

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

NOVEMBER 19, 2018

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

Present: Council Pro Tem McDonald, Councilmember Lewis, Councilmember Bates and Council President Patrick (4).

Absent: Councilmember Woodard (1) excused.

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

To approve the agenda with the addition of item VII. Yeas (4), Nays (0), Absent (1).

APPROVAL OF MINUTES

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

To approve the minutes of the Workshop and Regular meetings held October 15, 2018. Yeas (4), Nays (0), Absent (1).

**ORDINANCE 1st READING
11-19-18 V a**

The Clerk stated this was the 1st reading of the following ordinance:

An ordinance to amend the Highland Park Administrative Code, Chapter 208.10, by amending Section (a), deleting fencing requirements, and amending Section (b) by changing "will" to "may". Also, by adding "Mayor" to sections (c) through (i) regarding the sale of vacant lots.

WHEREAS, the City of Highland Park desires to amend a local ordinance by adopting policies and procedures for the sale of vacant lots; and

WHEREAS, the Charter for the City of Highland Park provides that the City Council has the authority to enact all ordinances they deem necessary for the safety, order, and good government of the City and the general welfare of its inhabitants.

NOW, THEREFORE, THE CITY OF HIGHLAND PARK ORDAINS:

208.10 POLICY RE SALE OF VACANT LOTS

- (a) Whenever city vacant lots are no longer required for corporate or public purposes, except any park, or part thereof, except where a park is no longer required under an official master plan, such vacant lots may be sold or leased upon the affirmative vote of four or more members of the City Council. The City may sell or lease city-owned vacant lots using one or more of the following methods: public auction, negotiated sale, listing with real estate broker pursuant to guidelines established by the Mayor, solicitation of sealed bids, or request for proposals. In all cases, the Mayor may develop the disposition strategies, policies, and procedures to facilitate the sale of city-owned vacant lots.
- (b) Private Vacant Lot under City Control. The City shall acquire by purchase, gift, condemnation, tax reversion or otherwise, vacant lots, and interests in vacant lots, within the corporate limits of the City, for any public use, purpose, improvement or service within the scope of its powers and to encumber or dispose of the same.
- (c) When, after recommendation by the Mayor, the City Council determines that it is in the best interest of the City, vacant lots acquired by the City through tax reversion may be disposed of by one, or a combination of more than one, of the following methods, as determined appropriate by the Mayor, on a case-by-case basis: listing with real estate broker; auctions; special auction process; solicitation of sealed bids; negotiated sale; or request for proposals. The Mayor shall submit the offer, which he or she deems to be in the best interests of the City, together with his or her recommendation, to the City Council for action.

(1) Sale of Vacant Residential Side Lots to Residents:

- A. For individuals purchasing side lots, the following conditions apply:
 - 1. The Purchaser must submit an Offer to Purchase Application and pay a \$25 non-refundable fee.
 - 2. All Purchasers must own the house adjoining the vacant side lot;
 - 3. Purchaser must maintain the vacant lot in accordance with city ordinance.
 - 4. Purchasers cannot owe past due taxes, unpaid blight bills nor unpaid water bills; and/or any other indebtedness to the City.
 - 5. Not have any code violations within the past 18 months.
 - 6. Secure the vacant lot, remove debris and maintain the land within 14 days after closing;
 - 7. Price shall be not less than its market value, as determined and certified by the Assessor.

8. Neighboring vacant lot owners who submit an Application to Purchase for the same lot may have the lot split and purchase. Each vacant lot owner must submit a separate, completed application along with the \$25 application fee; however, the purchase price shall be not less than its market value, as determined and certified by the Assessor. The request to split the lot must be made to Wayne County and all associated costs will be at the expense of the vacant lot purchasers. If one adjoining vacant lot purchaser is not interested in splitting the lot, they must sign off on their right to purchase the vacant lot or the City Council may waive the sign off at their discretion.
9. If not current, Purchaser must pay the annual taxes on the side lot and stay current on water bills after purchase.

(2) Sale of Vacant Residential Lots to Residents and Non-Residents

A. For individuals purchasing residential vacant lots, the following conditions apply:

1. The Purchaser must submit an Offer to Purchase Application and pay a \$25 non-refundable fee.
2. Maintain the vacant lot in accordance with city ordinance.
3. Purchasers cannot owe past due taxes, unpaid blight bills nor unpaid water bills; and/or any other indebtedness to the City.
4. Not have any code violations within the past 18 months.
5. Secure the vacant lot, remove debris and maintain the land within 14 days after closing;
6. If not current, Purchaser must pay the annual taxes on the lot and stay current on water bills after purchase.
7. Vacant lots forty-five feet and over may be sold as buildable lots. The purchaser shall submit to the Real Estate Division at the time of his or her request for purchase a notarized statement of a development plan. The purchaser shall also be in compliance with Zoning and Community Development Policy.

(3) Sale of Vacant Commercial and Industrial-Zoned Lots

A. For individuals/businesses purchasing commercial vacant lots, the following conditions apply:

1. The Purchaser must submit an Offer to Purchase Application and pay a \$25 non-refundable fee.
2. The Purchaser shall submit to the Real Estate Division at the time of his or her request for purchase a notarized statement of a development plan. The purchaser shall also be in compliance with Zoning and Community Development Policy.
3. Purchaser must maintain the vacant lot in accordance with city ordinance.
4. Purchasers cannot owe personal or corporate past due taxes,

unpaid blight bills nor unpaid water bills; and/or any other indebtedness to the City.

5. Not have any code violations within the past 18 months.
 6. Secure the vacant lot, remove debris and maintain the land within 14 days after closing.
 7. If not current, Purchaser must pay the annual taxes on the lot and stay current on water bills after purchase.
 8. Vacant lot located in strategic areas, or properties that the City expects will be in high demand or receive more than one bid are generally publicly marketed or packaged as part of a Request for Proposals (RFP). During the public marketing or RFP process, the City's real estate committee will make disposition decisions based on offered purchase price, the use proposed, and the determined capacity of the potential purchaser.
- (d) Auctions. The City may auction residential vacant lots owned by the City as the need arises.
- (1) Individuals may bid on no more than three (3) residential properties per auction, and highest bidder shall become the Purchaser.
 - (2) Vacant lots forty-five feet and over may be sold as buildable lots. The purchaser shall submit to the Real Estate Division at the time of his or her request for purchase a notarized statement of a development plan. The purchaser shall also be in compliance with Zoning and Community Development Policy.
 - (3) The Purchaser:
 - A. Must maintain the vacant lot in accordance with city ordinance.
 - B. Cannot owe personal or corporate past due taxes, unpaid blight bills nor unpaid water bills; and/or any other indebtedness to the City.
 - C. Not have any code violations within the past 18 months.
 - D. Secure the vacant lot, remove debris and maintain the land within 14 days after closing;
 - E. If not current, Purchaser must pay the annual vacant lot taxes on the lot and stay current on water bills after purchase.
- (e) Development Agreements. The City may enter into development agreements to sell vacant lots with any developer seeking to purchase a minimum of five (5) properties.
- (1) Developer must provide a project plan that the City deems suitable for the benefit of the public's interest.
 - (2) Developer must invest a minimum of \$30,000 - \$100,000 into each vacant lot, as determined by the Mayor and approved by the City Council. If the approved investment per vacant lot is not realized, the City may fine the Developer an agreed-upon amount, unless good cause is shown.
 - (3) Developer shall provide adequate proof of funds equal to fifty percent (50%) of the total projected cost of the development prior to signing a development agreement.

- (4) Any properties subject to a development agreement shall be excluded from any city auctions.
- (5) The City may support the development project with letters of support and grant applications to government entities; however, the City shall not incur any financial obligation or liability.
- (6) Once ownership of the vacant lot is finalized, all taxes, water and sewerage bills become the responsibility of the Developer.
- (7) Development on each vacant lot shall commence within six (6) months of purchase and must be completed within two (2) years from the date of purchase. Residential lots not being developed within two (2) years will automatically revert to the City, unless the City, at its sole discretion, grants an extension to Developer.
- (8) Developer may request an Option to hold vacant lot from being sold for a due diligence period starting at 3 months not to exceed 6 months. When, after recommendation by the Mayor, the City Council determines that it is not a detriment to the City, Developer may pay a non-refundable fee of \$500, to hold the vacant lot. If an Option is granted, Developer must secure and maintain the vacant lot by:
 - A. Clearing the vacant lot of trash and debris and continuing to remove such trash and debris as needed;
 - B. Ensuring that the grass is neatly edged and does not exceed 6 inches;
 - C. Trimming all trees, shrubs, and other plant life as needed; and
 - D. Maintaining all sidewalks and other paved portions of the vacant lot clear of snow and ice in a manner that makes it safe for pedestrians and within the timeframe currently required under City regulations.
- (f) This section shall not apply to real estate purchased pursuant to a United States Department of Housing and Urban Development program.
- (g) All sales of real estate shall be for cash, except that the City may sell on executory land contract if four or more members of the City Council shall vote in favor thereof, provided that in no case shall the contract be for a term of more than five (5) years, nor for less than thirty (30%) percent down; and provided further that the balance owing on the contract shall be paid in monthly or quarterly installments, whichever the City Council shall approve, and shall bear interest at a rate to be determined by the City Council on the unpaid balance. Such contract shall have such other provisions, as the City Council shall approve on the advice of the City Attorney.
- (h) Transactions involving the purchase, sale, gift or lease of vacant lots shall be authorized by City Council resolution. Offers to purchase and proposals to sell city-owned vacant lots shall be reviewed by the City Attorney and a recommendation made concerning:
 - (1) The sufficiency of the consideration.
 - (2) The public purpose involved in the land transaction.
- (i) The following factors shall be considered and identified by the Mayor and approved by the City Attorney prior to making any recommendation to the City

Council for the purchase, sale or lease of vacant lots:

(1) Purchase

- A. Identification of the public purpose involved in the proposed land transaction.
- B. At a price which shall be not less than its market value, as determined and certified by the Assessor.
- C. Determination of value as reflected by any recent comparable sales in the immediate area.
- D. Obtaining an outside appraisal or opinion of value if recommended by the City Attorney or requested by the City Council.
- E. Transaction upon a negotiated purchase price or through condemnation, if authorized by separate Council resolution.

(2) Sale

- A. Identification of the public purpose involved in the proposed land transaction.
- B. At a price which shall be not less than its market value, as determined and certified by the Assessor.
- C. Advertising and/or posting the vacant lot if two or more persons have indicated an interest in the vacant lot, the vacant lot has a general utility, or the City Council requests the vacant lot to be advertised.
- D. Examining the use to which the vacant lot can or will be put and the cost of acquisition, demolition and improvement.
- E. Sale to the highest bidder. Consideration to include dollar offer and such other items as identified by the City Attorney that represent a legal obligation to the City and value assigned thereto. The City shall reserve the right to reject all bids.

(3) Lease

- A. Identification of the public purpose involved in the proposed land transaction.
- B. At a price which shall be not less than its market value, as determined and certified by the Assessor.
- C. As lessor, advertising and/or posting the vacant lot if two or more persons have indicated an interest in the vacant lot or the vacant lot has general utility or the City Council requests that the vacant lot be advertised.
- D. As lessee, the lease fee should be based upon the above indicators of value through a negotiated lease fee procedure.

These rules of procedure shall be construed liberally in recognition of the unique character of land transactions and the requirement that all vacant lot transactions shall be authorized by City Council resolution. All land transactions involving city officers or employees shall be governed by applicable provisions of state law and city charter on conflicts of interest and, in any event, shall require a full disclosure of the officer or employee's interest and non-voting of the officer involved.

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

This shall be the first reading to amend Highland Park Administrative Code, Chapter 208, section 208.10. Yeas (4), Nays (0), Absent (1).

*

11-19-18 V b

The Clerk stated this was the 1st reading of the following ordinance:

An ordinance to amend the Highland Park Administrative Code, Chapter 208, by adding section 208.11 to adopt policies and procedures for the sale of real property, other than vacant lots.

WHEREAS, the City of Highland Park desires to amend a local ordinance by adopting policies and procedures for the sale of real property, other than vacant lots; and

WHEREAS, the Charter for the City of Highland Park provides that the City Council has the authority to enact all ordinances they deem necessary for the safety, order, and good government of the City and the general welfare of its inhabitants.

NOW, THEREFORE, THE CITY OF HIGHLAND PARK ORDAINS:

208.11 POLICY RE THE PURCHASE, SALE, GIFT OR LEASE OF REAL PROPERTY

- (a) Whenever city real estate is no longer required for corporate or public purposes, except any park, or part thereof, except where a park is no longer required under an official master plan, such real estate may be sold or leased upon the affirmative vote of four or more members of the City Council. The City may sell or lease city-owned real property using one or more of the following methods: public auction, negotiated sale, listing with real estate broker pursuant to guidelines established by the Mayor, solicitation of sealed bids, or request for proposals. In all cases, the Mayor may develop the disposition strategies, policies, and procedures to facilitate the sale of city-owned real estate.
- (b) Private Property under City Control. The City shall acquire by purchase, gift, condemnation, tax reversion or otherwise, real property, and interests in real property, within the corporate limits of the City, for any public use, purpose, improvement or service within the scope of its powers and to encumber or dispose of the same.
- (c) *Auctions.* The City may auction residential property owned by the City as the need arises.
 - (1) Individuals may bid on no more than three (3) residential properties per

auction, and highest bidder shall become the Purchaser.

- (2) The City shall have the right to negotiate with the Purchaser a minimum sum to be spent on rehabilitation.
- (3) The Purchaser must board up and otherwise secure the property within 14 days of purchase and keep secure before, during and up to the completion of any project.
- (4) Rehabilitation of each property must commence within six (6) months of the date of purchase, and the entire rehabilitation completed within one (1) year from the date of purchase. If Purchaser does not complete the residential renovations within one (1) year, the property will automatically revert to the City, unless the City, at its sole discretion, grants an extension to Purchaser.
- (5) Residential lots with structures - Residential lots with existing structures are categorized in two classifications:
 - A. Demolish - Residential lots have structures on them that require demolition may be purchased. Within 30 days after closing the purchaser must:
 1. Provide the City a copy of an executed demolition contract from a licensed contractor showing that the structure will be demolished within 180 days after closing.
 2. Provide a copy of a demolition permit from the State of Michigan.
 3. After completion of demolition, secure and maintain the property thereafter.
 - B. Rehabilitation - Residential lots that have structures on them that will be purchased for personal residential living are subject to the following:
 1. They will be required to enter into a purchase agreement.
 2. They will be required to secure the property and remove any debris within 14 days after closing.
 3. They will be required to provide the City proof of a certificate of occupancy within 12 months after closing. Where proof of significant repair progress has been made, but work is not complete, with reasonable proof and explanation, the City may, at its sole discretion, extend the 12-month deadline.
 4. Violation of the purchase agreement of any kind may subject the property to revert back to the City
- (6) Commercial lots with structures - Commercial lots with existing structures are categorized in two classifications:
 - A. Demolish - Commercial lots that have structures on them that require demolition may be purchased. Within 30 days after closing the purchaser must:
 1. Provide the City a copy of an executed demolition contract from a licensed contractor showing that the structure will be demolished within 180 days after closing.
 2. Provide a copy of a demolition permit from the State of Michigan.

3. After completion of demolition, secure and maintain the property thereafter.
- B. Rehabilitation - Commercial lots that have structures on them that will be purchased for commercial uses are subject to the following:
1. They will be required to enter into a purchase agreement.
 2. They will be required to secure the property and remove any debris within 14 days after closing.
 3. They will be required to provide the City proof of a certificate of occupancy within 12 months after closing. Where proof of significant repair progress has been made, but work is not complete, with reasonable proof and explanation, the City may, at its sole discretion, extend the 12-month deadline.
 4. Violation of the purchase agreement of any kind may subject the property to revert back to the City
- (7) For individuals/businesses purchasing commercial lots with structures, the following conditions apply:
- A. The Purchaser must submit an Offer to Purchase Application and pay a \$25 non- refundable fee.
 - B. The Purchaser shall submit to the Real Estate Division at the time of his or her request for purchase a notarized statement of a development plan. The purchaser shall also be in compliance with Zoning and Community Development Policy.
 - C. Purchaser must maintain the commercial lot with structure in accordance with city ordinance.
 - D. Purchasers cannot owe personal or corporate past due taxes, unpaid blight bills nor unpaid water bills; and/or any other indebtedness to the City.
 - E. Not have any code violations within the past 18 months.
 - F. Secure the lot with structure, remove debris and maintain the land within 14 days after closing;
 - G. If not current, Purchaser must pay the annual taxes on the property and stay current on water bills after purchase.
 - H. Commercial property located in strategic areas, or properties that the City expects will be in high demand or receive more than one bid are generally publicly marketed or packaged as part of a Request for Proposals (RFP). During the public marketing or RFP process, the City's real estate committee will make disposition decisions based on offered purchase price, the use proposed, and the determined capacity of the potential purchaser.
- (8) Upon completion, the City shall certify the property prior to allowing occupancy or resale.
- (9) Purchaser is not eligible to purchase property if any of the following conditions exist:
- A. Previously owned the property.
 - B. Currently owes property taxes or other indebtedness to the City

(i.e., water bills, tickets, tax liens, etc.)

- C. Failure to maintain property.
- D. Has outstanding code, policy or ordinance violations

- (d) Development Agreements. The City may enter into development agreements to renovate residential properties with any developer seeking to purchase a minimum of twenty-five(25) properties.
 - (1) Developer must provide a project plan that the City deems suitable for the benefit of the public's interest.
 - (2) Developer must invest a minimum of \$30,000 - \$100,000 into each property, as determined by the Mayor and approved by the City Council. If the approved investment is not realized, the City may fine the Developer an agreed-upon amount, unless good cause is shown.
 - (3) Developer shall provide adequate proof of funds equal to fifty percent (50%) of the total projected cost of the rehabilitation prior to signing a development agreement.
 - (4) Any properties subject to a development agreement shall be excluded from any city auctions.
 - (5) The City may support the development project with letters of support and grant applications to government entities; however, the City shall not incur any financial obligation or liability.
 - (6) Once ownership of the property is finalized, all taxes, water and sewerage bills become the responsibility of the Developer.
 - (7) Development and rehabilitation on each property shall commence within six (6) months of purchase and must be completed within two (2) years from the date of purchase. Residential renovations not completed within two (2) years will automatically revert to the City, unless the City, at its sole discretion, grants an extension to Developer.
 - (8) Once rehabilitation is complete, Developer may only sell or rent the property to owner- occupants.
 - (9) Developer may request an Option to hold property from being sold for a due diligence period starting at 3 months not to exceed 6 months. When, after recommendation by the Mayor, the City Council determines that it is not a detriment to the City, Developer may pay a non-refundable fee of \$500, to hold the property. If an Option is granted, Developer must secure and maintain the property by:
 - A. Boarding all broken or missing windows and doors of structural improvements, if any;
 - B. Securing all openings of structural improvements, if any, to prevent entry of unauthorized persons;
 - C. Clearing the property of trash and debris and continuing to remove such trash and debris as needed;
 - D. Ensuring that the grass is neatly edged and does not exceed 6 inches;
 - E. Trimming all trees, shrubs, and other plant life as needed; and

- F. Maintaining all sidewalks and other paved portions of the vacant lot clear of snow and ice in a manner that makes it safe for pedestrians and within the timeframe currently required under City regulations.
- (e) When, after recommendation by the Mayor, the City Council determines that it is in the best interest of the City, real property acquired by the City through tax reversion may be disposed of by one, or a combination of more than one, of the following methods, as determined appropriate by the Mayor, on a case-by-case basis: listing with real estate broker; auctions; solicitation of sealed bids; negotiated sale; or request for proposals. The Mayor shall submit the offer, which he or she deems to be in the best interests of the City, together with his or her recommendation, to the City Council for action.
- (f) This section shall not apply to real estate purchased pursuant to a United States Department of Housing and Urban Development program.
- (g) All sales of real estate shall be for cash, except that the City may sell on executory land contract if four or more members of the City Council shall vote in favor thereof, provided that in no case shall the contract be for a term of more than five (5) years, nor for less than thirty (30%) percent down; and provided further that the balance owing on the contract shall be paid in monthly or quarterly installments, whichever the City Council shall approve, and shall bear interest at a rate to be determined by the City Council on the unpaid balance. Such contract shall have such other provisions, as the City Council shall approve on the advice of the City Attorney.
- (h) Transactions involving the purchase, sale, gift or lease of real property shall be authorized by City Council resolution. Offers to purchase and proposals to sell city-owned property shall be reviewed by the City Attorney and a recommendation made concerning:
 - (1) The sufficiency of the consideration.
 - (2) The public purpose involved in the land transaction.
- (i) The following factors shall be considered and identified by the Mayor and approved by the City Attorney prior to making any recommendation to the City Council for the purchase, sale or lease of real property:
 - (1) Purchase
 - A. Identification of the public purpose involved in the proposed land transaction.
 - B. At a price which shall be not less than its market value, as determined and certified by the Assessor.

- C. Determination of value as reflected by any recent comparable sales in the immediate area.
- D. Obtaining an outside appraisal or opinion of value if recommended by the City Attorney or requested by the City Council.
- E. Transaction upon a negotiated purchase price or through condemnation, if authorized by separate Council resolution.

(2) Sale

- A. Identification of the public purpose involved in the proposed land transaction.
- B. At a price which shall be not less than its market value, as determined and certified by the Assessor.
- C. Advertising and/or posting the property if two or more persons have indicated an interest in the property, the property has a general utility, or the City Council requests the property be advertised.
- D. Examining the use to which the property can or will be put and the cost of acquisition, demolition and improvement.
- E. Sale to the highest bidder. Consideration to include dollar offer and such other items as identified by the City Attorney that represent a legal obligation to the City and value assigned thereto. The City shall reserve the right to reject all bids.

(3) Lease

- A. Identification of the public purpose involved in the proposed land transaction.
- B. At a price which shall be not less than its market value, as determined and certified by the Assessor.
- C. As lessor, advertising and/or posting the property if two or more persons have indicated an interest in the property or the property has general utility or the City Council requests that the property be advertised.
- D. As lessee, the lease fee should be based upon the above indicators of value through a negotiated lease fee procedure.

These rules of procedure shall be construed liberally in recognition of the unique character of land transactions and the requirement that all real property transactions shall be authorized by City Council resolution. All land transactions involving city officers or employees shall be governed by applicable provisions of state law and city charter on conflicts of interest and, in any event, shall require a full disclosure of the officer or employee's interest and non-voting of the officer involved.

Moved by Council Pro Tem McDonald
Supported by Councilmember Lewis

This shall be the first reading to amend Highland Park Administrative Code, Chapter 208, section 208.11. Yeas (4), Nays (0), Absent (1).

**ADMINISTRATION
11-19-18 VI**

The following resolution was submitted for approval.

RESOLUTION TO APPOINT DEREK BROWN & LESLIE ROBINSON TO THE TIFA BOARD

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

WHEREAS, the City has established the TIFA Board to oversee the policies & procedures of the TIFA District; and

WHEREAS, in accordance with the TIFA District Ordinance, the Board is to consist of 7 members appointed by the Mayor; and

WHEREAS, the appointments of the TIFA Board members are subject to Council approval;

NOW HEREBY BE IT RESOLVED, that the Highland Park City Council approves the Mayoral appointments for the TIFA Board as follows:

Derek Brown	term ending June 30, 2020
Leslie Robinson	term ending June 30, 2020

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

**CITY ENGINEERING
11-19-18 VII**

The following resolution was submitted for approval.

A RESOLUTION FOR THE CITY ENGINEERING DEPARTMENT REQUESTING THE PURCHASE OF BS&A SOFTWARE MODULE PLANNING, ZONING AND ENGINEERING

Moved by Council Pro Tem McDonald
Supported by Councilmember Lewis

WHEREAS, Metro Consulting Associates (MCA) were recently appointed City Engineers for the City of Highland Park; and

WHEREAS, the primary goal of the re-established City Engineering Department was to identify and ensure all entities performing specified activities within the City of Highland Park right-of-way and private property was properly reviewed and inspected; and

WHEREAS, the secondary goal of the re-established City Engineering Department was to identify and capture revenue previously uncaptured by the City Engineering Department for

purposes of protecting the city's assets and ensuring entities meet all engineering standards and construction specifications of the City of Highland Park; and

WHEREAS, it is the opinion of the City Engineering Department, in order to successfully continue using current BS&A software owned by the City of Highland Park, purchased through 2015 Financially Distressed, City, Village, and Township (FDCVT) grant funds for permitting and site plan reviews by the City Engineering Department to its full capabilities, an additional module, *Planning, Zoning and Engineering*, be purchased from departmental generated revenue; and

WHEREAS, the purchase of this software will allow the City Engineering Department to properly document review fees, assess fees, correctly document permits issued, track departmental revenue generated, and allow for more efficient coordination with the Finance Department, Community & Economic Development, the Building Department, Code Enforcement and other field inspections performed by the City Engineering Department; therefore

BE IT RESOLVED, that the City of Highland Park City Council approves the purchase of the BS&A *Planning, Zoning and Engineering* module for a total of \$4,460 by the City Engineering Department. Yeas (4), Nay (0), Absent (1).

COMMUNITY DEVELOPMENT 11-19-18 VIII a

The following resolution was submitted for approval.

RESOLUTION TO AMEND BUDGET

Moved by Council Pro Tem McDonald
Supported by Councilmember Lewis

WHEREAS, 153 Eason is one of the NSP 2 properties scheduled to be rehabbed pursuant to a contract between the City of Highland Park and Home Team in the amount of \$110,000.00 which amount Council approved; and

WHEREAS, \$5,000.00 of the approved amount was slated to repair the porch, and

WHEREAS, after a second estimate, it was proposed that an additional \$7,616.25 is needed to more accurately address the repairs that are needed to completely restore the porch.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves an amendment to the CED budget in the amount of \$7,616.25. Yeas (4), Nays (0), Absent (1).

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11-19-18 VIII b

The following item was submitted for approval.

Request to approve contract with R. G. Williams and Son for housing rehabilitation of 134 W. Grand, 385 Cortland and 30 Rhode Island for a total of \$38,366.

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

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

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11-19-18 VIII c.1

The following resolution was submitted for approval.

RESOLUTION TO APPROVE CONTRACTOR AGREEMENT WITH HOME TEAM HIGHLAND PARK, LLC FOR THE RENOVATION OF 153 EASON, 200 PURITAN, 170 MOSS AND 166-188 PILGRIM

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

WHEREAS, Home Team Highland Park, LLC (“Home Team”), wishes to enter into a contract with the City of Highland Park for the renovation of the properties commonly known as 153 Eason, 200 Puritan, 170 Moss and 166-188 Pilgrim; and

WHEREAS, the City is the owner of the properties pursuant to the terms of the NSP agreement; and

WHEREAS, Home Team will renovate the properties within thirty (30) days of receiving payment in the amount of \$117,616.25.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the contractor agreement in the amount of \$117,616.25 proposed above. Yeas (4), Nays (0), Absent (1).

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11-19-18 VIII c.2

The following resolution was submitted for approval.

RESOLUTION TO APPROVE THE EXISTING RIGHT TO SELL LISTING AGREEMENT WITH HOME TEAM REALTY SERVICES, LLC, FOR THE SALE OF 153 EASON, 200 PURITAN, 170 MOSS AND 116-118 PILGRIM

Moved by Council Pro Tem McDonald

Supported by Councilmember Lewis

WHEREAS, Home Team Realty Services, LLC (“Home Team”) wishes to enter into a listing agreement with the City of Highland Park for the sale of the above referenced properties located in Highland Park, Michigan (“the Properties”); and

WHEREAS, the City is the owner of the Properties pursuant to the terms of the NSP agreement; and

WHEREAS, the Listing Agreement will give Home Team the exclusive right to sell the Properties; and

WHEREAS, a commission in the amount of \$4,000.00, or 8% of the gross sales price, will be paid to Home Team upon the sale of each property; however, no commission will be paid where purchasers have been identified by the City of Highland Park.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the listing agreement as proposed above. Yeas (4), Nays (0), Absent (1).

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11-19-18 VIII d

The following resolution was submitted for approval.

RESOLUTION TO TURN ON UTILITIES AT 153 EASON, 200 PURITAN, 170 MOSS AND 116-118 PILGRIM

Moved by Councilmember Lewis

Supported by Councilmember Bates

WHEREAS, the above referenced NSP 2 properties are scheduled to be rehabbed pursuant to a contract between the City of Highland Park and Home Team; and

WHEREAS, utilities are currently off at each one of these properties; and

WHEREAS, utilities need to be turned on in order for the contractors to have electrical power to begin the work that is slated to be done.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the City turning on the utilities at these properties. Yeas (4), Nays (0), Absent (1).

FINANCE
11-19-18 IX

The monthly financial statement for October 31, 2018 was received and filed.

POLICE
11-19-18 X a

The following resolution was submitted for approval.

RESOLUTION TO ISSUE RFP FOR TOWING AND VEHICLE STORAGE SERVICES

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

WHEREAS, the City desires to procure vehicle towing and vehicle storage services for City owned and privately owned vehicles when necessary to maintain public safety; and

WHEREAS, the contractor shall be responsible for the clearing of cars and all other debris from the scene as directed by the Officer in Charge or as necessary for the safety of all other vehicle and persons; and

WHEREAS, upon request of the Highland Park Chief of Police or his designee, contractor will tow and store all motor vehicles under 100,000GVW ordered removed pursuant to applicable laws; and

BE IT RESOLVED by The City Council of the City of Highland Park that the Highland Park Police Department be allowed to issue an RFP for towing, storage and clean-up services. Yeas (4), Nays (0), Absent (1).

*

11-19-18 X b

The following resolution was submitted for approval.

RESOLUTION TO SUBMIT APPLICATIONS FOR STATE OF MICHIGAN GRANT FOR FINANCIALLY DISTRESSED CITIES, VILLAGE OR TOWNSHIPS (FDCVT)

Moved by Councilmember Lewis
Supported by Councilmember Bates

WHEREAS, the State of Michigan is providing \$2.5M in 2019 for grants to financially distressed cities, villages, or townships (FDCVT) to be used to pay for specific projects or

services that move the city, village, or township toward financial stability; and

WHEREAS, Highland Park qualifies for subject grant; and

WHEREAS, the Highland Park Police Department wishes to apply for funding under the FDCVT grant program for a proposed "blue light" project to assist in the reduction of crime; and

WHEREAS, the State of Michigan encourages joint participation from financially distressed communities, Highland Park Police and Ecorse Police will jointly apply for the grant for the 'blue light' project and, if approved, each city will create a monitoring center, thereby creating the opportunity to alternate police monitoring for both cities, which will minimize manpower requirements; and

WHEREAS, additionally, the Highland Park Police Department wishes to apply for funding under the FDCVT grant program to replace five of the oldest vehicles in the police fleet with new patrol vehicles to assist in: 1) the reduction of maintenance expenses, 2) improved vehicle uptime and 3) the reduction of crime; and

BE IT RESOLVED by the City Council of the City of Highland Park that the Police Department has approval to submit two applications for 2019 FDCVT grants (one for cameras jointly with Ecorse and one for police cars). Yeas (4), Nays (0), Absent (1).

*Councilmember Lewis left the meeting at 7:56 p.m.

**PUBLIC WORKS
11-19-18 XI**

The following resolution was submitted for approval.

**HIGHLAND PARK BUILDING AUTHORITY LEASE REVENUE AND
REVENUE REFUNDING BONDS, SERIES 2015
BUILDING HOUSING DHHS AT 13233 HAMILTON AVENUE, HIGHLAND PARK,
MICHIGAN**

Moved by Council Pro Tem McDonald
Supported by Councilmember Bates

WHEREAS, the Sublease and Addendum #1 to the Sublease between the City of Highland Park ("Lessor") and the Department of Technology, Management & Budget ("Lessee") for 13233 Hamilton Avenue, Highland Park, Michigan being used by the Department of Health and Human Services ("DHHS"), provides the following on Notification and Lessor Obligations; and

WHEREAS, Article III, Paragraph 3.1(s) states that "The Lessor shall keep the Leased premises in good repair, and able to perform and operate as designed, free from dangerous

or defective conditions, and in tenantable condition, and at the Lessor's sole expense, properly and in a manner customarily accepted by the skilled trades, make all repairs and/or replacements, structural or nonstructural, of whatever nature"; and

WHEREAS, on September 4, 2018, the City Council of Highland Park approved a resolution that DPW be allowed to submit the name of Allied Building Services for HVAC, electrical, plumbing, exterior building maintenance and parking lot maintenance to the list of service or repair contractors for emergency service or maintenance for 13233 Hamilton Avenue, Highland Park, Michigan; and

BE IT RESOLVED by The City Council of the City of Highland Park that a contract for Allied Building Services be approved to fulfill Highland Park's lease obligations to the State of Michigan. Yeas (3) Council Pro Tem McDonald, Councilmember Bates and Council President Patrick, Nays (0), Absent (2) Councilmembers Lewis & Woodard.

*Councilmember Lewis returned at 8:01 p.m.

**WATER
11-19-18 XII**

The following resolution was submitted for approval.

**A RESOLUTION FOR THE SUBMITTAL OF THE FY2019 FINANCIALLY
DISTRESSED, CITIES, VILLAGES, TOWNSHIPS (FDCVT) GRANT
APPLICATION TO THE STATE OF MICHIGAN DEPARTMENT OF TREASURY
BY THE CITY OF HIGHLAND PARK WATER DEPARTMENT**

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

WHEREAS, the City of Highland Park is under an Administrative Consent Order (ACO) by the Michigan Department of Environmental Quality (MDEQ) effective July 28, 2017 regarding the existing water infrastructure; and

WHEREAS, the City of Highland Park previously received a Significant Deficiency Violation Notice from the MDEQ regarding April 11, 2016 regarding the existing water infrastructure; and

WHEREAS, the City of Highland Park has received over \$4.9 Million dollars in grant funds from the FDCVT Grant from 2015-2018 for various technology, water, and infrastructure repairs and improvements throughout the city; and

WHEREAS, it is the opinion of the Water Department Director, additional funding is essential to meet the requirements of the ACO and the State of Michigan Department of Treasury, in addition to meeting the goals of the City of Highland Park Water Department of

repairing the existing water infrastructure; and

BE IT RESOLVED, that the City of Highland Park City Council approves the submittal of the FY2019 Financially Distressed, Cities, Villages, and Townships (FDCVT) Grant Application to the State of Michigan Department of Treasury. Yeas (4), Nays (0), Absent (1).

COUNCIL AFFAIRS

The following resolution was submitted for approval.

RESOLUTION REQUESTING MAYOR HUBERT YOPP SUBMIT AN ADMINISTRATIVE POLICY IN REGARDS TO THE DISBURSEMENTS OF PETTY CASH

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

WHEREAS, the Highland Park City Council are the financial stewards of the City; and

WHEREAS, Mayor Hubert Yopp has created a culture of potential abuse and misuse of City funds; and

WHEREAS, Petty Cash spending has been stated on the record to be “*out of control*”; and

WHEREAS, Mayor Hubert Yopp has not been forthcoming with an Administrative Policy curtailing and controlling Petty Cash expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Highland Park City Council requests from Mayor Hubert Yopp an Official Petty Cash Expenditure Policy within 30 days from the date of this resolution, or on the 31st day from the date of this resolution the Highland Park City Council will begin to draft an ordinance through its Charter provided legislative powers a Petty Cash Expenditure Law for the City of Highland Park to protect the City from misuse and/or abuse of city funds. Yeas (4), Nays (0), Absent (1).

*

The following resolution was submitted for approval.

RESOLUTION REQUESTING THAT MAYOR HUBERT YOPP REMOVE AND REPLACE TERRY FORD AND THE FORD LAW FIRM AS THE CITY ATTORNEY AND LEGAL REPRESENTATIVE FOR THE CITY OF HIGHLAND PARK

Moved by Councilmember Lewis
Supported by Council Pro Tem McDonald

WHEREAS, by City Charter, the City Attorney (Terry Ford and the Ford Law Firm) represents both the Mayor AND the City Council in legal matters for the City of Highland Park; and

WHEREAS, the City Attorney has continuously engaged in behavior favorable only to Mayor Hubert Yopp; and

WHEREAS, the Highland Park City Council does not feel it has adequate legal representation from Terry Ford and the Ford Law Firm in legal matters facing the City of Highland Park or its City Council; and

WHEREAS, in the matter of the former Highland Park Charter Commission vs. the City of Highland Park (specifically the City Clerk and City Council) the City Attorney acquired an outside attorney to represent the City Council *without consultation and confirmation* by the City Council, thereby helping to exacerbate the *City Council declared* (Sec. 7-5 'C') 'bona fide' dispute in another case; and

WHEREAS, the Highland Park City Council would like to issue a statement of No Confidence in the legal representation provided to the City Council, the City and its residents for Terry Ford and the Ford Law Firm as it pertains to legal matters in the City of Highland Park; and

WHEREAS, the Highland Park City Council declares Charter Violations of Section 7-5, subsections (1), (5), (6b) by the City Attorney Terry Ford and the Ford Law Firm.

NOW, THEREFORE, IT BE RESOLVED, that the Highland Park City Council now requests that Mayor Hubert Yopp remove and replace Terry Ford and the Ford Law Firm from representing the City of Highland Park in any and all Legal Matters and the contract along with this Resolution be submitted to the Michigan State Attorney Grievance Commission. Yeas (4), Nays (0), Absent (1).

*

Moved by Council Pro Tem McDonald
Supported by Councilmember Lewis

To hold a Special Meeting/Closed Session Tuesday November 27, 2018 at 6:00 p.m.
Yeas (4), Nays (0), Absent (1).

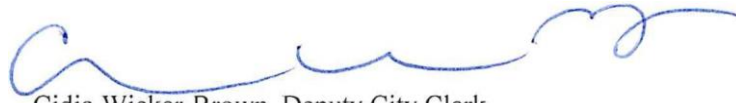
ADJOURNMENT

Moved by Councilmember Lewis
Supported by Councilmember Bates

To adjourn the meeting, motion carried, meeting adjourned at 8:23 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the approved minutes of the Regular Meeting held the 19th day of November, 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