

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

JULY 15, 2019

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

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

Absent: Councilmember Lewis (excused) (1).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

To approve the agenda with the addition of 1 item from City Council *Resolution stating that the Highland Park City Council will exercise its lawful right to engage an independent attorney contract in the legal matter of Hubert Yopp v The Highland Park City Council* and 2 items from Community Development *Resolution to approve buying 343 Pasadena through first right of refusal, Resolution to approve buying 281 W. Grand Ave through first right of refusal.* Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

APPROVAL OF MINUTES

Moved by Councilmember Woodard
Supported by Councilmember Bates

To approve the minutes of the Workshop Meeting held July 1, 2019. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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Moved by Councilmember Woodard
Supported by Councilmember Bates

To approve the minutes of the Regular meeting held July 1, 2019. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

PUBLIC HEARINGS
07-15-19 V

The Clerk stated this was the place and time to hear comments on proposed Water Department Budget & Rates and City Engineering Department Budget and Schedule of Fees for Fiscal Year 2020.

Moved by Councilmember Bates
Supported by Council Pro Tem McDonald

To open the Public Hearings. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.
Public Hearings opened at 7:23 p.m.

Director Damon Garrett gave a brief overview of the proposed fees, rates and budgets for the Water and Engineering Departments. Questions and comments were heard from citizens: Deblon Jackson, Margaret Lewis, Lorne McGee, Councilmember Bates and Council Pro Tem McDonald.

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

To close the Public Hearings. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.
Public Hearings closed at 7:46 p.m.

TABLED ITEMS
07-15-19 VI a

The following resolutions were tabled July 1, 2019.

**RESOLUTIONS TO APPOINT TAESSIA BURSEY AND BEVERLY JORDAN
TO THE PLANNING COMMISSION**

Moved by Councilmember Woodard
Supported by Councilmember Bates

To bring back the above item. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

Moved by Councilmember Woodard
Supported by Council Pro Tem McDonald

WHEREAS, The Planning Commission currently has five (5) members;

WHEREAS, According to Highland Park City Charter 1220.02 (a) The Planning Commission may have up to nine (9) members;

WHEREAS, Taessia Bursey and Beverly Jordan have applied and been interviewed by Mayor Hubert Yopp and have been recommended by the Mayor;

NOW, THEREFORE, BE IT RESOLVED that Taessia Bursey and Beverly Jordan be appointed to the Highland Park Planning Commission on July 1, 2019. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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07-15-19 VI b

The following resolutions were tabled July 1, 2019.

RESOLUTIONS TO RE-APPOINT SAMUEL BILLINGTON, JEFF GLOTTA, PAUL MOTLEY, CLEOPHUS PYE AND BARBARA WILLIS TO THE PLANNING COMMISSION

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

To bring back the above item. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

WHEREAS, in accordance with Section 1220.02 (2) The term of appointment to the Planning Commission shall be three years, to expire on the last day of June;

WHEREAS, Samuel Billington, Jeff Glotta, Paul Motley, Cleophus Pye and Barbara Willis' seats on the Planning Commission expires on June 30,2019.

NOW, THEREFORE BE IT RESOLVED that the City Council re-appoints Samuel Billington, Jeff Glotta, Paul Motley, Cleophus Pye and Barbara Willis to the Planning Commission.

Community Development Director Theresa Johnson stated that only the seats for Commissioners Glotta and Motley had expired.

Council Pro Tem McDonald withdrew her motion.

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

To approve the Planning Commission re-appointments of Jeff Glotta and Paul Motley for three (3) years. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

ADMINISTRATION
07-15-19 VII a

The following resolution was submitted for approval.

**RESOLUTION APPROVING RENEWAL OF CONTRACT WITH SMART
TRANSPORTATION**

Moved by Councilmember Woodard
Supported by Councilmember Bates

WHEREAS, SMART Transportation has provided transportation to and from designated destinations for Highland Park seniors and the disabled; and

WHEREAS, the City of Highland Park desires to continue non-emergency transportation services for its senior and disabled residents; and

WHEREAS, as with the current and prior contracts, the City will use municipal and community credit funds made available to it by the Michigan Legislature, pursuant to Michigan Public Act 51 of 1951, to cover the \$40, 234 cost for this service; and

WHEREAS, the current Transportation Service Agreement and Municipal Credit and Community Credit contracts expire on June 30, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Highland Park City Council approves the renewal of the Transportation Service Agreement and Municipal Credit and Community Credit contracts to continue SMART Transportation's services to the City's senior and disabled residents through June 30, 2020. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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07-15-19 VII b

The following resolution was submitted for approval.

**RESOLUTION APPROVING RENEWAL OF TRANSPORTATION AGREEMENT
WITH PEOPLE'S COMMUNITY SERVICES OF METROPOLITAN DETROIT**

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

WHEREAS, the City of Highland Park desires to arrange for non-emergency transportation to and from designated destinations; and

WHEREAS, People's Community Services of Metropolitan Detroit (PCS) provides general transportation services to the residents of its service area; and

WHEREAS, PCS has provided such services to the residents of Highland Park in the past; and

WHEREAS, the City of Highland Park desires to continue these services through PCS.

NOW THEREFORE BE IT RESOLVED, that the City Council approves the City of Highland

Park entering into an agreement with PCS for the continued provision of non-emergency transportation services to and from designated destinations for the residents of Highland Park. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

CITY CLERK
07-15-19 VIII a

The Clerk submitted a Park Rental Application for approval from Howard Anthony for Storen Park on August 10, 2019.

Moved by Council Pro Tem McDonald
Supported by Councilmember Woodard

To approve the Park Rental application from Howard Anthony for August 10th 2019 at Storen Park. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

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07-15-19 VIII b

The Clerk submitted a Park Rental Application for approval from Canna Town for Storen Park on July 27, 2019.

Moved by Councilmember Bates

** Item dies, lack of support **

CITY COUNCIL
07-15-19 IX

The following resolution was submitted for approval.

RESOLUTION STATING THAT THE HIGHLAND PARK CITY COUNCIL WILL EXERCISE ITS LAWFUL RIGHT TO ENGAGE AN INDEPENDENT ATTORNEY CONTRACT IN THE LEGAL MATTER OF HUBERT YOPP V THE HIGHLAND PARK CITY COUNCIL

Moved by Councilmember Woodard
Supported by Councilmember Bates

Whereas, The Highland Park City Council is well within its rights provided by the City Charter to hire a Third Party Independent Attorney, and,

Whereas, a Legal Matter has come before the City Council in the form of *HUBERT YOPP V THE HIGHLAND PARK CITY COUNCIL* and,

Whereas, THE HIGHLAND PARK CITY COUNCIL will look to engage Herb Sanders of the Sanders Law Firm, P.C.
615 Griswold, Suite 913
Detroit, Michigan 48226

Now, Therefore Be It Resolved, that the Highland Park City Council engages Herb Sanders to represent and defend the Highland Park City Council against the frivolous legal action brought by Hubert Yopp. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

**COMMUNITY DEVELOPMENT
07-15-19 X a**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE BUYING 343 PASADENA THROUGH
FIRST RIGHT OF REFUSAL**

Moved by Council Pro Tem McDonald

WHEREAS, the property at 343 Pasadena, parcel 43-010-01-0246-000, is available for the City to purchase through the First Right of Refusal; and

WHEREAS, the deadline for this property is July 26, 2019 the property is for sale in the amount of \$1,301.55 and

WHEREAS, the City is purchasing this property for Means Group, to be include in the development project and welfare.

NOW THEREFORE BE IT RESOLVED, THAT THE CITY OF HIGHLAND PARK PURCHASE 343 PASADENA THROUGH ITS FIRST RIGHT OF REFUSAL.

** Item dies, lack of support **

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07-15-19 X b

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE BUYING 281 W. GRAND THROUGH
FIRST RIGHT OF REFUSAL**

Moved by Council Pro Tem McDonald

WHEREAS, the property at 281 W. Grand, parcel 43-010-01-0246-000, is available for the City to purchase through the First Right of Refusal; and

WHEREAS, the deadline for this property is July 26, 2019 the property is for sale in the amount of \$1,301.55 and

WHEREAS, the City is purchasing this property for **Means Group**, to be include in the development project and welfare.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF HIGHLAND PARK PURCHASE 281 W. GRAND THROUGH ITS FIRST RIGHT OF REFUSAL.

**** Item dies, lack of support ****

**ENGINEERING
07-15-19 XI**

The following resolution was submitted for approval.

A RESOLUTION TO ADOPT THE FY2020 CITY ENGINEERING DEPARTMENT BUDGET AND SCHEDULE OF FEES AS REQUESTED BY THE CITY ENGINEERING DEPARTMENT

Moved by Councilmember Woodard
Supported by Councilmember Bates

WHEREAS, pursuant to the Charter of the City of Highland Park Sections 7-10, 8-6, and 15-2 related to City Engineering functions, schedule of fees, and department budgets and City of Highland Park Chapter 1022 and 1024 Ordinances; and

WHEREAS, the City Council has received and reviewed the City Engineering Department's recommended schedule of fees for FY2020; and

WHEREAS, the Highland Park City Council has received comments on the recommended schedule of fees from citizens at a duly advertised public hearing; and

WHEREAS, it is the intent of the City Engineering Department that the schedule of fees shall adhere to the proposed budget funds for FY2020; and

BE IT RESOLVED, all comments received from citizens at the duly advertised public hearing, are documented; and

RESOLVED FURTHER, after documentation of all comments received from citizens, that the City Engineering Department is authorized to take all necessary actions to give this resolution effect this 15th day of July 2019. Yeas (3) Councilmember Woodard, Councilmember Bates and

Council President Patrick, Nays (1) Council Pro Tem McDonald, Absent (1) Councilmember Lewis.

FINANCE
07-15-19 XII a

The monthly financial statement for June 30, 2019 was received and filed.

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07-15-19 XII b

The following resolution was submitted for approval.

RESOLUTION TO USE THE STATE OF MICHIGAN MiDEAL CONTRACT FOR THE PURCHASE OF STATIONARY, OFFICE AND JANITORIAL SUPPLIES

Moved by Councilmember Bates
Supported by Council Pro Tem McDonald

WHEREAS, the City of Highland Park's approved 2019/2020 fiscal year budget is based upon a reduction in cost for stationary, office supplies, janitorial supplies and disposable paper products; and

WHEREAS, the State of Michigan MiDEAL program is an extended purchasing program which allows Michigan cities (Highland Park is currently a dues-paying member) to use state contracts to buy goods and services; and

WHEREAS, the prices from the MiDEAL Staples contract for janitorial and stationery supplies, etc., shows an overall savings that could be realized by the City when compared to purchased products from its current suppliers (see attached); and

BE IT RESOLVED by the City of Highland Park that the City is authorized to use the MiDeal contract for the purchase of stationery, office supplies, janitorial supplies and disposable paper products when savings to the City will be realized. Highland Park has budgeted for these expenditures. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

PUBLIC WORKS
07-15-19 XIII

The following resolution was submitted for approval.

RESOLUTION TO SOLICIT QUOTES TO DETERMINE THE COST OF REMOVING AND DISPOSING OF HAZARDOUS MATERIALS FROM MCGREGOR LIBRARY

Moved by Councilmember Woodard
Supported by Councilmember Bates

WHEREAS, the McGregor Library is an architectural treasure in the City of Highland Park that was dedicated on March 5, 1926 and was designed to accommodate a variety of social, cultural and educational functions; and

WHEREAS, on April 15, 2019, the City Council approved the contract for PSI-Intertek (PSI) to perform an environmental survey for the library; and

WHEREAS, PSI issued a 149-page Pre-Renovation Asbestos and Hazardous Material Survey report that identified the presence of asbestos, lead, mold, radon and 14 other suspect hazardous materials; and

WHEREAS, the next step in returning the library to its former glory is to determine the cost to remove and dispose of hazardous materials identified in the PSI survey; and

NOW, THEREFORE, BE IT RESOLVED, that the City approves the Department of Public Works soliciting quotes to determine the cost of removing and disposing of hazardous materials from the McGregor Library identified in the PSI report. No expenditures of Highland Park funds are required. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

WATER
07-15-19 XIV a

The following resolution was submitted for approval.

A RESOLUTION TO ADOPT THE FY2020 WATER DEPARTMENT BUDGET AND RATES AS REQUESTED BY THE WATER DEPARTMENT

Moved by Councilmember Bates
Supported by Councilmember Woodard

WHEREAS, pursuant to chapter 1040.17 and 1042.01 of the City Code of Ordinances, it is the responsibility of the City of Highland Park to establish water and sewer rates; and

WHEREAS, the City Council has received and reviewed the Water Department Director's recommended water and sewer rates for FY2020; and

WHEREAS, the Highland Park City Council shall and has received comments on the recommended water and sewer rates from citizens at a duly advertised public hearing; and

WHEREAS, it is the intent of the Water Department Director that rates shall adhere to the proposed budget funds for FY2020; and

BE IT RESOLVED, all comments received from citizens at the duly advertised public hearing, are documented; and

RESOLVED FURTHER, after documentation of all comments received from citizens, that the Water Department is authorized to take all necessary actions to give this resolution effect this 15th day of July 2019. Yeas (3) Councilmember Woodard, Councilmember Bates and Council President Patrick, Nays (1) Council Pro Tem McDonald, Absent (1) Councilmember Lewis.

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07-15-19 XIV b

The following resolution was submitted for approval.

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE ADMINISTRATIVE
CONSENT ORDER BETWEEN THE CITY OF HIGHLAND PARK AND THE
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY**

Moved by Councilmember Bates
Supported by Council Pro Tem McDonald

WHEREAS, The City of Highland Park was notified on April 30th 2019 by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) regarding lead water service lines related to the Drinking Water Revolving Loan (DWRf) project No. 7428-01; and

WHEREAS, effective June 14, 2018, new administrative rules promulgated under the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), partial service line replacement is no longer allowed, except in the case of emergency repair; and

WHEREAS, the City of Highland Park was provided a copy of the administrative consent Order (AC) to temporarily allow for the partial lead service line replacement during the execution of the DWRf Project No. 7428-01 and upcoming construction projects will make every effort to complete full replacement of the lead service lines in future project areas; and

WHEREAS, the City of Highland Park and the Highland Park Water Department agree to comply with and be bound by the terms of the ACO; and

WHEREAS, the City of Highland Park and the Highland Park Water Department agree in principle with the revised ACO, the City of Highland will reserve the right to use financial discretion and revise completion dates based on pursuit of funding sources, amount of award by those sources, other pending financial obligations, and revenue collected for completion of improvements identified in the ACO; and

WHEREAS, the City of Highland Park and the Highland Park Water Department agree in principle with the ACO template dated June 17, 2019, with revisions as noted by the Water Department, in addition to comments and other correspondences documented and received from EGLE; and

WHEREAS, EGLE understands by agreeing in principle, the City of Highland Park reserves the right to appeal to EGLE any scoring deductions and/or decisions made by EGLE related to this or other ACO's the City of Highland Park is currently under as it relates to applications submitted for the Drinking Water Revolving Fund Project Plan; and

BE IT RESOLVED, that the Highland Park City Council APPROVES the execution of the ACO attached to this resolution and to comply with its terms this 15th day of July 2019. Yeas (3) Council Pro Tem McDonald, Councilmembers Woodard and Bates, Nays (1) Council President Patrick, Absent (1) Councilmember Lewis.

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07-15-19 XIV c

The following resolution was submitted for approval.

A RESOLUTION REQUESTING ENROLLMENT IN A CITY-WIDE PROGRAM TO ALLOW ITS WATER CUSTOMERS THE OPTION OF PURCHASING WATER SERVICE LINE WARRANTY PLANS

Moved by Councilmember Bates
Supported by Councilmember Woodard

WHEREAS, by City of Highland Park Ordinance, Part Ten, Title Four, Chapter 1040, water service lines between the curb stop and the connection on the residential private property are owned by individual residential property owner in the City of Highland Park; and

WHEREAS, the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE) prohibits partial replacement of lead water service lines, thus any replacement will of an individual residential property owner's service line shall be from the mainline in the public right-of-way to the connection on the residential private property inside the home; and

WHEREAS, by City of Highland Park Ordinance, Part Ten, Title Four, Chapter 1042, sewer lines between the mainlines within the public right-of-way and the connection on the residential private property are owned by individual residential property owner in the City of Highland Park; and

WHEREAS, City of Highland Park Water Department desires to offer Residential Property Owners the opportunity, but not the obligation, to purchase a service line warranty and other similar products as otherwise agreed in writing from by the City Council; and

WHEREAS, Company, a subsidiary of HomeServe USA Corp., is the administrator of the National League of Cities Service Line Warranty Program and has agreed to make the Products available to the Residential Property Owners subject to the terms and conditions contained herein; and

BE IT RESOLVED, that the City of Highland Park City Council grants the right to offer and market the Products to Residential Property Owners subject to the terms and conditions herein, this 15th day of July 2019. Yeas (4), Nays (0), Absent (1) Councilmember Lewis.

ADJOURNMENT

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

To adjourn the meeting, motion carried, meeting adjourned at 9:13 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the minutes of the Regular Meeting held the 15th day of July, 2019 and that said minutes are available for public inspection at the address designated on the posted public notice.

A handwritten signature in blue ink, appearing to read 'Cidia Wicker-Brown', with a decorative flourish at the end.

Cidia Wicker-Brown, Deputy City Clerk