

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

**December 19, 2022**

Council convened at 7:01 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick, Councilmember McDonald, Councilmember Bates, Councilmember Armstrong, and Council President Clyburn (5).

Absent: (0).

A quorum being present, Council was declared in session.

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**APPROVAL OF AGENDA**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

To approve the agenda with the removal of item Vb and add items from City Administrator, Community Development and Public Works. Yeas (5), Nays (0), Absent (0).

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**APPROVAL OF MINUTES**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Armstrong

To approve the minutes of the In-Person and Virtual Workshop meeting held December 5, 2022. Yeas (5), Nays (0), Absent (0).

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Moved by Councilmember Armstrong  
Supported by Council Pro Tem Patrick

To approve the minutes of the In-Person and Virtual Regular meeting held December 5, 2022. Yeas (5), Nays (0), Absent (0).

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**ORDINANCE FINAL READING  
12-19-22 V**

The Clerk stated this was the final 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.

ORDINANCE 208.11

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 shall auction residential homes owned by the City on a quarterly basis.

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. Upon a successful bid, the auction winner must commence rehabilitation of each residential home 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.

4. The Purchaser must board up and otherwise secure the residential homes within 14 days of purchase and keep secure before, during and up to the completion of any project.

5. Commercial structures - Commercial structures are categorized in two classifications:

A. Demolish – Commercial structures 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 structures 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
6. For individuals/businesses purchasing commercial structures, the following conditions apply:
- A. The Purchaser must submit an Offer to Purchase Application and pay a \$50 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 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 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.
7. Upon completion, the City shall certify the property prior to allowing occupancy or resale.
8. 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. 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.

e. This section shall not apply to real estate purchased pursuant to a United States Department of Housing and Urban Development program.

f. 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.

g. 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.

h. 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 Patrick  
Supported by Councilmember McDonald

This shall be the final reading of amendment of Chapter 208 by adding section 208.11 to adopt policies and procedures for the sale of real property other than vacant lots. Yeas (5), Nays (0), Absent (0).

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**TABLED ITEMS**  
**12-19-22 VI a**

The following item was tabled at the December 5, 2022 meeting.

Moved by Councilmember Armstrong

To bring back the following item.

**RESOLUTION TO SOLICIT QUOTES TO CUT GRASS ON 1,470 CITY-OWNED PROPERTIES**

\*\* Motion died, lack of support, this item remains tabled \*\*

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**12-19-22 VI b**

The following item was tabled at the December 5, 2022 meeting.

**RESOLUTION TO ISSUE RFQ TO SOLICIT BIDS FOR STREET SWEEPING**

\*\* No action taken, this item remains tabled \*\*

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**12-19-22 VI c**

The following item was tabled at the December 5, 2022 meeting.

**REQUEST ISSUE RFQ TO SOLICIT BIDS FOR ON CALL PROFESSIONAL TREE TRIMMING/ARBORIST SERVICES**

\*\* No action taken, this item remains tabled \*\*

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**CITY ADMINISTRATOR  
12-19-22 VII**

The following resolution was submitted for approval.

**RESOLUTION TO AMEND CONTRACT WITH YEO & YEO FOR FINANCIAL AUDIT SERVICES**

Moved by Councilmember Bates  
Supported by Councilmember Armstrong

**WHEREAS**, the primary purpose of the auditing and reporting requirements of PA 2 of 1968 is to maintain the confidence of all interested parties in the integrity of the record keeping and financial reporting of local units of government; and

**WHEREAS**, on April 20, 2020, Highland Park approved a contract with Yeo & Yeo for the audit of the financial accounts and records covering fiscal years 2019/2020 and 2020/2021 with an optional third year of 2021/2022; and

**WHEREAS**, on July 20, 2020, Highland Park approved an amendment for \$12,000 to audit the beginning balances for the 2019/2020 fiscal year; and

**WHEREAS**, on 6/7/21, Highland Park approved an amendment for Yeo & Yeo to perform a single audit for the 2020/2021 FY for a cost of \$6,000; and

**WHEREAS**, on 4/18/22, Highland Park approved an optional third year (the 2021/2022-year audit) at a cost of \$40,000, approved a single audit, if required, for a cost not to exceed \$10,000 and authorized a retainer of \$10,000; and

**WHEREAS**, the City wishes to add three additional years at the base fees listed below, and:

Fiscal Year	Base Fee
2022/2023	\$55,000
2023/2024	\$60,000
2024/2025	\$65,000

**WHEREAS**, if required the City wishes to add single audits at a cost not to exceed \$10,000/year; and

**WHEREAS**, if required, the City authorizes a retainer of \$10,000/yearly (included in base amount), and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Highland Park approves an addendum to the Yeo & Yeo contract to audit the financial accounts and records covering fiscal year 2022/2023 for a base fee of \$55,000, 2023/2024 for a base fee of \$60,000 and 2024/2025 for a base fee of \$65,000 along with single audits, if required, for a price not to exceed \$10,000/year, and a retainer of \$10,000/year, if required (included in base fee). Yeas (5), Nays (0), Absent (0).

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**CITY COUNCIL  
12-19-22 VIII**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Armstrong

To approve the corrected City Council 2023 meeting schedule. Yeas (5), Nays (0), Absent (0).

Workshop & Regular Meetings	
January 2 <sup>nd</sup> at 8:00 p.m. ( <i>per City Charter section 5-1</i> )	
January 17 <sup>th</sup>	July 3 <sup>rd</sup> & 17 <sup>th</sup>
February 6 <sup>th</sup> & 21 <sup>st</sup>	August 7 <sup>th</sup> & 21 <sup>st</sup>
March 6 <sup>th</sup> & 20 <sup>th</sup>	September 5 <sup>th</sup> & 18 <sup>th</sup>
April 3 <sup>rd</sup> & 17 <sup>th</sup>	October 2 <sup>nd</sup> & 16 <sup>th</sup>
May 1 <sup>st</sup> & 15 <sup>th</sup>	November 6 <sup>th</sup> & 20 <sup>th</sup>
June 5 <sup>th</sup> & 20 <sup>th</sup>	December 4 <sup>th</sup> & 18 <sup>th</sup>

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**COMMUNITY DEVELOPMENT  
12-19-22 IX a**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE THE REZONING OF 13847 HAMILTON FOR THE MEANS  
HIGHLAND PARK, LLC, FROM MIXED URBAN VILLAGE (M-UV) TO INDUSTRIAL  
RESEARCH DEVELOPMENT (IRD)**

Moved by Councilmember Bates  
Supported by Councilmember Armstrong

**WHEREAS**, the Planning Commission held a public hearing on November 30, 2022 at 5:30pm to review the request from Means Highland Park, LLC to rezone the 13847 Hamilton and;

**WHEREAS**, the Planning Commission held another meeting on Monday, December 12, 2022 to vote on the request from Means Highland Park, LLC and;

**WHEREAS**, the intended use for this parcel is for warehouse/ light-industrial use and surrounding parcels are zoned Industrial Research Development (IRD) and;

**WHEREAS**, the Planning Commission recommended approval for the request of the Means Highland Park, LLC to rezone the 13847 Hamilton from "M-UV" to "IRD" and;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council approves the request to rezone 13847 Hamilton from Mixed Urban Village (M-UV) to Industrial Research Development (IRD). Yeas (4) Clyburn, Patrick, Bates and Armstrong, Nays (1) McDonald, Absent (0).

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**12-19-22 IX b**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE PARK PLAZA 9 DIVIDED HOUSING ASSOCIATION, LLC  
TO BE LOCATED AT 13321 HAMILTON AVENUE**

Moved by Councilmember Bates  
Supported by Council Po Tem Patrick

**WHEREAS**, the Park Plaza 9 Divided Housing Association, LLC had proposed a housing development to be placed on property located at California and Woodward Avenue; and,

**WHEREAS**, the proposed location might be better suited for a different use; and,

**WHEREAS**, the Park Plaza 9 Divided Housing Association, LLC would be a benefit to the citizens of Highland Park; and,

**WHEREAS**, 13321 Hamilton Avenue appears to be a suitable site for the development; and,

**WHEREAS**, due to the new location, the Park Plaza 9 Divided Housing Association, LLC, must still follow the proper process and procedures to secure the necessary approvals from all departments involved in the development.

**NOW, THEREFORE, BE IT RESOLVED**, that the Highland Park City Council approves the Park Plaza 9 Divided Housing Association, LLC, project to be located at 13321 Hamilton Avenue or some other suitable site. Yeas (5), Nays (0), Absent (0).

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**12-19-22 IX c**

The following resolution was submitted for approval.

**RESOLUTION TO SELL THE VACANT COMMERCIAL LOT AT 15 VICTOR TO  
ANGELO DARRYL FREEMAN**

Moved by Councilmember McDonald  
Supported by Councilmember Armstrong

To table the above item. Yeas (3) McDonald, Bates and Armstrong, Nays (2) Clyburn and Patrick. Item tabled.

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**ENGINEERING  
12-19-22 X**

The following resolution was submitted for approval.

**A RESOLUTION TO ACCEPT WAYNE COUNTY ANNUAL MAINTENANCE PERMIT  
A-23058, ANNUAL PAVEMENT RESTORATION PERMIT A-23113, ANNUAL PERMIT FOR  
SPECIAL EVENTS A-23146 AS REQUESTED BY THE CITY ENGINEERING DEPARTMENT**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates



**WHEREAS**, City of Highland Park (hereinafter the “Community”) periodically applies to the County of Wayne Department of Public Services, Engineering Division Permit Office (hereinafter the “County”) for permits to conduct emergency repairs, annual maintenance work, and for other purposes on local and County road located entirely within the boundaries of the Community, as needed from time to time to maintain the roads in a condition reasonably safe and convenient for public travel;

**WHEREAS**, pursuant to Act 51 of 1951, being MCL 247.651 et seq., the County permits and regulates such activities noted above and related to temporary road closures;

**NOW THEREFORE, BE IT RESOLVED**, in consideration of the County granting such permit (hereinafter the “Permit”), the Community agrees and resolves that:

Any work performed for the Community by a contractor or subcontractor will be solely as a contractor for the Community and not as a contractor or agent of the County. Any claims by any contractor or subcontractor will be the sole responsibility of the Community. The County shall not be subject to any obligations or liabilities by vendors and contractors of the Community, or their subcontractors.

The Community shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the Permit which results in claims being asserted against or judgment being imposed against the County, and all officers, agents and employees thereof pursuant to a maintenance contract. In the event that same occurs, for the purposes of the Permit, it will be considered a breach of the permit thereby giving the County a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgement for money damages.

With respect to any activities authorized by Permit, when the Community requires insurance on its own or its contractor’s behalf, it shall also require that such policy include as named insured the County of Wayne and all officers, agents and employees thereof.

The incorporation by the County of this Resolution as part of a permit does not prevent the County from requiring additional performance security or insurance before issuance of a Permit.

This Resolution stipulates that the requesting Community shall, at no expense to Wayne County, provide necessary police supervision, establish detours and post all necessary signs and other traffic control devices in accordance with the Michigan Manual of Uniform Traffic Control Devices.

This Resolution stipulated that the requesting Community shall assume full responsibility for the cost of repairing damage done to the County road during the period of road closure or partial closure.

This Resolution shall continue in force from the date of execution until cancelled by the Community or the County with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the Community with regard to any Permit which has already been issues or activity which has already been undertaken.

The Community stipulates that it agrees to the terms of the County of Wayne permit at the time of permit is signed by the Community’s authorized representative.

**BE IT FURTHER RESOLVED**, that the following individual is authorized in their official capacity as the Community’s authorized representative to sign and so bind the Community to the provisions of any and all permits applied for to the County of Wayne, Department of Public Services Engineering Division Permit Office for necessary permits from time to time to work within County road right-of-way or local roads on behalf of the Community. Yeas (5), Nays (0), Absent (0).

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**PUBLIC WORKS  
12-19-22 XI**

The following resolution was submitted for approval.

**RESOLUTION TO APPROVE EMERGENCY ELEVATOR REPAIRS**

Moved by Councilmember McDonald  
Supported by Council Pro Tem Patrick

**WHEREAS**, on several occasions, the basement of City Hall, as well as the elevator, has been flooded; and

**WHEREAS**, as a result of this flooding, Highland Park's insurance premium has increased substantially; and

**WHEREAS**, the elevator has been down two weeks since the State Elevator Inspector has red-tagged the elevator; and

**WHEREAS**, the State Elevator Inspector will not make it operational until the elevator pit is cleaned and waterproofed to insure that future flooding is minimized; and

**WHEREAS**, the City is requesting emergency funding to clean and waterproof the elevator pit as well as to repair the other miscellaneous inspection violations; and

**NOW, THEREFORE, BE IT RESOLVED** that the City approves up to \$15,000 for all emergency elevator repairs. Yeas (5), Nays (0), Absent (0).

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**OUTSIDE COMMUNICATION  
12-19-22 XII**

The following communication was received from Sydney Spight President/ CEO Parker Pride Alumni Association.

Parker Pride Alumni Association is preparing for our fourth Parade. Sponsorship is getting really hard to find so I and Mr. Turner (President and CEO of Rehab Highland Park) came up with the idea of the Mayor gifting us the Caucus Club at 12011 Hamilton Avenue to raise money to continue doing what we started doing 12 years ago.

Rehab Highland Park has a lot of sponsors and knows how to receive grants for large projects. We have a contractor looking at the building now to see what it would take to bring this building back to what we know as the Caucus Club.

We are asking City Council to help us obtain this property free and clear with no fees or leans or pass bills that could help us create funding for our organization. The name will not change and it's a nonprofit for us. The money that it generates will go toward my non-profit and his to continue doing what we're known for; bringing love and activities back to our city. We have a presentation to show how we're going

to bring this building back to standards.

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

To receive and file the above communication. Yeas (5), Nays (0), Absent (0).

## **ADJOURNMENT**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

To adjourn the meeting, motion carried, meeting adjourned at 8:39 p.m.

**CERTIFICATE**

I hereby certify that the attached is a copy of the minutes of the In-Person and Virtual Regular Meeting held the 19<sup>th</sup> of December 2022 and that said minutes are available for public inspection at the address designated on the posted public notice.

A handwritten signature in blue ink, appearing to read 'Cidia Wicker-Brown', with a decorative flourish at the end.

Cidia Wicker-Brown, Deputy City Clerk