

**MINUTES OF THE
VIRTUAL REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL
SEPTEMBER 20, 2021**

Council convened at 7:00 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick remotely from Highland Park, MI; Councilmember Jackson remotely from Highland Park, MI; Councilmember Bates remotely from Highland Park, MI; Councilmember Armstrong remotely from Highland Park, MI and Council President Clyburn remotely from Highland Park, MI (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 2 resolutions from Community Development and to move the resolution to accept the FDCTV Grant from Finance to the Mayor. Yeas (5), Nays (0), Absent (0).

APPROVAL OF MINUTES

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

To approve the minutes of the Virtual Workshop Meeting held September 7, 2021. Yeas (5), Nays (0), Absent (0).

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Moved by Councilmember Armstrong
Supported by Councilmember Jackson

To approve the minutes of the Virtual Regular Meeting held September 7, 2021. Yeas (5), Nays (0), Absent (0).

POSTPONED
09-20-21 V

The following item was postponed from September 7, 2021.

**RESOLUTION TO APPROVE CONTRACT WITH LIFELINE CONCORD, LLC TO
PROVIDE AMBULANCE TRANSPORTATION SERVICES**

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To remove the above item. Yeas (5), Nays (0), Absent (0).

MAYOR
09-20-21 VI

The following resolution was submitted for approval.

**RESOLUTION TO ACCEPT THE 2021 FDCVT GRANT PROGRAM AWARD FROM
THE STATE OF MICHIGAN IN THE AMOUNT OF \$100,000**

Moved by Councilmember Bates
Supported by Councilmember Armstrong

WHEREAS, the City of Highland Park applied to the Department of Treasury, Office of Revenue and Tax Analysis (ORTA) for the 2021 FDCVT Grant, and

WHEREAS, on July 26, 2021, 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 \$100,000 (One Hundred Thousand Dollars) for the installation of solar street lights, 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, and

WHEREAS, the City of Highland Park has two years to complete this project, and

NOW THEREFORE, BE IT FINALLY RESOLVED, that the City of Highland Park hereby accepts the award of the FDCVT grant in the amount of \$100,000. Yeas (5), Nays (0), Absent (0).

**CITY ADMINISTRATOR
09-20-21 VII a**

The following resolution was submitted for approval.

**RESOLUTION TO ACCEPT AMERICAN RESCUE PLAN ACT (ARPA)
CORONAVIRUS LOCAL FISCAL RECOVERY FUND AWARD**

Moved by Councilmember Bates
Supported by Councilmember Armstrong

WHEREAS, the City of Highland Park applied to the Michigan Department of Treasury for the ARPA Coronavirus Local Fiscal Recovery Fund; and

WHEREAS, on September 3, 2021, the Michigan Department of Treasury notified the City of Highland Park that its request for the Coronavirus Local Fiscal Recovery Fund had been approved in the amount of \$1,127,804; and

WHEREAS, the funds will be used to support Fire Department operations and services related to COVID-19 emergencies and safety protocols.

NOW, THEREFORE, BE IT RESOLVED, that the City approve the acceptance of the \$1,127,804 ARPA Coronavirus Local Fiscal Recovery Fund. Yeas (5), Nays (0), Absent (0).

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09-20-21 VII b

The following resolution was submitted for approval.

**RESOLUTION AUTHORIZING RENEWAL OF THE FINANCIAL ADVISORY
AGREEMENT FROM ROBERT W. BAIRD & CO.**

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

BE IT RESOLVED, that the Highland Park City Council hereby approves the Financial Advisory Services Agreement between the City of Highland Park and Robert W. Baird & Co. to serve as financial advisor to the City of Highland Park from October 1, 2021 to December 31, 2022. Yeas (5), Nays (0), Absent (0).

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09-20-21 VII c

The following resolution was submitted for approval.

**RESOLUTION AMENDING RESOLUTION AUTHORIZING 2021 WATERWORKS
SYSTEM LIMITED TAX GENERAL OBLIGATION BONDS**

Moved by Council Pro Tem Patrick
Supported by Councilmember Jackson

WHEREAS, the City Council by resolution adopted on July 6, 2021 (the "Bond Resolution"), authorized the issuance of its 2021 Waterworks System Limited Tax General Obligation Bonds (the "Bonds") in the aggregate amount of not to exceed Twelve Million Dollars (\$12,000,000) pursuant to the provisions of Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451 "), in order to pay all or part of the costs to comply with Administrative Consent Order #ACO-399-06-2017, dated July 28, 2017, as now in force or hereafter amended, extended or interpreted (the "Order") and to make the improvements required thereby, including the improvements set forth in the Final Project Plan - Drinking Water Revolving Fund prepared by Metro Consulting Associates, LLC, dated March 23, 2021, as the same is supplemented and amended from time to time, and any permits authorizing such work (the "Project") and to pay the costs of issuance of the Bonds; and

WHEREAS, after consultation with the City's municipal advisor, engineers and the Michigan Department of Environment, Great Lakes & Energy ("EGLE"), it has been determined that the City, with modifications to the timing of the Project, qualifies for substantially more principal forgiveness than previously determined; and

WHEREAS, in order to increase the amount of principal forgiveness for which the City qualifies, the City Council desires to amend the Bond Resolution to authorize a higher initial par amount of the Bonds and to authorize the issuance of the Bonds in one or more series.

NOW, THEREFORE, BE IT RESOLVED THAT:

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

WHEREAS, it is the determination of the City Council that at this time limited tax general obligation bonds in the aggregate principal amount of not to exceed Thirteen Million Dollars (\$13,000,000) should be issued in one or more series to pay for the Project.

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. Subject to no proper petition being filed within the 45-day period, bonds of the City designated **2021 WATERWORKS SYSTEM LIMITED TAX GENERAL OBLIGATION BONDS** (the "Bonds") are authorized to be issued in one or more series in the aggregate principal sum of not to exceed Thirteen Million Dollars (\$13,000,000), as finally determined by orders of the EGLE, for the purpose of paying all or part of the cost of the Project, including capitalized interest and the costs incidental to the issuance, sale and delivery of the Bonds. Each series of the Bonds

shall be in the form of a single fully-registered, nonconvertible bond in the denomination of the full principal amount thereof, dated as of the date of delivery of the Bonds, payable in principal installments in the years 2022 through 2061 or such other years as finally determined by the order of the EGLE at the time of sale of the Bonds and approved by the MFA and either the Mayor, the City Administrator, the City Clerk or the Finance Director of the City (each, an “Authorized Officer” and collectively, the “Authorized Officers”). Interest on the Bonds shall be payable on April 1 and October 1 of each year, commencing April 1, 2022, 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 and the payment dates and amounts of principal installments of each series the Bonds and interest thereon shall be evidenced by execution of one or more Purchase Contracts (the “Purchase Contract”) between the City and the MFA providing for sale of the Bonds, and any Authorized Officer is hereby authorized and directed to execute and deliver the Purchase Contract when 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 MFA on terms approved by MFA.

The Bonds shall bear interest at a rate of not-to-exceed two and one eighths percent (2.125%) per annum on the par value thereof or such other rate as evidenced by execution of the Purchase Contract, but in any event not to exceed the rate permitted by law, and an Authorized Officer shall deliver the Bonds in accordance with the delivery instructions of the MFA. The Bonds principal amount is expected to be drawn down by the City periodically, and interest on principal amount 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 5 of this Resolution.

Each series of 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 Bonds form in this Resolution as the same may be amended to conform to MFA requirements.

An Authorized Officer 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 an Authorized Officer.

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

The Mayor and the City Clerk are authorized to execute and deliver the Bonds in accordance with the delivery instructions of the MFA. 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 MFA shall require no further authentication.

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

3. The Treasurer of the City is authorized to open one or more separate depository accounts with a bank or trust company designated by the City, to be designated 2021 WATERWORKS SYSTEM LIMITED TAX GENERAL OBLIGATION BONDS DEBT RETIREMENT FUND (the “Debt Retirement Fund”), with such additional designations as are necessary if the Bonds are issued in more than one series, the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the fiscal year beginning July 1, 2021, the City shall provide in its budget each year until the Bonds are paid, in the manner provided by the provisions of Act 451, an amount sufficient to promptly pay, when due, after taking into account other available funds of the City, the principal of and interest on the Bonds becoming due prior to the next annual tax levy. The limited tax full faith, credit and resources of the City are hereby pledged for the prompt payment of the principal of and interest on the Bonds as they become due, which pledge shall include the City’s obligation to pay from its general funds as a first budget obligation said principal and interest and, if necessary, to levy ad valorem taxes on all taxable property in the City, within applicable constitutional and statutory tax rate limitations.

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 one or more Revenue Sharing Pledge Agreements (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.

In the event a deposit of trust is made of 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 or mandatory redemption, the principal of, premium, if any, and interest on the Bond, this Resolution shall be defeased and the owners of the Bond shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest of the Bond from the cash or securities deposited in trust and the interest and gains thereon.

4. **Amendment to Section 4 of the Bond Resolution.** Section 4 of the Bond Resolution is hereby amended and restated in its entirety as follows:

4. The Treasurer is authorized to open one or more separate depository accounts with a bank or trust company designated by the City, to be designated 2021 WATERWORKS SYSTEM LIMITED TAX GENERAL OBLIGATION BONDS CONSTRUCTION FUND (the “Construction Fund”), with such additional designations as are necessary if the Bonds are issued in more than one series, and deposit into said Construction Fund the proceeds of the Bonds. 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.

5. **Amendment to Section 7 of the Bond Resolution.** Section 7 of the Bond Resolution is hereby amended and restated in its entirety as follows:

7. 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 one or more Purchase Contracts, Revenue Sharing Pledge Agreements, Supplemental Agreements, City Certificates, Distributable Aid Deposit Agreements 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 9 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.

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

7. **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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09-20-21 VII d

The following resolution was submitted for approval.

RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR THE GENERAL RETIREMENT PLAN, THE POLICE AND FIREMAN RETIREMENT SYSTEM, AND THE PUBLIC SAFETY RETIREMENT PLAN IN ACCORDANCE WITH PA 202 OF 2017 AND RELATED PENSION CONTRIBUTIONS

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

WHEREAS, the City of Highland Park General Employees Retirement Plan, the Policemen and Firemen Retirement System, and the Public Safety Retirement Plan are single-employer defined benefit pension plans (the "Retirement Plans"), and

WHEREAS, these Retirement Plans are less than 60% funded and the actuarially determined contribution for all of the Retirement Plans of the City of Highland Park is greater than 10% of City's annual governmental fund revenues, and

WHEREAS, under the provisions of Public Act 202 of 2017, the City of Highland Park, in April 2018, requested a waiver on the 60% funding requirement and cited a court-ordered dedicated millage funding source, and

WHEREAS, under the provisions of Public Act 202 of 2017, the City of Highland Park was denied a waiver on the 60% funding requirement and submitted multiple corrective action plans to reach the 60% funding, and

WHEREAS, the city council approved an annual contribution toward the Retirement Plans' funding deficit from the General Fund of \$500,000.

WHEREAS, the city council approved revised annual contributions to the Retirement Plans from the General Fund, as follows:

- a. \$20,000 to General Employees Retirement System
- b. \$ 30,000 to Policemen and Firemen Retirement System
- c. \$210,000 to the Public Safety Retirement System.

WHEREAS, the city's corrective action plans for the Retirement Plans were approved by the State of Michigan on September 23, 2019.

WHEREAS, the city has increasing the funding levels of Retirement Plans and as of the latest actuarial report dated December 31, 2020, assuming Uniform Assumptions under Public Act 202 of 2017, the funding levels of the Retirement Plans are as follows:

- a. General Employees Retirement System - 19% Funded
- b. Policemen and Firemen Retirement System - 51 % Funded
- c. Public Safety Retirement System - 8% Funded

WHEREAS, the city has received a letter from the State of Michigan to file corrective action plan monitoring forms for the Retirement Plans and, given the court-ordered dedicated millage funding source and current funding status, the City wishes to file amended corrective action plans for the Retirement Plans with annual contributions from the General Fund as follows:

- a. \$10,000 to General Employees Retirement System
- b. \$0 to Policemen and Firemen Retirement System
- c. \$100,000 to the Public Safety Retirement System

BE IT FINALLY RESOLVED, that the Highland Park City Council hereby approves the corrective action plans for the retirement systems and the associated annual contributions from the general fund as follows:

- a. \$10,000 to General Employees Retirement System
- b. \$0 to Policemen and Firemen Retirement System
- c. \$100,000 to the Public Safety Retirement System

Yeas (5), Nays (0), Absent (0).

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09-20-21 VII e

The following resolution was submitted for approval.

RESOLUTION TO APPROVE A TWO-YEAR CONTRACT FOR SAFE BUILT MICHIGAN, LLC FOR BUILDING INSPECTION SERVICES

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

WHEREAS, the State of Michigan requires the engagement of an inspector for the express purpose of enforcing the state building code; and

WHEREAS, the City of Highland Park entered into a one-year contract with Safebuilt Michigan, LLC on September 8, 2019 to provide inspection services, including: business licenses, rentals, safety, etc., for a fee of 75% of total revenues collected; and

WHEREAS, in September 2020, the City issued an addendum to that contract to extend it for one year to September 8, 2021; and

WHEREAS, Safebuilt will provide a Safebuilt employee to man the permit window from 9:00 a.m. - 1 :00 p.m. on Monday, Wednesday and Friday, at their expense and will house 4 Safebuilt employees in City facilities; and

NOW, THEREFORE, BE IT RESOLVED that the City of Highland Park approves the two-year contract for Safebuilt Michigan, LLC, 426 E. Lincoln, Royal Oak, MI 48067. Yeas (5), Nays (0), Absent (0).

Council Pro Tem Patrick asked to be allowed to abstain from voting on the two (2) items from Community Development because a family member and a close friend are part of the proposed development.

Moved by Councilmember Armstrong
Supported by Councilmember Bates

To allow Council Pro Tem Patrick to abstain from voting on the two (2) items from Community Development. Yeas (4), Nays (0), Absent (0), Abstain (1) Patrick.

**COMMUNITY DEVELOPMENT
09-20-21 VIII a**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE THE REZONING OF THE WOODWARD &
CALIFORNIA SITE FOR THE PARK PLAZA DEVELOPMENT TEAM, FROM CIVIC
(C) TO TRANSIT ORIENTED DESIGN (TOD)**

Moved by Council Bates
Supported by Councilmember Armstrong

WHEREAS, the Planning Commission held a public hearing on September 15, 2021 at 5pm to review the request from Park Plaza team to rezone the Woodward & California site and;

WHEREAS, the development consists of three phases and will become a mixed use development upon completion and;

WHEREAS, the application to apply for tax credits to the Michigan State Housing Development Authority (MSHDA), must be submitted by October 1, 2021 and;

WHEREAS, the Planning Commission recommended approval for the Park Plaza development team to rezone the Woodward & California site from Civic (C) to Transit Oriented Design (TOD) and;

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the request to rezone the Woodward & California site from Civic (C) to Transit Oriented Design (TOD). Yeas (4), Nays (0), Absent (0), Abstain (1) Patrick.

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09-20-21 VIII b

The following resolution was submitted for approval.

RESOLUTION TO GIVE CONDITIONAL APPROVAL OF THE PARK PLAZA DEVELOPMENT TEAM SITE PLAN SUBJECT TO AN ADMINISTRATIVE REVIEW, AT THE STAFF LEVEL, OF THE SITE PLANS SECONDARY ITEMS

Moved by Council Bates
Supported by Councilmember Armstrong

WHEREAS, the Planning Commission held a meeting on September 15, 2021 at 5pm to review the recommendation of site plan approval from the Park Plaza development team and;

WHEREAS, the application to apply for tax credits to the Michigan State Housing Development Authority (MSHDA), must be submitted by October 1, 2021 and

WHEREAS, the Planning Commission recommended that City Council give conditional approval of Park Plaza's site plans, subject to an administrative review at the staff level of the site plans secondary items and;

NOW, THEREFORE, BE IT RESOLVED, that the City Council gives conditional approval of the Park Plaza team site plan subject to an administrative review at the staff level of the site plans secondary items. Yeas (4), Nays (0), Absent (0), Abstain (1) Patrick.

FINANCE
09-20-21 IX a

Moved by Councilmember Armstrong
Supported by Council Pro Tem Patrick

To receive and file the monthly financial statement August 31, 2021. Yeas (5), Nays (0), Absent (0).

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09-20-21 IX b

The following resolution was submitted for approval.

RESOLUTION TO LEASE FIVE CANON PRINTERS

Moved by Councilmember Armstrong
Supported by Council Pro Tem Patrick

WHEREAS, the Highland Park printers require an upgrade and the current contract has expired;
and

WHEREAS, the IT Department has secured 3 quotes from pre-negotiated governmental
contracts such as MiDEAL and the National IPA Cooperative Agreement; and

WHEREAS, the IT Department is recommending Canon color printers from Canon
Solutions America; and

WHEREAS, the total cost of a 36-month FMV lease is \$1018/month; and

NOW, THEREFORE, BE IT RESOLVED that the City approves entering into a three-year
lease agreement with Canon Solutions America for five Canon color printers at a cost of
\$1018/month. Yeas (5), Nays (0), Absent (0).

**FIRE
09-20-21 X**

The following resolution was submitted for approval.

RESOLUTION TO PURCHASE VEHICLE FOR FIRE DEPARTMENT

Moved by Councilmember Armstrong
Supported by Councilmember Bates

WHEREAS, the City of Highland Park Fire Department is in need of a vehicle for
department use; and

WHEREAS, Gov Deals, Inc. is offering a 2014 Ford Taurus AWD for the purchase price of
\$8,137.12, which amount is available in the Fire department’s budget.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the Fire
Department’s purchase of a replacement vehicle for the price of \$8,137.12. Yeas (5), Nays
(0), Absent (0).

**RECREATION
09-20-21 XI**

The following resolution was submitted for approval.

**RESOLUTION TO SOLICIT QUOTES TO REPAIR/REPLACE RECREATION
CENTER DOORS**

Moved by Council Pro Tem Patrick
Supported by Councilmember Jackson

WHEREAS, the Highland Park Recreation Center requires repairs/replacements of six doors (see attached map); and

WHEREAS, two doors must be replaced to meet Fire Safety Regulations; and

WHEREAS, three doors need repairs to thresholds, weather stripping, moldings and door sweeps to prevent water from coming into the building; and

WHEREAS, the main door needs replacement for ADA compliance; and

NOW, THEREFORE, BE IT RESOLVED that the City approves soliciting quotes to repair/replace Recreation Center doors. Yeas (5), Nays (0), Absent (0).

COUNCIL AFFAIRS

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To give the honorary name of Avalon Village to the block of Avalon Street between Woodward & Second Avenues. Yeas (3) Clyburn, Patrick & Bates, Nays (2) Jackson & Armstrong, Absent (0).

ADJOURNMENT

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

To adjourn the meeting, motion carried, meeting adjourned at 8:17 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the Virtual Regular Meeting held the 20th day of September 2021 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk