

MINUTES OF THE REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL

JUNE 19, 2017

Council convened at 7:06 p.m. with Council President Patrick presiding.

Present: Councilmember Woodard, Councilmember Lewis, Councilmember Marshall and Council President Patrick. (4).

Absent: Council Pro Tem McDonald (excused) (1).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To approve the agenda with the following change to agenda item # IX –d invoice amount should be \$9,600. Yeas (4), Nays (0), Absent (1).

APPROVAL OF MINUTES

Moved by Councilmember Lewis

Supported by Council Woodard

To approve the minutes from the Re-scheduled Special Meeting held May 30, 2017. Yeas (4), Nays (0), Absent (1).

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To approve the minutes from the Workshop & Regular Meeting held June 5, 2017. Yeas (4), Nays (0), Absent (1).

MAYOR:

The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

RESOLUTION TO THE APPOINTMENTS OF THE HISTORIC COMMISSION

WHEREAS, In accordance with Chapter 272 of the City Ordinance, the City established a Historic Commission to oversee the policies & procedures of the Historic department; and

WHEREAS, In accordance with Chapter 272.02 the Commission is to consist of 7 residents of the City of Highland Park appointed by the Mayor; and

WHEREAS, the appointments of the Historic Commission are subject to Council approval; and

WHEREAS, the Administration is seeking to improve, promote and preserve the rich history of the City;

NOW HEREBY BE IT RESOLVED that the Highland Park City Council approves the Mayoral appointments for the Historic Commission as follows:

Ms. Anne Zobel	term ending June 30, 2020
Mr. Jeffrey Harris	term ending June 30, 2020
Mrs. Alexis Williams	term ending June 30, 2020

Yeas (4), Nays (0), Absent (1).

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The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Marshall

WHEREAS, In accordance with Section 7.1 of the City Charter, the Planning Commission is charged with the oversight of planning; and

WHEREAS, In accordance with the City Charter, the Commission is to consist of 7 residents of the City of Highland Park appointed by the Mayor; and

WHEREAS, the appointments of the Planning Commission are subject to Council approval; and

NOW HEREBY BE IT RESOLVED that the Highland Park City Council approves the Mayoral appointments for the Planning Commission as follows:

Jamal Thomas	term ending June 30, 2020
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Yeas (4), Nays (0), Absent (1).

CHARTER REVISION COMMISSION;

The following resolution was submitted for approval.

**A RESOLUTION TO SUPPORT
CITY OF HIGHLAND PARK CHARTER REVISION COMMISSION
STIPEND PAYMENT FOR THE REMAINING 2016/2017 FISCAL YEAR**

Whereas, In accordance with Section 5-3 of the Charter for the City of Highland, the Highland Park City Council held a regularly scheduled workshop meeting on June 13, 2017, and under the Open Meetings Act of Michigan, 15.263 Sec 3.1 was open to the public.

Whereas, on June 13, 2017 at the time and date specified above, the City of Highland Park Charter Revision Commission, represented by the Shamayime Harris, appeared and presented a request for additional funding in the amount of 1,710.00 dollars to cover five stipend payments of 30.00 each for eight of the nine commission members for the remaining meetings to be held through the end of the 2016/2017 fiscal year.

Whereas, the intent of the request by City of Highland Park Charter Revision Commission is to ensure adequate funding exists for stipend payments through the end of the fiscal year in support of the efforts of the City of Highland Park Charter Revision Commission to develop a newly revised City Charter.

Whereas, the Highland Park City Council on behalf of the residents of Highland Park in concert with good governance and for the advancement of the City of Highland Park supports the efforts of the City of Highland Park Charter Revision Commission to complete the City of Highland Park Charter revisions, grants the additional allocation of 1,710.00 to the budget for fiscal year 2016/2017.

NO ACTION WAS TAKEN ON THIS RESOLUTION

CITY COUNCIL:

The following resolution was submitted for approval.

RESOLUTION TO THE APPOINTMENTS OF THE ZONING BOARD OF APPEALS

WHEREAS, in accordance with Chapter 1211.01 of the Highland Park Zoning Ordinance Planning and Zoning Code the establishment and intent of the Board of Appeals is addressed and;

WHEREAS, Chapter 1211 establishes that the Highland Park City Council may appoint 5 members, and that each may hold office for 3 year terms; and

WHEREAS, the City Council is desirous to enhance the narrative of improving residential and business conditions in our community; and

NOW BE IT RESOLVED that the Highland Park City Council approves the suggested appointments to the Zoning Board of Appeals as follows:

Ken Bates	3 year term ending June 30, 2020
Kim Price McDade	3 year term ending June 30, 2020
Beverly Jordan	3 year term ending June 30, 2020
Jamal Thomas	3 year term (or remainder of Planning Comm. Term)
Chris Woodard	3 year term ending June 30, 2020
Michele Cunningham	Alternate

**** Councilmember Woodard requested to recuse himself from the vote. Yeas (3), Nays (0), Absent (1)**

To approve the appointments. Yeas (3), Nays (0), Absent (1).

FINANCE:

The following resolution was submitted.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

TO ACKNOWLEDGE THE RECEIPT OF THE CITY OF HIGHLAND PARK ANNUAL AUDIT REPORT FOR THE YEAR ENDING JUNE 30, 2016

WHEREAS, the City of Highland Park is required to submit to the State of Michigan by December 31, 2016 an annual audit report for the year ending June 30, 2016

WHEREAS, the Annual Audit for the year ending June 30, 2016 was completed and accepted by the City's auditor, Gregory Terrell and Company;

NOW, THEREFORE, BE IT RESOLVED that the Highland Park City Council acknowledges the receipt of the Annual Audit for the year ending June 30, 2016;

BE IT FINALLY RESOLVED that a copy of this resolution becomes a part of the official records of the City of Highland Park. Yeas (4), Nays (0), Absent (1).

The following resolution was submitted for approval.

Moved by Councilmember Woodard

Supported by Councilmember Lewis

TO AMEND THE GENERAL FUND ACTIVITY BUDGET AS PRESENTED BY THE FINANCE DEPARTMENT AND MAYOR HUBERT YOPP AS OF JUNE 19, 2017 FOR FISCAL YEAR 2016-2017

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

WHEREAS, the Finance Department has reviewed the current general fund expenditures for the year ending June 30, 2017 and would like to submit to the Highland Park City Council proposed budget amendments; (see attached budget)

NOW THEREFORE, BE IT RESOLVED that the Highland Park City Council adopts the amended General Fund activity budget as presented by the finance department and Mayor Hubert Yopp;

BE IT FINALLY RESOLVED that a copy of this resolution becomes a part of the official records of the City of Highland Park. Yeas (4), Nays (0), Absent (1).

The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

RESOLUTION AUTHORIZING THE ENGAGEMENT OF THE MACKINAW ADMINISTRATORS TO PROVIDE CLAIM SERVICES FOR THE CITY OF HIGHLAND PARK

BE IT RESOLVED that the Highland Park City Council hereby approves the service agreement between the City of Highland Park and Mackinaw Administrators LLC to continue to provide claim services as our Third Party Administrator for the City of Highland Park. Yeas (4), Nays (0), Absent (1).

POLICE DEPARTMENT:

The following resolution was submitted for approval.

Moved by Councilmember Marshall

Supported by Councilmember Lewis

WHEREAS, Motorola Solutions, Inc. has provided an equipment proposal to the City of Highland Park Police Department; and

WHEREAS, Motorola is able to supply the Police Department with twenty (20) APX4000 Mode 2.5 portable radios in the amount of \$45, 594.00 which amount includes a customer loyalty discount of \$13,000.00

NOW THEREFORE BE IT RESOLVED that City Council approves the Motorola equipment proposal. Yeas (4), Nays (0), Absent (1).

The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Marshall

RESOLUTION APPROVING LETTER OF USE AGREEMENT BETWEEN HIGHLAND PARK POLICE DEPARTMENT AND OFFICER CHRISTOPHER ZUELLIG

WHEREAS, Officer Christopher Zuellig ("Officer Zuellig") is the sole owner of canine Trexx ("Trexx"), a 19 month old female Dutch Shepherd certified in narcotics detection, tracking item search, and patrol; and

WHEREAS, currently, Officer Zuellig is responsible for the expenses associated with Trexx's care and maintenance, and is the sole custodian of all training and certification records; and

WHEREAS, pursuant to the attached letter of use agreement:

- (1) Trexx would be utilized the same as a police officer employed by the City of Highland Park.**
- (2) Officer Zuellig will act as Trexx's handler, making all decisions as to any deployment of the canine in accordance with Highland Park Police Department policies and procedures, and Michigan use of force laws.**
- (3) The Highland Park Police Department shall be liable and absorb any liability for any injuries or damages that may occur due to a lawful canine deployment; and**
- (4) No special insurance is required for a police dog, pursuant to the laws of the State of Michigan.**

NOW THEREFORE BE IT RESOLVED, THAT City Council approves the letter of use agreement between the Highland Park Police Department and Officer Christopher Zuellig. Yeas (4), Nays (0), Absent (1).

The following resolution was submitted for approval.

RESOLUTION APPROVING EQUIPMENT PROPOSAL PROVIDED BY WINDER POLICE EQUIPMENT

**Moved by Councilmember Marshall
Supported by Councilmember Lewis**

WHEREAS, Winder Police Equipment has provided an equipment proposal to the City of Highland Park Police Department; and

WHEREAS, Winder is able to supply the Police Department with the equipment listed in the attached proposal in the amount of \$5,561.60

NOW THEREFORE BE IT RESOLVED that City Council approves the Winder Police Equipment proposal.

**COUNCILMEMBER LEWIS WITHDREW HER SUPPORT NO OTHER SUPPORT WAS OFFERED
ITEM FAILS DUE TO A LACK OF SUPPORT**

The following resolution was submitted for approval.

RESOLUTION APPROVING PROSTEACH INVOICE FOR "USE OF FORCE BUNDLE" FOR THE CITY OF HIGHLAND PARK POLICE DEPARTMENT

WHEREAS, Pros Teach, LLC has provided a "Use of Force" bundle for eighty (80) sworn and reserve Highland Park Police officers, which included training, testing, and printed materials; and

WHEREAS, the invoice for these professional services is in the amount of \$9,600.00 which amount reflects a 75% discount of the total price of \$9,600.00;

NOW THEREFORE BE IT RESOLVED that City Council approves the invoice submitted by ProsTeach, LLC for services rendered to the City of Highland Park Police Department.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To table the above resolution. Yeas (4), Nays (0), Absent (1).

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The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

RESOLUTION TO APPROVE PURCHASE ORDER FROM CAREY AND HERBERT CRIME PREVENTION TRAINING SERVICES

WHEREAS, the City of Highland Park Police Department desires to acquire the services of Carey and Herbert Crime Prevention Training Services ("Carey and Herbert"), and

WHEREAS, Carey and Herbert will conduct training, 3 hours per session, for six weeks of classroom instruction to selected Highland Park citizens on the following topics: use of force policies, criminal investigations, emergency communication 911, identify theft, community policing, and a range of crime prevention-related topics; and

WHEREAS, the City will pay a fee of \$500.00 per three hour session.

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the Purchase Order of Carey and Herbert Crime Prevention Training Services.

**** COUNCILMEMBER LEWIS WITHDREW HER MOTION RESOLUTION FAILED**

PUBLIC WORKS:

The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

RESOLUTION TO PURCHASE A WALK BEHIND PECO BRUSH BLAZER FOR THE CITY OF HIGHLAND PARK

WHEREAS, the City of Highland Park has experienced rapid and excessive grass overgrowth in excess of 12 inches, which is in violation of City ordinance section 694.01, cutting required; and

WHEREAS, high grass and noxious weed growth can cause visibility, allergy, and health problems; and

WHEREAS, the City is in immediate need of commercial forestry clearing equipment that is designed for heavy commercial land use; and

WHEREAS, the City of Highland Park has budgeted \$75,000.00 to the Department of Public Works (DPW) to make such equipment purchases; and

WHEREAS, New PECO Inc. is the single source manufacturer of the PECO Brush Blazer engineered for superior performance and rugged durability. New PECO Inc. has offered the City of Highland Park a discounted machine (Serial #1652511) with 1 hour of filmed use for \$12,500.00 which includes additional hardware and a full warranty; and

WHEREAS, Highland Park will receive a \$2,495.00 discount on a virtually new \$14,995.99 machine without including the costs of the additional cutting blades; and

WHEREAS, the reduced price is a win for the City in acquiring a piece of equipment that will help the DPW develop a proactive strategy in land clearing;

NOW, THEREFORE, BE IT RESOLVED, that funding is approved in the amount of \$12,500.00 to purchase the walk behind PECO Brush Blazer for the City of Highland Department of Public Works. Yeas (3) Nays (1) Councilmember Woodard, Absent (1).

WATER:

The following resolution was submitted.

A RESOLUTION AUTHORIZING THE EXECUTION OF THE ADMINISTRATIVE CONSENT ORDER BETWEEN THE CITY OF HIGHLAND PARK AND THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS, The City of Highland Park was notified on April 11th 2016 by the Michigan Department of Environmental Quality with a Significant Deficiency Violation Notice indicating the City of Highland Park was in violation of the Michigan Safe Drinking Water Act, 1976 PA 399 as amended (SDWA); and

WHEREAS, The City of Highland Park was notified on November 10th 2016 of the Michigan Department of Environmental Quality's requirement to execute the Office of Drinking Water and Municipal Assistance's Administrative Consent Order (hereinafter "ACO") a copy is attached; and

WHEREAS, the City of Highland Park and the Highland Park Water Department received the proposed Administrative Consent Order from the Michigan Department of Environmental Quality on November 10th 2016; and

WHEREAS, the Highland Park City Council and the Highland Park Water Department are satisfied that the ACO incorporates timelines that have been negotiated and that are acceptable; 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 principles with the revised ACO, the City of Highland Park will reserve the right for the City of Highland

Park to use financial discretion and revise item completion dates based on current 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 dated June 5th, 2017 and understand by agreeing in principle, reserve the right to appeal to the Michigan Department of Environmental Quality and scoring deductions to the application during the Drinking Water Revolving Fund Project Plan application review process; and

WHEREAS, the City of Highland Park and the Highland Park Water Department according to ACO Paragraph 2.2 under Section II. Findings, of the ACO previously dated May 1, 2017, the City and the DEQ agree to revise the language in the sentence: the DEQ ordered the Detroit Water and Sewerage Department (DWSD) provide water to the City for a few days so the water plant could be shut down and repairs made” with “With both clarifiers being offline, the DEQ requested Highland Park connect to a reliable water source while the repairs were being made; and

WHEREAS, the City of Highland Park and the Highland Park Water Department, according to ACO Section 5, titled Extensions, specifically paragraph 5.1 of the ACO dated June 5th, 2017, the City and the DEQ agree that the DEQ may grant the City a “reasonable” revised with “indefinite” extension of the specified deadlines set forth in this Consent Order; and

WHEREAS, the City of Highland Park and the Highland Park Water Department, according to ACO Paragraph 2.2 under Section II. Findings, dated June 5, 2017, the City and the DEQ agree to revise the language in the beginning sentence “November” with “Late Summer” and revise the second sentence to begin with “While the City continued to operate on one clarifier”, and revise the last sentence by striking “funds were not available thus the” and replace with “The repairs were not allowed to” and

WHEREAS, THE City of Highland Park and the Highland Park Water Department, according to ACO Paragraph 3.1 and 7.1, dated June 5, 2017, the City and the DEQ agree to revise the dates from “three (3) years” and replace with “Five (5) years”; 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.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To remove this resolution from the agenda. Yeas (4), Nays (0), Absent (1).

CITY COUNCIL AFFAIRS:

The following request was submitted by Council.

Council request Attorney Ford give a legal opinion regarding Charter of the City Chapter 6. City Legislation Sec. 6-1 General Powers and Duties, Council “SHALL” have and exercise all Municipal powers in the management and control of city property.

Attorney Clement stated an opinion will be submitted to Council at their next regular meeting.

ADJOURNMENT:

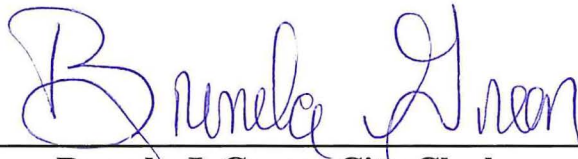
Moved by Councilmember Woodard

Supported by Councilmember Lewis

To adjourn this meeting; motion carried meeting adjourned at 9:13 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the minutes of a Regular Meeting held on the 19th day of June 2017. Minutes are available for public inspection at the address designated on the posted public notice.



Brenda J. Green, City Clerk