIT QUOTES TO CUT GRASS IN THE PUBLIC RIGHT-OF-WAYS

Moved by Council Pro Tem Patrick
Supported by Councilmember Lewis

WHEREAS, the City of Highland Park is responsible for the health and welfare of its citizens as well as the maintenance of its infrastructures; and

WHEREAS, the public rights-of-way between the sidewalk and curb, if not maintained on a regular basis, can create sight hazards; attract pests and illegal dumping of garbage; impact the city stormwater system; and detract from the appearance, health and viability of the City; and

WHEREAS, the Department of Public Works desires to solicit bids for mowing, trimming, edging, removing clippings/debris from grass/medians, and removing solid waste (both organic and inorganic) from public rights-of-way twice per month from May thru October, or as required; and

NOW, THEREFORE, BE IT RESOLVED, that the City authorizes the Department of Public Works to solicit bids for the mowing, trimming, edging, removing clippings/debris from grass/medians, and removing solid waste (both organic and inorganic) from public rights-of-way utilizing Act 51 funds. Yeas (5), Nays (0), Absent (0).

**WATER/ENGINEERING
6-01-20-8**

The following resolution was submitted for approval.

A RESOLUTION TO ACCEPT WAYNE COUNTY ANNUAL MAINTENANCE PERMIT A-20058, ANNUAL PAVEMENT RESTORATION PERMIT A-20113, ANNUAL PERMIT FOR SPECIAL EVENTS A-20146 AS REQUESTED BY THE CITY ENGINEERING DEPARTMENT

Moved by Councilmember Lewis
Supported by Council Pro Tem Patrick

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;

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;

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 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.

RESOLVED FURTHER, 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).


ADJOURNMENT

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To adjourn the meeting, motion carried, meeting adjourned at 8:18 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the Virtual Regular Meeting held the 1st of June 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