

**MINUTES OF THE
REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL
(Postponed from January 6, 2014 held January 10, 2014)**

Council convened at 7:00 p.m. with Council President Christopher Woodard presiding.

**Present: Council Pro-Tem Lewis, Councilmember Moore, Councilmember Patrick,
and Council President Woodard (4).**

Absent: Councilmember McClary (excused) (1)

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

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

To approve the agenda with the following additions and changes:

- 1. To add the request to approve payment to Joy Construction & C.P.I. Excavating for repair of water main breaks.**
- 2. Change agenda item #V b. from approve Byron's Flower Site Plan to Byron's Flower Site Plan presentation.**

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

TABLED ITEM:

01-10-14

**Moved by Councilmember Moore
Supported by Councilmember Patrick**

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

RESOLUTION TO APPROVE ISSUANCE OF A BUSINESS LICENSE FOR

RECYCLE DEPOT

Resolution approving the issuance of a City of Highland Park Business License for Recycle Depot. The facility located at 14310 Hamilton Ave. Highland Park, MI was purchased in August 2012.

WHEREAS, the owner of Recycle Depot submitted an Application for Business License along with payment of the appropriate fees to the City of Highland Park.

WHEREAS, the necessary City Departments have inspected the premises and signed off on the application; and

WHEREAS, the Director of Community and Economic Development concurs with the issuance of the Business License because the Applicant is compliant, and because the business will create job opportunities for citizens of Highland Park and expand the City's tax base; and

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

The City Council hereby approves the issuance of a Business License for Recycle Depot. Recycle Depot will need to annually renew the license and comply with all City Charter and Ordinances provisions at all times.

**Moved by Councilmember Moore
Supported by Councilmember Patrick**

To approve (NO VOTE WAS TAKEN) Councilmember Patrick withdrew his support. He wants to visit the company's Plymouth site before he makes a decision.

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

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

COMMUNITY DEVELOPMENT:

1-10-14

The following communication was received from Louis Starks, Director.

RE: Sale or Transfer of City-Owned Property to TIFA

The prior Director of Community and Economic Development, Sandy McDonald, and Tax Increment Finance Authority President Mark Hackshaw agreed to the transfer,

conveyance or sale of City-owned property to the Highland Park Tax Increment Financing Authority (TIFA). The purpose of the conveyances is to transfer city parcels and structures to the TIFA as good and valuable consideration in order to reduce the total amount of the City of Highland Park's outstanding indebtedness to the TIFA.

The properties in question will be conveyed by Quit Claim deed and include the attached list. (see Exhibit A) The properties are being transferred to the TIFA consistent with a public use, purpose or improvement. The TIFA has demolished Pretzel Bowl and is slated to demolish, deconstruct or repurpose additional properties. Other properties will be marked for redevelopment. The Economic Development Director and the Chairman of TIFA agree that the properties will be valued as per the attached Exhibit B.

Moved by Councilmember Patrick
Supported by Councilmember Moore

Resolution approving a TRANSFER by way of Quit Claim Deed of City-Owned property City of Highland Park property inventory to the HIGHLAND PARK TIFA , consisting of the following parcels as reflected in Exhibit A:

1. The structure commonly known as the Old City Hall
2. The structure commonly known as the former City Fire Station.
3. The garage behind the Old City Hall.
4. The parking lot continuous with the garage behind the Old City Hall.
5. The lot where the structure commonly known as the Pretzel Bowl is situated and demolished.
6. The structure commonly known as the Old Movie Theatre,
7. The vacant lot next to the Old Movie Theatre (former fire-damaged furniture store location)
8. The parcel behind the Pasadena Liquor Store.

WHEREAS, the City Council of the City of Highland Park, approved the transfer of property owned by the City of Highland Park to the Highland Park Tax Increment Finance Authority (TIFA) in consideration of the City's indebtedness to the TIFA as reflected in Exhibit A; and

WHEREAS, the PARTIES agree that a value will be affixed to the properties per the attached Exhibit B;

WHEREAS, the City of Highland Park's indebtedness to the TIFA will be reduced by the valuations reflected in the Exhibit B;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Highland Park that;

The City Council hereby finds and determines that the transfer of the referenced City-Owned Properties to the TIFA under P.A. 333 of 1998, as amended, shall not have the effect of substantially impeding the operation, or impairing the financial soundness of the taxing unit which levies ad valorem property taxes in the City of Highland Park.

Council Pro Tem Lewis voted to approve the resolution with the following amendments.

To change the valuation of per square foot from \$1.71 to \$1.85 and change the total dollar valuation to equal \$100,000.

**Moved by Councilmember Patrick
Supported by Councilmember Moore**

To approve the resolution with the amendments mention above. Yeas (4), Nays (0), Absent (1).

The following communication was submitted by the Director.

Harold Remlinger, Design Team for Byron's Flowers gave a presentation of the Site Plan for 11851 Woodward.

Byron's Flowers located at 11851 Woodward Ave. received site plan approval in May of 2005 with the approval of the building permit by the State of Michigan on January 11, 2006. In July of 2011 Highland Park approved the new zoning ordinance, changing the B-1 District where Byron's Flower is currently located to the current Transit Oriented District. During the course of construction, Byron's Flowers found themselves in a legal battle with the insurance provider, which resulted in the halting of construction. After a number of years of ligation, the courts ruled in favor of Byron's Flowers, resulting in a settlement with the insurance provider and allowing the process to proceed. At the time of the zoning change, Byron's Flowers had a legal binding building permit, which was finalized on August 8, 2011.

As a courtesy and recommendation by Lauren Hood, acting Community Development Director, Byron's Flowers, represented by Harold Remlinger, AIA, Principal Architect of Design Team Plus, LLC ("Design Team"), presented to the City planning Commission on November 13, 2013 to notify Highland Park of their intentions to continue with plans to move forward with the project. Based on the suggestion of Commissioner Mattox and Chairman Ross and with the willing of client, Design Team began work with new Community and Economic Development Director Louis Starks to incorporate, where possible, site plan and building elevation modifications to embrace the Transit Oriented District's intent.

Byron Flowers made accommodations in their Site Plan that blended some of the Transit Oriented District Ordinance (“TOD”) requirements with the former ordinance. Harold Remlinger Design Team discussed their approach to satisfying the 2 story height requirement and making the Site Plan more pedestrian-oriented. To that end, Byron Flowers eliminated the front approach and added green space and areas for outdoor display and an area for outdoor seating and consumption of prepared foods.

Byron’s to expand its scope of services as the seasons shift, to incorporate outdoor Christmas tree and ornamental display and sales. Byron’s building footprint is the same footprint as their previous location. By adding 5 more feet to the existing structure, Design Team was able to add second floor offices to accommodate the Transit Oriented District Ordinance’s 2 story building elevation requirement. Mr. Remlinger said that the height requirement under the Ordinance is 30 feet but it seems excessive to add an additional 3 to 4 (on top of the 27 feet elevation proposed in the Site Plan) creating space that serves no functional purpose. I concur.

This proposed structure has the same or higher elevation as a neighboring store. Architectural/design features and window treatments were added to make the exterior more attractive, and the building façade is consistent with existing and surrounding structures and streetscape. The Site Plan is a good compromise that acknowledges the zoning change (TOD Ordinance) intent while keeping with the spirit of Byron’s original design. After discussion, the Commission unanimously approved the Site Plan. In the words of Commissioner Motley, this is a project the City needs and one that the City should look upon favorably.

MAYOR:

The following resolution was submitted for approval.

BE IT RESOLVED that the Highland Park City Council does hereby accept a proposal from Joy Construction Leasing, Inc. to perform water main repairs on:

Puritan between Second and Woodward for an amount not to exceed \$3,500

Woodward at Pilgrim for an amount not to exceed \$2,500

Woodward and Waverly for an amount not to exceed \$4,200

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

To approve the proposals from Joy Construction Leasing, Inc. to perform water main repairs in the amounts stated at the above locations. Yeas (4), Nays (0), Absent (1).

The following resolution was submitted for approval.

**BE IT RESOLVED that the Highland Park City Council does hereby accept a proposal from CPI Excavating to perform water main repair at Woodward and Elmhurst in Highland Park, MI for an amount not to exceed Five Thousand Dollars (\$5,000.00)
Yeas (4), Nays (0), Absent (1).**

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

**To approve the proposal submitted by CPI Excavating to perform water main repair at Woodward and Elmhurst in an amount not to exceed Five Thousand Dollars (\$5,000.00).
Yeas (4), Nays (0), Absent (1).**

ADJOURNMENT:

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

To adjourn; motion carried meeting adjourned at 9:00 p.m.

CERTIFICATE

I, hereby certify that the attached is a true copy of the proposed minutes of the Regular Meeting held on the 10th day of January 2014 and that said proposed minutes are available for public inspections at the address designated on the posted public notice.



Brenda J. Green
City Clerk