

**MINUTES OF THE  
VIRTUAL SPECIAL MEETING OF THE HIGHLAND PARK CITY COUNCIL**

**October 27, 2020**

Council convened at 5:00 p.m. with Council President Clyburn presiding.

Present: Council Pro Tem Patrick remotely from Highland Park, MI; Councilmember Jackson, 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.

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The Clerk read the following notice.

**NOTICE OF  
HIGHLAND PARK CITY COUNCIL VIRTUAL SPECIAL MEETING**

Tuesday, October 27, 2020 at 5:00 p.m.

Pursuant to City Charter Section 5-3, I, Carlton Clyburn, Council President, do hereby call a Special Meeting of the Highland Park City Council on Tuesday, October 27, 2020 at 5:00 p.m.

The purpose of the meeting: Resolution declaring a bona fide dispute between Highland Park City Council and City Attorney Terry Ford of the Ford Law Firm.

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**RESOLUTION DECLARING A 'BONA FIDE' DISPUTE EXISTS BETWEEN THE  
HIGHLAND PARK CITY COUNCIL AND MAYOR HUBERT YOPP/CITY  
ATTORNEY TERRY FORD (FORD LAW FIRM) AND THE HIGHLAND PARK  
CITY COUNCIL WILL EXERCISE ITS RIGHTS TO DEFEND ITSELF AND HIRE  
A 3RD PARTY INDEPENDENT ATTORNEY TO PROVIDE OPINIONS and/or  
REPRESENTATION FOR LEGAL MATTERS BASED ON DISPUTED ISSUES**

Moved by Council Pro Tem Patrick  
Supported by Councilmember Bates

**WHEREAS**, by the City Charter, the City Attorney (Terry Ford and the Ford Law Firm) represents both the Mayor AND the City Council in legal matters for the City of Highland Park, **and**,

**WHEREAS**, the City Attorney has continuously engaged in behavior favorable only to his friend, Mayor Hubert Yopp, **and**,

**WHEREAS**, the Highland Park City Council does not feel it has adequate legal

representation from Terry Ford and the Ford Law Firm in legal matters facing the City of Highland Park or its City Council, **and,**

**WHEREAS,** the Highland Park City Council has previously issued resolutions requesting that Mayor Hubert Yopp remove and replace the Form Law Firm as the City Attorney due to **NO CONFIDENCE** in the legal representation both with respect to the Highland Park Charter Commission matter and the Ajax Paving Industries matter

**WHEREAS,** Terry Ford of the Ford Law Firm, has gone on the record with an 'objection' to the referenced Ordinance To Authorize And Regulate The Establishment Of Medical Marijuana Facilities And Adult Use Marijuana Facilities, approved by a 4 to 1 vote at the *Monday, October 19th 2020* meeting of the Highland Park City Council, and,

**WHEREAS,** the aforementioned voiced objection to the passing of said ordinance has tainted Terry Ford and the Ford Law Firm in the defense of the City of Highland Park and its City Council and prevents Terry Ford and the Ford Law Firm from adequately defending the City of Highland Park in any litigation relating to the ordinance he objected to, **and,**

**WHEREAS,** the Highland Park City Council would like to issue *yet another* statement of '**NO CONFIDENCE**' in the legal representation provided to the City Council, the City and its residents for Terry Ford and the Ford Law Firm as it pertains to legal matters in the City of Highland Park, and,

**WHEREAS,** the Highland Park City Council declares Charter Violations have occurred of Section 7-5 subsection (1), (4), (5), (6b) by the City Attorney Terry Ford and the Ford Law Firm, **NOW,**

**THEREFORE, BE IT RESOLVED,** consistent with the aforementioned, the Highland Park City Council will retain. *Stephen P. Dunn, Attorney and Counselor, and his law firm, Howard & Howard PLLC, located at 450 W. 4th St. Royal Oak, MI. 48067* an independent, 3rd Party Attorney's legal opinion and representation through its municipal powers outlined in Chapter 7; Section 7-5 Letter (c), "In the case of a 'bona fide' dispute between City officers as to their official duties or in other special situations, the City Council shall employ a special attorney for such purposes as it designates ". This Resolution is not limited to a singular 'bona fide' dispute and determines that the Highland Park City Council shall exercise this right under the provisions allowable within the City Charter.

**BE IT FURTHER RESOLVED** that Stephen Dunn and the law firm of Howard & Howard are hereby authorized to proceed under the terms of the October 23, 2020 engagement letter (as referenced in the invoice submitted to council concurrently with this resolution) to defend the City of Highland Park in the lawsuit brought by Khursheed Ash-Safii regarding the above referenced ordinance and to take all steps necessary to uphold the ordinance and cause the complaint to be dismissed, to intervene on behalf of the City Council (if necessary) and to prevent Terry Ford and the Ford Law Firm from representing the City of Highland Park in this lawsuit. Yeas (4), Nays (1) Councilmember Jackson, Absent (0).

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ADJOURNMENT:

Moved by Council Pro Tem Patrick  
Supported by Councilmember Armstrong

To adjourn the meeting, motion carried, meeting adjourned at 5:03 p.m.

**CERTIFICATE**

I, hereby certify that the attached is a copy of the proposed minutes of the Virtual Special Meeting held the 27<sup>th</sup> day of October 2020 and that said minutes are available for public inspection at the address designated on the posted public notice.

A handwritten signature in blue ink, consisting of a series of loops and curves, positioned above a horizontal line.

Cidia Wicker-Brown, Deputy City Clerk