

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

September 6, 2022

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

Present: Council Pro Tem Patrick, Councilmember McDonald, Councilmember Bates, Councilmember Armstrong, and Council President Clyburn (5).

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Council Pro Tem Patrick
Supported by Councilmember McDonald

To approve the agenda with the removal of items VII a, b & c from Community Development and item X a from the Water Department. Yeas (5), Nays (0), Absent (0).

APPROVAL OF MINUTES

Moved by Councilmember Armstrong
Supported by Council Pro Tem Patrick

To approve the minutes of the In-Person and Virtual Regular meeting held August 15, 2022. Yeas (5), Nays (0), Absent (0).

**ORDINANCE 1st READING
09-06-22 V**

The Clerk stated this was the 1st reading of the following ordinance

ORDINANCE NO. 894.11

WHEREAS the City of Highland Park adopted Ordinance 894.07 on November 9, 1993, which was later superseded by Ordinance 894.11, adopted November 10, 1997 and titled "Manchester Place Residential Development for the Manchester Place I and II authorization of a Payment in Lieu of Taxes or PILOT"; and

WHEREAS, Ordinance 894.11 established and approved an annual Payment in Lieu of Taxes (PILOT) at an annual service charge rate of four percent (4%) of annual net shelter rents for the Manchester Place I and II developments, consisting of 144 low-rise multifamily rental housing units and 56 low-rise multifamily rental housing units, which combined provide 200 units of affordable family housing development located at 14350 Second Ave. in the City of Highland Park ("the Development"); and

WHEREAS, at the time of adoption of Ordinance 894.11, the Development was sponsored by the McCormack-Barron Associates, a Delaware corporation, which created two separate ownership partnerships, known as Manchester Place I Limited Dividend Housing Association Limited Partnership and Manchester Place II Limited Dividend Housing Association Limited Partnership; and

WHEREAS, since the adoption of the Ordinance 894.11, certain definitions have now become obsolete and require amended language; and

WHEREAS, in 2022, both phases of the Development will be combined and the Development will be refinanced using an allocation of low income housing tax credits from the Michigan State Housing Development Authority (the "Authority") and will be subject of a mortgage loan (the "Mortgage Loan") from the Authority which will require the conveyance of the Development to Manchester Place Apartments Limited Dividend Housing Association, LLC, as the new owner; and

WHEREAS this Amendment to Ordinance 894-11 reaffirms the following Sections: (b) Class of Housing, (d) Contractual Effect of the Ordinance, (e) Payment of Service Charge, (g) Modification or Rescission of Section, (h) Housing Projects Currently Exempt from Taxation and (i) Waiver for PILOT.

NOW THEREFORE, THE CITY OF HIGHLAND PARK ORDAINS:

Ordinance 894-11 is hereby amended as follows:

1. Section (a) is hereby amended as follows:

(a) Offer of Sponsor. The City acknowledges that ~~McCormack Barron Associates, a Delaware Corporation, has offered,~~ MANCHESTER APARTMENTS LIMITED DIVIDEND HOUSING ASSOCIATION, LLC, A MICHIGAN LIMITED LIABILITY COMPANY, subject to the receipt of a mortgage loan from the Michigan State Housing Development Authority, to construct a THE MORTGAGE LOAN, WILL BE REHABILITATING THE housing development identified KNOWN as Manchester Place APARTMENTS Residential Development on certain property, the legal description of which is ATTACHED HERETO AND INCORPORATED BY REFERENCE ~~provided in original Ordinance 1181, passed November 15, 1993, from which this section was derived.~~

In addition, ~~McCormack Barron Associates~~ MANCHESTER APARTMENTS LIMITED DIVIDEND HOUSING ASSOCIATION, LLC has offered to pay to the City, on account of said housing development, an annual service charge for public service in lieu of all taxes.

2. Section (c) is hereby amended as follows:

(c) Establishment of Annual Service Charge. The housing development identified as Manchester Place ~~Residential Development/McCormack Barron Associates~~ and the property on which it IS shall be situated shall be exempt from all AD VALOREM property taxes in the tax year following the filing of the ~~certificate and notification~~ NOTIFICATION of eExemption required by Section 15(a)(l) of the Act with the local assessing official. The City, acknowledging that the Manchester Place ~~Residential Development/McCormack Barron Associates~~ and the Authority have established the economic feasibility of the ~~housing development~~ PROJECT in reliance upon the enactment and continuing effect of this section, the qualification of the ~~housing development~~ PROJECT for exemption from all AD VALOREM property taxes and a payment in lieu of taxes as established herein, and in consideration of the offer by Manchester Place LIMITED DIVIDEND HOUSING ASSOCIATION, LLC ~~Residential Development/McCormack Barron Associates~~, subject to the receipt of a ~~m~~Mortgage ~~H~~Loan from the Authority, to construct REHABILITATE, own and operate said ~~housing development~~ PROJECT, hereby agrees to accept payment of an annual service charge for public services in lieu of property taxes. The annual service charge shall be equal to four percent of the difference between ~~e~~Contract ~~r~~Rents actually collected and ~~u~~Utilities.

3. Section (f) is hereby amended as follows:

(f) Duration. This section shall remain in effect and shall not terminate so long as the ~~m~~Mortgage ~~H~~Loan remains outstanding and unpaid or HUD or the Authority has any interest in the property, ~~which the City understands to be a period of thirty years, provided that construction of the housing development commences within one year from the effective date of this section.~~

4. The remainder of Ordinance 894-11 shall remain unchanged.

5. The City Clerk is hereby authorized and directed to publish this Ordinance within seven (7) days of the date hereof in the *Michigan Chronicle*, a newspaper of general circulation in the City.

6. The effective date of this Ordinance shall be _____, 2022, which shall be published in a newspaper of general circulation in the City of Highland Park and shall become effective on the later of fifteen (15) days after adoption hereof or the publication of the Ordinance.

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

This shall be the first reading to amend Ordinance 894.11 sections A, C and F. Yeas (5), Nays (0), Absent (0).

CITY ADMINISTRATOR
08-06-22 VI a

The following resolution was submitted for approval.

RESOLUTION APPROVING MANCHESTER PLACE REHABILITATION REQUESTS

Moved by Council Pro Tem Patrick

Supported by Councilmember McDonald

WHEREAS, the City of Highland Park Tax Increment Finance Authority (the "TIFA") has received a proposal (the "Proposal") from Communities of Hope, Inc., which is the limited member of the original developer and current owner of the Facility (defined below), Manchester Place Limited Dividend Housing Association Limited Partnership (the "Owner"), describing a proposed \$17 million rehabilitation (the "Project") of the developments known as Manchester Place I, consisting of 144 low-rise multifamily rental housing units) and Manchester Place II, consisting of 56 low-rise multifamily rental housing units) (together, the "Facility"); and

WHEREAS, the Facility was originally financed in a two phase, multi-layered financing package, consisting, in relevant part, of (1) a loan from the TIFA to the Owner in the amount \$3,244,000 (the "TIFA Loan A"), which was secured by a note and mortgage, to be used to pay part of the cost of Manchester Place I; (2) a \$1,000,000 loan (the "Devco Loan") from HP Devco to the Owner which was secured by a note and mortgage, to be used to pay part of the cost of Manchester Place I; and (3) a cash flow loan from the TIFA to the Owner of \$564,630 (the "TIFA Loan B" and together with TIFA Loan A, the "TIFA Loans" and collectively with the Devco Loan, the "City Loans"), which was secured by a note and mortgage, to be used to pay part of the costs of Manchester Place II; and

WHEREAS, each of the City Loans were capitalized with the proceeds of an Urban Development Action Grant ("UDAG") from the United States Department of Housing and Urban Development ("HUD") to the City pursuant to an Urban Development Action Grant Agreement (the "UDAG Agreement"), which was received in August 1989; and

WHEREAS, each of the City Loans is on a subordinated security basis to other project debt, including one or more loans from the Michigan State Housing Development Authority (the "Original MSHDA Loans"); and

WHEREAS, according to the Owner, the City Loans were only to be repaid from excess cash flow; and

WHEREAS, to date, no principal or interest due on the City Loans has been repaid; and

WHEREAS, the Owner is now proposing to invest roughly \$84,711 per unit to rehabilitate Manchester Place I and II; and

WHEREAS, the Request consists of the following components: (1) the satisfaction release of the City Loans in consideration of a one-time aggregate payment of \$225,000 ("Satisfaction Request"); (2) the amendment and extension of the current payment in lieu of taxes ordinance (the "PILOT Request"); and (3) the clearance of various title issues which were part of the Development Agreement but which were never perfected, consisting of (a) a quit claim deed from the City to the Owner of a single parcel (the

"Manchester Place Parcel") that was not conveyed during the original development, and (b) the issuance and recording of a certificate of completion (the "Certificate of Completion") of the City showing the original development was completed pursuant to the original Agreement to Purchase and Develop Land by and between City of Highland Park Tax Increment Finance Authority and the Owner, dated May 17, 1994 (the "Development Agreement"); and

WHEREAS, the Owner is requesting two letters from the City in support of its application for the New MSHDA Loan: (1) a letter stating that no site plan changes are necessary for the Project (the "Site Plan Letter") and (2) a letter stating that no zoning changes are necessary for the Project (the "Zoning Letter"); and

WHEREAS, HP Devco was dissolved by operation of law in 2015 for failure to file required annual reports; and

WHEREAS, the City is hereby requesting the Board of Directors of HP Devco to approve the assignment of the Devco Loan to the TIFA for purposes of winding down the affairs of HP Devco and to allow the TIFA to accept the Owner's offer of satisfaction; and

WHEREAS, in the event of such assignment, all of the City Loans will become TIFA Loans; and

WHEREAS, the City has requested permission from HUD to accommodate the Satisfaction Request; and

WHEREAS, the City has requested permission from the Michigan Department of Treasury ("Treasury") to enter into the contemplated transactions; and

WHEREAS, based upon information provided by the Owner, it does not appear the Facility, in the absence of the Project and the corresponding incentives and adoption of a new or amended PILOT, would be financially sustainable in light of the revenues produced and the maintenance requirements of the Facility.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The transfer by the TIFA to the Owner of Manchester Place Parcel is hereby approved.

2. Subject to the approval of HUD and Treasury, the offer of the satisfaction of the City Loans in the total amount of \$225,000 is hereby accepted on behalf of the City. This includes the City's acceptance to satisfy the HP Devco Loan to the extent it is the successor in interest to the assets of HP Devco as the lender of the Devco Loan.

The TIFA is hereby authorized to accept the offer of satisfaction from the Owner for the TIFA Loans, including the Devco Loan to the extent Devco approves the assignment of the Devco Loan to the TIFA. If the Devco Loan is assigned to the TIFA, all of the proceeds of the satisfaction amount shall be distributed to the TIFA. If the Devco Loan is not assigned

to the TIFA, but is otherwise part of the satisfaction, the proceeds of the satisfaction amount shall be distributed pro rata between the City and the TIFA in relation to the total amount of the City Loans. The use of such proceeds of the satisfaction amount may be limited to HUD/UDAG- approved uses.

The Mayor, City Clerk, and City Administrator (each, an "Authorized Officer") and any officer of the TIFA are each hereby authorized to execute such agreements, releases, and other documents as are necessary to memorialize such satisfaction and to cause such documents as are necessary to be filed with the Register of Deeds to reflect the release of each of the City Loans. The forms of Satisfaction and Release of lien are attached hereto as Exhibit A. These forms may be amended as necessary to memorialize the satisfaction of City Loans, as approved by the City Attorney and/or Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield").

3. Upon confirmation by City staff that no site plan or zoning changes are necessary for the Project, each Authorized Officer or other City employees and staff are hereby authorized to issue the Site Plan Letter and Zoning Letter.

4. Any appropriate City employees or staff, on behalf of the City and the TIFA, are hereby authorized to cause the Certificate of Completion, in form substantially similar to that attached hereto as Exhibit B with such changes as are approved by the City Attorney and/or Miller Canfield, such Certificate to be issued and recorded with the Register of Deeds.

BE IT FURTHER RESOLVED THAT, pending approval by the State Treasurer in regards to the debt put forth on this project by the City of Highland Park. Yeas (5), Nays (0), Absent (0).

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09-06-22 VI b

The following resolution was submitted for approval.

RESOLUTION OF THE CITY OF HIGHLAND PARK TO CONCUR IN THE RULES AND REGULATIONS CONCERNING INDUSTRIAL PRETREATMENT PROGRAM AS ADOPTED BY THE GREAT LAKES WATER AUTHORITY TO THE EXTENT NOT INCONSISTENT WITH (1) SEWAGE SERVICE CONTRACT, CITY OF DETROIT-CITY OF HIGHLAND PARK DATED JUNE 8, 1983, (2) WASTEWATER DISCHARGE ORDINANCE DELEGATION AGREEMENT, CITY OF DETROIT - CITY OF HIGHLAND PARK DATED JUNE 12, 1992; AND (3) JUDGE COX ORDER TO INCORPORATE RATE SETTLEMENTS DATED AUGUST 31, 2011

Moved by Councilmember Bates
Supported by Council Pro Tem Patrick

WHEREAS, the Great Lakes Water Authority ("the Authority" or "GLWA") is a Michigan municipal authority and public body corporate with power to sue and be sued in any court of this state.

WHEREAS, GLWA was organized and existing pursuant to the provisions of its Articles of Incorporation and Michigan Public Act No. 233 of 1955, as amended, MCL 124.281, et seq. ("Act 233"), for the purpose of establishing a regional sewage disposal system to operate, control, and improve the sewage disposal system leased from the City of Detroit; and

WHEREAS, pursuant to § 124.281(b) of Act 233, the City of Highland Park is a constituent municipality of the GLWA, involuntarily, because it is located in Wayne County which is a founding incorporator of the Authority; and

WHEREAS, as authorized by § 124.284a Act 233, GLWA and the constituent municipalities "shall adopt rules and regulations by resolution of its governing body and *with concurrence* by resolution of constituent municipalities (*see*, Rules attached as Exhibit A dated November 2022);" and

WHEREAS, under that certain under *both* that certain Sewage Service Contract, City Of Detroit -City Of Highland Park Dated June 8, 1983 (Exhibit B hereto, the "1983 Agreement") and the Honorable Judge Sean Cox Order to Incorporate Rate Settlements into Wastewater Contracts and Dismiss All Prior Rate Settlements (Exhibit C hereto, the "2011 Judge Cox order"):

" ... to adopt and enforce, rules and regulations pertaining to the use, design and construction of sewers, and the discharge of industrial or commercial wastes into sewers, where such sewers are tributary to DWSD's treatment works. Such rules and regulations shall be consistent with and at least as stringent as all applicable provisions of the pertinent ordinances adopted by the City of Detroit, these being the 1979 amendments to Chapter 56, Article 1, and Chapter 56, Article 6, of the Municipal Code of the City of Detroit as they may be adopted and amended from time to time." Exhibit B, Sec. 3, p. 15 and Exhibit C, Sec. 24, p. 10-11.

WHEREAS, under that certain Wastewater Discharge Ordinance Delegation Agreement, City Of Detroit- City Of Highland Park Dated June 12, 1992 (Exhibit D hereto, the "1992 Agreement), GLWA as assignee of Detroit already has the authority to approve its Rules to the extent consistent with that 1992 Agreement:

Delegation. The City of Highland Park hereby delegates and assigns the right, privilege and authority to administer and enforce the industrial pretreatment provisions of its applicable wastewater ordinance, as amended, to the BOARD with all necessary powers attendant to that administration and enforcement, including but not limited to the power to adopt rules and regulations for purposes consistent with said ordinances, and federal and state pretreatment standards, statutes, rules, regulations and requirements, and the BOARD is hereby designated the duly-authorized representative of the City of Highland Park for such purposes under the powers of said ordinance, which administration and enforcement would otherwise be the responsibility of

the City of Highland Park;

WHEREAS, Federal and State laws and regulations requiring Detroit and GLWA, its co-permittee under NPDES Permit No. MI0022802, to regulate Industrial Pretreatment Programs in 40 CFR 403.1 et seq. and MAC 323.2301 et seq., specifically 40 C.F.R. § 403.8(f) and Mich. Admin. Code R. 323.2306, require Highland Park to approve ordinances which authorize or enable the Publicly Owned Treatment Works ("POTW ") leased by Great Lakes Water Authority ("GLWA") from the City of Detroit to apply and to enforce newly promulgated, applicable wastewater pretreatment standards and requirements of sections 307 (b) and (c), and 402(b)(8) of the Clean Water Act and any regulations implementing those sections; and

WHEREAS, the intent and purposes of these rules and regulations adopted by GLWA'S Board on November 13, 2019, speak for themselves; and

WHEREAS, on July 22, 2022, Wayne County Circuit Court Judge, the Honorable Muriel Hughes, held Highland Park in contempt for failing to approve the Rules. Highland Park strongly disagrees with this contempt ruling because the Rules require concurrence by Highland Park which in ordinary English means "agreement." (Exhibit E) *See*, Cernelle v. Graminex, L.L.C., No. 21-1579/2649, 2022 U.S. App. LEXIS 19549, at *16-17 (6th Cir. July 14, 2022) ("court must resolve all ambiguities in favor of the party accused of contempt. This standard of review is slightly more complicated when the alleged contempt involves a failure to comply with a consent decree or stipulated permanent injunction."), and

WHEREAS, Judge Hughes mandated concurrence these Rules, although concurrence requires agreement, in part because GLWA is subject to the Administrative Procedures Act, MCL 24.201, et seq ("the APA"). MCL 24.315. However, the Michigan Supreme court has ruled that the APA only applies to state agencies not municipal, most county appointed board entities like GLWA:

"We hold that the Michigan Administrative Procedures Act applies only to an "agency" and that the statutory definition of "agency" requires that the "department, bureau, division, section, board, commission, trustee, authority or officer" be a "state" unit or position. Additionally, we hold that the Wayne County Concealed Weapon Licensing Board is not a "state* * * board" within the meaning of the Michigan Administrative Procedures Act and consequently is not an "agency" subject to the provisions of the act.

Hanselman v. Killeen, 419 Mich. 168,171,351 N.W.2d 544,545 (1984); and

WHEREAS, Judge Hughes decision is presently on appeal. Unless reversed by the Court of Appeals, the judgment stands and these Rules must be approved by the city council; and

NOW THEREFORE BE IT RESOLVED that the governing body of the City in compliance Judge Hughes opinion and order and state and federal law, hereby concur in the IPP rules and regulations attached hereto as Exhibit A; including any subsequent amendments thereto, which amendments, if any, shall not require the approval of this governing body, relating to the use, design and construction of sewers, and the discharge of industrial or commercial wastes into sewers, where such sewers are tributary to DWSD's treatment works which are consistent with and at least as stringent as all applicable

provisions of the pertinent ordinances adopted by the City of Detroit, these being the 1979 amendments to Chapter 56, Article 1, and Chapter 56, Article 6, of the Municipal Code of the City of Detroit as they may be adopted and amended from time to time, except to the extent these IPP Rules conflict with the 1983 Agreement and/or the 1992 Agreement and/or the 2011 Judge Cox Order and/or the Federal and State laws, and assuming the APA applies to GLWA, and

BE IT FURTHER RESOLVED that, subject to the caveats and exceptions in the foregoing resolution, the adoption and approval of the rules and regulations contained in Exhibit A shall be contractually binding on the parties, and, to the extent permitted or allowed by the Highland Park city charter, no governing body of City/County shall be authorized or empowered to rescind or change the approval granted in this resolution without 180 days prior written notice to the GLWA. Yeas (3), Nays (2) Pro Tem Patrick, Councilmember Armstrong, Absent (0).

**COMMUNITY DEVELOPMENT
09-06-22 VII a**

**RESOLUTION TO SELL THE VACANT RESIDENTIAL SIDE LOT AT 186
GROVE TO THE ADJACENT PROPERTY OWNER AT 113 PORTAGE**

Moved by Councilmember Bates
Supported by Councilmember Armstrong

WHEREAS, The City of Highland Park holds in its inventory a surplus of City- owned 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 city-owned parcels and return them to productive use; and

WHEREAS, the City of Highland Park is the owner of the vacant adjacent lot at 186 Grove; and

WHEREAS, upon the payment of all remaining fees (all others have been previously paid), and required clearances obtained from the Water Department, Treasurer, City Engineer, 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. Yeas (5), Nays (0), Absent (0).

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09-06-22 VII b

**RESOLUTION TO SELL THE VACANT RESIDENTIAL SIDE LOT AT 249
CANDLER TO THE ADJACENT PROPERTY OWNER AT 251 CANDLER**

Moved by Councilmember Bates
Supported by Councilmember McDonald

WHEREAS, The City of Highland Park holds in its inventory a surplus of City- owned 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 city-owned parcels and return them to productive use; and

WHEREAS, the City of Highland Park is the owner of the vacant adjacent lot at 186 Grove; and

WHEREAS, upon the payment of all remaining fees (all others have been previously paid), and required clearances obtained from the Water Department, Treasurer, City Engineer, 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. Yeas (5), Nays (0), Absent (0).

ENGINEERING
09-06-22 VIII

The following resolution was submitted for approval.

**A RESOLUTION FOR THE SUBMITTAL OF THE 2022 SAFE STREETS AND
ROADS FOR ALL (SS4A) GRANT ACTION PLAN APPLICATION TO THE U.S.
DEPARTMENT OF TRANSPORTATION (DOT) BY THE CITY OF HIGHLAND
PARK CITY ENGINEERING DEPARTMENT**

Moved by Councilmember Bates
Supported by Councilmember Armstrong

WHEREAS, the Safe Streets and Roads for All Grant was developed by the U.S. Department of Transportation to support planning, infrastructure, behavioral, and operational initiatives to prevent death and serious injury on roads and streets involving all roadway users, including pedestrians; bicyclists; public transportation, personal conveyance, and micromobility users; motorists; and commercial vehicle operators. The grant will assist Highland Park with the development and implementation of short-term road infrastructure plans. \$1 billion is available with a maximum grant award of \$50,000,000, and award floor of \$200,000 per applicant; and

WHEREAS, the City of Highland Park Engineering Department will be required to provide a 20% match of the awarded grant amount; and

WHEREAS, the City Engineering Department will utilize grant funds to develop an official Action Plan identifying projects for improving transportation safety on city roads; and

WHEREAS, the creation of an official 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 rehabilitation and replacement of city roads; and

WHEREAS, a component of the Action Plan may require that an official public commitment (e.g., resolution, policy, ordinance, etc.) by a high-ranking official and/or governing body (e.g., Mayor, City Council, etc.) to an eventual goal of zero roadway fatalities and serious injuries. The commitment must include a goal and timeline for eliminating roadway fatalities and serious injuries achieved through either the target date for achieving zero roadway fatalities and serious injuries or an ambitious percentage reduction of roadway fatalities and serious injuries by a specific date with an eventual goal of eliminating roadway fatalities and serious injuries; and

WHEREAS, another component of the Action Plan may require that a committee, task force, implementation group, or similar body be created and charged with oversight of the Action Plan development, implementation, and monitoring; and

BE IT RESOLVED, the City of Highland Park City Council approves the submittal of the Safe Streets and Roads for All Grant Action Plan Application requesting a total of \$200,000 to the U.S. Department of Transportation by September 15th, 2022; Yeas (5), Nays (0), Absent (0).

PUBLIC WORKS
09-06-22 IX

The following resolution was submitted for approval.

RESOLUTION FOR TWO ZERO TURN LAWNMOWERS

Moved by Councilmember Bates
Supported by Councilmember McDonald

WHEREAS, the mission of the Public Works Department (DPW) is to maintain a safe, healthy, and clean environment in the City of Highland Park; and

WHEREAS, the DPW also has general responsibility for maintenance of parks and public grounds (including vacant lots); and

WHEREAS, DPW requires two new zero turn mowers to maintain the grassy areas in the City; and

WHEREAS, the DPW received a quote from Sell's Equipment for \$20,198 for two new mowers (see attached); and

NOW, THEREFORE, BE IT RESOLVED that the City approves the purchase of two zero turn mowers from Sell's Equipment for a price not to exceed \$20,198. Yeas (5), Nays (0), Absent (0).

**WATER
09-06-22 X**

The following resolution was submitted for approval.

**A RESOLUTION TO HOLD A PUBLIC HEARING FOR THE FY 2023 WATER
DEPARTMENT BUDGET AND RATES AS REQUESTED BY THE WATER
DEPARTMENT**

Moved by Council Pro Tem Patrick
Supported by Councilmember McDonald

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 to determine an annual budget; and

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

WHEREAS, all comments received from citizens at a duly advertised public hearing, will be documented; and

WHEREAS, it is the intent of the Water Department Director, after approval, that water and sewer rates shall adhere to the proposed budget funds for FY 2023; and

BE IT RESOLVED, that the City of Highland Park Water Department requests a public hearing to be held at the next Regular City Council Meeting of September 19, 2022, to receive these comments regarding the FY 2023 Water Department Budget and Rates. Yeas (5), Nays (0), Absent (0).

**OUTSIDE COMMUNICATION
09-06-22 XI**

The following communication was received from Tonya Horn President of the Dove Foundation of Michigan, Inc.

The Dove Foundation of Michigan, Inc., is the charitable arm of Zeta Phi Beta Sorority, Inc. Kappa Rho Zeta Chapter. Kappa Rho Zeta Chapter has been servicing the City of Highland Park community since 1981. As members of an international community conscious, action-oriented organization, we strive to meet the challenges and needs of our communities. One of our community efforts is community service, scholarships, and fundraising. Our mission is to maximize our presence and services through innovative programming and social action.

Here are some of our contributions to the City of Highland Park:

- Scholarships for high school students at the former Highland Park High school (interviews were held at MacGregor Library)
- Sponsorship and contribution to MacGregor Library Book Drive
- Highland Park Senior Citizens Holiday Events
- Truck or Treats (Reggie McKenzie Field)
- Female Fitness Representative (Kappa Rho Zeta member was highlighted)
- Graduation Gift Cards for 2019/2020 Highland Park graduating students (sponsorship with other Highland Park Foundations)
- Community Services with our senior citizens' homes: Villa in the Park, LaBelle Towers, and Buena Vista Towers
- Kappa Rho Zeta Chapter of Highland Park, Michigan: Adopt- A-Road clean-up (April, July, and September) servicing Woodward /Davidson to Hamilton Street

The Dove Foundation of Michigan, Inc, will be hosting along with Kappa Rho Zeta Chapter of Highland Park, Michigan, a fundraiser Bingo Extravaganza for scholarships. The fundraiser will be at the residence of Andrea Hubbard, who resides in Clinton Township. The Bingo Extravaganza will be held on Sunday, September 11, 2022, from 1pm to 4pm.

The Bureau of State Lottery of Michigan, where applications are sent for licenses for charitable bingo games have requested per there guidelines for review and approval that a resolution letter from the City of Highland Park, Michigan, City Council members be submitted to the Dove Foundation of Michigan, Inc., as being recognized as a 501 C3 non-profit of the community.

We, the board members of the Dove Foundation of Michigan, Inc., seated in Highland Park, Michigan, are seeking recognition and approval from the Highland Park City Council members for our continuous scholarships and community service activities.

If you have any questions or concerns, feel free to email TDFM, Inc., at kpzdovefoundationl@gmail.com.

Councilmember McDonald asked to abstain from voting on this item because she is a member of Kappa Rho Zeta. Councilmember Armstrong also asked to abstain because he has a current gaming control board license.

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To allow Councilmembers McDonald and Armstrong to abstain from voting on the above item. Yeas (3), Nays (0), Absent (0), Abstain (2) McDonald and Armstrong.

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To receive and file the request from The Dove Foundation and refer to the Legal Department for review. Yeas (3), Nays (0), Absent (0), Abstain (2) McDonald and Armstrong.

ADJOURNMENT

Moved by Councilmember McDonald
Supported by Councilmember Armstrong

To adjourn the meeting, motion carried, meeting adjourned at 8:45 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the In-Person and Virtual Regular Meeting held the 6th of September 2022 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk