

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

**JULY 1, 2013**

**Council convened at 7:05 p.m. with Council President Christopher Woodard presiding.**

**Present: Councilmember Moore, Councilmember Patrick, Councilmember McClary  
and Council President Woodard (4)**

**Absent: Council Pro Tem Lewis (excused) (1).**

**A quorum being present, Council was declared in session.**

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**APPROVAL OF AGENDA:**

**Moved by Councilmember McClary  
Supported by Councilmember Moore**

**To approve the agenda with the addition of the following items.**

**1. The sale of an additional 3.67 acres of city owned land  
to Sunoco Corporation from the tree farm located in the  
City of Rochester, Michigan.**

**2. Appointment of two (2) councilmember's one (1) to the ERS Retirement System  
and one (1) to the Police and Fire Retirement Pension System.**

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

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**APPROVAL OF MINUTES:**

**Moved by Councilmember Moore  
Supported by Councilmember Patrick**

**To approve the minutes from the Regular Meeting held June 3, 2013. Yeas (4), Nays  
(0), Absent (1).**

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**30<sup>TH</sup> DISTRICT COURT:**

7-01-1

The following resolution was received from Chief Judge Brigette Officer-Hill.

Moved by Councilmember McClary  
Supported by Councilmember Patrick

WHEREAS, In accordance with MCL 600.8501 and 600.8503, Chief Judge Brigette Officer-Hill has requested the appointment of John L. Bennett as the Part-time (Non Attorney) Magistrate for the 30<sup>th</sup> District Court to handle certain matters pursuant to applicable statues and the State Court Administrator's Office guidelines, and will complete all necessary training and seminars as directed by SCAO, and

WHEREAS, the case load of the 30<sup>th</sup> District Court requires that a Magistrate be available to handle preliminary criminal matters, civil infractions and their related issues both administratively and through executor powers, and

WHEREAS, John Bennett, ( a previous Highland Park Police Officer for over 25 years) has the background and experience to execute the duties and responsibilities associated with the position, is a resident of the City of Highland Park, and is an elector in the City of Highland Park, and

WHEREAS, the budget of the 30<sup>th</sup> District Court already allows for this position and John Bennett will be appointed to fill the vacancy that has been created.

NOW THEREFORE LET IT BE RESOLVED, that the Highland Park City Council hereby approves the appointment of John L. Bennett as the Non-Attorney Magistrate of the 30<sup>th</sup> District Court in the City of Highland Park, effective July 1, 2013. Yeas (4), Nays (0), Absent (1).

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**ADMINISTRATION:**

07-01-2

The following resolution was received from administration.

**RESOLUTION TO APPOINT A CITIZEN TRUSTEE TO THE HIGHLAND  
PARK EMPLOYEE RETIRMENT SYSTEM**

Moved by Councilmember McClary  
Supported by Councilmember Patrick

**BE IT RESOLVED** that Highland Park City Council, per Section 18-3 (4) of the City Charter, which states “(a) citizen trustee, who shall be a citizen who is not a member, retirant or beneficiary of the retirement system, to be appointed by the Mayor by and with the consent of the Council, “hereby approves the appointment of Donya R. Armstrong of 98 Rhode Island St, Highland Park, Michigan 48203, as citizen trustee for the Employees’ Retirement System. Yeas (4), Nays (0), Absent (1).

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07-01-3

The following resolution was received from administration.

Moved by Councilmember McClary  
Supported by Councilmember Patrick

**RESOLUTION TO APPOINT A CITIZEN TRUSTEE TO THE HIGHLAND  
PARK POLICE AND FIREMEN RETIREMENT SYSTEM**

**BE IT RESOLVED** that the Highland Park City Council per Section 19-3 (5) of the City Charter, which states “(a)” citizens trustee, who shall be a citizen who is not a member, retirant or beneficiary of the retirement system, to be appointed by the Mayor by and with the consent of the Council, “hereby approves the appointment of Joel Simmons of 74 Moss St., Highland Park, Mi 48203, as a citizen trustee for the Policemen and Firemen System. Yeas (4), Nays (0), Absent (1).

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07-01-4

The following resolution was received from administration.

Moved by Councilmember McClary  
Supported by Councilmember Patrick

**RESOLUTION TO APPOINT ANTHONY ELAM TO THE CITY OF HIGHLAND  
PARK HOUSING COMMISSION**

**BE IT RESOLVED**, that the Highland Park City Council hereby approves the appointment of Anthony Elam of 39 Florence, Highland Park, Mi. 48203 to the Highland Park Housing Commission to serve out the term of Jerome Drain, who has resigned. Yeas (4), Nays (0), Absent (1).

**LEGAL:**

**07-1-5**

**Moved by Councilmember McClary  
Supported by Councilmember Patrick**

To place the ordinance to amend sections 803.02, 803.29 and 803.99 and add section 803.30-803.36 of the City Code to revise terminology and prohibit individuals from being employed in sexually-oriented businesses without a valid sexually-oriented business employee license in the City of Highland Park on the order of final reading and passage.

**“THIS SHALL BE KNOWN AS THE FINAL READING OF THE ORDINANCE”**

**SHALL THIS ORDINANCE PASS?**

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

\* Councilmember’s requested a fee schedule for this ordinance at their next Regular Meeting to be held July 15, 2013.

A copy of the complete ordinance was posted in the billboard case on the front wall of city hall and made available at the clerk’s office.

(See attached ordinance)

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\* Councilmember McClary stepped out of the meeting.

**Moved by Councilmember Patrick  
Supported by Councilmember Moore**

To recess the meeting Yeas (3), Nays (0), Absent (2) Councilmember McClary and Council Pro Tem Lewis meeting recessed at 8:15 p.m.

**Moved by Councilmember Moore  
Supported by Councilmember Patrick**

To reconvene the meeting. Yeas (4), Nays (0), Absent (1) Council Pro Tem Lewis meeting reconvened at 8:23 p.m.

07-01-6

The following resolution was received from Legal.

**RESOLUTION APPROVING THE SALE OF LAND TO SUNOCO CORPORATION**

Moved by Councilmember McClary  
Supported by Councilmember Patrick

**BE IT RESOLVED** that the Highland Park City Council hereby approves the sale of an additional 3.67 acres to Sunoco Corporation of the land owned by the City of Highland Park known as the Tree Farm in the City of Rochester Hills for a price of \$50,000 per acre. Council has requested that all proceeds from the sale be used to fix water leaks and breaks throughout the city. Yeas (4), Nays (0), Absent (1).

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**DEPARTMENT OF PUBLIC SERVICES:**

07-01-7

The following resolution was received from the Director.

**RESOLUTION TO APPROVE A BID FOR STREET REPAIR**

Moved by Councilmember McClary  
Supported by Councilmember Patrick

**BE IT RESOLVED**, that the Highland Park City Council, hereby approves an agreement between the City of Highland Park and Al's Asphalt Paving Co. to complete street repair work at Tuxedo for \$116,053.00 and West Grand for a total of \$157,737.00. Yeas (4), Nays (0), Absent (1).

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07-01-8

The following resolution was received from the Director.

**RESOLUTION TO APPROVE A BID FOR STREET REPAIR**

Moved by Councilmember McClary  
Supported by Councilmember Patrick

**BE IT RESOLVED** that the Highland Park City Council, hereby approves an agreement between the City of Highland Park and Al's Asphalt Paving Co. to complete street repair work at Midland for \$144,554.00 and Chandler for \$115,479.00. Yeas (4), Nays (0), Absent (1).

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**RECREATION DEPARTMENT:**

07-1-9

The following event space rental agreement was submitted for approval.

Request approval the rental agreement for B.A.S.S. Inc. to use Ernest T. Ford Field house on July 27, 2013 from 12 noon until 6:00 p.m. for a Seniors Resource Fair.

Moved by Councilmember Patrick  
Supported by Councilmember Moore

To table the request until the next regular meeting to be held on July 15, 2013. Yeas (3), Nays (1) Councilmember McClary, Absent (1).

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**OUTSIDE COMMUNICATION:**

07-1-10

The following communication was received from Khursheed Ash-Shafii.

Re: Reimbursement of \$12,000 lost for fail sale of 166 Colorado

I come before you with a very serious problem in my hands. About a little over three months ago 3/29/13 to be exact I Khursheed Ash-Shafii filed with the City of Highland Park an application to purchase the property at 166 Colorado, I paid the \$25 processing and waited for Mr. Robert A. Hudson to inspect the above named property which was done on 3/28/13 before the application was even filed.

Mr. Hudson inspected the property at 166 Colorado and assessed its value at \$1500. I Khursheed Ash-Shafii was then after the initial inspection given a purchase agreement by Mr. Hudson the very next day with a key to said property 166 Colorado.

Mr. Hudson then instructed me that I Khursheed Ash-Shafii could in fact begin working on said property at 166 Colorado after I Khursheed Ash-Shafii asked him if I could in fact begin working on 166 Colorado Mr. Hudson informed me that this was in fact allowed and that it would help me with pictures of the work being done to show to Council.

I Khursheed Ash-Shafii proceeded to start the work on 166 Colorado first replacing the roof to stop any farther water damage, and then I replaced the gutters on the house. This was in excess of \$3,000.

Next I Khursheed Ash-Shafii repaired all the broken windows on the house total number being 5 costs were \$154.87.

I Khursheed Ash-Shafii then replaced the front door with a new door cost being \$179.82. After that I place refurbished rod iron gates on all three doors the front, the back and the side doors cost being \$200.

The outside work was considerably more extensive:

40 yards of debris removal done by Raymunn's worldwide home improvement LLC to the tune of \$2,300.

Tree removal done by Amazon Management & Professional Tree service to the tune of \$3,800 removing in total 43 trees blow 8 feet and 27 trees over 8 feet.

Grand Total of \$12,459.69

This is the amount that I Khursheed Ash-Shafii lost due to Mr. Hudson misleading instructions. And the error was not caught by the City of Highland Park that I was working on a house not owned by the City of Highland Park, it was discovered by the Housing Commission maintenance inspector as he was driving by the house and saw me working on the house which I had been working on for over a month and a half. Which had he not have driven by and saw me we (meaning myself and the City of Highland Park) would have went through the entire house buying process only for me to find out my deed from the City of Highland Park would have been worthless.

I Khursheed Ash-Shafii am asking this Honorable Council to grant me the relief I am asking for and reimburse me the full amount that was lost to me in this transaction. Housing Commissioner Mr. Swanson was told by Mr. Hudson in my presence that he did in fact tell me that I could start the work on the house at 166 Colorado you may ask Mr. Swanson yourselves, you may also verify that statement with Mr. Sandy McDonald.

Moved by Councilmember McClary  
Supported by Councilmember Patrick

To receive and filed the above communication. Yeas (4), Nays (0), Absent (1).

**CITY COUNCIL AFFAIRS:**

**Moved by Councilmember McClary  
Supported by Councilmember Patrick**

**To hold a Special Meeting on Tuesday, July 9, 2013 at 6:00 p.m. to review, discuss and approve documents and the Letter Of Credit for Fifth Third bank. Yeas (4), Nays (0), Absent (1).**

**Moved by Councilmember McClary  
Supported by Councilmember Patrick**

**To appoint Councilmember Moore to the Employees Retirement Pension System and appoint Council President Woodard to the Police & Fire Retirement Pension System. Yeas (4), Nays (0), Absent (1).**

**ADJOURNMENT:**

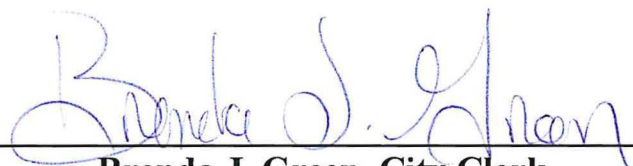
**Moved by Councilmember Patrick  
Supported by Councilmember Moore**

**To adjourn, motion carried meeting adjourned at 9:35 p.m.**



**CERTIFICATE**

**I, hereby certify that the attached is a copy of the proposed minutes of a Regular Meeting held on the 1<sup>st</sup> day of July 2013 and that said proposed minutes are available for public inspection at the address designated on the posted public notice.**

  
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**Brenda J. Green, City Clerk**