

# Oak Park

## City Council Agenda

April 6, 2015





**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**35<sup>th</sup> CITY COUNCIL**  
**OAK PARK, MICHIGAN**  
**April 6, 2015**  
**7:00 PM**

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**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**4. APPROVAL OF AGENDA**

**5. CONSENT AGENDA**

The following routine items are presented for City Council approval without discussion, as a single agenda item. Should any Council Member wish to discuss or disapprove any item it must be dropped from the blanket motion of approval and considered as a separate item.

- A. Special Council Meeting Minutes of March 2, 2015 (Revised)
- B. Special Council Meeting Minutes of March 16, 2015
- C. Regular Council Meeting Minutes of March 16, 2015
- D. Independence Day Commission Meeting Minutes of February 4, 2015 and March 4, 2015
- E. Agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield
- F. Request approval for Application No. 2 (final) to Michigan Joint Sealing, Inc. of Livonia, MI, for the 2004 Joint and Crack Sealing Project, M-489 in the total amount of \$500.00
- G. Request approval for payment of invoices from Orchard, Hiltz & McCliment for projects in the total amount of \$12,696.95
- H. Request approval of an agreement with the Road Commission for Oakland County for repairs to Greenfield Road upon review by the City Attorney's office and tri-party payment of \$32,830 to same
- I. Business License New and Renewals as submitted for April 6, 2015

**6. RECOGNITION OF VISITING ELECTED OFFICIALS:**

**7. SPECIAL RECOGNITION/PRESENTATIONS:**

- A. City Manager Employee Recognition – Public Safety Director Steve Cooper

**8. PUBLIC HEARINGS: None**

**9. COMMUNICATIONS: None**

**10. SPECIAL LICENSES: None**

**11. ACCOUNTING REPORTS: None**

**12. BIDS:**

- A. Request to award the bid for the 2015 Miscellaneous Concrete Project, M-603 to Mattioli Cement Company, LLC of Fenton, MI for the total amount of \$266,727.60
- B. Request to award the bid for the 2015 Joint and Crack Sealing Project, M-604 to Michigan Joint Sealing, Inc. of Farmington Hills, MI for the total amount of \$117,292.00 and to further request that \$17,292.00 be transferred from the Local Street Fund balance to fund the unbudgeted portion of this expenditure

**13. ORDINANCES:**

- A. Second Reading and adoption of an Ordinance to Amend Chapter 6 Alcoholic Liquors, Article III, Regulation of On-the-premise Consumption, Sections 6.2 and 6.9 of the Code of Ordinances of the City of Oak Park, Michigan
- B. First reading of an Ordinance to amend Article XVIII, Signs, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan

**14. CITY ATTORNEY:**

- A. Report on Michigan Tax Tribunal opinion issued in the matter of Harmony Montessori Center v. City of Oak Park
- B. Notice of Disposition and Order of Dismissal regarding Lakesha Jolly v City of Oak Park EEOC Complaint
- C. Request approval for settlement of Tax Tribunal Case No. 455574 regarding A&E Ben Ezra Properties v City of Oak Park and to authorize the City Attorney to sign on behalf of the City

**15. CITY MANAGER:**

**Department of Public Works**

- A. Request approval of Change Order No. 2 to CSM Mechanical for the 2014 Water Reservoir Pumping Station Improvements, M-614 in the total amount of \$16,242.00 and Payment Application No. 2 for the same in the amount of \$55,389.99

**Community & Economic Development**

- B. Request approval of a Temporary Sign as submitted by Frederick Douglas International Academy, 21700 Marlow, for an initial 30 day period and a 30 day extension to run from April 7, 2015 through June 6, 2015
- C. Request approval of expenditures to fund events hosted by the Oak Park Arts & Cultural Commission

**Finance Department**

- D. Adopt a Resolution authorizing the City Assessor to prepare a Special Assessment Roll, assessing unpaid charges together with a 10% penalty, in the amount of \$3,465.00 on private property for Miscellaneous Charges
- E. Adopt Resolution No. 8 receiving Special Assessment Roll #641 and establishing April 20, 2015 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for False Alarm charges
- F. Adopt Resolution No. 8 receiving Special Assessment Roll #642 and establishing April 20, 2015 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for Weed Mowing Charges
- G. Adopt Resolution No. 8 receiving Special Assessment Roll #643 and establishing April 7, 2014 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for Sidewalk Repair charges
- H. Adopt Resolution No. 8 receiving Special Assessment Roll #644 and establishing April 20, 2015 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for Water Invoices
- I. Adopt Resolution No. 8 receiving Special Assessment Roll #645 and establishing April 20, 2015 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for Special Pickup Services
- J. Adopt Resolution No. 8 receiving Special Assessment Roll #646 and establishing April 20, 2015 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for Snow Removal Charges
- K. Adopt Resolution No. 8 receiving Special Assessment Roll #647 and establishing April 20, 2015 as the date for the Public Hearing on the roll for unpaid charges for City expenses incurred on private premises for Miscellaneous Invoices

**16. CALL TO THE AUDIENCE**

Each speaker's remarks are a matter of public record; and the speaker, alone, is responsible for his or her comments; the City of Oak Park does not, by permitting such remarks, support, endorse or accept the content, thereof, as being true or accurate. "Any person while being heard at a City Council Meeting may be called to order by the Chair, or any Council Member, failure to be germane to the business of the City, for vulgarity, or personal attacks on persons or institutions." There is a three minute time limit per speaker.

**17. CALL TO THE COUNCIL**

**18. CLOSED SESSION**

Pursuant to Section 8 of the Open Meetings Act to discuss Attorney-Client Privileged Communication, Pending Litigation, Collective Bargaining Agreements and/or Contract Negotiations

**19. ADDITIONAL BUSINESS:**

- A. Closed Session Minutes
- B. Tentative Agreement with the Police Officers Labor Council – Command Unit
- C. Contract with Garan, Luow, Miller, P.C. for legal services

**20. ADJOURNMENT**

The City of Oak Park will comply with the spirit and intent of the American with Disabilities Act. We will provide support and make reasonable accommodations to assist people with disabilities to access and participate in our programs, facilities and services. Accommodations to participate at a Council Meeting will be made with 7-day prior notice.



**CITY OF OAK PARK, MICHIGAN  
SPECIAL COUNCIL MEETING OF THE  
35<sup>th</sup> OAK PARK CITY COUNCIL  
March 2, 2015  
6:00 P.M.**

## MINUTES

This Special Meeting of the 35<sup>th</sup> Oak Park City Council was held in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

Notice of this Special Meeting was given in compliance with the provisions of Act 267 of the Public Acts of Michigan, 1976, as amended, the "Open Meetings Act".

The Special Meeting was called to order by Mayor McClellan at 6:00 P.M.

**PRESENT:** Mayor McClellan, Mayor Pro Tem Levine, Council Member Seligson, Council Member Burns, Council Member Speech (Arrived at 6:15 PM)

**ABSENT:** None

**ALSO PRESENT:** City Manager Tungate, City Clerk Norris

### SPECIAL BUSINESS:

**(AGENDA ITEM #3A) Request by Council member Speech to excuse previous council meeting absences.**

**SCM-03-072-15 (AGENDA ITEM #13A) NO RAMIFICATIONS FOR PRIOR UNEXCUSED CITY COUNCIL MEETING ABSENCES BY ANY COUNCIL MEMBER SPEECH - APPROVED**

Motion by Seligson, Seconded by Burns, CARRIED UNANIMOUSLY, that there will be no ramifications for prior ~~unexcused~~ city council meeting absences by any Council Member ~~Speech~~.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Seligson
	No:	None
	Absent:	Speech

### MOTION DECLARED ADOPTED

City Manager Tungate indicated that Council Member Speech has requested consideration for excused absences for council meetings missed in 2014. He reminded council that in all cases but two he could account for calls and e-mails by Council Member Speech informing him of an illness or medical reason for the absence. The absences were not voted on by council therefore the meeting minutes for those meetings do not reflect an excused absence. Council reviewed the procedure whereby council must vote to excuse an absence at the meeting when the absence occurs or when approving the minutes of that meeting. Council agreed that the reason for an absence should be communicated in writing with the City Manager prior to the meeting and he will remind council to vote to consider the absence as excused if requested. Council was reluctant to excuse prior absences and to change the meeting minutes but agreed there would be no ramifications to Council Member Speech as a result of those absences.

**(AGENDA ITEM #3B) Appointments/Reappointments to City Boards and Commissions.**

**SCM-03-073-15 COUNCIL APPROVAL OF NEW APPOINTMENTS TO CITY  
BOARDS AND COMMISSIONS – APPROVED**

Motion by Seligson, seconded by Burns, CARRIED UNANIMOUSLY, to approve the appointments as follows:

<u>Board Name</u>	<u>Applicant</u>	<u>Term Expiration</u>
Beautification Commission	Danielle Fracassa	February 2018
General Employees' Retirement System Board of Trustees	Ben Waxenberg	February 2018
Emergency Services Commission	Jerry Begel	August 2018
Ethnic Advisory Commission	Carla Wallace	August 2017
Recreation Board	Mickey Alderman	August 2018

Voice Vote:            Yes:            McClellan, Burns, Levine, Seligson, Speech  
                              No:            None  
                              Absent:       None

**MOTION DECLARED ADOPTED**

Council discussed the re-appointments of members to various boards and commissions. There was consensus among council members to consider all re-appointments at the next meeting after Mayor McClellan has had a chance to speak with specific candidates about their re-appointments.

**CALL TO THE AUDIENCE:**

There were no members of the audience wishing to speak.

**ADJOURNMENT:**

The Special Meeting Adjourned at 6:50 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN  
SPECIAL COUNCIL MEETING OF THE  
35<sup>th</sup> OAK PARK CITY COUNCIL  
March 16, 2015  
6:00 P.M.**

## MINUTES

This Special Meeting of the 35<sup>th</sup> Oak Park City Council was held in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

Notice of this Special Meeting was given in compliance with the provisions of Act 267 of the Public Acts of Michigan, 1976, as amended, the "Open Meetings Act".

The Special Meeting was called to order by Mayor McClellan at 6:00 P.M.

**PRESENT:** Mayor McClellan, Mayor Pro Tem Levine, Council Member Seligson, Council Member Burns, Council Member Speech

**ABSENT:** None

**ALSO PRESENT:** City Manager Tungate, City Clerk Norris, City Attorney Duff, Assistant City Manager Yee, Deputy City Clerk Sumner, Assistant to the City Manager McLain

### SPECIAL BUSINESS:

**(AGENDA ITEM #3A) Reappointments to City Boards and Commissions.**

**SCM-03-095-15 COUNCIL APPROVAL OF RE-APPOINTMENTS TO CITY  
BOARDS AND COMMISSIONS – APPROVED**

Motion by Burns, seconded by Seligson, CARRIED UNANIMOUSLY, to approve the re-appointments as follows:

<u>Board Name</u>	<u>Re-appointee</u>	<u>Term Expiration</u>
Arts & Cultural Commission	Sudha Sekhar	February 2018
Arts & Cultural Commission	Michele Stevenson	February 2018
Arts & Cultural Commission	Jeffrey Beyer	February 2018
Beautification Advisory Commission	Reatha Richmond	February 2018
Beautification Advisory Commission	Mattie Boykin	February 2018
Beautification Advisory Commission	Santhia Guinn	February 2018
Beautification Advisory Commission	Angela Mitchell	February 2018
Election Commission	Lana Sherman	January 2016
Election Commission	Saul Chudnow	January 2016
Ethnic Advisory Commission	Rosetta Kincaid	August 2017
Ethnic Advisory Commission	Reatha Richmond	August 2017
Ethnic Advisory Commission	Sudha Sekhar	August 2017
Ethnic Advisory Commission	Nathaniel Warshay	August 2017
Ethnic Advisory Commission	Leona Burns	August 2017
Ethnic Advisory Commission	Mattie Boykin	August 2017
Library Board	Sharon Chudnow	August 2019

Library Board	Sherman Barton	August 2018
Local Officers Compensation Commission	James Gulley	February 2022
Recreation Advisory Board	Bob Gershman	August 2018
Recycling & Environmental Conservation	Angela Mitchell	August 2018
Recycling & Environmental Conservation	Denise Trombley	August 2018
Zoning Board of Appeals	Louis Landau	August 2018
Zoning Board of Appeals	Sherman Barton	August 2018
Zoning Board of Appeals	James Huston	August 2018

Voice Vote:            Yes:            McClellan, Burns, Levine, Seligson, Speech  
                              No:            None  
                              Absent:       None

**MOTION DECLARED ADOPTED**

Council discussed the re-appointment of members to various boards and commissions. Mayor McClellan indicated that she was recommending Aaron Swartz as a new appointment to the Economic Development Corporation instead of reappointing Emile Duplessis. She also indicated that she will be recommending the appointment of Emile Duplessis to the Corridor Improvement Board that will be created soon. Council Member Seligson stated that he was not in favor of replacing Emile Duplessis on the EDC but would support the Mayor's recommendation as it is a Mayoral appointment. After further discussion there was consensus of Council to postpone the EDC appointment decision and to move ahead with the reappoint of the others presented.

A draft of a new one page board and commission application was reviewed and discussed. Mayor ProTem Levine suggested that a short synopsis of each board should be listed on the reverse side and all agreed this was a good idea.

**(AGENDA ITEM #3B) National League of Cities Service Line Warranty Program.** Council discussed the merits of this particular warranty program. City Manager Tungate expressed concerns that there would be an administrative burden to implement a program like this at this time and Assistant City Manager Yee expressed concerns that the city should not be supporting one insurance company over another. Council Member Speech suggested that the city should make residents aware of these types of programs. There was consensus of Council to take up this issue again at a later date.

**(AGENDA ITEM #3C) Build Transit, Build Business.** Mayor McClellan indicated that she would have the organizers of Build Transit, Build Business get in touch with the City Manager to discuss the possible promotion of this program.

**(AGENDA ITEM #3D) Sign Ordinance and Murals.** City Manager Tungate summarized the evolution of the proposed amendment to the City's sign ordinance and indicated his desire that the present version be presented for the first reading on April 6, 2015. Mayor ProTem Levine suggested one revision to the proposed ordinance that would read "being obscene or pornographic or otherwise inconsistent with prevailing community standards" in Section IV.

**CALL TO THE AUDIENCE:**

There were no members of the audience wishing to speak.

**ADJOURNMENT:**

The Special Meeting Adjourned at 6:47 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN  
REGULAR COUNCIL MEETING OF THE  
35<sup>th</sup> OAK PARK CITY COUNCIL  
March 16, 2015  
7:00 PM**

**MINUTES**

The meeting was called to order at 7:00 PM by Mayor McClellan in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

**PRESENT:** Mayor McClellan, Council Member Burns, Mayor Pro Tem Levine, Council Member Speech, Council Member Seligson

**ABSENT:** None

**OTHERS**

**PRESENT:** City Manager Tungate, City Clerk Norris, City Attorney Duff

**APPROVAL OF AGENDA:**

**CM-03-096-15 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS SUBMITTED  
- APPROVED**

Motion by Levine, seconded by Seligson, CARRIED UNANIMOUSLY, to approve the agenda as submitted.

Voice Vote:	Yes:	McClellan, Burns, Levine, Speech, Seligson
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

**CONSENT AGENDA:**

**CM-03-097-15 (AGENDA ITEM #5A-G) CONSENT AGENDA - APPROVED**

Motion by Levine, seconded by Seligson, CARRIED UNANIMOUSLY, to approve the Consent Agenda consisting of the following items:

- A. Special Council Meeting Minutes of March 25, 2015 **CM-03-098-15**
- B. Special Council Meeting Minutes of March 2, 2015 (**Removed from the Consent Agenda**)
- C. Regular Council Meeting Minutes of March 2, 2015 **CM-03-099-15**
- D. Planning Commission Meeting Minutes of February 9, 2015 **CM-03-100-15**
- E. Recycling & Environmental Conservation Commission Meeting Minutes of December 18, 2014 **CM-03-101-15**
- F. Beautification Advisory Commission Meeting Minutes of September 16, 2014 **CM-03-102-15**

G. Business License(s) New and Renewals as submitted for March 16, 2015 CM-03-103-15

(Subject to all Departmental Approvals)	ADDRESS	FEE
<b>MERCHANT (NEW) March 16, 2015</b>		
STEPPING OUT HAIR & NAIL SALON	25266 GREENFIELD	\$150.00
<b>MERCHANT (RENEWALS) March 16, 2015</b>		
AARJAY'S TOWING & AUTO	21410 COOLIDGE	\$225.00
MARO JEWELERS	21700 GREENFIELD #365	\$225.00
MARBLECAST	14631 ELEVEN MILE	\$225.00
O'REILLY AUTO PARTS	22106 COOLIDGE	\$225.00
JADE PALACE RESTAURANT	13351 TEN MILE	\$225.00
LITTLE CAESAR ENTERPRISE#30	8801 NINE MILE	\$225.00
LUXURY HOMES	20830 COOLIDGE	\$187.50
LLZ VENTURES dba 8 MILE SMOKE & VAPOR	15180 EIGHT MILE	\$150.00

Voice Vote:            Yes:        McClellan, Burns, Levine, Speech, Seligson  
                               No:        None  
                               Absent:   None

**MOTION DECLARED ADOPTED**

Item #5B was removed from the Consent Agenda by Council Member Speech to be considered separately.

**CM-03-104-15            SPECIAL COUNCIL MEETING MINUTES OF MARCH 2, 2015 AS AMENDED - APPROVED**

Motion by Speech, seconded by Burns, CARRIED UNANIMOUSLY, to approve the amended minutes of the March 2, 2015 Special Council Meeting.

Roll Call Vote:        Yes:        McClellan, Burns, Levine, Speech  
                               No:        Seligson  
                               Absent:   None

**MOTION DECLARED ADOPTED**

**CM-03-105-15            MOTION TO AMEND THE MINUTES OF THE MARCH 2, 2015 SPECIAL COUNCIL MEETING - APPROVED**

Motion by Levine, seconded by Speech, CARRIED, to amend the minutes of the March 2, 2015 Special Council Meeting by indicating that Motion CM-03-072-15 should read "No ramifications for prior City Council Meetings absences by any Council Member".

Roll Call Vote:        Yes:        McClellan, Burns, Levine, Speech  
                               No:        Seligson  
                               Absent:   None

**MOTION DECLARED ADOPTED**

Council Member Speech questioned the accuracy of the minutes of the March 2, 2015 Special Council Meeting with respect to a discussion and motion pertaining to prior absences at City Council Meetings. Council Member Speech indicated that her prior absences should be excused as they were a result of illness and because Council did not follow protocol to vote on the absence at the time the absence occurred, the record did not reflect the absences as excused. Council clarified that the minutes of the March 2, 2015 accurately reflected the fact that Council did not vote to excuse the prior absences but did vote to indicate there would be no ramifications as a result of those absences. Mayor ProTem Levine indicated that since City Council did not vote to excuse any absences for any Council Members during the time period in question the motion in the minutes should have reflected that that there would be no ramifications to "any council member" not just Council Member Speech. City Manager Tungate reminded Council that the discussion that is in order at this time is whether the minutes accurately reflect the discussion and vote that took place on March 2, 2015.

**RECOGNITION OF VISITING ELECTED OFFICIALS: None**

**SPECIAL RECOGNITION/PRESENTATIONS:**

**(AGENDA ITEM #7A) Medal of Valor Presentation to Retired Public Safety Officer Sergeant Norman Desimone.** Director Steve Cooper presented a Medal of Valor to Retired Public Safety Officer Norman Desimone.

**(AGENDA ITEM #7B)** Mayor McClellan administered the Oath of Office to newly appointed Board and Commission members as follows:

Danielle Fracassa	Beautification Commission
Ben Waxenberg	Employees' Retirement System Board of Trustees
Alvin J. Begel	Emergency Services Commission
Carla Wallace	Ethnic Advisory Commission
Mickey Alderman	Recreation Advisory Commission

**(AGENDA ITEM #7C) Proclamation honoring Teri Falson.** Mayor McClellan presented the following proclamation to Oak Park resident Teri Falson:

## City of Oak Park

### Proclamation

*Honoring  
Teri Falson*

**WHEREAS,** *Lifelong Oak Park resident Teri Falson witnessed a serious auto accident on February 10, 2015, and proceeded to provide life-saving assistance in the rescue of a newborn baby; and*

**WHEREAS,** *Teri Falson exercised her skills as a former United States Marine and a trained paramedic in freeing the trapped child from a car seat inside an overturned vehicle when ambulance workers on the accident scene required her assistance; and*

**WHEREAS,** *Teri Falcon unselfishly responded to the crisis without hesitation and has since stated that her "knowing what to do was almost instinctive" despite the fact that she suffered minor burns from the rescue; and*

**WHEREAS,** *A number of local television news stations and print media covered the rescue event and heralded Teri Falcon as a home-grown hero and "the right person at the right time"; and*

**WHEREAS,** *Teri Falcon, 32, mother of a five-year-old daughter and wife of John Falcon, lives with her family on Nadine Street in Oak Park;*

**NOW, THEREFORE, BE IT RESOLVED,** *that I, Marian McClellan, Mayor of the City of Oak Park, Michigan, on behalf of the Oak Park City Council and all of our residents, by proclamation, do express sincere gratitude to Teri Falcon for a rare and selfless act of heroism that saved a young life and brought great pride to our community.*

*IN TESTIMONY WHEREOF, I have officially signed my name, and caused the seal of the City of Oak Park, Michigan, to be affixed this Sixteenth day of March, Two Thousand Fifteen.*

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*Marian McClellan, Mayor*

**(AGENDA ITEM #7C) Proclamation Recognizing the 25<sup>th</sup> Anniversary of Forgotten Harvest.** Mayor McClellan presented the following proclamation recognizing the 25<sup>th</sup> anniversary of Oak Park based not-for-profit Forgotten Harvest

## **City of Oak Park**

### **Proclamation**

***Forgotten Harvest  
25<sup>th</sup> Anniversary***

**WHEREAS,** *Oak Park-based, non-profit organization Forgotten Harvest was formed in 1990 to fight hunger in the metropolitan Detroit area; and*

**WHEREAS,** *The mission of Forgotten Harvest is to relieve hunger and prevent nutritious waste in the Detroit metropolitan community by rescuing and donating prepared and perishable food to emergency food providers such as: pantries, soup kitchens, children's homes, and shelters; and*

**WHEREAS,** *Forgotten Harvest makes free-of-charge deliveries to a network of 280 food emergency agencies in Wayne, Oakland and Macomb counties, which provide an equivalent of 48.8 million meals per year for those in need; and*

**WHEREAS,** *Forgotten Harvest, its leadership and employees have inspired and instilled pride in the Oak Park community for continuous acts of generosity and humanity for 25 years;*

**NOW, THEREFORE, BE IT RESOLVED,** *that I, Marian McClellan, Mayor of the*

*City of Oak Park, Michigan, on behalf of the Oak Park City Council and all our residents, do hereby  
proclaim March 26, 2015, as:*

***Forgotten Harvest Day***

*in the City of Oak Park, in recognition of 25 years  
of dedicated service to the welfare  
of our community.*

***IN TESTIMONY WHEREOF, I have signed my name,  
officially, and caused the seal of the City of Oak Park,  
Michigan, to be affixed this Twenty Sixth day of March,  
Two Thousand Fifteen.***

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***Marian McClellan, Mayor***

**(AGENDA ITEM #7E) Road Commission of Oakland County Presentation.** A presentation was made regarding the Road Funding Proposal on the May 5, 2015 Special Election ballot.

**PUBLIC HEARINGS:** None

**COMMUNICATIONS:** None

**SPECIAL LICENSES:** None

**ACCOUNTING REPORTS:**

**CM-03-106-15 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF AN INVOICE  
AS SUBMITTED BY GARAN, LUCOW, MILLER P.C., FOR LEGAL  
SERVICES IN THE TOTAL AMOUNT OF \$10,177.70 - APPROVED**

Motion by Burns, seconded by Seligson, CARRIED UNANIMOUSLY, to approve payment of invoice #433352 as submitted by Garan, Lucow, Miller P.C., for legal services in the total amount of \$10,177.70.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Seligson, Speech
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

**CM-03-107-15 (AGENDA ITEM #11B) APPROVAL FOR PAYMENT OF AN INVOICE  
AS SUBMITTED BY HOWARD L. SHIFMAN, P.C., FOR LEGAL  
SERVICES RETAINER FOR APRIL 1, 2015 THRU JUNE 30, 2015 IN  
THE TOTAL AMOUNT OF \$10,000.00 - APPROVED**

Motion by Speech, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoice #12350 as submitted by Howard L. Shifman, P.C., for legal services retainer for

April 1, 2015 thru June 30, 2015 in the total amount of \$10,000.00.

Roll Call Vote:        Yes:            McClellan, Burns, Levine, Seligson, Speech  
                              No:            None  
                              Absent:        None

**MOTION DECLARED ADOPTED**

**CM-03-108-15            (AGENDA ITEM #11C) APPROVAL FOR PAYMENT OF AN INVOICE AS SUBMITTED BY SECREST, WARDLE, LYNCH, HAMPTON, TRUEX & MORLEY, FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$6,172.37 - APPROVED**

Motion by Speech, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoice #1262312 as submitted by Secrest, Wardle, Lynch, Hampton, Truex & Morley, for legal services in the total amount of \$6,172.37.

Roll Call Vote:        Yes:            McClellan, Burns, Levine, Seligson, Speech  
                              No:            None  
                              Absent:        None

**MOTION DECLARED ADOPTED**

**BIDS:** None

**ORDINANCES:**

**CM-03-109-15            (AGENDA ITEM #13A) FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC LIQUORS, ARTICLE III, REGULATION OF ON-THE-PREMISE CONSUMPTION, SECTIONS 6.2 AND 6.9 OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED**

Motion by Speech, seconded by Burns, CARRIED, to approve the first Reading of the following Ordinance to Amend Chapter 6, Alcoholic Liquors, Article III, Regulation of On-the-premise Consumption, Sections 6.2 and 6.9 of the Code of Ordinances of the City of Oak Park, Michigan:

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 6 ALCOHOLIC LIQUORS, ARTICLE III, REGULATION OF ON-THE -PREMISE CONSUMPTION, SECTIONS 6.2 AND 6.9 OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:  
Chapter 6 - ALCOHOLIC LIQUORS

FOOTNOTE(S):

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**Cross reference**— Businesses, ch. 22; offenses and miscellaneous provisions, ch. 50; intoxicating liquor prohibited in public parks, § 54-2. ([Back](#))

**State Law reference**— Liquor law, MCL 436.1 et seq. ([Back](#))

ARTICLE I. - IN GENERAL

Sec. 6-1. - Definitions.

The meaning of the terms "alcoholic liquor" and "license" when used in this chapter shall be as defined by state law.

(Code 1973, § 4-1)

**Cross reference**— Definitions generally, § 1-2.

**State law reference**— Definitions, MCL 436.2 et seq.

Sec. 6-2. - Consumption in public.

No alcoholic liquor shall be consumed on the public streets, parks, or in any other public places, or in any place open to the public, **without a special license approved by city council in Section 6.9** including any store or establishment doing business with the public not licensed to sell alcoholic liquor for consumption on the premises; nor shall anyone who owns, operates or controls any such public establishment or store, permit the consumption of alcoholic liquor therein **without a special license approved by city council as set forth in Section 6.9.**

(Code 1973, § 4-2)

**State law reference**— Consumption on public ways, parks, MCL 436.34.

Sec. 6-3. - General sales restrictions.

No licensee, by himself, or another, shall sell, furnish, give or deliver any alcoholic liquor to any person except pursuant to a special license approved in accordance with section 6-9:

- (1) Who is so intoxicated as not to be in control of all his faculties;
- (2) On any day during the hours not permitted by state law or the state liquor control commission;
- (3) For consumption on the premises, except pursuant to a special license approved in accordance with section 6-9

(Code 1973, § 4-3; Ord. No. O-08-555, § 1, 12-1-08)

Sec. 6-4. - Possessing or transporting alcoholic liquor in motor vehicles by persons under 21 years.

A person less than 21 years of age shall not knowingly transport or possess, in a motor vehicle, alcoholic liquor unless the person is employed by a licensee under the Michigan Liquor Control Act, MCL 436.1 et seq., as amended, the liquor control commission, or an agent of the liquor control commission and transports or possesses the alcoholic liquor in a motor vehicle under the person's control during regular working hours and in the course of the person's employment. A person who violates this section is guilty of a misdemeanor.

(Code 1973, § 4-5)

Sec. 6-5. - Furnishing alcoholic liquor to persons under 21 years.

- (a) Alcoholic liquor shall not be sold or furnished to a person unless the person has attained 21 years of age. A person who knowingly sells or furnishes alcoholic liquor to a person who is less than 21 years of age, or who fails to make a diligent inquiry as to whether the person is less than 21 years of age, is guilty of a misdemeanor.
- (b) "Diligent inquiry" means a diligent good faith effort to determine the age of a person, which includes at least an examination of an official Michigan operator's or chauffeur's license, an official Michigan personal identification card, or any other bona fide picture identification which establishes the identity and age of the person.

(Code 1973, § 4-6; Ord. No. O-97-361, § 1, 3-3-97)

**State law reference**— Similar provisions, MCL 436.33.

**Sec. 6-6. - Furnishing fraudulent identification.**

A person who furnishes fraudulent identification to a person less than 21 years of age, or, notwithstanding section 6-8, a person less than 21 years of age who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(Code 1973, § 4-7; Ord. No. O-97-361, § 2, 3-3-97; Ord. No. O-99-396, § 1, 10-18-99; Ord. No. O-00-429, § 1, 11-6-00)

**State law reference**— Similar provisions, MCL 436.33b.

**Sec. 6-7. - State license required for sales.**

No person shall engage in the business of selling alcoholic liquor, beer, wine or spirits for consumption in the city without first obtaining a license therefor, as required by the statutes of the state.

(Code 1973, § 4-8)

**State law reference**— For state licenses, see MCL 436.27.

**Sec. 6-8. - Prohibition relative to persons under 21 years; penalties; exceptions.**

(a) A person less than 21 years of age shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, or possess or attempt to possess alcoholic liquor, except as provided in this section and section 6-4. A person less than 21 years of age who violates this subsection is guilty of a misdemeanor punishable by the following fines and sanctions:

- (1) For the first violation, a fine of not more than \$100.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and may be designated by the administrator of substance abuse services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (c).
- (2) For a violation of this subsection following a prior conviction or juvenile adjudication for a violation of this subsection or section 33b(1) of former 1933 (Ex Sess) PA 8, a fine of not more than \$200.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (c).
- (3) For a violation of this subsection following two prior convictions or juvenile adjudications for a violation of this subsection or section 33b(1) of former 1933 (Ex Sess) PA 8, a fine of not more than

\$500.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (c).

- (b) Subsection (a) does not prohibit a person less than 21 years of age from possessing alcoholic liquor:
  - (1) During regular working hours and in the course of his or her employment if employed by a person licensed by the liquor control commission, or by an agent of the liquor control commission, if the alcoholic liquor is not possessed for his or her personal consumption; or
  - (2) Consuming alcoholic liquor in a course offered by an accredited post secondary educational institution in an academic building of the institution under the supervision of a faculty member if the purpose of the consumption is solely educational and is a requirement of the course; or
  - (3) Consuming alcoholic liquor, including sacramental wine, in connection with religious services at a church, synagogue, or temple;
  - (4) In an undercover operation under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action;
  - (5) In an undercover operation under the direction of the state police, the liquor control commission, or a local police agency as part of an enforcement action.
- (c) The court may order the person convicted of violating subsection (a) to undergo screening and assessment by a person or agency as designated by the substance abuse coordinating agency as defined in section 6103 of the public health code, 1978 PA 368, MCL 333.6103 in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs.
- (d) An officer or member of the city department of public safety who witnesses a violation of subsection (a) may stop and detain the person for the purposes of obtaining satisfactory identification, seizing illegally possessed alcoholic liquor and issuing an appearance ticket.
- (e) A peace officer who has reasonable cause to believe a person less than 21 years of age has consumed alcoholic liquor may require the person to submit to a preliminary chemical breath analysis. A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor. A person less than 21 years of age who refuses to submit to a preliminary chemical breath test analysis as required in this subsection is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (f) The city department of public safety, upon determining that a person less than 18 years of age who is not emancipated pursuant to 1968 PA 293, MCL 722.1 to 722.6, allegedly consumed, possessed, purchased, or attempted to consume, possess, or purchase alcoholic liquor in violation of subsection (a) shall notify the parent or parents, custodian, or guardian of the person as to the nature of violation if the name of a parent, guardian, or custodian is reasonably ascertainable. The notice shall be made not later than 48 hours after determining that the person who allegedly violated subsection (a) is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6. The notice may be made by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first-class mail. If a person less than 17 years of age is incarcerated for violating subsection (a), then his or her parents or legal guardian shall be notified immediately.

(Code 1973, § 4-9; Ord. No. O-97-361, § 3, 3-3-97; Ord. No. O-99-396, § 2, 10-18-99)

Sec. 6-9. - Special licenses.

The ~~d~~Director of ~~p~~Public ~~S~~safety, or his designee, may approve the issuance by the ~~s~~State ~~L~~Liquor ~~e~~Control ~~e~~Commission of a special license for the sale of beer and wine by the glass under the following circumstances:

- (1) A special license will be approved only for a recognized nonprofit organization, exempt from federal taxation under 26 USC Section 501(c)(3).
- (2) A completed application, on the ~~s~~State ~~L~~Liquor ~~e~~Control ~~e~~Commission form, for a special ~~one to three~~ ~~one~~-day license, shall be submitted to the director of public safety for his review at least five working days prior to filing with the state liquor control commission.
- (3) A special license will be approved for one day only.
- (4) No event will be approved to occur in any city building, or on city property, ~~or outdoors.~~ Except during the Fourth of July Celebration and Oak Park Summerfest with a city council approved special event license accompanied by an approved license by the State Liquor Control Commission, with prior written approval by city council.
- (5) No sale or consumption of distilled spirits will be allowed; only beer and wine may be permitted.
- (6) A special license will be approved only for an event at which food will be served.
- (7) A special license does not permit the sale or advertisement for sale of an unlimited quantity of alcoholic beverages at a specific price.
- (8) The applicant must submit proof that liability insurance covering the event has been obtained, with limits not less than \$1,000,000.00 per occurrence, \$2,000,000.00 total.
- (9) A fee for review of applications shall be charged in an amount to be set by the city council from time to time.
- (10) The ~~e~~City ~~m~~Manager will submit annual reports to the city council regarding permits approved pursuant hereto along with any recommendations for changes.

(Ord. No. O-08-555, § 2, 12-1-08)

Secs. 6-10—6-30. - Reserved.

## ARTICLE II. - MINORS AT OPEN HOUSE PARTIES

### Sec. 6-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alcoholic liquor* means as defined as in section 2 of the Michigan Liquor Control Act, MCL 436.1 et seq., and shall include any beverage containing more than one-half of one percent of alcohol by volume, including beer, wine and spirits.

*Control* means any form of control, regulation or dominion, including a possessory right or the paying or contracting for rental premises.

*Drug* means a controlled substance as defined in MCL 333.7212 et seq., as the same may be amended from time to time.

*Minor* means a person not legally permitted by reason of age to possess or consume alcoholic beverages pursuant to section 33b of the Michigan Liquor Control Act, MCL 436.1 et seq.

*Open house party* means a social gathering of persons at a residence or rental premises which includes persons other than or in addition to the owner or person with rights of possession, and their immediate family members.

*Rental premises* means a hotel room, motel room, hall, or limousine which is rented on a shortterm basis for lodging or a social function.

*Residence* means a home, apartment, condominium or other dwelling unit, and includes the curtilage of such dwelling unit.

(Ord. No. O-94-319, § 1(a), 3-21-94)

**Cross reference—** Definitions generally, § 1-2.

**Sec. 6-32. - Conditions of prohibition; penalties for violation.**

No person having control of any residence or rental premises shall allow an open house party to occur or continue at such residence or rental premises if the person knows or reasonably should know that a minor is in possession of or consuming alcoholic liquor or a drug at such residence or rental premises. The penalties for violation of this section shall be as follows:

- (1) For the first violation, a fine not exceeding \$500.00 or imprisonment in the county jail for a term not to exceed 30 days, or by both such fine and imprisonment.
- (2) For subsequent violations, a fine not exceeding \$500.00 or imprisonment in the county jail for a term not to exceed 90 days, or by both such fine and imprisonment.

(Ord. No. O-94-319, § 1(b), 3-21-94)

**Sec. 6-33. - Attendance at gathering.**

No person shall knowingly remain present at an open house party where a minor is in possession of or consuming alcoholic liquor. A person who violates this section shall have committed a civil infraction and shall be subject to the following penalties:

- (1) For the first violation, a civil fine of not more than \$25.00.
- (2) For a second violation, a civil fine of not more than \$50.00.
- (3) For a third or subsequent violation, a civil fine of not more than \$100.00.

(Ord. No. O-94-319, § 1(c), 3-21-94)

**Sec. 6-34. - Exceptions.**

The provisions of this article shall not apply to legally protected religious observances or legally protected educational activities.

(Ord. No. O-94-319, § 1(d), 3-21-94)

**Secs. 6-35—6-50. - Reserved.**

### **ARTICLE III. - REGULATION OF ON-THE-PREMISES CONSUMPTION**

**Sec. 6-51. - Short title.**

This article shall be known and may be cited as the City of Oak Park on-the-Premises Consumption Ordinance.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-52. - Statement of purpose.**

The purpose of this article is to allow the city to establish and administer a policy for the issuance and transfer of tavern licenses for the sale of beer and wine for consumption on the premises ("tavern licenses") and related permits, to provide for the enforcement of liquor laws, regulations and ordinances, and to manage the number of tavern licenses in the City of Oak Park.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-53. - Definitions.**

(a) The following definitions shall apply in this article:

- (1) *Applicant* means the individual(s); or for partnerships, all partners; for limited liability companies, all managers and members; and for corporations, all directors, officers and stockholders if the stock is not publicly traded, seeking to be licensees hereunder.
- (2) *Licensee* means and include all persons, including their agents, servants and employees, holding a license to sell alcoholic liquor in the city for consumption on the premises issued by the Michigan Liquor Control Commission.
- (3) *Licensed premises* means the Oak Park location at which a licensee is authorized to sell alcoholic liquor for consumption on the premises.
- (4) *License* means a license to sell alcoholic liquor for consumption on the premises issued by the Michigan Liquor Control Commission.
- (5) *Related permit* means any permit issued by the Michigan Liquor Control Commission to a licensee for entertainment or other activity at the licensed premises which legally requires such a permit.
- (6) *Person* means any person, firm, partnership, association or corporation.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-54. - Licensing policy.

- (a) No person shall engage in the business of selling alcoholic liquor for consumption on the premises in the City of Oak Park without first obtaining a liquor license therefor, as required by the statutes of the State of Michigan and the City of Oak Park.
- (b) The city council may establish by resolution the number and type of establishments within the city in which the sale or consumption of alcoholic liquor shall be permitted for consumption on the premises. The number of such establishments may be less, but in no case greater than the number of such establishments permitted by Michigan law.
- (c) New licenses and related permits, transfers of ownership of existing licenses, and transfers of licenses into the city shall require the prior approval, and is at the sole discretion of, the city council.
- (d) An annual review shall be conducted of all existing licenses and related permits in the City of Oak Park.
- (e) No person shall engage in the business of selling alcoholic liquor for consumption on the premises in the City of Oak Park without first obtaining a special land use approval, as required by the Zoning Act, and entering into a contract with the City of Oak Park.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-55. - Restaurant requirements.

- (a) The city council shall not approve any application for a new, a renewal, or transfer into the city of a license to sell alcoholic liquor for consumption on the premises unless the use of the license is in connection with and incidental to a restaurant operation meeting the following requirements and performance standards:
  - (1) There shall at all times be maintained and provided culinary facilities to cook or prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 40 patrons at any time.
  - (2) The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
  - (3) Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be included in this determination.
  - (4) That during any 90-day period, no more than 50 percent of the gross revenues of the establishment will be or is derived from the sale of alcoholic beverages. Sales of food or alcoholic beverages to hotel

or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales to alcoholic beverages.

(5) No admission fees or cover charges shall be levied on any patrons.

(6) Restaurant shall stop serving alcoholic beverages at 12:00 a.m. (midnight).

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-56. - Application for license.

(a) Each applicant for a new license and/or a new related permit, the transfer into the city of a license, or the transfer of ownership of an existing license shall submit to the city clerk an application, on a form provided by the city, containing:

- (1) The name and address of the applicant, with age for an individual, as well as for each partnership, the persons entitled to share in the profits thereof; and also for a corporation, the purpose for which organized, the names and addresses of the officers and directors; and if a majority interest of the stock of such corporation is owned by one person or nominee, the name and address of such person.
- (2) The citizenship of the applicant; place of birth; and, if a naturalized citizen, the time and place of naturalization.
- (3) The nature or purpose of the applicant's business, and, in the case of a corporation, the object for which it was formed; applicant shall submit copies of business entity's organizational documents.
- (4) The length of time the applicant has been engaged in the business of that character, or, in the case of a corporation, the date when its charter was issued.
- (5) The location and description of the premises or place of business which is to be operated under such license; applicant shall submit copy of lease, deed, or other proof of applicant's right to use the property.
- (6) A statement whether applicant has operated or made application for a similar or another license on any premises other than described in this application, and the disposition of such license or application.
- (7) A statement as to whether the applicant has ever been convicted of or found responsible for a violation of any federal or state law or administrative rules of the Michigan Liquor Control Commission concerning the manufacture, possession or sale of alcoholic liquor, or similar violation of another state or country or convicted of any felony or misdemeanor, and/or is otherwise disqualified to receive a license by reason of any matter or thing contained in this article or the laws of the State of Michigan.
- (8) A statement that the applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the City of Oak Park or the administrative rules of any regulatory agency in the conduct of its business.
- (9) An accurate record and history of any liquor license complaint violations by the applicant, owners or stockholders of applicant, by a corporation or entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary corporation of the applicant for the immediate preceding five years.
- (10) The application shall be accompanied by building and site plans showing the entire structure and premises, and in particular the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control.
- (11) The estimated total cost in dollars to be expended by the licensee for the licensed premises.
- (12) A sample menu for the proposed licensed establishment, together with a breakdown of the anticipated revenues from food and nonalcoholic beverages, alcoholic beverages and other revenues.

(13) Other information requested on the form provided by the clerk.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-57. - Plan of operation required.**

- (a) *Business operation.* An application for a new license or related permit, an application for the transfer of ownership of an existing license or an application for transfer of a license into the city shall require submission of a plan of operation for review and consideration by the city council.
- (b) *Plan of operation.* A plan of operation shall contain an operational statement outlining the manner in which the establishment will be operated, including, but not limited to, the format, schedule of the hours of operation, crowd control, security, alcohol management, staff training, use of the facilities, parking provisions, plan for interior use and layout, and any other pertinent information requested by the city.
- (c) *Compliance.* A licensee shall comply with all applicable state and city regulations and the plan of operation as approved by the city council. A failure to so comply is a violation of this article and shall provide grounds for the city council recommending to the Michigan Liquor Control Commission that the license be revoked or not renewed.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-58. - Review procedures.**

- (a) *City clerk processing.* Upon receipt of an application and fee, as provided herein, the clerk shall distribute the application to appropriate departments within the city for certifications necessary for city council approval, as follows:
  - (1) Certification by the city clerk that the proposed licensee has a current valid license for operation of a restaurant at the proposed licensed premises or meets applicable requirements for the issuance of such a license.
  - (2) Certification by the director of technical and planning services that the buildings or structures to which the license will apply meet all applicable building and property maintenance codes or that acceptable building plans for work which will satisfy all such codes have been submitted.
  - (3) Certification by the director of technical and planning services that the proposed licensed premises is appropriately zoned for the use and that any required zoning approvals, including site plan approval, have been applied for or obtained.
  - (4) Certification by the director of public safety based upon a finding that the proposed licensee or licensees are of good moral character.
  - (5) Certification by the director of public safety that the proposed licensed premises are in compliance with all applicable fire safety regulations.
- (b) *Public hearing.*
  - (1) When a completed application and fee including public hearing and notice have been received, the city council shall schedule a public hearing to consider the request for a new license and related permit, the transfer of ownership of an existing license, or the transfer of a license into the city.
  - (2) Notice of the public hearing shall be provided to all property owners within 500 feet of the proposed establishment, according to the tax records of the city.
  - (3) Notice of the public hearing shall be provided to all current liquor license holders located in the city, school districts, private schools, public school academies, and churches located in the city.
  - (4) The applicant or an authorized representative shall appear at the city council hearing and make a written and/or oral presentation concerning the request.

- (c) *Review factors.* In reviewing a request for a new license or related permit, a transfer of ownership of an existing license, or a transfer of a license into the city, the city council may consider and/or weigh the following factors:
- (1) Total number of similar licenses in the city.
  - (2) Input from residents and surrounding business owners.
  - (3) Impact of the establishment on surrounding businesses and neighborhoods.
  - (4) Whether a proposed licensed premises is part of a multi-use project with substantial new retail, office, or residential components, and the size of the proposed licensed premises relative to the overall project or development.
  - (5) Crowd control.
  - (6) Parking availability.
  - (7) Preservation or restoration of historic buildings.
  - (8) Location in an underdeveloped area.
  - (9) Concentration of establishments and impact on policing requirements.
  - (10) Policing requirements.
  - (11) Business history.
  - (12) Business experience.
  - (13) Liquor control commission violation history.
  - (14) Percent of floor area devoted to dining versus bar area.
  - (15) Size of bar area.
  - (16) Overall benefit of the plan to the City of Oak Park.
  - (17) Non-payment of taxes or other payment due to the city.
  - (18) Any other factor(s) that may affect the health, safety and welfare or the best interests of the community.
- (d) *Restrictions on licenses.* No license shall be approved for:
- (1) An applicant or licensee whose license has been revoked for cause.
  - (2) An applicant, who at the time of application or at renewal of any license issued hereunder, would not qualify or be eligible therefor.
  - (3) A co-partnership, unless all of the members of such co-partnership shall qualify to obtain a license.
  - (4) A corporation if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than five percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason.
  - (5) An applicant or licensee whose place of business is or will be conducted by a manager or agent, unless such manager or agent possesses qualifications similar to those required of the applicant or licensee.
  - (6) An applicant or licensee who has been convicted or found responsible for a violation of any federal or state law or administrative rules of the Michigan Liquor Control Commission concerning the manufacture, possession or sale of alcoholic liquor, or similar violation of another state or country.
  - (7) An applicant or licensee who does not own the premises for which a license is sought or have a lease therefor for the full period for which the license is issued.

- (8) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.
  - (9) An applicant or licensee who does not have substantial management experience with entities having liquor licenses, or who, for other similar reasons, in the discretion of the city council, is not qualified to receive a license.
  - (10) An applicant or licensee that has not submitted a site plan free from violations of the applicable building, electrical, mechanical, plumbing, or fire prevention codes, applicable zoning regulations, or applicable public health regulations;
  - (11) Unless an applicant or licensee is selling beer or wine, demonstrably in connection with, and incidental to, a bona fide restaurant operation;
  - (12) An applicant or licensee that where the city council has determined that the premises do not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed;
  - (13) An applicant or licensee that where the city council has determined that the location proposed for a licensed liquor establishment will have an adverse effect on the community, with consideration given to traffic safety conditions, accessibility to major streets or highways, distance from public or private schools, impact on adjacent residential districts, zoning classifications and the availability of parking.
  - (14) An applicant or licensee unless a valid special land use approval is lawfully maintained for the premises.
  - (15) An applicant or licensee unless a valid contract has been entered into with the city.
  - (16) An applicant determined to have been untruthful in the application submitted to the city or to have submitted an application or other documentation with material omissions of fact.
- (e) *Approval.* After a review by staff and recommendation, and a public hearing, if the city council is satisfied that the establishment or operation will provide a benefit the City of Oak Park and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution. Approval of a license shall be conditioned on any necessary remodeling or new construction for the use of the license be completed within six months of the action of the city council or the Michigan Liquor Control Commission approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction may subject the license to revocation.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-59. - Entertainment permits.

- (a) Requests for permits for dance, entertainment, or dance and entertainment shall be reviewed and approved in the discretion of the city council after an evaluation of the factors listed in subsection 6-58(c). The city will not consider requests for topless entertainment permits.
- (b) No licensee shall knowingly engage in, allow, or permit any of the following activities, without first being granted a permit by both the city and the Michigan Liquor Control Commission, which is in legal effect at the time of the occurrence of such activity, to be conducted by any person upon any licensed premises owned, occupied or controlled by such licensee:
  - (1) Dancing, monologues, dialogues, motion pictures, still slides, closed circuit television, contests or other performances for public viewing on the licensed premises.
- (c) No nudity or topless activity shall be permitted on a licensed premises. As used in this section:

- (1) *Nudity* means exposure to public view of the whole or part of the pubic region; the whole or part of the anus; the whole or part of the buttocks; the whole or part of the genitals; or the breast area including the nipple or more than ½ of the area of the breast.
- (2) *Topless activity* means activity that includes, but is not limited to, or entertainment or work-related activity performed by any employee, agent, or contractor of the licensee or person acting under the control of or with the permission of the licensee, on the licensed premises in which the female breast area, including the nipple, or more than one-half of the area of the breast, is directly exposed or exposed by means of see-through clothing or a body stocking:

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-60. - Entertainment permit requests.

- (a) The city will review each entertainment permit request to determine whether to approve the temporary permit and, if necessary, make a recommendation to the Michigan Liquor Control Commission regarding issuance of said permit, based upon a licensed establishment operation in a manner consistent with the provisions of this article and all other applicable laws, and regulations of the City of Oak Park and the State of Michigan.
- (b) The city manager shall initiate an investigation and review of each request for an entertainment permit. The investigation and review may include, but not be limited to, the procedures listed in section 6-61

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-61. - Annual license review.

- (a) The city will review each license to determine whether to make a recommendation to the Michigan Liquor Control Commission regarding renewal of said license, based upon a licensed establishment operation in a manner consistent with the provisions of this article and all other applicable laws, and regulations of the City of Oak Park and the State of Michigan.
- (b) The city manager shall annually initiate an investigation and review of each on premises licensed establishment. The investigation and review shall include, but not be limited to, the following:
  - (1) Current valid licenses from appropriate county, state or federal governments authorizing service of food at the establishment.
  - (2) Inspection of the premises compliance with the license, its approved site plan and, if applicable, its plan of operation, as well as any conditions imposed by the city or the Michigan Liquor Control Commission or representations made by the licensee at the time of issuance or transfer of the license.
  - (3) City records to determine that all taxes and other monies due the city are timely paid.
  - (4) Police files or other sources of information to determine that no activity in connection with the licensed premises is in violation of the law, disturbs the public peace and tranquility, constitutes a nuisance, or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premises.
  - (5) Continuous compliance with the applicable conditions or of the criteria as described in subsection 6-58(c) of this article.
  - (6) The operation of the licensed establishment for compliance with any and all representations made by the licensee to the city or the city council.
  - (7) Recommendations from city departments. Following receipt of a fully completed application, fees, and such other information as may be requested by the city, the city clerk shall forward the application to the department of public safety, department of technical and planning services, treasurer's office, and such other departments as required by the city manager, which departments shall make their reviews and recommendations prior to consideration by the city council. In conducting its review, the city may

request other pertinent information from the licensee. The complete report shall be reviewed by staff prior to being submitted to the city council.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-62. - Revocation and non-renewal.**

- (a) Each establishment within the city for which a license or related permit is granted shall be operated and maintained in accordance with all applicable laws and regulations of the City of Oak Park and the State of Michigan. Upon any violation of this article, the council may, after notice and hearing, request the Michigan Liquor Control Commission to revoke such license and/or permit.
- (b) Upon any violation(s) of this article, the city will notify the licensee of the specific violation(s) and afford the licensee an opportunity to comply with said article. Licensee must comply in the time established by the city manager, but in no event more than ten days after notification to licensee by city of such violation. Absent compliance within that time established by the city manager, the city may hold a hearing and request that the Michigan Liquor Control Commission not renew and/or revoke such license and/or permit.
- (c) Before filing any objection to renewal or request for revocation of a license or permit with the Michigan Liquor Control Commission, the city shall serve the licensee with notice and proceed in accordance with this article, as amended. The city shall serve the licensee by first-class mail mailed to the licensed premises at least ten days prior to the hearing with notice of hearing, which notice shall contain the following:
  - (1) Date, time and place of hearing.
  - (2) Notice of the proposed action.
  - (3) Reasons for the proposed action.
  - (4) Names of any witnesses known at the time who may testify.
  - (5) A statement that the licensee may present evidence or any testimony that may refute or respond to reasons for the proposed action.
  - (6) A statement requiring the licensee to notify the city attorney's office at least three days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf.
- (d) Upon completion of the hearing, the city council shall submit to the licensee and the Michigan Liquor Control Commission a written statement of the findings and determination.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-63. - Criteria for non-renewal or revocation.**

- (a) The city council may recommend non-renewal or revocation of a license or related permit to the liquor control commission upon a determination based upon a preponderance of the evidence presented at the hearing that any of the following exists:
  - (1) Failure to comply with all standards, plans or agreements, entered into in consideration for the issuance, transfer or continuance of the license or permit, or failure to comply with all agreements or consent judgments entered into subsequent to the issuance of the license or permit.
  - (2) Failure to comply with an approved plan of operation and other plans, specifications, or representations made or submitted to the city by the licensee.
  - (3) Violations of the state liquor laws or regulations of the liquor control commission.
  - (4) Violations of state laws or local ordinances including, but not limited to those laws or ordinances concerning the public health, safety or public welfare.
  - (5) Failure to meet the requirements of section 6-55 of this article.

- (6) Maintenance of a nuisance upon or in connection with the licensed premises including, but not limited to, any of the following:
- (7) Failure to correct, within a reasonable amount of time, violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes, to include the history thereof.
- (8) A pattern of patron conduct in the neighborhood of the licensed premises, which is a violation of the law and/or disturbs the peace, order and tranquility of the neighborhood, including types of police, fire or medical services related to this operation.
- (9) Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties.
- (10) Entertainment on the premises or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinance or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.
- (11) Licensee's hindrance or obstruction of inspection of the licensed premises by the city's agents or employees in connection with the enforcement of this article.
- (12) Failure to pay taxes or make other payments due to the city in a timely manner.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-64. - Employees to be 21.

- (a) No person shall be employed to serve or handle any alcoholic beverage in any establishment where such beverage is sold for consumption upon the premises unless said person shall have attained the age of 21 years, provided, however, that persons under the age of 21 years but not under the age of 18 years may be employed to serve or handle alcoholic beverages by special permission of the director of public safety.
- (b) All licensees must have in their possession a birth certificate or other official document showing the place and date of birth of each employee which shall be available for inspection by police officers at all times.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-65. - Sales restricted.

No licensee under this article, by himself, or another, shall sell, furnish, give or deliver any alcoholic beverage to any person:

- (1) Who is so intoxicated as not to be in control of all his faculties;
- (2) On any day during the hours not permitted by state law or the state liquor control commission.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-66. - Game devices prohibited; presence of devices as prima facie evidence.

- (a) No licensee under this article shall allow upon his licensed premises slot machines, pinball machines, baseball, football, golf or hockey machines, electric ray machines, baffle boards, punch or pull boards, dice games or any gambling or gaming devices or paraphernalia of any nature, type or description, machines or apparatus, or gambling or gaming of any kind whatsoever.
- (b) The presence of any such device, machine or apparatus, mentioned in subsection (a) above, upon the premises of any establishment shall be prima facie evidence of a violation of this section.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-67. - Maintenance of peace and good order.

No person having the management, ownership or control of any premises in the city wherein any alcoholic beverage is sold for consumption on the premises shall permit any boisterous conduct, or in any manner the disturbance of the peace and good order of the neighborhood.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-68. - Soliciting of drinks and fraternizing with customers by employees prohibited.

No person having the management, ownership, or control of any premises wherein any alcoholic beverage is sold for consumption on the premises, shall permit anyone employed in said business to drink alcoholic beverages with, visit or fraternize with any of the patrons of said establishment in said place of business; nor shall any licensee or person having the management, ownership or control of such premises solicit any customer or patron of such place to purchase any alcoholic or non-alcoholic beverage for himself or any other person therein; provided, however, that this provision shall not apply to any female waitress, manager or licensee regularly employed on the premises who accepts or serves an order to any customer or patron in the regular course of her employment.

(Ord. No. O-13-596, § 1, 7-15-13)

SECTION 1. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII with the following:

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this \_\_\_\_ day of \_\_\_\_\_, 2015.

Roll Call Vote:	Yes:	McClellan, Burns, Seligson, Speech
	No:	Levine
	Absent:	None

**MOTION DECLARED ADOPTED**

Community and Economic Development Director Marrone summarized the proposed ordinance changes. She reported that the Community & Economic Development Department is planning for the upcoming Summerfest event to be held on August 8-9, 2015 and the planning committee would like to make this into a much larger event to attract visitors and residents. One suggestion was to add a

beverage tent to serve Beer and/or Wine at this years' event that would be run by a non-profit organization. The current Oak Park ordinance governing this issue does not allow for a special license to be issued by city council to allow for this activity in any city building or on any city property. She explained that the revision to the ordinance would allow City Council to approve a two day Special Event License that would permit the serving of beer and/or wine as a part of specific events on city property. Council Member Levine expressed concerns about the ordinance and suggested postponing consideration until the appropriate boards and commissions have had a chance for input.

**CITY ATTORNEY REPORT: None**

**CITY MANAGER:**

**Administration**

- A. **Resolution in support of the Michigan Sales Tax Increase Transportation Amendment (Proposal 1), on the May 5, 2015 Special Election ballot.** There was no second to the motion made by Council Member Speech therefore the resolution was not considered.

**Community & Economic Development**

**CM-03-110-15 (AGENDA ITEM #15B) CONCEPTUAL PUD DEVELOPMENT PLAN FROM SCHOSTAK BROTHERS & COMPANY FOR ARMORY PARK (THE FORMER NATIONAL GUARD ARMORY – EIGHT MILE RD) AS RECOMMENDED BY THE PLANNING COMMISSION - APPROVED**

Motion by Speech, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve the Conceptual PUD Development Plan from Schostak Brothers & Company for Armory Park (former National Guard Armory – Eight Mile Rd) as recommended by the Planning Commission.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Speech, Seligson
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

Community and Economic Development Manager Marrone reported that at the March 9, 2015 meeting, the Planning Commission conducted a Public Hearing on a Conceptual PUD Development Plan from Schostak Brothers & Company for Armory Park (the former National Guard Armory - Eight Mile Road). After hearing comments from residents, the Planning Commission voted to recommend to the City Council approval of the Conceptual PUD Development Plan for Armory Park.

**CM-03-111-15 (AGENDA ITEM #15C) TEMPORARY SIGN REQUEST AS SUBMITTED BY SAHNI'S, 13251 TEN MILE ROAD - APPROVED**

Motion by Speech, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve a temporary sign request as submitted by Sahni's, 13251 Ten Mile Road, for one 8 square foot sandwich board sign to be displayed for an initial 30 day period and a 30 day extension from March 17, 2015 thru May 16, 2015, subject to the following conditions:

1. The temporary sign shall not be placed to obstruct pedestrian traffic on the sidewalk.
2. Payment of Temporary Sign Permit fee and posting of \$50.00 bond.

Voice Vote:            Yes:            McClellan, Burns, Levine, Seligson, Speech  
                             No:            None  
                             Absent:        None

**MOTION DECLARED ADOPTED**

Mayor McClellan indicated that the wording on the sign should be spelled correctly before it is displayed.

**CM-03-112-15 (AGENDA ITEM #15D) TEMPORARY SIGN REQUEST AS SUBMITTED BY CW PRICE, 26100 GREENFIELD ROAD - APPROVED**

Motion by Levine, Seconded by Speech, CARRIED UNANIMOUSLY, to approve a temporary sign request as submitted by CW Price, 26100 Greenfield Road, for one four foot by forty foot exterior banner to be displayed for an initial 30 day period and a 30 day extension from March 17, 2015 thru May 16, 2015, subject to the following conditions:

1. The temporary sign shall not be placed to obstruct pedestrian traffic on the sidewalk.
2. Payment of Temporary Sign Permit fee and posting of \$50.00 bond.

Voice Vote:            Yes:            McClellan, Burns, Levine, Seligson, Speech  
                             No:            None  
                             Absent:        None

**MOTION DECLARED ADOPTED**

**CM-03-113-15 (AGENDA ITEM #15E) CONTRACT WITH MICHIGAN HOLIDAY LIGHTING IN THE AMOUNT OF \$4,800.00 AND BUDGET TRANSFER IN THE SAME AMOUNT FROM ACCOUNT NUMBER 101-11-611-801-000 (PROFESSIONAL SERVICES) TO 101-11-611-818-000 (CONTRACTUAL SERVICES) TO ALLOW FOR THE REMOVAL OF THE HOLIDAY LIGHTS - APPROVED**

Motion by Burns, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve entering into a contract with Michigan Holiday Lighting in the amount of \$4,800.00 and to further approve a budget transfer in the same amount from account number 101-11-611-801-000 (Professional Services) to 101-11-611-818-000 (Contractual Services) to allow for the removal of the holiday lights.

Roll Call Vote:        Yes:            McClellan, Burns, Levine, Seligson, Speech  
                             No:             None  
                             Absent:        None

**MOTION DECLARED ADOPTED**

Ms. Marrone reported that the city installed new holiday lights this past holiday season and summarized the request to remove the lights for the total amount of \$4,800.00. She indicated quotes were solicited from 4 vendors and 2 were received. Michigan Holiday Lighting was the low bidder. She also explained that funds are available for this project in the Community & Economic Development Budget, account 101-11-611-801.000 – Professional Services and need to be transferred to account 101-11-611-818 - Contractual Services for this expenditure.

**CM-03-114-15            (AGENDA ITEM #15F) RESOLUTION OF INTENT TO ESTABLISH A  
CORRIDOR IMPROVEMENT AUTHORITY AND TO SET A PUBLIC  
HEARING FOR MAY 4, 2015 AT 7:00 P.M - APPROVED**

Motion by Burns, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve the following Resolution of Intent to establish a Corridor Improvement Authority and to set a Public Hearing for May 4, 2015 at 7:00 P.M:

**CITY OF OAK PARK  
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION OF INTENT TO ESTABLISH CORRIDOR IMPROVEMENT  
AUTHORITY AND SETTING PUBLIC HEARING**

**RESOLUTION CM-03-114-15**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Monday, March 16, 2015 at 7:00 p.m.

Present:            Mayor McClellan, Council Member Burns, Mayor Pro Tem Levine,  
                             Council Member Speech, Council Member Seligson  
Absent:             None

The following preamble and resolution was offered by Council Member Burns and seconded by Council Member Speech.

**WHEREAS**, the Corridor Improvement Authority Act, 2005 PA 280, MCL 125.2871 *et seq.* (the "Act"), as amended, authorizes the City of Oak Park ("City") to establish a Corridor Improvement Authority ("Authority"), subject to the provisions of the Act; and

**WHEREAS**, the City has caused to be prepared plans for a Proposed Development Area; and

**WHEREAS**, the City wishes to resolve its intention to establish an Authority; make certain findings as provided by the Act; and schedule a public hearing concerning the establishment of the Authority.

**NOW, THEREFORE,** the City Council of the City of Oak Park, Oakland County, Michigan resolves as follows:

1. The City finds that it is necessary and in the best interest of the public to redevelop its commercial corridors and to promote economic growth.
2. To that end, the City hereby declares its intention to create and provide for the operation of a Corridor Improvement Authority within the City.
3. The proposed development area shall consist of the property described in **Exhibit A** to this Resolution and shall have the boundaries described therein ("Proposed Development Area").
4. The City finds that the Proposed Development Area meets the criteria set forth in Section 5 of the Act, as follows:
  - a. The Proposed Development Area is adjacent to or is within 500 feet of a road classified as an arterial or collector according to the federal highway administration manual "Highway Functional Classification – Concepts, Criteria and Procedures";
  - b. The Proposed Development Area contains at least 10 contiguous parcels or at least 5 contiguous acres;
  - c. More than one-half (1/2) of the existing ground floor square footage in the Proposed Development Area is classified as commercial real property under section 34c of the General Property Tax Act, 1893 PA 206, MCL 211.34c;
  - d. Residential use, commercial use, or industrial use has been allowed and conducted under the Zoning Ordinance or conducted in the entire Proposed Development Area for the immediately preceding 30 years;
  - e. The Proposed Development Area is presently served by municipal water or sewer;
  - f. The Proposed Development Area is zoned to allow for mixed use that includes high-density residential use; and
  - g. The City agrees to all of the following:
    - (i) to expedite the local permitting and inspection process in the Proposed Development Area; and
    - (ii) to modify its Master Plan to provide for walkable non-motorized interconnections, including sidewalks and streetscapes throughout the Proposed Development Area.
5. Pursuant to section 6 of the Act, the City shall hold a public hearing concerning the establishment of the Authority and designation of the Proposed Development Area on May 4, 2015 at 7:00 p.m. in the Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, Michigan.
6. Notice of the public hearing shall be published twice in a newspaper of general circulation in the City, not less than 20 or more than 40 days before the date of the hearing. Not less

than 20 days before the hearing, the City Clerk shall also mail notice of the hearing to the property taxpayers of record in the Proposed Development Area, to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the Authority is established and a tax increment financing plan is approved, and to the State Tax Commission. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the Proposed Development Area not less than 20 days before the hearing. The notice of hearing shall be in substantially the form of **Exhibit B**.

7. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Seligson, Speech
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

**Recreation**

**CM-03-115-15 (AGENDA ITEM #15G) RESOLUTION SUPPORTING THE DESIGNATION OF JULY AS PARK AND RECREATION MONTH - APPROVED**

Motion by Speech, Seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution supporting the designation of July as Park and Recreation Month:

**RESOLUTION DESIGNATING JULY AS  
PARK AND RECREATION MONTH**

WHEREAS parks and recreation programs are an integral part of communities throughout this country, including Oak Park; and

WHEREAS our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Oak Park recognizes the benefits derived from parks and recreation resources

NOW THEREFORE, BE IT RESOLVED BY Oak Park City Council that July is recognized as Park and Recreation Month in the city of Oak Park.

Voice Vote:	Yes:	McClellan, Burns, Levine, Speech, Seligson
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

**Technical & Planning**

**CM-03-116-15 (AGENDA ITEM #15H) REQUEST TO REJECT THE LOW BID AND AUTHORIZE THE TECHNICAL & PLANNING DEPARTMENT TO RE-ADVERTISE FOR BIDS FOR THE 2015 CODE ORDERED TREE REMOVAL, PROJECT M-620 - APPROVED**

Motion by Seligson, Seconded by Burns, CARRIED UNANIMOUSLY, to reject the low bid and authorize the Technical & Planning Department to re-advertise for bids for the 2015 Code Ordered Tree Removal, Project M-620.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Speech, Seligson
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

**Finance Department**

**CM-03-117-15 (AGENDA ITEM #15I-N) RESOLUTIONS AUTHORIZING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLLS FOR UNPAID FALSE ALARM INVOICES; UNPAID WEED MOWING INVOICES; UNPAID SIDEWALK REPLACEMENT INVOICES; UNPAID DELINQUENT WATER INVOICES; UNPAID SPECIAL PICKUP INVOICES; UNPAID SNOW REMOVAL INVOICES - APPROVED**

Motion by Speech, seconded by Levine, CARRIED UNANIMOUSLY, to adopt the following resolutions, receiving the report of the Deputy Treasurer, and authorizing and directing the City Assessor to prepare a Special Assessment Roll assessing unpaid charges to assessment districts:

#### **UNPAID FALSE ALARM INVOICES**

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises, which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, In accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make a Special Assessment Roll for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment District therefore to the benefits derived in the sum of **\$2,860.00** and

FURTHER RESOLVED THAT, Said Special Assessment Roll shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

FINALLY RESOLVED THAT, The Assessor, when s/he shall have completed the said assessment roll, shall report the same to the Council in the manner provided by the City Charter.

#### **UNPAID WEED MOWING INVOICES**

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises, which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, In accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make a Special Assessment Roll for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment District therefore to the benefits derived in the sum of **\$10,935.09** and

FURTHER RESOLVED THAT, Said Special Assessment Roll shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

FINALLY RESOLVED THAT, The Assessor, when s/he shall have completed the said assessment roll, shall report the same to the Council in the manner provided by the City Charter.

#### **UNPAID SIDEWALK REPAIR INVOICES**

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises, which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, In accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make a Special Assessment Roll for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment District therefore to the benefits derived in the sum of **\$184,929.48** and

**FURTHER RESOLVED THAT, Said Special Assessment Roll shall be numbered to correspond with the number of the Special Assessment to which it pertains; and**

**FINALLY RESOLVED THAT, The Assessor, when s/he shall have completed the said assessment roll, shall report the same to the Council in the manner provided by the City Charter.**

#### **UNPAID DELINQUENT WATER INVOICES**

**WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises, which remain unpaid, or in respect thereto, listed herewith;**

**THEREFORE, BE IT RESOLVED, In accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make a Special Assessment Roll for said expenses incurred, together with a penalty of fifteen percent (10%), and to assess the lands in the Special Assessment District therefore to the benefits derived in the sum of \$148,746.49 and**

**FURTHER RESOLVED THAT, Said Special Assessment Roll shall be numbered to correspond with the number of the Special Assessment to which it pertains; and**

**FINALLY RESOLVED THAT, The Assessor, when s/he shall have completed the said assessment roll, shall report the same to the Council in the manner provided by the City Charter.**

#### **UNPAID SPECIAL PICKUP INVOICES**

**WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises, which remain unpaid, or in respect thereto, listed herewith;**

**THEREFORE, BE IT RESOLVED, In accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make a Special Assessment Roll for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment District therefore to the benefits derived in the sum of \$5,025.43 and**

**FURTHER RESOLVED THAT, Said Special Assessment Roll shall be numbered to correspond with the number of the Special Assessment to which it pertains; and**

**FINALLY RESOLVED THAT, The Assessor, when s/he shall have completed the said assessment roll, shall report the same to the Council in the manner provided by the City Charter.**

#### **UNPAID SNOW REMOVAL INVOICES**

**WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises, which remain unpaid, or in respect thereto, listed herewith;**

**THEREFORE, BE IT RESOLVED, In accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make a Special Assessment Roll for said**

expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment District therefore to the benefits derived in the sum of **\$3,917.90** and

**FURTHER RESOLVED THAT**, Said Special Assessment Roll shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

**FINALLY RESOLVED THAT**, The Assessor, when s/he shall have completed the said assessment roll, shall report the same to the Council in the manner provided by the City Charter.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Speech, Seligson
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

**Department of Public Works**

**CM-03-118-15 (AGENDA ITEM #150) CONTRACT EXTENSION WITH MACOMB PIPELINE & UTILITIES COMPANY IN THE TOTAL AMOUNT OF \$461,034.00 FOR THE 2015 WATER MAIN REPLACEMENT PROJECT M-609 - APPROVED**

Motion by Speech, Seconded by Levine, **CARRIED UNANIMOUSLY**, to approve a Contract Extension with Macomb Pipeline & Utilities Company in the total amount of \$461,034.00 for the 2015 Water Main Replacement Project M-609.

Roll Call Vote:	Yes:	McClellan, Burns, Levine, Speech, Seligson
	No:	None
	Absent:	None

**MOTION DECLARED ADOPTED**

Assistant City Manager Yee summarized the request from Macomb Pipeline & Utilities Company, the contractor for the 2014 Watermain Replacement Project, M-575 to extend their unit prices from this project to perform the 2015 Watermain Replacement Project, M-609. He indicated that all unit prices will remain the same but they have requested that the mobilization, minor traffic control devices, and project clean-up be prorated from last year's project for the larger scale of the new project. Funding is available in the Water & Sewer Fund for this expenditure.

**CALL TO THE AUDIENCE:**

**Joyce Bannon**, 10611 Troy, had questions regarding the 8 mile and Greenfield development and whether the property has been properly cleared with respect to soil hazards. City Manager Tungate responded that the site has been remediated to the proper standard for this development.

**CALL TO THE COUNCIL:**

**Mayor McClellan** reported on expectations for repairs to Greenfield Road and encouraged residents to support the Road Bill on the May 5, 2015 ballot. She invited everyone to attend the State of the City Address scheduled for March 19, 2015.

**Mayor ProTem Levine** reminded everyone that he was not supportive of making beer and wine available in city parks for special events and questioned whether this activity would be a stimulus for economic development.

**Council Member Speech** encouraged everyone to pick up trash that was left behind from the melting snow. Please keep Oak Park Beautiful!

**Council Member Burns** indicated that Spring is here but please dress accordingly and be healthy. She reminded everyone to please take care of their pets and to be mindful of melting snow that may cause basements to flood.

**Council Member Seligson** wished everyone a good night.

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:35 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor



**CITY OF OAK PARK**  
**DEPARTMENT OF RECREATION**

Mayor Pro Tem  
 Paul Levine  
**Council Members**  
 Michael Seligson  
 Kiesha Speech  
 Carolyn Burns  
**City Manager**  
 Erik Tungate

CITY OF OAK PARK  
 DEPARTMENT OF RECREATION  
 INDEPENDENCE DAY COMMISSION  
 Regular Meeting \_\_February 4\_\_, 2015 - Minutes

I. Meeting called to order by \_\_Jim Weiskopf\_\_ at \_\_7:05\_\_ pm

Members Present: Lou Landau, Sharon Levine, Juanita Bell, Beverly Wiggins, Teresa Taylor, Wayne Lusk, Barbara Weiskopf, Jim Weiskopf, Todd George, Ervin Muilt, Demetra Johnson

Members Absent: Ruth Allon, Shalawn Jones, Mara Starr

Members Excused: Todd George, Juanita Bell

Ex-Officio Members Present: Mayor Pro Tem Paul Levine

Ex-Officio Members Absent: Council Member Speech

Staff Members Present: Julie L. Hall

Guests Present: None

I. Minutes of Independence Day Commission Meeting for June  
 None

II. Council Comments:

Mayor Pro Tem Levine reported on: New stores coming into the city and good economic development in the works. Renovation of Victoria Park. Discussed DTE and the need for more volunteers for Emergency Services and Boards and Commissions. Discussion regarding snow removal and code enforcement related to cars left in the street during snow emergencies

III. Communications:

None

IV. Chairperson's Report:

- a) Members received contact list and 2015 meeting dates
- b) Election of officers: Jim Weiskopf (Chair), Wayne Lusk (Vice Chair), Demetra Johnson (Secretary)

Motion by: Teresa Taylor  
 Seconded by: Demetra Johnson  
 Motion Passed

**V. Recreation Director's Report**

- a) Provided three parade DVDs, but will request more from Communications Department
- b) July 3<sup>rd</sup>, 2015 was confirmed as the date for the parade and Funday. Signs will be changed to reflect the date and possibly some new signs will be ordered.
- c) Budget will remain consistent, but would like to target more sponsorships. Tent sponsorships were discussed.

Motion by: Demetra Johnson  
Seconded by: Ervin Muiltou  
Motion Passed

**VI. Park Committee Report:**

The parade participation and both registration forms were reviewed. Make June 1 the deadline for both forms. Everything went well in the 2014 event. Discussion about keeping the parking lot closed until 2pm. Discussion regarding different participants slowing down the pace of the parade. Reminder not to duplicate food vendors. Discussion about sponsors for the 5k.

Motion by: Demetra Johnson  
Seconded by: Ervin Muiltou  
Motion Passed

**VII. Entertainment**

Naturalization Ceremony suggested

**VIII. Parade Committee Report:**

Will review 2014 participant list at next meeting. Invite all three school boards to participate. Discussion to bring back bag pipers and Redford Unicyclists.

Motion by: Beverly Wiggins  
Seconded by: Demetra Johnson  
Motion Passed

**IX Public Relations Report:**

Discussion regarding information going out in the Branch and getting the memo for soliciting sponsorships.

Motion by: Demetra Johnson  
Seconded by: Ervin Muiltou  
Motion Passed

**X. Other Business:**

Sharon Levine shared that Roy Sorini was in South Africa, but is now in Ghana.

**XI Announcements**

None

Motion to adjourn the meeting at \_\_\_ 8:42 \_\_\_ pm

Respectfully submitted,

L.H. Landau

Secretary



# CITY OF OAK PARK

## DEPARTMENT OF RECREATION

**Mayor**  
Marian McClellan  
**Mayor Pro Tem**  
Paul Levine  
**Council Members**  
Michael Seligson  
Kiesha Speech  
Carolyn Burns  
**City Manager**  
Erik Tungate

CITY OF OAK PARK  
DEPARTMENT OF RECREATION  
INDEPENDENCE DAY COMMISSION  
Regular Meeting March 4,, 2015 - Minutes

I. Meeting called to order by Jim Weiskopf at \_\_\_ 7:15 \_\_\_ pm

Members Present: Juanita Bell, Beverly Wiggins, Mara Starr, Teresa Taylor, Barbara Weiskopf, Jim Weiskopf, Todd George, Ervin Milton, Demetra Johnson

Members Absent: Ruth Allon, Shalawn Jones

Members Excused: Lou Landau, Joy Landau, Sharon Levine, Teresa Taylor, Wayne Lusky

Ex-Officio Members Present:

Ex-Officio Members Absent: Mayor Pro Tem Paul Levine, Council Member Keisha Speech

Staff Members Present: Recreation Director Julie L. Hall

Guests Present: Mattie Boykin

I. Minutes of Independence Day Commission Meeting for February 4, 2015

Motion by: Demetra Johnson  
Seconded by: Ervin Milton  
Motion Passed

II. Council Comments:

No Council in attendance

III Communications:

Beverly requested more applications for parade and park.

Motion by: Barbara Weiskopf  
Seconded by: Demetra Johnson  
Motion Passed

**IV Chairperson's Report:**

Jim requested that members come up with a theme for the parade.

Motion by: Demetra Johnson  
Seconded by: Ervin Milton  
Motion Passed

**V Recreation Director's Report**

- a) Confirmed stage, tables, chairs, porta johns. Tweaking sponsorship letters. Some signs will be replaced. A Bike Rodeo will occur on July 1 for kids to decorate their bikes for the parade.
- b) A re-design of the tri-fold and also send out earlier

Motion by: Beverly Wiggins  
Seconded by: Juanita Bell  
Motion Passed

**VI Park Committee Report:**

Stuart Franke request to be entertainment for this year. Julie requested a list of entertainers, so we can wrap up by next meeting. Look at location of bouncy house.

Motion by: Juanita Bell  
Seconded by: Barbara Weiskopf  
Motion Passed

**VII Entertainment**

No report

**VIII Parade Committee Report:**

- a) No word on Grand Marshall. Waiting on Mayor.
- b) We have to keep an eye out on political campaigning and no throwing of candy from parade participants

Motion by: Demetra Johnson  
Seconded by: Todd George  
Motion Passed

**IX Public Relations Report:**

No report

**X Other Business:**

- a. Former Mayor Naftaly mother passed away.
- b. Pizza meal next meeting

Motion by: Demetra Johnson  
Seconded by: Ervin Milton  
Motion Passed

**XI Announcements**

No report

Motion to adjourn the meeting at 7:45 pm  
Respectfully submitted,

Demetra Johnson  
Secretary



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015      **AGENDA #**

**SUBJECT:** Maintenance agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield.

**DEPARTMENT:** Department of Public Works - *KJY*

**SUMMARY:** The Road Commission for Oakland County has offered to compensate the City of Oak Park \$13,901.61 this season for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield. We would be required to sweep these roads three times per year and perform litter picking and lawn mowing services five times per year.

**FINANCIAL STATEMENT:** N/A

**RECOMMENDED ACTION:** It is recommended that the City Council approve the attached agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield.

**APPROVALS:**

City Manager: *[Signature]*

Finance Director: \_\_\_\_\_

Department Director: *[Signature]*

**EXHIBITS:** Agreement

2015 SUMMER MAINTENANCE AGREEMENT  
CITY OF OAK PARK

Under 1951 PA 51, As Amended

This Summer Maintenance Agreement (“Agreement”) is made this \_\_\_ day of \_\_\_\_\_, 2015, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, (hereinafter variously referred to as the “Board and as the “Road Commission for Oakland County”) and the City of Oak Park, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City hereby agrees to be responsible for performing Summer Maintenance of certain roads under the terms of this Agreement, and the Board agrees to participate in the cost thereof as provided in Section III of this Agreement. “Summer Maintenance,” herein required to be performed by City, shall mean the work and services specified in Exhibit B hereto and this Agreement. All maintenance work and services performed by the City shall be in accordance with the Board’s minimum maintenance standards and this Agreement.

II

The Board has determined and specified the equipment and personnel necessary to provide the Summer Maintenance and the City has acquired the necessary equipment and personnel so specified. The City shall keep accurate and uniform records of all Summer Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the Summer Maintenance by the City, the Board hereby agrees to pay to the City the sum of **\$13,901.61**, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Summer Maintenance. Payments are to be made by the Board to the City as follows:

65% on September 15, 2015  
35% upon completion of the last Summer Maintenance activity

The making of said payments shall constitute the Board’s entire obligation in reference to Summer Maintenance.

IV

It is specifically understood and agreed by the City and the Board that by undertaking to perform Summer Maintenance of certain county primary roads, the City does not assume the Board’s legal duty to

keep said roads in such condition as to be in accordance with MCLA 224.21, reasonably safe and convenient for public travel, other than as may relate to the work and service to be performed as listed in Section I above, and the City hereby agrees to hold harmless, represent, defend with counsel acceptable to the Board, and indemnify the Board; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and any and all applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; any and all local units(s) of government within which the roads subject to this Agreement are located, and the respective officers, agents and employees of all of the foregoing, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons, or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Summer Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Summer Maintenance under Section I, the City agrees to notify the Board within 30 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Summer Maintenance subject to this Agreement.

## V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation, employer's liability, automobile and comprehensive general liability insurance coverages, and such other insurance coverages, as described in Exhibit C attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement, and these coverages shall be obtained and maintained in accordance with the requirements set forth in Exhibit C attached hereto and made a part hereof and shall be primary and non-contributory.

## VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

## VII

In accordance with Michigan 1976 PA 453, as amended, and 1976 PA 220, as amended, the City covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a disability that is unrelated to the individual's ability to perform the duties of the particular job or position, and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

City shall utilize the provisions of the Federal E-Verify Program to verify the work authorization status of all newly hired employees; and the Road Commission for Oakland County may terminate the contract for failure of City to so comply with the Federal E-Verify Program.

IX

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Summer Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective as of April 1, 2015, and shall continue in full force and effect until a subsequent Summer Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Summer Maintenance agreement has not been executed by the parties hereto on or before October 1, 2015, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of \_\_\_\_\_, and by the City by authority of a resolution of its governing body, adopted \_\_\_\_\_, (copy attached as Exhibit D).

Witnesses:

**CITY OF OAK PARK**  
A Municipal Corporation

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

Witnesses:

**BOARD OF COUNTY ROAD COMMISSIONERS**  
**OF THE COUNTY OF OAKLAND,**  
A Public Body Corporate

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

**EXHIBIT A**

**2015 SUMMER MAINTENANCE AGREEMENT**

**CITY OF OAK PARK**

	<u>Sweeping</u>
Greenfield Road, from Eight Mile Road to Ten Mile Road. (Inside and outside in both directions)	6.74 Curb Miles
Ten Mile Road, from Greenfield Road to Maplefield. (Inside and outside and turnarounds in both directions)	<u>8.72 Curb Miles</u>
<b>Total</b>	<u>15.46 Curb Miles</u>
<u>Sweeping</u> : 15.46 Curb Miles x \$97.00 = \$1,499.62 x 3 Sweepings =	\$ 4,498.86
<u>Mowing</u> : 5 mowings @ \$1,323.39 per mowing =	\$ 6,616.95
<u>Litter Pickup</u> : 5 litter pickups @ \$557.16 =	\$ <u>2,785.80</u>
<b>Total Contract</b>	<u>\$13,901.61</u>

## **EXHIBIT B**

### **2015 SUMMER MAINTENANCE AGREEMENT**

#### **CITY OF OAK PARK**

##### **WORK TO BE PERFORMED:**

1. Sweep all roads listed in Exhibit A, in both directions of travel and around islands, as provided in this Agreement, three (3) times (once between April 15<sup>th</sup> and May 15<sup>th</sup>; once between July 15<sup>th</sup> and August 15<sup>th</sup> and once between September 15<sup>th</sup> and October 15<sup>th</sup>).
2. Cut weeds and sweep all islands located along all roads listed in Exhibit A, where applicable.
3. Pick up litter, mow grass and cut weeds within the right-of-way along all roads listed in Exhibit A.
4. The City may at its own expense sweep, cut weeds and pick up litter more frequently, subject to the other terms and conditions of this Agreement, including, without limitation, the indemnification and insurance provisions.

**EXHIBIT C**

**2015 SUMMER MAINTENANCE AGREEMENT**

**CITY OF OAK PARK**

**SPECIAL PROVISION  
FOR  
INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE  
SPECIAL PROVISION  
FOR  
INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE**

Indemnification and Damage Liability

See provisions of the maintenance agreement to which this Exhibit C is attached.

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Board of County Road Commissioners of the County of Oakland ("Board"), copies of completed certificates of insurance as evidence that it carries adequate insurance satisfactory to the Board; and, without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. The City shall immediately notify the Board and cease operations upon the occurrence of any cancellation, reduction, modification or termination of insurance required hereunder, and shall not resume operations under this Agreement until all insurance as required by this Agreement is in full force and effect. The City shall provide in a form and substance acceptable to the Board an underwriter's endorsement to its comprehensive general liability insurance and auto liability insurance, including any excess umbrella insurance, in the amounts set forth on Exhibit C, naming the Board and the Office of the Oakland County Water Resources Commissioner as an additional named insureds. The City shall obtain and deliver to the Board a notices of cancellation and non-renewal endorsement, acceptable to the Board, for the general liability, auto liability, and worker's compensation and employer's liability policies. Prior to commencing the work, the City shall provide to the Board evidence satisfactory to the Board of payment of the current premium for the required insurance and endorsements and shall also obtain certificates of insurance for each policy, providing for thirty (30) days actual (not "endeavor to") prior, written notice to the Board by the insurance carrier of any cancellation, termination reduction or material change of the policy. The City shall make sure that each of its subcontractors, if any, providing any of the work and services under this contract, shall obtain and maintain insurance as set forth in this Agreement.

The City shall provide the following insurance coverages which shall be primary and non-contributory:

- a. **Workmen's Compensation Insurance:** The insurance shall provide protection for the City's employees, to the statutory limits of the State of Michigan and \$500,000 employer's liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.
- b. **Bodily Injury and Property Damage Other than Automobile:** The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.

Bodily Injury Liability Each Person: \$1,000,000 Each Occurrence: \$1,000,000 Aggregate: \$2,000,000 -and- Property Damage Liability: Each Occurrence: \$250,000 Aggregate: \$250,000	Or: Single Limit: Bodily injury and Property Damage Each Occurrence: \$1,000,000 Aggregate: \$2,000,000
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Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors' coverages.

- c. **Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability)** The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury Liability Each Person: \$ 500,000 Each Occurrence: \$ 1,000,000 -and- Property Damage Liability: Each Occurrence: \$1,000,000	Or: Single Limit: Bodily injury and Property Damage Each Occurrence: \$2,000,000
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Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- d. **Excess and Umbrellas Insurance** – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- e. The City shall provide for and in behalf of the Board and all agencies specified by the Board, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's Public Liability Insurance.

**Reports** – The City or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.

See provisions of the maintenance agreement to which this Exhibit C is attached.

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** April 6, 2015**AGENDA #****SUBJECT:** Payment Application no. 2 (final) for the 2004 Joint and Crack Sealing Project, M-489.**DEPARTMENT:** Technical & Planning *KJY***SUMMARY:** Attached is Payment Application no. 2 (final) for the 2004 Joint and Crack Sealing Project, M-489. The project and punch list are 100% complete. The cost summary is as follows:

<b><u>FINANCIAL STATEMENT:</u></b>	Original Contract Amount:	\$20,434.42
	Change Order no. 1:	<u>(\$2,078.94)</u>
	Current Contract Amount:	\$18,355.48
	Total Earnings to Date:	\$18,355.48
	Less Retainage:	\$ 0.00
	Net Earned:	\$18,355.48
	Deductions:	\$ 0.00
	Balance:	\$18,355.48
	Payments to Date:	<u>\$17,855.48</u>
	Amount Due Michigan Joint Sealing, Inc.:	\$ 500.00

**RECOMMENDED ACTION:** It is recommended that Payment Application no. 2 (final) to Michigan Joint Sealing, Inc. of Livonia, MI, for the 2004 Joint and Crack Sealing Project, M-489 be approved for the amount of \$500.00. Funding is available in the Road Construction Fund no. 450-80-900-801.**APPROVALS:**

City Manager: \_\_\_\_\_

Department Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

**EXHIBITS:** Payment Application no. 2 (final)

**PROJECT:** 2004 Joint and Crack Sealing Project  
**OWNER:** City of Oak Park, Michigan  
**CONTRACTOR:** Michigan Joint Sealing, Inc.  
 30301 Newin Livonia, Michigan 48152  
 1-248-478-4128

**JOB NUMBER:** M-489  
**APPLICATION NO.:** 2 Final  
**PERIOD ENDING:** 11/9/04

Item No.	Description	Original Bid Quantity	Unit Price	Period Quantity	Period Amount	Quantity To Date	Amount To Date
1	Rout and Seal Joints	38,878 FT	\$0.48	0.00	\$0.00	34,101.00	\$18,368.48
2	Joint Sealing Compound	8,025 LBS	\$0.34	0.00	\$0.00	5,550.00	\$1,887.00
3	Traffic Maintenance and Control	LSUM	LSUM \$100.00	0.00	\$0.00	1.00	\$100.00
<b>Totals</b>							\$18,355.48

Original Contract Amount: \$20,434.42  
 Change Order Number 1: -\$2,078.94  
 Current Contract Amount: \$18,355.48

Earnings This Period: \$18,355.48  
 Total Earnings to Date: \$18,355.48  
 Less Retainage: \$0.00  
 Net Earned: \$18,355.48  
 Deductions: \$0.00  
 Balance: \$18,355.48  
 Payments to Date: \$17,855.48  
 Amt. Due Michigan Joint Sealing, Inc. \$500.00

**Accepted By:**   
 Michigan Joint Sealing, Inc. Date: 3/23/15

**Approved By:**   
 Robert Barnett, Director of Technical & Planning Services  
 City of Oak Park, Michigan Date: 3/27/2015



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Payment request from Orchard, Hiltz, & McCliment for Engineering Consulting Services.

**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY*

**SUMMARY:** Attached are invoices from Orchard, Hiltz & McCliment for the project listed below:

Project	This Period	Prior Billings	To Date	Current Contract	Account Number
CE – Water Reservoir Pumping Station Improvements	\$4,105.00	\$8,272.50	\$12,377.50	\$20,000.00	592-18-540-801
PE – Traffic Signal Design	\$7,938.00	\$27,840.50	\$35,778.50	\$114,060.00	202-18-474-801
CE – Oak Park Boulevard Rehab	\$653.95	\$145,623.18	\$146,277.13	\$152,979.77	202-18-479-801
<b>Totals</b>	<b>\$12,696.95</b>	<b>\$181,736.18</b>	<b>\$194,433.13</b>	<b>\$287,039.77</b>	

**RECOMMENDED ACTION:** It is recommended that the invoices from OHM for the above listed projects be approved for the total amount of \$12,696.95. Funding is available in the above listed account.

**APPROVALS:**

City Manager: *Curtis*

Department Director: *KJY*

Finance Director: \_\_\_\_\_

**EXHIBITS:** Invoices

ARCHITECTS. ENGINEERS. PLANNERS.



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**13700 OAK PARK BLVD.**  
**OAK PARK MI 48237**

**Invoice Date : 3/2/2015**  
**Invoice # : 170092**  
**Project : 0037-14-0021**

**Project Name : Design of Eight Traffic Signals**

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**For Professional Services Rendered through: 2/21/2015**

**S a l a r i e s**

Fixed Rates Labor	7,938.00	
	<b>Total Salaries</b>	<b>7,938.00</b>

**E x p e n s e s**

Regular Expenses	0.00	
	<b>Total Expenses</b>	<b>0.00</b>

	<b>Current Invoice</b>	<b>7,938.00</b>
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Project Fee :	114,060.00
Prior Billings:	27,840.50
Total Available :	86,219.50

	<b>Total this Invoice</b>	<b>7,938.00</b>
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	<b>Amount Due This Invoice **</b>	<b>7,938.00</b>
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**REMIT TO:**

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734.522.6711  
F 734.522.6427

[OHM-Advisors.com](http://OHM-Advisors.com)

ARCHITECTS. ENGINEERS. PLANNERS.



CITY OF OAK PARK  
Attn: Kevin Yee, City Engineer  
13700 OAK PARK BLVD.  
OAK PARK MI 48237

Invoice Date : 3/2/2015  
Invoice # : 170092  
Project : 0037-14-0021

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Fixed Rates Labor

<u>Classification</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Associate	3.00	160.00	480.00
Professional Engineer/Architect II	36.00	125.00	4,500.00
Professional Engineer/Architect III	1.00	135.00	135.00
Sr. Associate	1.00	170.00	170.00
Surveyor III	13.00	97.00	1,261.00
Technician II	16.00	87.00	1,392.00
		<b>Rate Schedule Labor</b>	<b>7,938.00</b>
		Labor :	7,938.00
		Expense :	0.00

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Total Project: 0037140021 -- Design of Eight Traffic Signals 7,938.00

REMIT TO:

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734 522 6711  
F 734 522.6427

OHM-Advisors.com

ARCHITECTS. ENGINEERS. PLANNERS.



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**13700 OAK PARK BLVD.**  
**OAK PARK MI 48237**

**Invoice Date : 3/2/2015**  
**Invoice # : 170090**  
**Project : 0037-13-0023**

**Project Name :** Construction Services – Oak Park Reservoir Pump Sta & Fill Control Valve

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**For Professional Services Rendered through: 2/21/2015**

**S a l a r i e s**

Fixed Rates Labor	4,105.00	
<b>Total Salaries</b>		<b>4,105.00</b>

**E x p e n s e s**

Regular Expenses	0.00	
<b>Total Expenses</b>		<b>0.00</b>

<b>Current Invoice</b>		<b>4,105.00</b>
------------------------	--	-----------------

Project Fee :	20,000.00
Prior Billings:	8,272.50
<b>Total Available :</b>	<b>11,727.50</b>

<b>Total this Invoice</b>	<b>4,105.00</b>
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<b>Amount Due This Invoice **</b>	<b>4,105.00</b>
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**REMIT TO:**

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734 522.6711  
F 734 522.6427

OHM-Advisors.com

ARCHITECTS. ENGINEERS. PLANNERS.



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**13700 OAK PARK BLVD.**  
**OAK PARK MI 48237**

**Invoice Date : 3/2/2015**  
**Invoice # : 170090**  
**Project : 0037-13-0023**

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**Fixed Rates Labor**

<u>Classification</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>Associate</b>	2.50	160.00	<b>400.00</b>
<b>Professional Engineer/Architect IV</b>	22.50	155.00	<b>3,487.50</b>
<b>Technician II</b>	2.50	87.00	<b>217.50</b>
	<b>Rate Schedule Labor</b>		<b>4,105.00</b>

**Labor : 4,105.00**  
**Expense : 0.00**

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**Total Project: 0037130023 -- Construction Services -- Oak Park Reservoir Pump Sta & Fill Control Valve 4,105.00**

**REMIT TO:**

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734 522.6711  
F 734 522.6427

OHM-Advisors.com

ARCHITECTS. ENGINEERS. PLANNERS.



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**13700 OAK PARK BLVD.**  
**OAK PARK MI 48237**

**Invoice Date : 3/2/2015**  
**Invoice # : 170119**  
**Project : 0037-12-0053**

**Project Name : CE - Oak Park Boulevard Rehabilitation**  
**Coolidge Hwy to East City Limits**

**For Professional Services Rendered through: 2/28/2015**

<b>Analysis of Costs</b>		<b>This Invoice</b>
Direct Salaries		215.18
Overhead %	173.33	372.97
FCC %	0.51	1.10
Total Direct Personnel		589.25
Total Other Direct Charges		0.00
Total Costs		589.25
Fixed Fee		64.70
Total Charges / Fees		653.95
<b>Amount Due This Invoice **</b>		<b>653.95</b>

**REMIT TO:**

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734 522.6711  
F 734 522.6427

[OHM-Advisors.com](http://OHM-Advisors.com)

ARCHITECTS. ENGINEERS. PLANNERS.



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**13700 OAK PARK BLVD.**  
**OAK PARK MI 48237**

**Invoice Date : 3/2/2015**  
**Invoice # : 170119**  
**Project : 0037-12-0053**

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<u>Class / Employee Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
<b>Sr. Associate</b>			
McCOMB, ALAN K.	2.25	48.08	108.18
<b>Technician II</b>			
LAPALM, MICHELLE	0.50	24.25	12.13
LAPALM, MICHELLE	2.75	26.50	72.88
HOLBORN, MEGAN	1.00	22.00	22.00
	<b>6.50</b>	<b>Total Labor:</b>	<b>215.19</b>
<b>Total Project: 0037120053 -- CE - Oak Park Boulevard Rehabilitation</b>			<b>653.95</b>

**REMIT TO:**

**OHM Advisors**  
34000 PLYMOUTH ROAD  
LIVONIA, MICHIGAN 48150

T 734.522.6711  
F 734.522.6427

OHM-Advisors.com



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015      **AGENDA #**

**SUBJECT:** Local cost participation agreement with the Road Commission for Oakland County for repairs to Greenfield Road.

**DEPARTMENT:** Technical & Planning – Engineering *KJY*

**SUMMARY:** The Road Commission for Oakland County has agreed repairs to Greenfield Road at and around 10 Mile Road would be the best use of our tri-party funding. The total project cost is \$625,000, of which our share is \$32,830 under the tri-party program.

**FINANCIAL STATEMENT:** The City of Oak Park will only be responsible for our portion of tri-party funds, which are \$32,830. Funding for the Tri-Party program was previously approved and is available in the Major Streets Fund.

**RECOMMENDED ACTION:** It is recommended that the City Council approve the attached agreement with the Road Commission for Oakland County for repairs to Greenfield Road upon review by the City Attorney's office. It is further recommended that payment of \$32,830 to the RCOC be made from the Major Street Fund Account 202-18-479-801.

**APPROVALS:**

City Manager: *[Signature]*

Finance Director: *[Signature]*

Department Director: *[Signature]*

**EXHIBITS:** Agreement

**COST PARTICIPATION AGREEMENT**

**CONSTRUCTION**

**Greenfield Road**

**At 10 Mile Road**

**City of Oak Park**

**Board Project No. 52961**

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the Board of County Road Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the City of Oak Park, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY, in cooperation with the Michigan Department of Transportation, hereinafter referred to as MDOT, have programmed the concrete slab replacement on Greenfield Road at 10 Mile Road, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within the COMMUNITY, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$625,000; and

WHEREAS, the BOARD will enter into a contract with MDOT for partial funding of the PROJECT with federal program dollars under the National Highway Performance Program estimated in the amount of \$240,000; and

WHEREAS, the BOARD, as the requesting party therein, will be the party financially responsible to MDOT to bear all costs of the PROJECT in excess of federal funds, hereinafter referred to as the LOCAL MATCH; and

WHEREAS, the COMMUNITY'S share of said LOCAL MATCH involves certain designated and approved Tri-Party Program funding in the amount of \$98,490, which shall be paid through equal contributions by the BOARD, the COMMUNITY, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, all the parties hereto have reached a mutual understanding regarding the cost sharing for the LOCAL MATCH and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law, it is hereby agreed between the COMMUNITY and the BOARD that:

1. The COMMUNITY approves of the PROJECT, declares its public necessity, and authorizes the BOARD and MDOT to perform or cause to be performed, and complete the PROJECT along with all administration in reference thereto.
2. The PROJECT shall include construction engineering and total payments to the contractor.
3. The estimated total LOCAL MATCH is \$385,000 and shall be funded in the following order:
  - a. Tri Party Program funding in the amount of \$98,490.
  - b. The BOARD shall contribute \$286,510 toward the LOCAL MATCH.
  - c. Any PROJECT costs above the Tri-Party Program funding of \$98,490 and the BOARD contribution of \$286,510 will be funded 100% by the BOARD.
4. Upon execution of this agreement, the BOARD shall submit an invoice to the COMMUNITY in the amount of \$32,830 (being 100% of the COMMUNITY'S Tri-Party contribution).
5. After execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$32,830 (being 100% of the COUNTY'S Tri-Party contribution).

**EXHIBIT A**  
**TRI-PARTY PROGRAM**  
Greenfield Road  
At 10 Mile Road  
City of Oak Park  
Board Project No. 52961

Concrete slab replacement on Greenfield Road at 10 Mile Road.

<b>ESTIMATED PROJECT COST</b>
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Construction Engineering	\$25,000
Contractor Payments	<u>\$600,000</u>
Estimated Total Project Cost	\$625,000
Less Federal Funds	<u>(\$240,000)</u>
Total Estimated Local Share	<u><u>\$385,000</u></u>

<b>COST PARTICIPATION BREAKDOWN</b>
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	COMMUNITY	COUNTY	BOARD	TOTAL
Add'l FY12 Tri-Party Program	\$8,391	\$8,391	\$8,392	\$25,174
FY13 Tri-Party Program	\$8,678	\$8,678	\$8,677	\$26,033
FY14 Tri-Party Program	\$8,001	\$8,001	\$8,001	\$24,003
FY15 Tri-Party Program	\$7,760	\$7,760	\$7,760	\$23,280
Contribution	\$0	\$0	\$286,510	\$286,510
<b>TOTAL SHARES</b>	<b>\$32,830</b>	<b>\$32,830</b>	<b>\$319,340</b>	<b>\$385,000</b>

## MERCHANT'S LICENSES – APRIL 6, 2015

(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>
TOP THAT, LLC	25950 GREENFIELD	150.00
PERFECT EYEBROW THREADING	21700 GREENFIELD 455	150.00
FRESH BAKED PRINTS	13807 NINE MILE	150.00
DO U CERAMICS	10730 NINE MILE	150.00
PEST ARREST	8560 NINE MILE	150.00
JAMES TAILORING & ALTERATIONS	8236 NINE MILE	150.00
 <u>RENEWALS –</u>		
HENDERSON TOWING	13390 CAPITAL	225.00
ELIE R. KHOURY, .M.D.	24611 COOLIDGE	150.00
DANIEL S LAZAR, D.P.M.	26106 GREENFIELD A	187.50
EXPRESS COLLISION	21470 COOLIDGE	225.00
DR. SALWAN FRANCIS, DDS PC	24621 COOLIDGE	150.00
LITTLE BEAR'S LEARNING CENTER	13391 NINE MILE	225.00
UNIVERSAL STAINED GLASS DESIGN	8550 NINE MILE	225.00
ANOTHER LEVEL UNISEX SALON	21700 GREENFIELD LL17	187.50
DIAMOND NAILS	25238 GREENFIELD	225.00
ADVANCE AMERICA #1327	22140 COOLIDGE	150.00
CHINA CITY	13715 NINE MILE	150.00
SALON ALE THEIA	8720 NINE MILE	225.00
PROFESSIONAL BEAUTY CENTER	23150 COOLIDGE	225.00
TOBACCO IMPORT USA	21060 COOLIDGE	225.00

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** April 6, 2015      **AGENDA #****SUBJECT:** Report on bids for the 2015 Miscellaneous Concrete Project, M-603.**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY*

**SUMMARY:** At the December 15, 2014 regular meeting of the Oak Park City Council, the request to rebid the 2015 Miscellaneous Concrete Project, M-603 was approved (CM-10-397-14). The project was advertised and over 20 contractors viewed the contract documents. On March 12, 2015, five (5) bids were received and opened. The low bidder, Mattioli Cement Company, LLC, submitted a bid of \$266,727.60. Mattioli Cement Company has performed similar work for the City to the satisfaction of City personnel.

This project will replace sections of concrete throughout the City, including roads, sidewalks, and drive approaches.

**FINANCIAL STATEMENT:** Funding is available in the Water & Sewer Fund and the Local Street Fund in the FY 2014-15 budget for this expenditure.

**RECOMMENDED ACTION:** It is recommended City Council award the bid for the 2015 Miscellaneous Concrete Project, M-603 to Mattioli Cement Company, LLC of Fenton, MI for the total amount of \$266,727.60. Funding is available in the Water and Sewer Fund no. 592-18-538-930 and Local Streets Fund 203-16-451-818.

**APPROVALS:**City Manager: *Carol TK*Department Director: *KJY*

Finance Director: \_\_\_\_\_

**EXHIBITS:** bid tabulation

**BID TABULATION**

2015 MISCELLANEOUS CONCRETE PROJECT M-603		MATTIOU CEMENT COMPANY LLC 6085 MCGUIRE RD FENTON, MI 48430		HARTWELL CEMENT COMPANY 21650 FERN AVE. OAK PARK, MI 48237		CENTURY CEMENT COMPANY, INC 12800 SIBLEY ROAD RIVERVIEW, MI 48193		FIORE ENTERPRISE LLC 3411 W FORT STREET DETROIT, MI 48216			
BID OPENING DATE: THURSDAY March 12, 2015											
ITEM	DESCRIPTION	QUANT.	UM	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
1	REMOVE CONCRETE PAVEMENT	4,300	SYD	9.00	\$ 38,700.00	9.00	\$ 38,700.00	0.01	\$ 43.00		
2	CONCRETE P/UNT W/INT CURB & GUTTER, 9" CONC.	3,900	SYD	44.60	\$ 173,940.00	61.00	\$ 237,900.00	74.50	\$ 290,550.00		
3	SIDEWALK CONC. NON-REINF 6" SIDEWALK/DRIVE APP	900	SFT	4.80	\$ 4,320.00	5.00	\$ 4,500.00	6.00	\$ 5,400.00		
4	SIDEWALK CONC. NON-REINF 4" SIDEWALK	2,200	SFT	4.25	\$ 9,350.00	4.75	\$ 10,450.00	5.00	\$ 11,000.00		
5	CONC. P/UNT 24" C & G SECTION NON REINF 9" CONC.	30	LFT	36.00	\$ 1,080.00	15.00	\$ 450.00	35.00	\$ 1,050.00		
6	ADJUSTING DRAINAGE STRUCTURES	2	EA	400.00	\$ 800.00	500.00	\$ 1,000.00	500.00	\$ 1,000.00		
7	CAST IN PLACE DETECTABLE WARNING SURFACE	25	SFT	24.00	\$ 600.00	20.00	\$ 500.00	30.00	\$ 750.00		
8	AGG BASE UNDER 9" CONC. (6" 21AA CR LIMESTONE)	300	SYD	4.00	\$ 1,200.00	5.50	\$ 1,650.00	8.75	\$ 2,625.00		
9	AGG BASE UNDER 4"& 6" & 9" CONC. (3" 21AA)	3,900	SYD	6.00	\$ 23,400.00	7.50	\$ 29,250.00	10.00	\$ 39,000.00		
10	DRAINAGE STRUCTURE COVER	760	LBS	1.76	\$ 1,337.60	1.25	\$ 950.00	1.50	\$ 1,140.00		
11	MINOR TRAFFIC DEVICES	1	LSUM	\$ 6,500.00	\$ 6,500.00	\$ 3,000.00	\$ 3,000.00	\$ 18,000.00	\$ 18,000.00		
12	PROJECT CLEAN UP	1	LSUM	\$ 700.00	\$ 700.00	\$ 2,250.00	\$ 2,250.00	\$ 15,000.00	\$ 15,000.00		
13	INSPECTION CREW DAYS	320	DAY	15.00	\$ 4,800.00	21.00	\$ 6,720.00	25.00	\$ 8,000.00		
TOTAL COST:					\$ 266,727.60		\$ 337,320.00		\$ 393,558.00		\$ 397,132.00

**OTHER BIDDERS**  
DAVENPORT BROTHERS CONSTRUCTION

\$472,710.00



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015      **AGENDA #**

**SUBJECT:** Report on bids for the 2015 Joint and Crack Sealing Project, M-604.

**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY*

**SUMMARY:** At the March 2, 2015 regular meeting of the Oak Park City Council, the request to bid the 2015 Joint and Crack Sealing Project, M-604 was approved (CM-03-081-15). The project was advertised and over 26 contractors viewed the contract documents. On March 30, 2015, two (2) bids were received and opened. The low bidder, Michigan Joint Sealing, Inc, submitted a bid of \$117,292.00. References were checked and all had positive responses.

This project seal the joints and cracks on the streets shown on the attached map.

**FINANCIAL STATEMENT:** There is \$100,0000 budgeted in the Road Construction Fund for this expenditure.

**RECOMMENDED ACTION:** It is recommended City Council award the bid for the 2015 Joint and Crack Sealing Project, M-604 to Michigan Joint Sealing, Inc. of Farmington Hills, MI for the total amount of \$117,292.00. It is further recommended that \$17,292.00 be transferred from the Local Street Fund balance to fund this unbudgeted portion of this expenditure. Funding is available in the Road Construction Fund.

**APPROVALS:**

City Manager: \_\_\_\_\_

Department Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

**EXHIBITS:** bid tabulation, map

**BID TABULATION**

<p align="center">2015 JOINT AND CRACK SEALING PROJECT, M-604                  BID OPENING DATE MONDAY MARCH 30, 2015 2:00 PM</p>			<p align="center">MICHIGAN JOINT SEALING, INC.                  28830 WEST EIGHT MILE RD.                  FARMINGTON HILLS, MI 48336                  248-476-4120</p>			<p align="center">SCODELLER CONSTRUCTION                  51722 GRAND RIVER AVE.                  WIXOM, MI 48393                  248-374-1102</p>		
<u>ITEM</u>	<u>DESCRIPTION</u>	<u>QUANT.</u>	<u>U/M</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>	<u>UNIT PRICE</u>	<u>AMOUNT</u>	
1	ROUT AND SEAL JOINTS AND CRACKS MODIFIED SP	151,400	LFT	\$ 0.69	\$ 104,466.00	\$ 0.76	\$ 115,064.00	
2	JOINT SEALING COMPOUND MODIFIED SP	30,300	LBS	\$ 0.42	\$ 12,726.00	\$ 0.50	\$ 15,150.00	
3	MINOR TRAFFIC DEVICES MODIFIED SP	1	LSUM	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	
				<b>TOTAL COST</b>		<b>\$ 130,314.00</b>		

\* CORRECTED BY ENGINEER



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Request for city council to conduct the second hearing to amend General Ordinances, Article III, Regulation of on-the-premises consumption, Chapter 6

**DEPARTMENT:** Community & Economic Development, Planning Division

**SUMMARY:** The Community & Economic Development Department is planning for the upcoming Summerfest on August 8-9, 2015. The committee that is planning for the event would like to build this into a much larger event to attract visitors and residents to attend. It was suggested to add a beverage tent to serve Beer and/or Wine at this year's event. The tent would be run by a non-profit organization. In review of our ordinance it currently does not allow for a special license to be issued by city council for approval of a special license in any city building or city property and not to exceed one day. It is recommended by the department of Community and Economic Development to revise the ordinance to allow for a special event license to be issued for two days and be allowed in city buildings or city parks. The ordinance is attached with the suggested revisions by city attorney, Ebony Duff. The department has researched how other communities handle this type of event and allowing such a license to be issued. This information was given to city council at the February 25, 2015 special meeting. The first reading was approved 4-1 by city council at the March 16, 2015 meeting.

**RECOMMENDED ACTION:** The City Council conduct second reading and adopt the proposed text amendment to the City of Oak Park General Ordinance, Article III, Chapter 6, Section 6.2 and 6.9.

**APPROVALS:**

City Manager: \_\_\_\_\_

Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

**EXHIBITS:**

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 6 ALCOHOLIC LIQUORS, ARTICLE III, REGULATION OF ON-THE -PREMISE CONSUMPTION, SECTIONS 6.2 AND 6.9 OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

Chapter 6 - ALCOHOLIC LIQUORS

FOOTNOTE(S):

--- (1) ---

**Cross reference**— Businesses, ch. 22; offenses and miscellaneous provisions, ch. 50; intoxicating liquor prohibited in public parks, § 54-2. [\(Back\)](#)

**State Law reference**— Liquor law, MCL 436.1 et seq. [\(Back\)](#)

ARTICLE I. - IN GENERAL

Sec. 6-1. - Definitions.

The meaning of the terms "alcoholic liquor" and "license" when used in this chapter shall be as defined by state law.

(Code 1973, § 4-1)

**Cross reference**— Definitions generally, § 1-2.

**State law reference**— Definitions, MCL 436.2 et seq.

Sec. 6-2. - Consumption in public.

No alcoholic liquor shall be consumed on the public streets, parks, or in any other public places, or in any place open to the public, without a special license approved by city council in Section 6.9 including any store or establishment doing business with the public not licensed to sell alcoholic liquor for consumption on the premises; nor shall anyone who owns, operates or controls any such public establishment or store, permit the consumption of alcoholic liquor therein without a special license approved by city council as set forth in Section 6.9.-

(Code 1973, § 4-2)

**State law reference**— Consumption on public ways, parks, MCL 436.34.

Sec. 6-3. - General sales restrictions.

No licensee, by himself, or another, shall sell, furnish, give or deliver any alcoholic liquor to any person except pursuant to a special license approved in accordance with section 6-9:

- (1) Who is so intoxicated as not to be in control of all his faculties;
- (2) On any day during the hours not permitted by state law or the state liquor control commission;
- (3) For consumption on the premises, except pursuant to a special license approved in accordance with section 6-9

(Code 1973, § 4-3; Ord. No. O-08-555, § 1, 12-1-08)

Sec. 6-4. - Possessing or transporting alcoholic liquor in motor vehicles by persons under 21 years.

A person less than 21 years of age shall not knowingly transport or possess, in a motor vehicle, alcoholic liquor unless the person is employed by a licensee under the Michigan Liquor Control Act, MCL 436.1 et seq., as amended, the liquor control commission, or an agent of the liquor control commission and transports or possesses the alcoholic liquor in a motor vehicle under the person's control during regular working hours and in the course of the person's employment. A person who violates this section is guilty of a misdemeanor.

(Code 1973, § 4-5)

**Sec. 6-5. - Furnishing alcoholic liquor to persons under 21 years.**

- (a) Alcoholic liquor shall not be sold or furnished to a person unless the person has attained 21 years of age. A person who knowingly sells or furnishes alcoholic liquor to a person who is less than 21 years of age, or who fails to make a diligent inquiry as to whether the person is less than 21 years of age, is guilty of a misdemeanor.
- (b) "Diligent inquiry" means a diligent good faith effort to determine the age of a person, which includes at least an examination of an official Michigan operator's or chauffeur's license, an official Michigan personal identification card, or any other bona fide picture identification which establishes the identity and age of the person.

(Code 1973, § 4-6; Ord. No. O-97-361, § 1, 3-3-97)

**State law reference—** Similar provisions, MCL 436.33.

**Sec. 6-6. - Furnishing fraudulent identification.**

A person who furnishes fraudulent identification to a person less than 21 years of age, or, notwithstanding section 6-8, a person less than 21 years of age who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

(Code 1973, § 4-7; Ord. No. O-97-361, § 2, 3-3-97; Ord. No. O-99-396, § 1, 10-18-99; Ord. No. O-00-429, § 1, 11-6-00)

**State law reference—** Similar provisions, MCL 436.33b.

**Sec. 6-7. - State license required for sales.**

No person shall engage in the business of selling alcoholic liquor, beer, wine or spirits for consumption in the city without first obtaining a license therefor, as required by the statutes of the state.

(Code 1973, § 4-8)

**State law reference—** For state licenses, see MCL 436.27.

**Sec. 6-8. - Prohibition relative to persons under 21 years; penalties; exceptions.**

- (a) A person less than 21 years of age shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, or possess or attempt to possess alcoholic liquor, except as provided in this section and section 6-4. A person less than 21 years of age who violates this subsection is guilty of a misdemeanor punishable by the following fines and sanctions:
  - (1) For the first violation, a fine of not more than \$100.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and may be designated by the administrator of substance abuse services, and may be ordered to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (c).
  - (2) For a violation of this subsection following a prior conviction or juvenile adjudication for a violation of this subsection or section 33b(1) of former 1933 (Ex Sess) PA 8, a fine of not more than \$200.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of substance abuse

services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (c).

- (3) For a violation of this subsection following two prior convictions or juvenile adjudications for a violation of this subsection or section 33b(1) of former 1933 (Ex Sess) PA 8, a fine of not more than \$500.00, and may be ordered to participate in substance abuse prevention or substance abuse treatment and rehabilitation services as defined in section 6107 of the public health code, 1978 PA 368, MCL 333.6107, and designated by the administrator of substance abuse services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in subsection (c).
- (b) Subsection (a) does not prohibit a person less than 21 years of age from possessing alcoholic liquor:
    - (1) During regular working hours and in the course of his or her employment if employed by a person licensed by the liquor control commission, or by an agent of the liquor control commission, if the alcoholic liquor is not possessed for his or her personal consumption; or
    - (2) Consuming alcoholic liquor in a course offered by an accredited post secondary educational institution in an academic building of the institution under the supervision of a faculty member if the purpose of the consumption is solely educational and is a requirement of the course; or
    - (3) Consuming alcoholic liquor, including sacramental wine, in connection with religious services at a church, synagogue, or temple;
    - (4) In an undercover operation under the direction of the person's employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action;
    - (5) In an undercover operation under the direction of the state police, the liquor control commission, or a local police agency as part of an enforcement action.
  - (c) The court may order the person convicted of violating subsection (a) to undergo screening and assessment by a person or agency as designated by the substance abuse coordinating agency as defined in section 6103 of the public health code, 1978 PA 368, MCL 333.6103 in order to determine whether the person is likely to benefit from rehabilitative services, including alcohol or drug education and alcohol or drug treatment programs.
  - (d) An officer or member of the city department of public safety who witnesses a violation of subsection (a) may stop and detain the person for the purposes of obtaining satisfactory identification, seizing illegally possessed alcoholic liquor and issuing an appearance ticket.
  - (e) A peace officer who has reasonable cause to believe a person less than 21 years of age has consumed alcoholic liquor may require the person to submit to a preliminary chemical breath analysis. A peace officer may arrest a person based in whole or in part upon the results of a preliminary chemical breath analysis. The results of a preliminary chemical breath analysis or other acceptable blood alcohol test are admissible in a criminal prosecution to determine whether the minor has consumed or possessed alcoholic liquor. A person less than 21 years of age who refuses to submit to a preliminary chemical breath test analysis as required in this subsection is responsible for a civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
  - (f) The city department of public safety, upon determining that a person less than 18 years of age who is not emancipated pursuant to 1968 PA 293, MCL 722.1 to 722.6, allegedly consumed, possessed, purchased, or attempted to consume, possess, or purchase alcoholic liquor in violation of subsection (a) shall notify the parent or parents, custodian, or guardian of the person as to the nature of violation if the name of a parent, guardian, or custodian is reasonably ascertainable. The notice shall be made not later than 48 hours after determining that the person who allegedly violated subsection (a) is less than 18 years of age and not emancipated under 1968 PA 293, MCL 722.1 to 722.6. The notice may be made by any means reasonably calculated to give prompt actual notice including, but not limited to, notice in person, by telephone, or by first-class mail. If a person less than 17 years of age is incarcerated for violating subsection (a), then his or her parents or legal guardian shall be notified immediately.

(Code 1973, § 4-9; Ord. No. O-97-361, § 3, 3-3-97; Ord. No. O-99-396, § 2, 10-18-99)

## Sec. 6-9. - Special licenses.

The ~~d~~Director of ~~p~~Public ~~P~~afety, or his designee, may approve the issuance by the ~~s~~State ~~L~~iquor ~~e~~Control ~~e~~Commission of a special license for the sale of beer and wine by the glass under the following circumstances:

- (1) A special license will be approved only for a recognized nonprofit organization, exempt from federal taxation under 26 USC Section 501(c)(3).
- (2) A completed application, on the ~~s~~State ~~L~~iquor ~~e~~Control ~~e~~Commission form, for a special ~~one to three~~ ~~one~~-day license, shall be submitted to the director of public safety for his review at least five working days prior to filing with the state liquor control commission.
- (3) A special license will be approved for one day only.
- (4) No event will be approved to occur in any city building, or on city property, ~~or outdoors.~~ Except during the Fourth of July Celebration and Oak Park Summerfest with a city council approved special event license accompanied by an approved license by the State Liquor Control Commission, with prior written approval by city council.
- (5) No sale or consumption of distilled spirits will be allowed; only beer and wine may be permitted.
- (6) A special license will be approved only for an event at which food will be served.
- (7) A special license does not permit the sale or advertisement for sale of an unlimited quantity of alcohol~~ic~~ beverages at a specific price.
- (8) The applicant must submit proof that liability insurance covering the event has been obtained, with limits not less than \$1,000,000.00 per occurrence, \$2,000,000.00 total.
- (9) A fee for review of applications shall be charged in an amount to be set by the city council from time to time.
- (10) The ~~e~~City ~~m~~anager will submit annual reports to the city council regarding permits approved pursuant hereto along with any recommendations for changes.

(Ord. No. O-08-555, § 2, 12-1-08)

Secs. 6-10—6-30. - Reserved.

## ARTICLE II. - MINORS AT OPEN HOUSE PARTIES

### Sec. 6-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alcoholic liquor* means as defined as in section 2 of the Michigan Liquor Control Act, MCL 436.1 et seq., and shall include any beverage containing more than one-half of one percent of alcohol by volume, including beer, wine and spirits.

*Control* means any form of control, regulation or dominion, including a possessory right or the paying or contracting for rental premises.

*Drug* means a controlled substance as defined in MCL 333.7212 et seq., as the same may be amended from time to time.

*Minor* means a person not legally permitted by reason of age to possess or consume alcoholic beverages pursuant to section 33b of the Michigan Liquor Control Act, MCL 436.1 et seq.

*Open house party* means a social gathering of persons at a residence or rental premises which includes persons other than or in addition to the owner or person with rights of possession, and their immediate family members.

*Rental premises* means a hotel room, motel room, hall, or limousine which is rented on a shortterm basis for lodging or a social function.

*Residence* means a home, apartment, condominium or other dwelling unit, and includes the curtilage of such dwelling unit.

(Ord. No. O-94-319, § 1(a), 3-21-94)

**Cross reference—** Definitions generally, § 1-2.

**Sec. 6-32. - Conditions of prohibition; penalties for violation.**

No person having control of any residence or rental premises shall allow an open house party to occur or continue at such residence or rental premises if the person knows or reasonably should know that a minor is in possession of or consuming alcoholic liquor or a drug at such residence or rental premises. The penalties for violation of this section shall be as follows:

- (1) For the first violation, a fine not exceeding \$500.00 or imprisonment in the county jail for a term not to exceed 30 days, or by both such fine and imprisonment.
- (2) For subsequent violations, a fine not exceeding \$500.00 or imprisonment in the county jail for a term not to exceed 90 days, or by both such fine and imprisonment.

(Ord. No. O-94-319, § 1(b), 3-21-94)

**Sec. 6-33. - Attendance at gathering.**

No person shall knowingly remain present at an open house party where a minor is in possession of or consuming alcoholic liquor. A person who violates this section shall have committed a civil infraction and shall be subject to the following penalties:

- (1) For the first violation, a civil fine of not more than \$25.00.
- (2) For a second violation, a civil fine of not more than \$50.00.
- (3) For a third or subsequent violation, a civil fine of not more than \$100.00.

(Ord. No. O-94-319, § 1(c), 3-21-94)

**Sec. 6-34. - Exceptions.**

The provisions of this article shall not apply to legally protected religious observances or legally protected educational activities.

(Ord. No. O-94-319, § 1(d), 3-21-94)

**Secs. 6-35—6-50. - Reserved.**

**ARTICLE III. - REGULATION OF ON-THE-PREMISES CONSUMPTION**

**Sec. 6-51. - Short title.**

This article shall be known and may be cited as the City of Oak Park on-the-Premises Consumption Ordinance.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-52. - Statement of purpose.**

The purpose of this article is to allow the city to establish and administer a policy for the issuance and transfer of tavern licenses for the sale of beer and wine for consumption on the premises ("tavern licenses") and related permits, to provide for the enforcement of liquor laws, regulations and ordinances, and to manage the number of tavern licenses in the City of Oak Park.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-53. - Definitions.**

(a) The following definitions shall apply in this article:

- (1) *Applicant* means the individual(s); or for partnerships, all partners; for limited liability companies, all managers and members; and for corporations, all directors, officers and stockholders if the stock is not publicly traded, seeking to be licensees hereunder.
- (2) *Licensee* means and include all persons, including their agents, servants and employees, holding a license to sell alcoholic liquor in the city for consumption on the premises issued by the Michigan Liquor Control Commission.
- (3) *Licensed premises* means the Oak Park location at which a licensee is authorized to sell alcoholic liquor for consumption on the premises.
- (4) *License* means a license to sell alcoholic liquor for consumption on the premises issued by the Michigan Liquor Control Commission.

(5) *Related permit* means any permit issued by the Michigan Liquor Control Commission to a licensee for entertainment or other activity at the licensed premises which legally requires such a permit.

(6) *Person* means any person, firm, partnership, association or corporation.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-54. - Licensing policy.**

- (a) No person shall engage in the business of selling alcoholic liquor for consumption on the premises in the City of Oak Park without first obtaining a liquor license therefor, as required by the statutes of the State of Michigan and the City of Oak Park.
- (b) The city council may establish by resolution the number and type of establishments within the city in which the sale or consumption of alcoholic liquor shall be permitted for consumption on the premises. The number of such establishments may be less, but in no case greater than the number of such establishments permitted by Michigan law.
- (c) New licenses and related permits, transfers of ownership of existing licenses, and transfers of licenses into the city shall require the prior approval, and is at the sole discretion of, the city council.
- (d) An annual review shall be conducted of all existing licenses and related permits in the City of Oak Park.
- (e) No person shall engage in the business of selling alcoholic liquor for consumption on the premises in the City of Oak Park without first obtaining a special land use approval, as required by the Zoning Act, and entering into a contract with the City of Oak Park.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-55. - Restaurant requirements.**

- (a) The city council shall not approve any application for a new, a renewal, or transfer into the city of a license to sell alcoholic liquor for consumption on the premises unless the use of the license is in connection with and incidental to a restaurant operation meeting the following requirements and performance standards:
  - (1) There shall at all times be maintained and provided culinary facilities to cook or prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 40 patrons at any time.
  - (2) The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
  - (3) Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be included in this determination.
  - (4) That during any 90-day period, no more than 50 percent of the gross revenues of the establishment will be or is derived from the sale of alcoholic beverages. Sales of food or alcoholic beverages to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales to alcoholic beverages.
  - (5) No admission fees or cover charges shall be levied on any patrons.
  - (6) Restaurant shall stop serving alcoholic beverages at 12:00 a.m. (midnight).

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-56. - Application for license.**

- (a) Each applicant for a new license and/or a new related permit, the transfer into the city of a license, or the transfer of ownership of an existing license shall submit to the city clerk an application, on a form provided by the city, containing:
  - (1) The name and address of the applicant, with age for an individual, as well as for each partnership, the persons entitled to share in the profits thereof; and also for a corporation, the purpose for which organized, the names and addresses of the officers and directors; and if a majority interest of the stock of such corporation is owned by one person or nominee, the name and address of such person.

- (2) The citizenship of the applicant; place of birth; and, if a naturalized citizen, the time and place of naturalization.
- (3) The nature or purpose of the applicant's business, and, in the case of a corporation, the object for which it was formed; applicant shall submit copies of business entity's organizational documents.
- (4) The length of time the applicant has been engaged in the business of that character, or, in the case of a corporation, the date when its charter was issued.
- (5) The location and description of the premises or place of business which is to be operated under such license; applicant shall submit copy of lease, deed, or other proof of applicant's right to use the property.
- (6) A statement whether applicant has operated or made application for a similar or another license on any premises other than described in this application, and the disposition of such license or application.
- (7) A statement as to whether the applicant has ever been convicted of or found responsible for a violation of any federal or state law or administrative rules of the Michigan Liquor Control Commission concerning the manufacture, possession or sale of alcoholic liquor, or similar violation of another state or country or convicted of any felony or misdemeanor, and/or is otherwise disqualified to receive a license by reason of any matter or thing contained in this article or the laws of the State of Michigan.
- (8) A statement that the applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the City of Oak Park or the administrative rules of any regulatory agency in the conduct of its business.
- (9) An accurate record and history of any liquor license complaint violations by the applicant, owners or stockholders of applicant, by a corporation or entity the applicant has worked for or had a substantial interest in, or by a parent or subsidiary corporation of the applicant for the immediate preceding five years.
- (10) The application shall be accompanied by building and site plans showing the entire structure and premises, and in particular the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control.
- (11) The estimated total cost in dollars to be expended by the licensee for the licensed premises.
- (12) A sample menu for the proposed licensed establishment, together with a breakdown of the anticipated revenues from food and nonalcoholic beverages, alcoholic beverages and other revenues.
- (13) Other information requested on the form provided by the clerk.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-57. - Plan of operation required.**

- (a) *Business operation.* An application for a new license or related permit, an application for the transfer of ownership of an existing license or an application for transfer of a license into the city shall require submission of a plan of operation for review and consideration by the city council.
- (b) *Plan of operation.* A plan of operation shall contain an operational statement outlining the manner in which the establishment will be operated, including, but not limited to, the format, schedule of the hours of operation, crowd control, security, alcohol management, staff training, use of the facilities, parking provisions, plan for interior use and layout, and any other pertinent information requested by the city.
- (c) *Compliance.* A licensee shall comply with all applicable state and city regulations and the plan of operation as approved by the city council. A failure to so comply is a violation of this article and shall provide grounds for the city council recommending to the Michigan Liquor Control Commission that the license be revoked or not renewed.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-58. - Review procedures.**

- (a) *City clerk processing.* Upon receipt of an application and fee, as provided herein, the clerk shall distribute the application to appropriate departments within the city for certifications necessary for city council approval, as follows:
  - (1) Certification by the city clerk that the proposed licensee has a current valid license for operation of a restaurant at the proposed licensed premises or meets applicable requirements for the issuance of such a license.
  - (2) Certification by the director of technical and planning services that the buildings or structures to which the license will apply meet all applicable building and property maintenance codes or that acceptable building plans for work which will satisfy all such codes have been submitted.
  - (3) Certification by the director of technical and planning services that the proposed licensed premises is appropriately zoned for the use and that any required zoning approvals, including site plan approval, have been applied for or obtained.
  - (4) Certification by the director of public safety based upon a finding that the proposed licensee or licensees are of good moral character.
  - (5) Certification by the director of public safety that the proposed licensed premises are in compliance with all applicable fire safety regulations.
- (b) *Public hearing.*
  - (1) When a completed application and fee including public hearing and notice have been received, the city council shall schedule a public hearing to consider the request for a new license and related permit, the transfer of ownership of an existing license, or the transfer of a license into the city.
  - (2) Notice of the public hearing shall be provided to all property owners within 500 feet of the proposed establishment, according to the tax records of the city.
  - (3) Notice of the public hearing shall be provided to all current liquor license holders located in the city, school districts, private schools, public school academies, and churches located in the city.
  - (4) The applicant or an authorized representative shall appear at the city council hearing and make a written and/or oral presentation concerning the request.
- (c) *Review factors.* In reviewing a request for a new license or related permit, a transfer of ownership of an existing license, or a transfer of a license into the city, the city council may consider and/or weigh the following factors:
  - (1) Total number of similar licenses in the city.
  - (2) Input from residents and surrounding business owners.
  - (3) Impact of the establishment on surrounding businesses and neighborhoods.
  - (4) Whether a proposed licensed premises is part of a multi-use project with substantial new retail, office, or residential components, and the size of the proposed licensed premises relative to the overall project or development.
  - (5) Crowd control.
  - (6) Parking availability.
  - (7) Preservation or restoration of historic buildings.
  - (8) Location in an underdeveloped area.
  - (9) Concentration of establishments and impact on policing requirements.
  - (10) Policing requirements.
  - (11) Business history.
  - (12) Business experience.
  - (13) Liquor control commission violation history.
  - (14) Percent of floor area devoted to dining versus bar area.
  - (15) Size of bar area.

- (16) Overall benefit of the plan to the City of Oak Park.
  - (17) Non-payment of taxes or other payment due to the city.
  - (18) Any other factor(s) that may affect the health, safety and welfare or the best interests of the community.
- (d) *Restrictions on licenses.* No license shall be approved for:
- (1) An applicant or licensee whose license has been revoked for cause.
  - (2) An applicant, who at the time of application or at renewal of any license issued hereunder, would not qualify or be eligible therefor.
  - (3) A co-partnership, unless all of the members of such co-partnership shall qualify to obtain a license.
  - (4) A corporation if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than five percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason.
  - (5) An applicant or licensee whose place of business is or will be conducted by a manager or agent, unless such manager or agent possesses qualifications similar to those required of the applicant or licensee.
  - (6) An applicant or licensee who has been convicted or found responsible for a violation of any federal or state law or administrative rules of the Michigan Liquor Control Commission concerning the manufacture, possession or sale of alcoholic liquor, or similar violation of another state or country.
  - (7) An applicant or licensee who does not own the premises for which a license is sought or have a lease therefor for the full period for which the license is issued.
  - (8) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.
  - (9) An applicant or licensee who does not have substantial management experience with entities having liquor licenses, or who, for other similar reasons, in the discretion of the city council, is not qualified to receive a license.
  - (10) An applicant or licensee that has not submitted a site plan free from violations of the applicable building, electrical, mechanical, plumbing, or fire prevention codes, applicable zoning regulations, or applicable public health regulations;
  - (11) Unless an applicant or licensee is selling beer or wine, demonstrably in connection with, and incidental to, a bona fide restaurant operation;
  - (12) An applicant or licensee that where the city council has determined that the premises do not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed;
  - (13) An applicant or licensee that where the city council has determined that the location proposed for a licensed liquor establishment will have an adverse effect on the community, with consideration given to traffic safety conditions, accessibility to major streets or highways, distance from public or private schools, impact on adjacent residential districts, zoning classifications and the availability of parking.
  - (14) An applicant or licensee unless a valid special land use approval is lawfully maintained for the premises.
  - (15) An applicant or licensee unless a valid contract has been entered into with the city.
  - (16) An applicant determined to have been untruthful in the application submitted to the city or to have submitted an application or other documentation with material omissions of fact.
- (e) *Approval.* After a review by staff and recommendation, and a public hearing, if the city council is satisfied that the establishment or operation will provide a benefit the City of Oak Park and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution. Approval of a license shall be conditioned on any necessary

remodeling or new construction for the use of the license be completed within six months of the action of the city council or the Michigan Liquor Control Commission approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction may subject the license to revocation.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-59. - Entertainment permits.**

- (a) Requests for permits for dance, entertainment, or dance and entertainment shall be reviewed and approved in the discretion of the city council after an evaluation of the factors listed in subsection 6-58(c). The city will not consider requests for topless entertainment permits.
- (b) No licensee shall knowingly engage in, allow, or permit any of the following activities, without first being granted a permit by both the city and the Michigan Liquor Control Commission, which is in legal effect at the time of the occurrence of such activity, to be conducted by any person upon any licensed premises owned, occupied or controlled by such licensee:
  - (1) Dancing, monologues, dialogues, motion pictures, still slides, closed circuit television, contests or other performances for public viewing on the licensed premises.
- (c) No nudity or topless activity shall be permitted on a licensed premises. As used in this section:
  - (1) *Nudity* means exposure to public view of the whole or part of the pubic region; the whole or part of the anus; the whole or part of the buttocks; the whole or part of the genitals; or the breast area including the nipple or more than ½ of the area of the breast.
  - (2) *Topless activity* means activity that includes, but is not limited to, or entertainment or work-related activity performed by any employee, agent, or contractor of the licensee or person acting under the control of or with the permission of the licensee, on the licensed premises in which the female breast area, including the nipple, or more than one-half of the area of the breast, is directly exposed or exposed by means of see-through clothing or a body stocking:

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-60. - Entertainment permit requests.**

- (a) The city will review each entertainment permit request to determine whether to approve the temporary permit and, if necessary, make a recommendation to the Michigan Liquor Control Commission regarding issuance of said permit, based upon a licensed establishment operation in a manner consistent with the provisions of this article and all other applicable laws, and regulations of the City of Oak Park and the State of Michigan.
- (b) The city manager shall initiate an investigation and review of each request for an entertainment permit. The investigation and review may include, but not be limited to, the procedures listed in section 6-61

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-61. - Annual license review.**

- (a) The city will review each license to determine whether to make a recommendation to the Michigan Liquor Control Commission regarding renewal of said license, based upon a licensed establishment operation in a manner consistent with the provisions of this article and all other applicable laws, and regulations of the City of Oak Park and the State of Michigan.
- (b) The city manager shall annually initiate an investigation and review of each on premises licensed establishment. The investigation and review shall include, but not be limited to, the following:
  - (1) Current valid licenses from appropriate county, state or federal governments authorizing service of food at the establishment.
  - (2) Inspection of the premises compliance with the license, its approved site plan and, if applicable, its plan of operation, as well as any conditions imposed by the city or the Michigan Liquor Control Commission or representations made by the licensee at the time of issuance or transfer of the license.
  - (3) City records to determine that all taxes and other monies due the city are timely paid.
  - (4) Police files or other sources of information to determine that no activity in connection with the licensed premises is in violation of the law, disturbs the public peace and tranquility, constitutes

a nuisance, or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premises.

- (5) Continuous compliance with the applicable conditions or of the criteria as described in subsection 6-58(c) of this article.
- (6) The operation of the licensed establishment for compliance with any and all representations made by the licensee to the city or the city council.
- (7) Recommendations from city departments. Following receipt of a fully completed application, fees, and such other information as may be requested by the city, the city clerk shall forward the application to the department of public safety, department of technical and planning services, treasurer's office, and such other departments as required by the city manager, which departments shall make their reviews and recommendations prior to consideration by the city council. In conducting its review, the city may request other pertinent information from the licensee. The complete report shall be reviewed by staff prior to being submitted to the city council.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-62. - Revocation and non-renewal.**

- (a) Each establishment within the city for which a license or related permit is granted shall be operated and maintained in accordance with all applicable laws and regulations of the City of Oak Park and the State of Michigan. Upon any violation of this article, the council may, after notice and hearing, request the Michigan Liquor Control Commission to revoke such license and/or permit.
- (b) Upon any violation(s) of this article, the city will notify the licensee of the specific violation(s) and afford the licensee an opportunity to comply with said article. Licensee must comply in the time established by the city manager, but in no event more than ten days after notification to licensee by city of such violation. Absent compliance within that time established by the city manager, the city may hold a hearing and request that the Michigan Liquor Control Commission not renew and/or revoke such license and/or permit.
- (c) Before filing any objection to renewal or request for revocation of a license or permit with the Michigan Liquor Control Commission, the city shall serve the licensee with notice and proceed in accordance with this article, as amended. The city shall serve the licensee by first-class mail mailed to the licensed premises at least ten days prior to the hearing with notice of hearing, which notice shall contain the following:
  - (1) Date, time and place of hearing.
  - (2) Notice of the proposed action.
  - (3) Reasons for the proposed action.
  - (4) Names of any witnesses known at the time who may testify.
  - (5) A statement that the licensee may present evidence or any testimony that may refute or respond to reasons for the proposed action.
  - (6) A statement requiring the licensee to notify the city attorney's office at least three days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf.
- (d) Upon completion of the hearing, the city council shall submit to the licensee and the Michigan Liquor Control Commission a written statement of the findings and determination.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-63. - Criteria for non-renewal or revocation.**

- (a) The city council may recommend non-renewal or revocation of a license or related permit to the liquor control commission upon a determination based upon a preponderance of the evidence presented at the hearing that any of the following exists:
  - (1) Failure to comply with all standards, plans or agreements, entered into in consideration for the issuance, transfer or continuance of the license or permit, or failure to comply with all agreements or consent judgments entered into subsequent to the issuance of the license or permit.

- (2) Failure to comply with an approved plan of operation and other plans, specifications, or representations made or submitted to the city by the licensee.
- (3) Violations of the state liquor laws or regulations of the liquor control commission.
- (4) Violations of state laws or local ordinances including, but not limited to those laws or ordinances concerning the public health, safety or public welfare.
- (5) Failure to meet the requirements of section 6-55 of this article.
- (6) Maintenance of a nuisance upon or in connection with the licensed premises including, but not limited to, any of the following:
- (7) Failure to correct, within a reasonable amount of time, violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes, to include the history thereof.
- (8) A pattern of patron conduct in the neighborhood of the licensed premises, which is a violation of the law and/or disturbs the peace, order and tranquility of the neighborhood, including types of police, fire or medical services related to this operation.
- (9) Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties.
- (10) Entertainment on the premises or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinance or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.
- (11) Licensee's hindrance or obstruction of inspection of the licensed premises by the city's agents or employees in connection with the enforcement of this article.
- (12) Failure to pay taxes or make other payments due to the city in a timely manner.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-64. - Employees to be 21.**

- (a) No person shall be employed to serve or handle any alcoholic beverage in any establishment where such beverage is sold for consumption upon the premises unless said person shall have attained the age of 21 years, provided, however, that persons under the age of 21 years but not under the age of 18 years may be employed to serve or handle alcoholic beverages by special permission of the director of public safety.
- (b) All licensees must have in their possession a birth certificate or other official document showing the place and date of birth of each employee which shall be available for inspection by police officers at all times.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-65. - Sales restricted.**

No licensee under this article, by himself, or another, shall sell, furnish, give or deliver any alcoholic beverage to any person:

- (1) Who is so intoxicated as not to be in control of all his faculties;
- (2) On any day during the hours not permitted by state law or the state liquor control commission.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-66. - Game devices prohibited; presence of devices as prima facie evidence.**

- (a) No licensee under this article shall allow upon his licensed premises slot machines, pinball machines, baseball, football, golf or hockey machines, electric ray machines, baffle boards, punch or pull boards, dice games or any gambling or gaming devices or paraphernalia of any nature, type or description, machines or apparatus, or gambling or gaming of any kind whatsoever.
- (b) The presence of any such device, machine or apparatus, mentioned in subsection (a) above, upon the premises of any establishment shall be prima facie evidence of a violation of this section.

(Ord. No. O-13-596, § 1, 7-15-13)

**Sec. 6-67. - Maintenance of peace and good order.**

No person having the management, ownership or control of any premises in the city wherein any alcoholic beverage is sold for consumption on the premises shall permit any boisterous conduct, or in any manner the disturbance of the peace and good order of the neighborhood.

(Ord. No. O-13-596, § 1, 7-15-13)

Sec. 6-68. - Soliciting of drinks and fraternizing with customers by employees prohibited.

No person having the management, ownership, or control of any premises wherein any alcoholic beverage is sold for consumption on the premises, shall permit anyone employed in said business to drink alcoholic beverages with, visit or fraternize with any of the patrons of said establishment in said place of business; nor shall any licensee or person having the management, ownership or control of such premises solicit any customer or patron of such place to purchase any alcoholic or non-alcoholic beverage for himself or any other person therein; provided, however, that this provision shall not apply to any female waitress, manager or licensee regularly employed on the premises who accepts or serves an order to any customer or patron in the regular course of her employment.

(Ord. No. O-13-596, § 1, 7-15-13)

SECTION 1. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII with the following:

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

I, T. Edwin Norris, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on \_\_\_\_\_, 2015.

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T. Edwin Norris  
City Clerk

First Reading:  
Second Reading:  
Adopted:  
Published:



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

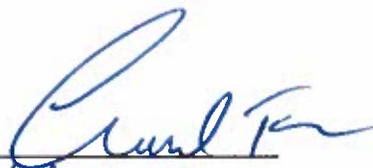
**SUBJECT:** First reading of a proposed Zoning Ordinance text amendment to amend Article XVIII, Signs.

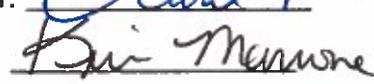
**DEPARTMENT:** Community & Economic Development, Planning Division

**SUMMARY:** At the December 8, 2014 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendments would make a number of changes to Article XVIII, Signs. At that meeting the Planning Commission voted to recommend to the City Council adoption of the text amendment. The City Council on December 15, 2014 conducted a First reading of the proposed Zoning Ordinance text amendment. On January 5 the second reading was conducted and received opposition. A special meeting was held February 25, 2015 to discuss changes to the mural portion of the ordinance. Revises were made and at the March 16, 2015 special meeting it was presented to city council with no further opposition.

**RECOMMENDED ACTION:** The City Council conduct the first reading and adopt the proposed text amendment to the City of Oak Park Zoning Ordinance, Article II, Definitions, and Article XVIII, Signs.

**APPROVALS:**

City Manager: 

Director: 

Finance Director: \_\_\_\_\_

**EXHIBITS:** Memorandums, proposed ordinance with marked changes, proposed ordinance for adoption. Proposed policy for Mural approval

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XVIII, SIGNS, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII with the following:

ARTICLE XVIII. - SIGNS

Sec. 1800. - Signs.

- A. *Purpose.* It is the purpose of this section to provide for proper identification of businesses and institutions; to enable the public to locate goods, services and facilities without difficulty and confusion; to prevent wasteful use of resources as a result of competition among businesses for attention; and to promote the continued attractiveness of the City of Oak Park. It is further determined that to allow an excessive number of signs in the city would be unduly distracting to pedestrians and motorists, creates a traffic hazard, and may reduce the effectiveness of signs needed to direct the public. The regulations of this section are determined to be the minimum regulations necessary to achieve its purposes.
- B. *Objectives.* To achieve the purpose stated above, this section has the following objectives:
1. To prevent the placement of signs in a manner that will conceal or obscure signs or adjacent businesses;
  2. To keep the number of signs and sign messages at a level reasonably necessary to identify a business and its products or services;
  3. To keep signs within a reasonable scale with respect to the buildings to which they relate;
  4. To keep an area adjacent to streets clear of signs which might obstruct or distract the view of motorists;
  5. To reduce the visual and physical obstructions to motorists entering or leaving streets;
  6. To enhance the physical appearance of the city;
  7. To preserve scenic and natural beauty of designated areas;
  8. To make the city a more enjoyable and pleasing community; and
  9. To create a more attractive economic and business climate.

Sec. 1801. - Definitions.

Refer to definitions pertaining to signs found in article II.

Sec. 1802. - Basic requirements—All districts.

The following general requirements shall apply to all signs in every zoning district within the City of Oak Park.

- A. Only on-site signs are permitted.
- B. The calculation of sign surface area shall include: the sign frame and any sign member or support which is illuminated or bears advertising matter, symbols, logos, or similar decorations associated with the business identified thereon.
- C. Every sign shall be effectively attached to a building, other permanent structure, or the ground. Portable or moveable signs (such as trailer signs) are prohibited. The intent of this paragraph shall not be circumvented by the use of parked vehicles or trailers as signs or conveyances for signs.
- D. All illuminated signs shall be so arranged or shielded so as not to interfere with the vision of persons on adjacent thoroughfares and properties. In no event shall light from an illuminated sign shine on adjacent property which is used for residential purposes.
- E. The color saturation and hue of illuminated signs shall be such as to preclude confusion with traffic signals.
- F. All signs shall conform to the regulations as set forth in this ordinance, and any sign or billboard not conforming thereto shall be deemed a nonconforming structure subject to the provisions of section 2005
- G. No sign shall be located or placed on any property or building in a manner that interferes with the driver of an automobile having proper visibility of pedestrians or automobile traffic.
- H. No sign, except those for emergency service purposes established and maintained by the city, county, state or federal government, shall be located in, project into, or overhang a public right-of-way or dedicated public easement.
- I. All emergency service purpose directional signs required for the purpose of orientation, when established by the city, county, state or federal government, shall be permitted in all use districts, and may exceed six feet in height.
- J. Sign materials and design shall be consistent with the architectural design of the building they identify.
- K. All signs shall be maintained in a condition similar to that which existed at the time of their erection. At the least, all signs and all awnings with sign components shall be kept clean, free of missing or loose parts, free of blistering or peeling paint, and without burned-out illumination, or missing or obsolete sign panels.
- L. All sign owners shall complete a form, provided by the city, indicating the name, address and phone number of the person responsible for maintenance of the sign. At the request of the city, any sign owner shall update the information provided on this form.
- M. Free-standing signs shall be set back at least five feet from all lot lines unless otherwise provided by this section. Freestanding signs shall be located so as to not hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
- N. Replacement signs. When a sign is to be replaced, it shall thereafter conform to all requirements of this zoning ordinance. This shall not prevent the lawful continuance of nonconforming signs that were legally established prior to the current requirements of

the zoning ordinance. The following provisions shall apply to replacement of panels and signs intended to update information nonconforming signs:

1. The owner of a nonconforming sign may replace a panel or face of the sign in order to update information on the nonconforming sign or identify a new tenant or occupant from the same use category provided the sign is not enlarged or otherwise made more nonconforming. Approval of replacement panels may be granted by the administrative official designated by the city manager.
  2. The replacement of a nonconforming sign or signs with a sign that conforms to the current requirements of the zoning ordinance may be approved by the administrative official designated by the city.
- O. The maximum height of all free-standing signs shall be six feet, unless otherwise provided in this section.
- P. No sign shall be erected within the clear vision area at the intersection of any two streets or other public ways. The clear vision area is formed by two lines each 25 feet long measured along the right-of-way for both streets from the point of intersection and connected by a third line to form a triangle.
- Q. Signs for public buildings in all districts. Public buildings, such as schools, city offices, libraries, community centers, and the like shall comply with the following regulations in all districts:
1. Permanent signs that are part of the structure, such as engraved stone panels, cast bronze plaques and the like, may occupy not more than ten percent of the front wall surface area, to maximum of 100 square feet.
  2. The total area of monument signs and all wall signs shall not exceed ten percent of the front wall surface area of the buildings they identify.
  3. If a public building requires a changeable message board, it shall be incorporated as part of the permanent sign.
- R. Prohibited signs and sign features or components. The following signs are prohibited, notwithstanding anything to the contrary in this ordinance:
1. Signs which incorporate in any manner or are illuminated by any flashing or moving lights, or where any illumination can shine directly into the eyes of any occupant of any vehicle traveling upon any highway, driveway or parking area, or into any window of any residence within 100 feet, or where the illumination interferes with the visibility or readability of any traffic sign or device.
  2. Pennants, strings of flags, spinners, streamers, balloons, and inflatable advertising devices.
  3. Exterior string lights used in connection with a commercial premises, other than holiday decorations used from the day after Thanksgiving through the following January 15.
  4. Any sign which has any visible motion, moving or animated parts or image, whether movement is caused by machinery, electronics, wind, or otherwise, except for minor elements of clocks or thermometers.
  5. Any sign which is structurally or electrically unsafe, or which obstructs any fire escape.

6. Any sign erected on a tree or utility pole except signs of any political subdivision of this state.
  7. Any business sign, sign structure or frame now or hereafter existing which no longer advertises a bona fide business conducted or a product offered for sale, or no longer contains a sign.
  8. Portable signs. Temporary portable signs for city-sponsored events are exempt from this requirement when posted three days or less prior to the event.
  9. Any sign on a motor vehicle or trailer which is parked in front of a business for the purpose of advertising a business or product or service of a business located on the premises where such vehicle is parked.
  10. Any sign on a motor vehicle or trailer which is parked at a location visible from a public street and intended to attract attention for the business, product or service identified on the sign.
  11. Roof signs.
  12. Any sign or sign part, cable or support, except those established for emergency service purposes and maintained by the city, the Road Commission for Oakland County, the Michigan Department of Transportation, or the federal government, located in, projecting into, or overhanging a public right-of-way or dedicated public easement. The building inspector is authorized to cause the removal of any signs posted or placed in any public right-of-way, provided any such sign shall be kept for a period of 60 days for pick-up by any person who might claim it, and thereafter may be destroyed by the city.
  13. Any sign within the clear vision area as specified in section 1701
  14. Any sign erected on any property, public or private, without the consent of the owner or occupant thereof.
  15. Any sign which simulates or imitates in size, color, lettering, or design, any traffic sign or signal or other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse the drivers of motorized vehicles.
  16. Any sign which incorporates any open spark or flame.
  17. Phone numbers on signs.
  18. Portable message board signs.
  19. Business signs in the windows of office buildings in all districts.
  20. "Sold" signs, messages, or parasite signs on real estate signs.
  21. Human signs.
- S. Signs on parking lots in any district. One sign shall be permitted at each point of ingress and egress to a parking lot to indicate the operator, parking rates, and directions of movement. Each such sign shall not exceed ten square feet in area, shall not extend more than four feet in height above grade, and shall be entirely on the parking lot property.
- T. Electronic messaging signs. Electronic messaging signs shall be defined as a sign, or portion thereof, that displays electronic, static images, static graphics or static pictures, with or without textual information. Such a sign can be changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting

diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message is displayed. Electronic messaging signs include computer programmable microprocessor controlled electronic or digital displays, and shall not include animated images or graphics, audio components, scrolling messages, or video moving images similar to television images. Electronic messaging signs are subject to the following provisions and requirements:

1. An electronic messaging sign shall be permitted only as a portion of a monument style sign or a freestanding shopping center sign. Electronic messaging signs are prohibited as wall, office building identification, window and temporary signs.
  2. The area of the electronic messaging display shall not exceed 50 percent of the total sign face of a monument style sign.
  3. In a freestanding shopping center sign, an electronic messaging display may replace one permitted tenant panel not to exceed 30 square feet in size.
  4. Messages on electronic messaging signs shall be displayed for a minimum of eight seconds before changing.
  5. The electronic display background color tones, lettering, logos, pictures, illustrations, symbols, and other electronic graphic or video display shall not blink, flash, rotate, scroll, change in illumination intensity, or otherwise change in outward appearance except when the electronic message or display is changed to another message or display. When an electronic message changes, the prior message shall disappear simultaneously with the appearance of the new message.
  6. An electronic messaging sign shall be equipped with an automatic dimmer control capable of providing a distinct illumination change from a higher illumination level to a lower illumination level. The illumination level of the sign shall be reduced during the time period from one-half hour before sunset to one-half hour after sunrise.
  7. Audio speakers are not permitted on any electronic messaging sign.
  8. A malfunctioning electronic messaging sign shall be turned off or shall display a blank screen until repaired.
  9. No electronic messaging sign shall be allowed within 100 feet of a residential zone from which it is visible. An electronic messaging sign which is visible from a residential district may operate only between the hours of 6:00 a.m. and 10:00 p.m.
- U. The above regulations apply to signs in all districts. Where the district regulations below establish more stringent requirements, they shall apply.

**Sec. 1803. - Signs permitted in residential districts (R-1, R-2, RM-1, RM-2 PMF).**

- A. For institutional uses (such as a church or school): one free-standing monument sign and one wall sign:
- a. Monument signs shall not exceed six feet in height above the ground (measured from the average ground level within two feet of the base of the sign and 30 square feet in area. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.

- b. The total area of the monument sign and all wall signs shall not exceed ten percent of the front wall surface area of the principal building up to a maximum of 120 square feet.
  - c. No illuminated or electronic messaging sign shall be allowed within 100 feet of a residential zone from which it is visible. All illuminated signs and electronic messaging signs which are visible from a residential use may operate only between the hours of 6:00 a.m. and 10:00 p.m.
- B. For permitted uses in multiple family districts (RM-1, RM-2, PMF): one sign not exceeding 30 square feet in area.
  - C. For subdivision developments: one permanent subdivision identification sign not exceeding 30 square feet in area.
  - D. For new residential developments: one temporary sign advertising the sale of dwellings therein not exceeding 50 square feet in area. Permits for temporary development signs shall expire after two years or when the last unit is sold, whichever shall occur first, and shall require a cash performance deposit of \$300.00 to guarantee removal of the sign.
  - E. One trespassing, safety, or caution sign not over two square feet in area shall be permitted for each 200 lineal feet of perimeter lot line.
  - F. Signs for the rental, sale, or lease of the property on which they are located, subject to the following:
    - 1. In R-1 and R-2 districts, only one such sign not over six square feet may be displayed no closer than 12 feet to any lot line.
    - 2. In PMF, RM-1 and RM-2 districts, not more than two such signs not over 12 square feet may be displayed no closer than 12 feet to any lot line.
  - G. One non-illuminated sign, not over one square foot in area, attached to or displayed on the principal building as accessory to a permitted home occupation.
  - H. One multifamily building identification sign, not more than 30 square feet in area, may be attached to the face of the first floor of a building and shall not project more than 12 inches from the face of the building. Such sign must relate only to the name and use of the building and premises. In addition, one ground sign identifying a group of buildings under common ownership or management shall be allowed. Such ground sign shall be set back at least five feet from the property line and be no higher than six feet overall, nor larger than 30 square feet in area per side.

**Sec. 1804. - Signs permitted in O office building districts.**

- A. For office buildings, one free-standing building identification monument style sign plus one building identification wall sign per building subject to the following:
  - 1. Free-standing building identification monument signs shall not exceed six feet in height, 30 square feet in area, shall be set back at least five feet from all lot lines, and 100 feet from adjoining residential districts. Building identification monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
  - 2. Building identification wall signs shall be displayed only on the front of the building, mounted directly on the wall or on a special sign panel designed as part of the building architecture. Building identification wall signs shall not exceed 15 percent of their front

wall surface area to a maximum of 120 square feet. The total area of the Building identification monument sign plus the Building identification wall signs shall not exceed 150 square feet.

3. In addition, one directory sign per building, stating only the name and suite number of each tenant, and located on the wall of the building within three feet of the principal entrance door. A directory sign shall not exceed six square feet per tenant to a maximum of 30 square feet total and shall not project more than 12 inches from the wall.
4. Signs for the rental, sale or lease of the property on which they are located; provided, that no such sign shall exceed ten square feet in area per sign. No more than two such signs may be placed on any one property.
5. The use of neon window signs such as "open" and "closed" signs, and all other temporary or permanent window signs are prohibited in all O office building districts.

Sec. 1805. - Signs permitted in B-1, B-2, PTRED, and PCD districts.

- A. For office buildings, one free-standing building identification monument style sign plus one building identification wall sign per building subject to the following:
  1. Free-standing building identification monument signs shall not exceed six feet in height (measured from the average ground level within two feet of the base of the sign), 30 square feet in area, shall be set back at least five feet from all lot lines, and 100 feet from adjoining residential districts. Building identification monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
  2. Building identification wall signs shall be displayed only on the front of the building, mounted directly on the wall or on a special sign panel designed as part of the building architecture. Building identification wall signs shall not exceed 15 percent of their front wall surface area to a maximum of 120 square feet. The total area of the Building identification monument sign plus the Building identification wall signs shall not exceed 150 square feet.
  3. In addition, one directory sign per building, stating only the name and suite number of each tenant, and located on the wall of the building within three feet of the principal entrance door. A directory sign shall not exceed six square feet per tenant to a maximum of 30 square feet total and shall not project more than 12 inches from the wall.
  4. Signs for the rental, sale or lease of the property on which they are located; provided, that no such sign shall exceed ten square feet in area per sign. No more than two such signs may be placed on any one property.
  5. The use of neon window signs such as "open" and "closed" signs, and all other temporary or permanent window signs are prohibited in all O office building districts.
- B. For retail and similar buildings, one free-standing monument style sign plus one wall sign per tenant, subject to the following:
  1. Monument signs shall not exceed six feet in height (measured from the average ground level within two feet of the base of the sign), 30 square feet in area, shall be set back at least five feet from all lot lines, and 100 feet from adjoining residential districts. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site. As a substitution for a monument style sign, one additional wall sign, subject to area limitations for

monument signs, may be displayed on one side of the building. Buildings fronting on Eight Mile Road are permitted a monument style sign 40 square feet in area.

2. Wall signs shall be displayed only on the front of the building, mounted directly on the wall or on a special sign panel designed as part of the building architecture. Individual store signs shall not exceed 15 percent of their front wall surface area to a maximum of 120 square feet. The total area of the monument sign plus the wall signs shall not exceed 150 square feet.
3. Individual stores shall be permitted only one wall sign per store provided, however, that buildings on corner lots where both streets have business districts fronting thereon for at least 200 feet may be permitted one sign on the front wall facing each street for the corner store only.
4. In addition, the following secondary signage is permitted:
  - a. Awning sign: One sign, no greater than 50% of the front face of the awning and no greater than 30 square feet, may be included on an awning subject to the permitted total sign area regulations. No awnings bearing a sign shall be back lighted to illuminate the awning sign.
  - b. Blade Sign: One non-illuminated blade sign oriented perpendicular to the building, no greater than four square feet in size, projecting no more than four feet from the façade of the building and no lower than eight feet above ground level. Blade signs shall be placed below the roof line of a single-story building or below the second floor of a multi-story building.
  - c. Stationary Sandwich Board signs are allowed, after issuance of an annual permit, and subject to the following:
    1. One Stationary Sandwich Board sign per business, no greater than six square feet in area, with a maximum height of no more than three-and-one-half feet.
    2. The sign shall be placed within twenty feet of the principal business entrance and in a manner so it maintains five feet of pedestrian passage, does not cause a sight obstruction, and does not hinder ingress or egress from buildings or parked cars. Signs shall be stored indoors when business is closed.
    3. Signs may include the name of the business, the word "Open," hours of operation, and one other line of text. Graphics including a business's logo shall be permitted, but individual product logos shall be prohibited.
    4. No sign shall be connected to any power source.
    5. No sign shall be chained or otherwise secured to a building, bench or pole.
- C. For planned shopping centers under single ownership and management, one free-standing pole or monument style shopping center identification sign per business street providing access to the site and one wall sign per tenant, subject to the following:
  1. Free-standing pole shopping center identification signs shall be permitted in accordance with the following table:

TABLE OF FREESTANDING POLE SHOPPING CENTER IDENTIFICATION SIGN REQUIREMENTS  
(Shopping center stores in B-1, B-2, PTRED and PCD only)

Freestanding Shopping Center Identification Signs	Less than 10,000 square feet in size	Between 10,001 and 99,999 square feet in	Greater than 100,000 square feet
---	--------------------------------------	--	----------------------------------

		size	in size
Maximum Height	15 Feet	22 Feet	24 Feet
Maximum Size	30 Square Feet	120 Square Feet	200 Square Feet
Shopping Center Name Minimum % of Display Area	100%	40%	40%
Individual Tenant Maximum % of Display Area	0%	40%	40%
Maximum Number of Tenants on Identification Sign	0	3	3

2. Free-standing monument style shopping center identification signs shall not exceed six feet in height (measured from the average ground level within two feet of the base of the sign) and 30 square feet in area. Monument signs shall only display the name of the shopping center. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site.
3. Free-standing shopping center identification signs shall be set back at least five feet from street property lines, 20 feet from adjacent property lines and 100 feet from adjacent residential districts.
4. Wall signs for individual stores shall not exceed 15 percent of their front wall surface area to a maximum of 180 square feet per tenant with 10,000 or more square feet of leasable area and 120 square feet per tenant with less than 10,000 square feet of leasable area. These limits may be raised as the size of the store and/or its setback from the lot line adjoining the principal street frontage increases in accordance with the following table:

**TABLE OF MAXIMUM ALLOWABLE WALL SIGN AREA, IN SQUARE FEET\***  
(Shopping center stores in B-1, B-2, PTRED and PCD only)

Building Front Setback	Store Size In Square Feet				
	Less than 10,000	10,001 to 25,000	25,001 to 40,000	40,001 to 100,000	Over 100,000
Over 150 feet	240	300	380	460	560
101—150 feet	190	250	330	410	510
51—100 feet	150	210	290	370	470
0—50 feet	120	180	260	340	440

\* In no instance shall the above table cause any wall sign to exceed 15 percent of the store's front wall surface area.

5. In addition, the following secondary signage is permitted:
  - a. Awning sign: One sign, no greater than 50% of the front face of the awning and no greater than 30 square feet, may be included on an awning subject to the

permitted total sign area regulations. No awnings bearing a sign shall be back lighted to illuminate the awning sign.

- b. **Blade Sign:** One non-illuminated blade sign oriented perpendicular to the building, no greater than four square feet in size, projecting no more than four feet from the façade of the building or underneath a walkway canopy and no lower than eight feet above ground level. Blade signs shall be placed below the roof line of a single-story building or below the second floor of a multi-story building.
  - c. **Stationary Sandwich Board signs** are allowed, after issuance of an annual permit, and subject to the following:
    1. One Stationary Sandwich Board sign per business, no greater than six square feet in area, with a maximum height of no more than three-and-one-half feet.
    2. The sign shall be placed in a manner so it maintains five feet of pedestrian passage, does not cause a sight obstruction, and does not hinder ingress or egress from buildings or parked cars. Signs shall be stored indoors when business is closed.
    3. Signs may include the name of the business, the word "Open," hours of operation, and one other line of text. Graphics including a business's logo shall be permitted, but individual product logos shall be prohibited.
    4. No sign shall be connected to any power source.
    5. No sign shall be chained or otherwise secured to a building, bench or pole.
- D. Gasoline service stations may have one parasite sign, not exceeding 15 square feet, to display the current prices of the various fuels sold.

#### Sec. 1806. - Signs permitted in LI industrial districts.

- A. Individual buildings may have one free-standing monument sign per principal building and one wall sign per tenant.
- B. Monument signs shall not exceed six feet in height above the ground (measured from the average ground level within two feet of the base of the sign) and 30 square feet in area. Monument signs shall be set back not less than five feet from the front lot line, 20 feet from the existing curb line, and 100 feet from an adjoining residential district. Buildings fronting on Eight Mile Road are permitted a monument style sign 40 square feet in area. Monument signs shall be located so as not to hinder or block ingress or egress to the site and/or restrict the vision of pedestrians or motorists on or near the site. As a substitution for a monument style sign, one additional wall sign, subject to area limitations for monument signs, may be displayed on one side of the building.
- C. The total area of the monument sign and all wall signs shall not exceed ten percent of the front wall surface area of the principal building up to a maximum of 120 square feet.

#### Sec. 1807. - Signs allowed without a permit.

The following signs are allowed to be erected or maintained without a permit provided they comply with the following regulations and applicable construction standards in this ordinance.

- A. Signs posted by duly constituted public authorities in the performance of their public duties.
- B. Signs located on the rolling stock of common carriers.

- C. Signs located on motor vehicles or trailers bearing current license plates which are traveling or lawfully parked upon public highways, or parked upon any premises where the primary purpose is not the display of the sign.
- D. Signs having an area of not more than two square feet which convey only the street number and address, the name of the premises, the name of the owner and/or the occupant of the premises.
- E. On-premises, temporary and permanent window signs for retail and service businesses in B-1, B-2, PTRED and PCD Districts when located inside and visible through the windows of an enclosed building, where the area of such signs does not exceed 25 percent of the window area. Temporary window signs containing a message referring to current, temporary merchandising or promotional activities, such as a special sale, shall be posted for no longer than 14 days.
- F. Wall signs not exceeding six square feet and indicating only the date of erection of a building, when cut into a masonry surface or constructed of bronze or other noncombustible material.
- G. Flags and banners subject to the following:
  - 1. The flag of any corporate, commercial or noncommercial organization, educational institution, nation, state, political subdivision, or governmental entity respectfully displayed. In addition, for each 20 lineal feet of street frontage, out decorative banner or flag, or flag or banner of any educational institution, nation, state, political subdivision, or government entity, not exceeding 15 square feet, may be displayed on the premises. "Decorative banner or flag" is defined as a banner or flag containing no words, symbol, logo, emblem or trademark naming, describing, or otherwise related to any business located or conducted on the premises.
  - 2. For the purpose of this section, flags and banners on roofs shall be considered roof signs with the exception of decorative banners or flap, as defined above.
  - 3. Flags and banners used for the advertisement of products, sales or services are prohibited.
  - 4. Temporary banners for city-sponsored events are exempt from these requirements when posted 45 days or less prior to the event and removed promptly after said event.
  - 5. All flags and banners shall be maintained in a condition similar to that which existed at the time of their erection. Flags and banners shall be removed or replaced when they become dirty, faded, ripped or frayed.
- H. Temporary political signs, subject to the following:
  - 1. No such sign shall be illuminated.
  - 2. No such sign shall exceed 12 square feet in area, per side, nor six feet in height.
  - 3. All such signs shall be displayed only in a front yard or window and shall be set back at least five feet from the front lot line, except on a corner lot such signs may be displayed in the side yard subject to the same five-foot setback from the side street lot line.
  - 4. No such sign shall be placed in or project into a public right-of-way. Political signs shall only be placed on private property with permission of the property owner.

5. A sign advertising a candidate for political office or stating a position on a ballot proposal shall not be erected more than 45 days prior to a primary election. Signs advertising unsuccessful primary candidates and unsuccessful ballot proposals shall be removed within ten days after the primary election. Signs for successful primary candidates and ballot proposals may continue to be displayed after the primary, along with any signs advertising declared write-in candidates for political office. All temporary political signs shall be removed within ten days after the general election.
  6. No such sign shall be placed in such a manner as to obstruct the view of vehicle drivers when leaving or entering a street, driveway, or parking space.
  7. The painting of any such sign on the exterior surface of any building or structure is prohibited.
  8. The property owner shall be responsible for removing temporary political sign(s) after an election.
- I. One noncommercial opinion sign per property shall be allowed year-round, in addition to temporary election signs which are otherwise regulated in this ordinance. The one noncommercial opinion sign shall be located in the front yard, set back as required herein, or in a window, and shall not exceed 12 square feet.
  - J. Signs for garage sales, yard sales, basement sales, rummage sales, moving sales, estate sales or other similar sales, when conducted at a residence: may be erected on private property only; and limited to two signs per sale location and one additional sign at the end of the street with the permission of the property owner; may not exceed six square feet or four feet in height per sign; may not be erected for more than 12 days in any calendar year per sale location; shall not occupy a public right-of-way; and shall not be posted on any utility pole or similar fixture anywhere within the City of Oak Park.
  - K. Portable real estate signs for the sale, rental or lease of the property on which they are placed, subject to the maximum area and setback requirements of the individual district provisions. Parasite signs or messages indicating that the real estate has been "Sold" are hereby prohibited.
  - L. Portable real estate "open house" signs with an area not greater than six square feet and a maximum height of six feet, provided only one such sign may be located on the premises being sold and only during the hours of the open house.
  - M. A single, temporary construction sign is permitted during actual construction in any district, subject to the following:
    1. A building permit is required prior to installation of all temporary construction signs.
    2. In single- and two-family districts, total sign area shall not exceed six square feet per side.
    3. In multiple family districts, total sign area shall not exceed ten square feet per side.
    4. In nonresidential districts, total sign area shall not exceed 32 square feet per side.
    5. No free-standing, temporary construction sign shall exceed six feet in height
    6. Such signs shall be posted on the building or on the premises of the building under construction and shall advertise only the building under construction, its owner, contractors, and designers.

7. All temporary construction signs shall be removed: when construction ceases for 90 days; upon expiration of the building permit; or upon issuance of a certificate of occupancy, whichever occurs first.

N. Private traffic signs that direct and guide traffic and parking on private property that do not exceed four square feet each and bear no advertising matter.

**Sec. 1808. - Obsolete or abandoned signs.**

All signs that are obsolete, due to discontinuance of the business or activity advertised thereon, shall be removed within 30 days of the close of said business or activity. If the sign is nonconforming, the entire sign shall be removed. If the sign is conforming, only the message shall be removed, however, in no case shall the sign be maintained with exposed lamps, lighting equipment, or other internal mechanical or structural components.

**Sec. 1809. - Sign permit required.**

It shall be unlawful to construct, display, install, change or cause to be constructed, displayed, installed, or changed, a sign requiring a permit upon any property within the city without first obtaining a sign permit.

**Sec. 1810. - Applicability of State Construction Code.**

Except as otherwise indicated in this chapter, the regulations of the State Construction Code as adopted by the city shall apply to signs. Where the provisions of this chapter are more restrictive in respect to location, setback, use, size or height of signs, the limitations of this chapter shall take precedence over the regulations of the State Construction Code.

**Sec. 1811. - Temporary signs.**

A. In nonresidential districts, temporary signs may be authorized by the administrative official designated by the City Manager for not more than 30 days with not more than one extension of 30 days, upon a finding by the administrative official on the basis of written information furnished by the applicant, that the proposed sign:

1. Is necessary for the direction of the public,
2. Will not create an obstruction, a traffic hazard or be incompatible to the area, and
3. Will not be contrary to the spirit and purpose of this ordinance.

B. The administrative official may consider, in determining whether a permit should be issued for a temporary sign, but not by way of limitation:

1. The absence of permanent signs,
2. Change of use or occupant,
3. Change of ownership or management, or reopening by occupant,
4. Change in basic goods or services provided by the occupant, and/or
5. Special events sponsored by one or more of the occupants.

C. Not more than two permits for temporary signs shall be issued to a single applicant in any calendar year.

D. A temporary sign permit fee, shall be posted in an amount established by resolution of the city council, for each temporary sign authorized.

E. The administrative official may impose any additional restrictions on the use of the temporary sign as it deems necessary, in order to protect the health, safety and welfare of the public.

F. The owner of any property on which a temporary sign is placed and the person maintaining said temporary sign are declared to be equally responsible for the condition of the temporary sign and the area in the vicinity thereof.

#### Sec. 1812. - Murals.

In all Zoning Districts, but excluding all residential uses, art murals shall be permitted subject to the restrictions set forth in this subsection. Permitted signs and murals are defined as:

**Sign** - is the use of any words, numerals, figures, sculpture, devices, designs, insignia, imprints or trademarks by which anything is made known, advertised, or to promote the interests of any person, firm or corporation when the same is placed in view of the general public, whether displayed on a permanent or portable structure attached or not attached to a building, including painted directly on an exterior building wall or awning.

**Art Mural** - is a design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.

**Limited Reference Art Mural** - is an original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site.

Both types of art murals are subject to the following:

- (1) Prior to installation of a Mural, the property owner or tenant shall apply for a determination of whether the proposed design or representations is a Sign, an Art Mural or a Limited Reference Art Mural by submitting an application to the Economic Development Manager. The city staff will review the proposed mural and make a determination if it is a Sign, Art Mural or a Limited Reference Art Mural.
- (2) Applying the definitions for a Sign, Art Mural and Limited Reference Art Mural the city staff shall make a determination whether the proposed mural is a Sign, an Art Mural or a Limited Reference Art Mural.
- (3) After the determination by the city staff, Art Murals and Limited Reference Art Murals shall be presented to city council for approval. City council will determine the type of mural and whether it meets the guidelines established by city council in the Policy for Review and/or Approval of Murals.
- (4) A Limited Reference Art Mural shall be allowed if:
  - a. The graphics, words, and/or symbols referencing the establishment, product, or service are limited in scope and dominance, and not readily construed as commercial advertising. References must be subtle and integrated into the overall mural.
  - b. For purposes of this subsection, "limited in scope and dominance" shall mean not exceeding twenty (20) percent of the wall area on which it is located, integrated

throughout the Mural and not be placed in a concentrated area or manner where it becomes, in essence, a prominent advertisement.

- c. The references to an establishment, product, or service are not to be in the form of traditional building signage. Traditional signs on the same wall will be reviewed separately under applicable sign requirements.

(5) Where numbers of signs or maximum square footages apply to a particular location, a Mural shall not count as a Sign nor figure into the allowable Sign area.

(6) A mural shall be kept in good condition and shall be well maintained. In the case of a mural being in disrepair, the mural must either be removed from the wall of the building or repaired within 60 days of written notice from the city.

SECTION 2. Article II, Definitions, Section 204, Signs, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Signs definitions (c) *Awning*, (d) *Awning sign*, (j) *Ground sign (free-standing sign)* and (u) in Section 204, Signs, with the following definitions:

(c) *Awning*: A roof like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, and that project from the wall of a building for the purpose of shielding a doorway, window, or pedestrians from the elements.

(d) *Awning sign*: A sign panel affixed to, sewn into or painted on an awning.

(j) *Free-standing sign*: A sign supported by one or more uprights, poles or braces placed in the ground surface and not attached to any building or other structure. Free-standing signs may include monument, pylon, and pole type signs.

(u) *Roof sign*: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the peak of the roof or below the eaves and such that no part of the sign is separated from the rest of the roof by a space of more than 12 inches.

SECTION 3. Article II, Definitions, Section 204, Signs, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following definitions to Section 204, Signs, and re-alphabetize the remaining listed definitions:

( ) *Blade sign*: A sign which is oriented perpendicular to the building façade and which is suspended under a bracket, armature, or other mounting device.

( ) *Human sign*: A sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This can also include a person dressed in costume for the purpose of advertising or drawing attention to an individual, business, commodity, service or product.

( ) *Inflatable advertising device*: A device which is inflated with air or another gas, or which is activated by wind, air, or propelled gas, and used for outdoor advertising purposes.

( ) *Art Mural* - A design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.

( ) *Limited Reference Art Mural* - An original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site.

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

I, T. Edwin Norris, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on \_\_\_\_\_, 2015.

\_\_\_\_\_  
T. Edwin Norris  
City Clerk

First Reading:  
Second Reading:  
Adopted:  
Published:

## Policy for review and/or approval of Murals

- 1) Applicant completes mural application and submits drawing, sketch or photo of proposed mural to the Economic Development Manager for determination of whether the proposed mural is a Sign, an Art Mural or a Limited Reference Art Mural.

The city staff shall review the proposed mural to make a determination whether the proposed mural is a Sign, an Art Mural or a Limited Reference Art Mural.

- 2) Using the following Zoning Ordinance described definitions city staff will determine if the mural is an Art Mural or Limited Reference Art Mural

- a. Sign – is the use of any words, numerals, figures, sculpture, devices, designs, insignia, imprints or trademarks by which anything is made known, advertised, or to promote the interests of any person, firm or corporation when the same is placed in view of the general public, whether displayed on a permanent or portable structure attached or not attached to a building, including painted directly on an exterior building wall or awning.
- b. Art Mural - is a design or representation which does not contain promotional or commercial advertising painted or drawn on a wall.
- c. Limited Reference Art Mural - is an original, one-of-a-kind unique design or representation which contains limited references to the establishment, product, or service provided on the site which is painted or drawn on a wall on that site. The graphics, words, and/or symbols referencing the establishment, product, or service are limited in scope and dominance, and not readily construed as commercial advertising. References must be subtle and integrated into the overall mural.

- 3) After the type determination by the city staff, a recommendation will be made to the city council on art murals and limited reference art murals.

- 4) City Council will determine if the mural or limited reference art mural is to be allowed based upon the following guidelines:

- a. If the proposed design or representations is determined to be an Art Mural, the city council will review the mural specification and make a determination of whether the content of the mural is a nuisance as described in Chapter 38, ARTICLE III, DIVISION 1, Sec. 38-51. City Council shall declare the following content in Art Murals to be nuisances:
  - i. The promotion of hostility, disorder, violence or attacks on any person or group of persons.
  - ii. The promotion of discrimination including, but not limited to, demeaning, harassing, or ridiculing any person or group based on race, color, national origin, religion, sex, age, disability, ancestry, creed, or sexual orientation.
  - iii. Libelous statements or information.

- iv. Being obscene or pornographic as defined by prevailing community standards.
- b. If the proposed design or representations is determined to be a Limited Reference Art Mural, the applicant shall obtain a determination of whether the Limited Reference Art Mural is a nuisance as described in Chapter 38, ARTICLE III, DIVISION 1, Sec. 38-51. City Council shall declare the following content in Art Murals to be nuisances:
  - i. The promotion of hostility, disorder, violence or attacks on any person or group of persons.
  - ii. The promotion of discrimination including, but not limited to, demeaning, harassing, or ridiculing any person or group based on race, color, national origin, religion, sex, age, disability, ancestry, creed, or sexual orientation.
  - iii. Libelous statements or information.
  - iv. Being obscene or pornographic as defined by prevailing community standards.
  - v. For purposes of this subsection, "limited in scope and dominance" shall mean not exceeding twenty (20) percent of the wall area on which it is located, integrated throughout the Mural and not be placed in a concentrated area or manner where it becomes, in essence, a prominent advertisement.
  - vi. The references to an establishment, product, or service are not to be in the form of traditional building signage. Traditional signs on the same wall will be reviewed separately under applicable sign requirements.

3/11/2015

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
MICHIGAN TAX TRIBUNAL

Harmony Montessori Center,  
Petitioner,

v

City of Oak Park,  
Respondent.

MTT Docket No. 370214

Tribunal Judge Presiding  
Preeti P. Gadola

FINAL OPINION AND JUDGMENT ON REMAND

INTRODUCTION

On September 26, 2012, the Tribunal entered an Order denying Petitioner's Motion for Summary Disposition under MCR 2.116(C)(10) and instead granted summary disposition in favor of Respondent pursuant to its Motion for Summary Disposition under the same court rule. ("Order"). On February 18, 2014, the Michigan Court of Appeals ("Court") issued an unpublished opinion *per curiam* (Docket No. 312856), remanding the case as there is "a genuine issue of material fact regarding petitioner's status as an educational institution, pursuant to MCL 211.7n; it has also raised a genuine issue of material fact regarding petitioner's status as a charitable institution, pursuant to MCL 211.7o." In response to the Court's directive, the Tribunal held a fact hearing on January 28, 2015, in order to gather the material facts requested.

Petitioner, Harmony Montessori Center ("Harmony"), filed its petition, initiating the above-captioned appeal, on May 29, 2009.<sup>1</sup> The petition indicates this matter involves issues relating to the 2009 March Board of Review's denial of an exemption for Harmony, a non-profit Montessori preschool and kindergarten located in Oak Park, Michigan, parcel number 52-25-19-277-035. Petitioner contends that it is exempt from ad valorem property taxation under MCL 211.7n and/or MCL 211.7o. After gathering additional facts, as directed by the Court, the Tribunal finds that Petitioner does not qualify for an exemption from property taxation under either of the aforementioned statutes.

<sup>1</sup> Pursuant to MCL 205.737(5)(a), "...if the tribunal has jurisdiction over a petition alleging that the property is exempt from taxation, the appeal for each subsequent year for which an assessment has been established shall be added automatically to the petition." This appeal was for tax years 2009-2012.

Educational Exemption under MCL 211.7n

MCL 211.7n provides, in part:

Real estate or personal property owned and occupied by nonprofit . . . educational . . . institutions incorporated under the laws of this state with the buildings and other property thereon while occupied by them solely for the purposes for which the institutions were incorporated is exempt from taxation under this act.

In *Engineering Society of Detroit v Detroit*, 308 Mich 539, 550; 14 NW2d 79 (1944), the Court of Appeals set forth three criteria that must be met in order to qualify for an exemption as an educational institution under MCL 211.7n:

1. The real estate must be owned and occupied by the exemption claimant;
2. The exemption claimant must be a [nonprofit] . . . educational . . . institution; [and]
3. The exemption exists only when the buildings and other property thereon are occupied by the claimant solely for the purposes for which it was incorporated.<sup>2</sup>

The court in *Ladies Literary Club v Grand Rapids*, 409 Mich 748, 755-756; 298 NW2d 422 (1980), specified two requirements that must be met in order for an organization to qualify for an educational exemption from taxation:

1. An institution seeking an educational exemption must fit into the general scheme of education provided by the state and supported by public taxation.
2. The institution must contribute substantially to the relief of the educational burden of government.

In its Order the Tribunal found, and the parties stipulated in its joint stipulation of facts ("JSOF"), that the property is owned and occupied by Harmony, it is a non-profit educational institution and its buildings and other property thereon are occupied solely for the purposes for which it was incorporated. The Tribunal found that Harmony did not fit within the general

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<sup>2</sup> The requirement that the claimant be incorporated under Michigan law is no longer valid, having been found to be unconstitutional, as it denied equal protection to institutions registered out-of-state. See *OCLC Online Computer Library Ctr, Inc v Battle Creek*, 224 Mich App 608, 612; 569 NW2d 676 (1997), citing *Chauncey & Marion Deering McCormick Foundation v Wawatam Twp*, 186 Mich App 511, 515; 465 NW2d 14 (1990).

scheme of education and the Court reversed. The Tribunal further found that Harmony did not contribute substantially to the relief of the educational burden of government, upon which finding the Court required additional facts. The Court found that "in order to make a 'substantial contribution,' the institution must show that 'if [it] were not in existence, then . . . a substantial portion of the student body who now attend that school [would and could] instead attend a State-supported [school]'" *David Walcott Kendall Memorial School v Grand Rapids*, 11 Mich App 231, 240; 160 NW2d 778 (1968). The Court wrote in its Opinion and Remand ("Remand"),

However, there is a substantial question of fact about whether "a substantial portion of the student body" could and would attend a state-funded elementary school or preschool.<sup>3</sup> *Id.* The tax tribunal determined that petitioner did not make a substantial contribution based solely on the number of children enrolled in petitioner's kindergarten or joint kindergarten and preschool programs. It failed to consider the children who were enrolled in petitioner's preschool program that would and could have attended the Great Start Readiness Program, and that would and could have attended a state-funded kindergarten program, even though they were enrolled in a Montessori preschool program. MCL 380.1147(1) and (2) allow a child who is five years old on December 1 of the enrollment year, to enroll in elementary school. MCL 388.1632d generally outlines the requirements for children to qualify for the Great Start Readiness Program. Children who are aged four qualify for the program. MCL 388.1632d(1). The lower court record does not contain information regarding the ages of the preschool children or whether they could and would attend kindergarten or a Great Start Readiness Program preschool. [Emphasis added].

With regard to the Court's question, could children who attended Harmony attend a state-funded kindergarten if Harmony wasn't in existence, at the hearing of this matter, Petitioner's co-director, Karen King, testified that in 2009, ten five-year-olds attended Harmony, in 2010, twelve five-year-olds attended, in 2011, thirteen five-year-olds attended and in 2012, twelve five-year-olds attended Harmony Montessori.<sup>4</sup> However, pursuant to JSOF no. 23, in 2008-2009, five children participated in the kindergarten program, in 2009-2010, four children participated in the kindergarten program, in 2010-2011, six children participated in the kindergarten program

<sup>3</sup> "Petitioner argues that the courts should not establish numerical thresholds in order to define what constitutes substantial contribution. We agree that there is no "bright line" threshold, either for a specific number or a specific percentage. However, determining the percentage of students who would and could attend a state-funded school does aid a court in determining if petitioner meets the "substantial portion of the student body" test. *David Walcott Kendall Mem. Sch.*, 11 Mich.App at 240."

<sup>4</sup> Tr. at 55-56.

and in 2011-2012, eight children participated in the kindergarten program.<sup>5</sup> The Tribunal opines that not all of the five-year-old Harmony enrollees attended the Montessori kindergarten program and that their parents chose to have them participate in the pre-school program for another year.

It would appear that Harmony children of five years of age could attend state-funded kindergarten. However, the more interesting question is, would they attend? The Tribunal opines that, "no" they would not. Although there were forty-seven five-year-olds at Harmony during 2009-2012, only 23 actually participated in kindergarten and the kindergarten classroom consisted of two-and-a-half to six year-olds, thereby further reducing the number of children who would participate in public kindergarten.<sup>6</sup> Further, at the hearing of this matter and in the JSOF, Petitioner explained that the Montessori Method of teaching is different than public school education. In JSOF no. 16, it states,

The Montessori early education teaching method consists of:  
Multiage groupings that foster peer learning, uninterrupted blocks of work time, and guided choice of work activity. In addition, a full complement of specially designed Montessori learning materials are meticulously arranged and available for use in an aesthetically pleasing environment.

The teacher, child, and environment create a learning triangle. The classroom is prepared by the teacher to encourage independence, freedom within limits, and a sense of order. The child, through individual choice, makes use of what the environment offers to develop himself, interacting with the teacher when support and/or guidance is needed. Multiage groupings are a hallmark of the Montessori Method: younger children learn from older children; older children reinforce their learning by teaching concepts they have already mastered. This arrangement also mirrors the real world, where individuals work and socialize with people of all ages and dispositions.

In early childhood, Montessori students learn through sensory-motor activities, working with materials that develop their cognitive powers through direct experience: seeing, hearing, tasting, smelling, touching, and movement.

At the hearing of this matter, Ms. King testified that to be "a lead teacher in a classroom, you need to have a bachelor's degree and a teaching certificate from a Montessori training center."

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<sup>5</sup> Presented along with both parties' Motions for Summary Disposition and as R-5, here.

<sup>6</sup> JSOF no. 23.

She testified that it takes a year to complete Montessori teacher training.<sup>7</sup> Ms. King further testified that children learn,

life skills, such as pouring, spooning, dressing themselves, care of the environment, such as sweeping and mopping and dusting . . . . We do handwriting and reading . . . . Our fourth area is math. We start with basic one to five activities, for example, and go on through the decimal system, addition and subtraction, depending on what level the child is at . . . We do geography, history, sciences. I am not sure what else. There is a lot.<sup>8</sup>

She also testified that "the preschool children can get into very difficult geography . . . ." <sup>9</sup> When questioned about the differences between Montessori education and public school education, Ms. King answered: "Q. Are children at Harmony taught based [upon] their skill set of age?" "A: Skill set." "Q: In public school are children taught based on their age, grade, or skill set?" "A: I would say mostly grade."<sup>10</sup> Finally, when questioned about how a Montessori education compares to public school education, Ms. King answered, "Well, I think that the children have a lot more personal attention with three teachers in the classroom . . . . The education is quite high at Harmony."<sup>11</sup> The Tribunal finds, given that the Montessori Method is a specific type of teaching, with specially trained teachers, multi-age interaction, advanced subject matter beyond public school kindergarten, and with small student- teacher ratios, that if Harmony didn't exist, the parents of Harmony students would send them to another Montessori school, but not to public school.

The next question presented at the hearing of this matter, are there public Montessori schools funded by the state for which Harmony is relieving a burden? It appears that the answer is, "no." On cross-examination, when questioned regarding publically funded Montessori schools, Ms. King answered:

Q: You testified earlier that you are aware of public charter schools that are affiliated with montessori centers, correct?" "A: Public Charter Schools, yes." "Q. Isn't it true that you have no idea whether or not these schools charge tuition for the preschool and montessori programs?" "A. "Well, I have heard that you said that. I have not personally looked into it." "Q: So you wouldn't know, for

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<sup>7</sup> Tr at 42-43.

<sup>8</sup> Tr at 47.

<sup>9</sup> Tr at 48.

<sup>10</sup> Tr at 49.

<sup>11</sup> Tr at 60.

example, that Four Corners Montessori in Madison Heights charges tuition ....”<sup>12</sup>  
“Q: Ms. King, you wouldn’t know then that Avondale Montessori in Auburn Hills, for example, charges tuition for its preschool and montessori programs?”  
“A. No.” “Q. Or that Howe Elementary in Dearborn charges tuition for its montessori and preschool?” “A. No.” “Q. Are you aware of any public charter schools that are in existence that do not charge tuition for its montessori and preschools?” “A. No.” “Q. And isn’t that because there are no public charter schools in the state of Michigan that provide free tuition for montessori and preschools?” “A. I would guess that’s true, but I don’t know for sure.”<sup>13</sup>

The Tribunal finds that Harmony relieves no governmental burden, given that public Montessori preschools and kindergartens also charge tuition and are not funded through the state. Further, if publically funded Montessori programs existed, why would any parent send their children to Harmony? Ms. King was questioned, “Q. If Oak Park School District (where the subject property is located) had a publically-funded montessori program, could Harmony stay in business?” “A. Probably not.” It should be noted that Harmony charges between \$7,000 to \$8,100 per student per year for a Montessori education.<sup>14</sup>

The Court also questioned how many Harmony students could and would attend publically-funded preschool, such as the Great Start Readiness Program (“Great Start”)?<sup>15</sup> The Great Start program is,

Michigan’s preschool program for four year olds. GSRP is a 30-week classroom-based experience to prepare children for kindergarten. At least half of children in any GSRP program must live in families with income below 300 percent of the poverty level, and all must qualify with at least two of 25 risk factors, such as living with a single parent. GSRP helps children get ready for school, increases attendance and reduces the number of children who repeat a grade by almost one-half.<sup>16</sup>

Ms. King testified when questioned, “Q: And you would agree that in order to qualify for the Great Start Readiness Program families have to, their income must be below a certain percentage of the federal [poverty] level?” “A: Yes.” “Q: So then you would agree that families that go to your school at Harmony cannot or would not qualify for the Great Start Readiness Program,

<sup>12</sup> The Tribunal allowed this line of questioning over Petitioner’s objection.

<sup>13</sup> Tr at 68-69.

<sup>14</sup> Tr at 58, 66.

<sup>15</sup> The Great Start Readiness Program is funded by the State of Michigan and is often confused with the Head Start program which is federally funded.

<sup>16</sup> <http://www.greatstartlivingston.org/faqs.html>, viewed March 16, 2015.

correct?" "A: Most would not. Some would."<sup>17</sup> Ms. Anna Fast, co-director of Harmony, who is "in charge of most of the financial aspects of payroll and, you know, accounts payable, accounts receivable, tax-related issues. Just the money side of things,"<sup>18</sup> testified that since 2009, only two need based scholarships were given.<sup>19</sup> Therefore, given only two need-based scholarships were supplied during the tax years in question, the Tribunal opines that two children could have qualified for Great Start; however their parents chose to pay some part of the \$7,000 -\$8,100 tuition per year for a Harmony education.<sup>20</sup> The preceding sentence leads to the answer to the question; would children enrolled in Harmony attend state-funded Great Start if Harmony didn't exist? Again, the Tribunal opines, "no." Harmony offers a specifically desired type of education, not found in public school, for parents to come up with tuition to send their children. The Tribunal finds that if Harmony didn't exist, its students would attend another Montessori school, rather than a state-funded Great Start.

#### Charitable Exemption under MCL 211.7o

In order to determine if it is entitled to a property tax exemption under MCL 211.7o, Harmony must prove by a preponderance of the evidence that it is a "charitable institution." In this regard, the Michigan Supreme Court concluded that the institution's activities "as a whole" must be examined. *Michigan United Conservation Clubs v Lansing Twp*, 423 Mich 661, 673; 378 NW2d 737 (1985). In *Michigan Baptist Homes and Dev Co v Ann Arbor*, 396 Mich 660, 670; 242 NW2d 749 (1976), the Michigan Supreme Court stated that "exempt status requires more than a mere showing that services are provided by a nonprofit corporation." The Court also stated that to qualify for a charitable or benevolent exemption, the use of the property must "benefit the general public without restriction." *Id.* at 671.

Whether an institution is a charitable institution is a fact-specific question that requires examining the claimant's overall purpose and the way in which it fulfills that purpose. In this regard, the Michigan Supreme Court held in *Wexford, supra* at 215, that several factors must be considered in determining whether an entity is a charitable institution for purposes of MCL 211.7o:

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<sup>17</sup> Tr at 65-66.

<sup>18</sup> Tr at 15.

<sup>19</sup> Tr at 31.

<sup>20</sup> Harmony has never allowed a student to attend unless they were able to pay some portion of the tuition. Tr at 64.

- (1) A "charitable institution" must be a nonprofit institution.
- (2) A "charitable institution" is one that is organized chiefly, if not solely, for charity.
- (3) A "charitable institution" does not offer its charity on a discriminatory basis by choosing who, among the group it purports to serve, deserves the services. Rather, a "charitable institution" serves any person who needs the particular type of charity being offered.
- (4) A "charitable institution" brings people's minds or hearts under the influence of education or religion; relieves people's bodies from disease, suffering, or constraint; assists people to establish themselves for life; erects or maintains public buildings or works; or otherwise lessens the burdens of government.
- (5) A "charitable institution" can charge for its services as long as the charges are not more than what is needed for its successful maintenance.
- (6) A "charitable institution" need not meet any monetary threshold of charity to merit the charitable institution exemption; rather, if the overall nature of the institution is charitable, it is a "charitable institution" regardless of how much money it devotes to charitable activities in a particular year.

The Court found that Harmony met *Wexford* prongs one and three through six, but held that additional facts were needed to determine if it was "organized chiefly, if not solely for charity."

The Court wrote in its Remand,

[The] fact that petitioner charges for its services does not necessarily preclude it being a "charitable institution." Conversely, the fact that an institution may be operating at a loss at any given point in time does not automatically make it charitable; if the deficit is to be made up by those receiving the services, it would not be charitable, whereas if the deficit is *not* being made up by those receiving the services, it might be. *Wexford*, 474 Mich. at 207-209, 217. It appears from the record so far developed that any member of the public may obtain from petitioner more education than they are, strictly speaking, paying for. We conclude, therefore, that petitioner has established a genuine question of material fact whether it is a charitable institution. [Emphasis added].

At the hearing of this matter, Ms. King was questioned regarding Harmony's operation at a net loss. "Q: If Harmony operated at a net loss in a given year, in order to make up that loss you raised tuition the following year, correct ma'am?" "A: Sometimes." "Q: When is the last time that Harmony Montessori had a net loss, if you could tell the Court in your role as business director?" "A: Yeah, in that whatever, 2012, '13." "Q: So in 2012 or '13, did Harmony

Montessori have a net loss in its books at the end of its fiscal year?" "A: Yes." "Q: In the following year, did you raise tuition rates to try to make up that loss?" "A: Yes."<sup>21</sup> Further, during the June 2010 to May 2011 fiscal year, Harmony's net income was negative and it also covered this loss by raising tuition "a little bit. . . ." <sup>22</sup> The Tribunal finds that in 2012 and/or 2013, the deficit in Harmony's budget was made up by those receiving the services, meaning the families of the children paying increased tuition; therefore, per the Court's aforementioned directive, it is not charitable.

The Court further held in its Remand, "It appears from the record so far developed that any member of the public may obtain from petitioner more education than they are, strictly speaking, paying for." The aforementioned determination may be technically true; however, as stated above, the tuition deficit was made up for by raising tuition for all students the subsequent year. Further, the proposition is somewhat nonsensical. If a person goes to a store or restaurant with a coupon to purchase goods or food, are they strictly speaking, getting more goods/food than they paid for, therefore the store or restaurant are charitable institutions? If a doctor's office writes off charges not paid for by a patient's insurance company, is the doctor providing more medical service than paid for, therefore his/her office is a charitable institution? Furthermore, the testimony presented does not support the overall charitable nature of Harmony. Harmony charges a registration fee, late pick-up fees of \$1.00 per minute, schedule change fees, late tuition and return check fees. Finally, Harmony not only *never* offers free tuition to needy students, it has also given only two need-based scholarships since 2009. Further, Ms. Fast testified that since its inception in 1998, Harmony has given only eight need-based scholarships in seventeen years and Harmony had five-hundred students attend since 1998.<sup>23</sup> Harmony has no written policy regarding how it determines to offer a need-based scholarship. When questioned about the policy, Ms. Fast testified, "We don't have a formal policy." When questioned, "Q: There is nothing in writing whatsoever about need-based discounts for disadvantaged children, is there, ma'am?" "A: No."<sup>24</sup> Ms. Fast testified, "We occasionally give people discounts."<sup>25</sup> The Court determined that Harmony "does not offer its charity on a discriminatory basis by choosing

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<sup>21</sup> Tr at 36-37.

<sup>22</sup> Tr at 24.

<sup>23</sup> Tr at 34-35.

<sup>24</sup> Tr at 36.

<sup>25</sup> Tr at 34.

who, among the group it purports to serve, deserves the services.”<sup>26</sup> However, with no written policy, the Tribunal questions whether it does? Again, eight children out of 500 received discounted tuition in the seventeen years of Harmony’s existence. The Tribunal finds that it is hardly a charitable institution existing “chiefly, if not solely, for charity.”

The Tribunal finds that, after gathering the additional material facts, as directed by the Court in its Opinion and Remand, parcel number 52-25-19-277-035 is not exempt from ad valorem property taxation under MCL 211.7n and/or MCL 211.7o for the 2009-2012 tax years.

### JUDGMENT

IT IS ORDERED that the officer charged with maintaining the assessment rolls for the tax years at issue shall correct or cause the assessment rolls to be corrected to reflect the property’s exemption within 20 days of entry of this Final Opinion and Judgment, subject to the processes of equalization. See MCL 205.755. To the extent that the final level of assessment for a given year has not yet been determined and published, the assessment rolls shall be corrected once the final level is published or becomes known.

IT IS FURTHER ORDERED that the officer charged with collecting or refunding the affected taxes shall collect taxes and any applicable interest or issue a refund within 28 days of entry of this Final Opinion and Judgment. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and penalty and interest paid on delinquent taxes. The refund shall also separately indicate the amount of the taxes, fees, penalties, and interest being refunded. A sum determined by the Tribunal to have been unlawfully paid shall bear interest from the date of payment to the date of judgment, and the judgment shall bear interest to the date of its payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Final Opinion and Judgment. Pursuant to MCL 205.737, interest shall accrue (i) after December 31, 2009, at the rate of 1.23% for calendar year 2010; (ii) after December 31, 2010, at the rate of 1.12% for calendar year 2011; (iii) after December 31, 2011, and prior to July 1, 2012, at the rate of 1.09%; and (iv) after June 30, 2012, through June 30, 2015, at the rate of 4.25%.

This Final Opinion and Judgment resolves all pending claims in this matter and closes this case.

By Pruti Madala

MAR 20 2015

<sup>26</sup> *Wexford*, prong three.

THIS NOTIFICATION IS ISSUED UNDER THE  
AUTHORITY OF ACTS 220 & 453, PA OF 1978 AS  
AMENDED

STATE OF MICHIGAN  
DEPARTMENT OF CIVIL RIGHTS

CADILLAC PLACE, SUITE 3-600  
3054 WEST GRAND BOULEVARD  
DETROIT, MI, 48202

NOTICE OF DISPOSITION AND ORDER OF DISMISSAL

HUD #: 051501628

MDCR #: 456802

Claimant:

Lakesha Jolly  
895 SW Grand Reserve Blvd.  
Port Saint Lucie, FL 34986

Respondent:

City of Oak Park  
Department of Technical & Planning  
Services  
14300 Oak Park Blvd  
Oak Park MI 48237

REASON FOR DISMISSAL:

This complaint alleges that the respondent discriminated against the claimant in violation of civil rights laws.

The investigation of this complaint included a review of all information obtained during the investigation. Based upon all the evidence in the file, e.g. any applicable statements of witnesses, analysis of comparatives and review of documents, the department determined that there is insufficient evidence to proceed.

It is therefore ordered that this complaint is dismissed.

Date Dismissed : February 25, 2015

Date Mailed :

MAR 10 2015

/s/ Lori Vinson/Director, Civil Rights Operations

**RULES OF CIVIL RIGHTS COMMISSION AND DEPARTMENT RELATING TO RECONSIDERATION AND APPEAL**

- Rule 7.(1) A claimant may request of the department a reconsideration of its refusal to issue a charge. The request shall be in writing, state specifically, the grounds upon which it is based, and be filed within 30 days after the date of mailing of the notice of disposition of which reconsideration is requested. It shall be filed at any office of the department by personal delivery or by mail.*
- (2) The department may authorize a hearing on the request for reconsideration at such time and place, and before such hearing commissioner or commissioners or hearing referee or referees as it or the director may determine, and notice thereof shall be given to all parties to the proceedings.*
- Rule 18. Any party claiming to be aggrieved by a final order of the commission or the department, including without limitation a refusal to issue a charge, may appeal to the circuit court of the State of Michigan having jurisdiction provided by law within 30 days of the date of service of an appealable order.*

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
MICHIGAN TAX TRIBUNAL**

A&E Ben-Ezra Properties, LLC,

Petitioner,

MTT Docket No. 455574

v.

City of Oak Park,

Respondent.

L. Rider Brice, III (P60741)  
Attorney for Petitioner  
Jaffe, Raitt, Heuer & Weiss, P.C.  
27777 Franklin Road, Suite 2500  
Southfield, MI 48034  
(248) 351-3000

Ebony L. Duff (P65431)  
Attorney for Respondent  
Garan Lucow Miller, P.C.  
1000 Woodbridge Street  
Detroit, MI 48207-3192  
(313) 446-5543

**STIPULATION FOR ENTRY OF CONSENT JUDGMENT**

1. The case is pending in the Entire Tribunal.
2. Property Parcel No. 52-25-31-451-107.
3. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2013	925,600	462,800	462,800
2014	925,600	462,800	462,800
2015	925,600	462,800	462,800

4. The values for the property identified above as stipulated by the parties for settlement purposes are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2013	714,570	357,285	357,285
2014	714,570	357,285	357,285
2015	714,570	357,285	357,285

5. This stipulation addresses the 2013, 2014 and 2015 tax years before the Tax Tribunal.
6. List separately any special terms or conditions being proposed by the parties that would affect the execution of this Consent Judgment including, but not limited to, the joint payment of the refund, the waiver of interest, etc.:
- a. Petitioner previously filed a Motion to Amend Petition to Contest 2015 Assessed and Taxable Values. The motion is pending before the Tax Tribunal. Respondent consents to the Motion and the inclusion of the 2015 tax year to this Stipulation for Consent Judgment.
  - b. Refunds shall be made jointly payable to Petitioner and sent in care of counsel Jaffe, Raitt, Heuer & Weiss P.C.
  - c. Parties agree that interest attributable to the assessments in this Stipulation is waived.

**Jaffe, Raitt, Heuer & Weiss P.C.**

**City of Oak Park**

\_\_\_\_\_  
L. Rider Brice, III  
Attorney for Petitioner

\_\_\_\_\_  
Ebony L. Duff  
Attorney for Respondent

Dated: \_\_\_\_\_, 2015

Dated: \_\_\_\_\_, 2015



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Proposed Change Order no. 2 and Payment Application no. 3 for the 2014 Water Reservoir Pumping Station Improvements, M-614.

**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY*

**SUMMARY:** Attached are Proposed Change Order no. 2 and Payment Application no. 3 for the 2014 Water Reservoir Pumping Station Improvements, M-614. This project will replace two pumps and several valves at the City's reservoir pump station. The proposed Change Order is an increase to replace conduits and conductors from the Pump Station building to the Fill Control Vault and also to upgrade the conduits and power feeds in the Master Control Center to handle 600 amps. Neither of these were anticipated and both are necessary for the proper operation of the Pump Station. To date, the project is approximately 77% complete.

<b><u>FINANCIAL STATEMENT:</u></b>	Original Contract Amount:	\$212,840.00
	Change Order no. 1:	\$ 18,234.43
	Proposed Change Order no. 2:	\$ 16,242.00
	New Contract Amount:	\$247,316.43
	Total Completed to Date:	\$163,999.43
	Less Retainage:	\$ 16,399.94
	Net Earned:	\$147,599.49
	Payments to Date:	\$ 92,209.50
	Amount Due CSM Mechanical:	\$ 55,389.99

**RECOMMENDED ACTION:** It is recommended that Change Order no. 2 to CSM Mechanical for the 2014 Water Reservoir Pumping Station Improvements, M-614 be approved for the amount of \$16,242.00. It is further recommended that Payment Application no. 2 for the same be approved for the amount of \$55,389.99. Funding is available in the Water and Sewer Fund No. 592-18-540-930 for this expenditure.

**APPROVALS:**

City Manager: \_\_\_\_\_

Department Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

**EXHIBITS:** Proposed Change Order no. 2 and Payment Application no. 3

## CHANGE ORDER No. 2

**PROJECT:** Reservoir Pumping Station and Fill Control Vault Improvements

**Date of Issuance:**

**Effective Date:**

**OWNER:** City of Oak Park, Michigan

**ENGINEER:** OHM Advisors

**CONTRACTOR:** CSM Mechanical

The following changes have been incorporated into the Contract Documents.

**Description:**

1. Wiring to the Fill Control Vault: Replace the conduits and conductors from the Pump Building to the Fill Control Vault, install a new light in the vault. Route the new buried conduit around the retaining wall and enter the vault near the southwest corner. Additional Cost is \$4,939.80.
2. Wiring in the Motor Control Center: Upgrade the conduits and power feeds in the MCC to handle 600 amps. Additional Cost is \$11,302.20.
3. Extend Pump Suction: Insert a straight length of stainless steel pipe between the bowl assembly and the suction bell. Additional Cost is \$0.

**Reason for Change Order:**

1. Wiring to the Fill Control Vault: The existing conduits were too corroded to re-use as originally intended. The light in the vault was broken and needed replacement. This is a necessary change.
2. Wiring in the Motor Control Center: This is a code requirement for the new loads. The inadequate conductors were exposed during construction. Based on the exterior service conductors, the conductors within the MCC should have been larger but could not be verified until work proceeded to the inside of the MCC.
3. Extend Pump Suction: The pump vendor included a wire basket in the dimension of the Total Bowl Length of the pump. This project requires no basket strainer and therefore, the pump suction bell is about 15" too high off the floor. The suction extension pipe will be similar to the arrangement of the old pumps. With the suction extension, the new pumps will operate the same as the old pumps.

**Attachments:** (List documents supporting change):

- Contractor's proposals for additional work as described.

CHANGE IN CONTRACT PRICE		CHANGE IN CONTRACT TIME	
Original Contract Price	\$ 212,840.00	<u>Original Contract Times</u>	
		Substantial Completion:	days
		Final Completion:	days (indicate days or dates)
Net changes from previous Change Orders	\$ 18,234.43	Net changes from previous Change Orders	0 days
Net increase (decrease) of this Change Order	\$ 16,242.00	Net increase (decrease) of this Change Order	days
Adjusted Contract Price with all approved Change Orders	\$ 247,316.43	Adjusted Contract Time with all <u>Approved Change Orders</u>	
		Substantial Completion:	days
		Final Completion:	days*

**RECOMMENDED BY:**

**ACCEPTED BY:**

**APPROVED BY:**

*Ken Arnold*  
ENGINEER (Authorized Signature)

*Patricia Moore*  
CONTRACTOR (Authorized Signature)

*[Signature]*  
OWNER (Authorized Signature)

3/25/2015  
Date

03.25.15  
Date

03-31-15  
Date

## Arnold, Ken

---

**From:** Arnold, Ken  
**Sent:** Friday, March 20, 2015 2:11 PM  
**To:** 'rfortura@ci.oak-park.mi.us' (rfortura@ci.oak-park.mi.us)  
**Cc:** Stevens, James  
**Subject:** Oak Park - Reservoir Pumping Station & Fill Control Vault Improvements

Rocco,

There are three electrical improvements that need to be considered by the City at this project site. Two of the tasks were discovered during the contractor's work. Two of the tasks are necessary and one task is optional. We reviewed the contractor's proposals and the prices are reasonable.

1. The buried conduits between the pumping building and the control vault were discovered to be corroded and could not be used as originally intended. The contractor had to replace the conduit and the conductors and re-route them behind the retaining wall. A new light fixture was also installed. The proposed cost is \$4,939.80. This work was required and should be paid.
2. The primary power feeders in the motor control center were discovered to be undersized for the proposed equipment (ultimately, 4 – 100 HP pump motors). OHM thought that the conductors were adequate based on the service equipment outside the building but we were not able to verify. During the electrical work, the subcontractor noted that the conductors were not rated for the necessary 600 amps. The conduits and conductors must be upgraded to handle 600 amps. The proposed cost is \$11,302.20. This is required work and should be paid.
3. The City desires to ~~modify the auxiliary power feed system to the pumping station so that they can use the existing portable generator without modifying it. The portable generator is configured to deliver 240 v, three phase power. The reservoir pumps operate on 480 v, 3 phase power. The solution would be to install a new transformer, transfer switch, plug-in receptacle and associated wiring and conduits. The contractor's proposal for this work is \$30,636.25. This is an optional task and we can discuss it with the contractor at the meeting on Monday morning.~~

Call me with any questions.

**KEN Arnold, PE**  
Project Manager

**OHM Advisors | ARCHITECTS. ENGINEERS. PLANNERS.**

T 734.522.6711  
F 734.522.6427  
D 734.466.4529  
C 734.347.9338

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ARCHITECTS. ENGINEERS. PLANNERS.

March 20, 2015

Mr. Rocco Fortura  
 Deputy Director  
 City of Oak Park  
 10600 Capitol Avenue  
 Oak Park, MI 48237

RE: Oak Park – Reservoir Pumping Station and Fill Control Vault Modifications  
 Issues regarding the new pumps

Dear Mr. Fortura:

There have been some problems with the total pump length of the units that were manufactured and delivered to the project site. The new pump suction is higher off the floor than the old pump. This limits the depth from which the water can drawn and therefore makes less volume in the reservoir available for use. We can discuss the causes of the problems at length if you want but we should decide promptly how to proceed with the pump installation. Here are two alternatives to consider:

	Corrective Action	Comments
1 ✓	Attach a pipe extension between the pump bowl and the suction bell. The bell will terminate about 10" above the reservoir floor. This would be similar to the arrangement of the old Layne & Bowler pump.	1. Additional Cost: \$0 2. The new pump could draw down the reservoir to the same level as the old pump 3. The elevation of the new pump bowl is within one inch of the elevation of the old pump bowl 4. There would be no change in the operation of the pumping station
2	Replace one of the column sections with a longer piece of column pipe and shaft or add a short column section to make the TPL (excluding a basket strainer) equal to about 17'. The suction bell of the pump would terminate about 10" above the reservoir floor.	1. Additional cost: Contractor proposes \$9,143.20 2. The new pump could draw down the reservoir to the same level as the old pump 3. The elevation of the new pump bowl is about 15" lower the elevation of the old pump 4. The pump could be started with the reservoir water level at a lower elevation than is currently possible

In both alternatives, the manufacturer's recommended submergence of the suction bell is 24". We should discuss this matter before giving direction to CSM.

Sincerely,  
 OHM Advisors

Kenneth W. Arnold, PE

cc: Craig Mortz – CSM Mechanical (via email)

OHM Advisors  
 34000 PLYMOUTH ROAD  
 LIVONIA, MICHIGAN 48150

T 734 522 6711  
 F 734 522 6427

OHM-Advisors.com



# O'CONNOR ELECTRIC INC.

10171 Colonial Industrial Dr.  
 Phone: 810-333-5352  
 Email: seanconnor20@rocketmail.com

# Estimate

Date	Estimate #
3/13/2015	446

Name / Address  
**CSM Mechanical**  
 7400 Hickory Valley Drive  
 Fenton Mi 48430

P.O. No.	Project/Jobsite
	Oak Park

Description	Qty	Cost	Total
Install new conduit and wire to electrical service to make large enough to carry the 600 amps needed according to recommendation made Materials: Conduit, Wire, Fittings, etc. Labor: Man hrs	65	4,600.00 72.00	4,600.00 4,680.00
Install 2 new PVC conduits to control vault 1 for control wires and 1 for power for new light and switch Materials: Conduit, Wire, Boxes, Fittings, Light, etc. Labor: Man hrs	32	1,600.00 72.00	1,600.00 2,304.00
Install new transformer and transfer switch for new generator receptacle as proposed on new print Material: Labor:	160	13,785.00 72.00	0.00 13,785.00 11,520.00
<b>Total</b>			<b>\$38,489.00</b>

Phone #  
 810-333-5352

Signature \_\_\_\_\_

City of Oak Park  
 Pump Station Improvements  
 Sub Contractor's Summary  
 CSM Mechanical Project No.: 2014-0297  
 Pump Station load center feeder replacements

Trades: Mechanical  
 Sub's Name: CSM Mechanical, LLC  
 Project: City of Oak Park DPW  
 Date: 03.19.15

Scope of Work Description:

Provide skilled labor, materials, equipment and consumables necessary for the replacement of two (2) parallel conductors with 350 KCMIL conductors from the point of attachment to the CT cabinet and from the CT cabinet to the motor control center. Upon investigation of the 600 amp rated motor control center, the conductors feeding the existing motor control center are NOT large enough for the 600 amp rating or required loading.

Scope of Work Description	Materials			Units per MH	Labor		Equipment		Total Cost			
	Item Description	UOM	Qty		Cost Per Unit	Total	Rate	# Hrs.		Rate		
Provide load center feeder replacements	O'Conner Electric	Lft	1.0	\$4,600.00	\$4,600.00	2.00	32.50	\$172.00	\$4,600.00	\$0.00	\$0.00	\$9,200.00
Provide supervision and/or coordination	CSM Mechanical	Lft	-	\$0.00	\$0.00	1.00	4.00	\$177.00	\$308.00	\$0.00	\$0.00	\$308.00
Subtotals				\$4,600.00	\$4,600.00		36.50	\$349.00	\$4,600.00	\$0.00	\$0.00	\$9,200.00
Total CO No.												\$11,502.20

Page 1 of 1

NOTES:



# Estimate

## O'CONNOR ELECTRIC INC.

10171 Colonial Industrial Dr.  
 Phone: 810-333-5352  
 Email: seanconnor20@rocketmail.com

Date	Estimate #
3/13/2015	446

Name / Address  
 CSM Mechanical  
 7400 Hickory Valley Drive  
 Fenton Mi 48430

P.O. No.	Project/Jobsite
	Oak Park

Description	Qty	Cost	Total
Install new conduit and wire to electrical service to make large enough to carry the 600 amps needed according to recommendation made Materials: Conduit, Wire, Fittings, etc. Labor: Man hrs	65	4,600.00 72.00	4,600.00 4,680.00
Install 2 new PVC conduits to control vault 1 for control wires and 1 for power for new light and switch Materials: Conduit, Wire, Boxes, Fittings, Light, etc. Labor: Man hrs	32	1,600.00 72.00	1,600.00 2,304.00
Install new transformer and transfer switch for new generator receptacle as proposed on new print Material: Labor:	160	13,785.00 72.00	0.00 13,785.00 11,520.00
<b>Total</b>			<b>\$38,489.00</b>

Phone #  
 810-333-5352

Signature \_\_\_\_\_

**APPLICATION AND CERTIFICATE FOR PAYMENT**

AIA DOCUMENT G702

**To Owner:** City of Oak Park  
 14000 Oak Park Boulevard  
 Oak Park, MI 48327  
**Attn: Mr. Rocco Fortuna**  
 CSM Mechanical, LLC  
 7400 Hickory Valley Drive  
 Fenton, Michigan 48430

**Project:** Reservoir Pumping Station and Reservoir Fill Control Vault Improvements  
**Application No.:** Three (3)  
**Period To:** 03.09.15  
**Project No.:** 2014-0416  
**Contract Date:** 10.22.14

**Distribution**  
 Owner  
 Architect  
 Contractor

**Contract For: Mechanical Scope of Work**

**CONTRACTORS APPLICATION FOR PAYMENT**

Application is made for payment as shown below, in connection with the Contract Continuation sheet Document G703 is attached.

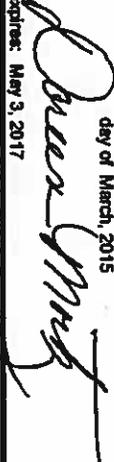
1. Original Contract Sum \$212,840.00
2. Net change by Change Orders \$18,234.43
3. Contract Sum To Date (line 1 +2) \$231,074.43
4. Total Completed and Stored To Date \$163,999.43  
 (Column G on G703)
5. Retainage: \$16,399.94
  - a. 10% of Completed Work \$16,399.94  
 (Column D+E on G703)
  - b. 10% of Stored Material \$0.00  
 (Column F on G703)
6. Total Earned Less Retainage \$16,399.94
7. Total Earned Less Retainage (Line 4 less Line 5 Total) \$147,599.49
8. Less Previous Certificates For Payment (Line 6 From Prior Certificates) \$92,209.50
9. Current Payment Due \$55,389.99
10. Balance To Finish, Including Retainage (Line 3 Less Line 6) \$83,474.94

Change Order Summary	Additions	Deductions
Total Changes Approved in Previous months By Owner	\$0.00	\$0.00
Total Approved This Month	\$18,234.43	\$0.00
<b>Totals</b>	<b>\$18,234.43</b>	<b>\$0.00</b>
NET Changes By Change Order	\$18,234.43	\$0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work by the Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the contractor for work for which previous Certificates for Payment were issued and payments received from the Owner and that current payment is now due.

**Contractor:** CSM Mechanical, LLC  
**By:**  **Date:** March 9, 2015  
**State of:** Michigan

**County of:** Livingston  
 Subscribed and sworn to before me this 9th day of March, 2015

**Notary Public:**   
 My Commission expires: May 3, 2017

**ARCHITECTS CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge information and belief the Work has progressed as indicated, the quality of the work is in accordance with Contract Documents, and the Contractor is entitled to the payment of the Amount Certified.  
**AMOUNT CERTIFIED:** \$55,389.99  
 (Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

**ARCHITECT:** OHM  
**By:**  **Date:** March 13, 2015

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this contract.

**OWNER:** City of Oak Park  
**Approved by:**  **Date:** 03.12.15

**CONTINUATION SHEET**  
 AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing  
 Contractor's signed Certification is attached.  
 In tabulation below, amounts are stated to the nearest dollar.  
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: Three (3)  
 APPLICATION DATE: 9-Mar-15  
 PERIOD FROM: 5-Feb-15  
 PERIOD TO: 9-Mar-15  
 ARCHITECTS PROJECT NO: 0037-13-0021

A ITEM No.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F TOTAL COMPLETED AND STORED (D + E + F)	G % G/C	H BALANCE TO FINISH C - G	I RETAINAGE
			Previous Applications	Work In Place This Application Stored Materials (not in D or E)				
1	General Conditions	\$4,510.00	\$2,480.00	\$1,000.00	\$3,480.00	77.18%	\$1,030.00	\$348.00
2	Permitting, Submittals & O & M manuals	\$3,675.00	\$2,375.00	\$700.00	\$3,075.00	83.67%	\$600.00	\$307.50
3	Mobilization	\$3,400.00	\$3,400.00	\$0.00	\$3,400.00	100.00%	\$0.00	\$340.00
4	Supervision and/or Coordination	\$8,300.00	\$2,800.00	\$3,300.00	\$6,100.00	73.48%	\$2,200.00	\$610.00
5	Process Pump Removals and Replacements	\$67,945.00	\$34,800.00	\$17,480.00	\$52,080.00	76.65%	\$15,865.00	\$5,208.00
6	Process Valving Procurements & Installation	\$45,980.00	\$20,500.00	\$19,800.00	\$40,300.00	87.66%	\$5,680.00	\$4,030.00
7	Electrical scope of work	\$69,800.00	\$34,700.00	\$0.00	\$34,700.00	49.71%	\$35,100.00	\$3,470.00
8	Project clean-up	\$3,630.00	\$1,600.00	\$1,030.00	\$2,630.00	72.45%	\$1,000.00	\$263.00
9	Check, test and start-up procedures	\$2,900.00	\$0.00	\$0.00	\$0.00	0.00%	\$2,900.00	\$0.00
10	Project warranty and demobilization	\$2,720.00	\$0.00	\$0.00	\$0.00	0.00%	\$2,720.00	\$0.00
BULL 1	Control Vault modifications	\$18,234.43	\$0.00	\$18,234.43	\$18,234.43	100.00%	\$0.00	\$1,823.44
TOTALS		\$231,074.43	\$102,465.00	\$61,544.43	\$163,999.43	70.97%	\$67,075.00	\$16,399.94

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 THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, D.C. 20006



**CITY OF OAK PARK**  
**DEPARTMENT OF COMMUNITY &  
ECONOMIC DEVELOPMENT**

Marian McClellan  
Mayor Pro Tem  
Paul Levine  
Council Members  
Michael Seligson  
Klesha Speech  
Carolyn Burns  
City Manager  
Erik Tungate

**TO:** Erik Tungate, City Manager  
**FROM:** Kevin Rulkowski, AICP, City Planner  
**SUBJECT:** Temporary Sign Request

**DATE:** March 31, 2015  
**FILE:**

A Temporary Sign is being requested as provided for in Section 1811 of the City of Oak Park Zoning Ordinance

**Applicant:** Frederick Douglas International Academy, 21700 Marlow.

**Sign Requested:** Two 30 square foot banner.

**Requested time period:** April 7, 2015 through June 6, 2015.

**Notes:** The applicant is requesting 30 day extension at this time. One sign on building and one sign on playground fence.

Based on the provisions regarding Temporary Signs in the Zoning Ordinance the Planning Division recommends **Approval** of the temporary sign as requested subject to the following conditions:

- 1) No phone numbers are permitted on the banners.
- 2) The temporary sign shall not be placed in or project over the right-of-way.
- 3) The temporary sign shall not create an obstruction or traffic hazard.
- 4) Payment of Temporary Sign Permit fee.



**CITY OF OAK PARK**  
 Department of Technical & Planning Services  
 14300 Oak Park Boulevard, Oak Park, MI 4823  
 Phone (248) 691-7450 Fax (248) 691-7165

**RECEIVED**  
 MAR 17 2015  
 BY: PZST15-5004

**TEMPORARY SIGN PERMIT**

Location: Marlow Street Date: 3/5/2015  
 Property Owner: BEATA CHOCHLA Phone: 313 347-0026  
 Name of Business: HANLEY HARPER GROUP, INC.  
 Business Owner: BEATA CHOCHLA Phone: 313-347-0026  
313-475-3759 (c)

Installation Date: \_\_\_\_\_ Removal Date: \_\_\_\_\_  
 Location of Temporary Sign: 21700 MARLOW BUILDING & FENCE  
 Size of Temporary Sign: 36" height x 120" length & 30 square feet  
 Dimensions of Façade: \_\_\_\_\_ height x \_\_\_\_\_ length & \_\_\_\_\_ square feet  
 Sign Wording: Frederick Douglass International Academy  
Public Charter School

Are you requesting an additional 30 days?  yes /  no

Sketch of Temporary Sign

Frederick Douglass International Academy  
 Public Charter School  
 Logo Here  
 Enroll Today!  
 Tel: (248) \_\_\_\_\_  
 www.fdi-academy.org

I have read the City Sign Ordinance, the City Council and Department of Technical and Planning Services Procedures as they pertain to Temporary Signs. I understand I am subject to citation with a court appearance if I fail to adhere to all conditions of approval.

Applicant Signature: Beata P. Chochla Date: 3-9-15  
 Address: 20542 Harper Woods Ave - Harper Woods, MI 48225  
 Driver's License #: B 653 085 001442 Phone: (313) 347-0026

FOR OFFICE USE ONLY

COUNCIL APPROVED  DENIED  DATE: \_\_\_\_\_

ADDITIONAL NOTES: \_\_\_\_\_



RECEIPT NUMBER

00051206

**CITY OF OAK PARK**

14300 OAK PARK BLVD

OAK PARK, MI 48237

Ph: 2486917450

Fax: 2486917165

Paid By

ACADEMY OF AMERICA

21700 MARLOW

OAK PARK, MI 48237

This is only a receipt for payment. This is not the license or permit.

03/17/2015

Title	Record	Description	Invoice Amount
Permit	PZST15-5004	21700 MARLOW TEMPORARY SIGN	\$60.00
		<b>Amount Paid</b>	<b>\$ 60.00</b>
		Cash	
		Check # 2375	\$ 60.00
		Credit	
		Transferred	
		<b>Tendered</b>	<b>\$ 60.00</b>
		Change	\$ 0.00
		<b>Amount Balance Due</b>	<b>\$0.00</b>

ADDITIONAL INSPECTIONS FEES MAY BE DUE AS REQUIRED.



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Approval of OPAACC expenditures

**DEPARTMENT:** Community and Economic Development

**SUMMARY:** OPAACC has raised funds over the past few years to fund their programming in relation to the arts. Funding has come from hosting the art fair (vendor booth fees) and also from many donations received from people in the community. At the March 18, 2015 OPAACC meeting it was voted on to make payments to fund upcoming art events. These expenditures are as follows:

\$50 – March art event (Watercolor Magic) payment to Steven Gamburd

\$75 – Room use at the JCC for 3 events (Second Sundays art class) March, April and May

\$50 – April art event (Stained Glass, 2 week event)

\$50 – May art event, payment to DIA for speaker on DIA Behind the Seen Diego Rivera and Frida Kahlo

\$50 – June event (Dance in the Park) by DJ WHODAT. A special event permit will be applied for this event

Total - \$275

OPAACC current balance is \$2,941.98 before the above expenditures.

**FINANCIAL STATEMENT:** 704-00.000-277.141 – OPAACC Escrow Account will fund these expenses

**RECOMMENDED ACTION:** Approve the expenditures to fund the events hosted by OPAACC

**APPROVALS:**

City Manager: \_\_\_\_\_

Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

**EXHIBITS:** Meeting minutes March 2015



# CITY OF OAK PARK

## DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

Mayor  
Marian McClellan  
Mayor Pro Tem  
Paul Levine  
Council Members  
Michael M. Seligson  
Keisha Speech  
Carolyn Burns  
City Manager  
Erik Tungate

### Meeting of the Arts and Cultural Commission of Oak Park Wednesday, March 18, 2015 7:00 pm Community Center Room 4 **MINUTES**

1. Call to Order 7:01
  - A. Present: Roll Call:: Chairperson: Michele Stevenson, Vice Chairperson: Jeffrey Beyer, Secretary: Dawn Sketch, Denise Rome, Department Representative Kimberly Marrone, Ron Clegg
  - B. Absent: Terri McQueen, Councilperson Mayor Marian McClellan, Sudha Chandra Sekhar, DeLashea Strawder, Commissioner Emeritus Deanna Sperka
  - C. Guests: Heidi Bisson, Willie Payne, Cynthia Leven
2. Approval of Agenda: Motion with adjustments: R. Clegg Second: J. Beyer - unanimous
3. Approval of Minutes: No Quorum in February
4. Old Business
  - A. OPAACC events Recap and Upcoming–
    - i. March 5<sup>th</sup> at City Hall -Student Art Event: "My Oak Park" changed to "We Are Oak Park" City-Wide Art Exhibit & Contest was well received. Additional artwork is on display in the Community Center.
    - ii. Second Sundays at Oak Park JCC – Dawn Sketch led this event had a very young crowd creating acrylic paintings in the style of Mondrian. Going forward, the events will require RSVP and ages over 10.
    - iii. Watercolor Magic will take place in the library March 19<sup>th</sup>
    - iv. A Celebration of Stained Glass Month at Universal Studios April 11<sup>th</sup> & May 9<sup>th</sup> will be a two-part event hosted by Brenda Supuwood.
    - v. "Behind the SEEN" May 21<sup>st</sup> – This event suggested by Dawn Sketch will bring a DIA docent to Oak Park to do a talk about the "Diego Rivera and Frida Kahlo in Detroit" Exhibition that runs until July 12<sup>th</sup>. Dates and times are clear with the library.
  - B. Summerfest updates – August 8-9, 2015
    - i. Art and Food Vendor applications and sponsorship packets are online at: [www.oakparksummerfest.com](http://www.oakparksummerfest.com)
    - ii. Next Summerfest Meeting is April 15<sup>th</sup> at 6 pm in the Community Center
5. New Business/Voting
  - A. Commission Appointments – renew if you received a letter. No new commissioners appointed at this time.

- B. **Motion** to put a deposit of \$200.00 to hire Action Tours motor coach to take a group of individuals to ArtPrize in Grand Rapids in October 2015 for a one-day excursion. Motion by Jeff Beyer, Second Dawn Sketch roll call vote passes 5-0
  - C. **Motion** to pay \$50 artist stipend for Watercolor Magic by Steven Gamburd– Motioned by Ron Clegg, Seconded by Jeff Beyer, roll call vote passes 5-0.
  - D. **Motion** to pay \$25 room fee on March 8, April 12, and May 10, 2015 to the Oak Park Jewish Community Center for the Second Sundays Art Make-and-Take Event led by Dawn Sketch. Motion by Michele Stevenson, Second by Ron Clegg, Roll call vote passes 5-0
  - E. **Motion** to pay \$50 artist stipend A Celebration of Stained Glass Month at Universal Studios Brenda has a two-part workshop April 11<sup>th</sup> & May 9th. Motion by Dawn Sketch, Second by Jeff Beyer. Roll call vote passes 5-0
  - F. **Motion** to donate \$50 to the Detroit Institute of Arts to bring their “DIA Behind the Seen: Diego Rivera & Frida Kahlo in Detroit” lecture to the Oak Park Library on May 21, 2015. Motion by Jeff Beyer, Second by Michele Stevenson. Roll call vote passes 5-0.
  - G. **Motion** to pay \$50 stipend to Terri McQueen to provide our June event “Dance in the Park with WHODAT and DJ DDT” on June 12, 2015 in Shepherd Park at Shelter number one from 5-8 pm. Motion by Dawn Sketch, Second by Deni Rome. Roll call vote passes 5-0.
  - H. Deni Rome suggested we invest in a banner with our logo to promote our events. This can be used at our monthly events as well as Summerfest. Kim Marrone will look into pricing before our next meeting.
  - I. **Motion** to include two additional \$50.00 awards for the “My Oak Park” Student Exhibition. Motion by Deni Rome, Second by Michele Stevenson. Roll call vote passes 5-0.
  - J. Recruiting new commissioners is essential for our group to continue doing good for the community
  - K. Ron Clegg will follow up with a potential artist to display art in City Hall
6. Finance Report for OPAACC is \$3,017.15
7. Members' and local upcoming art and cultural events
- A. Jeffrey Beyer will be performing with the orchestra at Brother Rice and Marian High School for the play Peter Pan.
  - B. Ron Clegg has a new website: [www.RonaldCleggPhotographic.com](http://www.RonaldCleggPhotographic.com)
  - C. Guest Heidi Bisson offered to assist with creating a database for our contacts through sign ups, and previous vendors. She will work on this with Dawn Sketch.
  - D. Guest Cynthia Leven suggested a couple of marketing ideas for Summerfest.
8. Adjournment at 8:18

~ Next meeting Wednesday, April 15, 2015 at 7:00 pm in the Community Center ~

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** April 6, 2015**AGENDA #****SUBJECT:** Unpaid Miscellaneous Invoices**DEPARTMENT:** Finance/Treasury

**SUMMARY:** The Deputy Treasurer is submitting a list of properties that have outstanding charges for Miscellaneous Invoices and is requesting that the City Assessor be authorized and directed to prepare a Special Assessment Roll, assessing unpaid charges, together with a penalty of ten percent (10%), to private property for Miscellaneous Invoices.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt the attached resolution: Authorizing and directing the City Assessor to prepare a Special Assessment Roll.

**APPROVALS:**

City Manager: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "C. Tr.", is written over the line for the City Manager.

Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "A. Credit", is written over the line for the Finance Director.

**EXHIBITS:**

Invoice Billing Items for CITY OF OAK PARK  
Population: All Records

03/27/2015  
12:16 PM

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
12/26/13	140000519	25-31-201-003	3,150.00	0.00	M101	1	3,150.00	3,150.00
TOTALS	1 Invoices		3,150.00	0.00	Cost Reimbursement	1	0.00	0.00

10%  
315.00  
3465.00



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Unpaid False Alarm Invoices

**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of March 16, 2015, City Council received the list of unpaid expenses incurred on private premises – False Alarms, prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #641 be prepared.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #641, and establishing April 20, 2015, as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – False Alarms.

**APPROVALS:**

City Manager: \_\_\_\_\_

*[Handwritten signature]*

Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

*[Handwritten signature]*

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION 8**

**DISTRICT NO. 641**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 641** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

BE IT RESOLVED, that **Special Assessment Roll No. 641** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

BE IT FURTHER RESOLVED, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th day of April, 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
10/21/14	14-0000290	25-19-285-032	150.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
					FAL2 FALSE ALARM CHARGE 4	4	50.00	50.00
					FAL2 FALSE ALARM CHARGE 5	5	50.00	50.00
10/21/14	14-0000293	25-19-227-016	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
10/21/14	14-0000294	25-19-101-033	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
10/21/14	14-0000296	25-32-326-001	200.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
					FAL2 FALSE ALARM CHARGE 2	2	50.00	50.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
					FAL2 FALSE ALARM CHARGE 4	4	50.00	50.00
10/21/14	14-0000297	25-32-151-032	150.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
					FAL1 FALSE ALARM WARNING 3	3	0.00	0.00
					FAL2 FALSE ALARM CHARGE 4	4	50.00	50.00
					FAL2 FALSE ALARM CHARGE 5	5	50.00	50.00
					FAL2 FALSE ALARM CHARGE 6	6	50.00	50.00
10/21/14	14-0000304	25-31-155-002	100.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL2 FALSE ALARM CHARGE 2	2	50.00	50.00
10/21/14	14-0000306	25-32-101-005	150.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
					FAL2 FALSE ALARM CHARGE 2	2	50.00	50.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
10/21/14	14-0000309	25-30-351-028	50.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
10/21/14	14-0000311	25-31-204-029	100.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
10/21/14	14-0000316	25-29-407-002	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002507	25-32-177-030	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002508	25-19-285-032	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002511	25-32-326-001	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002512	25-32-251-071	200.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL2 FALSE ALARM CHARGE 2	2	50.00	50.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
					FAL2 FALSE ALARM CHARGE 4	4	50.00	50.00
					FAL2 FALSE ALARM CHARGE 5	5	50.00	50.00
01/21/15	15-0002534	25-30-453-011	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002536	25-32-101-005	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002542	25-19-178-006	100.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
01/21/15	15-0002544	25-31-204-029	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002546	25-30-477-007	50.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
01/21/15	15-0002552	25-29-101-063	350.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
01/21/15	15-0002555	25-29-101-063	150.00	0.00	FAL1 FALSE ALARM WARNING 1	1	0.00	0.00
					FAL1 FALSE ALARM WARNING 2	2	0.00	0.00
					FAL2 FALSE ALARM CHARGE 3	3	50.00	50.00
01/22/15	15-0002557	25-29-101-063	50.00	0.00	FAL2 FALSE ALARM CHARGE 1	1	50.00	50.00
TOTALS	22 Invoices		2,250.00					

10% 225.00  
 2475.00

City of Oak Park  
**SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT ROLL for defraying the expense of Unpaid False Alarms on private premises in the City of Oak Park from various locations.

Special Assessment District #641  
Date Confirmed \_\_\_\_\_  
Amount Assessed \$ 2,475.00 payable in one (1) Installments(s)

**To the Council of the City of Oak Park:**

I hereby certify and report that the foregoing is a special assessment and the assessment made by me pursuant to a resolution of the Council of said City, adopted March 16, 2015 for the purpose of paying the cost (or that part of the cost which the Council decided should be borne and paid by special assessment) for Unpaid False Alarms Invoices on private premises that in making such assessment I have, as near as may be, according to my best judgment; conformed in all things to the direction contained in the resolution of the Council hereinbefore referred to, and the charter of the City relating to such assessment.

Dated: March 30, 2015



Martin D. Bush  
City Assessor

I, T. Edwin Norris, Clerk of the City of Oak Park, do hereby certify that the special assessment appearing on the following roll, was duly confirmed, as amended, by the City Council under the roll date of \_\_\_\_\_.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

State of Michigan )

)

City of Oak Park )

Date \_\_\_\_\_

**To the Treasurer of the City of Oak Park, MI:**

Pursuant to a resolution passed by the City Council, you are commanded to collect from the owners of, or the parties in interest in the lots or parcels of land.

\_\_\_\_\_  
T. Edwin Norris  
City Clerk



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Unpaid Weed Mowing Invoices

**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of March 16, 2015, City Council received the list of unpaid expenses incurred on private premises – Weed Mowing, prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #642 be prepared.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #642, and establishing April 20, 2015, as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – Weed Mowing

**APPROVALS:**

City Manager: \_\_\_\_\_

Director: \_\_\_\_\_

Finance Director: J. Credit

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION 8**

**DISTRICT NO. 642**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 642** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

**BE IT RESOLVED**, that **Special Assessment Roll No. 642** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th day of April, 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

**BE IT FURTHER RESOLVED**, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill	Item Description	Line #	Item Amt.	Item Bal.
09/16/14	14-0000117	25-32-129-008	126.79	0.00	WEED	WEED MOWING	1	126.79	126.79
09/16/14	14-0000118	25-19-427-012	64.69	0.00	WEED	WEED MOWING	1	64.69	64.69
09/16/14	14-0000120	25-29-355-015	77.63	0.00	WEED	WEED MOWING	1	77.63	77.63
09/16/14	14-0000121	25-29-352-027	90.56	0.00	WEED	WEED MOWING	1	90.56	90.56
09/16/14	14-0000123	25-29-430-001	67.28	0.00	WEED	WEED MOWING	1	67.28	67.28
09/16/14	14-0000124	25-29-478-017	77.63	0.00	WEED	WEED MOWING	1	77.63	77.63
09/17/14	14-0000127	25-32-203-008	56.93	0.00	WEED	WEED MOWING	1	56.93	56.93
09/17/14	14-0000128	25-29-407-011	439.88	0.00	WEED	WEED MOWING	1	439.88	439.88
09/17/14	14-0000131	25-32-203-041	51.75	0.00	WEED	WEED MOWING	1	51.75	51.75
09/17/14	14-0000132	25-32-204-012	62.10	0.00	WEED	WEED MOWING	1	62.10	62.10
09/17/14	14-0000136	25-29-154-013	72.45	0.00	WEED	WEED MOWING	1	72.45	72.45
09/17/14	14-0000139	25-31-177-002	54.34	0.00	WEED	WEED MOWING	1	54.34	54.34
09/17/14	14-0000140	25-19-227-041	56.93	0.00	WEED	WEED MOWING	1	56.93	56.93
09/17/14	14-0000142	25-31-103-007	75.04	0.00	WEED	WEED MOWING	1	75.04	75.04
09/17/14	14-0000143	25-29-406-034	87.98	0.00	WEED	WEED MOWING	1	87.98	87.98
09/17/14	14-0000145	25-28-354-008	111.26	0.00	WEED	WEED MOWING	1	111.26	111.26
09/17/14	14-0000146	25-28-102-033	59.51	0.00	WEED	WEED MOWING	1	59.51	59.51
09/17/14	14-0000147	25-29-102-063	72.45	0.00	WEED	WEED MOWING	1	72.45	72.45
09/17/14	14-0000148	25-31-126-035	181.13	0.00	WEED	WEED MOWING	1	181.13	181.13
09/17/14	14-0000150	25-28-354-026	207.00	0.00	WEED	WEED MOWING	1	207.00	207.00
09/17/14	14-0000153	25-31-176-006	85.39	0.00	WEED	WEED MOWING	1	85.39	85.39
09/17/14	14-0000154	25-30-230-024	1,459.35	0.00	WEED	WEED MOWING	1	1,459.35	1,459.35
09/17/14	14-0000156	25-32-128-001	77.63	0.00	WEED	WEED MOWING	1	77.63	77.63
09/17/14	14-0000157	25-29-302-017	87.98	0.00	WEED	WEED MOWING	1	87.98	87.98
09/17/14	14-0000158	25-32-105-009	85.39	0.00	WEED	WEED MOWING	1	85.39	85.39
09/17/14	14-0000159	25-32-104-041	69.86	0.00	WEED	WEED MOWING	1	69.86	69.86
09/17/14	14-0000162	25-32-102-011	67.28	0.00	WEED	WEED MOWING	1	67.28	67.28
09/17/14	14-0000163	25-32-102-010	56.93	0.00	WEED	WEED MOWING	1	56.93	56.93
09/17/14	14-0000164	25-31-128-001	72.45	0.00	WEED	WEED MOWING	1	72.45	72.45
09/17/14	14-0000169	25-32-203-008	62.10	0.00	WEED	WEED MOWING	1	62.10	62.10
09/17/14	14-0000171	25-32-127-022	100.91	0.00	WEED	WEED MOWING	1	100.91	100.91
09/17/14	14-0000173	25-32-133-006	72.45	0.00	WEED	WEED MOWING	1	72.45	72.45
09/17/14	14-0000174	25-32-204-037	75.04	0.00	WEED	WEED MOWING	1	75.04	75.04
09/17/14	14-0000176	25-19-233-025	62.10	0.00	WEED	WEED MOWING	1	62.10	62.10
09/17/14	14-0000180	25-33-152-010	119.03	0.00	WEED	WEED MOWING	1	119.03	119.03
09/17/14	14-0000182	25-32-203-041	49.16	0.00	WEED	WEED MOWING	1	49.16	49.16
09/17/14	14-0000184	25-31-202-036	43.99	0.00	WEED	WEED MOWING	1	43.99	43.99
09/17/14	14-0000186	25-29-451-029	90.56	0.00	WEED	WEED MOWING	1	90.56	90.56
09/17/14	14-0000189	25-32-228-038	54.34	0.00	WEED	WEED MOWING	1	54.34	54.34
09/17/14	14-0000190	25-32-103-023	157.84	0.00	WEED	WEED MOWING	1	157.84	157.84
09/17/14	14-0000191	25-32-151-017	139.73	0.00	WEED	WEED MOWING	1	139.73	139.73
09/17/14	14-0000192	25-28-354-008	38.81	0.00	WEED	WEED MOWING	1	38.81	38.81
09/18/14	14-0000194	25-31-202-036	64.69	0.00	WEED	WEED MOWING	1	64.69	64.69
09/18/14	14-0000196	25-30-403-009	54.34	0.00	WEED	WEED MOWING	1	54.34	54.34
09/18/14	14-0000197	25-30-277-004	54.34	0.00	WEED	WEED MOWING	1	54.34	54.34
10/01/14	14-0000245	25-32-228-038	54.34	0.00	WMCI	CITY DPW WEED MOWIN	1	47.25	47.25
10/01/14	14-0000246	25-29-406-034	77.63	0.00	WMCI	CITY DPW WEED MOWIN	2	7.09	7.09
10/01/14	14-0000249	25-29-478-017	56.93	0.00	WMCI	CITY DPW WEED MOWIN	1	67.50	67.50
10/01/14	14-0000252	25-30-376-032	51.75	0.00	WMCI	CITY DPW WEED MOWIN	2	10.13	10.13
10/01/14	14-0000253	25-31-202-005	62.10	0.00	WMCI	CITY DPW WEED MOWIN	1	49.50	49.50
10/01/14	14-0000255	25-29-407-035	72.45	0.00	WMCI	CITY DPW WEED MOWIN	2	7.43	7.43
10/01/14	14-0000256	25-28-102-030	137.14	0.00	WMCI	CITY DPW WEED MOWIN	1	119.25	119.25
10/13/14	14-0000260	25-31-176-007	696.04	0.00	WEED	WEED MOWING	1	696.04	696.04
10/13/14	14-0000261	25-32-201-017	56.93	0.00	WEED	WEED MOWING	1	56.93	56.93

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
10/13/14	14-0000262	25-29-352-019	38.81	0.00	WEED MOWING	1	38.81	38.81
10/13/14	14-0000263	25-29-478-017	207.00	0.00	WEED MOWING	1	207.00	207.00
10/13/14	14-0000264	25-29-478-017	59.51	0.00	WEED MOWING	1	59.51	59.51
10/27/14	14-0000321	25-32-203-012	113.85	0.00	WEED MOWING	1	113.85	113.85
10/27/14	14-0000322	25-32-203-028	75.04	0.00	WEED MOWING	1	75.04	75.04
10/27/14	14-0000325	25-31-103-013	75.04	0.00	WEED MOWING	1	75.04	75.04
10/27/14	14-0000326	25-31-126-035	113.85	0.00	WEED MOWING	1	113.85	113.85
10/27/14	14-0000328	25-19-401-024	72.45	0.00	WEED MOWING	1	72.45	72.45
10/27/14	14-0000329	25-19-233-025	75.04	0.00	WEED MOWING	1	75.04	75.04
10/27/14	14-0000331	25-29-476-025	67.28	0.00	WEED MOWING	1	67.28	67.28
10/27/14	14-0000333	25-29-302-060	51.75	0.00	WEED MOWING	1	51.75	51.75
10/28/14	14-0000335	25-30-201-003	67.28	0.00	WEED MOWING	1	67.28	67.28
10/28/14	14-0000337	25-30-153-003	62.10	0.00	WEED MOWING	1	62.10	62.10
10/28/14	14-0000338	25-30-207-001	72.45	0.00	WEED MOWING	1	72.45	72.45
10/28/14	14-0000339	25-30-378-017	69.86	0.00	WEED MOWING	1	69.86	69.86
10/28/14	14-0000340	25-31-126-014	64.69	0.00	WEED MOWING	1	64.69	64.69
10/28/14	14-0000341	25-30-154-001	87.98	0.00	WEED MOWING	1	87.98	87.98
10/28/14	14-0000343	25-32-105-009	33.64	0.00	WEED MOWING	1	33.64	33.64
10/28/14	14-0000346	25-32-103-023	62.10	0.00	WEED MOWING	1	62.10	62.10
10/28/14	14-0000347	25-32-104-065	49.16	0.00	WEED MOWING	1	49.16	49.16
10/28/14	14-0000350	25-31-177-002	67.28	0.00	WEED MOWING	1	67.28	67.28
10/28/14	14-0000351	25-30-179-009	80.21	0.00	WEED MOWING	1	80.21	80.21
10/28/14	14-0000353	25-32-129-008	77.63	0.00	WEED MOWING	1	77.63	77.63
10/28/14	14-0000354	25-32-127-022	87.98	0.00	WEED MOWING	1	87.98	87.98
10/28/14	14-0000355	25-29-102-062	87.98	0.00	WEED MOWING	1	87.98	87.98
10/28/14	14-0000356	25-29-102-063	62.10	0.00	WEED MOWING	1	62.10	62.10
10/28/14	14-0000358	25-29-301-011	64.69	0.00	WEED MOWING	1	64.69	64.69
10/28/14	14-0000359	25-29-377-021	51.75	0.00	WEED MOWING	1	51.75	51.75
10/28/14	14-0000361	25-29-352-019	64.69	0.00	WEED MOWING	1	64.69	64.69
10/28/14	14-0000362	25-29-355-015	69.86	0.00	WEED MOWING	1	69.86	69.86
10/28/14	14-0000363	25-29-302-056	72.45	0.00	WEED MOWING	1	72.45	72.45
10/28/14	14-0000364	25-29-478-015	51.75	0.00	WEED MOWING	1	51.75	51.75
10/28/14	14-0000365	25-32-204-012	69.86	0.00	WEED MOWING	1	69.86	69.86
10/28/14	14-0000367	25-31-231-006	64.69	0.00	WEED MOWING	1	64.69	64.69
10/28/14	14-0000368	25-30-405-003	72.45	0.00	WEED MOWING	1	72.45	72.45
10/28/14	14-0000369	25-32-203-003	51.75	0.00	WEED MOWING	1	51.75	51.75
10/28/14	14-0000370	25-33-106-036	67.28	0.00	WEED MOWING	1	67.28	67.28
10/28/14	14-0000371	25-31-229-020	51.75	0.00	WEED MOWING	1	51.75	51.75
10/28/14	14-0000372	25-32-203-041	41.40	0.00	WEED MOWING	1	41.40	41.40
10/28/14	14-0000373	25-32-251-019	132.19	0.00	WEED MOWING	1	132.19	132.19
10/28/14	14-0000374	25-28-352-026	90.00	0.00	WEED MOWING	1	90.00	90.00
10/28/14	14-0000375	25-19-227-041	59.51	0.00	WEED MOWING	1	59.51	59.51
11/25/14	14-0002469	25-29-330-022	43.99	0.00	WEED MOWING	1	43.99	43.99
11/25/14	14-0002470	25-29-352-024	54.34	0.00	WEED MOWING	1	54.34	54.34
11/25/14	14-0002472	25-29-331-029	124.20	0.00	WEED MOWING	1	124.20	124.20
TOTALS	99 Invoices		9,940.99	0.00			0.00	0.00

10% 994.10  
10,935.09





**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Unpaid Sidewalk

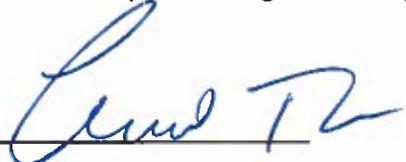
**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of March 16, 2015, City Council received the list of unpaid expenses incurred on private premises – Sidewalk, prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #643 be prepared.

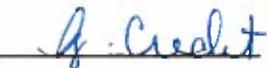
**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #643, and establishing April 20, 2015 as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – Sidewalk.

**APPROVALS:**

City Manager: 

Director: \_\_\_\_\_

Finance Director: 

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION 8**

**DISTRICT NO. 643**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 643** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

**BE IT RESOLVED**, that **Special Assessment Roll No. 643** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th of April, 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

**BE IT FURTHER RESOLVED**, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0001403	52-25-30-276-075	1,786.75	0.00	2014 SIDEWALK REPLA 1	1	1,786.75	1,786.75
11/07/14	14-0001410	52-25-30-277-061	457.25	30.00	2014 SIDEWALK REPLA 1	1	457.25	427.25
11/07/14	14-0001415	52-25-30-276-069	465.00	0.00	2014 SIDEWALK REPLA 1	1	465.00	465.00
11/07/14	14-0001423	52-25-30-152-013	475.13	0.00	2014 SIDEWALK REPLA 1	1	475.13	475.13
11/07/14	14-0001425	52-25-30-152-012	536.25	0.00	2014 SIDEWALK REPLA 1	1	536.25	536.25
11/07/14	14-0001427	52-25-30-152-011	570.00	0.00	2014 SIDEWALK REPLA 1	1	570.00	570.00
11/07/14	14-0001428	52-25-30-155-002	679.75	0.00	2014 SIDEWALK REPLA 1	1	679.75	679.75
11/07/14	14-0001430	52-25-30-152-009	645.63	0.00	2014 SIDEWALK REPLA 1	1	645.63	645.63
11/07/14	14-0001432	52-25-30-152-007	441.75	0.00	2014 SIDEWALK REPLA 1	1	441.75	441.75
11/07/14	14-0001433	52-25-30-152-006	162.75	0.00	2014 SIDEWALK REPLA 1	1	162.75	162.75
11/07/14	14-0001434	52-25-30-152-004	506.50	0.00	2014 SIDEWALK REPLA 1	1	506.50	506.50
11/07/14	14-0001436	52-25-30-152-002	852.50	0.00	2014 SIDEWALK REPLA 1	1	852.50	852.50
11/07/14	14-0001437	52-25-30-153-003	1,030.75	0.00	2014 SIDEWALK REPLA 1	1	1,030.75	1,030.75
11/07/14	14-0001443	52-25-30-178-028	1,564.00	0.00	2014 SIDEWALK REPLA 1	1	1,564.00	1,564.00
11/07/14	14-0001445	52-25-30-179-011	799.13	0.00	2014 SIDEWALK REPLA 1	1	799.13	799.13
11/07/14	14-0001448	52-25-30-178-025	416.25	0.00	2014 SIDEWALK REPLA 1	1	416.25	416.25
11/07/14	14-0001450	52-25-30-179-008	485.25	0.00	2014 SIDEWALK REPLA 1	1	485.25	485.25
11/07/14	14-0001451	52-25-30-178-023	311.13	150.00	2014 SIDEWALK REPLA 1	1	311.13	161.13
11/07/14	14-0001452	52-25-30-179-007	375.88	0.00	2014 SIDEWALK REPLA 1	1	375.88	375.88
11/07/14	14-0001453	52-25-30-178-022	310.00	0.00	2014 SIDEWALK REPLA 1	1	310.00	310.00
11/07/14	14-0001457	52-25-30-178-020	282.88	0.00	2014 SIDEWALK REPLA 1	1	282.88	282.88
11/07/14	14-0001462	52-25-30-179-002	488.25	0.00	2014 SIDEWALK REPLA 1	1	488.25	488.25
11/07/14	14-0001463	52-25-30-178-017	310.00	0.00	2014 SIDEWALK REPLA 1	1	310.00	310.00
11/07/14	14-0001464	52-25-30-179-001	496.00	0.00	2014 SIDEWALK REPLA 1	1	496.00	496.00
11/07/14	14-0001465	52-25-30-127-021	399.13	0.00	2014 SIDEWALK REPLA 1	1	399.13	399.13
11/07/14	14-0001467	52-25-30-127-019	271.25	0.00	2014 SIDEWALK REPLA 1	1	271.25	271.25
11/07/14	14-0001473	52-25-30-126-036	460.75	0.00	2014 SIDEWALK REPLA 1	1	460.75	460.75
11/07/14	14-0001477	52-25-30-126-028	468.88	0.00	2014 SIDEWALK REPLA 1	1	468.88	468.88
11/07/14	14-0001484	52-25-30-126-024	579.00	0.00	2014 SIDEWALK REPLA 1	1	579.00	579.00
11/07/14	14-0001485	52-25-30-127-014	310.00	0.00	2014 SIDEWALK REPLA 1	1	310.00	310.00
11/07/14	14-0001488	52-25-30-126-019	605.75	0.00	2014 SIDEWALK REPLA 1	1	605.75	605.75
11/07/14	14-0001490	52-25-30-127-012	261.13	0.00	2014 SIDEWALK REPLA 1	1	261.13	261.13
11/07/14	14-0001491	52-25-30-126-017	558.63	100.00	2014 SIDEWALK REPLA 1	1	558.63	458.63
11/07/14	14-0001497	52-25-30-127-010	500.75	0.00	2014 SIDEWALK REPLA 1	1	500.75	500.75
11/07/14	14-0001505	52-25-30-127-007	232.50	120.00	2014 SIDEWALK REPLA 1	1	232.50	112.50
11/07/14	14-0001506	52-25-30-180-035	240.25	0.00	2014 SIDEWALK REPLA 1	1	240.25	240.25
11/07/14	14-0001507	52-25-30-180-034	232.50	0.00	2014 SIDEWALK REPLA 1	1	232.50	232.50
11/07/14	14-0001508	52-25-30-180-032	400.00	0.00	2014 SIDEWALK REPLA 1	1	400.00	400.00
11/07/14	14-0001510	52-25-30-180-028	627.75	0.00	2014 SIDEWALK REPLA 1	1	627.75	627.75
11/07/14	14-0001511	52-25-30-180-027	542.50	0.00	2014 SIDEWALK REPLA 1	1	542.50	542.50
11/07/14	14-0001512	52-25-30-180-026	387.50	0.00	2014 SIDEWALK REPLA 1	1	387.50	387.50
11/07/14	14-0001515	52-25-30-205-014	321.63	0.00	2014 SIDEWALK REPLA 1	1	321.63	321.63
11/07/14	14-0001516	52-25-30-205-013	551.13	0.00	2014 SIDEWALK REPLA 1	1	551.13	551.13
11/07/14	14-0001518	52-25-30-205-010	100.75	0.00	2014 SIDEWALK REPLA 1	1	100.75	100.75
11/07/14	14-0001520	52-25-30-205-008	313.88	0.00	2014 SIDEWALK REPLA 1	1	313.88	313.88
11/07/14	14-0001525	52-25-30-205-005	62.00	0.00	2014 SIDEWALK REPLA 1	1	62.00	62.00
11/07/14	14-0001526	52-25-30-205-004	180.00	0.00	2014 SIDEWALK REPLA 1	1	180.00	180.00
11/07/14	14-0001540	52-25-30-201-011	69.75	0.00	2014 SIDEWALK REPLA 1	1	69.75	69.75
11/07/14	14-0001549	52-25-30-129-021	205.38	0.00	2014 SIDEWALK REPLA 1	1	205.38	205.38
11/07/14	14-0001550	52-25-30-129-020	170.50	0.00	2014 SIDEWALK REPLA 1	1	170.50	170.50
11/07/14	14-0001551	52-25-30-208-020	833.13	0.00	2014 SIDEWALK REPLA 1	1	833.13	833.13
11/07/14	14-0001552	52-25-30-207-028	837.88	400.00	2014 SIDEWALK REPLA 1	1	837.88	437.88
11/07/14	14-0001558	52-25-30-208-016	302.25	0.00	2014 SIDEWALK REPLA 1	1	302.25	302.25
11/07/14	14-0001559	52-25-30-208-015	390.75	0.00	2014 SIDEWALK REPLA 1	1	390.75	390.75
11/07/14	14-0001565	52-25-30-207-023	151.13	0.00	2014 SIDEWALK REPLA 1	1	151.13	151.13
11/07/14	14-0001570	52-25-30-208-008	339.38	0.00	2014 SIDEWALK REPLA 1	1	339.38	339.38
11/07/14	14-0001575	52-25-30-208-005	317.75	0.00	2014 SIDEWALK REPLA 1	1	317.75	317.75
11/07/14	14-0001578	52-25-30-207-018	649.00	0.00	2014 SIDEWALK REPLA 1	1	649.00	649.00
11/07/14	14-0001581	52-25-30-207-017	364.25	0.00	2014 SIDEWALK REPLA 1	1	364.25	364.25
11/07/14	14-0001584	52-25-30-207-015	894.63	0.00	2014 SIDEWALK REPLA 1	1	894.63	894.63
11/07/14	14-0001585	52-25-30-204-028	948.63	0.00	2014 SIDEWALK REPLA 1	1	948.63	948.63

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0001586	52-25-30-203-027	298.38	0.00	2014 SIDEWALK REPLA 1	1	298.38	298.38
11/07/14	14-0001594	52-25-30-203-024	297.88	0.00	2014 SIDEWALK REPLA 1	1	297.88	297.88
11/07/14	14-0001597	52-25-30-203-023	310.00	0.00	2014 SIDEWALK REPLA 1	1	310.00	310.00
11/07/14	14-0001599	52-25-30-204-019	371.63	0.00	2014 SIDEWALK REPLA 1	1	371.63	371.63
11/07/14	14-0001600	52-25-30-203-022	627.75	0.00	2014 SIDEWALK REPLA 1	1	627.75	627.75
11/07/14	14-0001601	52-25-30-204-018	174.38	0.00	2014 SIDEWALK REPLA 1	1	174.38	174.38
11/07/14	14-0001603	52-25-30-204-016	385.88	0.00	2014 SIDEWALK REPLA 1	1	385.88	385.88
11/07/14	14-0001607	52-25-30-207-013	441.38	0.00	2014 SIDEWALK REPLA 1	1	441.38	441.38
11/07/14	14-0001610	52-25-30-203-018	348.75	0.00	2014 SIDEWALK REPLA 1	1	348.75	348.75
11/07/14	14-0001617	52-25-30-278-045	693.63	0.00	2014 SIDEWALK REPLA 1	1	693.63	693.63
11/07/14	14-0001618	52-25-30-278-045	1,223.00	0.00	2014 SIDEWALK REPLA 1	1	1,223.00	1,223.00
11/07/14	14-0001625	52-25-30-278-043	162.75	0.00	2014 SIDEWALK REPLA 1	1	162.75	162.75
11/07/14	14-0001626	52-25-30-278-046	360.38	0.00	2014 SIDEWALK REPLA 1	1	360.38	360.38
11/07/14	14-0001628	52-25-30-278-044	1,044.13	0.00	2014 SIDEWALK REPLA 1	1	1,044.13	1,044.13
11/07/14	14-0001634	52-25-30-229-032	490.50	0.00	2014 SIDEWALK REPLA 1	1	490.50	490.50
11/07/14	14-0001635	52-25-30-229-022	336.00	0.00	2014 SIDEWALK REPLA 1	1	336.00	336.00
11/07/14	14-0001638	52-25-30-127-039	453.38	0.00	2014 SIDEWALK REPLA 1	1	453.38	453.38
11/07/14	14-0001649	52-25-30-127-032	108.50	0.00	2014 SIDEWALK REPLA 1	1	108.50	108.50
11/07/14	14-0001656	52-25-30-102-009	388.38	0.00	2014 SIDEWALK REPLA 1	1	388.38	388.38
11/07/14	14-0001660	52-25-30-127-026	177.13	0.00	2014 SIDEWALK REPLA 1	1	177.13	177.13
11/07/14	14-0001661	52-25-30-102-007	245.00	0.00	2014 SIDEWALK REPLA 1	1	245.00	245.00
11/07/14	14-0001664	52-25-30-102-005	77.50	0.00	2014 SIDEWALK REPLA 1	1	77.50	77.50
11/07/14	14-0001666	52-25-30-207-014	1,042.38	0.00	2014 SIDEWALK REPLA 1	1	1,042.38	1,042.38
11/07/14	14-0001669	52-25-30-206-031	408.75	0.00	2014 SIDEWALK REPLA 1	1	408.75	408.75
11/07/14	14-0001673	52-25-30-207-011	147.25	0.00	2014 SIDEWALK REPLA 1	1	147.25	147.25
11/07/14	14-0001674	52-25-30-206-028	155.00	0.00	2014 SIDEWALK REPLA 1	1	155.00	155.00
11/07/14	14-0001678	52-25-30-206-025	484.38	0.00	2014 SIDEWALK REPLA 1	1	484.38	484.38
11/07/14	14-0001679	52-25-30-207-008	739.13	0.00	2014 SIDEWALK REPLA 1	1	739.13	739.13
11/07/14	14-0001681	52-25-30-206-023	561.88	0.00	2014 SIDEWALK REPLA 1	1	561.88	561.88
11/07/14	14-0001687	52-25-30-206-020	174.38	0.00	2014 SIDEWALK REPLA 1	1	174.38	174.38
11/07/14	14-0001689	52-25-30-207-002	77.50	0.00	2014 SIDEWALK REPLA 1	1	77.50	77.50
11/07/14	14-0001693	52-25-30-202-030	628.25	100.00	2014 SIDEWALK REPLA 1	1	628.25	528.25
11/07/14	14-0001695	52-25-30-202-029	568.00	450.00	2014 SIDEWALK REPLA 1	1	568.00	118.00
11/07/14	14-0001696	52-25-30-203-013	662.50	362.50	2014 SIDEWALK REPLA 1	1	662.50	300.00
11/07/14	14-0001698	52-25-30-203-012	561.88	0.00	2014 SIDEWALK REPLA 1	1	561.88	561.88
11/07/14	14-0001701	52-25-30-202-026	442.75	0.00	2014 SIDEWALK REPLA 1	1	442.75	442.75
11/07/14	14-0001702	52-25-30-203-010	441.75	0.00	2014 SIDEWALK REPLA 1	1	441.75	441.75
11/07/14	14-0001704	52-25-30-203-009	511.50	0.00	2014 SIDEWALK REPLA 1	1	511.50	511.50
11/07/14	14-0001709	52-25-30-203-007	236.38	0.00	2014 SIDEWALK REPLA 1	1	236.38	236.38
11/07/14	14-0001712	52-25-30-202-020	389.00	0.00	2014 SIDEWALK REPLA 1	1	389.00	389.00
11/07/14	14-0001714	52-25-30-202-019	259.63	0.00	2014 SIDEWALK REPLA 1	1	259.63	259.63
11/07/14	14-0001721	52-25-30-101-037	383.63	0.00	2014 SIDEWALK REPLA 1	1	383.63	383.63
11/07/14	14-0001722	52-25-30-101-037	1,484.13	0.00	2014 SIDEWALK REPLA 1	1	1,484.13	1,484.13
11/07/14	14-0001729	52-25-30-102-001	871.63	0.00	2014 SIDEWALK REPLA 1	1	871.63	871.63
11/07/14	14-0001730	52-25-30-101-014	695.18	0.00	2014 SIDEWALK REPLA 1	1	695.18	695.18
11/07/14	14-0001731	52-25-30-101-013	302.25	0.00	2014 SIDEWALK REPLA 1	1	302.25	302.25
11/07/14	14-0001732	52-25-30-127-003	627.75	0.00	2014 SIDEWALK REPLA 1	1	627.75	627.75
11/07/14	14-0001734	52-25-30-127-001	906.75	0.00	2014 SIDEWALK REPLA 1	1	906.75	906.75
11/07/14	14-0001736	52-25-30-126-006	744.00	0.00	2014 SIDEWALK REPLA 1	1	744.00	744.00
11/07/14	14-0001738	52-25-30-126-004	77.50	0.00	2014 SIDEWALK REPLA 1	1	77.50	77.50
11/07/14	14-0001740	52-25-30-126-002	507.13	0.00	2014 SIDEWALK REPLA 1	1	507.13	507.13
11/07/14	14-0001743	52-25-30-155-012	590.63	370.00	2014 SIDEWALK REPLA 1	1	590.63	220.63
11/07/14	14-0001744	52-25-30-154-019	565.13	0.00	2014 SIDEWALK REPLA 1	1	565.13	565.13
11/07/14	14-0001749	52-25-30-155-010	236.38	0.00	2014 SIDEWALK REPLA 1	1	236.38	236.38
11/07/14	14-0001750	52-25-30-154-014	77.50	0.00	2014 SIDEWALK REPLA 1	1	77.50	77.50
11/07/14	14-0001751	52-25-30-154-013	147.25	0.00	2014 SIDEWALK REPLA 1	1	147.25	147.25
11/07/14	14-0001754	52-25-30-155-007	77.50	0.00	2014 SIDEWALK REPLA 1	1	77.50	77.50
11/07/14	14-0001755	52-25-30-155-016	77.50	0.00	2014 SIDEWALK REPLA 1	1	77.50	77.50
11/07/14	14-0001757	52-25-30-155-001	465.00	0.00	2014 SIDEWALK REPLA 1	1	465.00	465.00
11/07/14	14-0001759	52-25-30-205-032	771.13	0.00	2014 SIDEWALK REPLA 1	1	771.13	771.13
11/07/14	14-0001768	52-25-30-206-011	484.38	0.00	2014 SIDEWALK REPLA 1	1	484.38	484.38

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0001770	52-25-30-206-010	605.50	0.00	2014 SIDEWALK REPLA	1	605.50	605.50
11/07/14	14-0001774	52-25-30-206-008	77.50	0.00	2014 SIDEWALK REPLA	1	77.50	77.50
11/07/14	14-0001775	52-25-30-205-024	194.88	0.00	2014 SIDEWALK REPLA	1	194.88	194.88
11/07/14	14-0001777	52-25-30-205-022	491.00	0.00	2014 SIDEWALK REPLA	1	491.00	491.00
11/07/14	14-0001779	52-25-30-205-022	162.75	0.00	2014 SIDEWALK REPLA	1	162.75	162.75
11/07/14	14-0001783	52-25-30-205-020	480.50	0.00	2014 SIDEWALK REPLA	1	480.50	480.50
11/07/14	14-0001785	52-25-30-205-019	395.25	0.00	2014 SIDEWALK REPLA	1	395.25	395.25
11/07/14	14-0001786	52-25-30-206-002	472.75	0.00	2014 SIDEWALK REPLA	1	472.75	472.75
11/07/14	14-0001790	52-25-30-202-017	380.88	0.00	2014 SIDEWALK REPLA	1	380.88	380.88
11/07/14	14-0001795	52-25-30-201-028	467.38	0.00	2014 SIDEWALK REPLA	1	467.38	467.38
11/07/14	14-0001800	52-25-30-202-012	382.00	0.00	2014 SIDEWALK REPLA	1	382.00	382.00
11/07/14	14-0001802	52-25-30-202-011	356.50	0.00	2014 SIDEWALK REPLA	1	356.50	356.50
11/07/14	14-0001813	52-25-30-201-019	329.38	0.00	2014 SIDEWALK REPLA	1	329.38	329.38
11/07/14	14-0001814	52-25-30-202-005	240.25	0.00	2014 SIDEWALK REPLA	1	240.25	240.25
11/07/14	14-0001816	52-25-30-130-003	217.00	0.00	2014 SIDEWALK REPLA	1	217.00	217.00
11/07/14	14-0001819	52-25-30-130-006	315.75	0.00	2014 SIDEWALK REPLA	1	315.75	315.75
11/07/14	14-0001820	52-25-30-130-007	461.13	348.00	2014 SIDEWALK REPLA	1	461.13	113.13
11/07/14	14-0001829	52-25-30-151-012	523.38	0.00	2014 SIDEWALK REPLA	1	523.38	523.38
11/07/14	14-0001830	52-25-30-151-011	524.88	0.00	2014 SIDEWALK REPLA	1	524.88	524.88
11/07/14	14-0001832	52-25-30-103-011	397.75	100.00	2014 SIDEWALK REPLA	1	397.75	297.75
11/07/14	14-0001835	52-25-30-101-029	232.50	0.00	2014 SIDEWALK REPLA	1	232.50	232.50
11/07/14	14-0001836	52-25-30-101-028	643.50	0.00	2014 SIDEWALK REPLA	1	643.50	643.50
11/07/14	14-0001837	52-25-30-101-028	159.75	0.00	2014 SIDEWALK REPLA	1	159.75	159.75
11/07/14	14-0001839	52-25-30-101-027	162.75	0.00	2014 SIDEWALK REPLA	1	162.75	162.75
11/07/14	14-0001840	52-25-30-151-006	869.75	400.00	2014 SIDEWALK REPLA	1	869.75	469.75
11/07/14	14-0001841	52-25-30-101-026	158.88	0.00	2014 SIDEWALK REPLA	1	158.88	158.88
11/07/14	14-0001843	52-25-30-101-025	77.50	0.00	2014 SIDEWALK REPLA	1	77.50	77.50
11/07/14	14-0001844	52-25-30-151-004	449.50	0.00	2014 SIDEWALK REPLA	1	449.50	449.50
11/07/14	14-0001845	52-25-30-101-024	158.88	0.00	2014 SIDEWALK REPLA	1	158.88	158.88
11/07/14	14-0001849	52-25-30-276-018	302.25	0.00	2014 SIDEWALK REPLA	1	302.25	302.25
11/07/14	14-0001850	52-25-30-230-035	658.75	0.00	2014 SIDEWALK REPLA	1	658.75	658.75
11/07/14	14-0001853	52-25-30-230-032	468.88	0.00	2014 SIDEWALK REPLA	1	468.88	468.88
11/07/14	14-0001856	52-25-30-276-014	387.50	0.00	2014 SIDEWALK REPLA	1	387.50	387.50
11/07/14	14-0001860	52-25-30-276-012	87.50	0.00	2014 SIDEWALK REPLA	1	87.50	87.50
11/07/14	14-0001865	52-25-30-276-009	260.63	0.00	2014 SIDEWALK REPLA	1	260.63	260.63
11/07/14	14-0001868	52-25-30-230-024	162.75	0.00	2014 SIDEWALK REPLA	1	162.75	162.75
11/07/14	14-0001869	52-25-30-276-007	476.50	0.00	2014 SIDEWALK REPLA	1	476.50	476.50
11/07/14	14-0001871	52-25-30-276-006	651.63	0.00	2014 SIDEWALK REPLA	1	651.63	651.63
11/07/14	14-0001872	52-25-30-230-022	93.00	0.00	2014 SIDEWALK REPLA	1	93.00	93.00
11/07/14	14-0001884	52-25-30-226-028	108.50	0.00	2014 SIDEWALK REPLA	1	108.50	108.50
11/07/14	14-0001885	52-25-30-227-017	577.38	0.00	2014 SIDEWALK REPLA	1	577.38	577.38
11/07/14	14-0001886	52-25-30-226-027	143.38	0.00	2014 SIDEWALK REPLA	1	143.38	143.38
11/07/14	14-0001887	52-25-30-227-016	155.00	0.00	2014 SIDEWALK REPLA	1	155.00	155.00
11/07/14	14-0001889	52-25-30-227-015	240.25	0.00	2014 SIDEWALK REPLA	1	240.25	240.25
11/07/14	14-0001891	52-25-30-227-014	282.88	0.00	2014 SIDEWALK REPLA	1	282.88	282.88
11/07/14	14-0001892	52-25-30-226-024	77.50	0.00	2014 SIDEWALK REPLA	1	77.50	77.50
11/07/14	14-0001894	52-25-30-226-023	414.13	0.00	2014 SIDEWALK REPLA	1	414.13	414.13
11/07/14	14-0001897	52-25-30-227-011	480.50	0.00	2014 SIDEWALK REPLA	1	480.50	480.50
11/07/14	14-0001902	52-25-30-226-019	224.75	0.00	2014 SIDEWALK REPLA	1	224.75	224.75
11/07/14	14-0001904	52-25-30-226-018	202.00	0.00	2014 SIDEWALK REPLA	1	202.00	202.00
11/07/14	14-0001911	52-25-30-177-025	484.38	0.00	2014 SIDEWALK REPLA	1	484.38	484.38
11/07/14	14-0001914	52-25-30-178-009	228.63	0.00	2014 SIDEWALK REPLA	1	228.63	228.63
11/07/14	14-0001918	52-25-30-178-006	395.25	0.00	2014 SIDEWALK REPLA	1	395.25	395.25
11/07/14	14-0001920	52-25-30-177-020	73.63	0.00	2014 SIDEWALK REPLA	1	73.63	73.63
11/07/14	14-0001924	52-25-30-177-017	228.63	50.00	2014 SIDEWALK REPLA	1	228.63	178.63
11/07/14	14-0001926	52-25-30-177-016	143.38	0.00	2014 SIDEWALK REPLA	1	143.38	143.38
11/07/14	14-0001929	52-25-30-156-014	166.63	0.00	2014 SIDEWALK REPLA	1	166.63	166.63
11/07/14	14-0001932	52-25-30-156-012	89.13	0.00	2014 SIDEWALK REPLA	1	89.13	89.13
11/07/14	14-0001937	52-25-30-156-008	81.00	0.00	2014 SIDEWALK REPLA	1	81.00	81.00
11/07/14	14-0001939	52-25-30-155-016	93.00	0.00	2014 SIDEWALK REPLA	1	93.00	93.00
11/07/14	14-0001944	52-25-30-155-013	77.50	0.00	2014 SIDEWALK REPLA	1	77.50	77.50

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0001945	52-25-30-156-003	100.75	0.00	2014 SIDEWALK REPLA	1	100.75	100.75
11/07/14	14-0001946	52-25-30-156-002	263.50	0.00	2014 SIDEWALK REPLA	1	263.50	263.50
11/07/14	14-0001947	52-25-30-156-001	410.75	0.00	2014 SIDEWALK REPLA	1	410.75	410.75
11/07/14	14-0001948	52-25-30-180-011	488.25	0.00	2014 SIDEWALK REPLA	1	488.25	488.25
11/07/14	14-0001950	52-25-30-177-015	640.25	0.00	2014 SIDEWALK REPLA	1	640.25	640.25
11/07/14	14-0001951	52-25-30-180-009	120.13	0.00	2014 SIDEWALK REPLA	1	120.13	120.13
11/07/14	14-0001953	52-25-30-177-013	430.13	0.00	2014 SIDEWALK REPLA	1	430.13	430.13
11/07/14	14-0001954	52-25-30-177-012	38.75	0.00	2014 SIDEWALK REPLA	1	38.75	38.75
11/07/14	14-0001956	52-25-30-177-010	672.13	0.00	2014 SIDEWALK REPLA	1	672.13	672.13
11/07/14	14-0001957	52-25-30-131-019	623.00	0.00	2014 SIDEWALK REPLA	1	623.00	623.00
11/07/14	14-0001958	52-25-30-176-013	784.50	0.00	2014 SIDEWALK REPLA	1	784.50	784.50
11/07/14	14-0001961	52-25-30-177-008	589.38	0.00	2014 SIDEWALK REPLA	1	589.38	589.38
11/07/14	14-0001962	52-25-30-176-011	844.00	0.00	2014 SIDEWALK REPLA	1	844.00	844.00
11/07/14	14-0001964	52-25-30-176-010	835.75	0.00	2014 SIDEWALK REPLA	1	835.75	835.75
11/07/14	14-0001967	52-25-30-177-005	186.00	0.00	2014 SIDEWALK REPLA	1	186.00	186.00
11/07/14	14-0001968	52-25-30-177-004	158.88	0.00	2014 SIDEWALK REPLA	1	158.88	158.88
11/07/14	14-0001969	52-25-30-177-001	1,409.13	0.00	2014 SIDEWALK REPLA	1	1,409.13	1,409.13
11/07/14	14-0001970	52-25-30-153-026	891.25	0.00	2014 SIDEWALK REPLA	1	891.25	891.25
11/07/14	14-0001971	52-25-30-154-010	643.00	0.00	2014 SIDEWALK REPLA	1	643.00	643.00
11/07/14	14-0001973	52-25-30-154-009	414.63	0.00	2014 SIDEWALK REPLA	1	414.63	414.63
11/07/14	14-0001975	52-25-30-154-008	290.63	0.00	2014 SIDEWALK REPLA	1	290.63	290.63
11/07/14	14-0001980	52-25-30-153-021	700.63	0.00	2014 SIDEWALK REPLA	1	700.63	700.63
11/07/14	14-0001981	52-25-30-153-020	736.63	0.00	2014 SIDEWALK REPLA	1	736.63	736.63
11/07/14	14-0001982	52-25-30-154-005	507.00	0.00	2014 SIDEWALK REPLA	1	507.00	507.00
11/07/14	14-0001985	52-25-30-153-018	577.38	0.00	2014 SIDEWALK REPLA	1	577.38	577.38
11/07/14	14-0001986	52-25-30-154-003	484.38	0.00	2014 SIDEWALK REPLA	1	484.38	484.38
11/07/14	14-0001988	52-25-30-154-002	579.50	0.00	2014 SIDEWALK REPLA	1	579.50	579.50
11/07/14	14-0001989	52-25-30-153-016	490.00	0.00	2014 SIDEWALK REPLA	1	490.00	490.00
11/07/14	14-0001991	52-25-30-180-025	562.75	0.00	2014 SIDEWALK REPLA	1	562.75	562.75
11/07/14	14-0001993	52-25-30-180-023	396.13	0.00	2014 SIDEWALK REPLA	1	396.13	396.13
11/07/14	14-0001997	52-25-30-180-020	566.63	0.00	2014 SIDEWALK REPLA	1	566.63	566.63
11/07/14	14-0002001	52-25-30-180-018	443.75	0.00	2014 SIDEWALK REPLA	1	443.75	443.75
11/07/14	14-0002003	52-25-30-180-017	616.88	0.00	2014 SIDEWALK REPLA	1	616.88	616.88
11/07/14	14-0002004	52-25-30-180-016	445.50	0.00	2014 SIDEWALK REPLA	1	445.50	445.50
11/07/14	14-0002005	52-25-30-180-015	236.25	0.00	2014 SIDEWALK REPLA	1	236.25	236.25
11/07/14	14-0002006	52-25-30-180-014	310.00	0.00	2014 SIDEWALK REPLA	1	310.00	310.00
11/07/14	14-0002016	52-25-30-276-026	412.50	0.00	2014 SIDEWALK REPLA	1	412.50	412.50
11/07/14	14-0002019	52-25-30-180-007	81.38	0.00	2014 SIDEWALK REPLA	1	81.38	81.38
11/07/14	14-0002022	52-25-30-131-036	412.63	0.00	2014 SIDEWALK REPLA	1	412.63	412.63
11/07/14	14-0002026	52-25-30-131-034	177.50	0.00	2014 SIDEWALK REPLA	1	177.50	177.50
11/07/14	14-0002028	52-25-30-180-001	554.50	0.00	2014 SIDEWALK REPLA	1	554.50	554.50
11/07/14	14-0002029	52-25-30-180-008	306.13	0.00	2014 SIDEWALK REPLA	1	306.13	306.13
11/07/14	14-0002033	52-25-30-131-020	162.75	0.00	2014 SIDEWALK REPLA	1	162.75	162.75
11/07/14	14-0002036	52-25-30-176-005	220.88	0.00	2014 SIDEWALK REPLA	1	220.88	220.88
11/07/14	14-0002041	52-25-30-130-010	837.00	0.00	2014 SIDEWALK REPLA	1	837.00	837.00
11/07/14	14-0002045	52-25-30-153-013	155.00	0.00	2014 SIDEWALK REPLA	1	155.00	155.00
11/07/14	14-0002049	52-25-30-153-009	465.00	200.00	2014 SIDEWALK REPLA	1	465.00	265.00
11/07/14	14-0002054	52-25-30-153-001	804.00	0.00	2014 SIDEWALK REPLA	1	804.00	804.00
11/07/14	14-0002056	52-25-30-179-024	1,426.00	0.00	2014 SIDEWALK REPLA	1	1,426.00	1,426.00
11/07/14	14-0002059	52-25-30-179-020	185.50	0.00	2014 SIDEWALK REPLA	1	185.50	185.50
11/07/14	14-0002062	52-25-30-179-017	334.75	0.00	2014 SIDEWALK REPLA	1	334.75	334.75
11/07/14	14-0002064	52-25-30-179-015	386.75	0.00	2014 SIDEWALK REPLA	1	386.75	386.75
11/07/14	14-0002066	52-25-30-156-036	1,170.25	0.00	2014 SIDEWALK REPLA	1	1,170.25	1,170.25
11/07/14	14-0002069	52-25-30-156-030	395.25	0.00	2014 SIDEWALK REPLA	1	395.25	395.25
11/07/14	14-0002070	52-25-30-156-029	77.50	0.00	2014 SIDEWALK REPLA	1	77.50	77.50
11/07/14	14-0002071	52-25-30-156-026	232.50	0.00	2014 SIDEWALK REPLA	1	232.50	232.50
11/07/14	14-0002074	52-25-30-156-023	465.00	0.00	2014 SIDEWALK REPLA	1	465.00	465.00
11/07/14	14-0002076	52-25-30-156-021	302.25	0.00	2014 SIDEWALK REPLA	1	302.25	302.25
11/07/14	14-0002078	52-25-30-208-039	623.88	0.00	2014 SIDEWALK REPLA	1	623.88	623.88
11/07/14	14-0002080	52-25-30-230-016	562.75	0.00	2014 SIDEWALK REPLA	1	562.75	562.75
11/07/14	14-0002082	52-25-30-230-015	631.38	0.00	2014 SIDEWALK REPLA	1	631.38	631.38

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0002083	52-25-30-208-036	394.50	0.00	2014 SIDEWALK REPLA	1	394.50	394.50
11/07/14	14-0002085	52-25-30-208-035	554.13	0.00	2014 SIDEWALK REPLA	1	554.13	554.13
11/07/14	14-0002093	52-25-30-230-010	217.00	0.00	2014 SIDEWALK REPLA	1	217.00	217.00
11/07/14	14-0002095	52-25-30-230-009	441.75	0.00	2014 SIDEWALK REPLA	1	441.75	441.75
11/07/14	14-0002096	52-25-30-208-029	566.75	0.00	2014 SIDEWALK REPLA	1	566.75	566.75
11/07/14	14-0002097	52-25-30-230-008	466.00	0.00	2014 SIDEWALK REPLA	1	466.00	466.00
11/07/14	14-0002101	52-25-30-230-006	410.75	0.00	2014 SIDEWALK REPLA	1	410.75	410.75
11/07/14	14-0002104	52-25-30-208-025	272.25	0.00	2014 SIDEWALK REPLA	1	272.25	272.25
11/07/14	14-0002106	52-25-30-208-024	424.50	0.00	2014 SIDEWALK REPLA	1	424.50	424.50
11/07/14	14-0002109	52-25-30-230-002	220.88	0.00	2014 SIDEWALK REPLA	1	220.88	220.88
11/07/14	14-0002111	52-25-30-230-001	2,730.50	0.00	2014 SIDEWALK REPLA	1	2,730.50	2,730.50
11/07/14	14-0002112	52-25-30-208-021	844.75	0.00	2014 SIDEWALK REPLA	1	844.75	844.75
11/07/14	14-0002115	52-25-30-226-015	240.25	0.00	2014 SIDEWALK REPLA	1	240.25	240.25
11/07/14	14-0002116	52-25-30-204-041	120.13	0.00	2014 SIDEWALK REPLA	1	120.13	120.13
11/07/14	14-0002117	52-25-30-226-014	34.88	0.00	2014 SIDEWALK REPLA	1	34.88	34.88
11/07/14	14-0002123	52-25-30-226-011	751.75	0.00	2014 SIDEWALK REPLA	1	751.75	751.75
11/07/14	14-0002125	52-25-30-204-036	468.88	0.00	2014 SIDEWALK REPLA	1	468.88	468.88
11/07/14	14-0002126	52-25-30-226-010	497.00	0.00	2014 SIDEWALK REPLA	1	497.00	497.00
11/07/14	14-0002129	52-25-30-226-009	356.50	0.00	2014 SIDEWALK REPLA	1	356.50	356.50
11/07/14	14-0002130	52-25-30-204-033	445.00	0.00	2014 SIDEWALK REPLA	1	445.00	445.00
11/07/14	14-0002131	52-25-30-226-008	917.63	0.00	2014 SIDEWALK REPLA	1	917.63	917.63
11/07/14	14-0002133	52-25-30-204-031	542.75	0.00	2014 SIDEWALK REPLA	1	542.75	542.75
11/07/14	14-0002135	52-25-30-204-030	419.88	0.00	2014 SIDEWALK REPLA	1	419.88	419.88
11/07/14	14-0002136	52-25-30-226-005	77.50	0.00	2014 SIDEWALK REPLA	1	77.50	77.50
11/07/14	14-0002139	52-25-30-131-016	426.25	0.00	2014 SIDEWALK REPLA	1	426.25	426.25
11/07/14	14-0002140	52-25-30-131-015	468.88	0.00	2014 SIDEWALK REPLA	1	468.88	468.88
11/07/14	14-0002143	52-25-30-130-023	155.00	0.00	2014 SIDEWALK REPLA	1	155.00	155.00
11/07/14	14-0002149	52-25-30-131-009	395.25	0.00	2014 SIDEWALK REPLA	1	395.25	395.25
11/07/14	14-0002151	52-25-30-131-008	69.75	0.00	2014 SIDEWALK REPLA	1	69.75	69.75
11/07/14	14-0002152	52-25-30-130-018	38.75	0.00	2014 SIDEWALK REPLA	1	38.75	38.75
11/07/14	14-0002156	52-25-30-131-004	407.75	0.00	2014 SIDEWALK REPLA	1	407.75	407.75
11/07/14	14-0002162	52-25-30-127-044	248.25	0.00	2014 SIDEWALK REPLA	1	248.25	248.25
11/07/14	14-0002171	52-25-30-126-032	158.88	0.00	2014 SIDEWALK REPLA	1	158.88	158.88
11/07/14	14-0002172	52-25-30-129-002	112.38	0.00	2014 SIDEWALK REPLA	1	112.38	112.38
11/07/14	14-0002175	52-25-30-277-057	769.25	0.00	2014 SIDEWALK REPLA	1	769.25	769.25
11/07/14	14-0002176	52-25-30-277-056	675.50	0.00	2014 SIDEWALK REPLA	1	675.50	675.50
11/07/14	14-0002178	52-25-30-277-054	589.00	0.00	2014 SIDEWALK REPLA	1	589.00	589.00
11/07/14	14-0002180	52-25-30-277-053	756.00	0.00	2014 SIDEWALK REPLA	1	756.00	756.00
11/07/14	14-0002181	52-25-30-277-052	639.13	0.00	2014 SIDEWALK REPLA	1	639.13	639.13
11/07/14	14-0002185	52-25-30-277-048	424.75	0.00	2014 SIDEWALK REPLA	1	424.75	424.75
11/07/14	14-0002187	52-25-30-278-018	648.88	0.00	2014 SIDEWALK REPLA	1	648.88	648.88
11/07/14	14-0002188	52-25-30-277-046	613.13	0.00	2014 SIDEWALK REPLA	1	613.13	613.13
11/07/14	14-0002189	52-25-30-278-017	608.38	0.00	2014 SIDEWALK REPLA	1	608.38	608.38
11/07/14	14-0002190	52-25-30-277-045	612.25	0.00	2014 SIDEWALK REPLA	1	612.25	612.25
11/07/14	14-0002191	52-25-30-277-044	585.00	0.00	2014 SIDEWALK REPLA	1	585.00	585.00
11/07/14	14-0002192	52-25-30-277-043	588.63	0.00	2014 SIDEWALK REPLA	1	588.63	588.63
11/07/14	14-0002199	52-25-30-277-039	914.38	0.00	2014 SIDEWALK REPLA	1	914.38	914.38
11/07/14	14-0002201	52-25-30-278-011	310.00	0.00	2014 SIDEWALK REPLA	1	310.00	310.00
11/07/14	14-0002202	52-25-30-278-011	310.00	0.00	2014 SIDEWALK REPLA	1	310.00	310.00
11/07/14	14-0002213	52-25-30-277-033	528.88	0.00	2014 SIDEWALK REPLA	1	528.88	528.88
11/07/14	14-0002216	52-25-30-278-004	495.00	0.00	2014 SIDEWALK REPLA	1	495.00	495.00
11/07/14	14-0002219	52-25-30-277-030	647.50	0.00	2014 SIDEWALK REPLA	1	647.50	647.50
11/07/14	14-0002221	52-25-30-277-031	419.38	0.00	2014 SIDEWALK REPLA	1	419.38	419.38
11/07/14	14-0002222	52-25-30-277-029	465.00	0.00	2014 SIDEWALK REPLA	1	465.00	465.00
11/07/14	14-0002222	52-25-30-278-001	1,521.63	0.00	2014 SIDEWALK REPLA	1	1,521.63	1,521.63
11/07/14	14-0002223	52-25-30-229-016	1,198.25	500.00	2014 SIDEWALK REPLA	1	1,198.25	1,198.25
11/07/14	14-0002226	52-25-30-228-028	488.25	0.00	2014 SIDEWALK REPLA	1	488.25	488.25
11/07/14	14-0002228	52-25-30-229-013	417.00	0.00	2014 SIDEWALK REPLA	1	417.00	417.00
11/07/14	14-0002230	52-25-30-229-012	405.38	0.00	2014 SIDEWALK REPLA	1	405.38	405.38
11/07/14	14-0002231	52-25-30-228-026	472.88	0.00	2014 SIDEWALK REPLA	1	472.88	472.88
11/07/14	14-0002232	52-25-30-229-011	313.88	0.00	2014 SIDEWALK REPLA	1	313.88	313.88

Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0002234	52-25-30-229-010	387.50	0.00	2014 SIDEWALK REPLA	1	387.50	387.50
11/07/14	14-0002240	52-25-30-228-021	739.13	0.00	2014 SIDEWALK REPLA	1	739.13	739.13
11/07/14	14-0002241	52-25-30-229-006	341.00	0.00	2014 SIDEWALK REPLA	1	341.00	341.00
11/07/14	14-0002242	52-25-30-229-005	322.50	0.00	2014 SIDEWALK REPLA	1	322.50	322.50
11/07/14	14-0002243	52-25-30-228-020	1,104.38	0.00	2014 SIDEWALK REPLA	1	1,104.38	1,104.38
11/07/14	14-0002245	52-25-30-228-019	806.63	0.00	2014 SIDEWALK REPLA	1	806.63	806.63
11/07/14	14-0002246	52-25-30-229-003	180.50	0.00	2014 SIDEWALK REPLA	1	180.50	180.50
11/07/14	14-0002250	52-25-30-156-019	634.75	0.00	2014 SIDEWALK REPLA	1	634.75	634.75
11/07/14	14-0002252	52-25-30-178-016	786.63	0.00	2014 SIDEWALK REPLA	1	786.63	786.63
11/07/14	14-0002253	52-25-30-156-017	476.63	0.00	2014 SIDEWALK REPLA	1	476.63	476.63
11/07/14	14-0002256	52-25-30-177-002	856.00	0.00	2014 SIDEWALK REPLA	1	856.00	856.00
11/07/14	14-0002259	52-25-30-154-011	775.38	0.00	2014 SIDEWALK REPLA	1	775.38	775.38
11/07/14	14-0002260	52-25-30-176-008	461.13	0.00	2014 SIDEWALK REPLA	1	461.13	461.13
11/07/14	14-0002261	52-25-30-129-019	1,581.00	0.00	2014 SIDEWALK REPLA	1	1,581.00	1,581.00
11/07/14	14-0002265	52-25-30-129-017	224.75	50.00	2014 SIDEWALK REPLA	1	224.75	174.75
11/07/14	14-0002267	52-25-30-129-016	298.38	0.00	2014 SIDEWALK REPLA	1	298.38	298.38
11/07/14	14-0002270	52-25-30-128-016	716.13	0.00	2014 SIDEWALK REPLA	1	716.13	716.13
11/07/14	14-0002273	52-25-30-129-013	468.88	0.00	2014 SIDEWALK REPLA	1	468.88	468.88
11/07/14	14-0002279	52-25-30-129-010	46.50	0.00	2014 SIDEWALK REPLA	1	46.50	46.50
11/07/14	14-0002288	52-25-30-102-029	318.88	0.00	2014 SIDEWALK REPLA	1	318.88	318.88
11/07/14	14-0002291	52-25-30-130-001	1,445.38	0.00	2014 SIDEWALK REPLA	1	1,445.38	1,445.38
11/07/14	14-0002293	52-25-30-103-010	395.25	150.00	2014 SIDEWALK REPLA	1	395.25	245.25
11/07/14	14-0002296	52-25-30-102-024	565.25	30.00	2014 SIDEWALK REPLA	1	565.25	535.25
11/07/14	14-0002297	52-25-30-103-008	337.88	0.00	2014 SIDEWALK REPLA	1	337.88	337.88
11/07/14	14-0002299	52-25-30-103-007	248.00	0.00	2014 SIDEWALK REPLA	1	248.00	248.00
11/07/14	14-0002301	52-25-30-103-006	240.13	0.00	2014 SIDEWALK REPLA	1	240.13	240.13
11/07/14	14-0002302	52-25-30-102-021	375.00	0.00	2014 SIDEWALK REPLA	1	375.00	375.00
11/07/14	14-0002303	52-25-30-103-005	286.75	0.00	2014 SIDEWALK REPLA	1	286.75	286.75
11/07/14	14-0002310	52-25-30-229-002	189.00	0.00	2014 SIDEWALK REPLA	1	189.00	189.00
11/07/14	14-0002316	52-25-30-227-001	780.63	0.00	2014 SIDEWALK REPLA	1	780.63	780.63
11/07/14	14-0002323	52-25-30-203-002	90.00	0.00	2014 SIDEWALK REPLA	1	90.00	90.00
11/07/14	14-0002328	52-25-30-201-002	476.63	0.00	2014 SIDEWALK REPLA	1	476.63	476.63
11/07/14	14-0002333	52-25-30-101-003	224.75	0.00	2014 SIDEWALK REPLA	1	224.75	224.75
11/07/14	14-0002338	52-25-30-276-059	468.88	0.00	2014 SIDEWALK REPLA	1	468.88	468.88
11/07/14	14-0002340	52-25-30-276-057	487.88	0.00	2014 SIDEWALK REPLA	1	487.88	487.88
11/07/14	14-0002347	52-25-30-277-026	484.38	242.19	2014 SIDEWALK REPLA	1	484.38	242.19
11/07/14	14-0002353	52-25-30-277-023	901.22	0.00	2014 SIDEWALK REPLA	1	901.22	901.22
11/07/14	14-0002354	52-25-30-277-022	395.25	0.00	2014 SIDEWALK REPLA	1	395.25	395.25
11/07/14	14-0002357	52-25-30-277-019	341.00	0.00	2014 SIDEWALK REPLA	1	341.00	341.00
11/07/14	14-0002358	52-25-30-277-018	592.88	0.00	2014 SIDEWALK REPLA	1	592.88	592.88
11/07/14	14-0002361	52-25-30-277-016	298.38	0.00	2014 SIDEWALK REPLA	1	298.38	298.38
11/07/14	14-0002364	52-25-30-277-015	542.50	0.00	2014 SIDEWALK REPLA	1	542.50	542.50
11/07/14	14-0002365	52-25-30-276-046	403.00	0.00	2014 SIDEWALK REPLA	1	403.00	403.00
11/07/14	14-0002367	52-25-30-276-045	329.38	0.00	2014 SIDEWALK REPLA	1	329.38	329.38
11/07/14	14-0002368	52-25-30-277-013	519.25	0.00	2014 SIDEWALK REPLA	1	519.25	519.25
11/07/14	14-0002376	52-25-30-277-010	410.75	0.00	2014 SIDEWALK REPLA	1	410.75	410.75
11/07/14	14-0002381	52-25-30-277-007	481.38	0.00	2014 SIDEWALK REPLA	1	481.38	481.38
11/07/14	14-0002383	52-25-30-277-006	683.25	0.00	2014 SIDEWALK REPLA	1	683.25	683.25
11/07/14	14-0002385	52-25-30-277-005	149.50	0.00	2014 SIDEWALK REPLA	1	149.50	149.50
11/07/14	14-0002386	52-25-30-276-035	453.38	0.00	2014 SIDEWALK REPLA	1	453.38	453.38
11/07/14	14-0002387	52-25-30-277-004	232.50	0.00	2014 SIDEWALK REPLA	1	232.50	232.50
11/07/14	14-0002389	52-25-30-277-003	248.00	0.00	2014 SIDEWALK REPLA	1	248.00	248.00
11/07/14	14-0002392	52-25-30-276-032	516.63	0.00	2014 SIDEWALK REPLA	1	516.63	516.63
11/07/14	14-0002395	52-25-30-228-017	709.13	240.00	2014 SIDEWALK REPLA	1	709.13	469.13
11/07/14	14-0002396	52-25-30-228-015	840.88	0.00	2014 SIDEWALK REPLA	1	840.88	840.88
11/07/14	14-0002399	52-25-30-228-015	375.38	0.00	2014 SIDEWALK REPLA	1	375.38	375.38
11/07/14	14-0002401	52-25-30-228-014	641.25	0.00	2014 SIDEWALK REPLA	1	641.25	641.25
11/07/14	14-0002405	52-25-30-228-012	542.38	0.00	2014 SIDEWALK REPLA	1	542.38	542.38
11/07/14	14-0002409	52-25-30-228-010	488.25	0.00	2014 SIDEWALK REPLA	1	488.25	488.25
11/07/14	14-0002413	52-25-30-228-009	461.13	0.00	2014 SIDEWALK REPLA	1	461.13	461.13
11/07/14	14-0002414	52-25-30-228-008	807.75	0.00	2014 SIDEWALK REPLA	1	807.75	807.75

Inv. Date Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
11/07/14	14-0002416	155.00	0.00	2014 SIDEWALK REPLA	1	155.00	155.00
11/07/14	14-0002417	364.25	0.00	2014 SIDEWALK REPLA	1	364.25	364.25
11/07/14	14-0002419	155.00	0.00	2014 SIDEWALK REPLA	1	155.00	155.00
11/24/14	14-0002468	391.38	0.00	2014 SIDEWALK REPLA	1	391.38	391.38
11/25/14	14-0002476	864.13	0.00	2014 SIDEWALK REPLA	1	864.13	864.13
TOTALS	371 Invoices	<del>170,476.26</del>	4,392.69			0.00	0.00

10% 170,044.01  
170,044.40  
 187,048.41

City of Oak Park  
**SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT ROLL for defraying the expense of Unpaid Sidewalk Invoices on private premises in the City of Oak Park from various locations.

**To the Council of the City of Oak Park:**

I hereby certify and report that the foregoing is a special assessment and the assessment made by me pursuant to a resolution of the Council of said City, adopted March 16, 2015, for the purpose of paying the cost (or that part of the cost which the Council decided should be borne and paid by special assessment) for Unpaid Sidewalk Invoices on private premises that in making such assessment I have, as near as may be, according to my best judgment; conformed in all things to the direction contained in the resolution of the Council hereinbefore referred to, and the charter of the City relating to such assessment.

Dated: March 30, 2015



Martin D. Bush  
City Assessor

Special Assessment District #643

Date Confirmed \_\_\_\_\_

Amount Assessed \$ 187,048.41 payable in one (1) Installments(s)

I, T. Edwin Norris, Clerk of the City of Oak Park, do hereby certify that the special assessment appearing on the following roll, was duly confirmed, as amended, by the City Council under the roll date of \_\_\_\_\_.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

State of Michigan )

)

City of Oak Park )

Date \_\_\_\_\_

To the Treasurer of the City of Oak Park, MI:

Pursuant to a resolution passed by the City Council, you are commanded to collect from the owners of, or the parties in interest in the lots or parcels of land.

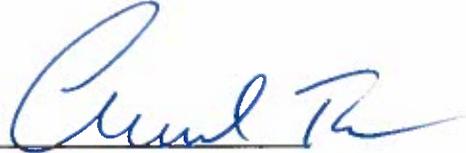
\_\_\_\_\_  
T. Edwin Norris  
City Clerk

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** April 6, 2015**AGENDA #****SUBJECT:** Unpaid Delinquent Water**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of March 16, 2015, City Council received the list of unpaid expenses incurred on private premises – Delinquent Water, prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #644 be prepared.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #644, and establishing April 20, 2015 as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – Delinquent Water.

**APPROVALS:**City Manager: 

Director: \_\_\_\_\_

Finance Director: 

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION 8**

**DISTRICT NO. 644**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 644** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

**BE IT RESOLVED**, that **Special Assessment Roll No. 644** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th of April, 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

**BE IT FURTHER RESOLVED**, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



City of Oak Park  
**SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT ROLL for defraying the expense of Unpaid Delinquent Water Invoices on private premises in the City of Oak Park from various locations.

Special Assessment District #644  
**Date Confirmed** \_\_\_\_\_  
**Amount Assessed \$ 148,746.49** payable in one (1) Installments(s)

**To the Council of the City of Oak Park:**

I hereby certify and report that the foregoing is a special assessment and the assessment made by me pursuant to a resolution of the Council of said City, adopted March 16, 2015 for the purpose of paying the cost (or that part of the cost which the Council decided should be borne and paid by special assessment) for Unpaid Delinquent Water Invoices on private premises that in making such assessment I have, as near as may be, according to my best judgment; conformed in all things to the direction contained in the resolution of the Council hereinbefore referred to, and the charter of the City relating to such assessment.

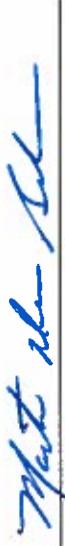
**I, T. Edwin Norris, Clerk of the City of Oak Park,** do hereby certify that the special assessment appearing on the following roll, was duly confirmed, as amended, by the City Council under the roll date of \_\_\_\_\_.

\_\_\_\_\_ )  
T. Edwin Norris, City Clerk )  
State of Michigan ) Date \_\_\_\_\_ )  
City of Oak Park )

To the Treasurer of the City of Oak Park, MI:

Pursuant to a resolution passed by the City Council, you are commanded to collect from the owners of, or the parties in interest in the lots or parcels of land.

Dated: March 30, 2015



Martin D. Bush  
City Assessor

\_\_\_\_\_  
T. Edwin Norris  
City Clerk

**CITY OF OAK PARK****Transfer to Tax Calculations with Initial 10% Penalty Amount**

1/8

Account #	Service Address	Customer Name	DLQ AMT	10% PENALTY
100000851	24531 ONEIDA	OCCUPANT	\$100.67	\$10.07
100004365	8770 LEROY	OCCUPANT	\$149.38	\$14.94
100004367	8780 LEROY	OCCUPANT	\$150.30	\$15.03
100004619	8106 NINE MILE RD	OCCUPANT	\$1964.74	\$196.47
100004641	8550 NINE MILE RD	OCCUPANT	\$88.10	\$8.81
100004748	23521 NORWOOD	OCCUPANT	\$241.37	\$24.14
100004893	23101 ONEIDA	OCCUPANT	\$381.00	\$38.10
100004901	23220 ONEIDA	OCCUPANT	\$203.19	\$20.32
100005034	24650 REPUBLIC	OCCUPANT	\$329.59	\$32.96
100005140	8429 ROSELAND CT	OCCUPANT	\$8252.04	\$825.20
100005193	23490 ROSEWOOD	OCCUPANT	\$182.26	\$18.23
100005299	8770 SARATOGA	OCCUPANT	\$405.64	\$40.56
100005461	23430 SHERMAN	OCCUPANT	\$293.11	\$29.31
100005511	24175 SHERMAN	OCCUPANT	\$315.77	\$31.58
100005597	8571 TROY	OCCUPANT	\$228.07	\$22.81
100100860	24611 PINEHURST AVE	OCCUPANT	\$647.96	\$64.80
100100876	24640 PINEHURST AVE	OCCUPANT	\$155.82	\$15.58
100100895	10321 AUSTRIAN WAY	OCCUPANT	\$233.00	\$23.30
100105123	24092 ROANOKE	OCCUPANT	\$237.34	\$23.73
200003393	23500 SENECA	OCCUPANT	\$305.77	\$30.58
200004270	24000 ITHACA	OCCUPANT	\$219.50	\$21.95
200004596	23841 MEADOWLARK	OCCUPANT	\$2086.47	\$208.65
200004864	10331 OAK PARK BLVD	OCCUPANT	\$123.99	\$12.40
200005341	23421 SENECA	OCCUPANT	\$111.90	\$11.19
200005669	10001 ALBANY	OCCUPANT	\$662.22	\$66.22
200005673	10030 ALBANY	OCCUPANT	\$123.46	\$12.35
200005683	10121 ALBANY	MILLENIU	\$114.73	\$11.47
200005712	10300 ALBANY	OCCUPANT	\$293.17	\$29.32
200005719	10331 ALBANY	OCCUPANT	\$126.34	\$12.63
200005737	10660 ALBANY	OCCUPANT	\$771.27	\$77.13
200005744	10721 ALBANY	OCCUPANT	\$91.13	\$9.11
200005765	12710 ALBANY	OCCUPANT	\$1277.68	\$127.77
200005771	13001 ALBANY	OCCUPANT	\$292.62	\$29.26
200005836	22170 CONDON	AMERA SOKAN	\$287.22	\$28.72
200005847	10030 CORNING	OCCUPANT	\$509.31	\$50.93
200005874	10270 CORNING	OCCUPANT	\$257.49	\$25.75
200005898	10460 CORNING	OCCUPANT	\$488.72	\$48.87
200005926	10761 CORNING	OCCUPANT	\$91.13	\$9.11

Account #	Service Address	Customer Name	DLQ AMT	10% PENALTY
200005934	21931 DANTE	OCCUPANT	\$321.25	\$32.13
200005944	22011 DANTE	OCCUPANT	\$247.76	\$24.78
200005955	21921 EASTWOOD	OCCUPANT	\$68.25	\$6.83
200005960	21950 EASTWOOD	OCCUPANT	\$91.13	\$9.11
200005970	21901 FERN	OCCUPANT	\$94.79	\$9.48
200005972	21911 FERN	OCCUPANT	\$54.13	\$5.41
200006025	8690 KENBERTON	OCCUPANT	\$283.17	\$28.32
200006030	8726 KENBERTON	OCCUPANT	\$328.45	\$32.85
200006066	13250 LYONS	OCCUPANT	\$182.11	\$18.21
200006084	24030 MANISTEE	OCCUPANT	\$83.74	\$8.37
200006135	22101 MORTON	OCCUPANT	\$299.24	\$29.92
200006174	12711 NINE MILE RD	OCCUPANT	\$155.81	\$15.58
200006288	24810 ROANOKE	OCCUPANT	\$343.17	\$34.32
200006302	22750 ROSEWOOD	OCCUPANT	\$173.45	\$17.35
200006332	10111 SARATOGA	OCCUPANT	\$97.36	\$9.74
200006379	10630 SARATOGA	OCCUPANT	\$304.76	\$30.48
200006386	10661 SARATOGA	OCCUPANT	\$382.24	\$38.22
200006405	10780 SARATOGA	OCCUPANT	\$351.40	\$35.14
200006406	10781 SARATOGA	OCCUPANT	\$297.66	\$29.77
200006423	12830 SARATOGA	OCCUPANT	\$144.95	\$14.50
200006430	22111 SCOTIA	OCCUPANT	\$634.35	\$63.44
200006443	21911 SLOMAN	OCCUPANT	\$446.54	\$44.65
200006511	10251 TROY	OCCUPANT	\$484.75	\$48.48
200006533	10401 TROY	OCCUPANT	\$74.13	\$7.41
200006540	10440 TROY	OCCUPANT	\$522.35	\$52.24
200006571	10760 TROY	OCCUPANT	\$1068.49	\$106.85
200006586	21900 VALE	OCCUPANT	\$469.03	\$46.90
200006596	21951 VALE	OCCUPANT	\$74.76	\$7.48
200006636	8785 WOODSIDE PK	OCCUPANT	\$3076.37	\$307.64
200104876	10601 OAK PARK BLVD	OCCUPANT	\$129.21	\$12.92
200204343	10422 KENWOOD	OCCUPANT	\$244.76	\$24.48
200206165	10750 NINE MILE RD	OCCUPANT	\$391.45	\$39.15
300002147	24100 BLACKSTONE	OCCUPANT	\$149.44	\$14.94
300006653	23200 BERKLEY	OCCUPANT	\$54.33	\$5.43
300006670	23246 BERKLEY	OCCUPANT	\$94.58	\$9.46
300006683	24041 BERKLEY	OCCUPANT	\$66.00	\$6.60
300006693	24250 BERKLEY	OCCUPANT	\$307.17	\$30.72
300006730	23631 CONDON	OCCUPANT	\$60.00	\$6.00
300006789	23031 EASTWOOD	OCCUPANT	\$137.45	\$13.75
300006810	23240 EASTWOOD	OCCUPANT	\$83.50	\$8.35
300006903	23496 GENEVA	OCCUPANT	\$308.20	\$30.82
300006934	24081 GENEVA	OCCUPANT	\$1450.78	\$145.08
300006948	24240 GENEVA	OCCUPANT	\$175.00	\$17.50

Account #	Service Address	Customer Name	DLQ AMT	10% PENALTY
300006959	24321 GENEVA	OCCUPANT	\$112.59	\$11.26
300006970	13170 IRVINE	OCCUPANT	\$91.13	\$9.11
300006996	13401 IRVINE	OCCUPANT	\$134.95	\$13.50
300007059	24061 JEROME	OCCUPANT	\$2262.42	\$226.24
300007074	24280 JEROME	OCCUPANT	\$146.75	\$14.68
300007098	13240 KENWOOD	OCCUPANT	\$259.31	\$25.93
300007191	24351 MORITZ	OCCUPANT	\$298.62	\$29.86
300007215	23840 MORTON	OCCUPANT	\$75.05	\$7.51
300007225	24000 MORTON	OCCUPANT	\$65.82	\$6.58
300007238	24061 MORTON	OCCUPANT	\$3147.93	\$314.79
300007273	23000 OAK CREST	OCCUPANT	\$321.53	\$32.15
300007284	23035 OAK CREST	OCCUPANT	\$210.52	\$21.05
300007450	23571 RENSSELAER	OCCUPANT	\$154.29	\$15.43
300007566	13320 ROSEMARY	OCCUPANT	\$328.45	\$32.85
300007598	23100 SCOTIA	OCCUPANT	\$71.81	\$7.18
300007615	23415 SCOTIA	OCCUPANT	\$686.96	\$68.70
300007625	23500 SCOTIA	OCCUPANT	\$383.79	\$38.38
300007677	24091 SCOTIA	OCCUPANT	\$80.81	\$8.08
300007685	24221 SCOTIA	OCCUPANT	\$2274.99	\$227.50
300007734	12790 STERLING CT	OCCUPANT	\$134.05	\$13.41
300007766	13310 WOODVALE	OCCUPANT	\$111.63	\$11.16
300007772	13340 WOODVALE	OCCUPANT	\$1526.90	\$152.69
300007784	24021 BLACKSTONE	OCCUPANT	\$177.54	\$17.75
300007883	13500 BURTON	OCCUPANT	\$138.77	\$13.88
300008174	24081 DANTE	BENTLEY HOMES	\$91.43	\$9.14
300008256	13250 DARTMOUTH	OCCUPANT	\$157.72	\$15.77
300008276	13500 DARTMOUTH	OCCUPANT	\$195.26	\$19.53
300107457	23861 RENSSELAER	OCCUPANT	\$349.44	\$34.94
300107704	24311 SCOTIA	OCCUPANT	\$221.74	\$22.17
300108736	13511 NORTHFIELD	OCCUPANT	\$196.24	\$19.62
400001268	21471 KIPLING	OCCUPANT	\$95.97	\$9.60
400003070	21941 KIPLING	OCCUPANT	\$174.72	\$17.47
400007903	14031 CLOVERDALE	OCCUPANT	\$97.85	\$9.79
400007931	21710 CLOVERLAWN	OCCUPANT	\$120.13	\$12.01
400007947	21820 CLOVERLAWN	OCCUPANT	\$98.45	\$9.85
400007978	22011 CLOVERLAWN	OCCUPANT	\$209.18	\$20.92
400007982	22040 CLOVERLAWN	OCCUPANT	\$69.12	\$6.91
400007992	22141 CLOVERLAWN	OCCUPANT	\$91.13	\$9.11
400007996	22170 CLOVERLAWN	OCCUPANT	\$76.65	\$7.67
400008016	23090 CLOVERLAWN	OCCUPANT	\$125.72	\$12.57
400008053	23531 CLOVERLAWN	OCCUPANT	\$258.69	\$25.87
400008097	21920 COOLIDGE	OCCUPANT	\$621.51	\$62.15
400008120	22135 COOLIDGE	OCCUPANT	\$203.44	\$20.34

Account #	Service Address	Customer Name	DLQ AMT	10% PENALTY
400008140	22041 COOLIDGE B	OCCUPANT	\$209.83	\$20.98
400008144	13711 COURTLAND	OCCUPANT	\$242.47	\$24.25
400008302	20820 GARDNER	OCCUPANT	\$573.41	\$57.34
400008348	14061 GREENBRIAR	OCCUPANT	\$249.32	\$24.93
400008353	14101 GREENBRIAR	OCCUPANT	\$4566.53	\$456.65
400008354	14110 GREENBRIAR	OCCUPANT	\$420.65	\$42.07
400008372	14261 GREENBRIAR	OCCUPANT	\$108.31	\$10.83
400008418	20820 KENOSHA	OCCUPANT	\$242.46	\$24.25
400008452	20751 KIPLING	ANNIE L. PITTMAN	\$251.15	\$25.12
400008479	21260 KIPLING	OCCUPANT	\$98.64	\$9.86
400008495	21390 KIPLING	OCCUPANT	\$154.57	\$15.46
400008527	21681 KIPLING	OCCUPANT	\$90.00	\$9.00
400008535	21810 KIPLING	OCCUPANT	\$71.46	\$7.15
400008582	13805 NINE MILE RD	OCCUPANT	\$300.72	\$30.07
400008598	14130 NINE MILE RD	OCCUPANT	\$99.27	\$9.93
400008605	14151 NINE MILE RD	OCCUPANT	\$63.90	\$6.39
400008666	14141 NORTHEND	OCCUPANT	\$62.06	\$6.21
400008674	14220 NORTHEND	OCCUPANT	\$127.38	\$12.74
400008762	15221 OAK PARK BLVD	OCCUPANT	\$138.74	\$13.87
400008810	21700 PARKLAWN	OCCUPANT	\$240.00	\$24.00
400008812	21710 PARKLAWN	OCCUPANT	\$89.21	\$8.92
400008847	21951 PARKLAWN	OCCUPANT	\$63.59	\$6.36
400008850	21970 PARKLAWN	OCCUPANT	\$120.05	\$12.01
400008877	23051 PARKLAWN	OCCUPANT	\$175.70	\$17.57
400008882	23081 PARKLAWN	OCCUPANT	\$327.26	\$32.73
400008965	13831 PEARSON	OCCUPANT	\$98.60	\$9.86
400008966	13851 PEARSON	OCCUPANT	\$288.69	\$28.87
400008980	14420 PEARSON	OCCUPANT	\$378.97	\$37.90
400009014	20780 RIDGEDALE	OCCUPANT	\$101.98	\$10.20
400009019	20830 RIDGEDALE	OCCUPANT	\$135.82	\$13.58
400009021	21110 RIDGEDALE	OCCUPANT	\$87.75	\$8.78
400009028	21161 RIDGEDALE	OCCUPANT	\$81.38	\$8.14
400009054	21401 RIDGEDALE	OCCUPANT	\$305.65	\$30.57
400009097	21920 RIDGEDALE	OCCUPANT	\$318.02	\$31.80
400009127	22161 RIDGEDALE	OCCUPANT	\$104.21	\$10.42
400009160	20730 WESTHAMPTON	OCCUPANT	\$244.41	\$24.44
400009193	21261 WESTHAMPTON	OCCUPANT	\$152.84	\$15.28
400009221	21461 WESTHAMPTON	OCCUPANT	\$91.13	\$9.11
400009253	21920 WESTHAMPTON	OCCUPANT	\$299.80	\$29.98
400009283	22151 WESTHAMPTON	OCCUPANT	\$121.80	\$12.18
400009286	22180 WESTHAMPTON	OCCUPANT	\$1077.53	\$107.75
400009315	23681 COYLE	OCCUPANT	\$75.76	\$7.58
400009356	21701 GARDNER	OCCUPANT	\$67.11	\$6.71

Account #	Service Address	Customer Name	DLQ AMT	10% PENALTY
400009365	21750 GARDNER	OCCUPANT	\$110.02	\$11.00
400009372	21811 GARDNER	OCCUPANT	\$123.59	\$12.36
400009379	21850 GARDNER	OCCUPANT	\$204.67	\$20.47
400009392	21931 GARDNER	OCCUPANT	\$91.13	\$9.11
400009464	23241 GARDNER	OCCUPANT	\$91.53	\$9.15
400101887	15000 NINE MILE RD	OCCUPANT	\$143.17	\$14.32
400101905	15120 NINE MILE RD	OCCUPANT	\$91.43	\$9.14
400108031	23170 CLOVERLAWN	OCCUPANT	\$936.56	\$93.66
400108071	21410 COOLIDGE	OCCUPANT	\$285.30	\$28.53
400108101	21931 COOLIDGE	OCCUPANT	\$146.18	\$14.62
400108114	22115 COOLIDGE	SHALLAL PROPERTIES	\$103.01	\$10.30
400108584	13825 NINE MILE RD	OCCUPANT	\$375.08	\$37.51
400109257	21941 WESTHAMPTON	OCCUPANT	\$299.01	\$29.90
400109336	14431 ELM	OCCUPANT	\$711.79	\$71.18
400109340	14451 ELM	OCCUPANT	\$240.90	\$24.09
400109398	22001 GARDNER	DAVID BRODSKY	\$420.91	\$42.09
400410541	20800 COOLIDGE	CALHOUN ENTERPR	\$694.16	\$69.42
500000291	22001 AVON	OCCUPANT	\$107.24	\$10.72
500000293	21680 KENOSHA	OCCUPANT	\$174.80	\$17.48
500002488	23450 BEVERLY	OCCUPANT	\$71.06	\$7.11
500002621	23135 CHURCH	OCCUPANT	\$6043.76	\$604.38
500002663	21941 BEVERLY	OCCUPANT	\$141.18	\$14.12
500002719	22185 CHURCH	OCCUPANT	\$877.86	\$87.79
500002735	22101 CHURCH	OCCUPANT	\$139.30	\$13.93
500002738	21971 CHURCH	OCCUPANT	\$130.11	\$13.01
500002751	21951 CHURCH	OCCUPANT	\$190.30	\$19.03
500002757	21681 CHURCH	OCCUPANT	\$153.33	\$15.33
500002803	21760 CHURCH	OCCUPANT	\$51.00	\$5.10
500002816	21921 HARDING	OCCUPANT	\$526.79	\$52.68
500002862	22000 CHURCH	OCCUPANT	\$132.50	\$13.25
500002872	22140 CHURCH	OCCUPANT	\$2061.93	\$206.19
500002891	22190 CHURCH	OCCUPANT	\$254.00	\$25.40
500002900	21620 SUSSEX	OCCUPANT	\$560.44	\$56.04
500002903	21630 SUSSEX	OCCUPANT	\$113.39	\$11.34
500002986	21651 SUSSEX	OCCUPANT	\$79.84	\$7.98
500003143	22121 AVON	OCCUPANT	\$71.47	\$7.15
500003329	22171 AVON	OCCUPANT	\$481.81	\$48.18
500003334	22170 AVON	OCCUPANT	\$102.41	\$10.24
500003336	22180 AVON	OCCUPANT	\$269.30	\$26.93
500003340	23120 AVON	OCCUPANT	\$220.35	\$22.04
500009299	22041 BEVERLY	OCCUPANT	\$333.11	\$33.31
500009313	23510 CHURCH	OCCUPANT	\$82.88	\$8.29
500009523	21800 KENOSHA	OCCUPANT	\$548.09	\$54.81

Account #	Service Address	Customer Name	DLQ AMT	101 PENALTY
500009583	23020 KENOSHA	OCCUPANT	\$192.40	\$19.24
500009588	23041 KENOSHA	OCCUPANT	\$60.02	\$6.00
500009590	23051 KENOSHA	OCCUPANT	\$239.12	\$23.91
500009612	23211 KENOSHA	OCCUPANT	\$63.64	\$6.36
500009619	23250 KENOSHA	OCCUPANT	\$103.83	\$10.38
500009669	21880 MARLOW	OCCUPANT	\$57.72	\$5.77
500009687	22000 MARLOW	CRAFTSMAN C U	\$173.82	\$17.38
500009704	22141 MARLOW	OCCUPANT	\$66.72	\$6.67
500009713	22190 MARLOW	LAKE PARK MGMT.	\$162.93	\$16.29
500009715	22200 MARLOW	OCCUPANT	\$77.62	\$7.76
500009717	22210 MARLOW	OCCUPANT	\$204.37	\$20.44
500009718	22211 MARLOW	OCCUPANT	\$88.36	\$8.84
500009767	23461 MARLOW	OCCUPANT	\$660.33	\$66.03
500009833	15251 PEARSON	OCCUPANT	\$258.65	\$25.87
500009835	23001 RADCLIFT	EMMA KOSTES	\$82.88	\$8.29
500009846	23060 RADCLIFT	OCCUPANT	\$161.00	\$16.10
500009867	23171 RADCLIFT	OCCUPANT	\$65.80	\$6.58
500009917	14400 ROSEMARY	OCCUPANT	\$182.59	\$18.26
500009980	21750 STRATFORD	OCCUPANT	\$274.70	\$27.47
500010004	21910 STRATFORD	OCCUPANT	\$70.26	\$7.03
500010036	22150 STRATFORD	OCCUPANT	\$74.60	\$7.46
500010047	21600 SUSSEX	OCCUPANT	\$125.58	\$12.56
500010050	21631 SUSSEX	OCCUPANT	\$61.80	\$6.18
500010056	21680 SUSSEX	OCCUPANT	\$133.76	\$13.38
500010119	23020 SUSSEX	OCCUPANT	\$52.43	\$5.24
500010125	23050 SUSSEX	OCCUPANT	\$173.75	\$17.38
500010134	23096 SUSSEX	OCCUPANT	\$83.57	\$8.36
500010167	21610 WHITMORE	OCCUPANT	\$110.06	\$11.01
500010169	21620 WHITMORE	OCCUPANT	\$116.80	\$11.68
500010173	21640 WHITMORE	OCCUPANT	\$190.22	\$19.02
500010181	21680 WHITMORE	OCCUPANT	\$168.89	\$16.89
500010188	21711 WHITMORE	OCCUPANT	\$55.04	\$5.50
500010206	21940 WHITMORE	OCCUPANT	\$127.63	\$12.76
500010240	23020 WILDWOOD	OCCUPANT	\$195.18	\$19.52
500102544	22011 BEVERLY	OCCUPANT	\$64.44	\$6.44
500102674	15230 OAKWOOD	ANNA SAMET	\$230.16	\$23.02
500210137	23110 SUSSEX	OCCUPANT	\$110.12	\$11.01
500210160	23461 SUSSEX	OCCUPANT	\$446.13	\$44.61
500210270	23410 WILDWOOD	OCCUPANT	\$135.83	\$13.58
500210280	23460 WILDWOOD	OCCUPANT	\$167.25	\$16.73
500210285	23500 WILDWOOD	OCCUPANT	\$1671.20	\$167.12
500210286	23501 WILDWOOD	OCCUPANT	\$637.62	\$63.76
600000953	25235 COOLIDGE	OCCUPANT	\$51.57	\$5.16

Account #	Service Address	Customer Name	DLQ AMT	10% PENALTY
600001221	24000 BEVERLY	OCCUPANT	\$770.41	\$77.04
600001229	24161 BEVERLY	OCCUPANT	\$88.11	\$8.81
600001392	24121 CHURCH	OCCUPANT	\$82.90	\$8.29
600001487	24030 STRATFORD	OCCUPANT	\$241.76	\$24.18
600001553	15221 LESLIE	OCCUPANT	\$414.54	\$41.45
600001562	15320 LESLIE	OCCUPANT	\$71.66	\$7.17
600001568	15300 LESLIE	OCCUPANT	\$200.54	\$20.05
600001569	15241 LESLIE	OCCUPANT	\$219.64	\$21.96
600001572	15241 KENTON	OCCUPANT	\$83.74	\$8.37
600001599	14630 OAK PARK BLVD	OCCUPANT	\$182.05	\$18.21
600001615	15400 OAK PARK BLVD	OCCUPANT	\$74.10	\$7.41
600001660	24145 RIDGEDALE	OCCUPANT	\$241.48	\$24.15
600001662	24266 RIDGEDALE	OCCUPANT	\$144.68	\$14.47
600001727	24031 WESTHAMPTON	OCCUPANT	\$147.55	\$14.76
600001732	24241 WESTHAMPTON	OCCUPANT	\$619.44	\$61.94
600001745	24280 WESTHAMPTON	OCCUPANT	\$120.89	\$12.09
600001806	24273 WESTHAMPTON	OCCUPANT	\$171.57	\$17.16
600001837	24190 KIPLING	OCCUPANT	\$394.86	\$39.49
600001948	24230 PARKLAWN	OCCUPANT	\$120.55	\$12.06
600001953	24291 PARKLAWN	OCCUPANT	\$297.14	\$29.71
600002117	15300 MARLOW	OCCUPANT	\$141.99	\$14.20
600002119	15020 MARLOW	OCCUPANT	\$195.86	\$19.59
600002171	24680 CHURCH	OCCUPANT	\$115.99	\$11.60
600002217	13710 ALLAN	OCCUPANT	\$101.33	\$10.13
600002254	24220 KENOSHA	OCCUPANT	\$63.29	\$6.33
600002334	24311 KENOSHA	OCCUPANT	\$53.55	\$5.36
600002346	14461 NORTHFIELD	OCCUPANT	\$167.50	\$16.75
600002354	24690 KIPLING	M. JONATHAN	\$146.99	\$14.70
600002401	14531 MARLOW	OCCUPANT	\$324.83	\$32.48
600002406	14541 MARLOW	OCCUPANT	\$83.02	\$8.30
600002439	15230 MARLOW	OCCUPANT	\$161.36	\$16.14
600002555	15030 BISHOP	OCCUPANT	\$227.82	\$22.78
600002600	24200 BEVERLY	OCCUPANT	\$10325.33	\$1,032.53
600002610	15440 OAK PARK BLVD	OCCUPANT	\$91.76	\$9.18
600002666	24600 CHURCH	OCCUPANT	\$57.54	\$5.75
600003419	24140 COOLIDGE	OCCUPANT	\$237.73	\$23.77
600003505	24230 CLOVERLAWN	OCCUPANT	\$131.99	\$13.20
600003507	24260 CLOVERLAWN	OCCUPANT	\$75.55	\$7.56
600003514	24311 CLOVERLAWN	OCCUPANT	\$131.51	\$13.15
600003529	24652 CLOVERLAWN	OCCUPANT	\$139.24	\$13.92
600003563	24660 GARDNER	OCCUPANT	\$422.23	\$42.22
600003568	24710 GARDNER	OCCUPANT	\$266.18	\$26.62
600003575	24251 KENOSHA	MARLISA SANFORD	\$1077.79	\$107.78



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** April 6, 2015**AGENDA #****SUBJECT:** Unpaid Special Pick- Up Invoices**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of March 16, 2015, City Council received the list of unpaid expenses incurred on private premises – Special Pick- Up , prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #645 be prepared.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #645, and establishing April 20, 2015, as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – Special Pick –Up.

**APPROVALS:**

City Manager: \_\_\_\_\_

Director: \_\_\_\_\_

Finance Director: Sp. Credit

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION 8**

**DISTRICT NO. 645**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 645** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

**BE IT RESOLVED**, that **Special Assessment Roll No. 645** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th day of April, 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

**BE IT FURTHER RESOLVED**, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



Inv. Date	Invoice #	Customer #	Inv. Amt.	Fymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
02/08/14	14-0000380	25-31-128-026	270.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	270.00	270.00
09/16/14	14-0000116	25-29-355-016	731.45	0.00	PC02 PROPERTY CLEAN UP-F 1	- 1	731.45	731.45
09/17/14	14-0000178	25-29-478-017	34.33	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	34.33	34.33
10/01/14	14-0000242	25-31-128-001	30.89	0.00	PC02 PROPERTY CLEAN UP-F 1	- 1	24.66	24.66
					PC02 PROPERTY CLEAN UP-F 2	- 2	6.23	6.23
10/01/14	14-0000243	25-29-478-017	411.90	0.00	PC02 PROPERTY CLEAN UP-F 1	- 1	328.80	328.80
					PC02 PROPERTY CLEAN UP-F 2	- 2	83.10	83.10
10/02/14	14-0000257	25-31-178-016	45.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	45.00	45.00
10/14/14	14-0000284	25-32-103-010	45.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	45.00	45.00
10/14/14	14-0000285	25-29-302-052	135.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	135.00	135.00
10/28/14	14-0000378	25-30-156-023	45.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	45.00	45.00
10/28/14	14-0000379	25-19-429-016	45.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	45.00	45.00
11/24/14	14-0002439	25-30-302-055	100.00	50.00	PC04 PROPERTY CLEAN-UP - 1	- 1	100.00	50.00
11/24/14	14-0002452	25-30-402-023	100.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	100.00	100.00
11/24/14	14-0002454	25-31-205-013	80.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	80.00	80.00
11/24/14	14-0002455	25-31-205-013	400.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	400.00	400.00
11/24/14	14-0002456	25-29-102-087	80.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	80.00	80.00
11/24/14	14-0002458	25-31-205-013	80.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	80.00	80.00
11/24/14	14-0002459	25-31-178-016	120.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	120.00	120.00
11/24/14	14-0002461	25-30-226-020	60.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	60.00	60.00
11/24/14	14-0002462	25-32-227-007	40.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	40.00	40.00
12/31/14	15-0002485	25-32-229-002	80.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	80.00	80.00
02/03/15	15-0002559	25-29-377-081	120.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	120.00	120.00
02/03/15	15-0002560	25-29-432-003	40.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	40.00	40.00
02/03/15	15-0002562	25-29-280-003	200.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	200.00	200.00
02/03/15	15-0002566	25-32-131-027	60.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	60.00	60.00
02/03/15	15-0002567	25-29-352-031	40.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	40.00	40.00
02/03/15	15-0002568	25-30-355-049	40.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	40.00	40.00
02/03/15	15-0002573	25-30-180-035	60.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	60.00	60.00
02/03/15	15-0002575	25-31-401-011	480.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	480.00	480.00
02/03/15	15-0002577	25-31-206-017	60.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	60.00	60.00
02/03/15	15-0002578	25-29-429-016	60.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	60.00	60.00
02/03/15	15-0002581	25-30-333-018	40.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	40.00	40.00
02/27/15	15-0002671	25-31-426-003	120.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	120.00	120.00
02/27/15	15-0002672	25-31-276-062	80.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	80.00	80.00
02/27/15	15-0002673	25-28-153-017	80.00	0.00	PC03 PROPERTY CLEAN-UP - 1	- 1	80.00	80.00
02/27/15	15-0002677	25-29-453-006	40.00	0.00	PC04 PROPERTY CLEAN-UP - 1	- 1	40.00	40.00
TOTALS	35 Invoices		4,413.57	50.00			0.00	0.00

10% 441.36  
4854.93

City of Oak Park  
**SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT ROLL for defraying the expense of Unpaid Special Pick Up on private premises in the City of Oak Park from various locations.

Special Assessment District #645  
**Date Confirmed** \_\_\_\_\_  
**Amount Assessed \$ 4,854.93** payable in one (1) Installments(s)

**To the Council of the City of Oak Park:**

I hereby certify and report that the foregoing is a special assessment and the assessment made by me pursuant to a resolution of the Council of said City, adopted March 16, 2015 for the purpose of paying the cost (or that part of the cost which the Council decided should be borne and paid by special assessment) for Unpaid Special Pick Up invoices on private premises that in making such assessment I have, as near as may be, according to my best judgment; conformed in all things to the direction contained in the resolution of the Council hereinbefore referred to, and the charter of the City relating to such assessment.

I, T. Edwin Norris, Clerk of the City of Oak Park, do hereby certify that the special assessment appearing on the following roll, was duly confirmed, as amended, by the City Council under the roll date of \_\_\_\_\_.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

State of Michigan )  
                                  )  
City of Oak Park )

Date \_\_\_\_\_

**To the Treasurer of the City of Oak Park, MI:**

Pursuant to a resolution passed by the City Council, you are commanded to collect from the owners of, or the parties in interest in the lots or parcels of land.

Dated: March 30, 2015



\_\_\_\_\_  
Martin D. Bush  
City Assessor

\_\_\_\_\_  
T. Edwin Norris  
City Clerk



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Snow Removal

**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of March 16, 2015, City Council received the list of unpaid expenses incurred on private premises – Snow Removal, prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #646 be prepared.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #646, and establishing April 20, 2015, as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – Snow Removal.

**APPROVALS:**

City Manager: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "L. T.", written over a horizontal line.

Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "A. Credit", written over a horizontal line.

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION 8**

**DISTRICT NO. 646**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 646** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

**BE IT RESOLVED**, that **Special Assessment Roll No. 646** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th day of April , 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

**BE IT FURTHER RESOLVED**, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
02/17/15	15-0002586	25-32-228-019	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002587	25-32-227-032	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002588	25-32-227-025	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002589	25-32-228-008	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002592	25-32-227-020	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002593	25-32-203-028	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002594	25-32-203-021	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002595	25-32-202-042	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002597	25-32-202-034	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002598	25-32-203-008	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002601	25-29-478-017	79.93	0.00	SNOW REMOVAL	1	79.93	79.93
02/17/15	15-0002602	25-28-308-002	98.79	0.00	SNOW REMOVAL	1	98.79	98.79
02/17/15	15-0002603	25-31-152-027	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002604	25-31-427-018	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002605	25-31-277-057	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002606	25-31-277-055	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002607	25-31-277-054	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002608	25-31-277-051	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002609	25-31-205-006	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002610	25-31-205-004	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002611	25-31-129-046	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002612	25-31-129-030	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002613	25-31-252-030	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002614	25-28-352-011	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002615	25-28-305-029	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002617	25-29-428-012	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002620	25-32-251-049	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002621	25-30-333-003	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002622	25-19-401-024	79.93	0.00	SNOW REMOVAL	1	79.93	79.93
02/17/15	15-0002622	25-19-427-011	77.57	0.00	SNOW REMOVAL	1	77.57	77.57
02/17/15	15-0002623	25-19-427-012	77.57	0.00	SNOW REMOVAL	1	77.57	77.57
02/17/15	15-0002626	25-30-179-008	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002627	25-32-152-001	112.94	0.00	SNOW REMOVAL	1	112.94	112.94
02/17/15	15-0002629	25-31-101-021	162.44	0.00	SNOW REMOVAL	1	162.44	162.44
02/17/15	15-0002630	25-30-404-030	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002631	25-30-403-009	70.50	0.00	SNOW REMOVAL	1	70.50	70.50
02/17/15	15-0002632	25-30-376-030	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002633	25-29-302-022	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002635	25-31-103-011	178.95	0.00	SNOW REMOVAL	1	178.95	178.95
02/17/15	15-0002636	25-30-404-027	134.15	0.00	SNOW REMOVAL	1	134.15	134.15
02/17/15	15-0002637	25-30-452-051	82.29	0.00	SNOW REMOVAL	1	82.29	82.29
02/17/15	15-0002625	25-30-208-001	77.57	0.00	SNOW REMOVAL	1	77.57	77.57
TOTALS	42 Invoices		3,418.37	0.00			0.00	0.00

10% 341.84  
3760.21

City of Oak Park  
**SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT ROLL for defraying the expense of Unpaid Snow Removal on private premises in the City of Oak Park from various locations.

Special Assessment District #646  
Date Confirmed \_\_\_\_\_  
Amount Assessed \$ 3,760.21 payable in one (1) Installments(s)

**To the Council of the City of Oak Park:**

I hereby certify and report that the foregoing is a special assessment and the assessment made by me pursuant to a resolution of the Council of said City, adopted March 16, 2015 for the purpose of paying the cost (or that part of the cost which the Council decided should be borne and paid by special assessment) for Unpaid Snow Removal invoices on private premises that in making such assessment I have, as near as may be, according to my best judgment; conformed in all things to the direction contained in the resolution of the Council hereinbefore referred to, and the charter of the City relating to such assessment.

I, T. Edwin Norris, Clerk of the City of Oak Park, do hereby certify that the special assessment appearing on the following roll, was duly confirmed, as amended, by the City Council under the roll date of \_\_\_\_\_.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

State of Michigan )

)

City of Oak Park )

Date \_\_\_\_\_

To the Treasurer of the City of Oak Park, MI:

Pursuant to a resolution passed by the City Council, you are commanded to collect from the owners of, or the parties in interest in the lots or parcels of land.

Dated: March 30, 2015



Martin D. Bush  
City Assessor

\_\_\_\_\_  
T. Edwin Norris  
City Clerk



15K

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2015

**AGENDA #**

**SUBJECT:** Miscellaneous Invoices

**DEPARTMENT:** Finance/Treasury

**SUMMARY:** At the council meeting of April 6, 2015, City Council received the list of unpaid expenses incurred on private premises – Miscellaneous Invoices , prepared by the Deputy Treasurer and concurred by the Finance Director, and directed that Special Assessment Roll #647 be prepared.

**FINANCIAL STATEMENT:**

**RECOMMENDED ACTION:** To adopt Special Assessment Resolution No. 8 (attached hereto) receiving Special Assessment Roll #647, and establishing April 20, 2015, as the date for the public hearing on the roll for unpaid charges for City Expenses incurred on private premises – Miscellaneous Invoices.

**APPROVALS:**

City Manager: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "C. R.", is written over the line for the City Manager.

Director: \_\_\_\_\_

Finance Director: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "A. Credit", is written over the line for the Finance Director.

CITY OF OAK PARK  
MICHIGAN

**SPECIAL ASSESSMENT RESOLUTION**

**DISTRICT NO. 647**

Meeting of the City Council held April 6, 2015, at 7:00 P.M.

The Assessor reported **Special Assessment Roll No. 647** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

The following Resolution was offered by  
And supported by

**BE IT RESOLVED**, that **Special Assessment Roll No. 647** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **20th day of April, 2015 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessment contained in said Special Assessment Roll.

**BE IT FURTHER RESOLVED**, that the City Clerk be and she is hereby ordered to cause notice of said review and of the filing of said Special Assessment Roll to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.



Inv. Date	Invoice #	Customer #	Inv. Amt.	Pymts/Crdts.	Bill Item Description	Line #	Item Amt.	Item Bal.
12/26/13	140000519	25-31-201-003	3,150.00	0.00	M101	1	3,150.00	3,150.00
TOTALS	1 Invoices		3,150.00	0.00	Cost Reimbursement		0.00	0.00

10% 315.00  
 3465.00



**CITY OF OAK PARK**

**AND**

**POLICE OFFICERS LABOR COUNCIL -  
COMMAND UNIT**

**Tentative Agreement**

**March 18, 2015**

**CITY OF OAK PARK  
AND  
POLICE OFFICERS LABOR COUNCIL -  
COMMAND UNIT**

**Tentative Agreement**

**March 18, 2015**

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**1. Duration:**

July 1, 2014 – June 30, 2016

**2. Healthcare:**

Language for Health Care Reform:

- A. The City will comply with all provisions of the Patient Protection and Affordable Care Act [Public Law 111-148 of the 111<sup>th</sup> Congress, 42 U.S.C. 18001]. As such, Health Insurance Plans may be subject to change in order to remain in compliance with same and avoid penalties.
- B. The City or the Union may reopen the Collective Bargaining Agreement to address Patient Protection and Affordable Care Act issues only.
- C. The parties agree that the City will remain a hard cap community under PA 152 for the duration of the contract.

**3. Wages:**

A lump sum one-time payment equal to 2% of base salary effective upon ratification.

July 1, 2015            1.5% increase in base salary

**4. Health Insurance:**

**For eligible retirees:**

For members of the bargaining unit who are eligible and meet eligibility requirements for retiree healthcare, the following will apply:

Should prescription benefits provided to active employees as defined in this Article change in this contract and future contracts, then prescription coverage provided for retirees shall also be changed to the same provided to active employees. Should prescription coverage provided to active employees cease for any reason, the insurance last covering the retirees will remain in effect.

The parties agree that if any other bargaining unit receives a better benefit on this issue through negotiations it will apply to this Unit. This excludes Act 312 awards.

5. Should individuals be promoted into this bargaining unit with different retirement benefits than provided for under this Agreement, those benefits will be continued under this Agreement unless the benefits are greater than that provided to members of this Bargaining Unit.
6. The parties have agreed on a DROP Plan subject to the following provisions:
  - A. A 3-year DROP Plan would be established;
  - B. Employee contributions to the pension system will continue at 7.5% with no additional benefit being provided;
  - C. Healthcare will be provided to eligible members based upon the provisions in the collective bargaining agreement in effect at the time they actually leave the employment of the City by leaving or the end of the DROP program. (This will include mirroring for prescriptions.);
  - D. A 2% interest rate will be paid to the employee' pension amount in the DROP;

- E. This will only apply to members of the bargaining unit as of the date of ratification and for those members who promote into the bargaining unit, thereafter, and were already eligible for a DROP Plan.
- F. (1) Members in the DROP Plan will not have any sick, vacation or personal leave time.
- (2) It will be replaced by a 180-hour annual paid time off bank, which will be payable as of April 1 in each year. For those members who enter the DROP after April 1, they will receive a pro-rata share of the 180 hours until the following April 1<sup>st</sup>.
- (3) Members who participate in the DROP may also, at their discretion, roll over up to 100 hours of time accumulated before they enter the DROP which would have been payable to them at the time of retirement, excluding any sick time, when they enter the DROP period.
- (4) On the first March 31<sup>st</sup> after their entry into the DROP, this 100 hours, or any lesser amount they rolled over, in their bank will be paid to them. It may not be carried forward.
- (5) The 180-hour bank given to a member in the DROP each year must be used in that year except that a member may roll over 40 hours to the following year at their discretion. Any remaining hours in the annual paid time off bank at the conclusion of the DROP program, or their participation in it, will not be redeemable for payment.
- (6) When a member enters the DROP, leave time shall be paid out in accordance with the DROP agreement and members will have no prior leave time except as noted in this Agreement. The provisions of the previous collective bargaining agreement pertaining to holidays, longevity, operations prep time and promotions will remain status quo and without modification.
- (7) An actuary report will be ordered by the City and the results of that actuary report must be satisfactory to both sides.
- G. The parties must agree upon the applicable contract language for the DROP and a letter of agreement regarding implementation. Should

the parties be unable to reach such an agreement, the parties agree that this tentative agreement will be null and void and will not be utilized by either side in any future negotiations.

- H. It is anticipated that the City will draft the Letter of Agreement pertaining to the DROP, and containing the applicable DROP provisions, for review by the Union as contemplated under paragraph G within 45 days after ratification of the Tentative Agreement.

CITY OF OAK PARK:

POLICE OFFICERS LABOR  
COUNCIL - COMMAND UNIT:

\_\_\_\_\_  
BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

*Samantha K. Jackson*  
BY: \_\_\_\_\_  
DATE: *March 24, 2015*

\_\_\_\_\_  
BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

*[Signature]*  
BY: \_\_\_\_\_  
DATE: *3-24-15*

*Robert King*  
*Polc.*

*[Signature]*  
*3-24-15*

**LEGAL SERVICES AGREEMENT FOR  
CITY ATTORNEY SERVICES  
CITY OF OAK PARK, MICHIGAN**

This LEGAL SERVICES AGREEMENT FOR CITY ATTORNEY SERVICES (the "Agreement") is effective the \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the law firm of GARAN LUCOW MILLER, P.C. ("GLM, P.C."), and the CITY OF OAK PARK, MICHIGAN, a municipal corporation ("City"). The term "City" shall also include all boards, commissions, financing authorities, and other bodies of City.

**1. APPOINTMENT**

City Council hereby appoints John J. Gillooly and Ebony L. Duff as the City Attorneys, and retains GLM, P.C. as its City Attorney, to render such legal services as are customarily rendered by such officials and as further specified herein, including attending meetings of the City Council, and other boards and bodies of City, as directed by the City Council.

GLM, P.C. represents it employs and will employ at its own expense, all personnel required for the satisfactory performance of any and all tasks and services set forth herein. GLM, P.C. shall not replace the designated City Attorneys (or any successors to them) without the City Council's prior approval.

**2. SCOPE OF WORK AND DUTIES**

A. GLM, P.C. shall perform any and all work necessary for the performance of City Attorney services to City, including, without limitation, the following:

(i) Attendance at City Council, and all other directed meetings, unless excused by the City Manager or his/her designee; and

(ii) Provide legal advice, written legal opinions, and consultation on all matters affecting the City to the City Council, and when directed by Council to the City Manager, boards, commissions, committees, officers, and employees of City and as requested by the City Council, the City Manager, or his/her designee, in accordance with such policies and procedures as may be established by City Council from time to time; and

(iii) Be available for personal and telephone consultation with City staff, as needed on legal matters and maintain office hours at City Hall as requested by the City Manager at times mutually agreed to by the City Manager and designated City Attorney; and

(iv) Prepare or review necessary legal documents such as: ordinances and resolutions; all agreements of any nature; all real property instruments of any nature including purchase agreements and escrows, leases, covenants, deeds, easements and licenses; public works construction documents including bid

specifications, contracts, bonds, insurance, liens and related documents; memorandums of understanding; franchise agreements; and all similar documents, all as requested by City; and

(v) Represent and advise City on pending and potential litigation as requested by City; notwithstanding the foregoing, it is expressly understood that GLM, P.C. shall not be responsible for any pending litigation matter(s) handled by attorneys previously or otherwise employed by the City until all files have been transferred to GLM, P.C. and GLM, P.C. has specifically appeared in the matter(s) as attorneys of record on behalf of City; and

(vi) Monitor pending and current legislation and case law as appropriate; and

(vii) Supervise outside legal services, if any.

B. GLM, P.C., as a full-service law firm, is prepared to, and will upon request of City, provide representation to City in all of its legal affairs, including, but not limited to, municipal law, land use, environmental, toxics, water, tort defense, personnel, labor representation, code enforcement, redevelopment, housing, cable television, finance, franchising, contracts, water, waste water, electricity, waste management, transportation, enterprise and other matters, except where conflicts exist or where the City Council may otherwise direct. The City Attorney shall represent City in all of the foregoing legal matters, and in initiating and defending all litigation unless otherwise directed by the City Council.

C. The City Attorney will keep City Council informed as to the progress and status of all pending matters in accordance with such procedures as the City may establish from time to time. The City Attorney is expected to manage, control and oversee the delivery of legal services in a competent, professional, and cost-effective manner. All legal services shall be properly supervised and all personnel shall be qualified to handle the work assigned. If outside special counsel is retained, unless otherwise directed by the City Council, such special counsel shall be supervised by the City Attorney.

### **3. COMPENSATION**

A. Compensation shall be as set forth in Exhibit A.

B. Payment of Compensation shall be as set forth in Exhibit B.

### **4. COSTS AND OTHER CHARGES**

GLM, P.C. may incur various costs and expenses in rendering the legal services required by this Agreement which, if customary and necessary for the performance of

legal services hereunder, shall be reimbursable by City. All clerical services, ordinary travel costs (e.g., from the GLM, P.C. offices to court or City Hall), and miscellaneous expenses (e.g., telephone and facsimile charges) are included within the rates set forth above, and there shall be no additional charges for such expenses. City agrees to reimburse GLM, P.C. for expenses such as experts or consultant fees, or litigation expenses such as court reporters, which shall be passed through to the City at the actual costs thereof. Reimbursable costs shall not include any overhead or administrative charge by GLM, P.C. or GLM, P.C.'s cost of equipment or supplies except as provided herein.

GLM, P.C. may determine it necessary or appropriate to use one or more outside investigators, consultants, or experts in rendering the legal services required (particularly if a matter goes into litigation). City will be responsible for paying such fees and charges. GLM, P.C. will not, however, retain the services of any outside investigators, consultants, or experts without the prior agreement of City. GLM, P.C. will select any investigators, consultants, or experts to be hired only after consultation with City.

## **5. STATEMENTS**

GLM, P.C. shall render to City a statement for fees, costs, and expenses incurred on a periodic basis (generally monthly). Such statement(s) shall indicate the basis of the fees, including the hours worked, the hourly rate(s), and a brief description of the work performed. Separate billing categories can be established to track costs associated with City funding categories or to track project costs, or such other basis as the City may direct. Reimbursable costs shall be separately itemized.

Payments shall be made by City within thirty (30) days of receipt of the statement, except for those specific items on an invoice which are contested or questioned and are returned by City with a written explanation of the question or contest, within thirty (30) days of receipt of the invoice. Payments made more than thirty (30) days after the due date shall draw interest at the legal rate.

## **6. INDEPENDENT CONTRACTOR**

GLM, P.C. shall perform all legal services required under this Agreement as an independent contractor of City, and shall remain, at all times as to City, a wholly independent contractor with only such obligations as are required under this Agreement. Neither City, nor any of its employees, shall have any control over the manner, mode, or means by which GLM, P.C., its agents, or employees, render the legal services required under this Agreement, except as otherwise set forth. City shall have no voice in the selection, discharge, supervision or control of GLM, P.C. employees, servants, representatives, or agents, or in fixing their number, compensation, or hours of service.

**7. INSURANCE**

GLM, P.C. shall procure and maintain appropriate legal malpractice insurance, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement, including any extension thereof.

**8. NOTICES**

Notices required pursuant to this Agreement shall be given by personal service upon the party to be notified, or by delivery of same into the custody of the United States Postal Service, or its lawful successor; postage prepaid and addressed as follows:

CITY:	City of Oak Park 14000 Oak Park Boulevard Oak Park, MI 48237 Attention: City Manager
ATTORNEY:	Garan Lucow Miller, P.C. 1000 Woodbridge Street Detroit, MI 48207 (313) 446-1530 (office) (313) 259-0450 (fax) Attention: John J. Gillooly, Esq.

Service of a notice by personal service shall be deemed to have been given as of the date of such personal service. Notice given by deposit with the United States Postal Service shall be deemed to have been given two (2) consecutive business days following the deposit of the same in the custody of said Postal Service. Either party hereof may, from time to time, by written notice to the other, designate a different address or person which shall be substituted for that specified above.

**9. NON-DISCRIMINATION**

In connection with the execution of this Agreement, GLM, P.C. shall not discriminate against any employee or applicant for employment because of race, religion, marital status, color, sex, handicap, sexual persuasion, or national origin. GLM, P.C. shall take affirmative action to ensure that applicants are employed, and that employees are treated fairly during their employment, without regard to their race, religion, color, sex, marital status, handicap, sexual persuasion, or national origin. Such actions shall include, but not be limited to the following: employment, promotion, demotion, transfer, duties assignment; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship.

**10. TERM, DISCHARGE AND WITHDRAWAL**

This Agreement shall commence on April 1, 2015, and shall remain in full force and effect until terminated by either party hereto. City may discharge GLM, P.C. at any time. The City Attorney shall have no right to hearing or notice, and may be discharged with or without notice. GLM, P.C. may withdraw from City's representation at any time, to the extent permitted by law, and the Rules of Professional Conduct, upon at least sixty (60) days' notice to City.

In the event of such discharge or withdrawal, City will pay GLM, P.C. professional fees and costs, in accordance with this Agreement, for all work done (and costs incurred) through the date of cessation of legal representation, including without limitation, proration of the monthly retainer amount to the date of such cessation. City agrees to execute, upon request, a stipulation in such form as to permit GLM, P.C. to withdraw as City's attorneys of record in any legal action then pending. GLM, P.C. shall deliver all documents and records of City to City, or to counsel designated by City, and assist to the fullest extent possible in the orderly transition of all pending matters to City's new counsel.

**11. CONFLICTS**

GLM, P.C. has no present or contemplated employment which is adverse to the City. GLM, P.C. agrees that it shall not represent clients in matters either litigation or non-litigation against the City. However, GLM, P.C. may have past and present clients or may have future clients, which, from time to time, may have interests adverse to City, and GLM, P.C. reserves the right to represent such clients in matters not connected with its representation to the City.

If a potential conflict of interest arises in GLM, P.C.'s representation of two clients, if such conflict is only speculative or minor, GLM, P.C. shall seek waivers from each client with regards to such representation. However, if real conflicts exist, GLM, P.C. would withdraw from representing either client in the matter, and assist them in obtaining outside special counsel.

**12. INTERPRETATION OF AGREEMENT**

This Agreement shall be construed and interpreted both as to validity and performance of the parties in accordance with the laws of the State of Michigan.

**13. INTEGRATED AGREEMENT: AMENDMENT**

This Agreement contains all of the agreements of the parties and cannot be amended or modified except by written agreement. No prior oral or written understanding shall be of any force or effect with respect to those matters covered in

this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

**14. CORPORATE AUTHORITY**

The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that in so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date of execution by the City.

Dated: \_\_\_\_\_

“CITY”  
CITY OF OAK PARK,  
a municipal corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

Dated: \_\_\_\_\_

GARAN LUCOW MILLER, P.C.

By: \_\_\_\_\_  
JOHN J. GILLOOLY

**EXHIBIT "A"**  
**BILLING RATES**

City agrees to pay GLM, P.C. an annual retainer of \$140,000 for the non-litigation legal services described in this Agreement for the City's fiscal year 2015-2016 which will be payable in installments of \$11,666.67 billed on a monthly basis. It is expressly understood that in addition to those legal services described above in Article 2 which fall within the scope of this retainer, the annual retainer is also intended to include any and all work performed in the Michigan Tax Tribunal.

Notwithstanding the annual retainer, the City will pay GLM, P.C. an hourly rate of \$135.00 per hour for all litigated matters that fall outside the scope of work and as agreed upon on a case-by-case basis between the parties.

**EXHIBIT "B"**  
**BILLING STATEMENT AND PAYMENT**

The Firm's fees on litigated matters are charged on an hourly basis for all time actually expended and are generally billed monthly with payment due within thirty (30) days after the date of the bill. The current hourly design rate for the attorneys and staff working on this matter will be set forth in the billing statement.

The Firm will incur various costs and expenses in performing legal services. These costs and expenses are separately billed to the client and include fees fixed by law or assessed by public agencies, litigation costs including deposition, reporter fees, and transcript fees, long distance telephone calls, messenger and other delivery fees, postage, photocopying (charge of twenty cents (\$.20) per page) and other reproduction costs and staff overtime when necessitated and authorized by the client, all based on the actual and reasonable cost (mileage, reproduction and other costs are periodically adjusted in accordance with the Firm's actual costs).

Travel costs including mileage (current IRS rate), parking, airfare, lodging, meals and incidentals are charged in connection with administrative or judicial proceedings, or when traveling outside of the Greater Detroit Metropolitan area. Travel time may also be charged in connection with such proceedings. In addition, the client will be responsible for paying the fees of consultants and other outside experts who are retained after consultation with the client.

It is understood that Firm will generally not charge for mileage between our office and City facilities, nor for local telephone calls or calls made to the City. In exchange, Firm shall not be charged for calls made or received at the City, whether local or long-distance, or for copying charges since copying on-site will reduce the charge to the client.

The monthly billing statements for fees and costs shall indicate the basis of the fees, including a detailed and auditable breakdown of the hours worked, the billable rates charged and description of the work performed. All bills are expected to be paid within thirty (30) days of the date of the billing statement. In the event any statement remains unpaid for more than thirty (30) days after the date of the statement, interest thereon at the rate of ten percent (10%) per annum shall be due and payable thereafter on the unpaid balance.

Registration fees for attorneys attending conferences and seminars are paid by the Firm and are never charged to the City (unless expressly requested by the City).