

**PROPOSED MINUTES OF THE VIRTUAL & IN-PERSON
REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL**

Monday, September 16, 2024

Council convened at 7:09 p.m. with Council President Thomas presiding.

Present: Council President Thomas, Council Pro Tem Robinson, Councilwoman Manica, and Councilman Ash-Shafii, Councilwoman Martin (5).

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilwoman Manica
Supported by Council President Thomas

To approve the agenda with of Item# VI-h Resolution to sell vacant residential side lot at 191 Winona to Sandra Luis. Yeas (4), Nays (0), Absent (1) Councilwoman Martin.

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APPROVAL OF MINUTES

Moved by Councilwoman Manica
Supported Council President Thomas

To approve the minutes from the In-Person and Virtual Workshop Meeting held September 3, 2024 Yeas (4), Nays (0), Absent (1) Councilwoman Martin.

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Moved by Councilwoman Manica
Supported by Council President Thomas

To approve the minutes from the In-Person and Virtual Regular Meeting held September 3, 2024. Yeas (2), Councilwoman Manica and Council President Thomas, Nays (2), Councilman Ash-Shafii and Council Pro Tem Robinson, Absent (1) Councilwoman Martin.

NOTE: Councilwoman Martin entered the meeting at 7:17 p.m.

MAYOR-VETO:

09-16-24 V

Moved by Councilman Ash Shafii
Supported by Councilwoman Manica

To accept the following VETO from the Mayor as submitted.
Yeas (4), Nays (1) Council Pro Tem Robinson, Absent (0).

At their meeting on September 3, 2024, Council suspended the rules and add to the agenda and pass a verbal motion to enact a moratorium for water shut-offs – to run until December 31, 2024.

This action by council is being vetoed for the following reasons.

1) The City Attorney’s office was never provided with a written copy of a resolution, so they were unable to approve it as to form.

2) The resolution, as proposed, may run afoul of the Consent Agreement with the State and GLWA, as well as the City’s contractual obligations, per communication from Attorney Jeffrey Thomson of the Morganroth Law Firm, who the city retained to assist with the GLWA case:

“Various provisions of the above-references agreements require Highland Park to:

(1) pay the full amount of GLWA’s water and sewer charges each month; and (2) set retail water and sewer rates at a level that will generate enough revenue to pay GLWA and all of Highland Park’s water and sewer operations and maintenance expenses in full. Examples of these types of provisions include:

- 1. Paragraphs 1 (d) and (f) of the Settlement Agreement.
- 2. Paragraphs 3 and 8 of the Term Sheet.
- 3. Paragraphs 3.5 and 3.6 of the ACA; and
- 4. Section 102 of the Trust Agreement.

Even though it is not explicitly stated, it could be argued that these provisions implicitly require Highland Park to take reasonable steps to ensure that Highland Park collects the retail water and sewer charges it sets in accordance with these provisions.

Furthermore, if GLWA’s water bill to Highland Park become more than 90 days delinquent, paragraph 12.03 or the Water Contract allows GLWA to disconnect water services to “Highland Park.”

Attorney Thomson’s communication was sent to the City on September 4, 2024. It was provided to the city in response to the above referenced Council verbal motion.

COMMUNITY DEVELOPMENT:

09-16-24 – VI -a

Moved by Councilwoman Manica
Supported by Council President Thomas

RESOLUTION TO ACCEPT MSHDA MI NEIGHBORHOOD GRANT

WHEREAS, on July 1, 2024, the city approved a resolution to submit an application for the MSHDA MI Neighborhood Grant; and

WHEREAS, on July 28, 2024 the city received notification that MSHDA had reserved \$472,000 in MI Neighborhood funding for the City; and

WHEREAS, the MI Neighborhood Grant streamlines access to three main housing activities, rehabilitation, new units, and/or community based public amenities; and

WHEREAS, Highland Park applied for the rehabilitation activity, which is intended to preserve existing housing stock; and

WHEREAS, Highland Park will target activities ranging from smaller scale energy efficiency or accessibility improvements to substantial rehabilitation; and

WHEREAS, twelve (12) eligible homeowners who meet MSHDA requirements and are 55 and over will be randomly selected to receive funding for rehabilitation projects; and

NOW, THEREFORE, BE IT RESOLVED that the city accepts the \$472,000 MSHDA MI Neighborhood Grant. Yeas (4), Nays (1) Councilman Ash Shafii, Absent (0).

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Moved by Councilwoman Manica
Supported by Council President Thomas

09-16-24-VI-b

RESOLUTION TO APPROVE AMENDMENT TO PLANNING AND ZONING ORDINANCE TO INCLUDE A SOLAR ENERGY SYSTEMS ("SES") PROVISION 1st Reading

WHEREAS, the City of Highland Park desires to promote the use of clean energy, including the use of solar energy systems ("SES"); and

WHEREAS, the City's Engineer has proposed the adoption of SES provisions to the City's Planning and Zoning Ordinance, which is intended to; provide residents with a renewable, local and resilient non-polluting energy resource, decrease the cost of energy, improve the quality of life of residents as well as protect their public health, safety and welfare, protect property owner rights to construct SES in all zoning districts and protect legal permission from landlords to tenants, encourage and support environmental design through conservation or preservation in place and increase employment in the region by furthering the installation of SES.

NOW, THEREFORE BE IT RESOLVED, that City Council through its first reading only, approves the amendment to the City's Planning and Zoning to include a provision for the utilization and regulation of solar systems. Yeas (4) Councilwoman Martin, Councilwoman Manica, Council Pro Tem Robinson and Council President Thomas, Nays (1) Councilman Ash-Shafii, Absent (0).

1st READING

SEE ATTACHMENT

PART TWELVE – PLANNING AND ZONING CODE

TITLE SIX – Zoning; General Provisions

CHAPTER 1262 -

Definitions

1262.01 MEANING OF WORDS AND PHRASES.

- 1262.XY Solar Energy Systems (SES): A device, array of devices, or structural design feature, the purpose of which is to provide for generation and/or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating. SES unit types include:
- 1262.XY1 Building-Integrated SES: A SES that is an integral part of a primary or accessory building or structure (rather than a separate mechanical device), replacing or substituting for an architectural or structural component of the building or structure. Building-integrated systems include but are not limited to: photovoltaic (BIPV) or hot water solar energy systems that are contained within roof materials, windows, skylights, awnings, fences, and walls.
- 1262.XY2 Dual-Use SES: This SES sub-type designation may be applicable when the design of a SES increases the overall productivity of a property by means such as: using vertical clearance to enable vehicle parking underneath the SES (a carport or canopy above a parking lot or parking spaces), land management, or the conservation practices listed below. These types of SES are encouraged, but may require deviations from the City during the special land-use review process (ex: if proposed grass or plantings heights or landscape plans conflict with other City requirements):
- a. Agrivoltaics: Solar sites that combine raising crops for food, fiber, or fuel, and generating electricity within the project area to maximize land use.
 - b. Conservation Cover: Solar sites designed in consultation with conservation organizations that focus on restoring native plants, grasses, and prairie with the aim of protecting specific species (e.g., bird habitat) or providing specific ecosystem services (e.g., carbon sequestration, soil health).
 - c. Pollinator Habitat: Solar sites designed to meet a score of 76 or more on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites. Alternatively, the Tier 2 Pollinator Scorecard developed by the Rights-of-Way as Habitat Working Group can be used to evaluate pollinator habitat and management practices.

- 1262.XY3 Ground-Mounted SES (Accessory Use): A SES mounted on a rack or pole that is ballasted on, or is attached to the ground, and the system is accessory to the primary use.
- 1262.XY4 Ground-Mounted SES (Principal Use): A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to the ground, and is the primary land use for the parcel(s) on which it is located.
- 1262.XY5 Repowering: In addition to repairing or replacing SES components to maintain the system, a Principal-Use SES may at any time be repowered by reconfiguring, renovating, or replacing the SES to increase the power rating within the existing project footprint. A proposal to change the project footprint of an existing SES shall be considered a new building application, subject to the ordinance standards at the time of the request.
- 1262.XY6 Roof-Mounted SES: A SES mounted on racking that is attached to or ballasted on the roof of a building or structure. Solar panels affixed on the roof of a carport structure or mounted on a free-standing canopy or pergola are roof-mounted SES.
- 1262.XY7 Solar Access: Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a SES.
- 1262.XY8 Solar Photovoltaic (PV): A type of SES that uses semiconductor materials to convert solar energy directly into electricity. The primary components of this type of SES are solar panels, mounting devices, inverters, and wiring. Components may also include cleaning mechanisms and sun-tracking sensors and mechanisms, etc..
- 1262.XY9 Solar Thermal System: A type of SES that converts sunlight into heat. Examples include but are not limited to Solar Hot Air System (also referred to as Solar Air Heat or Solar Furnace), and Solar Hot Water System.
- 1262.XZ Solar Rights: Easement(s) of direct sunlight (Solar Access) may be acquired over the land of another by legally obtaining an express grant or covenant.

CROSS REFERENCES

Chapter 1264.12 – MAJOR USE GROUP SES – Solar Energy Systems

PART TWELVE – PLANNING AND ZONING CODE

TITLE SIX – Zoning; General Provisions

CHAPTER 1264

Land Use Classification System

1264.01 INTENT.

1264.02 CLASSIFICATION SYSTEM.

1264.12 MAJOR GROUP USE SES – Solar Energy Systems.

1264.13 Doubtful use classification.

1264.12 MAJOR USE GROUP SES – Solar Energy Systems

(a) INTENT:

City of Highland Park’s Solar Energy Systems (SES) ordinance intends to:

- i. Provide for a renewable, abundant, local, distributed, resilient, and non-polluting energy resource.
- ii. Decrease the cost of energy.
- iii. Improve quality of life of current residents while also protecting the public health, safety, and welfare.
- iv. Protect property-owner rights to construct SES in all zoning districts, and protect legal permission from landlords to tenants.
- v. Encourage and support environmental site design through conservation or preservation in place (i.e., woodlands, wetlands, cultural resources that should not be disturbed).
- vi. Increase employment and business development in the region by furthering the installation of SES.

This ordinance does not prohibit the sale of excess power (through a “net billing”, “net-metering”, or “bill credit”, or other arrangement) in accordance with Michigan’s laws overseen by the Michigan Public Service Commission (MPSC) or any other federal statute.

Administration of this SES ordinance is to be jointly executed by multiple City of Highland Park Departments who will each have unique responsibilities for specific aspects of its implementation. These Departments include the Department of Public Works, Building

Department, Engineering Department, the Community and Economic Development and/or the Planning Department, and the Fire Department.

(b) PERMITTED USES:

Solar Energy Systems (SES) are permitted as:

SES Unit Type	Allowable Zoning Districts
Accessory Use (<i>Roof-Mounted, Building-Integrated, or Ground-Mounted</i>)	All Districts
Principal Use (<i>Ground-Mounted</i>) <1 acre	All Non-Residential Districts
Principal Use (<i>Ground-Mounted</i>) 1 acre or more	All Non-Residential Districts
Principal Use (<i>Ground-Mounted</i>) any size	All Residential Districts

(c) USE STANDARDS:

i. **Roof-Mounted and Building-Integrated SES:**

- A. Roof-mounted solar energy systems shall comply with applicable state and local fire codes to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide areas for smoke ventilation, and provide emergency egress from the roof.
- B. Cannot exceed the height of the underlying zoning district or protrude more than 6-feet above the highest point of the roof to which it is attached. If the building is already at height limit, a SES height variance request cannot exceed the 6-foot allowance.
- C. Are exempt from screening requirements.
- D. Solar panels cannot protrude beyond the edges of the roof.
- E. Solar panels affixed on the roof of a carport structure or on a pergola type of free-standing canopy are roof-mounted SES. Both types of free-standing structure SES are Accessory Uses.
- F. SES carports do not count towards the maximum percentage of lot coverage. New carports in commercial districts should consider height for emergency vehicle clearance under carports, tilt for snow shed, and provide different height restrictions for photovoltaic (PV) collectors and associated storage structure.

ii. **Ground-Mounted SES:**

- A. All Zoning Districts:
 - 1) Cannot be located closer than 10-feet to any principal building. If the Electrical code requires a larger horizontal separation for any SES equipment then use that distance.

- 2) Must be setback at least 8-feet from any side or rear property line.
- 3) Cannot exceed 15-feet in height at maximum tilt. Taller structures, not to exceed the maximum height of the underlying zoning district, may be considered by the Planning Commission as a special land use.
- 4) Are exempt from lot coverage and impervious surface requirements if the area under the system contains vegetative ground cover.
- 5) Fencing: A principal-use SES covering one (1) acre or more shall be secured with perimeter fencing to restrict unauthorized access. If the Electrical code requires fencing around other SES equipment or systems of a smaller footprint of land then Electrical code should overrule the one (1) acre threshold.
 - a) Fencing is not subject to setbacks.
 - b) Whenever installed around a principal-use SES, perimeter fencing shall meet the minimum fence height requirements as outlined for business properties in Part 14 – Building and Housing Code, Title Six – Miscellaneous Building Regulations, Chapter 1460, Section 09. (1460.09): Barbed Wire.
 - c) Note that per electrical code, if no barbed wire is installed on top of a 6-foot tall fence, the fence height shall be a minimum of 7 feet tall but shall not exceed a maximum of 9 feet in height.

B. Residential Zoning Districts:

- 1) Accessory Use SES must be located in the rear or side yard unless they are screened per subsection (iii) below, then the SES may also be located in the non-required front yard. This provision is not applicable to principal use SES.
- 2) Principal Use SES do not have the rear and side yard requirement, but a landscaped screen may be required by the Planning Commission to screen from front lot and side public rights-of-way (as applicable).
- 3) When located within the non-required front yards (in residential districts), a landscaped screen may be required by the Planning Commission to screen from front lot and side public rights-of-way (as applicable).

iii. (Use Standards) Applicable to all SES:

- A. Application: All SES applications must include site or plot plan, whichever is required for a zoning compliance review or City-required permit. Applications for Roof-Mounted SES must include horizontal and vertical elevation drawings that show the location and height of the SES on the building & dimensions of the SES. A SES used to power a single device or specific piece of equipment such as a lawn ornament, lights, weather station, thermometer, clock, well pump, or other similar singular device is exempt from SES ordinance requirements.

- B. Anchoring: Sealed, engineered drawings must be submitted detailing how the SES is securely anchored to the ground or a permanent roof structure, to meet the State of Michigan Frost Laws (a minimum of 42-inches below grade).
- C. Ground Cover: A Ground Mounted Principal-Use SES covering one (1) acre or more shall include the installation of perennial ground cover vegetation maintained for the duration of operation until the site is decommissioned. The applicant shall include a ground cover vegetation establishment and management plan as part of the site plan.
- 1) An SES utilizing Agrivoltaics is exempt from perennial ground cover requirements for the portion of the site employing the dual-use practice.
 - 2) Project sites with majority existing impervious surface or those that are included in a brownfield plan adopted under the Brownfield Redevelopment Financing Act, PA 381 of 1996, as amended, are exempt from ground cover requirements. These sites must comply with the on-site stormwater requirements of the ordinance.
- D. Land Clearing: Land disturbance or clearing shall be limited to what is minimally necessary for the installation and operation of the system and to ensure sufficient all-season access to the solar resource given the topography of the land. Topsoil distributed during site preparation (grading) on the property shall be retained on site.
- E. Permit Required: A Building Permit with the City's Building Department is required, and all systems must comply with the most recently adopted electrical and building codes.
- F. Maintenance: All SES must be maintained in a safe and in operable condition.
- G. Decommissioning Plan: SES that cover 1 acre or greater (in total land area dedicated to the operation and maintenance of the SES, not only the area of the arrays themselves), a decommissioning plan is required. The decommissioning plan shall indicate the anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g., access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.
- H. Removal: If a SES ceases to perform its intended function for more than 12-consecutive months, the property owner must remove the collector, mount, and associated equipment and facilities no later than 90 days after the end of the 12-month period. The property must be restored to the condition prior to the development of the system.
- I. Sites 1-acre or greater: For SES that cover 1 acre or greater (total improved surface area of land used by the system), a feasibility study regarding the implementation of a pollinator habitat and/or conservation cover is required.

developer, notify affected neighboring property owners in writing 10 days before, provide the opportunity for a hearing if requested, and request recordation of such easements on burdened and benefited property deeds by the City Building Department. Any instrument creating a Solar Right easement to maintain Solar Access may include, but the contents are not limited to, the following:

- I. A description of the three dimensions of the easement expressed in measurable terms, such as vertical or horizontal angles measured in degrees, or the hours of the day on specified dates during which direct sunlight to a specified surface of a solar collector, device, or structural design feature may not be obstructed, or a combination of these descriptions.
- II. The restrictions placed upon vegetation, structures, and other objects which would impair or obstruct the passage of sunlight through the easement.
- III. The amount, if any, of permissible obstruction of the passage of sunlight through the easement, expressed in measurable terms, such as a specific percentage of sunlight that may be obstructed.
- IV. The provisions for trimming vegetation that would impermissibly obstruct the passage of sunlight through the easement including any compensation for trimming expenses.
- V. Any provisions for compensation of the owner of property benefiting from the easement in the event of impermissible obstruction of the easement.
- VI. The terms or conditions, if any, under which the easement may be revised or terminated.
- VII. If either party believes their recorded Solar Rights have been impeded, then the case would be brought before the Zoning Board of Appeals. If either party is seeking negotiation or arbitration with regard to impeding the terms of the Solar Rights, a neutral third-party analysis and report by a qualified professional is required. In the Zoning Board of Appeals workshops to review the third-party report findings, include the Planning Department /Building Department (CED) and the City's Legal Council, which has structural oversight.

CROSS REFERENCES

Chapter 1262 – Definitions

Chapter 1268 - Off-Street Parking and Loading

1268.02 PARKING LOT STANDARDS

J. Signage: The area of any signage should be consistent with the zoning district and shall meet the setback, illumination, and materials/ construction requirements of the district for the project site.

K. Solar Rights:

- 1) The City of Highland Park recommends that all proposed SES have a Solar Access sensitivity analysis performed by a qualified professional for the specific proposed location and orientation(s) of the proposed SES. The purpose of the Solar Access sensitivity analysis is to:
 - a) Determine if there are any existing obstructions that will reduce SES power generation. Examples of obstructions include but are not limited to existing buildings, structures, and tall plants and/or trees.
 - b) Determine if, and to what degree, future development or plant growth scenarios on adjacent properties could impact solar access (particularly any adjacent parcels to the south, but also adjacent parcels to the east & west).
 - I. Analysis for future conditions should assume the quantity and height of possible plant growth located a few feet past the adjacent property line has increased significantly (which is quite possible over the lifespan of a SES (PV panels made in 2023 often have a predicted lifespan of 30 years, and the lifespan of future SES technologies or other types of SES may be significantly longer).
 - II. Analysis for the future conditions should assume that the adjacent parcels listed above are developed with buildings or accessory structures that are the maximum height allowed in the existing zoning district, and at the minimum associated setbacks.
 - III. Note that the City of Highland Park Zoning Map determines what zoning district each parcel resides within, but the zoning districts may change over the course of time. Whether a sensitivity analysis is performed or not, the developer of a SES must either:
 1. Accept all risks with regard to losing solar access slowly or all at once at some future unknown point in time, or
 2. Pursue the easement options described in detail below.
- 2) Easement(s) of direct sunlight may be acquired over the land of another by legally obtaining an express grant or covenant, as set forth below:
 - a) The Originator of the easement is required to - submit a notification to the City if there is a solar access easement being sought by a property owner or solar

1268.04 OFF-STREET PARKING FOR NEW CONSTRUCTION

1268.05 OFF-STREET PARKING FOR EXISTING BUILDINGS.

1268.06 COLLECTIVE PROVISIONS

Handicapped parking requirements - see M.C.L.A. Sec. 257.942a

Chapter 1276 – Miscellaneous Provisions

1276.01 INTENT

1276.02 PUBLIC UTILITIES. - see M.C.L.A. Secs. 554.251 et seq.

Fire Prevention Code - see M.C.L.A. Secs. 29.01 et seq.; F.P. Ch. 1610

Moved by Councilwoman Manica
Supported by Council President Thomas

09-16-24-VI-c

RESOLUTION TO APPROVE MCKENNA TO PROVIDE GENERAL PROFESSIONAL AND TECHNICAL ADVISORY SERVICES AND REIMBURSABLE SERVICES UNDER A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HIGHLAND PARK, THE MICHIGAN DEPARTMENT OF TREASURY AND THE STATE LAND BANK

WHEREAS, on May 3, 2023, the City of Highland Park issued a Request for Proposal (“RFP”) to invite well-qualified professional planning firms to lead a team to administer Highland Park’s Planning function (which is currently housed in the Community and Economic Development Department) under the direction of the Highland Park Community and Economic Development Director: and

WHEREAS, proposals were due on June 22, 2023 at 4:00 p.m. to the Office of the City Clerk and the public recording was held on Jul 3, 2023 at 7:00 p.m. at the Highland Park City Council meeting and two (2) proposals were received from the solicitation; and

WHEREAS, McKenna submitted a proposal to the City of Highland Park, dated June 22, 2023, and a proposed Agreement for Professional and Technical Advisory Services (the “Agreement”), which the city finds acceptable; and

WHEREAS, the City of Highland Park also invited the State of Michigan, the Michigan State Land Bank Authority, the Wayne County Land Bank, and local financial institutions to join forces with the citizens of Highland Park in planning activities that will ensure economic and quality of life improvements within the neighborhoods and central business core, in a manner wherein all Highland Park citizens have an opportunity to participate and benefit; and

WHEREAS, the City of Highland envisions a Highland Park built on inclusionary growth, economic opportunity, and trust, a process that results in the creation of a cohesive vision for the City of Highland Park; and

WHEREAS, the plan will be action-oriented and will result in opportunities for sustainable development in a manner inclusive of its current and future residents, while addressing the current priorities of the community; and

WHEREAS, to accomplish this goal, the City of Highland Park also requires general planning services from McKenna pursuant to the terms of a letter proposal from McKenna, an approved vendor, dated May 24, 2023, followed by an updated proposal dated August 26, 2024, pursuant to that certain Memorandum of Understanding between the Michigan Department of Treasury, the State Land Bank Authority, and the City of Highland Park (“MOU”); under which the Michigan Department of Treasury and the State Land Bank Authority will each reimburse the City of Highland Park the sum of \$70,000 (for an aggregate reimbursement of \$140,000) which disbursements were approved by the Michigan

Department of Treasury and the State Lank Bank Authority on August 2, 2024, based on fulfilling these obligations by December 31, 2025 at which point more funding will be considered if the initiative can demonstrate successful results; and

NOW, THEREFORE, BE IT RESOLVED that the City of Highland Park approves utilizing McKenna for its Planning and Building Department Services which will be performance based pursuant to the proposal and authorizes the mayor to execute the Agreement on the City's behalf; and

NOW, THEREFORE, BE IT RESOLVED that the City of Highland Park approves the general planning services of McKenna under the letter proposal dated May 24, 2023, and updated on August 26, 2024, which will be reimbursed by the Michigan Department of Treasury and state Land Bank Authority each reimbursing the City of Highland Park the sum of \$70,000 (for an aggregate reimbursement of \$140,000) for those proposed general services to be provided by McKenna and authorizes the Mayor to execute the MOU. Yeas (4), Nays (1) Councilman Ash Shafii, Absent (0).

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Moved by Councilwoman Manica
Supported by Council President Thomas

09-16-24 VI-d

RESOLUTION FOR THE ACCEPTANCE OF THE LOCAL GOVERNMENT ENERGY PROGRAM ("LEP") COMMUNITIES SPARKING INVESTMENT IN TRANSFORMATIVE ENERGY ("C-SITE") APPLICATION TO THE U.S. DEPARTMENT OF ENERGY ("DOE") BY THE CITY OF HIGHLAND PARK'S COMMUNITY AND ECONOMIC DEVELOPMENT ("CED") DEPARTMENT

WHEREAS, the C-Site grant was developed by the U.S. Department of Energy to support eligible local governments to implement projects that provide direct community benefits, spark additional investments, meet community-identified priorities, and build local capacity. Community benefits may include creation of local economic opportunities for workers, workforce measures and agreements, community revitalization, lowered energy burden for the City of Highland Park, increased access to renewable energy, improved air quality, increased public participation in energy decision-making processes, and improved quality of life for residents within the City of Highland Park; and

WHEREAS, the City of Highland Park has been named an awardee of this grant; and

WHEREAS, the Department of Energy has awarded the City of Highland Park \$2,500,000 to install and maintain 30 solar powered streetlights to improve public safety and make other energy investments to reduce costs and create economic opportunities which projects must be completed between 2025 and 2026;

WHEREAS, the City of Highland Park will team with National Renewable Energy Laboratory experts which recently finished providing technical assistance to Highland Park during the Communities Local Energy Action Plan (C-LEAP) project; and

WHEREAS, the CED Department as a condition of accepting awarded funds, will be responsible for naming a full-time member of the administration to review contract documents, submit same to the Legal Department for review and comment, review pay applications; be responsible for attending meetings for this project and all of which contracts and payments shall be subject to the review and approval of Council by subsequent resolutions.

NOW, THEREFORE, BE IT RESOLVED, that the C-SITE Grant total award amount of \$2,500,000 from the U.S. Department of Energy by September 20, 2024 Grant#DE-FOA-0003229 by and between the U.S. Department of Energy and the City of Highland Park is hereby accepted.

NW, THEREFORE, BE IT FURTHER RESOLVED, that Carlton Clyburn, CED Director, is designated as the full time City employee to administer the program consistent with this resolution. Yeas (3), Nays (2) Councilman Ash Shafii, Council Pro Tem Robinson, Absent (0).

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Moved by Councilwoman Manica
Supported by Council President Thomas

09-16-24 VI-e

RESOLUTION TO APPROVE 2024 HIGHLAND PARK FEE SCHEDULE

WHEREAS, the City's administration submitted for this Council's consideration, a fee schedule for Planning Service Fees for 2024, a copy of which is attached to this resolution; and

WHEREAS, this Council determines the fees to be reasonable and necessary;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves fee schedule for Planning Service Fees for 2024. Yeas (5), Nays (0), Absent (0).

SEE ATTACHMENT

RENTAL CERTIFICATES

One-time Landlord Owner Registration fee: = \$75.00

<u>Certificate Fees:</u>	<u>New Registrations and Renewals Up to the Renewal Date*</u>	<u>Late Fees**</u>
One & Two Family and Multiple-family	= \$150.00 per dwelling unit	= \$75.00 per unit

The license period for all new and renewal certificates shall be twenty-four (24) months from the application date or the expiration date of the previous certificate for the same owner.

*The application fee includes an initial inspection and one re-inspection, if required. An additional fee of \$75.00 per inspection shall be charged for all locked-out inspections, the second and subsequent re-inspection of all failed inspections and second and subsequent cancelled inspections with less that seventy-two hours notice.

**Late fees are assessed if the application and fee are not received before the current expiration date; if the renewal is not completed within fifteen (15) days after the renewal date; or if a new application for an occupied property is not completed within thirty (30) days of the application date.

VACANT PROPERTY REGISTRATION

Residential: Initial Registration fee: = \$275.00* Annual renewal: = \$200.00

Commercial: Initial Registration fee: = \$375.00* Annual renewal: = \$300.00

Additional Inspections: = \$75.00 each * Includes one initial inspection and one re-inspection

BUSINESS LICENSE INSPECTIONS

Business License Inspection: Commercial = \$175.00 (Includes one re-inspection. Additional re-inspections and lock-outs = \$75.00 each)

CONCRETE PERMITS

- 1.1 All permits shall be assessed a non-refundable application fee of \$50.00.
- 1.2 Permit Fees: Permit fees are non-refundable after work has started and non-transferable.
Concrete flatwork = \$75.00 per inspection
Restoration inspection = \$75.00
- 1.3 Contractor registration fee: = \$15.00
- 1.4 An investigative fee equal to the amount provided for in Section 1.2, shall be assessed if a permit was not obtained prior to commencement of work.

FENCE PERMITS

- 1.1 All permits shall be assessed a non-refundable application fee of \$50.00.
- 1.2 Permit Fees: Permits and fees are non-refundable after work has started and non-transferable.
Fences: Industrial/Commercial - First 100 feet - \$50.00
Each additional 100 feet - \$100.00
Residential - \$50.00
- 1.3 Contractor registration fee: = \$15.00
- 1.4 An investigative fee equal to the amount provided for in Section 1.2, shall be assessed if a permit was not obtained prior to commencement of work.

PRIVATE SEWER AND WATER SERVICE

- 1.1 All permits shall be assessed a non-refundable application fee of \$50.00.
- 1.2 Permit Fees: Permit fees are non-refundable after work has started and non-transferable.
Private sewer and water leads (from the building to the storm sewer, sanitary sewer or water main) including replacements:
Storm or sanitary sewer lead = \$75.00 each.
Water lead = \$75.00
Gate wells or structures = \$75.00 each.
- 1.3 Contractor registration fee: Registration = \$15.00
- 1.4 An investigative fee equal to the amount provided for in Section 1.2, shall be assessed if a permit was not obtained prior to commencement of work.

All other commercial and industrial buildings shall be charged at the rate of one inspection for each visit required from the plumbing inspector. The inspector shall estimate the number of visits required.

3.7 Building – Required Inspections: All Construction

Building inspections shall follow the schedule below to the extent applicable:

- a. Footing - before footing is poured. Property lines must be identified for the inspection.
- b. Backfill - before foundation wall is backfilled and before slab floors and with sill plate and foundation drain in place and anchor bolts and bracing installed.
- c. Brick Ledge - after first course of brick, flashing, weep holes, and pea stone are installed.
- d. Rough - before any framing is covered and after rough electrical, mechanical and plumbing inspections are approved.
- e. Insulation - prior to covering insulation.
- f. Slab - prior to pouring concrete slab with sub-base, forms and any reinforcement and insulation installed.
- g. Fireplace - Masonry - when damper and first flue liner are in place.
- h. Drywall - fastener inspection before drywall is taped.
- i. Final - after final electrical, plumbing, and mechanical inspections are approved.
- j. Final Site/Certificate of Occupancy - when all inspections are approved and prior to Occupancy. It is illegal to occupy a building before a Certificate of Occupancy is issued. As built drawings including the approved, existing, final grade elevations must be received before an occupancy certificate can be issued.

FIRE ALARM AND FIRE SUPPRESSION PERMITS
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CED Administration Fee: \$50.00 (Required on all permits)

FD Administration Fee: \$100.00 (Required on all permits)

Electrical Inspection – CED: \$75.00 each (One required on all alarm permits)

Mechanical Inspection - CED: \$75.00 each (One required on all suppression permits)

Re-Inspection Fee: \$75.00 each inspection (Charged on all failed inspections by CED and FD. Must be paid prior to re-inspection.)

FD Plan Review Fees: Minimum Fee: \$200.00*

*Fire suppression and fire alarm plans are reviewed by outside consultants. The actual cost for the consultants review shall be paid by the applicant at the time of application. The current fee schedule for the consultant is available at the Department office.

Permanent signs

Signs: Up to 20 square feet = \$125.00
Over 20 square feet = \$250.00

Temporary signs

General information = \$100.00
Non-commercial signs No fee, must be on private property

Demolition

All permits shall be assessed a non-refundable application fee of \$50.00.

Permit Fees:

Residential = \$225.00 (Includes pre-inspection, open hole and final inspection)

Non-residential = \$100.00 + \$0.07 per square foot

Dumpster in Right-of-Way

\$5.00 per day, \$25.00 minimum

Code Inspections

\$75.00 per inspector/per hour, or fraction thereof.

Overtime Inspections

\$115.00 per hour.

Additional/Add-on Inspections, All Permits

\$75.00 per inspection.

2.6 An investigation fee equal to the amounts provided in Section 2.1, 2.2 and 2.5, shall be assessed if a permit was not obtained prior to commencement of work.

3.0 INSPECTIONS: MINIMUM NUMBER AND WHEN REQUIRED

3.1 Electrical: One and Two Family Residential

For new construction a minimum of three inspections are required for each dwelling unit, a service, rough and final inspection. An additional inspection shall be required if temporary service is provided.

Remodels shall require a minimum of two inspections per unit, a rough and a final. For all other types of work of this class, inspections shall be required for each visit required from the electrical inspector.

Permanent signs

Signs: Up to 20 square feet = \$125.00
 Over 20 square feet = \$250.00

Temporary signs

General information = \$100.00
Non-commercial signs No fee, must be on private property

Demolition

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Remodels shall require a minimum of two inspections per unit, a rough and a final. For all other types of work of this class, inspections shall be required for each visit required from the electrical inspector.

- 2.3 Contractor registration fee shall be \$15.00 annually for building, moving, demolition, concrete and sign contractors.
- 2.4 A fee of \$40.00 per inspection shall be charged for the re-inspection of all failed inspections.
- 2.5 FEE SCHEDULE

Building Permit and Plan Review Permit Fees

Building fees:

\$50.00 non-refundable application fee plus permit fees as follows:

<u>Improvement Cost</u>	<u>Fee</u>
\$0.00 to \$2,000.00	= \$93.00
\$2001.00 up	= \$93.00 plus an additional \$13.00 per thousand, or fraction thereof over \$2000.00

Plan review fees:

Residential alteration or accessory structure	= \$75.00
New residential construction	= \$200.00
Multi-family, Commercial and Industrial	= .005 x cost, minimum \$250.00, maximum \$5,000.00

In the event that the Department requires review by outside consultants as part of the plan review, all costs for required outside architectural or engineering reviews shall be paid by the applicant in addition to the standard plan review fees.

Certificates of Occupancy

Residential (One and Two-family)

Certificate of Occupancy including replacement certificates = \$25.00

Multiple-Family, Commercial, Industrial

Additions/New Construction/Change in use, owner or occupant: = \$200.00.

Replacement certificates: = \$25.00

Temporary Certificate of Occupancy

One and Two Family residential - \$250.00 plus bond of \$500.00 per incomplete item or 100% of cost, whichever is greater. Bondable items are concrete, sod and final grade in the winter months only. Bond for an as-built plot plan shall be \$1000.00.

All other construction - \$250.00 plus bond for 100% of incomplete work.

All temporary certificates are 90 days maximum with one renewal.

Signs

All permits shall be assessed a non-refundable application fee of \$50.00.

Permit Fees: Permit fees are non-transferable.

**CITY OF HIGHLAND PARK
WAYNE COUNTY, MICHIGAN**

**DETAILS AND POLICIES REGARDING THE FEE SCHEDULE ADOPTED BY CITY COUNCIL
FOR COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT SERVICES**

**CITY OF HIGHLAND PARK
BUILDING DEPARTMENT
12050 WOODWARD AVE.
HIGHLAND PARK, MI 48203
(313) 252-0050 EXT. 209**

**SCHEDULE OF FEES FOR PERMITS AND SERVICES
Effective July 1, 2016**

BUILDING FEES AND INSPECTION SCHEDULE

Notice for all permits: A permit remains valid as long as work is progressing and inspections are requested and conducted. A permit shall become invalid if; 1) the authorized work is not commenced within one hundred eighty (180) days after issuance of the permit or; 2) if the authorized work is suspended or abandoned for a period of one hundred eighty (180) days after the time of commencing the work or; 3) if no inspections are requested and conducted within one hundred eighty (180) days of the date of issuance or the date of a previous inspection. Closed permits cannot be refunded. Closed permits may be reopened within thirty (30) days of the closure date. The charge to re-open a closed permit is \$75.00. Permits may be renewed, *prior to their expiration*, one time for a period of one hundred eighty (180) days. Building permit fees for public schools that delegate their building authority to the City shall be fifty percent (50%) of adopted fee schedule.

1.0 ELECTRICAL, MECHANICAL & PLUMBING PERMIT FEE SCHEDULE

- 1.1 All permits shall be assessed a non-refundable application fee of \$50.00.
- 1.2 The permit fees for any electrical, mechanical or plumbing permit shall be \$75.00 per inspection. A minimum of one inspection and the application fee are required on all permits. Permit renewals shall be \$35.00. Permit fees are non-refundable after work has started and non-transferable.
- 1.3 Contractor registration fee shall be \$15.00 for all categories of electrical, mechanical and plumbing contractors. Registrations shall be yearly unless required otherwise by law.
- 1.4 Permits shall be for the minimum number of inspections required in Section 3.
- 1.5 An investigative fee equal to the amount provided for in Section 1.2, shall be assessed if a permit was not obtained prior to commencement of work.
- 1.6 A fee of \$40.00 per inspection shall be charged for the re-inspection of all failed inspections.

2.0 BUILDING, MOVING, DEMOLITION AND SIGN PERMIT FEE SCHEDULE

- 2.1 All permits shall be assessed a non-refundable application fee of \$50.00.
- 2.2 The permit fees for building permits shall be an application fee plus the applicable permit fee. One inspection and the application fee are required on all permits. Permit renewals shall be \$35.00. Permit fees are non-refundable after work has started and non-transferable.

2024 Highland Park Fee Schedule

Fee Schedule	Planning Service Fees
Board of Zoning Appeals	
Appeal from Administrative Action or Ruling	\$750.00
Use or Dimensional Variance Request	\$750.00
Request for Zoning Code Interpretation	\$750.00
Site Plan Review	\$1,000
Special Land Use Permits	
Special Land Use Review	\$1,000.00 + \$20.00 per acre or fraction thereof
Special Land Use Review with Site Plan Review	\$1,000.00
Special Land Use Permit Renewal	\$900.00
Zoning Ordinance Text/Rezoning or Map Amendment Hearing	\$1,000.00 + \$20.00 per acre or fraction thereof
Planned Unit Development (PUD)	\$1,000.00 + (Site Plan Fee) + (Condominium Review Fee) If Applicable
Preliminary Plat - Tentative Review	\$1,000.00
Preliminary Plat - Final Review	\$800.00
Final Plat	\$600.00
Master Deed or By-Laws	\$500 per document
Zoning Compliance Permits	
Lot Split/Combination	\$250.00 + \$40.00 per lot
Non-Residential Site Improvements	\$325.00
Single Family Home	\$250.00
All Other (Residential Fences, Accessory Structures, Etc.)	\$175.00
Alley or Street Vacations	\$600.00 + \$35.00 per abutting Lot
Signs	\$350.00 per sign + \$150 for each additional sign on the same site
Fences	\$185.00
Other Reviews	\$500.00 deposit - Hourly rates vary
Revisions – each additional technical review	0.6 times regular fee
Expedited Review	1.5 times regular fee

August 12, 2024

2024 Highland Park Fee Schedule

Fee Schedule	Planning Service Fees
Board of Zoning Appeals	
Appeal from Administrative Action or Ruling	\$750.00
Use or Dimensional Variance Request	\$750.00
Request for Zoning Code Interpretation	\$750.00
Site Plan Review	
	\$1,000
Special Land Use Permits	
Special Land Use Review	\$1,000.00 + \$20.00 per acre or fraction thereof
Special Land Use Review with Site Plan Review	\$1,000.00
Special Land Use Permit Renewal	\$900.00
Zoning Ordinance Text/Rezoning or Map Amendment Hearing	
	\$1,000.00 + \$20.00 per acre or fraction thereof
Planned Unit Development (PUD)	\$1,000.00 + (Site Plan Fee) + (Condominium Review Fee) If Applicable
Preliminary Plat - Tentative Review	\$1,000.00
Preliminary Plat - Final Review	\$800.00
Final Plat	\$600.00
Master Deed or By-Laws	\$500 per document
Zoning Compliance Permits	
Lot Split/Combination	\$250.00 + \$40.00 per lot
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Single Family Home	\$250.00
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Alley or Street Vacations	
	\$600.00 + \$35.00 per abutting Lot
Signs	
	\$350.00 per sign + \$150 for each additional sign on the same site
Fences	
	\$185.00
Other Reviews	
	\$500.00 deposit - Hourly rates vary
Revisions – each additional technical review	
	0.6 times regular fee
Expedited Review	
	1.5 times regular fee

August 12, 2024

Moved by Councilwoman Manica
Supported by Councilman Ash-Shafii

09-16-24 VI-f

RESOLUTION TO SELL THE VACANT RESIDENTIAL ADJACENT LOT AT 309 TUXEDO TO NEAL ENTERPRISES LLC, THE ADJACENT PROPERTY OWNER OF 315 TUXEDO

WHEREAS, the City of Highland Park holds in its inventory a surplus of parcels that are not producing a taxable, habitable and general benefit to the city and its residents; and

WHEREAS, it is the goal of the city to decrease the number of parcels it owns and return them to productive use; and

WHEREAS, the City of Highland Park is the owner of the vacant adjacent lot at 309 Tuxedo (vacant lot adjacent to 315 Tuxedo, a 4-unit apartment building owned by Neal Enterprises LLC, the Applicant); and

WHEREAS, all fees have been previously paid, and required clearances obtained from the Water Department, Treasurer, City Engineering, CED and Legal Departments are signed off and ready to purchase; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the vacant lot located in Highland Park, MI at the cost of \$500.00. Yeas (5), Nays (0), Absent (0).

*

Moved by Councilwoman Manica
Supported by Council President Thomas

09-16-24 VI g

RESOLUTION TO SELL VACANT RESIDENTIAL SIDE LOT AT 29 GENEVA TO PELAGEJA NOVITSKY

WHEREAS, the City of Highland Park holds in its inventory a surplus of parcels that are not producing a taxable, habitable, and general benefit to the city and its residents; and

WHEREAS, it is the goal of the City to decrease the number of parcels under its control; and

WHEREAS, the City of Highland Park is the owner of the vacant residential side lot at 31 Geneva; and

WHEREAS, Pelageja Novitsky owns the adjacent property at 31 Geneva, has submitted an offer to purchase application and paid \$25 non-refundable fee to purchase the vacant residential side lot at 29 Geneva to clean up the lot; and

WHEREAS, all fees have been previously paid and there is no indebtedness to the City and all required clearances obtained from the Water Department, Treasurer, CED, and Legal Departments are signed off and the purchaser is ready to purchase the side lots; and

WHEREAS, the purchaser has not had any code violations within the past 18 months; and

WHEREAS, the purchaser shall secure the vacant lots; remove debris, and maintain the land in accordance with City ordinance within 14 days after closing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the vacant residential side lot located in Highland Park, MI at the Cost of \$500.00 which has been determined and certified by the Assessor. Yeas (3), Nays (2) Councilmember Ash Shafii and Councilwoman Manica, Absent (0).

ENGINEERING DEPARTMENT:
09-16-24 VII-a

Moved by Councilwoman Manica
Supported by President Thomas

A RESOLUTION AUTHORIZING THE CONTRACT AWARD TO LAKESHORE GLOBAL, INC FOR PHASE 1 & TENTATIVE AWARD FOR PHASE 2 OF THE 2023 WATER MAIN AND ERSVICE LINE REPLACEMENT PROGRAM

WHEREAS, the Water Department intends to conduct a Water Main and Service Line Replacement Program to continue rehabilitating the city's aging water distribution system infrastructure as required by the Michigan Department of Environmental, Great Lakes, Energy (EGLE) Administrative Compliance Agreement (ACA -399-02-2024); and

WHEREAS, EGLE has completed review of the program and approved the bidding documents for Phase 1 and reviewing Phase 2 as part of the Drinking Water State Revolving Fund (DWSRF) funded by the American Rescue Plan-State Revolving Fund Grant; and

WHEREAS, on August 19, 2024, the City of Highland Park opened bids for the 2023 Water Main and Service Line Replacement Program; and

WHEREAS, THE Water Main and Service Line Replacement Program consists of two different phases; and

WHEREAS, the Water Department conducted interviews with all the bidders for the purpose of clarifying bids opened on August 19, 2024 and

WHEREAS the Water Department reviewed the proposal for compliance with references, project experience, project requirements, schedule, and the ability to provide the requested services for the City of Highland Park; and

WHEREAS, the Water Department determined Lakeshore Global, Inc. was the most responsive bidder for the 2023 Water main and Service Line Replacement Program; and

NOW THEREFORE, BE IT RESOLVED, that the Highland Park City Council approves the contract award to Lakeshore Global, Inc for Phase 1 in an amount not to exceed \$4,771,320.22 and tentative award Phase 2 in an amount not to exceed \$4,012,293.52 contingent upon receipt of approval permit from EGLE, available funding and in accordance with the planning and construction of the Water Master Meters Project and final contractual discussions related to said project. Yeas (3), Nays (2) Councilmember Ash-Shafii and Council Pro Tem Robinson, Absent (0).

*

Moved by Councilwoman Manica
Supported by Council President Thomas

09-16-24 VII b

A RESOLUTION TO APPROVE THE COMPREHENSIVE SAFETY ACTION PLAN AND TO ENDORSE VISION ZERO, FOR THE CITY OF HIGHLAND PARK TO STRIVE TO ACHIEVE ZERO TRAFFIC DEATHS AND INCAPACITATING INJURIES ON THE STREETS OF HIGHLAND PARK BY 2040

WHEREAS, the Comprehensive Safety Action Plan was developed under the FY2022 Safe Streets for All (SS4A) Action Plan Grant by the U.S. Department of Transportation (DOT); and to provide a basis for planning, infrastructure, behavioral, and operations initiatives to prevent death and serious injury on roads and streets involving all roadway users, including pedestrians, bicyclists; and motorists; and

WHEREAS, the comprehensive Safety Action Plan will provide the framework to advance traffic safety improvements in a coordinated manner throughout the city; and

WHEREAS, THE Comprehensive Safety Action Plan will enable the City Engineering Department to qualify for future implementation Grants through the DOT to fund projects from the Action Plan that will assist with traffic safety improvement through rehabilitation and replacement of city roads and infrastructure; and

NOW, THEREFORE, BE IT RESOLVED, that the city of highland Park City Council offered the following resolution and moved for the following:

1. Approve the comprehensive Safety Action Plan with proposed traffic safety improvement projects and;

2. Endorse Vision Zero as part of a comprehensive effort to achieve zero deaths and serious injuries on the streets of Highland Park by 2040; and

3. After documentation of all comments received from citizens, the Council and DOT on this Action Plan, the City Engineer is authorized to take all necessary actions to give this resolution effect this 16th day of September 2024; Yeas (5), Nays (0), Absent (0).

Moved by Councilman Ash Shafii

To temporarily suspend the rules of procedure to bring a motion before council to rescind his vote from last meeting regarding the resolution regarding the re-appointment of the vacant City Treasurer position.

NO SUPPORT WAS GIVEN TO THE MOTION

*

** Councilman Ash Shafii excused himself from the meeting at 9:25 p.m.

ADJOURNMENT:

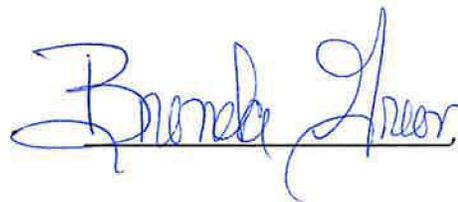
Moved by Councilwoman Manica

Supported by Council Pro Tem Robinson

Motion carried; meeting adjourned at 9:47 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the minutes of the Virtual & In-Person Regular Meeting held the 16TH day of September 2024 and that said proposed minutes are available for public inspection at the address designated on the posted public notice.

 City Clerk