

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

**JANUARY 5, 2015**

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

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

**Absent: None (0).**

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

**\*\*\***

**APPROVAL OF AGENDA:**

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

**To approve the agenda as submitted. Yeas (5), Nays (0), Absent (0).**

**APPROVAL OF MINUTES:**

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

**To approve the minutes of the Special/Recess September 17, 2014 Meeting  
Held September 18, 2014. Yeas (5), Nays (0), Absent (0).**

**\*\*\***

**2<sup>nd</sup> PUBLIC HEARING:**

**The Clerk stated this was the time and place to obtain views from the community on  
the proposed use of the City of Highland Park's FY 2015 CDBG allocation.**

**Mr. Starks, CED Director answered questions and concerns from the citizens and council members regarding what the funds can and cannot be used for.**

**Moved by Councilmember Patrick  
Supported by Councilmember McClary**

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

**\*\*\***

**BID PROPOSALS:**

**The Clerk stated this was the place and time to open bid proposals for the purpose of rehabbing a home at 364 Geneva.**

**Two (2) bid proposals were received.**

**DMC Consultants, Inc.  
13500 Foley  
Detroit, Mi. Bid amount: \$23, 283**

**AI Builders, Inc.  
24001 Southfield Rd.  
Suite 203c  
Southfield, Mi. Bid amount: \$17,560**

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

**To refer the above proposals to Community Development for a report and recommendation. Yeas (5), Nays (0), Absent (0).**

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**The Clerk stated this was the place and time to open bid proposals for the training of EMT basic.**

**Two (2) bid proposals were received.**

**LSTI Para Star, Inc.  
Southfield, Mi. Bid amount: \$22,093 per class**

**Superior Medical Education  
Madison Heights, Mi. Bid amount: \$22,593 per class or \$1,130 per student**

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

**To refer the above proposals to the Fire Chief for a report and recommendation. Yeas (5), Nays (0), Absent (0).**

**ORDINANCE-FINAL READING:**

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

**The that an ordinance to amend Part VIII, by repealing Ordinance 512 of 1959 and Ordinance 1099 of 1982 in their entirety, and substituting 1099a Chapter 874 into the City of Highland Park Municipal Code to allow for street vendors be placed on the order of final reading and passage.**

**Council President Woodard stated**

**“THIS SHALL BE KNOWN AS THE FINAL READING OF THE ORDINANCE”**

**Council President ask the question?**

**“SHALL THIS ORDINANCE PASS?”**

**Yeas (3) Council Pro Tem Lewis, Councilmember Patrick and Council President Woodard, Nays (2) Councilmembers Moore and McClary, Absent (0).**

PROPOSED ORDINANCE TO AMEND PART VIII, BY REPEALING ORDINANCE 512 OF 1959 AND ORDINANCE 1099 OF 1982 OF THEIR ENTIRETY, AND SUBSTITUTING \_\_\_\_\_, CHAPTER 874 INTO THE CITY OF HIGHLAND PARK MUNICIPAL CODE TO ALLOW FOR STREET VENDORS.

Ordinance No. 01099 2014

#### Summary

An ordinance to amend Title VIII of the City code by amending Section 874 to allow and regulate for street vendors. Thereby repealing ordinance 512 and ordinance 1099 of the municipal code for the City of Highland Park.

**SECTION 1.** The City of Highland Park does hereby ordain as follows: It is hereby ordained by the People of the City of Highland Park that it amends Title, VIII of the municipal code by substituting \_\_\_\_\_ 2012, Section 874 to the municipal code and repealing ordinance 512 and ordinance 1099.

**874.01 Street Vendor.** Definitions. For purposes of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section:

“Approved location” means a location that has been approved for stationary vending by the police department in accordance with this article.

“Approved removable stand” means structures and/or table, not including a pushcart, approved in accordance with this article by the police department for stationary vending that does not exceed four (4) feet in width, eight (8) feet in length (parallel to the curb), and eight (8) feet in height that has been approved for use by a licensed stationary vendor at an approved location.

“Food” means any products sold for human consumption, the sale of which is not prohibited by law.

“Pushcart” means a trailer, kiosk, or portable stand designed to be readily moveable from which goods or food are sold from a public sidewalk and not a public street, highway, or public parking space.

“Food service establishment” means a fixed or mobile restaurant, pushcart, coffee shop, cafeteria, short order café, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern bar, cocktail lounge, nightclub, drive-in, industrial caterer, private organization serving the public, rental hall, catering kitchen, delicatessen, theater, commissary, or similar place where food or drink is prepared for direct consumption through service on the premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided for the public, except as provided by Section 1107(k) of the Michigan Food Law of 2000, being MCL 289.1107(k).



"Vehicle" means a self-propelled motor vehicle used by a vendor designed for transition streets and highways.

"Vendor" means:

(1) Any person, traveling by foot or vehicle from street to street carrying and selling food or goods; or

(2) Any person, who without traveling by foot or vehicle, exhibits, displays, and sells food or goods from a pushcart, or an approved removable stand at an approved location on a city sidewalk.

#### 874.02 LOCATION

All vendors, after being approved by Council, are allowed to vend along Woodward Avenue in a pre-designated location determined by Council.

#### 874.03 LICENSE REQUIRED

No person shall engage in the business of a street vendor in the City without first obtaining a license from Council, this includes vending on both public and private property.

#### 874.04 LICENSE APPLICATIONS; INVESTIGATIONS.

An application for the license required by Section 874.02 shall be made in writing to Council upon forms furnished by the City and shall be filed with the City Clerk. The application shall give all such information as may be deemed necessary for the proper enforcement of this chapter including:

1. Vendor's Application
2. Copy of Driver's License/State ID
3. Police Clearance/Background Check (at the vendors expense)
4. A brief description as to what will be sold
5. Food Handlers Certification if applicable
6. A \$1000 Bond if you are a Non-Food & Beverage Vendor
7. Commercial General Liability Insurance that names the City of Highland Park as an additional insured in an amount not less than one million dollars (\$1,000,000.00). Additional insured language must agree to defend, indemnify, and hold harmless the City of Highland Park, its officials, officers, employees and agents against liability, claims, causes of action, judgments or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the license, its employees, its subcontractors and anyone for whose acts or omissions they may be liable, arising out of the license's use or occupancy of the public street, highway or public parking spaces.

#### 874.05 GRANTING OF LICENSE; CONDITIONS.

If Council is satisfied that the applicant under Section 874.03 is a suitable person to engage in the business of a street vendor, and that the granting of such license will not be detrimental to the interests of the public, it shall grant the license, provided that:

- (a) The applicant is a citizen of the United States or has declared his or her intention of becoming a citizen of the United States;
- (b) The applicant has not been convicted of a felony;
- (c) The applicant's weights and measures have been sealed and approved according to law; and
- (d) The applicant's fingerprints have been taken by the Police Department.

#### **874.06 LICENSE ISSUANCE; FEES.**

When a license under this chapter has been granted, the City Clerk shall issue the same upon payment by the applicant to the City Treasurer of the following fees:

- (a) For a street vendor who uses a truck or vehicle- five hundred fifty dollars (\$550);
- (b) For a street vendor who uses a handcart, pushcart, or kiosk ~~225~~ (\$225)

#### **874.07 CONTENTS OF LICENSE.**

A street vendor's license shall contain:

- (a) The applicant's name, current business address and telephone number.
- (b) Current government-issued identification document with photo of the applicant and any designated agent or person proposed to conduct mobile vending.
- (c) The name under which the mobile vendor will be doing business.
- (d) A brief description of the nature of the mobile vending operation and the items to be sold, including whether the licensee will be selling food products.
- (e) County health permit, if applicable.
- (f) A description of all vehicles to be used in the mobile vending operation, including the Michigan license plate number(s) and a complete copy of the current Michigan vehicle registration(s) and proof of vehicle insurance for each proposed mobile vending unit or mobile food vending unit.
- (g) Whether the applicant has ever had a mobile vendor license revoked or suspended and the date and jurisdiction of the denial, suspension or revocation.

#### **874.08 DISPLAY OF LICENSE**

Any license issued to the street vendor shall be displayed on the mobile vending unit and shall be produced upon request of any law enforcement officer, city code inspector or county health inspector. In the case of a mobile food vendor, any required health inspection certificate shall also be displayed on the mobile vending unit. Any change in the information requested in the application shall be provided to the city clerk within ten calendar days of any such change.

#### **874.09 REVOCATION OF LICENSE**

A license issued under this chapter may be revoked by Council at any time for a violation of a law of the State or an ordinance of the City or if Council deems the licensee an unfit person to carry on the business of a street vendor.

**TABLED ITEM:**

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

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

**RESOLUTION INCREASING AGREEMENT BETWEEN RONALD ROSE AND THE  
CITY OF HIGHLAND PARK**

**BE IT RESOVLED, that the Highland Park City Council hereby approves the increase to the agreement between Ronald Rose and the City of Highland Park dated August 29, 2014 to provide facilitation services for the City of Highland Park in an amount not to exceed Three Thousand Dollars (\$3,000.00)**

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

**To approve the above resolution. Yeas (4), Nays (1) Councilmember McClary,  
Absent (0).**

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**MAYOR:**

**The following resolution was submitted for approval.**

**A RESOLUTION OF APPOINTMENT TO THE CITY OF HIGHLAND PARK  
PLANNING COMMISSION**

**Moved by Councilmember McClary  
Supported by Councilmember Patrick**

**BE IT RESOLVED, that the Highland Park City Council hereby confirms the appointment of Ms. Karla R. Marshall, whose address is 119 Tuxedo, Highland Park, Mi. 48203, to the Highland Park Planning Commission. Her term will expire on January 5, 2018. Yeas (5), Nays (0), Absent (0).**

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The following resolution was submitted for approval.

Moved by Council Pro Tem Lewis  
Supported by Councilmember McClary

**RESOLUTION ACCEPTING DONATION FROM S.E.T. PRODUCTS, INC.**

**BE IT RESOLVED**, that the Highland Park City Council hereby accepts the donation of steel boarding equipment to board up the homes located at 87 Church and 91 Church, in the City of Highland Park by S.E.T. Products, Inc. located at P.O. Box 2113 Farmington Hills, Michigan 48333. The value of the products is \$1,200.00. Yeas (5), Nays (0), Absent (0).

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**LEGAL:**

The following resolution was submitted for approval.

Moved by Councilmember Patrick  
Supported by Council Pro Tem Lewis

**RESOLUTION AUTHORIZING EMPLOYMENT AGREEMENT BETWEEN CITY OF HIGHLAND PARK AND CATHY SQUARE**

**BE IT RESOLVED**, that the Highland Park City Council hereby approves the Employment Agreement between the City of Highland Park and Cathy Square dated December 22, 2014. Yeas (5), Nays (0), Absent (0).

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**COMMUNITY DEVELOPMENT:**

The following resolution was submitted for approval.

**RESOLUTION TO AUTHORIZE EXECUTION OF A BLIGHT PARTNER PARTICIPATION AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY'S ("MSHDA") FIVE MILLION DOLLAR (\$5,000,000) HARDEST HIT FUND ("HHF") ALLOCATION TO THE CITY OF HIGHLAND PARK**

**WHEREAS**, the City of Highland Park received a \$5,000,000 Grant Allocation from MSHDA in connection with Hardest Hit Funding to demolish vacant and dilapidated residential properties owned by the City of Highland Park; and



**WHEREAS, the City of Highland Park must execute a Blight Partner Participation Agreement to implement the terms and conditions of the Grant (See Exhibit I attached hereto and incorporated herein by reference as if set forth in full ); and**

**WHEREAS, the execution of the Blight Participation Agreement authorizes the Michigan State Land Bank (“MLB”), the City’s Blight Partner, to demolish vacant and dilapidated structures owned by the City of Highland Park in coordination with the City of Highland Park; and**

**NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Highland Park that:**

**The Mayor of Highland Park is authorized to execute The Blight Partner Participation Agreement and related documents to implement the terms and conditions of the \$5,000,000 Hardest Hit Fund Allocation. Yeas (5), Nays (0), Absent (0).**

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**Louis Starks, Director of CED requested that Motor City Mapping give a update of their project in Highland Park.**

**Laura Grannemann passed out printed results and gave a brief presentation from their mapping project in Highland Park which started October 20-24. She stated there were 6,328 surveyed properties, 3,796 structures and 2,532 lots.**

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**COUNCIL AFFAIRS:**

**Councilmember Patrick expressed concerns that a citizen had contacted him regarding a large water bill they had received. Councilmember Patrick questioned why Ms. Mona King, Director of the Water Department wasn’t present at the meeting as requested in the friendly amended resolution passed by council at the last meeting to address some of council’s and citizens concerns. Mayor Windom addressed Councilmember Patrick’s concerns and stated that according to the Charter Council cannot interfere with administration departments or director that any concerns or questions should be directed to the Mayor.**

**Councilmember Moore stated that this was the third time she has requested to be given in writing the procedures and policy for the hiring of reserve officers**

**Councilmember McClary expressed his concerns regarding a letter that was being sent to the Attorney General regarding the Arthur Blackwell settlement.**

**Council President Woodard read the resolution from the council that was presented to the family of the late Tracey Lynn Wilson.**

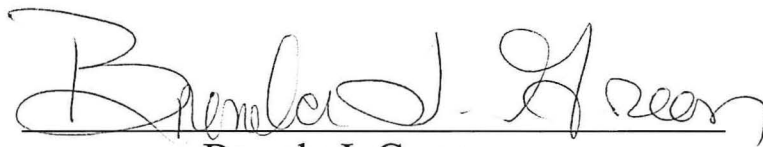
**\*\*\***

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

**To adjourn this meeting; motion carried meeting was adjourn at 9:55 p.m.**

## CERTIFICATE

I, hereby certify that the attached is a true copy of the proposed minutes of the Regular Meeting held on the 5<sup>th</sup> day of January 2015 and that said proposed minutes are available for public inspections at the address designated on the posted public notice.

A handwritten signature in cursive script that reads "Brenda J. Green". The signature is written in black ink and is positioned above a horizontal line.

Brenda J. Green  
City Clerk