

MINUTES OF THE REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL

December 3, 2018

Council convened at 7:09 p.m. with Council President Patrick presiding.

Present: Council Pro Tem McDonald, Councilmember Woodard, Councilmember Lewis, Councilmember Bates 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 Councilmember Woodard

To approve the agenda with the following changes.

Remove agenda item VIII b from Community Development a resolution to approve contract for OHM to provide a Community Visioning Plan and Development Strategy for the Highland Park High School Site.

Add a resolution approving settlement in the case of Jackson vs. City of Highland Park.

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

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APPROVAL OF MINUTES

Moved by Councilmember Lewis

Supported by Councilmember Bates

To approve the minutes from the Workshop Meeting held November 19, 2018. Yeas (5), Nays (0), Absent (0).

Moved by Councilmember Lewis

Supported by Councilmember Bates

To approve the minutes from the Regular Meeting held November 19, 2018. Yeas (5), Nays (0), Absent (0).

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TABLED ITEM:

12-3-V.

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To remove the resolution to accept the contract of R.G. Williams & Son to rehab 134 W. Grand, 385 Cortland and 30 Rhode Island from the table. Yeas (5), Nays (0), Absent (0).

Moved by Councilmember Lewis

Supported by Councilmember Bates

To remove the resolution to accept the contract of R.G. Williams & Son from the agenda. Yeas (5), Nays (0), Absent (0).

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ORDINANCE-FINAL READING:

12-3-VI. a

Moved by Council Pro-Tem McDonald

Supported by Councilmember Lewis

THIS SHALL BE KNOWN AS THE FINAL READING OF THE ORDINANCE to amend the Highland Park Administrative Code, Chapter 208, by amending Section 208.10 to adopt policies and procedures for the sale of vacant lots.

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.

- B. 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.
- C. Examining the use to which the vacant lot can or will be put and the cost of acquisition, demolition and improvement.
- D. 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

Identification of the public purpose involved in the proposed land transaction.

- A. At a price which shall be not less than its market value, as determined and certified by the Assessor.
- B. 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.
- C. 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.

SHALL THIS ORDINANCE PASS?

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

This shall be the final reading to amend Highland Park Administrative Code, Chapter 208, and Section 208. 10..

Council requested a copy of the application be given to each member.

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12-3-VI. b

Moved by Council Pro Tem McDonald  
Supported by Councilmember Lewis

THIS SHALL BE KNOWN AS THE FINAL READING OF THE 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:

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:
- 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.
- A. 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:

The Purchaser must submit an Offer to Purchase Application and pay a \$25 non refundable fee.

A. 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.

B. Purchaser must maintain the commercial lot with structure in accordance with city ordinance.

C. Purchasers cannot owe personal or corporate past due taxes, unpaid blight bills nor unpaid water bills; and/or any other indebtedness to the City.

D. Not have any code violations within the past 18 months.

E. Secure the lot with structure, remove debris and maintain the land within 14 days after closing;

F. If not current, Purchaser must pay the annual taxes on the property and stay current on water bills after purchase.

G. 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.

B. 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.

C. 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.

SHALL THIS ORDINANCE PASS?

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

This shall be the final reading to amend Highland Park Administrative Code, Chapter 208, and Section 208.11.

Council requested a copy of the application be given to each member.

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CITY ADMINSTRATOR:

12-3-V11.a

APPROVE THE CORRECTIVE ACTION PLAN FOR THE GENERAL EMPLOYEES RETIREMENT PLAN, THE POLICEMEN AND FIREMEN RETIREMENT SYSTEM AND THE PUBLIC SAFETY RETIREMENT PLAN IN ACCORDANCE WITH PUBLIC ACT 202 OF 2017

WHEREAS, the City of Highland Park General Employees Retirement Plan, the Policemen and Firemen Retirement System, and the Public Safety Retirement Plan are single-employer defined benefit pension plans, and

WHEREAS, these defined benefit pension plans are less than 60% funded and the actuarially determined contribution for all of the defined benefit pension retirement systems of the City of Highland Park is greater than 10% of City's annual governmental fund revenues, and

WHEREAS, under the provisions of Public Act 202 of 2017, the City of Highland Park, In April 2018, requested a waiver on the 60% funding requirement and the cited a court-ordered dedicated millage funding source, and

WHEREAS, under the provisions of Public Act 202 of 2017, the City of Highland Park, in April 2018, requested a waiver on the 60% funding requirement and cited a court-ordered dedicated millage funding source, and

WHEREAS, under the provisions of Public Act 202 of 2017, the City of Highland Park was denied a waiver on the 60% funding requirement and is now required to submit a corrective action plan to reach the 60% funding, and

WHEREAS, under the following corrective action plan the city is expected to reach greater than 60% by 2028 for both the General Employees Retirement Plan and the Police and Firemen Retirement System and greater than 60% funding by 2040 for the Public Safety Retirement System.

1. Court-ordered levy for annual pension payments
2. Annual contribution minimum toward the funding deficit from the General Fund
  - a. \$100,000 to General Employees Retirement System
  - b. \$100,000 to Policemen and Firemen Retirement System
  - c. \$100,000 to the Public Safety Retirement System

BE IT FINALLY RESOLVED that the Highland Park City Council hereby approves the Corrective Action Plans for the three defined benefits plans and approves a 2019 appropriation of \$500,000 for transfer to the same from the General Fund. Yeas (5), Nays (0), Absent (0).

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12-3-VII-b

The following resolution was submitted for approval.

Moved by Councilmember Lewis

Supported by Council Pro Tem McDonald

RESOLUTION AMENDING RESOLUTION AUTHORIZING REDEMPTION AND AMENDMENT OF EMERGENCY LOAN NOTE (GENERAL OBLIGATION LIMITED TAX) 2013-14 SERIES 1

Whereas, THE City previously issued its Emergency Loan Note (General Obligation Limited Tax) 2013-14 Series I (the “2014 Note) pursuant to the provisions of the Emergency Municipal Loan Act, Act 23, Public Acts of Michigan, 1980, as amended 9”Act 243”); and

WHEREAS, the City Council by resolution adopted on October 15, 2018 (the ‘Original Resolution”), authorized the Authorized Officers to (1) apply all or a portion of the Accrued Balance to redeem a portion of the next, successive annual principal maturities’ of the 2014 Note and (2) amend the 2014 Note in order to adjust to a level and/or accelerated debt service thereon to provide for an even Unlimited Tax Levy though final maturity date of the 2014 Note; and

WHEREAS, based on negotiation with representatives of the Department, the Board and their attorneys since the Original Resolution was adopted, the City Council desires to amend the Original Resolution to authorize the Authorized Officers to : (1) amend the 2014 Note (as amended, the “Amended Note”) by a written instrument (the “Amendment to the Note”) to provide for the prior redemption of all or a portion of the annual principal payments thereof in such order and in such amounts as mutually determined by the State of Michigan and the City and (2) apply all or a portion of the Accrued Balance to redeem a portion of the annual principal installments in accordance with the redemption provisions of the Amended Note.

NOW THEREFORE, BE IT RESOVED THAT:

1. Defined Terms. Capitalized terms used herein but not defined herein shall have the meanings assigned them in the Original Resolution.
2. Amendment to Section 1 of the Original Resolution. Section 1 of the Original Resolution is hereby amended and restated in it's entirely as follows:

Section 1. The Mayor, the City Administrator, and the Finance Director of the City (each and "Authorized Officer") are each authorized and directed to utilize up to One Million Two Hundred Thousand Dollars (\$1,200,000) of the Accrued Balance in order to redeem the annual principal maturities on the 2014 Note in inverse order, or such other order as approved by an Authorized Officer upon the recommendation of the City's Municipal Advisor and agreed to by the State, in accordance with the terms of the Amended Note.

3. Amendment to Section 2 of the Original Resolution. Section 2 of the Original Resolution is hereby amended and restated in it's entirely as follows:

Section 2 Each Authorized Officer is hereby authorized to provide all notices, to execute such documents and certificates as may be necessary, and to submit and/or make all required requests, filings and applications with the Department and the Board to effectuate the redemption of certain maturities of the 2014 Note and to effectuate the amendment of the 2014 Note.

4. Amendment to Section 3 of the Original Resolution. Section 3 of the Original Resolution is hereby amended and restated in its entirety as follows:

Section 3 The Amendment to the Note shall be executed by the Mayor and the City Clerk on behalf of the City, and fully executed Amendment to the Note shall be delivered to State in accordance with its delivery instructions.

5. Amendment to Section 4 of the Original Resolution. Section 4 of the Original Resolution is hereby amended and restated in its entirety as follows:

Section 4. The City hereby acknowledges that the amendment of the 2014 Note may require amendment of the underlying loan (the "Loan") which is evidenced by the 2014 Note. If necessary, each Authorized Officer is hereby authorized to execute an amendment to the loan agreement (the "Amended Emergency Loan Agreement") pursuant to an Order of the Board (the "Order"), which Order and Amended Emergency Loan Agreement may contain terms and conditions of the Loan as amended. Each Authorized Officer is hereby authorized to accept such terms and conditions if he/she determines that accepting such terms and conditions is in the best interest of the City, and once accepted, such terms and conditions of any such Order and Amended Emergency Loan Agreement shall be binding on the City.

6. Addition of Section 9 to the Original Resolution. The Original Resolution is hereby amended to add a new Section 9 as follows:

Section 9. The Amendment to the Note shall be in substantially the following form, with such modifications, additions, changes and deletions as may be required by the Board and approved by an Authorized Officer. Yeas (5), Nays (0), Absent (0).

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COMMUNITY DEVELOPMENT:

12-3-VIII.a

The following resolution was submitted for approval.

RESOLUTION TO ACCEPT THE CONTRACT BETWEEN THE CITY OF HIGHLAND PARK AND MULTI-PROFESSIONAL SERVICES FOR DEMOLITION OF 12024 WOODWARD, 120 FARRAND PARK, 386 ELMHURST AND 250 MOSS.

I am requesting that you approve the contract between the City of Highland Park and Multi-Professional Services for the demolition of 12024 Woodward, 120 Farrand Park, 386 Elmhurst and 250 Moss. Community Development Block grant funds will be used for this project.

Moved by Councilmember Woodard  
Supported by Councilmember Lewis

To table this item. Yeas (5), Nays (0), Absent (0).

12-3-VIII.b

The following resolution was submitted for approval.

RESOLUTION TO APPROVE CONTRACT FOR OHM TO PROVIDE A COMMUNITY VISIONING PLAN AND DEVELOPMENT STRATEGY FOR THE HIGHLAND PARK HIGH SCHOOL SITE.

The City of Highland Park is a recipient of a grant from the Michigan Department of Treasury in the amount of \$20,000 for the purpose of a Community Visioning project. Highland Park is in the process of engaging with stakeholders and residents to find the best use and purpose for the Highland Park High School site. OHM was selected from multiple bidders.

I request that the contract for OHM to provide a Community Visioning Plan and Development Strategy for the Highland Park High School site be approved.

Moved by Councilmember Lewis  
Supported by Councilmember Woodard

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

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LEGAL:

12-3-VIII-c

Request approval of Settlement Agreement and Release of Claims in the case of Andrew Jackson, Jr. vs Ronald Dupuis.

Moved by Councilmember Lewis  
Supported by Councilmember Woodard

To approve the Settlement Agreement and Release of Claims in the case of Andrew Jackson, Jr. vs. Ronald Dupuis. Yeas (5), Nays (0), Absent (0).

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OUTSIDE COMMUNICATION:

12-3-IX

The following communication was received from COMCAST re: Price Changes

All of us at Comcast are committed to delivering the entertainment and services our customers in Highland Park rely on today, and the new experiences they will love in the future. As we continue to invest in our network, products and services, the cost of doing business rises. One of our largest costs, and one that continues to increase, is the fees we pay to programmers so that we can continue to offer the best in entertainment, news and sports. As a result, starting January 1, 2019, prices for certain services and fees will be increasing, including the Broadcast TV Fee and Regional Sports fee. Please see the enclosed price list for more information.

Also, effective on January 1, 2019, Fuse will no longer be available on the channel line-up.

While some prices may increase, we continue to invest in technology to drive innovation. We are working hard to bring our customers great value every day and exciting new developments in the near future, including:

Talk to the X 1 Voice Remote to navigate content  
We offer the first talking TV guide for those with visual disabilities  
Netflix, YouTube, Pandora, and Sling TV and more apps are available on X 1  
We continue to make customer interactions simpler with more all-digital tools as an alternative to visiting a store or calling  
Speed upgrades allowing us to offer the fastest Internet speeds to the most homes in the country  
Control of home WIFI from anywhere, on any device, with XFI  
19 million Xfinity WIFI hotspots available nationwide  
We know you may have questions about these changes. If I can be of any further assistance,  
please contact me at 248-359-6514.

Moved by Council Pro Tem McDonald  
Supported by Councilmember Lewis

To received and file. Yeas (5), Nays (0), Absent (0).

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#### CITY COUNCIL AFFAIRS:

12-3-X

Approval of Highland Park City Council 2019 Meeting Schedule.

Moved by Councilmember Lewis  
Supported by Council Pro Tem McDonald

To approve the 2019 Highland Park City Council meeting schedule as submitted. Yeas (5), Nays (0), Absent (0).

2019

#### HIGHLAND PARK CITY COUNCIL MEETING SCHEDULE

All Workshop and Regular Meetings of the Highland Park City Council are held the 1<sup>st</sup> & 3<sup>rd</sup> Monday of each month at 5:30 p.m. & 7:00 p.m. respectively, unless otherwise posted.

If a holiday falls on the scheduled date, the meeting will be held the following Tuesday

## Workshop & Regular Meetings

January 14<sup>th</sup> & 22<sup>nd</sup>

February 4<sup>th</sup> & 18<sup>th</sup>

March 4<sup>th</sup> & 18<sup>th</sup>

April 1<sup>st</sup> & 15<sup>th</sup>

May 6<sup>th</sup> & 20<sup>th</sup>

June 3<sup>rd</sup> & 17<sup>th</sup>

July 1<sup>st</sup> & 15<sup>th</sup>

August 5<sup>th</sup> & 19<sup>th</sup>

September 3<sup>rd</sup> & 16<sup>th</sup>

October 7<sup>th</sup> & 21<sup>st</sup>

November 4<sup>th</sup> & 18<sup>th</sup>

December 2<sup>nd</sup> & 16<sup>th</sup>

### ADJOURNMENT:

Moved by Councilmember Lewis

Supported by Council Pro Tem McDonald

To adjourn this meeting. Yeas (5), Nays (0), Absent (0), Meeting was adjourned at 8:15 p.m.

ADJOURNMENT:

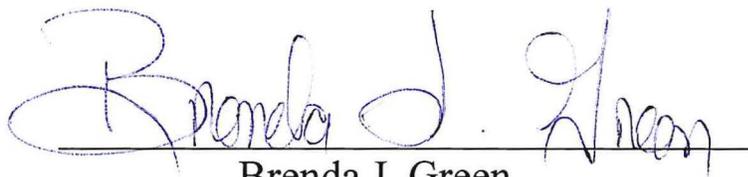
Moved by Councilmember Lewis

Supported by Council Pro Tem McDonald

To adjourn this meeting. Yeas (5), Nays (0), Absent (0), Meeting was adjourned at 8:15 p.m.

CERTIFICATE

I, hereby certify that the attached is a true copy of the proposed minutes of the Regular Meeting held on the 3rd day of December, 2018 and that said proposed minutes are available for public inspections at the address designated on the posted public notice.

A handwritten signature in blue ink that reads "Brenda J. Green". The signature is written in a cursive style with a horizontal line underneath the name.

Brenda J. Green  
City Clerk