

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

MAY 7, 2018

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

Present: Council Pro Tem McDonald, Councilmember Woodard, Councilmember Lewis,
Councilmember Marshall and Council President Patrick (5).

Absent: (0).

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 addition of item XIIb . Yeas (5), Nays (0), Absent (0).

APPROVAL OF MINUTES

Moved by Councilmember Lewis
Supported by Councilmember Woodard

To approve the minutes of the Special Meeting held April 13, 2018. Yeas (5), Nays (0),
Absent (0).

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Moved by Councilmember Lewis
Supported by Councilmember Marshall

To approve the minutes of the Special Workshop meeting held April 13, 2018. Yeas (5),
Nays (0), Absent (0).

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Moved by Councilmember Woodard
Supported by Councilmember Lewis

To approve the minutes of the Workshop meeting held April 16, 2018. Yeas (5), Nays
(0), Absent (0).

Moved by Councilmember Woodard
Supported by Council Pro Tem McDonald

To approve the minutes of the Regular meeting held April 16, 2018. Yeas (5), Nays (0), Absent (0).

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Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

To approve the minutes of the Special Meeting and Special Workshop meeting held April 24, 2018. Yeas (5), Nays (0), Absent (0).

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Moved by Councilmember Woodard
Supported by Councilmember Marshall

To approve the minutes of the Special Meeting held May 1, 2018. Yeas (5), Nays (0), Absent (0).

PUBLIC HEARING
05-07-18 V a

The Clerk stated this was the place and time to hear comments from the public on the proposed General operating budget for 2018/2019.

Moved by Councilmember Woodard
Supported by Councilmember Lewis

To open the Public Hearing. Yeas (5), Nays (0), Absent (0). The Public Hearing was opened at 7:32 p.m.

Finance Director Eleanor Williamson answered a question from Ms Lois Davis-Green.

Moved by Councilmember Marshall
Supported by Councilmember Woodard

To close the Public Hearing on the 2018/2018 Proposed Budget. Yeas (5), Nays (0), Absent (0). The Public Hearing was closed at 7:37 p.m.

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05-07-18 V b

The Clerk stated this was the place and time to hear comments from the public on the proposed changes to the Excavation, Water, Sanitary Sewer and Drainage, and Storm Water Billing ordinances.

Moved by Councilmember Lewis
Supported by Councilmember Marshall

To open the Public Hearing. Yeas (5), Nays (0), Absent (0). The Public Hearing was opened at 7:38 p.m.

Project Coordinator Jarion Bradley gave an overview of the updates to both ordinances. Ms. Alexis Ramsey commented on Mr Bradley’s overview.

Moved by Council Pro Tem Mc Donald
Supported by Councilmember Lewis

To close the Public Hearing on the proposed changes to the Excavation, Water, Sanitary Sewer and Drainage, and Storm Water Billing ordinances. Yeas (5), Nays (0), Absent (0). The Public Hearing was closed at 7:40 p.m.

**BID OPENING
05-07-18 VI**

The Clerk stated this was the place and time to open bids received for 2018 Water Main Replacement Program Contract No. WD-2018-03.

3 (three) bids were received:

Bidigare Contractors, Inc. 1965 Barrett Dr. Troy, MI 48084 Total Bid: \$5,207,149. ⁵⁰	Bricco Excavation Co., LLC. 21201 Meyers Rd. Oak Park, MI 48237 Total Bid: \$4,486,726. ⁰⁰	D.V.M. Utilities, Inc. 6045 Sims, Ste. 2 Sterling Hts., MI 48313 Total Bid: \$4,815,458. ⁸⁰
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Moved by Councilmember Lewis
Supported by Councilmember Woodard

To refer to the Water Department for a recommendation. Yeas (5), Nays (0), Absent (0).

**VETO
05-07-18 VI I**

The following communication was received from Mayor Yopp.

Pursuant to Section 6-3 of the City Charter, Veto of Council Action, the purpose of this letter

is to veto and therefore suspend the operation of Councils vote to contract for professional services for legal representation between Council and Adam Shakoor & Associates, P.C.

1. The City Attorney serves both the Council and Mayor.
2. There is no "bona fide" dispute between the Mayor and Council that could not be remedied by the City Attorney regarding the Recreation Commission (center) regarding building usage, scheduling, and funds. (See attached is a copy of Chapter 262, 262.04) also, see Charter entry 7-15.
3. The Recreation Director was directed by the Mayor to provide Council with a schedule of activities after the Commissioners had approved same (262.4 attached). This direction was also made openly at the city council meeting. This alleged act would require a showing of intent to violate.
4. The problem is legislative. The Charter and the ordinance contradicts one another (see Ch. 7-15 and ord. 262-04). The legislative body should make necessary amendments. This can be completed in-house.
5. The State assigned administrator (Cathy Square) continuously seeks to curtail unnecessary expenditures. To spend \$7,000-10,000 is a waste of resident's tax dollars. We are currently working understaffed, underpaid, lack of equipment and overall resources. Budget constraints have greatly impeded our progress in Highland Park.

Moved by Councilmember Lewis
Supported by Councilmember Woodard

To override the Mayor's veto. Yeas (5), Nays (0), Absent (0).

TABLED ITEM
05-07-18 VIII a

The following item was tabled from the April 16, 2018 meeting.

Resolution approving settlement in the matter of Charles Mullins vs. City of Highland Park in the amount of \$57,500.

Moved by Council Pro Tem McDonald
Supported by Councilmember Lewis

To remove item from the table. Yeas (5), Nays (0), Absent (0).

Moved by Council Pro Tem McDonald
Supported by Councilmember Marshall

WHEREAS, Plaintiff brought this action against the City of Highland Park after

he sustained a fall and suffered severe and debilitating injuries as a direct result of the unsafe nature of the sidewalk on Woodward Avenue; and

WHEREAS, the recommended settlement amount is \$57,500.00; and

WHEREAS, Plaintiff is willing to accept a settlement of \$57,500.00; and

WHEREAS, upon payment of the full settlement of \$57,500.00, Plaintiff Mullin agrees to direct his counsel to execute a stipulation for dismissal with prejudice and without any award of damages, sanctions, interest, costs or attorney fees; and

WHEREAS, settlement of this case limits the City's exposure; however, if rejected and the case proceeds to trial, the City would incur attorney fees and court costs that would far exceed the proposed settlement amount.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves a settlement payment to Plaintiff Charles Mullin in the amount of \$57,500.00. Yeas (4), Nays (1) Councilmember Lewis, Absent (0).

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05-07-18 VIII b

The following item was tabled from the April 16, 2018 meeting.

Resolution approving settlement in the matter of Yalon Moore vs. City of Highland Park and Officer Player in the amount of \$13,025.

Moved by Councilmember Woodard
Supported by Council Pro Tem McDonald

To remove item from the table. Yeas (5), Nays (0), Absent (0).

Moved by Councilmember Woodard
Supported by Council Pro Tem McDonald

WHEREAS, Plaintiff brought this action against the City of Highland Park and one of its police officers alleging they violated her rights under the Fourth and Fourteenth Amendments; and

WHEREAS, the recommended settlement amount is \$13,025.00; and

WHEREAS, Plaintiff is willing to accept a settlement of \$13,025.00; and

WHEREAS, upon payment of the full settlement of \$13,025.00, Plaintiff Allison agrees to direct his counsel to execute a stipulation for dismissal with prejudice and without any award of damages, sanctions, interest, costs or attorney fees; and

WHEREAS, settlement of this case limits the City's exposure; however, if rejected and the case proceeds to trial, the City would incur attorney fees and court costs that would far exceed the proposed settlement amount.

NOW, THEREFORE, BE IT RESOLVED, that the City Council removes this matter from tabled status and approves a settlement payment to Plaintiff Yalon Moore in the amount of \$13,025.00. Yeas (3), Nays (2) Council members Lewis and Marshall, Absent (0).

ADMINISTRATION
05-07-18 IX

The following resolution was for approval.

**RESOLUTION AUTHORIZING THE PROFESSIONAL SERVICE AGREEMENT
FOR WAYNE MENTAL HEALTH AUTHORITY AND
THE CITY OF HIGHLAND PARK**

WHEREAS, The Wayne Mental Health Authority has a duty to provide comprehensive array of mental health services appropriate to conditions of individuals who are located within its geographic service area, including but not limited to, prevention activities; and

WHEREAS, The City of Highland Park agrees to serve as a service provider; providing prevention activities by employing youth in the City of Highland Park during the summer season; and

WHEREAS, The City is the recipient of grant funds from The Wayne Mental Health Authority for summer youth employment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Highland Park that: the City Council authorizes a resolution approving the Professional Services Agreement with the Wayne Mental Health Authority and the City of Highland Park. Yeas (5), Nays (0), Absent (0).

FINANCE
05-07-18 X

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE THE PROPOSED BUDGET FOR THE PERIOD JULY 1,
2018 TO JUNE 30, 2019 AS PRESENTED BY MAYOR HUBERT YOPP**

Moved by Councilmember Lewis
Supported by Councilmember Marshall

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

WHEREAS, the Mayor of the City of Highland Park submitted a proposed Budget for the year 2018-2019 to the members of Highland Park City Council on April 16, 2018;

WHEREAS, members of the Highland Park City Council held a Public Hearing on Monday, May 7, 2018 to review and discuss the proposed Annual Budget for the year 2018-2019; and

WHEREAS, the City of Highland Park shall cause to be levied and collected the general property tax on all real and personal property within the City on the 2018 tax roll an allocated millage of 19.3703 mills for general operations, 2.9055 for rubbish, 28.8877 for pension judgment, 3.8649 for Bond Judgment and 1.4558 for an Emergency Loan (millage rates can change subject to headlee); and

WHEREAS, estimated total revenues and expenditures are:

Fund	Revenue	Expenditures
General	\$11,593,224	\$11,766,240
Major Roads	\$946,600	\$758,100
Local Roads	\$225,500	\$228,310
CDBG	\$15,077	\$15,077
Forefeiture	\$10,000	\$10,000
Pension Judgment	\$3,276,400	\$3,276,000
Emergency Loan	\$165,180	\$165,180
Bond Judgment	\$438,503	\$438,503
Building Dept	\$170,000	\$170,000
FIA Bldg	\$693,755	\$311,550
ERS	\$640,000	\$640,400
P&F	\$556,500	\$556,500
MERS	\$2,110,000	\$2,110,000
TIFA	\$28,500	\$56,000

NOW, THEREFORE, BE IT RESOLVED that the Highland Park City Council adopts the Proposed Budget for the year 2018-2019 on an activity/department basis as presented by 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 (5), Nays (0), Absent (0).

FIRE
05-07-18 XI

The following resolution was submitted for approval.

RESOLUTION TO PAY INVOICE FOR FIRE TRUCK REPAIR

Moved by Councilmember Lewis
Supported by Councilmember Woodard

WHEREAS, the City of Highland Park Fire Department’s Fire Engine was in dire need of numerous repairs in order to continue operating effectively; and

WHEREAS, ALTA Equipment Company performed the need repairs and, as a result, the fire engine has been restored to good working condition; and

WHEREAS, ALTA Equipment Company has submitted its invoice for \$5,806.93 for the work performed, which is available in the Fire Department’s budget.

NOW HEREBY BE IT RESOLVED, that City Council approves the payment of the ALTA Equipment Company invoice for \$5,806.93. Yeas (5), Nays (0), Absent (0).

PUBLIC WORKS
05-07-18 XII a

The following resolution was submitted for approval.

**RESOLUTION PUBLIC FACILITY IMPROVEMENTS ON WOODWARD AVENUE
SIDEWALK REPLACEMENT SERVICES**

Moved by Council Pro Tem McDonald
Supported by Councilmember Woodard

WHEREAS, the Highland Park City Council authorized the Highland Park DPW to post an RFP in the local paper requesting bids for sidewalk removal and replacement; and

WHEREAS, the bids were opened on April 16, 2018 by the Clerk at the City Council meeting, and

WHEREAS, one bid was received from Hayes Land Corporation to replace 391 flags for a total cost of \$156,400.

BE IT RESOLVED by Highland Park City Council that DPW be allowed to enter into a contract with Hayes Land Corporation to replace 391 flags for a total cost of \$156,400 which will be funded by Public Act 51 funds. Yeas (4), Nays (1) Councilmember Lewis, Absent (0).

05-07-18 XII b

The following resolution was submitted for approval.

**RESOLUTION CITY OF HIGHLAND PARK
DEPARTMENT OF PUBLIC WORKS REQUEST FOR PERMISSION TO SOLICIT
PROFESSIONAL TREE TRIMMING/ARBORIST SERVICES**

Moved by Councilmember Lewis
Supported by Councilmember Woodard

WHEREAS, the City of Highland Park has an immediate need for professional tree trimming/arborist services throughout the City to prune overgrown trees and remove dangerous/dead trees that pose serious liability to the City; and

WHEREAS, now that we are in the high wind months, unforeseen emergencies are/will be happening where trees have not/will not withstand the force of nature; and

WHEREAS, the City needs to contract with a bonded, licensed, and insured professional tree trimming/arborist service that handles complete removal of dangerous trees and tree stumps on-call to service the City of Highland Park; and

WHEREAS, the City has advertised twice for tree trimming/arborist services resulting in no bids; and

WHEREAS, the City wants to refrain from spending the high cost of advertising for a third time.

BE IT RESOLVED by the City Council of the City of Highland Park that DPW be granted permission to solicit bids for professional tree trimming/arborist services to service the tree pruning and tree removal needs of the City of Highland Park. Yeas (5), Nays (0), Absent (0).

**WATER
05-07-18 XIII**

The following resolution was submitted for approval.

**A RESOLUTION AUTHORIZING APPROVAL OF THE MEMORANDUM FOR THE
CITY OF HIGHLAND PARK CONTRACT WITH METRO CONSULTING
ASSOCIATES BEING APPOINTED AS DIRECTOR OF THE WATER DEPARTMENT
FOR THE CITY OF HIGHLAND PARK IN APRIL 2016**

Moved by Councilmember Lewis
Supported by Councilmember Woodard

WHEREAS, On August 26, 2015, Metro Consulting Associates responded to an advertised

Request for Proposal and submitted a bid to the City of Highland Park to provide Engineering Services for the Department of Public Works, Water and Sewer Services for the Water Department, and Planning and Zoning Services for Community & Economic Development, with the bid being referred to the City Administrator for review; and

WHEREAS, On September 28, 2015, Metro Consulting Associates was approved to enter into a contract for Stormwater Consultants for the City of Highland Park; and

WHEREAS, On March 8, 2016, the Metro Consulting Associates contract was extended to provide additional services as Stormwater Consultation, an analysis of the rate structure for the Water Department, and GIS mapping services for the water and sewer infrastructure of the City of Highland Park; and

WHEREAS, On April 4, 2016, Metro Consulting Associates was appointed as Director of the Water Department for the City of Highland Park; and

WHEREAS, For the City of Highland Park to be reimbursed as part of the Drinking Water Revolving Fund (DWRF) loan for water main replacement projects throughout the city, and the Stormwater, Asset Management, and Wastewater (SAW) Grant Program Grant for sewer cleaning throughout the City of Highland Park, the State of Michigan Department of Environmental Quality (MDEQ) required a letter of memorandum or signed contract between the City of Highland Park and Metro Consulting Associates and all entities requiring reimbursement through the DWRF loan or SAW grant; and

BE IT RESOLVED, the Highland Park City Council APPROVES the memorandum, as required by the MDEQ for continued reimbursement, for the City of Highland Park contract with Metro Consulting Associates being appointed as Director of the Water Department, and as attached to this resolution, and to comply with its terms. Yeas (5), Nays (0), Absent (0).

OUTSIDE COMMUNICATION
05-07-18 XIV

The following communication was received and filed.

I am writing to follow up on our recent letter requesting a street sign commemorating the 100th Anniversary of the St. Luke A.M.E. Church. As our anniversary is fast approaching, I would greatly appreciate your advising me of the status of our request as soon as possible. Thank you in advance.

COUNCIL AFFAIRS
05-07-18 XV

The following resolution was submitted for approval.

RESOLUTION REQUIRING THE PROPOSED BUDGET BE SUBMITTED AND

**PRESENTED TO THE CITY COUNCIL AT THE 1ST REGULARLY SCHEDULED
MEETING EVERY APRIL**

Moved by Councilmember Lewis
Supported by Councilmember Marshall

WHEREAS, the Highland Park City Council has a duty and responsibility under Chapter 8: Budget Procedure and General Finance of the Highland Park City Charter; and

WHEREAS, under Section 8-1 within the aforementioned chapter states that “The fiscal year of the City shall begin on the first day of July each year”; and

WHEREAS, under Section 8-2 within the aforementioned chapter states that “The tabulation of the Mayor’s recommendations shall constitute his budget proposal and shall be presented to the Council on or before the third Monday in April”; and

WHEREAS, the Highland Park City Council has chosen, through this Resolution, the “before the third Monday in April”; **NOW**,

THEREFORE BE IT RESOLVED, that the Highland Park City Council is mandating through its legislative powers to require the proposed budget be submitted and presented to the City Council at the first (1st) regularly scheduled meeting every April. Yeas (5), Nays (0), Absent (0).

ADJOURNMENT

Moved by Councilmember Marshall
Supported by Councilmember Lewis

To adjourn the meeting, motion carried, meeting adjourned at 8:41 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the proposed minutes of the Regular Meeting held the 7th day of May, 2018 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk