

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

**MAY 6, 2013**

**Council convened at 7:05 p.m. with Council President Christopher Woodard presiding.**

**Present: Council Pro-Tem Lewis, Councilmember Moore, Councilmember Patrick,  
Councilmember McClary and Council President Woodard (5).**

**Absent: None (0).**

**A quorum being present, Council was declared in session.**

**\*\*\***

**APPROVAL OF AGENDA:**

**Moved by Councilmember McClary  
Supported by Council Pro Tem Lewis**

**To approve the agenda with two addition items**

- 1- Resolution to approve the amended 2012/13 FY Budget.**
- 2- Break-up of office and floor space changes at the new fire station.**

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

**\*\*\***

**APPROVAL OF MINUTES:**

**Moved by Councilmember McClary  
Supported by Councilmember Moore**

**To approve the minutes of the Regular Meeting held April 15, 2013. Yeas (5), Nays  
(0), Absent (0).**

**\*\*\***

**PUBLIC HEARING:**

**05-06-1**

The Clerk stated this was the place and time to hold a public hearing to seek citizens input on an proposed ordinance to amend Part IV, Ordinance 1108, Section 420.05 (25) and Section 480.11 of the City of Highland Park Municipal Code to restrictions for persons with disabilities.

Attorney Branch addressed questions from the audiences and council.

Moved by Council McClary  
Supported by Council Pro Tem Lewis

To close the Public Hearing. Yeas (5), Nays (0), Absent (0).

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**MAYOR:**

**VETO:**

**05-06-2**

The following VETO was submitted by Mayor Windom.

Re: VETO of City Council's Resolution to Restore Management and Operation of the Highland Park Water System.

Based upon the mischaracterization of facts and the inaccuracy of the information shared, I Mayor DeAndre Windom am vetoing the City Council's Resolution to Restore Management and Operation of the Highland Park Water System pursuant to Section 6-3 of the Highland Park City Charter.

Moved by Councilmember Patrick  
Supported by Councilmember Moore

To over-ride the Mayor's veto requiring the Mayor to provide all pertinent documents, revert to the appropriate processes, provide proper notification, execute appropriate agreements and submit a proposed City Water System Restoration plan, so that the City Council is properly and legally engaged in the Water System planning process. Yeas (3) Councilmember Moore, Councilmember Patrick, Council President Woodard, Nays (2) Council Pro Tem Lewis and Councilmember McClary, Absent (0).

**MOTION TO OVER RIDE FAILED  
AN AFFIRMATIVE VOTE OF NOT LESS THAN FOUR IS NEEDED**

05-06-3

**CITY CLERK**

\* **Councilmember Patrick step out of the meeting.**

**The Clerk submitted the business license application for Lorac Child Development Center, LLC located at 80 E. Manchester.**

**Moved by Council Pro Tem Lewis  
Supported by Councilmember Moore**

**To approve the business license application from Lorac Child Development Center, LLC located at 80 E. Manchester for license year 2013/14. Yeas (4), Nays, (0), Absent (1).**

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**COMMUNITY DEVELOPMENT:**

05-06-4

**The following resolution was submitted from CED.**

**Moved by Councilmember McClary  
Supported by Council Pro Tem Lewis**

**RESOLUTION TO APPROVE REHABILITATION AGREEMENT OF  
STRUCTURE LOCATED AT 235 WAVERLY**

**WHEREAS, the property is owned by the City of Highland Park; and**

**WHEREAS, the City of Highland Park passed the ordinance allowing for commercial and residential structures sale; and**

**WHEREAS, the proposed purchaser meets the criteria approved by the City Council for the structure sale program; and**

**WHEREAS, the purchaser agrees to comply with the provisions of the rehabilitation agreement program and the city ordinance regarding such purchase;**

**NOW HEREBY BE IT RESOLVED that the Highland Park City Council approves the sale of 235 Waverly to Myra Felicia Tennille-Burrell at the cost of \$1,500.00. Yeas (4), Nays (0), Absent (1).**

05-06-5

The following resolution was received from CED.

Moved by Council Pro Tem Lewis  
Supported by Councilmember McClary

**RESOLUTION TO APPROVE REHABILITATION AGREEMENT OF  
STRUCTURE LOCATED AT 381 PURITAN**

WHEREAS, the properties located various addresses and are owned by the City of Highland Park; and

WHEREAS, the City of Highland Park passed the ordinance allowing for commercial and residential structures sale; and

WHEREAS, the proposed purchaser meets the criteria approved by the City Council for the structure sale program; and

WHEREAS, the purchaser agrees to comply with the provisions of the rehabilitation agreement program and the city ordinance regarding such purchase; and

NOW HEREBY BE IT RESOLVED that the Highland Park City Council approve the sale of 381 Puritan to Michael & Tuweka Smith at the cost of \$2,000.00. Yeas (4), Nays (0), Absent (1).

\* Councilmember Patrick returned to the meeting.

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05-06-6

The following resolution was submitted by CED.

Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick

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

**RESOLUTION TO APPROVE REHABILITATION AGREEMENT OF  
STRUCTURES LOCATED AT 30, 31, 32 and 40 Church**

**WHEREAS, the properties located various addresses and are owned by the City of Highland Park; and**

**WHEREAS, the City of Highland Park passed the ordinance allowing for commercial and residential vacant lot sale; and**

**WHEREAS, the proposed purchaser meets the criteria approved by the City Council for the vacant lot sale program; and**

**WHEREAS, the purchaser agrees to comply with the provisions of the rehabilitation agreement program and the city ordinance regarding such purchase; and**

**NOW HEREBY BE IT RESOLVED that the Highland Park City Council approves the sale of 30, 31, 32 and 40 Candler to Keith Hoye at the cost of \$250.00 each.**

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**05-06-7**

**The following communication was received from CED.**

**Subject: Proposed Property Acquisition  
1406 E. Avon Road, Parcel ID 15-24-100-020  
City of Rochester, Oakland County, Michigan  
8" INKS-SARN/Pipeline ID# 13001**

**Sunoco Pipeline L.P. ("SPLP") has a project involving our 8" Inkster to Sarnia pipeline that runs diagonally from John R Road to E. Avon Road and we have an interest in acquiring a portion of the City of Highland Park's property at 1406 E. Avon Road.**

**SPLP is interested in securing an option to purchase three (3) acres of the city's property and is willing to offer \$150,000 for the property, which include a 5% non-refundable deposit at the time of the execution of an option agreement, which would be credited to the purchase price at the time of closing. Completion of the purchase would be subject to SPLP receiving local, state and/or federal approval required for our proposed use. However, in no event would settlement occur later than 2 years from the execution of the agreement. If the city is interested, we would schedule a site visit to determine the best location of the 3 acre parcel.**

**Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick**

**BE IT RESOLVED that the Highland Park City Council hereby approves the sale of a three (3) acre portion of 1406 E. Avon Road, Parcel ID 15-24-100-020 in the City of Rochester Hills, Michigan to Sunoco Logistics, located at 525 Fritztown Road, Sinking**

Spring, PA 19608 for the amount of One Hundred Fifty Thousand (\$150,000) Dollars. Yeas (5), Nays (0), Absent (0).

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05-06-8

The following resolution was submitted from CED.

**RESOLUTION TO APPROVE SINGLE LOT RESIDENTIAL LAND SALE PROGRAM OF VACANT LOT LOCATED AT 27 CHURCH STREET**

**RESOLUTION**

WHEREAS, the property located 27, 33 and 39 Church St. Highland Park, Michigan is owned by the City of Highland Park; and

WHEREAS, the City of Highland Park passed an ordinance allowing for the sale of vacant lots owned by the City of Highland Park upon the satisfaction of certain requirements outlined in the ordinance; and

WHEREAS, Bishop Evans expressed an interest in purchasing the above referenced property and it has been determined that the proposed purchaser meets the criteria approved by the City Council for the vacant lot program; and

WHEREAS, Bishop Evans agrees to remain in compliance with the provisions of the single lot program and all city ordinances regarding such purchase; and

NOW THEREFORE BE IT RESOLVED, that the Highland Park City Council approves the sale of 27, 33 and 39 Church St. to Bishop Evans for the cost of Five Hundred Dollars (\$500.00) each. Yeas (5), Nays (0), Absent (0).

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FINANCE:

05-06-9

The following resolution was submitted from the Finance Director.

**RESOLUTION**

**TO AMEND THE GENERAL FUND ACTIVITY BUDGET AS PRESENTED BY THE FINANCE DEPARTMENT AND MAYOR DEANDRE WINDOM AS OF MAY 6, 2013 FOR THE FISCAL YEAR 2012-2013**

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

**WHEREAS, members of the Highland Park City Council held a meeting on April 3, 2013 and May 3, 2013 to review General Fund budget amendments for the year ending June 30, 2013;**

**WHEREAS, the Finance Department has reviewed the current general fund expenditures for the year ending June 30, 2013 and would like to submit to the Highland Park City Council proposed budget amendments;**

**NOW, THEREFORE, BE IT RESOLVED that the Highland Park City Council adopts the amended General Fund activity budget as presented by the finance department and Mayor DeAndre Windom.**

**BE IT FINALLY RESOLVED that a copy of this resolution becomes a part of the official records of the City of Highland Park. Yeas (5), Nays (0), Absent (0).**

**\*\*\***

**LEGAL**

**05-06 -10**

**The following resolution was submitted by legal.**

**Moved by Council Pro Tem Lewis  
Supported by Councilmember McClary**

**RESOLUTION TO APPROVE MDOT TITLE VI NON-DISCRIMINATION  
COMPLIANCE PLAN**

**BE IT RESOLVED that the Highland Park City Council approves the MDOT Title VI Non-Discrimination Compliance Plan. Yeas (5), Nays (0), Absent (0).**

**(Plan available for viewing at the City Clerk's office)**

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**05-06- 11**

**The following resolution was received from the Legal Department.**

Moved by Councilmember McClary  
Supported by Councilmember Moore

**BE IT RESOLVED** that the Highland Park City Council hereby approves the settlement of Case No. 2012-001310-NZ, Homevestors LP v. City of Highland Park, in the amount of Forty Thousand Dollars (\$40,000). Yeas (5), Nays (0), Absent (0).

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## **POLICE**

**05-06-12**

The following communication was received from the Chief of Police.

**Re: Motor Traffic Unit/Proposed Lease of Motorcycle**

It has been a long standing tradition in the City of Highland Park Police Department that we use police motorcycle in the Motor Traffic Unit. In 2011 the Motor Traffic Unit was shut down due to lack of manpower and as a result, there was no use for motorcycles. I would like to restart the motor traffic unit and as a result, I am requesting approval to use forfeiture funds to lease three (3) Harley Davidson motorcycles.

Some of the benefits of restarting the motorcycle unit are that by having the traffic officers on the motorcycles, the City would realize savings through maintenance costs for the patrol cars.

I have had discussions with Motor City Harley Davidson who has agreed to provide savings to the city by allowing the City to lease three motorcycles, fully equipped with emergency lights and sirens, and all required maintenance for \$7,500 with only \$3,500 due up front and the remaining \$4,000 is due in the month of August, 2013. Yeas (5), Nays (0), Absent (0).

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## **FIRE**

**05-06-13**

The following communication was submitted by the Fire Chief.

**Reasons for the break-up in two more Offices and a File room.**

Section 4 of Michigan's Social Security Number Privacy Act ("the Act"), Mich. Comp. Laws Ann. 445.84 (West 2005), which went into effect on March 1, 2005, is the first statute in the nation to require employers to adopt a policy to protect the confidentiality of



employee social security numbers (“SSN”). The Act was just one of eleven pieces of legislation enacted by Michigan in late 2004 to combat identity theft.

The Act requires employers and any other entity that collects SS #of more than one individual in the ordinary course of business, to establish a policy that:

- Ensure to the extent practicable the confidentiality of SSNs;
- Prohibits unlawful disclosure of SSNs;
- Limits who has access to information or documents containing SSNs;
- Establishes a document destruction protocol; and
- Requires the imposition of penalties on those who violate the policy

The above reasons support our request for the Break-up of offices and floor in the construction of the new fire station.

Moved by Councilmember Patrick  
Supported by Council Pro Tem Lewis

To approve the break of offices and floor at the new fire station. Yeas (5), Nays (0), Absent (0).

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#### **WATER:**

05-06-14

The following resolution was received from the Water Department.

Moved by Council Pro Tem Lewis  
Supported by Councilmember McClary

**BE IT RESOLVED** that the Highland Park City Council hereby approves the repair of the water main break located at Woodward and California by Joy Construction Leasing, Inc. for the amount of Five Thousand Two Hundred Dollars (\$5,200.00). Yeas (5), Nays (0), Absent (0).

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#### **OUTSIDE COMMUNICATIONS:**

05-06-14

The following communication was received from Focus: HOPE

**On Sunday, October 13, 2013, thousands of metro Detroiters will join Focus: HOPE for our 39<sup>th</sup> annual WALK. These walkers will continue a tradition that demonstrates the strength of our community and our united commitment to celebrating diversity and overcome racism, poverty, and injustice.**

**We thank you for your past support and ask for your support again this year. Patterned after the marches of Dr. Martin Luther King, Jr. the WALK supports Focus; HOPE's work in civil and human rights, including our job training and education programs which offer so many in our community the opportunity to enter the economic mainstream.**

**We would like to formally request the permits to conduct the WALK. I have enclosed a map detailing the WALK route, that includes walking through Detroit & Highland Park beginning at Focus: HOPE and proceeding along Oakman Boulevard to Hamilton; turning north to McNichols; heading west to Linwood; south on Linwood, back to Oakman; west on Buena Vista and back to Focus: HOPE via northbound Rosa Parks. We are also requesting the approval to close Oakman Boulevard from 12:30 p.m.-1:30 p.m. to allow for the walk to proceed safely. We request that the Highland Park Police Department lend assistance to Focus: HOPE marshals, as they direct WALK participants to use the curb lane of sidewalk.**

**If you have any questions or concerns, you may reach me at (313) 494-4343. Along with our many colleagues, I thank you for your support of Focus: HOPE and the WALK. We look forward to your support again this year.**

**Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick**

**To refer the above communication to the Chief of Police. Yeas (5), Nays (0), Absent (0).**

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**05-06-15**

**The following communication was received from Aids Partnership Michigan.**

**My name is Chez Burse and I work for AIDS Partnership Michigan, which is a community-based organization located in Downtown Detroit. We would like to inform You that we are scheduling an events, "Dancing in da Streets" June 22, 2013, at the corner of Woodward and Manchester and we would like to know if it's possible to obtain permission to utilize the far end of the parking lot where the Glory supermarket sits. We have done this event for the past three summers and it's been such a huge success, that we would like to obtain that spot once again. The event will run from 12p-4p, which in that time, we would like to host a cookout and information rally, with other community based organization to educate, inform and motivate individuals about testing for HIV.**

We have scheduled a DJ, giveaways, informational tables, face painting, haircuts and an overall array of services and referrals. We welcome any/all of the businesses in the complex to participate. We also plan to contact other surrounding businesses so that they can set up any promotions for that day or help contribute to National HIV Testing Day. If you have any comments, questions or concerns, please feel free to contact me at 313-446-9831 or you can email me at [burse@aidspartnership.org](mailto:burse@aidspartnership.org).

Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick

To refer the above communication to the Chief of Police. Yeas (5), Nays (0), Absent (0).

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05-06-16

The following communication was received from Paul Moore, of St. Benedict Catholic Church.

**Re: Closing of St. Benedict Catholic Church**

We are asking if it would be possible to be placed on the council's agenda to ask the council for assistance in asking that the location not be closed. The effect of closing would be devastating to the Northpointe community. The closing would just add more vacant, boarded up buildings and a serious concern for vandalism and the damage of fire. The Archdiocese of Detroit has a bad reputation for keeping their vacant buildings up.

The church has been serving the community for almost 100 years, taking care of the poor, hungry and homeless. It has been home of the St. Benedict's Women's Club who have for years been serving the needs of those who are in need of clothing for little or no cost. The St. Benedict Hall has hosted many community meetings including neighborhood associations Highland Park Soup, musical programs for the local people. The rectory has housed many international and national youths for two to three months of the year who have worked in the neighborhoods with the youths. Also we have hosted many alternative spring break university students who have worked in many locations in the City of Highland Park. The students who stay with us all have been shopping and helping to improve the northern end of the city.

Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick

To place the above item on council's May 20<sup>th</sup> workshop agenda. Yeas (5), Nays (0), Absent (0).

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05-06-17

The following request was received from Mark Hackshaw.

I am requesting to use McGregor Library grounds and adjacent city grounds to California for July 19, 20, and 21<sup>st</sup> 2013 to present the 4<sup>th</sup> Annual Highland Park Music Festival.

Moved by Council Pro Tem Lewis  
Supported by Councilmember Moore

To approve the request of Mark Hackshaw to use the library grounds and adjacent city grounds to California for July 19, 20, and 21<sup>st</sup> 2013 for the 4<sup>th</sup> Annual Highland Park Music Festival. Yeas (5), Nays (0), Absent (0).

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05-06-18

The following communication was received from City of Detroit Water and Sewerage Department.

**RE: DWSD FY 2013-14 Water and Sewage Rates and Charges**

On March 27, 2013, the Board of Water Commissioners approved water and sewage rates and chares for Fiscal Year 2013/14. While an increase is required these are among the lowest rate increases since the turn of the century and reflect our ongoing efforts to control expenditures and our commitment to providing reliable quality water services to you.

These rates are the result of reducing our operating budgets by 8.3% for water and 5.6% for sewage while adjusting for lower overall sales, higher debt service from last year's bond issuance to fund infrastructure improvements and the need to reduce future borrowing for capital improvements. Today, approximately half of our rates are due to debt, and we cannot continue to borrow at the pace to replace aging infrastructure.

These more modest increases also reflect our intent to be a leaner organization in the year ahead, and our plan for additional attrition. While the benefit of attrition is significant, we do not know specifically where it will occur, so this year, consistent with our collective effort towards rate simplification, the Department is providing an average water rate increase to model contract customers, where exhibit B values for FY 2012/13 are the same as FY 2013/14, or customers on old contracts, where the demonstrated maximum day or peak hour demands did not increase in the summer of 2012, this subset of the wholesale customers had an increase of 4.4%. The 4.4% increase is being applied to both the volume rate and the monthly charge as compared to the existing FY 2012/13 rates and charges for each customer. The remainder of the wholesale water customers and individually determined rates similar to prior years. The Department would like to thank those

**APPROVED FISCAL YEAR 2013-2014  
SEWAGE RATES**

Community:

**Highland Park**

	<u>User</u> <u>Charge</u> \$	<u>Capital</u> <u>Portion</u> \$	<u>Total</u> <u>Charge</u> \$
<b><u>Community Specific Charges</u></b>			
Commodity Charge (Per 1,000 Cubic Feet)	5.26	5.86	11.12
Monthly Charge	132,835	201,914	334,749
<b><u>Industrial Specific Charges</u></b>			
Industrial Surcharge Rates, Per Excess Pound			
1. Biochemical Oxygen Demand (BOD) in excess of 275 mg/l	0.251	0.240	0.491
2. Total Suspended Solids (TSS) in excess of 350 mg/l	0.305	0.193	0.498
3. Phosphorus (P) in excess of 12 mg/l	4.905	2.446	7.351
4. Fats, Oils, & Grease (FOG) in excess of 100 mg/l	0.191	0.282	0.473

Industrial Waste Control Charge, per month:

Non-Residential  
Meter Size

5/8"	8.30	0.55	8.85
3/4"	12.45	0.83	13.28
1"	20.75	1.38	22.13
1-1/2"	45.65	3.03	48.68
2"	66.40	4.40	70.80
3"	120.35	7.98	128.33
4"	166.00	11.00	177.00
6"	249.00	16.50	265.50
8"	415.00	27.50	442.50
10"	581.00	38.50	619.50
12"	664.00	44.00	708.00
14"	830.00	55.00	885.00
16"	996.00	66.00	1,062.00
18"	1,162.00	77.00	1,239.00
20"	1,328.00	88.00	1,416.00
24"	1,494.00	99.00	1,593.00
30"	1,660.00	110.00	1,770.00
36"	1,826.00	121.00	1,947.00
48"	1,992.00	132.00	2,124.00

customers which went through the reopener process during the fall of 2012 and approved contracts prior to the determination of the FY 2013/14 rates.

Additionally, the Department provided an average rate increase to sewage wholesale customers, based on the overall increase for the customer class of approximately 3.7%. The approximate 3.7% increase is being applied to both the volume charge and the monthly charge from the existing FY 2012/13 rates and charges.

The Industrial Waste Control charges reflect an increase on 4.6% and the surcharge rates an increase of 12% over existing rates.

The Department extends our thanks to the efforts of both the Technical Advisory Committee and the Steering Committee, valuing their continuing recommendations and thanking you for supporting the participation of your representative(s). This outreach effort provides an opportunity to the customers of this regional system to participate in the discussions, recommendations and decisions ultimately taken to the Board of Commissioners for consideration. This opportunity is unique in the State and likely a well kept secret.

If you are a wholesale water and/or sewage customer under an old contract, the Department would like to offer you the opportunity to negotiate a new model contract. Currently, the majority of our wholesale water customers are under the water model contract. The model contracts offer customers many advantages compared to the old contracts. Please feel free to contact us about entering into negotiations.

The FY 2013/14 rates and charges applicable to you are indicated on the enclosed document. These rates and charges are effective on all bills rendered by the Detroit Water and Sewerage Department as of August 1, 2013. They will apply to flows and/or usage beginning July 1, 2013.

If you have any questions regarding this matter please contact Raphael Chirolla of the Financial Planning Division-Rates Section at (313) 964-9202.

The above communication was received and filed.

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#### **OUTSIDE COMMUNICATIONS:**

During the 2<sup>nd</sup> citizens participation Council members received hand outs from.

1. Highland Park Human Rights Coalition (Part of Michigan Welfare rights Organization) re: Mayor DeAndre Windom's abuse and incompetence.
2. Citizen Hubert Yopp re: China and Water.

**The following motion was made by council.**

**Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick**

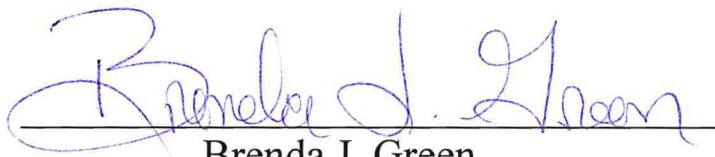
**To schedule a Budget Workshop on Friday, May 10, 2013 at 6:00 p.m. and  
schedule a Public Hearing for the 2013/14 Budget on Thursday, May 16, 2013 at 6:00 p.m.  
Yeas (5), Nays (0), Absent (0).**

**Moved by Council Pro Tem Lewis  
Supported by Councilmember Patrick**

**To adjourn: motion carried meeting adjourned at 10:45 p.m.**

CERTIFICATE

I, hereby certify that the attached is a true copy of the proposed minutes of the Regular Meeting held on the 6<sup>th</sup> day of May 2013 and that said proposed minutes are available for public inspections at the address designated on the posted public notice.



Brenda J. Green

City Clerk