

**PROPOSED MINUTES OF THE VIRTUAL & IN-PERSON
REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL**

Monday March 4, 2024

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

Present: Council President Thomas, Council pro Tem Robinson, Councilwoman Manica, Councilwoman Martin and Councilman Ash-Shafii (5).

Absent: None

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilman Ash Shafii

Supported by Council President Thomas

To approve the agenda with removal of items VIII-c Resolution to sell the vacant residential adjacent lot at 347 Elmhurst to Anthony Toone adjacent property owner of 353 Elmhurst and item VIII-e resolution to sell the vacant residential adjacent lot at 209 McLean to Juan Walker Jr. the adjacent property owner of 211 McLean, add a resolution waiving conflict of interest for Miller Canfield, and a resolution authorizing an Emergency Demo of 154 Rhode Island. Yeas (5), Nays (0) Absent (0).

APPROVAL OF MINUTES

Moved by Councilwoman Manica

Supported by Councilwoman Martin

To approve the minutes from the In-Person and Virtual Workshop meeting held February 20, 2024. Yeas (3), Nays (2) Councilman Ash Shafii, Council Pro Tem Robinson, Absent (0).

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Moved by Councilwoman Manica

Supported by Council President Thomas

To approve the minutes from the In-Person and Virtual Regular Meeting held February 20, 2024. Yeas (3), Nays (2) Councilman Ash Shafii, Council Pro Tem Robinson, Absent (0).

CITY ADMINISTRATOR:

03-04-24 – V

The following resolution was submitted for approval.

RESOLUTION WAIVING CONFLICT OF INTEREST FOR MILLER CANFIELD

Moved by Councilman Ash Shafii

Supported by Council Pro Tem Robinson

WHEREAS, Miller, Canfield, Paddock and Stone, P.L.C. (“Miller Canfield”) has represented the City of Highland Park (“City”) for over twenty years as its bond counsel and economic development counsel on various matters; and

WHEREAS, the City has been engaged in long-term litigation with the Great Lakes Water Authority (“GLWA”) as successor in interest to the Detroit Water and Sewerage Department, with respect to the provision of water supply and sewage disposal services and the related payment for such services; and

WHEREAS the state of Michigan and the Michigan Finance Authority (together, the (“State”) has been assisting the City and GLWA to resolve the litigation in the best interests of each of the parties; and

WHEREAS the City and GLWA are attempting to resolve the litigation and to finalize the terms of a Settlement Agreement; and

WHEREAS one of the terms of settlement require the City to provide for the intercept and distribution by a trustee of the revenues (“System Revenues”) derived from services provided by the City’s water supply and sewage disposal system (the “System”) to its customers; and

WHEREAS, consistent with its desire to help resolve the litigation, the State is seeking to retain Miller Canfield to draft and negotiate the terms of a trust agreement and other possible documents (collectively, the “Settlement Documents”) between the City, a corporate trustee and other potential parties; and

WHEREAS one of the banks which may serve as the trustee is Comerica Bank; and

WHEREAS Miller Canfield routinely represents Comerica in unrelated matters; and

WHEREAS the rules of professional conduct require attorneys to inform a client of a potentially adverse representation and to secure the client’s waiver of any actual or perceived conflict of interest; and

WHEREAS Miller Canfield is seeking the City’s waiver of any actual or perceived conflict of interest with the State and Comerica with respect to its drafting and negotiation of the Settlement Documents.

WHEREAS the City Council desires to waive any such conflicts of interest.

NOW THEREFORE BE IT RESOLVED THAT,

1. Waiver of Conflicts, The City hereby waives any conflict-of-interest Miller Canfield may have with representing the State in connection with the drafting and negotiation of the Settlements Documents.

The City hereby waives any conflict-of-interest Miller Canfield may have with representing Comerica in various unrelated matters in connection with the drafting and negotiation of the Settlement Documents.

2. Authorization to Execute Conflict Waiver. Each of the Mayor, the City Clerk, the Deputy City Clerk and the City Administrator are each individually authorized to execute and deliver the conflict waiver letter with Miller Canfield attached hereto as Exhibit A

PASSED AND ADOPTED, this 4th day of March, by the votes of Highland Park City Council.
Yeas (5), Nays (0), Absent (0).

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TABLE ITEM – Resolution to approve contract and settlement with Great Lakes Water Authority from Council’s Regular Meeting held, February 20, 2024.

03-4-24 V a

GLWA Contract

Moved by Councilman Ash Shafii

Supported by Council Pro Tem Robinson

To remove the GLWA contract and settlement from the table. Yeas (3), Nays (2) Councilwoman Manica and Council President Thomas, Absent (0).

Moved by Councilman Ash Shafii

Supported by Council Pro Tem Robinson

To approve the GLWA contract with questions.

Councilman Ash Shafii rescinded his motion to approve the GLWA contract and settlement with questions.

Council Pro Tem Robinson rescinded her support for the motion.

Moved by Councilman Ash Shafii

Supported by Council Pro Tem Robinson

To conditionally approve the GLWA contract and settlement as long as Miller Canfield does what they are supposed to do with the Trust Agreement such as re-write, redraft, reinsert and fix every section that the Trust Agreement touches in the contract and settlement. Yeas (5), Nays (0), Absent (0).

ADMINISTRATION:

03-04-24 VI.

RESOLUTION TO APPLY FOR FISCAL YEAR 2025 CONGRESSIONALLY DIRECTED SPENDING THROUGH SENATOR STABENOW’S OFFICE

Moved by Councilman Ash Shafii
Supported by Councilwoman Manica

WHEREAS, on February 22, 2024, Highland Park was notified by Senator Stabenow’s Office that they have begun accepting applications for Fiscal Year 2025 congressionally directed spending for local projects; and

WHEREAS Senator Stabenow has reached out to Highland Park to make us aware that the deadline for the online application is Monday, March 11th and

WHEREAS, for past appropriations, Senator Stabenow has worked with us in submitting two successful applications; 1) police equipment, vehicles & training and 2) to fund a social worker to assist police with mental health issues; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the city approves submitting an application to Senator Stabenow’s Office for a 2025 congressionally directed spending project. Yeas (5) Nays (0), Absent (0).

CITY CLERK:

03-04-24 VII

The Clerk submitted a Parade Permit application from Parker Pride Foundation to hold a Michigan Week parade on May 18, 2024.

Councilman Ash Shafii made a motion to abstain for personal reason regarding an incident that occurred last year.

Council Pro Tem Robinson supported the motion for Councilman Ash Shafii to abstain.

Yeas (2) Council Pro Tem Robinson, Councilwoman Manica

Nays (2) Council President Thomas, Councilwoman Martin

Motion failed for Councilman Ash Shafii to abstain.

The Chair of Parker Pride spoke and apologized for the incident that occurred last year.

Moved by Council Pro Tem Robinson
Supported by Councilwoman Manica

To approve the parade permit application from Parker Pride Foundation to hold a parade on May 18, 2024. Yeas (5), Nays (0), Absent (0).

COMMUNITY DEVELOPMENT:

03-04-24 VIII a

**RESOLUTION TO SELL THE VACANT RESIDENTIAL ADJACENT LOT AT 309 ELMHURST TO
LAFRANCES ALLEN, THE ADJACENT PROPPERTY OWNER OF 313 ELMHURST**

Moved by Council Pro Tem Robinson

Supported by Councilman Ash Shafii

WHEREAS the City of Highland Park holds in its inventory a surplus of parcels that are not producing a taxable, habitable and general benefit to the city and its residents; and

WHEREAS it is the goal of the city to decrease the number of parcels it owns and return them to productive use; and

WHEREAS the City of Highland Park is the owner of the vacant adjacent lot at 309 Elmhurst (vacant lot immediately adjacent to 313 Elmhurst, a residence owned by the Applicant, LaFrances Allen); and

WHEREAS, all fees have been previously paid, and required clearances obtained from the Water Department, Treasurer, City Engineer, CED and Legal Departments are signed off and ready to purchase; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the vacant lot located in Highland Park, MI at the cost of \$500.00. Yeas (5), Nays (0), Absent (0).

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03-04-24- VIII. B

**RESOLUTION TO SELL THE VACANT RESIDENTIAL ADJACENT LOT AT 217 E BUENA VISTA TO
ROGER GREENWOOD THE ADJACENT PROPERTY OWNER OF 215 E BUENA VISTA**

Moved by Council Pro Tem Robinson

Supported by Councilman Ash Shafii

WHEREAS the City of Highland Park holds in its inventory a surplus parcel that are not producing a taxable, habitable and general benefit to the city and its residents; and

WHEREAS it is the goal of the city to decrease the number of parcels it owns and return them to productive use; and

WHEREAS the City of Highland Park is the owner of the vacant adjacent lot at 217 E, Buena Vista (vacant lot immediately adjacent to 215 E. Buena Vista, a residence owned by the Applicant, Roger Greenwood); and

WHEREAS, all fees have been previously paid, and required clearances obtained from the Water Department, Treasurer, City Engineer, CED and Legal Departments are signed off and ready to purchase; and

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the vacant lot located in Highland Park, MI at the cost of \$500.00. Yea (5), Nays (0), Absent (0).

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03-04-34-VIII. c

RESOLUTION TO SELL THE VACANT RESIDENTIAL ADJACENT LOT AT 294 TUXEDO TO ROSALIND POWELL COLE AND CHRISTOPHER COOPER, OWNERS OF 298 TUXEDO THE ADJACENT PROPERTY OWNERS OF 298 TUXEDO

Moved by Council Pro Tem Robinson
Supported by Councilman Ash Shafii

WHEREAS the City of Highland Park holds in its inventory a surplus of parcels that are not producing a taxable, habitable and general benefit to the city and its residents; and

WHEREAS it is the goal of the city to decrease the number of parcels it owns and return them to productive use; and

WHEREAS the City of Highland Park is the owner of the vacant adjacent lot at 294 Tuxedo (vacant lot immediately adjacent to 298 Tuxedo, a residence owned by Rosalind Powell Cole and Christopher Cooper, the Applicant); and

WHEREAS, all fees have been previously paid, and required clearances obtained from the Water Department, Treasurer, City Engineer, CED and Legal Departments are signed off and ready to purchase; and

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the vacant lot located in Highland Park, MI at the cost of \$500.00. Yeas (5), Nays (0), Absent (0).

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03-04-24 – VIII d

RESOLUTION FOR FINAL SITE PLAN APPROVAL FOR 20 BARTLETT STREET IN ACCORDANCE WITH SECTION 1214 OF THE CITY OF HIGHLAND PARK ZONING ORDINANCE ADOPTED JULY 18, 2011

Moved by Councilwoman Martin
Supported by Councilwoman Manica

The resolution should include 30 and 32 Bartlett Street.

WHEREAS, on January 24, 2024 the Highland Park Planning Commission, by resolution, recommended that final site plan approval be granted by this Council for the WOW Gas Station to be located at 20 Bartlett Street, Tax Parcel 43-006-01-0020-000 which parcel is owned by Island Lane Capital.

WHEREAS, the City's Director of Community and Economic Development, Carlton D. Clyburn, Jr. submitted the Planning Commission's approved site plan for 20, 30 and 32 Bartlett Street to the

following City Departments for review and approval; DPW, Police, Fire, Legal, Recreation Commission and Historic Commission, all of whom timely responded to and approved the site plan.

WHEREAS it shall be a benefit to the City of Highland Park and its residents for Council to grant final site plan approval.

NOW, THEREFORE, BE IT RESOLVED, that the City Council grants final site plan approval for 20, 30 and 32 Bartlett Street in accordance with Section 1214 of the City of Highland Park Zoning Ordinance adopted July 18, 2011. Yeas (3), Nays (2) Council Pro Tem Robinson and Councilman Ash Shafii, Absent (0).

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03-04-24 VIII e

RESOLUTION AUTHORIZING AN EMERGENCY DEMOLITION CONTRACT FOR CITY-OWNED PROPERTY LOCATED AT 154 RHODE ISLAND STREET

Moved by Councilman Ash Shafii
Supported by Councilwoman Manica

WHEREAS THE City of Highland Park (“City”) owns a residential property located at 154 Rhode Island St, upon which lies the remnants of an uninhabitable, abandoned and partially collapsed dwelling, a portion of which had fallen upon an adjacent neighbor’s, the overall remains of which pose a hazard to the health and safety of adjacent residents and creates an attractive nuisance to those who wish to explore or otherwise plunder the structure’s remains for scrap or anything of value; and

WHEREAS the City solicited and received 3 bids for the demolition of the remains of the structure remaining at 154 Rhode Island Street from qualified demolition contractors; and

WHEREAS, after careful review and consideration, the City’s administration recommends to council that Inner City Contracting, LLC be selected as the most suitable demolition contractor for the demolition project, with a bid proposal of \$26, 550.00; and

WHEREAS, it is imperative for the safety and well-being of the neighborhood, its resident’s community at large that the demolition of the structure proceed expeditiously; and

WHEREAS the City Council recognizes the urgency of this matter and waives any competitive bidding requirements normally applicable to City contracts to expedite the demolition process for the safety of the community; and

NOW THEREFORE BE IT RESOLVED; the Highland Park City Council hereby authorizes the City to enter into a contract with Inner City Contracting, LLC for the emergency demolition of the structure located at 154 Rhode Island St., in accordance with its bid of \$26,550.00 and directs the appropriate City administrator (s) to take all necessary action to facilitate the execution of the contract and to ensure that the demolition of the structure proceeds in a timely manner. Yeas (4), Nays (1) Council Pro Tem Robinson, Absent (0).

DEPT. OF ENG/PUBLIC:

03-04-24 IX.

RESOLUTION TO ISSUE RFQ FOR SINKHOLE/CATCH BASIN REPAIRS

Moved by Councilman Ash Shafii
Supported by Councilwoman Manica

WHEREAS, since 2019, the City Engineering Department, in conjunction with the Department of Public Works, has continuously assessed all the public roadways in the city and identified and repaired roads, sinkhole and catch basins throughout the city that posed a potential threat to the infrastructure as well as to the safety of the residents and road users; and

WHEREAS, since 2019, the following repairs have been completed:

Year	# of repairs	Approx. Cost
2019	69	\$318,000
2021	79	\$393,750
2022	56	\$299,998.42

WHEREAS the City Engineering Department and DPW would like to repair 48 sinkholes/catch basins in 2024 with the first 33 identified on the attached listing; and

WHEREAS the number of sinkhole repairs may be increased if conditions warrant, and ACT 51 funds are available; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City approves issuing an RFQ for 48 sinkhole repairs to be completed as ACT 51 funds become available.

NOTE: Repairs to be paid from Act 51 funds.

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

DEPARTMENT OF PUBLIC WORKS:

03-04-24 X a.

RESOLUTION TO SOLICIT QUOTES TO CUT GRASS ON 1470 CITY-OWNED PROPERTIES

Moved by Councilwoman Manica
Supported by Council President Thomas

WHEREAS the City of Highland Park is responsible for the health and welfare of its citizens as well as the maintenance of its infrastructures; and

WHEREAS, grassy surfaces, if not maintained on a regular basis, can create sight hazards, attract pests and illegal dumping of garbage, impact the city stormwater system; and detract from the appearance, health, and viability of the city; and

WHEREAS the department of Public Works desires to solicit bids for mowing 1470 city-owned properties twice per month from April thru mid-July and as needed for the balance of the moving season; and

WHEREAS addresses for each of the 1470 properties, by the City Council District, will be sent with RFQ; and

NOW THEREFORE BE IT RESOLVED that the City authorizes the Department of Public Works to solicit bids for mowing 1470 city-owned properties twice per month from April through mid-July and as needed for the balance of the mowing season. Yeas (5), Nays (0), Absent (0).

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03-04-24 X b

RESOLUTION TO APPROVE ISSUANCE OF RFQ'S FOR ON-CALL PLUMBING AND ELECTRICAL SERVICES

Moved by Councilman Ash Shafii
Supported by Councilwoman Manica

WHEREAS the City of Highland Park has an obligation to ensure that its electrical and plumbing infrastructures can support the activities and services of the city for the benefit of its citizens/employees; and

WHEREAS the City does not currently have an on-call contractual relationship with either a reputable electrical or plumbing contractor; and

WHEREAS the City desires to enter into contracts with reputable electrical and plumbing contractors to provide a broad range of electrical and plumbing services and have the experience, knowledge and skills to install, repair, alter, add to or maintain related electrical and plumbing services; and

WHEREAS the successful contractors will also provide preventative maintenance and repair services; and

NOW, THEREFORE BE IT RESOLVED by the city that the Department of Public Works be allowed to issue two RFQ's: 1) for on-call electrical services and 2) for on-call plumbing services. Yeas (5), Nays (0), Absent (0).

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03-04-24- X c

RESOLUTION TO APPROVE ISSUANCE OF RFQ FOR STREET SWEEPING

Moved by Councilwoman Manica
Supported by Council President Thomas

WHEREAS, the City of Highland Park has 7 miles of major roadways and 46 miles of local roadways; and

WHEREAS the appearance of the city is vital to the health, safety and well-being of the residents and the public at large; 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, removing debris from the streets allows for the flow of water into the storm system and prevents street flooding due to clogged drains; and

WHEREAS, DPW wishes to issue an RFQ because Progressive Sweeping's contract expired at the end of 2023; and

NOW THEREFORE BE IT RESOLVED that the City authorizes DPW to issue an RFQ for street sweeping. Yeas (5), Nays (0), Absent (0).

ADJOURNMENT:

Moved by Councilwoman Manica
Supported by Council President Thomas

To adjourn; the meeting adjourned at 8:45 p.m.