

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

**June 4, 2018**

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

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

**Absent: None**

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

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**APPROVAL OF AGENDA**

**Moved by Councilmember Lewis**

**Supported by Council Pro Tem McDonald**

**To approve the agenda with the removal of item # VII Resolution for the appointments to the Recreation Commission. Yeas (5), Nays (0), Absent (0).**

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**APPROVAL OF MINUTES**

**Moved by Councilmember Lewis**

**Supported by Councilmember Marshall**

**To approve the minutes from the Workshop Meeting held May 21, 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 from the Regular Meeting held May 21, 2018. Yeas (5), Nays (0), Absent (0).**

Moved by Council Pro Tem McDonald  
Supported by Councilmember Lewis

To have Council President Patrick read a Tribute resolution in honor of Edith Hightower former Highland Park School superintendent, teacher and supervisor. Yeas (5), Nays (0), Absent (0).

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**PUBLIC HEARING:**

06-04-18 V

The Clerk stated this was the place and time to hold a Public Hearing to receive comments regarding FY 2019 Water Department budget & rates.

Moved by Council Pro Tem McDonald  
Supported by Councilmember Woodard

To open the Public Hearing at 7: 25 p.m. The Water Director gave an overview of the FY 2019 department budget & rates. Citizens Mr. Shannon, Mr. Shafii and Mr. Gardner ask questions regarding the budget.

Moved by Council Pro Tem McDonald  
Supported by Councilmember Lewis

To close the Public Hearing at 7:58 p.m. Yeas (5), Nays (0), Absent (0).

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**BID OPENING:**

06-04-18 VI

The Clerk stated this was the time and place to open bids for Gasoline and Diesel Fuel supply.

One Bid was received. (1)

Corrigan Oil Co.  
775 N Second Street  
Brighton, MI 48116

Bid amount: 87 Regular \$0.20  
#2 Low Sulfur Diesel \$0.20

Moved by: Councilmember Lewis  
Supported by Councilmember Woodard

To refer the bid to D.P.W. for a report and recommendation. Yeas (5), Nays (0), Absent (0).

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**CITY ADMINISTRATOR:**

06-04-18 VIII

The contract of WCA Assessing was submitted for approval.

Moved by Councilmember Lewis  
Supported by Council Pro Tem McDonald

To approve the contract of WCA Assessing to provide Assessing Services for the City. Yeas (5), Nays (0), Absent (0).

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CITY CLERK:

06-04-18 IX

The Clerk submitted an application for Fireworks license from Yellow Box Fireworks to be located at 14100 Woodward, June 16-July 7, 2018.

NO ACTION WAS TAKEN

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COMMUNITY DEVELOPMENT:

06-04-18 X

The following resolution was submitted for approval.

RESOLUTION TO APPROVE LABELLE TOWERS' SITE PLAN

Moved by Councilmember Lewis  
Supported by Councilmember Marshall

WHEREAS, LaBelle Towers, a property at 33 LaBelle Street in Highland Park, Michigan requests variances for their signage height, fencing and parking allowance;

WHEREAS, LaBelle Towers site plan has been approved by the Department of Community and Economic Development, the Traffic Commission and the Planning Commission;

WHEREAS, LaBelle Towers has presented their site plan to City Councilmembers at the May 7, 2018 Council workshop;

NOW HEREBY BE IT REOLVED THAT THE SITE PLAN FOR LABELLE TOWERS BE APPROVED. Yeas (5), Nays (0), Absent (0).

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DEPARTMENT OF PUBLIC WORKS:

06-04-18 XI

The following resolution was submitted for approval.

RESOLUTION TO ISSUE RFP FOR MAJOR ARTERIAL STREET SWEEPING SERVICES

Moved by Council Pro Tem McDonald  
Supported by Councilmember Woodard

WHEREAS, the City of Highland Park has high-volume traffic arteries running through the City;  
and

WHEREAS, the appearance of the City is vital to the health and well-being of the residents;  
and

WHEREAS, the appearance of the City will enhance future economic development prospects  
and the financial recovery of the City of Highland Park; and

WHEREAS, the City Council wishes to provide for the safety and general welfare of the  
inhabitants and the public at large; and

BE IT RESOLVED by the Highland Park City Council that the Department of Public Works is  
permitted to issue an RFP for major arterial street sweeping services to be paid out of ACT 51 funds.  
Yeas (5), Nays (0), Absent (0).

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WATER DEPARTMENT:

06-04-18 XII a

**RESOLUTION AMENDING RESOLUTION AUTHORIZING 2018 CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)**

Moved by Council Pro-Tem McDonald  
Supported by Councilmember Lewis

WHEREAS, the City Council by resolution adopted on April 16, 2018 (the "Bond Resolution"),  
authorized the issuance of its 2018 Capital Improvement Bonds (Limited Tax General Obligation) (the  
"Bonds") in the aggregate amount of not to exceed Four Million Eighty Thousand Dollars (\$4,080,000)  
pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act") to pay all or part of the costs of  
certain capital improvement items in the City, including the acquisition, construction, and installation  
of certain water main replacements and additions extensions and improvements to the City's Water  
Supply System, together with all necessary interests in land, rights of way and all appurtenances and  
attachments therefor, as described in the plans prepared by Metro Consulting Associates, the  
engineers (the "Project"); and to pay for certain costs of issuance of the Bonds; and

WHEREAS, on April 11, 2018, a Notice of Intent for the Bonds in an amount not to exceed Four  
Million Eighty Thousand Dollars (\$4,080,000) (the "Original Notice") was published in the Michigan  
Chronicle in accordance with Act 34.

WHEREAS, after the Original Notice has been published, the City received construction bids for  
the Project higher than originally estimated which increased the estimated total costs of the Project to  
not to exceed Six Million Dollars (\$6,000,000), and therefor the amount of the Bonds specified in the  
Original Notice and as authorized to be issued in the Bond Resolution needs to be increased to that  
amount; and

WHEREAS, under a separate resolution the City Council is authorizing the publication of an amendment to the Original Notice to the increased bond amount of not to exceed Six Million Dollars (\$6,000,000), as required by Act 34; and

WHEREAS, the City Council desires to amend the Bond Resolution to authorize the issuance of the Bonds in the principle amount of not to exceed Six Million Dollars (\$6,000,000).

NOW, THEREFORE, BE IT RESOLVED THAT:

**1. Amendment to Section 1 of the Bond Resolution:** The first paragraph of Section 1 of the Bond Resolution is hereby amended and restated in its entirety as follows:

**1. Authorization of Bonds Bond Terms.** Subject to no proper petition being file within the 45 day period, bonds of the City designated 2018 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Six Million Dollars (\$6,000,000) as finally determined by order of the MDEQ for the purpose of paying part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery, payable in principal amount thereof, dated as of the date of delivery, payable in principal installments amount thereof, dated as of the date of delivery, payable in principal installments amount thereof, dated as of the date of delivery, payable in principal installments as shown in Schedule A in Section 6 of this Resolution or as finally determined by the order of the MDEQ at the time of sale of the Bonds and approved by the Authority and by the Mayor, the City Administrator, the City Clerk or the Finance Director of the City (each an "Authorized Officer"). Principle installments of the Bonds shall be payable on October 1 of the years 2019 to 2048, inclusive, as shown in Schedule A in Section 6 of this resolution or such other payable on April 1 and October 1 of each year, commencing April 1, 2019, or on such other interest payment dates as hereinafter provided. Final determination of the principal amount of and interest on the Bonds and the payment dates and amounts of principal installments of the Bonds shall be evidenced by execution of the Bonds and of a purchase contract between the Authority and the City (the "Purchase Contract") and each of the Authorized Officers is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above; provided, however, that the first principal installment shall be due no earlier than October 1, 2019 and the final principal installment shall be due no later than October 1, 2048 and the total principal amount shall not exceed \$6,000,000.

**2. Amendment to Section 6 of the Bond Resolution.** Section 6 of the Bond Resolution is hereby amended and restated in its entirety as follows:

**6. Bond Form.** The Bonds shall be in substantially the following form with such changes as may be required to conform the Bond to the final terms of the Bonds established by the Sale Order.

**3. Amendment of Section 9 and the Bond Resolution.** Section 9 of the Bond Resolution is deleted in its entirety and in lieu thereof shall be substituted the following:

**9. Reserved**

4. Amendment to Section 11 of the Bond Resolution. Section 11 of the Bond Resolution is Amended and Restated in its entirety as follows:

11. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby appointed to serve as bond counsel for the Bonds, notwithstanding the periodic representation in unrelated matters of parties or potential parties to the transaction contemplated by this resolution. The legal fees of Miller, Canfield, Paddock and Stone, P.L.C. shall be paid from the proceeds of the sale of the Bonds or other money legally available therefor.

5. Amendment to Section 12 of the Bond Resolution. Section 12 of the Bond Resolution is Amended and Restated in its entirety as follows:

12. Municipal Advisor. The City hereby confirms the appointment of Robert W. Baird & Co. Incorporated, to act as its Municipal Advisor with respect to the Bonds. The fees of the Municipal Advisor shall be paid from the proceeds of the sale of the Bonds, or other money legally available therefor.

6. Defined Terms. Capitalized terms used herein and not defined herein shall have the meanings ascribed to them in the Bond Resolution.

7. Rescission and Amendment to Bond Resolution. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolutions be and the same hereby are rescinded. Except as otherwise amended by this resolution, all provisions of the Bond Resolution shall remain in full force and effect. Yeas (5), Nays (0), Absent (0).

\*

The following resolution was submitted for approval.

06-04-18 XII b

Moved by Council Pro Tem McDonald

Supported by Councilmember Lewis

**RESOLUTION AMENDING NOTICE OF INTENT RESOLUTION 2018 CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)**

WHEREAS, on April 12, 2018, the City Council of the City of Highland Park, County of Wayne, State of Michigan (the 'City'), adopted a resolution (the "Original Resolution") authorizing the publication of a Notice of Intent to issue and sell bonds in one or more series (the "Original Notice") pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an aggregate amount not to exceed Four Million Eighty Thousand Dollars (\$4,080,000) (the "Bonds"), for the purpose of paying the costs of acquiring, constructing and installing certain water main replacements, and additions, extensions and improvements to the water supply system of the City, together with all necessary interests in land, rights-of-way, appurtenances and attachments thereto (the "Project"); and

WHEREAS, on April 11, 2018 the Original Notice was published in the Michigan Chronicle; and

**WHEREAS, subsequent to the publication of the Original Notice, the City received higher construction bids for the Project than originally estimated, which caused the total costs of the Project to be increased by not to exceed \$1,920,000; and**

**WHEREAS, the City desires to amend the Original Notice to accommodate the issuance of the Bonds in the revised total amount of not to exceed Six Million Dollars (\$6,000,000) to pay the increased total cost of the Project; and**

**WHEREAS, the City has been advised by the Michigan Department of Environmental Quality that financial assistance to accomplish the acquisition and construction of the Project at the increased size of not to exceed Six Million Dollars (\$6,000,000) is available through the Drinking Water Revolving Fund ("DWRP") loan program administered by the Michigan Finance Authority; and**

**WHEREAS, an amended notice of intent to issue the Bonds (the "Amended Notice") in the increased amount must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and**

**WHEREAS, in order to be reimbursed from proceeds of the Bonds in the increased amount, the City must state its intention to do so in advance;**

**NOW, THEREFORE BE IT RESOLVED THAT:**

- 1. The City Clerk is authorized and directed to publish the Amended Notice in the Michigan Chronicle, a newspaper of general circulation in the City.**
- 2. The Amended Notice shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.**
- 3. The City Council does hereby determine that the foregoing form of the Amended Notice and the manner of publication directed is the method best calculated to give notice to City's electors and taxpayers residing in the boundaries of the City of the City's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.**
- 4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:**
  - a. As of the date hereof, the City reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the City.**
  - b. The expenditures described in this paragraph (b) are for the paying of the costs of the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from revenue of the water supply system or the general funds of the City.**
  - c. The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$6,000,000.**

5. Except as otherwise amended by this resolution, all of the provisions of the Original Resolution shall remain in full force and effect.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas (5), Nays (0), Absent (0).

**CITY COUNCIL AFFAIRS:**

**06-04-18 XIII**

**Moved by Councilmember Marshall**

**Supported by Councilmember Lewis**

To reconsider agenda item IX Request approval application from Yellow Box Fireworks for a License. Yeas (5), Nays (0), Absent (0).

**Moved by Councilmember Lewis**

**Supported by Councilmember Marshall**

To approve the application from Yellow Box Fireworks for a license. Yeas (3), Councilmember Lewis, Councilmember Marshall and Council President Patrick, Nays (2) Council Pro Tem McDonald and Councilmember Woodard, Absent (0).

**ADJOURNMENT:**

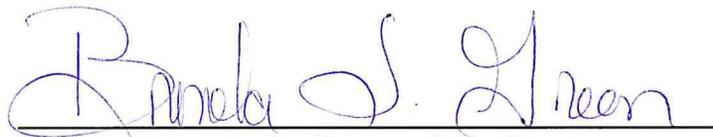
**Moved by Council Pro Tem McDonald**

**Supported by Councilmember Lewis**

To adjourn this meeting; motion carried meeting adjourned at 8:37 p.m.

**CERTIFICATE**

**I, hereby certify that the attached is a copy of the minutes of a Regular Meeting held on the 4<sup>th</sup> of June 2018. Minutes are available for public inspection at the address designated on the posted public notice.**

A handwritten signature in blue ink, reading "Brenda J. Green", written over a horizontal line.

**Brenda J. Green, City Clerk**