

**MINUTES OF THE
VIRTUAL REGULAR MEETING OF THE HIGHLAND PARK CITY COUNCIL
JANUARY 19, 2021**

Council convened at 7:03 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick remotely from Highland Park, MI; Councilmember Jackson remotely from Highland Park, MI; Councilmember Bates remotely from Highland Park, MI; Councilmember Armstrong remotely from Highland Park, MI and Council President Clyburn remotely from Highland Park, MI (5).

Absent: (0).

A quorum being present, Council was declared in session.

APPROVAL OF AGENDA

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

To approve the agenda with the removal of item VIII from Human Resources and the addition of the December 21, 2020 tabled item and a resolution from Community Development regarding the Urban County Agreement. Yeas (5), Nays (0), Absent (0).

APPROVAL OF MINUTES

Moved by Councilmember Armstrong
Supported by Councilmember Bates

To approve the minutes of the Virtual Workshop meeting held November 16, 2020. Yeas (5), Nays (0), Absent (0).

*

Moved by Councilmember Armstrong
Supported by Councilmember Bates

To approve the minutes of the Virtual Workshop meeting held December 7, 2020. Yeas (5), Nays (0), Absent (0).

Moved by Council Pro Tem Patrick
Supported by Councilmember Jackson

To approve the minutes of the Virtual Regular meeting held December 21, 2020. Yeas (5), Nays (0), Absent (0).

TABLED ITEM
01-19-21 V

The following item was tabled from the December 21, 2020 meeting

Resolution to establish an Ethics Board in the City of Highland Park with the Mayor's appointment of Antonio Erving and Khursheed Ash-Safii.

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

To bring back from the table. Yeas (5), Nays (0), Absent (0).

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

To separate each appointment. Yeas (5), Nays (0), Absent (0).

Moved by Council Pro Tem Patrick
Supported by Councilmember Jackson

To approve the appointment of Antonio Erving to the Board of Ethics for a 3-year term ending December 31, 2023. Yeas (5), Nays (0), Absent (0).

Moved by Council Pro Tem Patrick

To table the appointment of Khursheed Ash-Safii.

ITEM FAILED FOR LACK OF SUPPORT

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To remove the appointment of Khursheed Ash-Safii to the Board of Ethics from the agenda. Yeas (4) Clyburn, Patrick, Bates and Armstrong, Nays (1) Jackson, Absent (0).

CITY COUNCIL
01-19-21 VI a

The following ordinance was initiated.

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

ORDINANCE NO. 21-0001

ILLEGAL DUMPING ORDINANCE

WHEREAS, the illegal dumping of scrap and waste materials; auto bodies, tires and parts; construction debris; yard clippings; and litter on public and private property threatens the health, safety, and welfare of the community; and

WHEREAS, the use of a motor vehicles to engage in illegal dumping upon the public and private property causes a significant solid waste disposal; fire, smoke and pollution hazards; pedestrian trip hazards; rodent harborage and community health problems.

WHEREAS, illegal dumping creates unsafe traffic conditions for motor vehicles, and area foot traffic, including playing children and pedestrians; attracts undesirable and criminal activity in the vicinity of the. dumping, resulting in fear and disinvestments among neighborhood residents interrupting the peaceful enjoyment of their property; or otherwise impacts negatively on the health, safety, and welfare of the community; and

WHEREAS, illegal dumping is an act done for profit, which can be reduced by impacting its profitability; and

WHEREAS, municipal enforcement of littering laws need to be enhanced.

NOW, THEREFORE, THE CITY OF HIGHLAND PARK ORDAINS:

SECTION 1. TITLE

This Ordinance shall be known and cited as the City of Highland Park Illegal Dumping Ordinance.

SECTION 2. DEFINITIONS

(a) "Construction/demolition debris" means nonhazardous wastes generated from construction and demolition activities, including, but not limited to, concrete, asphalt, wood, metal and plaster.

(b) "Garbage" means all waste, animal, fish, fowl, or vegetable matter incident to the use and storage of food for human consumption, including spoiled food and dead animals found within the limits, and excluding food containers.

- (c) "Hazardous waste" means any material or substance, which, by reason of its composition or characteristics, is:
- (1) Hazardous waste as defined in the Solid Waste Disposal Act, 42 USC Section 6901, et seq., as amended, replaced or superseded, and the regulations implementing the same;
 - (2) Material, the disposal of which is regulated by the Toxic Substance Control Act, 15 USC Section 2601, et seq., as amended, replaced or superseded, and the regulations implementing the same;
 - (3) Special nuclear or byproducts material within the meaning of the Atomic Energy Act of 1954; or
 - (4) Hazardous waste, as defined in Act No. 64 of the Public Acts of Michigan, 1979, as amended, and as identified in administrative rules promulgated from time to time pursuant to the provisions of such Act by the director of the department of natural resources.
- (d) "Industrial waste" means the liquid, solid, or gaseous waste or form of energy, or combination thereof, resulting from any processing of industry, manufacturing, business, trade or research, including the development, recovery, or processing of natural resources.
- (e) "Litter" means all rubbish, refuse, waste material, garbage, paper, glass, cans, bottles, trash, debris, or other foreign substances when the amount is under five-(5) cubic feet.
- (f) "Municipal solid waste" means solid waste material from residential structures and classified as domestic solid waste, from commercial establishments and classified as commercial solid waste, and from industrial sites and as industrial solid waste.
- (g) "Owner" or "operator" means any person, whether owner, occupant, tenant, lessee, agent or other person, who:
- (1) Has legal or equitable title to any facility, private property, or water; or
 - (2) Has charge, care or control of any facility, private property, or water; or
 - (3) Is in possession of any facility private property or water or any part thereof; or
 - (4) Is entitled to control or direct the management of any facility, private property, or water.
- (h) "Person" means an individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, sole proprietorship, joint venture, joint stock company, trust estate, political subdivision, state agency, owner, operator or generator, or any other legal entity or its legal representative, agent, or assigns.

(i) "Private property" or "water" means any of the following:

(1) A privately-owned right-of-way of a road or highway, a body of water or watercourse, or the shore or beach of the body of water or watercourse, including the ice above the water;

(2) A privately-owned park, playground, building, structure, parking lot, vacant lot, or conservation or recreation area;

(3) Residential or farm properties or timberlands; or

(4) Motor vehicles or vessels.

(j) "Process" or "processing" means any chemical, industrial, commercial, or manufacturing operation or activity that causes, or has the potential to cause, the emission of airborne particles including, but not limited to, blending, mixing, crushing, screening, breaking, wet or dry cleaning, thermal drying, and chemically treating.

(k) "Residential structures" means the household units of the residents of the City of Highland Park.

(l) "Rubbish" means non putrescible solid waste, excluding ashes, consisting of both combustible and noncombustible wastes, including paper, cardboard, metal containers, yard clippings, wood, glass, bedding, crockery, demolished building materials, and litter of any kind that may be detrimental to the public health and safety.

(m) "Scrap tires" means continuous solid or pneumatic rubber coverings, which were manufactured to encircle a wheel for use in the operation of any motorized vehicle and are no longer being used for their original purpose as defined by Section 16901 of the Michigan Natural Resources and Environmental Protection Act, being MCL 324.16901.

(n) "Solid waste" means any material defined as a solid waste within the meaning of Part 115 of the Michigan Natural Resources and Environmental Protection Act, being MCL 324.11501 et seq., and 42 USC 6901, et seq., and specifically includes the terms "scrap" and "litter" as defined by Part 89 of the Michigan Natural Resources and Environmental Protection Act, being MCL 324.8901 et seq., and the term "medical waste" as defined in this section.

(o) "Transfer point" means the location at or within a facility where material being moved, carried, or conveyed is dropped or deposited.

(p) "Vehicle" means every motor vehicle which is required to be registered under the Michigan Vehicle Code, being MCL 257.1 et seq.

(q) "Violation" means any act that is prohibited or made or declared to be blight violation by any section of this chapter, and any omission or failure to act where the act

is required by any section of this chapter.

SECTION 3. PROHIBITED ACTS

(a) The illegal dumping of scrap and waste materials; auto bodies, tires and parts; construction/demolition debris; yard clippings and litter on public or private property, facilitated through the use of a motor vehicle, is therefore declared to be a public nuisance, which justifies taking firm action to abate the public nuisance, including the seizure, impoundment and forfeiture of motor vehicles used to facilitate this nuisance activity.

(b) A person shall not knowingly, without the consent of the public authority having supervision of public property or the owner of private property, dump, deposit, place, throw, leave, cause or permit the dumping, depositing, placing, processing, throwing, or leaving of, scrap and waste materials; auto bodies, tires and parts; construction/demolition debris; solid, hazardous, municipal or industrial waste, yard clippings and litter on public or private property other than property designated and set aside for such purposes or transfer point.

(c) A person or his or her agent or employee, who owns, leases, operates, or maintains a motor vehicle shall not use that motor vehicle, nor permit it to be used, for such illegal dumping upon public or private property.

SECTION 4. ENFORCEMENT AND ABATEMENT

(a) A person who violates this ordinance is guilty of creating a public nuisance.

(b) The motor vehicle and its contents, including a tractor; trailer or any other equipment used to facilitate the illegal dumping, are also declared a public nuisance.

(c) Where there is probable cause to believe that a motor vehicle has been or is being used in violation of this ordinance, a peace officer shall seize and impound said motor vehicle and the contents contained therein. The peace officer shall notify the owner of the seizure.

(d) Within thirty (30) days of receiving notice of such seizure, the owner of a motor vehicle seized and impounded under this ordinance shall either submit a request to the City Attorney for release of the vehicle or such terms that may be set by the City. Thereafter, if not resolved, the owner shall post a bond of no less than \$800 or 10% of the value of the vehicle seized. The City Attorney shall have the authority to waive the bond upon proof of hardship. Once the bond has been posted or waived, the City Attorney shall file an action in the court having subject matter jurisdiction.

(e) Owner of a motor vehicle includes a person in whose name the motor vehicle is titled and/or registered and/or any lien holder whose lien has been filed in the office of the Secretary of State prior to the commencement of the nuisance abatement action, as well as a person who is deemed by law to be a constructive owner.

(f) Proof of knowledge of the existence of the public nuisance on the part of the owner, or his or her agent or employee, or any of them, is not required.

(g) A public nuisance shall be sanctioned, enjoined and abated as set forth in this ordinance and by any Third Circuit Court ruling.

SECTION 5. PENALTIES AND SANCTIONS

(a) The provisions of this ordinance are to be considered an additional sanction to any other violation of the law and are not intended to comprise a substitute for or limitation upon those additional sources of authority.

(b) A person who violates this ordinance where the amount of the litter is less than 1 cubic foot in volume is responsible for a municipal civil infraction and is subject to a civil fine of not more than \$800.

(c) A person who violates this ordinance where the amount of the litter is one (1) cubic foot or more but less than three (3) cubic feet in volume is responsible for a municipal civil infraction and is subject to a civil fine of not more than \$1,500.

(d) A person who violates this ordinance where the amount of the litter is three (3) cubic feet or more in volume is responsible for a municipal civil infraction and is subject to a civil fine of not more than \$2,000. A person found to have violated this subsection in a subsequent proceeding is subject to a civil fine of not more than \$5,000.

(e) In addition to any other penalty or sanction provided in this ordinance, the court may require the defendant to pay either or both of the following:

(f) The cost of removing all litter which is the subject of the violation and the costs of damages to any land, water, wildlife, vegetation, or other natural resource or to any facility damaged by the violation of this ordinance. Money collected under this subdivision shall be distributed to the governmental entity bringing the enforcement action.

(g) The reasonable costs associated with the seizure and impoundment of any vehicle used to further a violation of this ordinance. Money collected under this subdivision shall be distributed to the governmental entity that seized and impounded the vehicle involved in the violation of this ordinance.

(h) In addition to any other penalty or sanction provided for in this ordinance, the court shall impose, under the supervision of the governmental entity bringing the enforcement action, community service in the form of litter gathering labor, including, but not limited to, litter connected with the particular violation.

SECTION 6. APPLICABILITY

This ordinance shall apply to the City of Highland Park. All portions of former ordinances in conflict herewith are hereby repealed or superseded.

SECTION 7. SEVERABILITY

In the event that any sections, provisions, phrases or words of this ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforcement of the remaining sections, provisions, phrases or words of this ordinance.

SECTION 8. EFFECTIVE DATE

This ordinance shall take effect fifteen (15) days after the date of enactment, in accordance with the provisions of Section 6-2(8) of the City Charter. Yeas (4) Clyburn, Patrick, Bates and Armstrong, Nays (1) Jackson, Absent (0).

*

01-19-21 VI b

The following ordinance was initiated.

Moved by Councilmember Bates
Supported by Council Pro Tem Patrick

ORDINANCE NO. 20-0002

NUISANCE ABATEMENT ORDINANCE

ARTICLE I. - IN GENERAL

Sec. 90-1. - Program Designation.

The City of Highland Park, Michigan, does hereby establish the Nuisance Abatement Program (NAP). The NAP program shall function and be under the direction of the Mayor, whose authority may be administered through the City Council; and shall have all the powers and duties enumerated in this chapter.

Sec. 90-2. - Scope and Purpose.

The purpose of the NAP will be to eliminate vacant or abandoned property that has been identified as nuisance property in order to prevent or eradicate significant dangers or conditions that adversely affect the public health, safety and welfare of the City of Highland Park. This NAP chapter addresses issues raised by the Michigan courts, which have recognized that the actions or inactions of property owners can create or perpetuate nuisances to adjoining neighbors, and that eradicating nuisance properties leads to protecting, promoting, and securing the public health, safety and welfare of the neighborhoods and communities within the county.

Sec. 90-3. - Powers and Duties.

The City Council hereby authorizes the Mayor to perform the following responsibilities in administering the program, without further City Council approval:

- (1) Identify properties as nuisances.

(2) Determine, to the extent possible, legal and/or equitable owners and interested parties' properties identified as nuisances.

(3) Compel property owners or interested parties, by any legal means, to abate nuisances on the property.

(4) Institute lawsuits against the properties, owners and/or interested parties of properties that constitute a nuisance and demand abatement of the nuisance. The City shall have authority to file a Complaint in the court with proper subject matter jurisdiction.

(5) File a lis pendens against any property that is identified as a nuisance and is currently the subject of a NAP lawsuit.

(6) Negotiate and enter into contracts for services necessary to carry out the objectives of the NAP, including, but not limited to, environmental, renovation, development, restoration, repair and demolition activities, which contracts shall not exceed \$100,000, without Council approval.

(7) Acquire property through the NAP.

(8) Convey or sell property through the NAP.

(9) Negotiate and execute settlement agreements with the owners or interested parties of properties identified as nuisances in order to abate the nuisance on these properties, through whatever means are necessary, including, but not limited to, rehabilitation, renovation, development or demolition.

(10) Settle any lawsuit or pre-litigation dispute by entering into settlement agreements with the owners or interested parties of these nuisance properties, which may even include acquisition of such properties by the NAP.

(11) In the event that the NAP has acquired nuisance properties from the owners or interested parties or any other legal means, enter into agreements whereby the NAP sells such properties in order that the nuisance be abated.

(12) Proceed with any lawsuits related to properties identified as a nuisance which have not been settled and seek a court order that allows for any, or all, of the following:

a. Compel the owners or interested parties of such nuisance properties to abate the nuisance by whatever means are necessary, including, but not limited to, renovation, development, restoration, repair or demolition.

b. Authorize the NAP to enter onto such properties in order to abate the nuisance through whatever means are necessary, including, but not limited to, repairs,

renovation, restoration or demolition, and seek reimbursement from the owners and/or interested parties.

c. Award ownership of the nuisance properties to the county and allow the county to proceed to abate the nuisances on such properties and thereafter to proceed against the owners or interested parties to collect any and all costs, expenses and fees incurred in abating the nuisance on such properties, which includes, but is not limited to, renovation, development, restoration, repair or demolition, satisfaction of any and all liens against the property, litigation expenses, and reasonable attorney fees.

(13) Request and receive an ex parte order prohibiting the sale, conveyance, transfer or encumbrance of property that is the subject of a NAP lawsuit pending the completion of such lawsuit. In the event that a court determines that this subsection was violated by an owner or interested party, a penalty may be assessed by the court for such violation, which may include all fees, costs and expenses associated with such NAP lawsuit.

(14) Obtain and clear title to properties designated as nuisances.

(15) Negotiate community redevelopment purchase agreements as specified in this chapter.

Sec. 90-4. - Community Redevelopment Purchase Agreements.

NAP is also authorized to negotiate and execute "community redevelopment purchase agreements," essentially, with neighborhood or community organizations that are willing and able to assume ownership of nuisance properties owned or under the control of the NAP or the City of Highland Park exclusively for the purpose of abating nuisances on such properties. These community redevelopment purchase agreements shall specify the following:

(1) The period of time within which the neighborhood or community organization must take active steps to abate the nuisance; and

(2) The nature and extent of the actions necessary to abate the nuisance; and

(3) That any and all costs, expenses and fees incurred in abating the nuisance shall be the sole and exclusive responsibility of the neighborhood or community organization; and

(4) That the NAP and the City of Highland Park shall have no liability or responsibility for any injuries or damage to persons or property upon execution of such redevelopment zone agreement, and that they shall be indemnified and held harmless by such neighborhood or community organization.

(5) May require that the neighborhood or community organization shall pay for, or reimburse, the NAP or the City of Highland Park for:

a. All costs and expenses incurred in acquiring such nuisance property, including any

litigation costs; and

- b. All outstanding property taxes related to such nuisance property; and
- c. Costs and expenses for the removal of any existing liens or encumbrances on such nuisance properties, including, but not limited to water bills or other obligations of record; and
- d. In the event that the NAP has made any efforts to, or incurred any costs in, abating the nuisance on any such property, all costs, expenses and fees related to such properties; and
- e. Any other costs, fees or expenses related to such nuisance property; and
- f. In the event that sale price exceeds all of the costs, expenses and fees listed or referred to in items a. through e. of this subsection (5), any such excess shall be reinvested into the NAP.

Sec. 90-5. - Conveyance of Acquired Property Outside of a Community Redevelopment Purchase Agreement.

Any property acquired through the NAP, but not covered under the terms and conditions of a community redevelopment purchase agreement may be conveyed, transferred or sold in the following manner:

- (1) The NAP may offer and sell properties that have been acquired through the NAP by auction, multi- listing, any competitive or open sale process or any negotiated process, with City Council approval.
- (2) The sale price of any NAP properties may include, at a minimum, the following:
 - a. All costs and expenses incurred in acquiring such nuisance property, including any litigation costs; and
 - b. All outstanding property taxes related to such nuisance property; and
 - c. Costs and expenses for the removal of any existing liens or encumbrances on such nuisance properties, including, but not limited to, water bills or other obligations of record; and
 - d. In the event that the NAP has made any efforts to, or incurred any costs in, abating the nuisance on any such property, all costs, expenses and fees related to such properties; and
 - e. Any other costs, fees or expenses related to such nuisance property; and
 - f. In the event that sale price exceeds all of the costs, expenses and fees listed or referred

to in items a. through e. of this subsection (2), any such excess shall be reinvested into the NAP.

(3) In collecting the sale price for such properties, the NAP may:

a. Demand that the subsequent purchaser pay the entire sale price in a single disbursement;
or

b. Agree to allow the subsequent purchaser to pay the sales price in installments.

Sec. 90-6. - NAP Reports to City Council.

The NAP shall provide bi-annual progress reports to the City Council, which progress reports shall include the following:

(1) A list of all current pending commercial and residential NAP lawsuits; and

(2) A status report of all current pending commercial and residential NAP lawsuits; and

(3) A status report of all commercial and residential NAP properties that are currently under contract for sale, transfer or conveyance.

Sec. 90-7. - Definitions.

"Abandoned" or "vacant" shall mean a residential or commercial property, including buildings, structures and lots, that is not occupied for a substantial time by the property owner or a legal tenant and is not a viable property because it:

(1) Is unsuitable for habitation or reasonable use; or

(2) Is in a dilapidated, hazardous, unsafe or dangerous condition; or

(3) Is open to entrance or trespass.

"Community redevelopment organization" shall mean a community or neighborhood organization that exists in a geographic area or neighborhood and is designated by the Mayor with approval of the City Council and as a result of that designation as a community redevelopment organization may apply to the NAP for assistance to abate nuisance properties within its borders.

"Interested party" shall mean a mortgagor, mortgagee, assignee, lienholder, titleholder, land contract vendee or vendor, or any person(s) or business entity with a legal or equitable interest in properties designated as nuisances as set forth herein.

"Nuisance" shall mean an unsafe, hazardous or unsanitary condition, activity or situation that:

(1) Interferes with the use or enjoyment of adjacent land; or

(2) Injures or interferes with the adjacent land; or

(3) Poses a significant danger to or adversely effects the public health, safety or welfare of the surrounding community.

Sec. 90-8. - Interpretation

Because the purpose of this chapter is to promote and protect the health, safety and general welfare of the City of Highland Park, it shall be liberally construed in order to effectuate that purpose.

Sec. 90-9. - Severability.

In the event that any section or provision of this chapter, or its application to any person or circumstance, is held invalid or unenforceable, the invalid or unenforceable section or provision shall be deemed severed and of no further force or effect, but the same shall not affect the validity of any other section or provision of this chapter.

Sec. 90-10. - Effective Date

This ordinance is declared necessary for the public health, safety and welfare of the people of the City of Highland Park and shall be considered effective fifteen (15) days after publication as required by law. Yeas (4) Clyburn, Patrick, Bates and Armstrong, Nays (1) Jackson, Absent (0).

*

01-19-21 VI c

The following resolution was submitted for approval.

RESOLUTION TO ESTABLISH AN ETHICS BOARD AND APPROVE THE APPOINTMENT OF ANTONIO ERVING TO A 3-YEAR TERM ENDING DECEMBER 31, 2023

Moved by Council Pro Tem Patrick
Supported by Councilmember Armstrong

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

**COMMUNITY DEVELOPMENT
01-19-21 VII**

The following resolution was submitted for approval.

RESOLUTION TO APPROVE THE RECERTIFICATION PROVISION OF THE EXISTING URBAN COUNTY COOPERATION AGREEMENT BETWEEN WAYNE COUNTY AND THE CITY OF HIGHLAND PARK

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

WHEREAS, the City of Highland Park has a continuing interest in participating with the County of Wayne for federal Community Development Block Grant (CDBG), Home Investment Partnerships and Emergency Solutions Grant (ESG) funding; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires recertification of the existing Urban County Cooperation Agreement, in order to maintain the Urban County's eligibility to receive these funds for the next three years; and

WHEREAS, the renewal provision is triggered every three years with the City of Highland Park not informing the County of the desire to withdraw; and

WHEREAS, the most recent period expired November 5, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the City Council approve the recertification of the existing Urban County Cooperation Agreement beginning November 6, 2020, and ending November 6, 2023. Yeas (5), Nays (0), Absent (0).

FINANCE
01-19-21 VIII a

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To receive and file the Financial Statement for the period ended November 30, 2020. Yeas (4) Clyburn, Patrick, Bates and Armstrong, Nays (1) Jackson, Absent (0).

*

01-19-21 VIII b

Moved by Council Pro Tem Patrick
Supported by Councilmember Bates

To receive and file the Financial Statement for the period ended December 31, 2020. Yeas (5), Nays (0) Jackson, Absent (0).

FIRE
01-19-21 IX

The following resolution was submitted for approval.

RESOLUTION TO PURCHASE FIRE INCIDENT MANAGEMENT SYSTEM

Moved by Councilmember Jackson
Supported by Council Pro Tem Patrick

WHEREAS, the City of Highland Park is responsible for effectively providing public safety fire services to its residents, businesses and jurisdictional reporting responsibility to the State of Michigan; and

WHEREAS, the Fire Department is required to operate managed software for providing incidents to the State of Michigan, along with data tracking to ensure adequate inspection of internal and external equipment, incident reports and scheduling; and

WHEREAS, the current software provider ceased doing business and no longer meets the requirements necessary to meet the standards; and

WHEREAS, the Fire Department along with IT conducted an evaluation of the proposed software vendor, along with recommendations from other municipal fire departments; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Highland Park approves the purchase of \$7,438.00 to purchase FIRE PROGRAMS to ensure compliance with State of Michigan law. Yeas (5), Nays (0), Absent (0).

WATER/ENGINEERING
01-19-21 X

The following resolution was submitted for approval.

RESOLUTION FOR THE SUBMITTAL OF THE 2021 AFFORDABILITY AND PLANNING (AP) GRANT APPLICATION TO THE STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY BY THE CITY OF HIGHLAND PARK WATER DEPARTMENT

Moved by Council Pro Tem Patrick
Supported by Councilmember Jackson

WHEREAS, the City of Highland Park previously received a Significant Deficiency Violation Notice from EGLE regarding April 11, 2016 regarding the existing water infrastructure; and

WHEREAS, the City of Highland Park is under an Administrative Consent Order (ACO) by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) formerly the MDEQ, effective July 28, 2017 regarding the existing water infrastructure; and

WHEREAS, as a result of exceeding the lead Action Level (AL) in 2019, the City of Highland Park is required under the administrative rules promulgated under the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399) to meet additional requirements including water

quality parameter monitoring, source water monitoring, corrosion control treatment, and public education, as well as being mandated to replace a higher percentage of lead service lines; and

WHEREAS, the Affordability and Planning (AP) Grant is the first available grant program developed by EGLE under Michigan’s new Clean Water Plan that invests in asset management plans and watershed plans supporting long-term infrastructure needs to address public health and environmental risks. The grant will assist Highland Park along with Muskegon Heights with the annual Asset Management Plan (AMP) development and implementation of long-term infrastructure plans. \$7.5 million is available with a maximum grant award of \$1,000,000, per community; and

WHEREAS, the Water Department will utilize grant funds to establish rate structures that assist with rehabilitation and replacement of the water main infrastructure and lead water service lines throughout the city; and

BE IT RESOLVED, the City of Highland Park City Council approves the submittal of the Affordability and Planning Grant Application requesting a total of \$1,000,000 to the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE) before January 31st, 2021. Yeas (5), Nays (0), Absent (0).

COUNCIL AFFAIRS

Moved by Councilmember Armstrong
Supported by Council Pro Tem Patrick

To place discussion of scheduling and overtime for the Police and Fire departments on the agenda for the next scheduled Workshop Meeting. Yeas (5), Nays (0), Absent (0).

ADJOURNMENT

Moved by Council Pro Tem Patrick
Supported by Councilmember Jackson

To adjourn the meeting, motion carried, meeting adjourned at 8:22 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the Virtual Regular Meeting held the 19th day of January 2021 and that said minutes are available for public inspection at the address designated on the posted public notice.



Cidia Wicker-Brown, Deputy City Clerk