

PROPOSED

MINUTES OF THE REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL

October 16, 2017

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

Present: Council Pro Tem McDonald, Councilmember Woodard, Councilmember Lewis, Councilmember Marshall and Council President Patrick. (5).

Absent: None

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Council Pro Tem McDonald

Supported by Councilmember Lewis

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

APPROVAL OF MINUTES

Moved by Councilmember Lewis

Supported by Council Pro Tem McDonald

To approve the minutes from the Workshop Meeting held October 2, 2017. Yeas (5), Nays (0), Absent (0).

Moved by Councilmember Woodard

Supported by Councilmember Lewis

To approve the minutes from the Regular Meeting held October 2, 2017. Yeas (5), Nays (0), Absent (0).

BID OPENING:

10-16-1

The Clerk stated this was the time and place to open proposals for Water Leak Detection Survey Project.

Two (2) proposals were received.

Onyx Enterprise, Inc. proposal received on due date October 9, 2017 before 12:00 noon
7650 Second Ave. Suite #106
Detroit, MI 48207 Bid amount: \$275,325.79

M.E. Simpson Co., Inc. proposal received on October 10, 2017 due date was October 9, by 12:00 noon.
3406 Enterprise Ave.
Valparaiso, IN 46383 Bid amount – No amount was included with the proposal.

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

To accept and open the bid that was received after the due date. Yeas (5), Nays (0), Absent (0).

Moved by Councilmember Woodard
Supported by Councilmember Lewis

To refer the proposals to the Water Department & Legal for a recommendation. Yeas (5), Nays (0), Absent (0).

ORDINANCE – 1ST READING:

10-16-2

The Clerk stated this was the 1st reading of Special Event Vending Ordinance.

Moved by Council Pro Tem McDonald
Supported by Councilmember Woodard

That the Ordinance be placed on the order of first reading by title Special Event Vending Ordinance.

Council President Patrick stated: THIS SHALL BE KNOWN AS THE FIRST READING OF THE ORDINANCE.

SPECIAL EVENT VENDING ORDINANCE

An Ordinance to amend the Highland Park City Business Regulation and Taxation Code, Chapter 874, by adding section 874.01 (a) to define “food truck vendor”; by adding section 874.01 (b) to define “special event vendor”; by adding the word “limitations” to section 874.03, License Applications, Investigations section heading; BY ADDING SECTION 874.03 (a) titled “Food Truck

Vendor License”; by adding section 874.03 (b) titled “Special Event Vendor License”; by adding section 874.05 (f), “fees for a Truck Vendor license”; by adding section 874.05 (g), “fees for a Special Event Vendor License,” to provide a means to allow for food and goods to be sold by vendors at City-allowed “Special Events,” such as: the Michigan Week parade, the Highland Park Music Festival, art shows, carnivals, or any other event deemed “special” by the City Council.

definition of a special event vendor, and authority to grant a “Special Event Vendor License,” and

WHEREAS, the Charter for the City of Highland Park provides that Council has the authority to enact all ordinances they deem necessary for the safety, order, and good government of the City and the general welfare of the inhabitants.

NOW, THEREFORE, THE CITY OF HIGHLAND PARK ORDAINS:

SECTION 1. The existing Title II, Chapter 874, section 874.01 of the Highland Park Code of Ordinances are hereby amended and the following new sections 874.01 (a) and 874.01 (b) are added and hereby adopted.

874.01 STREET VENDOR DEFINED.

As used in this chapter, “street vendor” includes hucksters and peddlers and means a person who sells or peddles food, or other products, not produced, manufactured or made by himself or herself on public ways or from door to door of homes, offices, stores, hotels, restaurants or other places of business in the City.

(A) FOOD TRUCK VENDOR: A “FOOD TRUCK VENDOR” MEANS THE OPERATOR OF A MOTORIZED VEHICLE WHICH, UPON ISSUANCE OF A LICENSE BY THE CITY CLERK AND CONFORMANCE WITH THE REGULATIONS OF THE STATE AND UNDER THIS CHAPTER, DURING SPECIAL EVENTS ONLY MAY TEMPORARILY PARK UPON A PUBLIC STREET OR IN A PUBLIC PARKING LOT AND ENGAGE IN THE PREPARATION, SERVICE, SALE OR DISTRIBUTION OF READY-TO-EAT FOOD FOR INDIVIDUAL PORTION SERVICE TO THE GENERAL PUBLIC DIRECTLY FROM THE VEHICLE, FOR PURPOSES OF THIS SECTION, MOBILE FOOD VEHICLE INCLUDES A TRAILER PULLED BY A MOTORIZED VEHICLE ENGAGED IN THE PREPARATION, SERVICE, SALE OR DISTRIBUTION OF READY-TO-EAT FOOD FOR INDIVIDUAL PORTION SERVICE TO THE GENERAL PUBLIC DIRECTLY FROM THE TRAILER, AND SHALL INCLUDE COOKERS, GRILLS, SMOKERS, OR OTHER SIMILAR APPARATUSES, FOOD TRUCK VENDORS SHALL NOT OFFER OR ADVERTISE THE OFFERING OF BEER, WINE, OR OTHER ALCOHOLIC BEVERAGES.

(B) SPECIAL EVENT VENDOR: A “SPECIAL EVENT VENDOR” MEANS AN OPERATOR OF A STATIONARY STAND OR PORTABLE VENDING CART LICENSED FOR A LIMITED, SPECIFIC ERIOD IN ASSOCIATION WITH A SPECIAL EVENT. THE STATIONARY STAND OR PORTABLE VENDING CART MAY BE LEFT ON SITE FOR THE DURATION OF THE EVENT, AND MAY BE LOCATED ON PRIVATE PROPERTY. THE SPECIAL EVENT VENDOR SHALL BE LICENSED BY THE SPECIAL EVENT ORGANIZATION WHICH HAS BEEN APPROVED BY THE CITY COUNCIL TO ORGANIZE A SEPCIAL EVENT. THE CITY COUNCIL SHALL DECIDE APPROVAL OF LICENSE IF THE SPECIAL EVENT ORGANIZATION HAS WAIVED VENDING RIGHTS.

SECTION 2. The existing Title II, Chapter 874, section 874.03, of the Highland Park Code of Ordinances are hereby amended, and the word "Limitations" is added to the section heading and is hereby adopted.

874.03 LICENSE APPLICATIONS; INVESTIGATIONS; LIMITATIONS.

SECTION 3. The existing Title II, Chapter 874, section 874.03, of the Highland Park Code of Ordinances are hereby amended and the following new section 874.03 (a) and 874.03 (b) are added and hereby adopted.

874.03 LICENSE APPLICATIONS; INVESTIGATIONS; LIMITATIONS.

An application for the license required by Section 874.02 shall be made in writing to Council upon forms furnished by the City and shall be filed with the City Clerk. The application shall give all such information as may be deemed necessary for the proper enforcement of this chapter, including the age, name and residence of the applicant, and shall state whether or not the applicant is a citizens of the United States or has declared his or her intention of becoming a citizens of the United States. Upon receipt of such application, the Clerk shall refer the same to the Chief of Police, and, if the applicant proposes to vend food products, to the Health Officer, for investigation and recommendation, both of whom shall report to Council within 45 days.

(A) FOOD TRUCK VENDOR LICENSE. A FOOD TRUCK VENDOR LICENSE SHALL BE ISSUED FOR CITY-APPROVED SPECIAL EVENTS ONLY. A FOOD TRUCK VENDOR'S OPERATIONS SHALL BE RESTRICTED TO A CITY COUNCIL APPROVED AREA OF THE SPECIAL EVENT ONLY. SUBSECTION (B) SHALL BE APPLICABLE TO ALL FOOD TRUCK VENDOR LICENSEES.

(B) SPECIAL EVENT VENDOR LICENSE. VENDING LICENSE LIMITATIONS MAY BE EXPANDED OR WAIVED DURING APPROVED SPECIAL EVENTS AUTHORIZED BY RESOLUTION OF THE CITY COUNCIL. THE CITY COUNCIL MAY AUTHORIZE THE CITY CLERK TO ISSUE A VENDOR LICENSE TO VALID LOCAL ORGANIZATIONS SPONSORING AND OPERATING A SPECIAL EVENT WITHIN A SPECIFIED AREA OF THE CITY OF HIGHLAND PARK, NO PERSON, GROUP OR ORGANIZATION SHALL SELL ANY FOOD, MERXHANDISE, GOODS, SERVICES, AMUSEMENTS, RIDES OR OTHER ITEMS ON ANY PUBLIC STREET, ALLEY, SIDEWALK OR OTHER PUBLIC PROPERTY WITHIN THE SPECIAL EVENT AREA DURING THE TIME OF THE SPECIAL EVENT WITHOUT FIRST BEING APPROVED BY THE SPONSORING ORGANIZATION OVERSEEING THE SPECIAL COMMUNITY EVENT.

SECTION 4: The existing Title II, Chapter 874, section 874.05 of the Highland Park Code of Ordinances are hereby amended and the following new section 874.05 (f) and 874.05 (g) are added and hereby adopted.

874.05 LICENSE ISSUANCE; FEES.

When a license under this chapter has been granted, the City Clerk shall issue the same upon payment by the applicant to the City Treasurer of the following fees:

- (a) For a street vendor who uses no handcart or pushcart or vehicle; seventy-five dollars (\$75.00)
- (b) For a street vendor who uses a handcart or pushcart; one hundred dollars (\$100.00)

(c) For a street vendor who uses a mechanically propelled vehicle drawn by animals; one hundred twenty-five dollars (\$125.00)

(d) DELETED

(e) DELETED

(F) FOR A FOOD TRUCK VENDOR WHO OPERATES A MOBILE FOOD VENDING VEHICLE LICENSED FOR A LIMITED, SPECIFIC PERIOD IN ASSOCIATION WITH A SPECIAL EVENT ONLY:
ONE HUNDRED FIFTY DOLLARS (\$150.00)

(G) FOR A SPECIAL EVENT VENDOR WHO OPERATES A STATIONARY STAND OR PORTABLE VENDING CART LICENSED FOR A LIMITED, SPECIFIC PERIOD IN ASSOCIATION WITH A SPECIAL EVENT:
ONE HUNDRED DOLLARS (\$100.00)

Section 5: SEVERABILITY. The various parts, sections and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

Section 6: EFFECTIVE DATE. This Ordinance shall be published in full in a newspaper of general circulation in the City of Highland Park qualified under State law to publish legal notices and shall become effective upon publication, as provided by law

CITY COUNCIL:

10-16-3

The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

RESOLUTION TO RESCIND DIRECTIVE 004

WHEREAS, on June 23, 2009, former Emergency Financial Manager Robert Mason signed into effect Directive 004; and

WHEREAS, Directive 004 increased water and sewer rates effective July 1, 2009

NOW THEREFORE, BE IT RESOLVED that the City Council for the City of Highland Park rescinds Directive 004. Yeas (5), Nays (0), Absent (0).

10-16-4

The following resolution was submitted for approval.

Moved by Councilmember Woodard

Supported by Councilmember Lewis

RESOLUTION TO RESCIND DIRECTIVE 043

WHEREAS, on April 1, 2002, former Emergency Financial Manager Ramona H. Pearson signed into effect Directive 043; and

WHEREAS, Directive 043 revised water and sewer rates, effective for all billings on or after April 1, 2002;

NOW THEREFORE BE IT RESOLVED, that the City Council for the City of Highland Park rescinds Directive 043. Yeas (5), Nays (0), Absent (0).

FINANCE DEPARTMENT:

10-16-5

Submission of monthly financial statement September 30, 2017.

Moved by Council Pro Tem McDonald

Supported by Councilmember Marshall

To receive and file the statement.

CITY COUNCIL AFFAIRS:

Moved by Council Pro Tem McDonald

Supported by Councilmember Lewis

To have a Special Workshop meeting on Saturday, October 28, 2017 at 10:00 a.m. to review and discuss rescinding former Emergency Manager's directives. Yeas (5), Nays (0), Absent (0).

ADJOURNMENT:

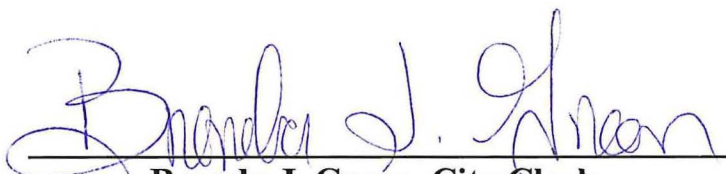
Moved by Council Pro Tem McDonald

Supported by Councilmember Lewis

To adjourn this meeting motion carried Yeas (5), Nays (0), Absent (0) meeting adjourned at 8:29 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the minutes of a Regular Meeting held on the 16th day of October 2017. Minutes are available for public inspection at the address designated on the posted public notice.


Brenda J. Green, City Clerk