

**MINUTES OF THE  
REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL  
FEBRUARY 6, 2012**

**Council convened at 7:11 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.**

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**APPROVAL OF AGENDA:**

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

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

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**APPROVAL OF MINUTES:**

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

**To approve the minutes as one item and approve as presented.**

**Regular Workshop Meeting held January 17, 2012  
Regular Meeting held January 17, 2012**

**Yeas (5), Nays (0), Absent (0).**

**NEW BUSINESS:**

**3. Three Sister's Café located at 13214 Hamilton request approval of their 2012/13 business license.**

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

**To approve the 2012/2013 business license for Three Sister's Café located at 13214 Hamilton. Yeas (5), Nays (0), Absent (0).**

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**4. Jennifer Kelly, UAW representative request approval of rental of Ernest T. Ford Recreation Center on February 9, 2012 from 6:00 p.m. to 7:30 p.m. to hold a community meeting.**

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

**To approve the request of Jennifer Kelly, UAW representative to rent Ernest T. Ford Recreation Center on February 9, 2012 from 6:00 p.m. to 7:30 p.m. to hold a community meeting. Yeas (5), Nays (0), Absent (0).**

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**5. Council Pro Tem Lewis submitted a rental application request of Ernest T. Ford Recreation Center on February 29, 2012 from 6:00 p.m. to 7:00 p.m. for Susan G. Komen, Detroit Race for the Cure focus group.**

**Council Pro Tem Lewis requested to abstain and was granted the request.**

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

**To approve the request and waive the fee of Susan G. Komen, Detroit Race for the Cure focus group to use Ernest T. Ford Recreation Center on February 29, 2012 from 6:00 p.m. to 7:00 p.m. Yeas (4), Nays (0), Abstain (1)**

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**6. The following request was received from Senator Bert Johnson 2<sup>nd</sup> District.**

**On behalf of the newly-formed Financial and Academic Reinvestment Commission, I respectfully request the use of the Highland Park Recreation Center, located at 10 Pitkin for a public meeting on Thursday, February 23, 2012 at 6p.m.**

**As you may know, we have brought together some of the most active and community and civic leaders in Highland Park to serve on this commission. We exist to oppose emergency managers and to propose, promote and implement forward-thinking public policy that will reinvest in communities, thereby making the entire concept of emergency managers obsolete.**

**Thank you in advance for your consideration of this issue. If you have any further questions, please don't hesitate to contact me at 313-549-8243.**

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

**To refer Senator Johnson to Mr. Freeman at Ernest T. Ford Recreation Center and approve contingent upon the completion of the rental application and proof of insurance being submitted prior to the requested date. Yeas (5), Nays (0), Absent (0).**

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**7 The following resolution was received from Administration.**

**RESOLUTION TRANSFERRING OWNERSHIP OF PROPERTIES TO THE HOUSING COMMISSION**

**WHEREAS, the City of Highland park housing Commission had previously entered into an agreement which authorized the housing commission to use several designated residential properties for public housing; and**

**WHEREAS, the Housing Commission has been surveying and evaluating their property and services; and**

**WHEREAS, the Housing Commission has made determinations about the quality of its housing stock and its programming going forward; and**

**WHEREAS, it has determined that the condition of the structures has declined to such a point that they are not habitable and need to be demolished; and**

**WHEREAS, the Highland Park Housing Commission can no longer utilize the properties or carry them as part of their rental inventory; and**

**WHEREAS, HUD has indicated that the Housing Commission cannot demolish properties that it does not own; now**

**THEREFORE, the Highland Park City Council hereby approves the transfer of the properties attached herein to the Highland Park Housing Commission.**

**ATTACHMENT A**

**City-Owned Properties Authorized to be demolished**

**119 E. Buena Vista  
154 E. Buena Vista  
174 E. Buena Vista  
111 Cortland  
319 Highland  
346 Highland  
393 Louise  
234 Richton  
91 Florence  
166 Colorado**

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

**To approve the resolution transferring ownership of properties to the housing commission.**

**Yeas (5), Nays (0), Absent (0).**

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**8. The following resolution was received from Administration.**

**Resolution for Approval of Lawsuit Settlement**

**WHEREAS, a lawsuit, Veretta Burnett v. City of Highland Park and Brenda Stevenson, was filed in U.S. District Court, Case No:2:09-cv-14238 alleging violation of 42 USC 1988, violation of civil rights by a police officer; and**

**WHEREAS, this action alleged that a Highland Park police officer in the course of her duties violated the civil rights of a person detained by the City; and**

**WHEREAS, the attorneys representing the City have been responding to the lawsuit and have reviewed the case and the potential for finding that could result in significant cost to the City in the form of attorney fees to the City; and**

**WHEREAS, as a result of the determination that it is in the best interests of the City to settle this matter for Thirty Thousand Dollars (\$30,000.00) rather than continue to trial; and**

**WHEREAS, the Plaintiff is willing to allow the City to pay off the settlement over a six month period, the City Attorney requests that the City Council approve the settlement of this lawsuit; NOW**

**THEREFORE, the Highland Park City Council hereby accepts the recommendation of the City Attorney and approves the settlement of this lawsuit for \$30,000 to be paid over a period of six months.**

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

**To approve the resolution of lawsuit settlement re: Veretta Burnett v. City of Highland Park and Brenda Stevenson. Yeas (4), Nays (1) Councilmember Moore, Absent (0).**

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**9. The following resolution was received from the Legal Department.**

**Resolution for Authorization of Law Suit Settlements.**

**WHEREAS, from time to time the City of Highland Park receives claims alleging injury by the City and asking for damages as a result of such alleged injury; and**

**WHEREAS, from time to time there are lawsuits filed against the City alleging various causes of action against the city; and**

**WHEREAS, all claims and lawsuits can have potential economic consequences on the financial situation of the city and the city's budget; and**

**WHEREAS, the City Attorney is charged with representing the city in those instances; and**

**WHEREAS, there are occasions where the city attorney determines as a result of professional experience that it would be in the city's best legal and economic interests to settle such claims and lawsuit rather than litigate them; and**

**WHEREAS, in some instances there are claims and lawsuits that can be resolved and settled for relatively smaller amounts in an expeditious fashion; and**

**WHEREAS, the mayor and city attorney believe that the City Attorney where Appropriate should have authority to resolve and settle those legal matters for amounts under five thousand dollars and hereby request such delegation of authority from City Council; now**

**THEREFORE BE IT RESOLVED THAT the City Council hereby grants authority to the City Attorney to settle such legal matters that may be resolved for less than five thousand dollars and then report such settlement to the City Council; and that all proposed settlements of legal matters over five thousand shall come to the City Council for its approval prior to settlement resolution.**

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

**To tabled the above resolution. Yeas (5) Nays (0), Absent (0).**

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**10. The following resolution was received from Mayor Windom.**

**Resolution Approving Request for PILOT for 280 Richton Village Housing Developments.**

**WHEREAS, the City of Highland Park has received a request from KDR Realty, which has formed Limited Partnership known as Richton Hamilton LFHA, LP “Sponsor” which seeks to redevelop a 32 unit apartment complex as low income house for low income residents; and**

**WHEREAS, the sponsor of the project intends to have commercial business space on the ground level and residential apartments above; and**

**WHEREAS, the sponsor has an option on the property and on adjacent vacant property to be used for tenant parking; and**

**WHEREAS, the sponsor is applying to MSHDA for consideration under its low income tax credit program and requests the PILOT as part of it application: and**

**WHEREAS, the sponsor has submitted to the city its economic proforma and is requesting that the City grant it a property tax exemption in the form of a payment in lieu of taxes (PILOT) in order to make the project accessible for low income residents; and**

**WHEREAS, the sponsors proposed to pay the City 10% PILOT with 3% annual increases for the proposed life of the project which will provide the City with an initial proposed payment of \$22,320 for all taxing units for a term not to exceed fifteen (15) years; and**

**THEREFORE BE IT RESOLVED that the City Council hereby approves the requested PILOT and resolves that it will enact an ordinance codifying the PILOT’s implementation providing that the project is completed and qualifies for the PILOT within three (3) years of the date of this resolution.**

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

**To approve the resolution requesting a PILOT for 280 Richton Village Housing Development. Yeas (5), Nays (0), Absent (0).**

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**11. The following resolution was submitted by Administration.**

**Resolution Approving Request for PILOT for Liberty Village at Hamilton Park Housing Development.**

**WHEREAS, the City of Highland Park has received a request from the Highland Park Homeownership Collaborative, which seeks to redevelop 54 housing units comprised of 18 new family units and 36 rehabilitated senior units as low income housing for low income residents; and**

**WHEREAS, the sponsor has requested property from the City and seeks options to purchase other city and publicly owned parcels; and**

**WHEREAS, the sponsor is applying to MSHDA for consideration under its low income tax credit program and requests the PILOT as part of its application; and**

**WHEREAS, the sponsor has submitted to the city its economic proforma and is requesting that the City grant it a property tax exemption in the form of a payment in lieu of taxes (PILOT) in order to make the project accessible for low income residents; and**

**WHEREAS, the sponsors proposed to pay the City 10% PILOT with 3% annual increases for the proposed life of the project which will provide the City with an initial proposed payment of \$36,751 for all taxing units for a term not to exceed fifteen (15) years; and**

**THEREFORE, BE IT RESOLVED that the City Council hereby approves the requested PILOT and resolves that it will enact an ordinance codifying the PILOT's implementation providing that the project is completed and qualifies for the PILOT within three (3) years of the date of this resolution. Yeas (5) Nays (0), Absent (0).**

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**12 The following resolution was received from Administration.**

**Resolution for Authorization to Delegate Authority to Sign Deeds**

**WHEREAS, the City has the power to sell, lease, or dispose of any real estate owned by it in accordance with provisions of the Charter and state law; and**

**WHEREAS, such transactions shall be approved by the City Council; and**

**WHEREAS, it has been the past practice of the City to have the actual documents, deeds, and leases executed and signed by the Mayor on behalf of the City; and**

**WHEREAS, the City has many programs, initiatives and transactions related to the disposition of city owned property that are on-going; and**

**WHEREAS, it is not a best practice to have the chief executive officer sign such documents on behalf of the city because of his role as the city's chief executive; and also, as a practical manner it is not always possible for the Mayor to sign such documents in a timely fashion to meet deadlines, timelines and other transactional needs. As a result, the Mayor is hereby requesting that the City Council authorize the Mayor to delegate authority to sign deeds and other real estate documents to designated staff as provided on Exhibit A. Such documents shall continue to also be signed by the City Clerk and reviewed and approved as to form by the City Attorney; Now therefore**

**BE IT RESOLVED THAT the City Council hereby grants authority to the Mayor to delegate authority to sign deeds and other real estate documents as authorized by City Council to staff designated in Exhibit A.**

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

**To approve the above resolution giving authorization to delegate authority to sign deeds. Yeas (5), Nays (0), Absent (0).**

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**13. The following employment agreement between the City of Highland Park and Todd Perkins as City Attorney was submitted by Administration.**

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

**WHEREAS, City Attorney William (Terry) Ford resigned (?) from the position of City Attorney;**

**WHEREAS, the Mayor is requesting City Council's approval of an employment agreement to fill the vacancy of City Attorney;**

**WHEREAS, Todd Perkins has the education, training and experience in law;**

**WHEREAS, Attorney Perkins has agreed to the terms of this agreement;**



**NOW THEREFORE BE IT RESOLVED, that the Mayor is requesting City Council's Approval of the Employment Agreement for Attorney Todd Perkins effective on this date, January 3, 2012 terminating January 3, 2013. Yeas (5), Nays (0), Absent (0).**

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**14. The Mayor submitted an employment agreement for Collette Ramsey as Executive Assistant to the Mayor.**

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

**To approve the employment agreement of Collette Ramsey as Executive Assistant to the Mayor as submitted. Yeas (5), Nays (0), Absent (0).**

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**15. The following resolution was submitted by the mayor.**

**Resolution for Approval to Negotiate an Agreement for Water Services between the Detroit Water and Sewage department and the City of Highland Park.**

**WHEREAS, an offer to provide water service to the City of Highland Park, hereinafter referred to as the "City" by the Detroit Water and Sewage Department, hereinafter referred to as "DWSD" has been tendered; and**

**WHEREAS, the City has recently received a deficient rating from the Department of Environmental Quality, hereinafter referred to as the "DEQ"; and**

**WHEREAS, the City shall be required to extol substantial funds, exceeding \$12mm, in order to refurbish and otherwise rehabilitate its water facility; and**

**WHEREAS, the City continues to utilize substantial monies from its General Fund to continue the operation and minimal maintenance to the water facility; and**

**WHEREAS, the City can no longer afford to expend monies from the General Fund to operate and maintain its water facility, which will remove a great encumbrance of the City's finances for other necessary purposes; and**

**WHEREAS, the DWSD has advised that it not only has the capacity and immediate ability to provide the water services to the City, the DWSD has also expressed that it would service all facets of the water services, including, but not limited to, provision of water to City customers (Highland Park residents and business), collection services, enforcement of said collections, and maintain of the water services infrastructure; and**

**WHEREAS, the City's administration (the "Mayor") seeks the permission of City Council to negotiate an agreement for water services from DWSD on behalf of the City;**

**NOW THEREFORE, THE Highland Park City Council hereby understands the necessity and accepts the recommendation of the City's administration to negotiate an agreement with DWSD, subject to the final approval of City Council. Yeas (5), Nays (0), Absent (0).**

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**OUTSIDE COMMUNICATION:**

**16. The following request was received from George Badeen, President of Midwest Auto Auction, Inc.**

**Midwest Auto Auction would like to respectfully request that we be allowed to address the City Council of Highland Park at their working session meeting on February 6, 2012. The purpose of our presentation will center on a partnership with your City, for the Towing, Storage and Sale, via the auction process, of abandoned, forfeited, seized and City owned vehicles. It is our intent to demonstrate value o these vehicle in the used car market and to present a method for their storage and liquidation that will produce significant revenues for your City.**

**Mr. Badeen spoke to Council and citizens regarding the partnership with the City.**

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

**To refer Mr. Badeen to the Police Department and Legal for further discussion.  
Yeas (5), Nays (0), Absent (0).**

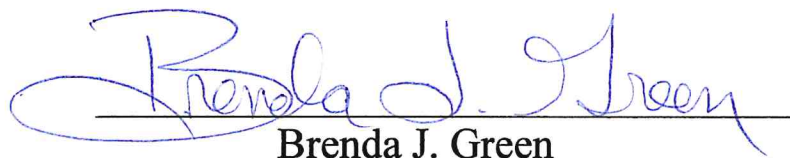
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**Moved by Councilmember McClary  
Supported by Council Pro Tem Lewis**

**To adjourn this meeting at 9:30 p.m. motion carried**

## CERTIFICATE

I, hereby certify that the attached is a true copy of the proposed minutes of the Regular Meeting held on the 6th day of February 2012 and that said proposed minutes are available for public inspections at the address designated on the posted public notice.



Brenda J. Green

City Clerk