

MINUTES OF THE REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL

February 4, 2019

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

Present: Councilmember Woodard, Councilmember Lewis, Councilmember Bates and Council President Patrick. (4).

Absent: Council Pro Tem McDonald (1) (excused)

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To approve the agenda. Yeas (4), Nays (0), Absent (1)

APPROVAL OF MINUTES

Moved by Councilmember Lewis

Supported by Councilmember Bates

To approve the minutes from the Workshop Meeting held January 22, 2019. Yeas (4), Nays (0), Absent (1).

Moved by Councilmember Woodard

Supported by Councilmember Lewis

To approve the minutes from the Regular Meeting held January 22, 2019. Yeas (4), Nays (0), Absent (1).

COMMUNITY DEVELOPMENT:

02-4-19 V-a

The following communication was received from the Director.

Re: Amended Resolution for 2018-2019 Community Development Block Grant (CDBG) for Property at 33 Tennyson.

I request that you approve the Amended Resolution to Approve the Contract for the home at 33 Tennyson. After a walk through with the contractor, the bid was increased to \$7,635.00.

Moved by Councilmember Woodard
Supported by Councilmember Bates

WHEREAS, the FY 2018-19 Community Development Block Grant (CDBG) program is funded by the Federal Department of Housing and Urban Development (HUD); and

WHEREAS, the City of Highland Park has been allocated federal funds through the Community Block Grant (CDBG) program to be used to provide rehabilitation to benefit low-and moderate-income persons, as defined by the U.S. Department of Housing and Urban Development (at or below 80% of median family income, adjusted for household size); and

WHEREAS, the home owners of the property at 33 Tennyson have applied for and were approved for a bathroom rehabilitation project under the CDBG program; and

WHEREAS, Highland Park has received bids for the work at 33 Tennyson with the winning bid being from Executive Construction Management Company (ECM) for \$4,875 and

WHEREAS, a walk through with the contractor before commencement of work revealed that the sub-flooring was significantly damaged and in need of replacement and, as a result, the bid was increased to \$7,635 and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Highland Park approves the amended contract for Executive Construction Management Company in the amount of \$7,635 to be funded by the Federal Department of Housing and Urban Development CDBG program. Yeas (4), Nays (0), Absent (1).

DEPARTMENT OF PUBLIC SERVICES:

02-4-19-VI-a

The following resolution was submitted for approval.

**RFP FOR ON-CALL ELECTRICAL AND PLUMBING REPAIR, REPLACEMENT AND MAINTENANCE
SERVICES FOR THE CITY OF HIGHLAND PARK, MICHIGAN**

Moved by Councilmember Lewis
Supported by Councilmember Bates

WHEREAS, the City of Highland Park has an obligation to insure that its electrical and plumbing infrastructures are able to 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. The successful contractors will also provide preventive maintenance and repair services and;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Highland Park that the Department of Public Works be allowed to issue two RFPs: 1) for on-call electrical services and 2) for on-call plumbing services. Yeas (4), Nays (0), Absent (1).

02-4-19-VI-b

The following resolution was submitted for approval.

RESOLUTION TO APPROVE PAYMENT OF TREE TRIMMING INVOICE AND RETAIN ASPLUNDH TREE EXPERT COMPANY AS THE CITY'S EMERGENCY, ON-CALL TREE TRIMMING CONTRACTOR

Moved by Councilmember Lewis

Supported by Councilmember Woodard

To amend the resolution. Yeas (4), Nays (0), Absent (1)

Moved by Councilmember Lewis

Supported by Councilmember Woodard

WHEREAS, the City of Highland Park Department of Public Works made several good faith efforts to seek qualified bids for tree trimming services to prune overgrown trees and remove dangerous and/or dead trees that pose serious liability to the City and its residents; and

WHEREAS, despite its efforts, no qualified bids were received; and

WHEREAS, Asplundh Tree Expert Company (Asplundh) a bonded, licensed, and insured tree trimming company, responded to the City's needs and performed tree trimming services, throughout the City; and

WHEREAS, Asplundh charged the City a total of \$35,435 for its tree trimming services, which amount is reflected on the attached; and

WHEREAS, these funds qualify for payment under Act 51

NOW, THEREFORE, BE IT RESOLVED, the City Council approves payment of the invoices in the amount of \$35,435 to be paid only if invoices for Attorney Herb Sanders in the amount \$7,500 be paid in the lawsuit of Highland Park Charter Commission v. City of Highland Park and Brenda Green, City Clerk.

BE IT FURTHER RESOLVED, that Asplundh be retained as the City of Highland Park's emergency, on-call tree trimming contractor. Yeas (4), Nays (0), Absent (1).

FIRE DEPARTMENT:

02-04-19-VII-a

The following resolution was submitted for approval.

RESOLUTION TO PAY INVOICE FOR FIRE HYDRANT MARKERS

Moved by Councilmember Lewis

Supported by Councilmember Woodard

WHEREAS, as part of its ongoing effort to enhance safety measures and upgrade the City's fire hydrants, the City of Highland Park Fire Department would like to install fiberglass hydrant markers to make fire hydrants more visible; and

WHEREAS, Hy-Viz Incorporated, a company that specializes in installing such markers, has quoted a price of \$7,000.60 for 580 markers; and

WHEREAS, the quoted amount is available in the Fire Department's budget

NOW THEREFORE, BE IT RESOLVED, that City Council approves the payment of the Hy-Viz invoice in the amount of \$7,000.60. Yeas (4), Nays (0), Absent (1).

POLICE DEPARTMENT:

02-04-19-VIII-a

The following resolution was submitted for approval.

RESOLUTION APPROVING FUNDING FOR NEW POLICE RADIOS

Moved by Councilmember Lewis

Supported by Councilmember Bates

WHEREAS, the Highland Park Police Department requires portable (prep) radios to operate safely and effectively; and

WHEREAS, the Highland Park Police Department recently changed its organizational structure which employs more officers patrolling the City of Highland Park concurrently; and

WHEREAS, the Highland Park Police Department require 6 additional radios to enforce its mission of protecting the citizens and property in the City of Highland Park; and

NOW, THEREFOR BE IT RESOLVED that City Council approves the funding of \$19,477.70 for new police adios. Yeas (4), Nays (0), Absent (1).

02-04-19 VIII-b

The following resolution was submitted for approval.

RESOLUTION APPROVING FUNDING FOR ECD (TASERS)

Moved by Councilmember Bates

Supported by Councilmember Lewis

WHEREAS, the Highland Park Police Department currently utilizes a less lethal tool manufactured by Taser that uses electronic pulses in accordance with department policy; and

WHEREAS, the Highland Park Police Department is required to replace these tools every (5) years and certify officers every (2) years in the effects, use and deployment when acting in their official capacities; and

WHEREAS, the Highland Park Police Department has conducted an evaluation and is requesting (10) of these tools for use in the department. Furthermore, the department has seen a significant reduction in use of force incidents when these tools are available. The department has identified forfeiture funding that doesn't require the use of the general fund, and

NOW THEREFORE BE IT RESOLVED, that City Council approves the total funding of \$35,200.00 over (5) equal annual payments. Yeas (4), Nays (0), Absent (1)

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02-04-19-VIII-c

The following resolution was submitted for approval.

RESOLUTION APPROVING ADDITIONAL FUNDING FOR NEW POLICE VEHICLES

Moved by Councilmember Lewis

Supported by Councilmember Bates

WHEREAS, the Highland Park Police Department previously requested approval on the purchase of two new vehicles for \$60,000 and received approval and;

WHEREAS, the Highland Park Police Department intended on purchasing a new sport utility vehicle and sedan, however, the sedan is no longer being manufactured; and

WHEREAS, the Highland Park Police Department now wishes to acquire two 2020 Ford

Motor Company Sport utility vehicles that would require an additional \$10,614.00 for purchase and has identified forfeiture funding that doesn't require use of the general fund and;

NOW THEREFORE BE IT RESOLVED that City Council approves the additional funding of \$10,614 for new police vehicles. Yeas (4), Nays (0), Absent (1).

WATER DEPARTMENT:

02-04-19-IX-a

The following resolution was received for approval.

A RESOLUTION REQUESTING FOR FIRST AND SECOND PUBLIC HEARING AND COMMENT FOR DRINKING WATER REVOLVING FUND PROJECT PLAN APPLICATION FOR THE CITY OF HIGHLAND PARK

Moved by Councilmember Lewis

Supported by Councilmember Bates

WHEREAS, it is necessary for the City of Highland Park Water Department to address water main improvements identified in the 2016 MDEQ Violations Notice and the MDEQ Administration Consent Order; and

WHEREAS, the City Council has received and reviewed the 2020 DWRF Project Plan application; and

WHEREAS, it is the intent of the Water Department Director that if funds are awarded, shall be applied to improvements identified in the 2020 DWRF Project Plan Application for the City of Highland Park; and

WHEREAS, all comments received from citizens at a duly advertised public hearing will be documented; and

BE IT RESOLVED, that the City of Highland Park City Water Department requests a Public Hearing to be held at the regular City Council meetings of March 18th and April 1st to receive these comments regarding the 2020 DWRF Project Plan Application this 4th day of February, 2019.

Passed and adopted, this 4th day of February 2019 by the votes of Highland Park City Council. Yeas (4), Nays (0), Absent (1).

02-04-19-IX-b

The following resolution was received for approval.

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN EMERGENCY CONTRACT BETWEEN THE CITY OF
HIGHLAND PARK AND CPI EXCAVATING INCORPORATED**

Moved by Councilmember Lewis

Supported by Councilmember Bates

WHEREAS, the Water Department received a copy of letter dated December 17, 2018 from CPI Excavating Incorporated, who currently performs emergency water main and sewer infrastructure repair services in the City of Highland Park for Wade Trim Operations Services, Incorporated; and

WHEREAS, The Water Department issued a letter dated December 21, 2018 to Wade Trim Operations Services, Incorporated regarding a potential breach of contractual obligations outlined in their Operations Maintenance, Management of the Water and Wastewater System for Highland Park; and

WHEREAS, CPI Excavating Incorporated is the primary contractor that was being utilized by Wade Trim Operations Services and currently by the Water Department to complete emergency repairs for the water and sewer infrastructure in the city; and

WHEREAS, as part of the transition and ongoing breach discussions concerning Wade Trim, it has been brought to the Water Department's attention, that since the City of Highland Park does not have a signed contract with the current contractor performing water infrastructure repairs, nor the current entity that occupies the Water Department Customer Service Center, the City of Highland Park is unable to pay for repair services by CPI Excavating Incorporated; and

WHEREAS, the Water Department is requesting an amount not to exceed \$500,000 total be authorized to CPI Excavating Incorporated for the remainder of FY2019; and

WHEREAS, future emergency repair services budgetary constraints for CPI Excavating Incorporated will be renewed and determined on a fiscal year basis, as recommend by the Water Department Director and approved by City Council; and

BE IT RESOLVED, that the Highland Park City Council APPROVES the execution of the Contract with CPI Excavating Incorporated. Yeas (4), Absent (0), Nays (1)

2-04-19-IX –c

The following resolution was submitted for approval.

TO APPROVE PHASE II OF THE STORMWATER DRAINAGE AMNESTY PROGRAM FOR COMMERCIAL INDUSTRIAL AND CERTAIN TAX-EXEMPT CUSTOMERS

**Moved by Councilmember Woodard
Supported by Councilmember Lewis**

WHEREAS, for the City of Highland Park to Return to Excellence, it is important that each property owner utilizing the City infrastructure pay their share of the operating costs of the system; and

WHEREAS, the City of Highland Park Council enacted a storm water billing ordinance Section 1045 in July 2016 to recover drainage processing costs from all property in the City, and

WHEREAS, the Water Department continues to strive toward meeting the requirements of the Michigan Department of Environmental Quality (MDEQ) Administrative Consent Order and the State of Michigan Department of Treasury; and

WHEREAS, the City Water Department has been working to bring all properties into compliance with the ordinance; and

WHEREAS, as part of a Phase I Amnesty Program, the City of Highland Park Water Department offered residential customers an opportunity to settle on outstanding drainage charges on their accounts with the Water Department; and

WHEREAS, Phase I was enacted in part, to settle the requirements set forth in the 2014 Emergency Loan Agreement with the State of Michigan department of Treasury to ensure department billing was compliant with the terms of the agreement; and

WHEREAS, the City of Highland Park reached a \$1,000,000 settlement agreement in 2018 with the Michigan Department of Transportation (MDOT) for outstanding storm water charges and MDOT has been making timely payments on current monthly bills, and

WHEREAS, the City is in settlement discussions with Wayne County and the Michigan Land Bank Fast Track Authority (MLBFTA) for outstanding drainage charges, and

WHEREAS, as of February 1, 2019 all properties will be invoiced timely in coordinated with the water billing process and are expected to pay timely their current invoices, and

WHEREAS, the City of Highland Park Water Department will offer a second and final Phase II Amnesty Program for commercial, industrial, or certain tax-exempt customers for fees associated with the July 2016 to February 2019-time period to expedite resolution and collection of outstanding account balances; and

WHEREAS Phase II Amnesty customers shall be offered the following as part of the program for sixty (60) days, from February 4 to April 5, 2019, a commercial, industrial, or certain tax-exempt

customer, can settle on delinquent balances from 2016 to Jan 2019, with the Water Department, by paying in full, fifty percent (50%) of the outstanding balances (s) on the property's July 1, 2019 Tax Bills.

BE IT FINALLY RESOLVED, that the Highland Park City Council hereby:

- 1. Approves Phase II of the Water Department's drainage billing amnesty program for Industrial, commercial and certain tax-exempt customers.**
- 2. Restricts the amnesty program to those customers in good standing with the City and Not otherwise engaged in legal processes against the City.**
- 3. Directs the Water Departments to communicate the same to its customers**
- 4. Directs the City Clerk to publish and all needed information.**

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

CITY COUNCIL AFFAIRS:

**Moved by Councilmember Lewis
Supported by Councilmember Woodard**

To appoint Patricia Morgan as a member of the Board of Review for a two- year term effective February, 2019. Yeas (4), Nays (0), Absent (1).

**Moved by Councilmember Woodard
Supported by Councilmember Lewis**

To re-appoint Nathan Harvey and Florence Hamilton as members of the Board of Review for a two-year term effective February, 2019. Yeas (4), Nays (0), Absent (1).

**Moved by Councilmember Woodard
Supported by Councilmember Bates**

To appoint Raoul Harlin as a member of the Board of Review for a two-year term effective February, 2019. Yeas (4), Nays (0), Absent (1).


ADJOURNMENT:

**Moved by Councilmember Bates
Supported by Councilmember Lewis**

To adjourn this meeting; motion carried meeting adjourned at 8:34 p.m.

CERTIFICATE

I, hereby certify that the attached is a copy of the minutes of a Regular Meeting held on the 4th of February 2019. Minutes are available for public inspection at the address designated on the posted public notice.


Brenda J. Green, City Clerk