

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

MARCH 5, 2018

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

Present: Council Pro Tem McDonald, Councilmember Woodard, Councilmember Lewis,
Councilmember Marshall and Council President Patrick (4).

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilmember Lewis
Supported by Councilmember Woodard

To approve the agenda with the removal of items VIIa & XII. Yeas (5), Nays (0), Absent (0).

APPROVAL OF MINUTES

Moved by Councilmember Lewis
Supported by Councilmember Marshall

To approve the minutes of the Workshop meeting held February 5, 2018. Yeas (5), Nays (0), Absent (0).

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Moved by Councilmember Lewis
Supported by Councilmember Marshall

To approve the minutes of the Regular meeting held February 5, 2018. Yeas (5), Nays (0), Absent (0).

**BID OPENING
03-05-18 Va**

The Clerk stated this was the place and time to open bids received for 2018 Hamilton Avenue Street Striping.

1 (one) bid was received: PK Contracting
 1965 Barrett Dr.
 Troy, MI 48084
 Total Bid Amount: \$5,235.00

Moved by Councilmember Lewis
 Supported by Councilmember Woodard

To refer to the Public Works for a recommendation. Yeas (5), Nays (0), Absent (0).

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03-05-18 Vb

The Clerk stated this was the place and time to open bids received for 2018 Solid Waste Collection Services.

4 (four) bids were received:

BIDDER	YEAR	10 Bags per week	10 bags + heavy trash per week	10 bags + heavy trash per month	Leaf collection	Hourly rate for illegal debris
Republic Services		no bid	no bid	no bid	no bid	no bid
5400 Cogswell Rd.						
Wayne, MI 48184						
Waste Management	1	no bid	\$13.80	no bid	included	no bid
48797 Alpha Dr. Ste. 100	2		\$14.35			
Wixom, MI 48393	3		\$14.92			
	4		\$15.52			
	5		\$16.14			
	Opt. yr 1		\$16.78			
	Opt. yr 2		\$17.45			
GFL Environmental	1	\$2.19	\$2.36	no bid	\$14.70	\$175
6200 Elmridge	2	\$2.26	\$2.43		\$15.14	
Sterling Hts., MI 48313	3	\$2.33	\$2.50		\$15.60	
	4	\$2.40	\$2.58		\$16.06	
	5	\$2.47	\$2.66		\$16.54	
	Opt. yr 1	\$2.54	\$2.74		\$17.04	
	Opt. yr 2	\$2.62	\$2.82		\$17.55	
Advanced Disposal	1	\$4.79	\$4.79	\$4.79	no bid	\$250
235 E. Main St. Ste. 105	2	\$4.88	\$4.88	\$4.88		
Northville, MI 48167	3	\$4.97	\$4.97	\$4.97		
	4	\$5.08	\$5.08	\$5.08		
	5	\$5.18	\$5.18	\$5.18		
	Opt. yr 1	\$5.28	\$5.28	\$5.28		
	Opt. yr 2	\$5.39	\$5.39	\$5.39		

Moved by Councilmember Lewis
Supported by Councilmember Marshall

To refer to Public Works for a recommendation. Yeas (5), Nays (0), Absent (0).

ADMINISTRATION
03-05-18 VI a

The following resolution was submitted for approval.

A RESOLUTION AUTHORIZING THE EXECUTION OF THE SETTLEMENT
AGREEMENT AND RELEASE OF ALL CLAIMS BETWEEN THE CITY OF
HIGHLAND PARK AND THE STATE OF MICHIGAN DEPARTMENT OF
TRANSPORTATION

Moved by Councilmember Lewis
Supported by Councilmember Marshall

WHEREAS, On July 7, 2015, the City of Highland Park filed a lawsuit against the Michigan Department of Transportation in the Michigan Court of Claims due to MDOT's discharge of storm water into the City of Highland Park's combined sewer system without payment of storm water treatment costs; and

WHEREAS, MDOT denies liability; and

WHEREAS, the City of Highland Park and MDOT have reached a complete resolution fully and forever, to avoid additional expense, burden, delay and uncertainty of litigation, and without admitting or acknowledging any liability; and

WHEREAS, MDOT agrees to pay the City of Highland Park the amount of One Million Dollars (\$1,000,000.00) in full within 30 days of the execution of the agreement; and

WHEREAS, effective December 1, 2017, MOOT agrees to pay annual charges, as agreed in the Settlement and Participation Agreements, for the operation and maintenance portion of the City of Highland Park's combined sewer system which provides conveyance and treatment of storm water runoff from all MDOT right-of-ways; and

NOW, THEREFORE, BE IT RESOLVED, that the Highland Park City Council APPROVES the execution of the Settlement Agreement and Release of All Claims and the Participating Agreement attached to this resolution and to comply with its terms. Yeas (5), Nays (0), Absent (0).

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03-05-18 VI b

The following resolution was submitted for approval.

RESOLUTION TO APPROVE USE AND OCCUPANCY OF BUILDING OWNED BY WOODWARD PLACE, LLC.

Moved by Councilmember Lewis
Supported by Councilmember Marshall

WHEREAS, Woodward Place, LLC is offering the use and occupancy of its building located at Woodward Place for use as a Highland Park Police Mini Station; and

WHEREAS, this lease is at no cost to the City of Highland Park; and

WHEREAS, such use and occupancy would create a police presence for crime deterrence.

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the no-cost lease of the Woodward Place property. Yeas (5), Nays (0), Absent (0).

**CITY CLERK
03-05-18 VII**

The Clerk submitted a Parade Permit application for approval for May 20, 2017 from Highland Park Parade Committee approval.

No Action Taken

**COMMUNITY DEVELOPMENT
03-05-18 VIII a**

The following resolution was submitted for approval.

RESOLUTION SETTING CDBG ANNUAL ALLOCATION PUBLIC HEARING FOR PROGRAM YEAR 2018

Moved by Councilmember Marshall
Supported by Councilmember Lewis

WHEREAS, City of Highland Park is a subrecipient of the Wayne County Community Development Block Grant (CDBG) program; and

WHEREAS, the City is required to hold public hearings in accordance with The Code of

Federal Regulations (24 CFR 570.486(a)) and give citizens a reasonable opportunity to comment on the proposed allocation of CDBG funds;

NOW HEREBY BE IT RESOLVED by the City Council of the City of Highland Park that: The City Council set March 19, 2018 at 7:00 pm as the date for a Public Hearing regarding the annual allocation of CDBG Funds for program year 2018. Yeas (5), Nays (0), Absent (0).

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03-05-18 VIII b

The following resolution was submitted for approval.

RESOLUTION SETTING PUBLIC HEARING FOR PUBLIC COMMENT ON THE
REQUEST FOR ALLEY VACATION BY WAYNE METRO

Moved by Councilmember Lewis
Supported by Councilmember Woodard

WHEREAS, City of Highland Park is in receipt of the request to vacate the alley adjacent to 120 Cortland by Wayne Metro; and

WHEREAS, The Traffic Committee and Planning Commission has reviewed and recommended approval of the request; and

WHEREAS, The City Council is the final approving body and would like to give opportunity to the public for comments:

NOW HEREBY BE IT RESOLVED by the City Council of the City of Highland Park that: The City Council set March 19, 2018 at 7:00 pm as the date for a Public Hearing regarding the Request to Vacate the Alley adjacent to 120 Cortland. Yeas (5), Nays (0), Absent (0).

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03-05-18 VIII c

The following resolution was submitted for approval.

RESOLUTION AUTHORIZING THE PROFESSIONAL SERVICE AGREEMENT FOR
WAYNE METRO COMMUNITY ACTION AGENCY (WAYNE METRO)

Moved by Councilmember Lewis
Supported by Councilmember Marshall

WHEREAS, The City is the recipient of CDBG allocation for Housing Rehabilitation; and

WHEREAS, The HUD requirements for administering the Housing Rehabilitation program requires proficient administration; and

WHEREAS, The Department of Community & Economic Development has vetted potential agencies to assist in the administration of the Housing Rehabilitation program in order to ensure efficiency, compliance and successful completion in the timeframe allotted; and

WHEREAS, Wayne Metro is located in the City of Highland Park, has years of experience administering Housing programs in the City of Highland Park and several Southeastern Michigan communities, and currently administers a home weatherization program that can enhance the City of Highland Park's Housing Rehab program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Highland Park that: The City Council authorizes a Resolution approving the Professional Services Agreement for Wayne Metropolitan Community Action Agency.

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

To table the above resolution. Yeas (5), Nays (0), Absent (0).

FINANCE
03-05-18 IX a

The monthly financial statement for January 31, 2018 was received and filed.

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03-05-18 IX b

The following resolution was submitted for approval.

**RESOLUTION TO AUTHORIZE THE ENGAGEMENT OF MILLER CANFIELD AS
BOND COUNSEL FOR THE CITY OF HIGHLAND PARK**

Moved by Councilmember Lewis
Supported by Councilmember Marshall

WHEREAS, the Water department applied for a DWRF (Drinking Water Revolving Fund) loan for the City of Highland Park,

WHEREAS, the Michigan Department of Environmental Quality (MDEQ) requires municipal applicants to have a financial advisor and a bond counsel,

WHEREAS, Miller Canfield has been working with the City of Highland Park for several years as bond counsel;

WHEREAS, Miller Canfield estimates the fee as bond counsel in connection with the Water Supply System revenue bonds would be \$34,000.00 (thirty-four thousand dollars) inclusive of expenses,

BE IT FINALLY RESOLVED, that the Highland Park City Council hereby approves the engagement of Miller Canfield to continue to represent the City of Highland Park as its bond counsel. Yeas (5), Nays (0), Absent (0).

LEGAL

03-05-18 X a

The following resolution was submitted for approval.

RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF ASKIA ALLISON
vs. CITY OF HIGHLAND PARK, *et al.*

Moved by Councilmember Lewis
Supported by Councilmember Marshall

WHEREAS, this action arose from a dispute with the City of Highland Park concerning Plaintiff Askia Allison's employment and resulted in Mr. Allison filing a complaint; and

WHEREAS, the recommended settlement amount is \$7,500.00; and

WHEREAS, Plaintiff is willing to accept a settlement of \$7,500.00; and

WHEREAS, upon payment of the full settlement of \$7,500.00, Plaintiff Allison agrees to direct his counsel to execute a stipulation for dismissal with prejudice and without any award of damages, sanctions, interest, costs or attorney fees; and

WHEREAS, settlement of this case limits the City's exposure; however, if rejected and the case proceeds to trial, the City would incur attorney fees and court costs that would far exceed the proposed settlement amount.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves a settlement payment to Plaintiff Askia Allison in the amount of \$7,500.00. Yeas (5), Nays (0), Absent (0).

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03-05-18 X b

The following resolution was submitted for approval.

RESOLUTION APPROVING SETTLEMENT IN THE MATTER OF HOLLIS SMITH
vs. CITY OF HIGHLAND PARK, *et al.*

Moved by Council Pro Tem McDonald
Supported by Councilmember Woodward

WHEREAS, this action arose from a dispute with the City of Highland Park concerning Plaintiff Hollis Smith's employment and resulted in Mr. Smith filing a complaint; and

WHEREAS, the recommended settlement amount is \$9,000.00; and

WHEREAS, Plaintiff is willing to accept a settlement of \$9,000.00; and

WHEREAS, upon payment of the full settlement of \$9,000.00, Plaintiff Smith agrees to direct his counsel to execute a stipulation for dismissal with prejudice and without any award of damages, sanctions, interest, costs or attorney fees; and

WHEREAS, settlement of this case limits the City's exposure; however, if rejected and the case proceeds to trial, the City would incur attorney fees and court costs that would far exceed the proposed settlement amount.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves a settlement payment to Plaintiff Hollis Smith in the amount of \$9,000.00. Yeas (5), Nays (0), Absent (0).

**PLANNING COMMISSION
03-05-18 XI**

The 2017 Annual Report for the City of Highland Park Planning Commission was received and filed.

**OUTSIDE COMMUNICATION
03-05-18 XII a**

The following communication was received from the Highland Park Business Association.

The Highland Park Business Association (HPBA) is requesting to be added to the agenda for the next City Council meeting on Monday, February 19, 2018 to discuss plans for the 9th Annual Highland Park Music Festival on the grounds of the McGregor Library and the vacant lot next to City Hall.

We will be requesting permission to access the grounds of the library for landscaping, set-up and clean-up purposes from July 9-13, 2018. The dates of the actual event are July 19- 22, 2018.

The HPBA has sponsored the Music Festival for the last eight years as a free event for the community to promote a positive image of Highland Park, provide a venue for family

entertainment and to promote economic development for local businesses. The Music Festival has evolved into a summer "Homecoming" for Parkers to come back and visit family and friends. We appreciate the support of the Mayor and the City Council, over the last seven years and we look forward to our continued collaboration.

Thank you in advance for your assistance.

Moved by Council Pro Tem McDonald
Supported by Councilmember Marshall

To receive and file the communication from the Highland Park Business Association.
Yeas (5), Nays (0), Absent (0).

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03-05-18 XII b

The following communication was received from Comcast.

Comcast recently announced that it will acquire MIcom's Highland Park, Michigan cable system and begin offering Xfinity residential and Comcast Business services in the City with a target effective date of March 1, 2018. In light of this announcement, Comcast requests the opportunity to come before City Council to provide an overview of the acquisition and transfer of services from MIcom to Comcast.

Additionally, we request consideration of a 90-day vendor permit. During the transition, Comcast seeks to provide a great onboarding experience to both current and future Highland Park customers. In addition to our phone and mail outreach, an additional way to showcase our Xfinity products and provide a personalized customer experience is through door-to-door contact or by hanging flyers on doors so that residents may reach out to us at their convenience.

If allowed to solicit door-to-door, all of our representatives would be appropriately badged with picture identification and Xfinity designation, as well as Xfinity Apparel. Proposed hours of door-to-door solicitation would be daily from noon until 7 PM. If no one is at home, a piece of print collateral about Xfinity Services would be left on the door for the resident.

All of our door-to-door representatives have gone through an extensive background check and drug testing (certificates are kept on file, and can be provided to the Council upon request). Additionally, certificates of insurance can be provided on an as needed basis. Any "do not solicit" or "do not knock" signs would be strictly followed.

We look forward to bringing our advanced products and services to Highland Park. Thank you for consideration of our request.

Moved by Councilmember Lewis
Supported by Councilmember Woodard

To receive and file the communication from Comcast. Yeas (5), Nays (0), Absent (0).

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03-05-18 XII c

The following communication was submitted for approval.

Parker Pride would like permission to block off Glendale Avenue between Second and Third Avenues, Saturday July 28, 2018 from 9am-11pm.

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

To approve the request for Parker Pride to block off Glendale Ave. between 2nd & 3rd Avenues, Saturday July 28, 2018 from 9am – 11pm. Yeas (5), Nays (0), Absent (0).

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03-05-18 XII d

The following communication was received from the Seventh-Day Adventist Church.

I write today regarding evangelistic work that the Family Health and Education Resources ministry of the Seventh-day Adventist Church will soon be conducting in your community. Student literature evangelists will soon be going door-to-door distributing free religious literature, praying with community members, enrolling interested individuals in Bible Studies, and seeking donations to support the program.

The Literature evangelistic program of the Adventist Church has been in existence for well over 100 years and is an important part of the Church's missionary work and evangelism. As student literature evangelists they are following the Great Commission that Christ gave His followers in Matthew 28:18-20.

In order not to disturb the community or be bothersome this program usually runs from 10:00am to 9:00pm; June 3- August 11. Further, all of our students carry identification recognizing them as part of the Family Health and Education Resources Program. They also carry radios or cell phones to contact their onsite leader who can provide more information while in the field.

Some communities have ordinances governing door-to-door sales, canvassing or solicitations. However, the Supreme Court has protected door-to-door advocacy based upon the free exercise and speech clauses of the First Amendment. The Court has been particularly suspicious of any prior restraint on these activities such as requiring permit or registration process. If your city has an ordinance that it believes applies to our activities I

ask that you contact us as soon as possible so we can discuss this.

We believe our evangelistic activities fall squarely within the protected zone of the First Amendment. Unless we hear differently we do not plan on applying for any permit or registering prior to beginning our missionary work.

It is our desire to work with local communities to avoid any potential problems. We are happy to provide more specific information regarding the program if you desire.

We look forward to working in your community and with your office as necessary.

Moved by Council Pro Tem McDonald
Supported by Councilmember Marshall

To receive and file the communication from the Seventh-Day Adventist Church. Yeas (5), Nays (0), Absent (0).

COUNCIL AFFAIRS

Moved by Council Pro Tem McDonald
Supported by Councilmember Woodard

To reconsider item VII, parade application for Spring Into Action “Help Prevent Suicide” Parade on May 5, 2018. Yeas (5), Nays (0), Absent (0).

Moved by Council Pro Tem McDonald
Supported by Councilmember Lewis

To approve the parade application for Spring Into Action “Help Prevent Suicide” Parade on May 5, 2018; Yeas (5), Nays (0), Absent (0).


ADJOURNMENT

Moved by Councilmember Woodard
Supported by Councilmember Lewis

To adjourn the meeting, motion carried, meeting adjourned at 9:24 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the approved minutes of the Regular Meeting held the 5th day of March, 2018 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk

