

Oak Park

City Council Agenda

July 20, 2015





AGENDA
REGULAR CITY COUNCIL MEETING
35th CITY COUNCIL
OAK PARK, MICHIGAN
July 20, 2015
7:00 PM

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 July 6, 2015
- B. Regular Council Meeting Minutes of July 6, 2015
- C. Request to advertise for bids for the 2015 Sewer Lining Project, M-623
- D. Resolution for an agreement to assign the City of Oak Park's wholesale customer water service contract from the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority and authorize the Mayor, City Manager, and City Clerk to sign the contract on behalf of the City upon final approval from the City Attorney's Office
- E. Payment Application No. 6 (final) to CSM Mechanical for the 2014 Water Reservoir Pumping Station Improvements, M-614 for the total amount of \$26,036.64
- F. Licenses - New and Renewals as submitted for July 20, 2015

6. RECOGNITION OF VISITING ELECTED OFFICIALS:

7. SPECIAL RECOGNITION/PRESENTATIONS: None

8. PUBLIC HEARINGS:

- A. Public Hearing and adoption of a resolution to establish an Obsolete Property Rehabilitation District for parcels 52-25-19-326-017 and 52-25-19-301-012, otherwise known as Providence Green Apartments
- B. Public Hearing and acceptance of the 2015 Byrne Memorial Justice Grant in the amount of \$12,189.00 for the purchase of computers and printers for Public Safety Administration and the Detective Bureau.

9. COMMUNICATIONS: None

10. SPECIAL LICENSES:

- A. Request for a Special Event License and waiver of the application fee as submitted by Renee Hermann, 13710 Borgman, for an annual Block Party to be held on August 8, 2015
- B. Request for a Special Event License and waiver of the application fee as submitted by Mark Phillips, 13670 Nadine, for an annual Block Party to be held on August 23, 2015
- C. Request for a Special Event License as submitted by Book Beat, 26010 Greenfield, for a special outdoor Book Sale to be held on July 31, 2015
- D. Request for a Special Event License and waiver of the application fee and City services costs as submitted by Camp Casey for a beer and wine tent to operate in conjunction with Summerfest on August 8, 2015

11. ACCOUNTING REPORTS:

- A. Approval for payment of an invoice submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$11,677.80

12. BIDS: None

13. ORDINANCES:

- A. First Reading of an Ordinance to provide for a Service Charge in Lieu of Taxes (PILOT) for a housing project known as Jefferson Oaks

14. CITY ATTORNEY:

- A. Notice of Class Action Law Suit regarding the August 2014 rain event

15. CITY MANAGER:

Administration

- A. Resolution concurring in revision of fees assessed by District Court for the District Court Retiree Health Care Fund and Building Fund
- B. 2016 TAP Grant Award for Bicycle Network Project
- C. DTE Tree Trimming Project

Community and Economic Development

- D. Resolution approving the purchase of Tax Foreclosed Properties
- E. Resolution approving the sale of Tax Foreclosed Properties

16. CALL TO THE AUDIENCE

Each speaker's remarks are a matter of public record; the speaker, alone, is responsible for his or her comments and 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 for failure to be germane to the business of the City, vulgarity, or personal attacks on persons or institutions." There is a three minute time limit per speaker.

17. CALL TO THE COUNCIL

18. 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.



5A

**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
35th OAK PARK CITY COUNCIL
July 6, 2015
6:00 P.M.**

MINUTES

This Special Meeting of the 35th 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 ProTem Levine at 6:00 P.M.

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

ABSENT: Mayor McClellan

ALSO PRESENT: City Manager Tungate, City Clerk Norris, City Attorney Duff, Assistant
City Manager Yee, Community and Economic Development Manager
Marrone

It was noted Mayor McClellan's absence does not meet the requirements to be excused.

SPECIAL BUSINESS:

(AGENDA ITEM A) Payment in Lieu of Taxes (PILOT) for Jefferson School

Community Housing Network (CHN) represented by C.J. Felton and Kirsten Elliott. Proposes a nearly \$15.8 million investment to convert Jefferson School property into Jefferson Oaks, a mixed-income development of 60 units serving low- to moderate-income households, including 21 units designated for supportive housing. Piper Management would handle on-site management and maintenance of the property and units would be inspected annually by CHN,

CHN is requesting that the city adopt an ordinance that provides payment of a service charge in lieu of taxes (PILOT). Ms. Marrone reviewed the tax incentives for the developer and projected payment amounts to the City over the 18 year plan. It was noted that the development would not be possible without the adoption of a PILOT.

City Manager Tungate and Council indicated a strong desire for Oak Park residents to occupy these units if the PILOT is approved.

(AGENDA ITEM B) Obsolete Property Rehabilitation Act (OPRA) for Providence Green Apartments

City Manager Tungate summarized the proposal and commented that the water under-billing on this property has been settled completely.

Bob Lenz, Roger Thornburg and Kevin Kovachevich presented a proposal that would invest 7.1 million dollars to rehabilitate a distressed 717 unit property known as Providence Green Apartments.

The 30 month project would require the establishment of an Obsolete Property Rehabilitation District in order for the developers to apply for specific tax incentives. Ms. Marrone reviewed the projected tax implications and the advantages of having a rehabilitated property.

Mr. Tungate requested increasing the contingency amount in the proposal from \$500,000 to \$800,000 and the developers did not object.

Ms. Marrone reminded Council that a request for a Public Hearing regarding the establishment of the district is on the regular meeting agenda and the application by the developer would be considered at a later meeting.

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

ADJOURNMENT:

The Special Meeting Adjourned at 6:55 P.M.

T. Edwin Norris, City Clerk

Paul Levine, Mayor ProTem



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
35th OAK PARK CITY COUNCIL
July 6, 2015
7:00 PM**

MINUTES

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

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

ABSENT: Mayor McClellan

OTHERS

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

APPROVAL OF AGENDA:

CM-07-253-15 (AGENDA ITEM #4) ADOPTION OF THE AGENDA – APPROVED

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve the agenda as submitted.

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-07-254-15 (AGENDA ITEM #5A-G) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of June 15, 2015 **CM-07-255-15**
- B. Emergency Services Council meeting Minutes of May 11, 2015 **CM-07-256-15**
- C. Request to advertise for bids for the 2015 Block Pruning Project, M-636 **CM-07-257-15**
- D. Request to authorize the Public Works Department to participate in pre-bid contracts for the purchase of five budgeted Public Works vehicles **CM-07-258-15**
- E. Request approval of Proposed Change Order No. 2 to Mattioli Cement Company, LLC. for the 2015 Miscellaneous Concrete Repair Project, M-603 in the amount of (\$17,352.14) and Payment Application No. 2 to the same in the total amount of \$192,572.88 **CM-07-259-15**
- F. Request approval for payment of invoices from Orchard, Hiltz & McCliment for Water Reservoir Pumping Station Improvements and Traffic Signal Design in the total amount of \$16,529.50 **CM-07-260-15**
- G. Licenses - New and Renewals as submitted for July 6, 2015 **CM-07-261-15**

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Motion by Burns, seconded by Seligson, CARRIED UNANIMOUSLY, to award the bid for the 2015 Construction Projects, M-606, M-608 and M-609 to PSI, Inc in the total amount of \$20,910.00.

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

MOTION DECLARED ADOPTED

Technical and Planning Director Barrett summarized the proposals for material testing services for the 2015 Construction Projects, M-606, M-608 and M-609. The low proposal, submitted by Professional Services Industries, Inc. (PSI), is for a total amount of \$20,910.00. He indicated that funding for these projects is available in the Road Bond Construction Fund and the Water and Sewer Fund.

ORDINANCES:

CM-07-264-15 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC LIQUORS, ARTICLE I, IN GENERAL; ARTICLE II, MINORS AT OPEN HOUSE PARTIES; AND ARTICLE III, REGULATION OF ON-THE-PREMISES CONSUMPTION OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Burns, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve the Second Reading and adopt the following Ordinance to amend Chapter 6, Alcoholic Liquors, Article I, In General; Article II, Minors at Open House Parties; and Article III, Regulation of On-The-Premises Consumption, of the Code of Ordinances of the City of Oak Park, Michigan:

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

ORDINANCE NO. O-15-615

AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC LIQUORS, ARTICLE I, IN GENERAL; ARTICLE II, MINORS AT OPEN HOUSE PARTIES; AND ARTICLE III, REGULATION OF ON-THE-PREMISES CONSUMPTION OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Chapter 6, Alcoholic Liquors, Article I, In General; Article II, Minors at Open House Parties; and Article III, Regulation of On-The-Premises Consumption, of the Code of Ordinances of the City of Oak Park is hereby amended as follows:

Chapter 6 - ALCOHOLIC LIQUORS

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 436.1105 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, 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.

(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, or a class C liquor license approved in accordance with sections 6-51 to 6-68:

- (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 Code, 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, for consumption in the city without first obtaining a license, 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 director of public safety, or his designee, may approve the issuance by the state liquor control commission of a special license for the sale of alcoholic liquor by the glass under the following circumstances:

A special license will be approved only for a recognized nonprofit organization, exempt from federal taxation under 26 USC Section 501(c)(3).

A completed application, on the state liquor control commission form, for a special one- day license, shall be submitted to the director of public safety for their review at least five working days prior to filing with the state liquor control commission.

A special license will be approved for one day only.

No event will be approved to occur in any city building, or on city property, or outdoors.

A special license will be approved only for an event at which food will be served.

A special license does not permit the sale or advertisement for sale of an unlimited quantity of alcohol beverages at a specific price.

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.

A fee for review of applications shall be charged in an amount to be set by the city council from time to time.

The city 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 short term 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 class C liquor licenses ("class C licenses") and related permits, to provide for the enforcement of liquor laws, regulations and ordinances, and to manage the number of class C 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, as required by the statutes of the State of Michigan and the City of Oak Park Code of Ordinances.
- (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 1/2 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 shall cause an investigation to be made relative to each existing license for sales of alcoholic liquor on the premises in the city. 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:

- (a) Who is so intoxicated as not to be in control of all his faculties;
- (b) 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.

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.

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 2. SEVERABILITY. No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 3. EFFECTIVE DATE. This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 6th day of July, 2015.

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

MOTION DECLARED ADOPTED

City Attorney Duff reported that this is the second reading of an ordinance that incorporates changes that were voted on by the Electorate in May. These amendments reflect language changes from Tavern License to Class C. She indicated that additional changes to the ordinance may be proposed at a later date following a public study session.

CM-07-265-15

(AGENDA ITEM #13B) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND ARTICLE II, DEFINITIONS; ARTICLE VII, B-1 NEIGHBORHOOD BUSINESS DISTRICTS; ARTICLE XII, PCD PLANNED CORRIDOR DEVELOPMENT DISTRICTS; ARTICLE XVII, GENERAL PROVISIONS; AND ARTICLE XIX, SPECIAL LAND USES, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Speech, Seconded by Burns, CARRIED UNANIMOUSLY, to approve the Second Reading and adopt the following Ordinance to amend Article II, Definitions; Article VII, B-1 Neighborhood Business Districts; Article XII, PCD Planned Corridor Development Districts; Article XVII, General Provisions; and Article XIX, Special Land Uses, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. O-15-616

AN ORDINANCE TO AMEND ARTICLE II, DEFINITIONS; ARTICLE VII, B-1 NEIGHBORHOOD BUSINESS DISTRICTS; ARTICLE XII, PCD PLANNED CORRIDOR DEVELOPMENT DISTRICTS; ARTICLE XVII, GENERAL PROVISIONS; AND ARTICLE XIX, SPECIAL LAND USES, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION I. Article II, Definitions, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Sec. 204. – Definitions N through S, with the following:

Sec. 204. - Definitions N through S.

Nonconforming building (nonconforming structure). A building or structure (or portion thereof) lawfully existing at the time of adoption of this ordinance or a subsequent amendment thereto, that does not conform to the provisions of this ordinance.

Nonconforming lot. Means a lot which exists as a legal lot of record and which existed as a legal lot of record at the effective date of adoption or amendment of this ordinance, which does not conform to the lot requirements of this ordinance.

Nonconforming sign. A sign existing at the effective date of the adoption of this ordinance which does not adhere to the provisions contained in this ordinance.

Nonconforming use. A use of a building or structure or of a parcel, or tract of land, lawfully existing at the time of adoption of the ordinance or a subsequent amendment thereto, that does not conform to the regulations of this ordinance for the zoning district in which it is situated.

Nonconforming use and building. A use and a building lawfully existing at the time of adoption of this ordinance or a subsequent amendment thereto which does not conform to the regulations of this ordinance for the zoning district in which it is situated.

Nuisance. An offensive, annoying, unpleasant or obnoxious thing or practice, a cause or source of annoyance, especially a continuing or repeating invasion of any physical characteristics of activity or use across a property line which can be perceived by or affects a human being, or the generation of an excessive or concentrated movement of people or things, such as but not limited to: (a) noise, (b) dust, (c) smoke, (d) odor, (e) glare, (f) fumes, (g) flashes, (h) vibration, (i) shock waves, (j) heat, (k) electronic or atomic radiation, (l) objectionable effluent, (m) noise of congregation of people, particularly at night, (n) passenger traffic, and (o) invasion of non-abutting street frontage.

Nursery, plant materials. A space, building or structure, or combination thereof, for the storage of live trees, shrubs, or plants offered for sale on the premises including products used for gardening or landscaping. The definition of nursery within the meaning of this ordinance does not include any space, building or structure used for the sale of fruits, vegetables or Christmas trees.

Nursery school (day care center). See "Group child care facilities."

Nursing home. See definition of "Convalescent or rest home."

Occupied. Used in any way at the time in question.

Off-street parking lot. A facility other than for single- or two-family dwellings providing vehicular parking spaces along with adequate drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of more than three vehicles.

Outdoor dining. An area not enclosed in a building and which is intended as an accessory area to a restaurant which provides food and/or drink to customers for consumption on the premises. The outdoor dining area shall be subject to the same restrictions as an indoor dining area including state regulations regarding smoking.

Owner. The person or persons, firm, entity, or corporation having legal or equitable title to a lot or parcel of land, or their leases or agents.

Park. A public or private park for outdoor recreation, such as a playground, sports playing field, picnic area, day camp of a church group or other quasipublic organization, or similar use, which does not include overnight camping facilities or outdoor lighting for use of the park property after dark.

Parking space. An area of definite length and width, exclusive of drives, aisles or entrances giving access thereto, fully accessible for the parking of permitted vehicles.

Pawnbroker. Any person, corporation or member, or members of a copartnership or firm, or other entity which loans money on deposit or pledge of personal property, or other valuable thing, other than securities or printed evidence of indebtedness, or which deals in the purchasing of personal property or other valuable thing on condition of selling the same back at a stipulated price.

Pawnshop. Any shop, store, building or other location at which a pawnbroker conducts business.

Planning commission. The planning commission of the City of Oak Park.

Porch, open. A covered entrance to a building or structure which is unenclosed except for columns supporting the porch roof, and projects out from the main wall of said building or structure and has a separate roof or an integral roof with the principal building or structure to which it is attached.

Portable structure. A trailer or similar type of structure designed and used for hauling and/or storing inventory, merchandise or equipment, and not designed to be a permanent structure.

Primary caregiver. A person who is at least 21 years old, who has agreed to assist with a patient's medical use of marihuana and who has been issued and possesses a registry identification card from the State of Michigan under the Michigan Medical Marihuana Act of 2008.

Principal use. The primary use to which the premises are devoted and the primary purpose for which the premises exist.

Projections. Part of a structure that is exempt, wholly or in part, from the setback requirements of the zoning ordinance.

Public utility. A person, firm or corporation, municipal department, board or commission duly authorized to furnish and furnishing under Federal, State or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telegraph, transportation, or water.

Recreational vehicles and camping equipment. This term includes any of the following:

1. Boats and boat trailers, which shall include floats and rafts, plus the normal equipment used to transport the same on the highway.
2. Folding tent trailer, which is a folding structure mounted on wheels and designed for travel and vacation use.
3. Motorized home, which is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.
4. Pickup camper, which is a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.
5. Travel trailer, which is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, and either licensed as a trailer or permanently identified travel trailer by the manufacturer, or a movable or portable dwelling, constructed to be towed on its own chassis and connected to utilities and designed without a permanent foundation for year-round living.
6. Utility trailer, which is a vehicle licensed as a trailer used to transport motorcycles, snowmobiles, go-carts or stock cars or equipment.
7. Any other vehicle which is not licensed for road use which is primarily intended for off-road pleasure activities.

Restaurant, sit-down. An establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms, and outdoor cafes.

Restaurant, carry-out. An establishment that offers quick food service, which is accomplished through a limited menu of items, already prepared and held for service, or prepared, fried, or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers. These facilities may or may not have a drive-thru pick-up window.

Restaurant, drive-in. A business establishment serving food and/or beverages that is so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons who will consume the food and/or beverages in the motor vehicles while on the premises of the drive-in establishment.

Restaurant, serving alcoholic liquor. An establishment that serves food and is licensed by the Michigan Liquor Control Commission for the sale of on-premises consumption. Such establishment shall be subject to the requirements of section 1930.

Right-of-way line. The dividing line between the public street (including adjacent publicly owned land) and a lot.

Rubbish. Means the miscellaneous waste materials resulting from housekeeping, mercantile enterprise, trades, manufacturing and offices, including other waste matter such as slag, stone, broken concrete, fly ash, ashes, tin cans, glass, scrap metal, rubber, paper, rags, chemicals, or any similar or related combination thereof.

Setback. The distance required to obtain front, side or rear yard open space provisions of this Ordinance.

Setback line, required. A line marking the setback distance from the street right of way or lot lines, which establishes the minimum required front, side or rear open space of a lot.

Signs. The term "sign" shall mean 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, and shall include, but not be limited to, all of the following:

- (a) **Accessory sign:** A sign, the language of which is incidental to the use of the principal building on the premises.
- (b) **Advertising sign (non-accessory sign):** A sign relating to a business activity, use or service not performed on the premises or to a product not fabricated, produced, handled or sold on the same premises upon which the sign is displayed.
- (c) **Awning:** A roof-like cover, typically constructed of canvas, vinyl or similar fabric stretched over a framework, and that projects 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.
- (e) **Billboard sign:** An advertising sign upon which a display is pasted, painted or otherwise affixed in a manner which is readily changed.
- (f) **Blade sign:** A sign which is oriented perpendicular to the building façade and which is suspended under a bracket, armature, or other mounting device.
- (g) **Decorative banner or flag:** A banner or flag containing no words, symbol, log, emblem or trademark naming, describing, or otherwise related to any business located or conducted on the premises.
- (h) **Directional sign:** Indicating ingress and egress for parking lots, may also bear the name of the operator of the lot and enterprise it is intended to serve.
- (i) **Directory sign:** A wall-mounted sign, subordinate to a building identification sign, stating only the name and suite number of each tenant.
- (j) **Display window:** Shall include any window area designated to permit customers outside the building to view merchandise inside a store or that displays store merchandise in a specially designed area immediately inside the window glass, whether or not the rest of the store interior is visible.
- (k) **Freestanding 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. Freestanding signs may include monument, pylon, and pole type signs.
- (l) **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.
- (m) **Icon sign:** A pedestrian-oriented sign that advertises a particular good or service by means of a symbol associated with that good or service, i.e., a mortar and pestle to represent a pharmacy or by a similar simple message.
- (n) **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.
- (o) **Institutional sign:** A structure containing a surface area upon which is displayed the name of a religious institution, school, library, community center, or similar institution, and the announcement of its services or activities.
- (p) **Ladder board sign:** shall mean a sign for a multitenant development with separate panels for each individual tenant. A ladder board sign shall also include a sign for a single tenant space that lists goods, services, and the like on a series of separate panels which may or may not be changeable.
- (q) **Marquee:** Canopy or other covered roof-like structure projecting from and supported in whole or in part by a building and extending beyond the building wall or building line. That part of the roof

- extending beyond the parapet or exterior, or columns of a flat-roofed building, if less than 20 feet above grade.
- (r) Marquee or canopy sign: An identification sign attached to, or inscribed on, fully supported by or made an integral part of the marquee.
 - (s) Multi-tenant building: Shall mean any office, retail, or industrial building with two or more separate tenant spaces.
 - (t) Parasite sign: A sign fastened to or hanging from an approved sign or the sign structure, or the attachment of any sign to a building or appurtenance other than a wall sign or an icon sign.
 - (u) Portable sign: A freestanding sign or sign board not permanently anchored or secured to either a building, structure or the ground, such as, but not limited to, so-called "A" frame, "T" shaped or inverted "T" shaped stands, also any sign attached to a trailer or other vehicle not accessory to the vehicle or its use but used with the express intent of advertising.
 - (v) Real estate sign: A business sign placed upon a property advertising that particular property for sale, rent or lease.
 - (w) Replacement sign: Shall mean the lawful replacement of a sign panel within an existing sign or sign structure that does not increase sign area or otherwise modify the size of the sign.
 - (x) 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.
 - (y) Sign area: Area of a sign shall be determined by multiplying the height, including ornamental features, times the length, including ornamental features, and for a circle the area shall be determined from the outer circumference. For a sign which consists of individual cut-out letters attached directly to a building or structure, the area shall be calculated by multiplying the height times the length of a rectangle that would fully enclose all the letters of the sign. For a sign which consists of parallel panels facing in opposite directions, the area of the largest of the panels shall be used in calculating the area of the sign. Any sign with panels facing in opposite directions that are not parallel shall be cause for both faces to be calculated as sign area.
 - (z) Temporary signs: Any sign or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, wood, metal, or other material intended to be displayed for a period of 30 days or less.
 - (aa) Temporary and permanent banners: Shall refer to any plastic film, paper, cloth or similar material and its associated message area that is designed to be tied, or otherwise fastened to a building or other structure so as to constitute a sign.
 - (bb) Temporary political sign: A sign relating to the election of a person to public office, to a political party, or a matter to be voted upon at any election called by a governmental body, intended for temporary display.
 - (cc) Temporary window sign: Shall mean any paper, poster board, plastic film, cloth or similar material and its associated message area that is designed to be placed on or behind a display window for 14 days or less and visible from outside a business building.
 - (dd) Wall sign: Any sign attached to or painted on or erected against a wall or parapet wall of a building or structure with the exposed face of the sign in a plane approximately parallel to the plane of such wall and projecting outward from the wall not more than 12 inches.

Self-storage warehouse. A structure containing separate, individual, and private storage spaces of varying sizes, leased or rented on individual leases for varying periods of time.

Site condominium subdivision. A division of land on the basis of condominium ownership, which is not subject to the provisions of the Land Division Act (P.A. 288 of 1967), as amended, and is subject to the requirements of the Condominium Act (Act 59 of 1978), as amended.

Site plan. A plan showing all salient features of a proposed development, so that it may be evaluated in order to determine whether it meets the provisions of this ordinance.

Soil removal. Means the removal of any kind of soil or earth matter which includes topsoil, sand, gravel, clay or similar materials or any combination thereof, except common household gardening and general farm care.

Special land uses. Certain uses which may be necessary or desirable to allow in certain locations in certain districts, which due to actual or potential impact on neighboring uses or public facilities, there is a need to specifically regulate them with respect to their design and location for the protection of the community. These uses, due to their peculiar locational need or the nature of the service offered, may have to be established in a district in which they cannot be reasonably allowed as a permitted use.

State licensed residential facility. A structure constructed for residential purposes that is licensed by the state pursuant to Act No. 218 of the Public Acts of 1979, as amended, or Act No. 116 of the Public Acts of 1973, as amended, which provides resident services or care for six or fewer persons under 24-hour supervision for persons in need of that supervision or care, as provided for in Act No. 207 of the Public Acts of 1921, as amended. This section does not apply to adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions. A proposed residential facility shall not be located within a 1,500 foot radius of another state licensed residential facility.

Story. That part of a building, except a mezzanine or basement, as defined herein, included between the surface on one floor and the surface of the next floor above it, or any portion of a building between the topmost floor and the roof having a usable floor area equal to at least 50 percent of the usable floor area of the floor immediately below it.

Story, half. An uppermost story lying under a sloping roof having an area of at least 200 square feet with a clear height of seven feet, six inches. For the purposes of this ordinance, the usable floor area is only that area having at least four feet clear height between floor and ceiling.

Street. A public thoroughfare which affords the principal means of access to abutting property.

Structure. Any constructed or erected material, the use of which requires locations on the ground or attachment to something having location on the ground, including but not limited to buildings, towers, sheds, and signs, but excepting walks, drives, pavements, fences, and similar access or circulation facilities.

(Ord. No. O-05-517, § 1, 11-7-05; Ord. No. O-10-570, § 2, 4-19-10; Ord. No. O-13-597, § 3, 7-15-13; Ord. No. O-14-603, § 1, 6-2-14; Ord. No. O-15-611, §§ 2, 3, 4-20-15)

SECTION 2. Article VII, B-1 Neighborhood Business Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Sec. 702. – Special land uses, with the following:

Sec. 702. – Special land uses.

The following uses may be permitted by the city council upon submission of a site plan and such additional information as may be necessary to document the scope and intensity of the proposed use. Said uses may be permitted upon a finding by the city council that the use will comply with any specific requirements contained herein, and that the proposed location of the use will be desirable to the public convenience or welfare and in harmony with the various elements and objectives of the master plan of the City of Oak Park, as from time to time amended:

- A. Vehicle convenience stations, subject to the provisions specified in section 1902.
- B. Vehicle service centers, subject to provisions of section 1903.
- C. More than four mechanical amusement devices, as an accessory use to a permitted use, upon the following conditions:

Floor space required. Each mechanical amusement device shall be provided machine and operating space of at least 50 square feet, and each device shall have one foot of clear space on each side and to the rear, and five feet of clear space in front for the operator. The total floor space required for devices, including operating space, shall not exceed eight percent of the useable floor area of the establishment. In addition, total minimum useable floor areas shall be required as follows:

4,000 sq. ft. to 6,000 sq. ft., not permitted more than five devices.

6,000 sq. ft. to 8,000 sq. ft., not permitted more than six devices.

8,000 sq. ft. to 9,500 sq. ft., not permitted more than eight devices.

Over 9,500 sq. ft., not permitted more than ten devices.

- D. Local utility structures, subject to the provisions in section 1918.
- E. An establishment holding an SDD (specially designated distributor) or SDM (specially designated merchant) license from the Michigan Liquor Control Commission, subject to the provisions of section 1929.
- F. Restaurants serving **alcoholic liquor**, subject to the provisions specified in section 1930.

SECTION 3. Article XII, PCD Planned Corridor Development Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Sec.1202. – Special land uses, with the following:

Sec. 1202. - Special land uses.

The following uses may be permitted by the city council upon submission of a site plan and such additional information as may be necessary to document the scope and intensity of the proposed use. Said uses may be permitted upon a finding by the city council that the use will comply with any specific requirements contained herein, and that the proposed location of the use will be desirable to the public convenience or welfare and in harmony with the various elements and objectives of the master plan of the City of Oak Park, as from time to time amended:

- A. Local utility structures and wireless communications towers, subject to the provisions in section 1918.
- B. Establishments holding an SDD (specially designated distributor) or SDM (specially designated merchant) license from the Michigan Liquor Control Commission, subject to the provisions of section 1929.
- C. Restaurants serving **alcoholic liquor**, subject to the provisions specified in section 1930.

SECTION 4. Article XVII, General Provisions, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Sec.1709. – Outdoor dining, with the following:

Sec. 1709. - Outdoor dining.

Outdoor dining areas are permitted as an accessory use for restaurants subject to the following:

- A. *Approval process.*
 - 1. Outdoor dining areas proposed as part of a new restaurant use, an addition to an existing restaurant, a restaurant that serves **alcoholic liquor** or a dining area on a public sidewalk or right-of-way, shall require site plan review and approval by the planning commission and city council as outlined in section 1725.

2. Outdoor dining areas proposed to be added to an existing restaurant with no other building or significant site modifications, shall submit a site development plan to the department of community and economic development for review and administrative approval.
 - a. The following information is required on the site development plan:
 - i) A completed application.
 - ii) A detailed plan showing the design, relevant details and location of all permanent and temporary structures such as decks, awnings, planters, landscaping, railings, tables, chairs, table, umbrellas, electrical outlets or appliances, hydrants, all ingress and egress, lighting and other equipment. The site development plan shall be submitted on a sheet no smaller than 11 inches x 17 inches at a scale showing detail sufficient for proper review.
 - iii) The applicant's entire property and adjacent properties on a location map with streets for a distance of at least 25 feet.

B. General standards.

1. Outdoor dining shall only be permitted between March 1 and November 30 with all furniture and fixtures including, but not limited to, tables, chairs and waste receptacles removed from the exterior premises after November 30.
2. The hours of operation for the outside dining area shall be consistent with the hours of operation inside the restaurant.
3. For plans showing more than 20 occupants within the outdoor dining area, additional off-street parking shall be provided as required in subsection 1726.G(39) Restaurants - Sit down.
4. Tables, chairs, umbrellas and any other objects provided with outdoor dining areas shall be of good quality and of a durable material such as wood or metal. The design, materials and workmanship of these items should ensure the safety and convenience of the users and enhance the visual and aesthetic quality of the outdoor area.
5. No table umbrella or other outdoor fixture in the outdoor dining area shall contain any sign or advertising matter.
6. Lighting for the outdoor dining area shall be shielded downward and away from adjacent properties and installed so that the surface of light shall not be visible from adjacent properties or to passing traffic.
7. The restaurant shall clean the entire outdoor dining area and all other adjacent landscaped and sidewalk areas by removing debris, trash, sweeping and washing down the area each day. The cleaning shall be conducted as frequently each day as necessary to prevent debris and trash from being blown or scattered onto other properties. A thorough sweeping and cleaning shall be conducted at the close of business each day.
8. Outdoor dining areas shall be enclosed in instances where there is alcoholic liquors service. Enclosures shall consist of metal railing, wood railing, brick walls or other suitable materials approved by the planning commission, city council or administratively, as applicable.
9. No food preparation, preparation equipment or bars shall be permitted in the outside dining area, including heating or cooking on open flames.

C. Additional requirements for outdoor dining areas located on a public sidewalk.

1. Outdoor dining areas, on a public sidewalk, shall be located in a manner to maintain a minimum pathway width of five feet (clear of structures such as light poles, trees and hydrants) so as not to interfere with pedestrian traffic moving around the outdoor dining area.
2. Outside dining areas located on a public sidewalk or within any public right-of-way requires approval by the corresponding jurisdiction (City of Oak Park, MDOT, Road Commission of Oakland County). A license agreement in a form deemed acceptable to the city attorney's office shall also be required.

3. Any restaurant approved to operate an outdoor dining area on a public sidewalk shall pay to the city treasurer a license fee in the amount established by resolution of the city council.
4. Outdoor dining areas located on a public sidewalk are required to provide a policy or certificate of insurance, in an amount acceptable to the city, including workers compensation, naming the city as additionally insured. Establishments serving alcoholic liquors shall provide a liquor liability policy or certificate of insurance naming the city as additionally insured. A company authorized to do business in the state shall issue such insurance. Required insurance amounts shall be set by resolution of city council. The policy or certificate shall contain a clause requiring the insuring company to give 15 days' written notice to the city manager prior to cancelling the policy. The required insurance certificate shall be in effect for any period during which the outdoor dining area is in operation. No establishment shall operate an outdoor dining area on a public sidewalk without filing proof of proper insurance. Failure to provide a current insurance certificate shall be cause for immediate discontinuation of use of sidewalk for an outdoor dining area.
5. The owner of the restaurant with the outdoor dining area on a public sidewalk assumes full responsibility for damage to public property caused by the placement and operation of the outside dining area. The restaurant will also repair any damage to public property at their own expense.

(Ord. No. O-14-603, § 7, 6-2-14)

SECTION 5. Article XIX, Special Land Uses, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Sec. 1930 with the following:

Sec. 1930. - Restaurants serving alcoholic liquor.

Restaurants serving alcoholic liquor may be permitted in certain districts specified in this section, if the establishment is continually operated according to the following requirements and performance standards:

- A. 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.
- B. 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.
- C. 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 considered in this determination.
- D. During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of alcoholic liquor for purposes of determining the percentage of sales of alcoholic liquor. Sales of food or alcoholic liquor to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of alcoholic liquor.
- E. Restaurants, serving alcoholic liquor are required to stop serving alcoholic beverages no later than 12:00 a.m. (midnight), and otherwise operate consistent with the hours established by the Liquor Control Commission for such establishments.
- F. The proposed restaurant serving alcoholic liquor is not located within 500 feet of a school, park, or place of worship, regardless of community boundaries. Measurement of distances between restaurants, serving alcoholic liquor and a school, park, or place of worship shall be from the outermost boundaries of the parcel or lot of each use.

- G. The layout of the site of the proposed restaurant, serving alcoholic liquor and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed restaurant, serving alcoholic liquor and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.
- H. The proposed restaurant serving alcoholic liquor will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.
- I. The proposed restaurant serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.
- J. The proposed restaurant serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.
- K. The proposed restaurant serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.

(Ord. No. O-13-597, § 1, 7-15-13)

SECTION 6. SEVERABILITY. No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective ten (10) days from the date of its passage or upon 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 6th day of July, 2015.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY REPORT: None

City Manager Tungate recognized City Attorney Ebony Duff who was named as one of the top six attorneys in metro Detroit according to D Business Magazine.

CITY MANAGER:

Water Department

- A. **Update on water under-billings outstanding from Providence Green and Crown Point.** Mr. Tungate reported that both Providence Green and Crown Point have made final payments and the water under-billing issue is fully resolved. He thanked City Attorney Duff and Water Supervisor Lukasik for their work in resolving the issue.

Finance Department

CM-07-266-15 (AGENDA ITEM #15B) CONTRACT EXTENSION WITH REHMANN ROBSON TO PERFORM THE CITY'S FINANCIAL AUDIT FOR THE FISCAL YEARS ENDING JUNE 30, 2015 THROUGH JUNE 30, 2017 - APPROVED

Motion by Seligson, seconded by Burns, CARRIED UNANIMOUSLY, to approve a Contract Extension with Rehmann Robson to perform the City's financial audit for the fiscal years ending June 30, 2015 through June 30, 2017

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

MOTION DECLARED ADOPTED

Mr. Tungate confirmed that Rehmann Robson is our current auditor and the extension, if approved, would run through June 30, 2017. Council Member Seligson suggested that the city consider changing auditors after the expiration of this extension as a matter of good practice.

Community and Economic Development

CM-07-267-15 (AGENDA ITEM #15C) SETTING A PUBLIC HEARING FOR JULY 20, 2015 TO ESTABLISH AN OBSOLETE PROPERTY REHABILITATION DISTRICT FOR PARCELS 52-25-19-326-017 AND 52-25-19-301-012, OTHERWISE KNOWN AS PROVIDENCE GREEN APARTMENTS - APPROVED

Motion by Speech, Seconded by Burns, CARRIED UNANIMOUSLY, to set a public hearing for July 20, 2015 to establish an Obsolete Property Rehabilitation District for parcels 52-25-19-326-017 and 52-25-19-301-012, otherwise known as Providence Green Apartments.

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

MOTION DECLARED ADOPTED

Community and Economic Development Manager Marrone reported that a private investor is proposing to invest approximately 7.1 million dollars in the Providence Green Apartment complex, parcels 52-25-19-326-017 and 52-25-19-301-012. The proposal requires the establishment of an Obsolete Property Rehabilitation District to allow the prospective investor to then seek an exemption from the payment of some property taxes.

CM-07-268-15 (AGENDA ITEM #15D) ENTERING INTO A CONTRACT WITH GLOBAL REALTY TO ACQUIRE TAX-FORECLOSED PROPERTIES IN THE CITY OF OAK PARK AND TO ALLOW THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY - APPROVED

Motion by Burns, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve entering into the following contract with Global Realty to acquire tax-foreclosed properties in the City of Oak Park and to allow the City Manager to sign on behalf of the City:

PURCHASE AGREEMENT

MLS#

LISTING BROKER	SELLING BROKER
LISTING AGENT	SELLING AGENT
AGENT ID #	AGENT ID #
OFFICE ID	
PHONE	PHONE

1. PROPERTY DESCRIPTION: The undersigned Buyer hereby offers and agrees to purchase property located in Michigan.

City/ of OAK PARK County of OAKLAND Tax ID# _____

Legal description

Also commonly known as SEE ADDENDUM "OAK PARK TAX SALE 2015" Zip 48237

Street address

Property described above shall include all available sub surface and mineral rights, all fixtures, improvements and appurtenances now in or on the property, including all built-in appliances/equipment, shelving, cabinets, all lighting fixtures, ceiling fans, attached carpeting, all window treatments and hardware, attached mirrors, telephone network, television antennae, satellite dishes (if owned) and complete rotor equipment, storm doors, storm windows, screens, awnings, garage door openers and transmitters, water softeners and security systems (if owned), mailboxes, fences, fireplace inserts, doors, screens, gas logs, grates, gas attachments and equipment, attached humidifiers, all landscaping, fuel in tanks, central vacuum and attachments, and AS-IS

Seller shall provide a bill of sale for all included personal property at closing. Exclusions specified in listing contract that are NOT specifically excluded herein shall be included in this sale. Excluded items: AS-IS

2. PRICE: Purchaser agrees to pay the sum of _____ Dollars (\$ _____) in consideration for which Seller will provide a QUIT CLAIM deed subject to existing building and use restrictions and easements and rights of way of record.

3. METHOD OF PAYMENT: All money must be paid in U.S. funds by certified, cashiers or a licensed title company check acceptable to closing agent. Sale shall be completed by the following method: (Mark only the box that applies.)

- A. CASH SALE. DELIVERY OF THE QUIT CLAIM DEED CONVEYING MARKETABLE TITLE AND PAYMENT OF THE PURCHASE PRICE.**
- B. CASH SALE WITH NEW MORTGAGE.** Agreement contingent upon Purchaser securing a _____ mortgage, not contingent upon sale or closing of other assets, in the amount of \$ _____ and paying \$ _____ down plus mortgage costs, prepaid items, adjustments and flood insurance if required by lender. Purchaser agrees to apply for such mortgage within _____ calendar days from final acceptance of this Agreement at their own expense. If a mortgage commitment conditioned only upon marketable title and satisfactory survey (if required) is not delivered to Listing Broker within _____ calendar days from date of Agreement, Listing Broker shall be notified immediately and Seller may declare Agreement void. Purchaser further agrees that in connection with said application to lender, they will promptly comply with lender's request for true and accurate information required to process loan application. In the event the Purchaser(s) mortgage application is denied as evidenced by a written denial letter from Purchaser(s) lender, this offer shall be declared null and void, and all earnest monies shall be returned to the Purchaser(s) without penalty.
- C. SALE TO EXISTING FINANCING, LAND CONTRACT OR PURCHASE MONEY MORTGAGE.** (See appropriate finance addendum attached and made a part hereof.)

4. EARNEST MONEY: Purchaser is tendering with offer \$100,000.00 in the form of a check. All monies shall be deposited by Broker/escrow agent in accordance with rules and regulation of the State of Michigan and applied to purchase price at closing. Earnest monies shall be disbursed ONLY in accordance with either: (a) the terms hereof; (b) a fully executed mutual release; or (c) upon order of appropriate authority. If offer made is not accepted by Seller, earnest monies shall be returned to Purchaser without the written consent of the Seller.

5. ACKNOWLEDGEMENT OF EARNEST MONEY DEPOSIT: Received by: VISIONARY TITLE AGENCY _____
Company Name

Agent

Signature

6. **CLOSING:** Subject to all conditions herein, closing shall take place on or before DATE TO BE DETERMINED BY CITY at the Listing Office or otherwise mutually agreed location. Date

POSSESSION: PURCHASER RECOGNIZES THAT SOME PROPERTIES MAY BE OCCUPIED AND PURCHASER IS SOLELY RESPONSIBLE FOR THE CONTINUED OCCUPANCY/RELOCATION/EVICTION OF ANY OCCUPANTS. Page 1 of 4 _____

8. **AVAILABILITY OF HOME PROTECTION PLANS:** Buyer and Seller acknowledge having been advised of the availability of home protection plans.
9. **SEWER AND WATER CHARGES:**
10. **TITLE EVIDENCE AND SURVEY:** TITLE INSURANCE HAS BEEN RECOMMENDED BY THE REAL ESTATE BROKER(S).
11. **TITLE OBJECTIONS:** If objection to title is made, based upon written notice that title is not in marketable condition required for performance hereunder, Seller shall have 30 calendar days from date notified in writing of particular defects claimed, to either: (a.) remedy title; or (b.) obtain title insurance satisfactory to Buyer. Buyer agrees to complete sale within 10 calendar days of written notification or by date specified if later. If Seller is unable or unwilling to remedy title within time specified, Buyer will waive requirement in writing within 10 calendar days of written notification thereof, or Agreement may become null and void at Buyer's option.
12. **PROPERTY TAXES:** BUYER TO PAY 2015 SUMMER TAXES, INCLUDING ANY SPECIAL ASSESSMENTS AND RELATED CHARGES.
13. **ASSESSMENTS:** Seller shall discharge in full all public authority charges confirmed by said municipality or taxing unit(s) (special assessments, water, sewer, paving charges, etc.) which are currently due and payable. Buyer is responsible for other assessments including, but not limited to, capital and lateral charges (assessed, but value not yet determined) which are confirmed and become due and payable after closing.
14. **CONDOMINIUM/HOMEOWNERS ASSOCIATION ASSESSMENTS:** Current dues shall be prorated to date of closing. Any delinquent condominium/homeowner association dues/assessments/liens shall be paid by Seller at closing. Any and all dues/assessments/liens confirmed and becoming due and payable after closing will be paid by Buyer. (See Condominium Addendum made a part hereof if applicable)
15. **MAINTENANCE OF PROPERTY:** Seller is responsible to keep property in substantially the same condition as of date of Agreement. Seller is responsible to maintain grounds and keep all systems in working order until property is vacated and keys are surrendered by Seller except for conditions disclosed in Seller's Disclosure Statement or conditions discovered by Buyer as part of inspections. In the event property has been winterized, it shall be the obligation and expense of Seller to de-winterize property prior to closing. Seller agrees to leave property broom-clean and free of debris and personal property. **WITHIN 7 DAYS OF CLOSING, BUYER WILL SECURE THE PROPERTY AND BEGIN MAINTENANCE.**
16. **RISK OF LOSS:** If loss or damage to property occurs before closing for any reason (including, but not limited to, fire, vandalism or acts of God) risk of loss shall be on Seller. If property is destroyed or substantially damaged before closing, at Buyer's option, this Agreement may become null and void, or Buyer may accept property and take assignment of insurance proceeds as available.
17. **DISCLAIMER OF BROKER(S):** Broker(s) and Salesperson(s) specifically disclaim responsibility for condition of property and/or for performance of Agreement by the parties. Parties acknowledge that they are not relying on any representation or warranties that may have been made other than those in writing.
18. **FINAL WALK-THROUGH PRIOR TO CLOSING:** Buyer reserves right to walk through property within 48 hours prior to closing to determine whether terms of Agreement have been met.
19. **ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between Buyer and Seller. No agreement shall be binding except those in writing and signed by all parties involved. Prior negotiations and verbal agreements will not be binding.
20. **SUCCESSORS AND ASSIGNS:** This Agreement shall bind executors, administrators, successors and assigns of the parties.

- 21. FACSIMILE/ELECTRONIC AUTHORITY:** Parties agree that this offer, any counteroffer or acceptance, may be delivered by use of facsimile/electronic authority with signatures, and that initials and modifications shall be deemed valid and binding upon the parties as if original signatures.
- 22. TIME IS OF THE ESSENCE:** Buyer and Seller understand that no extensions of time limits contained herein are expected or agreed to unless specified in writing and signed by both Buyer and Seller. Time is of the essence.

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

MOTION DECLARED ADOPTED

Ms. Marrone summarized the proposal that provides for a partnership for one year with Global Realty to manage foreclosed property in the City.

CALL TO THE AUDIENCE:

Cheryl Weiss, 24101 Norwood, expressed appreciation for a wonderful Independence Day Parade and concerns that there were not enough give away items for all the children.

Amy Figot, 20831 Ridgedale, commended the parade planners and indicated the need to have enough give away items for all the children.

Eboni James, 24051 Rensselaer, asked about having a "Children at Play" sign or a Yield or Stop sign installed on her street.

Dawn Corporan, 14530 Pearson, expressed concerns about barrier cones that have been on the street in front of 14260 Pearson for five years.

Allan Figot, 20831 Ridgedale, identified a traffic problem at 8 Mile and Coolidge whereby motorists avoiding a back-up at the traffic light use Ridgedale. He is seeking a traffic study to look at the issue.

CALL TO THE COUNCIL:

Council Member Speech thanked everyone for attending the Independence Day Parade and reminded residents to be safe during the summer months by keeping their lights on and windows and doors locked.

Council Member Burns commended the Independence Day Parade Committee and reminded everyone to please take care of their pets during the hot weather.

Council Member Seligson thanked the Public Safety Officers and congratulated City Attorney Duff. He wished everyone a good night.

Mayor ProTem Levine thanked everyone for their participation in the Independence Day Celebration and indicated they hope to have many more flags to give away at next year's parade. He thanked those involved in the planning of the celebration including the many volunteers.

CLOSED SESSION:

CM-07-269-15 (AGENDA ITEM #18) MOTION TO ADJOURN INTO CLOSED SESSION TO DISCUSS ATTORNEY CLIENT PRIVILEGED COMMUNICATION, PENDING LITIGATION, COLLECTIVE BARGAINING AGREEMENTS AND/OR CONTRACT NEGOTIATIONS - APPROVED

Motion by Burns, Seconded by Speech, CARRIED UNANIMOUSLY, to adjourn into Closed Session to discuss Attorney Client Privileged Communication, Pending Litigation, Collective Bargaining Agreements and/or Contract Negotiations.

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

MOTION DECLARED ADOPTED

The Closed Session began at 8:04 PM. The Regular Meeting reconvened at 8:50 PM.

ADDITIONAL BUSINESS:

CM-07-270-15 (AGENDA ITEM #19A) CLOSED SESSION MINUTES - APPROVED

Motion by Burns, seconded by Seligson, CARRIED UNANIMOUSLY, to approve the minutes of the 07-06-15 Closed Session.

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

MOTION DECLARED ADOPTED

CM-07-271-15 (AGENDA ITEM #19B) RETENTION OF SPECIAL COUNSEL, SULLIVAN, WARD, ASHER & PATTON, P.C. AS OUTLINED IN AN AGREEMENT LETTER DATED JUNE 24, 2015 TO ASSIST IN THE PREPARATION OF A DEFERRED RETIREMENT OPTION PLAN (DROP) - APPROVED

Motion by Burns, Seconded by Seligson, CARRIED UNANIMOUSLY, to retain Special Counsel, Sullivan, Ward, Asher & Patton, P.C. as outlined in an agreement letter dated June 24, 2015 to assist in the preparation of a Deferred Retirement Option Plan (DROP).

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

MOTION DECLARED ADOPTED

CM-07-272-15 (AGENDA ITEM #19C) TENTATIVE AGREEMENT BETWEEN THE CITY OF OAK PARK AND THE POLICE OFFICER'S ASSOCIATION OF MICHIGAN - PUBLIC SAFETY OFFICERS - APPROVED

Motion by Burns, Seconded by Seligson, CARRIED UNANIMOUSLY, to approve the following Tentative Agreement dated April 8, 2015 between the City of Oak Park and the Police Officer's Association of Michigan – Public Safety Officers:

CITY OF OAK PARK
AND
POLICE OFFICERS ASSOCIATION OF MICHIGAN
Public Safety Officers
TENTATIVE AGREEMENT

April 8, 2015

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 111th 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. 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.
 - (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 1st.
 - (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 31st 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, 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.
- F. 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.
- G. 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.

6. Article – Pensions

Section 29.9 – Eliminate the purchase of municipal time for employees hired on or after April 1, 2015.

7. Voluntary Physical Fitness Program –

The parties will continue to discuss.

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

MOTION DECLARED ADOPTED

CM-07-273-15 (AGENDA ITEM #19D) EMPLOYER'S COUNTER PACKAGE PROPOSAL BETWEEN THE CITY OF OAK PARK AND THE POLICE OFFICER'S ASSOCIATION OF MICHIGAN - DISPATCHERS - APPROVED

Motion by Burns, Seconded by Speech, CARRIED UNANIMOUSLY, to approve the following Employer's Counter Package Proposal dated June 26, 2015 between the City of Oak Park and the Police Officer's Association of Michigan - Dispatchers:

CITY OF OAK PARK
AND
POLICE OFFICER'S ASSOCIATION OF MICHIGAN -
Dispatchers
Employer's Counter Package Proposal
June 26, 2015

1. Duration: 2 years.
July 1, 2014 - June 30, 2016
2. Wages -
A 2% of base wage lump sum one-time payment will be made after ratification. This payment will not be included or change annual base wages.
July 1, 2015 1.5% increase

3. Health Insurance -

For eligible retirees:

For members of the bargaining unit who are eligible and meet eligibility requirements for retiree healthcare and retire on or after July 1, 2014, the following will apply:

Effective for retirees after July 1, 2014:

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 through negotiations it will apply to this Unit. This excludes Act 312 awards.

4. Pension -
Section 4 - Delete purchase of Municipal Time.

5. 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 1116 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.
The parties agree that the City will remain a hard cap community under PA 152 for the duration of the contract.
6. Update pension and healthcare Articles to reflect the employees who still remain in the bargaining unit.
7. Union proposal regarding show up time.
8. The parties will continue to discuss the pay and classification structure of this position.

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor Pro Tem Levine adjourned the meeting at 8:53 P.M.

T. Edwin Norris, City Clerk

Paul Levine, Mayor Pro Tem



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2015 **AGENDA #**

SUBJECT: Request authorization to bid the 2015 Sewer Lining Project, M-623.

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

SUMMARY: Plans and specifications are nearly complete for the 2015 Sewer Lining Project, M-623. This project will perform sewer lining for various sections of sewer found to need repairs from our television inspection program. The attached map shows the areas.

FINANCIAL STATEMENT: There is \$300,000 budgeted in the 2015-16 Water & Sewer budget for this expenditure.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for the 2015 Sewer Lining Project, M-623 be approved. Funding is available in the 2015-16 Water and Sewer Fund No. 592-18-550-930.

APPROVALS:
City Manager: *[Signature]*

Department Director: *[Signature]*

Finance Director: _____

EXHIBITS: map



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2015 **AGENDA #**

SUBJECT: Authorize agreement to assign the City of Oak Park's wholesale customer water service contract between the City of Detroit Water and Sewerage Department and the Great Lakes Water Authority.

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

SUMMARY: The City of Detroit Water and Sewerage Department has reached an agreement to lease their assets to the Great Lakes Water Authority. Attached is resolution to approve an agreement to assign the City of Oak Park's wholesale customer water service contract from the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority. This will not change the terms of the contract, but will rather amend the contract to cite the change to the newly formed Authority.

RECOMMENDED ACTION: It is recommended that City Council approve this resolution for an agreement to assign the City of Oak Park's wholesale customer water service contract from the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority and authorize the Mayor, City Manager, and City Clerk to sign the contract on behalf of the City upon final approval from the City Attorney's Office.

APPROVALS:

City Manager: *[Signature]*

Department Director: *[Signature]*

Finance Director: _____

EXHIBITS: Resolution

Agreement to Assign Wholesale Customer Water Service Contract

This Agreement to Assign Wholesale Customer Water Service Contract ("Agreement") is entered into by and between the City of Detroit Water and Sewerage Department, a Michigan municipal corporation ("Detroit"), and the Great Lakes Water Authority, a Michigan municipal authority and public body corporate created pursuant to Act 233 of 1955 ("GLWA"), and the City of Oak Park, a Michigan municipal corporation ("Customer") (collectively, the "Parties"), and states as follows:

Recitals

A. Detroit and Customer entered into a water service contract dated March 17, 2009, as subsequently amended ("Contract"), which is fully incorporated by reference; and

B. On June 12, 2015, Detroit and the GLWA entered into a lease agreement whereby the GLWA was conveyed, amongst other items, a leasehold interest in all Detroit water facilities ("Water Lease Agreement"); and

C. Pursuant to Sections 4.1(a)(i), 4.1(d) and 4.4 of the Water Lease Agreement, Detroit has assigned and the GLWA has assumed all of Detroit's rights, duties, liabilities, responsibilities and obligations (collectively, "Rights and Obligations") under the Contract without any impairment to the Contract; and

D. Article III of the Water Lease Agreement provides that the effective date of the Water Lease Agreement is dependent upon the satisfaction of certain conditions precedent, including obtaining the consent of Customer to the assignment of its Contract to the GLWA as provided in Section 3.2(j); and

E. The Parties intend to achieve a novation of the Contract by the substitution of the GLWA for Detroit with respect to all rights and Obligations under the Contract; and

Accordingly, in consideration for Detroit's agreement to assign its Rights and Obligations under the Contract, and the GLWA's agreement to assume those Rights and Obligations, and the Customer's agreement to accept this substitution, the Parties agree as follows:

1. The GLWA shall be assigned Detroit's Rights and Obligations under the Contract as of the date upon which the conditions precedent to the Water Lease Agreement have been met, which date shall be the effective date of the novation and of this Agreement ("Effective Date"). All terms and conditions of this Agreement shall take effect only upon the Effective Date. In the event that the conditions precedent necessary to effectuate the Water Lease Agreement are not met, then this Agreement shall become null and void and shall have no legal effect.

2. The Rights and Obligations of Detroit under the Contract shall be extinguished and Detroit waives any claims and rights against the Customer that it now has or may have in the future in connection with the Contract and shall not be permitted to bring any such claims against Customer. Any claim brought in violation of this Agreement shall be controlled by the terms of the Water Lease Agreement.

3. The GLWA shall be bound by and perform the Contract in accordance with the terms and conditions of the Contract. The GLWA assumes all Rights and Obligations of, and all claims against, Detroit under the Contract as if the GLWA were the original party to the Contract. The GLWA ratifies all previous actions taken by Detroit with respect to the Contract, with the same force and effect as if the action had been taken by the GLWA.

4. The Customer recognizes the GLWA as Detroit's successor in interest in and to the Contract and that the GLWA is entitled to all rights, titles and interests of Detroit in and to the Contract as if the GLWA were the original party to the Contract.

5. All terms, conditions, and covenants of the Contract shall remain in full force and effect, and the GLWA shall fulfill all such terms, conditions and covenants.

6. This Agreement and all actions arising under it shall be governed by the law of the State of Michigan.

7. This Agreement may be executed and delivered in counterparts, including by facsimile transmission, each of which will be deemed an original.

In Witness Whereof, the Parties, by their duly authorized officers and representatives, indicate their concurrence with the terms and conditions of this Agreement:

City of Detroit, Water and Sewerage Department:

By: _____
Sue F. McCormick
Its: Director

Great Lakes Water Authority:

APPROVED BY GLWA
BOARD OF DIRECTORS ON:

By: _____
Sue F. McCormick
Its: Interim Chief Executive Officer

Date

City of Oak Park:

By: _____
Marian McClellan
Its: Mayor

By: _____
Erik Tungate
Its: City Manager

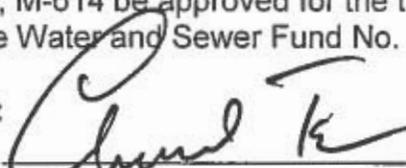
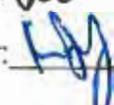
By: _____
Ed Norris
Its: City Clerk

APPROVED BY
OAK PARK CITY COUNCIL ON:

Date

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** May 18, 2015**AGENDA #****SUBJECT:** Payment Application no. 6 (final) for the 2014 Water Reservoir Pumping Station Improvements, M-614.**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY***SUMMARY:** Attached is Payment Application no. 6 (final) for the 2014 Water Reservoir Pumping Station Improvements, M-614. This project replaced two pumps and several valves at the City's reservoir pump station. The project is now 100% complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$212,840.00
	Change Orders no. 1 & 2:	<u>\$ 34,476.43</u>
	Current Contract Amount:	\$247,316.43
	Total Completed to Date:	\$247,316.43
	Less Retainage:	\$ 0.00
	Net Earned:	\$247,316.43
	Payments to Date:	<u>\$221,279.79</u>
	Amount Due CSM Mechanical:	\$ 26,036.64

RECOMMENDED ACTION: It is recommended that Payment Application no. 6 (final) to CSM Mechanical for the 2014 Water Reservoir Pumping Station Improvements, M-614 be approved for the total amount of \$26,036.64. 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: Payment Application no. 6 (final)

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 Fortura
From Contractor: CSM Mechanical, LLC
 7400 Hickory Valley Drive
 Fenton, Michigan 48430

Project: Reservoir Pumping Station and Reservoir Fill Control Vault Improvements
Architect: OHM Advisors
Application No.: Six (6)
Period To: 05.30.15
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 \$34,476.43
3. Contract Sum To Date (line 1 +2) \$247,316.43
4. Total Completed and Stored To Date (Column G on G703) \$247,316.43
5. Retainage:
 - a. 10% of Completed Work \$0.00
 (Column D+E on G703)
 - b. 10% of Stored Material \$0.00
 (Column F on G703)
6. Total Earned Less Retainage \$247,316.43
 (Line 4 less Line 5 Total)
7. Less Previous Certificates For Payment (Line 6 From Prior Certificate) \$221,279.79
8. Current Payment Due \$26,036.64
9. Balance To Finish, Including Retainage (Line 3 Less Line 6) \$0.00

Change Order Summary	Additions	Deductions
Total Changes Approved In Previous months By Owner	\$34,476.43	\$0.00
Total Approved This Month	\$0.00	\$0.00
Totals	\$34,476.43	\$0.00
NET Changes By Change Order	\$34,476.43	\$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: *[Signature]* Date: 5/31/15
 State of Michigan
 County of: Livingston

Subscribed and sworn to before me this 31st day of May, 2015
 Notary Public: *[Signature]*
 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 Architects 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: \$26,036.64

(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 Advisors
By: *[Signature]* Date: 6/15/2015

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: *[Signature]* Date: 6/15/15

AA 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: **SIN (6)**
 APPLICATION DATE: **26-May-15**
 PERIOD FROM: **5-May-15**
 PERIOD TO: **30-May-15**
 ARCHITECT'S PROJECT NO: **0037-13-0021**

A ITEM No.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F Stored Materials (not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H BALANCE TO FINISH C - G	I RETAINAGE	
			Previous Applications	This Application Work in Place					
1	General Conditions	\$4,510.00	\$4,510.00	\$0.00		\$4,510.00	100.00%	\$0.00	\$451.00
2	Permitting, Submittals & O & M manuals	\$3,675.00	\$3,675.00	\$0.00		\$3,675.00	100.00%	\$0.00	\$367.50
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	\$8,300.00	\$0.00		\$8,300.00	100.00%	\$0.00	\$830.00
5	Process Pump Removal and Replacements	\$67,945.00	\$67,945.00	\$0.00		\$67,945.00	100.00%	\$0.00	\$6,794.50
6	Process Valve Procurements & Installation	\$45,990.00	\$45,990.00	\$0.00		\$45,990.00	100.00%	\$0.00	\$4,599.00
7	Electrical scope of work	\$89,800.00	\$89,800.00	\$0.00		\$89,800.00	100.00%	\$0.00	\$8,980.00
8	Project clean-up	\$3,630.00	\$3,630.00	\$0.00		\$3,630.00	100.00%	\$0.00	\$363.00
9	Check, test and start-up procedures	\$2,900.00	\$2,900.00	\$750.00		\$2,900.00	100.00%	\$0.00	\$290.00
10	Project warranty and demobilization	\$2,720.00	\$2,020.00	\$700.00		\$2,720.00	100.00%	\$0.00	\$272.00
BULL 1 Control Vault modifications		\$18,234.43	\$18,234.43	\$0.00		\$18,234.43	100.00%	\$0.00	\$1,823.44
CO 2 Extend pump suction & new wiring		\$16,242.00	\$16,242.00	\$0.00		\$16,242.00	100.00%	\$0.00	\$1,624.20
TOTALS		\$247,316.43	\$245,866.43	\$1,450.00	\$0.00	\$247,316.43	100.00%	\$0.00	\$24,731.64

MERCHANT'S LICENSES – JULY 20, 2015

(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>
FROGS & FLOWERS	21700 GREENFIELD 449	150.00
GRACE CENTERS OF HOPE THRIFT STORE	23119 COOLIDGE	150.00
<u>RENEWALS –</u>		
DOLLFACE STUDIO	21700 GREENFIELD 430	\$225.00
<u>SIDEWALK SALES</u> for 7/31/15		
Lee Beauty Supply	26118 Greenfield	10.00
Payless Shoes	26142 Greenfield	10.00
Foursisters Fashion	26068 Greenfield	10.00
Sneaker Villa	26196 Greenfield	10.00
Metro PCS	26102 Greenfield	10.00
Bread Basket	26052 Greenfield	10.00
Dollar Castle	26186 Greenfield	10.00
Mookies	26076 Greenfield	10.00
Bling Bling	26122 Greenfield	10.00



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2015

AGENDA #

SUBJECT: Adoption of Obsolete Property Rehabilitation Act (OPRA) Resolution**DEPARTMENT:** Community & Economic Development

SUMMARY: The Community & Economic Development Department recommends to city council to open the public hearing to discuss the establishment of an Obsolete Property Rehabilitation District for the Providence Green Apartment complex parcels 52-25-19-326-017 and 52-25-19-301-012. The purpose of establishing the district is to encourage redevelopment of the blighted buildings. The incentive, if granted, would essentially freeze the local property taxes for a period of up to 12 years, exempting from local property tax all real property improvements. Establishing the district will allow Oak Park to target these parcels as areas for redevelopment. Creating the district is the first step in the process. An application will then need to apply for the incentive which will also need city council approval.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: City Council pass a resolution to establish an Obsolete Property Rehabilitation District for parcels 52-25-19-326-017 and 52-25-19-301-012 otherwise known as Providence Green Apartments.

APPROVALS:

City Manager:

Director:

Finance Director: _____

EXHIBITS: Resolution, copy of public notice

**RESOLUTION TO ESTABLISH AN OBSOLETE PROPERTY
REHABILITATION DISTRICT**

Minutes of a regular meeting of the city council of the city of Oak Park, held on Monday July 20, at city council chambers in Oak Park at 7 p.m..

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

**Resolution (resolution number) Establishing an Obsolete Property Rehabilitation
(OPRA) District for the City of Oak Park**

WHEREAS, pursuant to PA 146 of 2000, the city of Oak Park has the authority to establish "Obsolete Property Rehabilitation Districts" within the City of Oak Park; and

WHEREAS, the city of Oak Park has filed a written request with the clerk of the city of Oak Park requesting the establishment of the Obsolete Property Rehabilitation District for an area in the vicinity of 15205-15243 Northgate and 25430-25840 Lincoln Terrace located in the city of Oak Park hereinafter described; and

WHEREAS, the city council of the city of Oak Park determined that the district meets the requirements set forth in section 3(1) of PA 146 of 2000; and

WHEREAS, written notice has been given by mail to all owners of real property located within the proposed district and to the public by newspaper advertisement in the (newspaper name) and/or by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on July 20, 2015, a public hearing was held and all residents and taxpayers of the city of Oak Park were afforded an opportunity to be heard thereon; and

WHEREAS, the city council deems it to be in the public interest of the city of Oak Park to establish the Obsolete Property Rehabilitation District as proposed.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Oak Park that the following described parcel(s) of land situated in the city of Oak Park, Oakland County, and State of Michigan, to wit:

Parcel 52-25-19-301-012

T1N, R11E, SEC 19 PART OF SW 1/4 BEG AT PT DIST S 626 FT FROM W 1/4 COR, TH S 89-35-47 E 1282.76 FT, TH S 00-51-25 W 702.21 FT, TH N 89-22-35 W 1272.30 FT, TH N 697.32 FT ALG W SEC LI TO BEG 20.52 A 5-9-05 FR S 25-19-301-008 ANNEX

Parcel 52-25-19-326-017

T1N, R11E, SEC 19 PART OF SW 1/4 BEG AT PT DIST W 882.83 FT & S 00-27-00 W 423.00 FT FROM CEN OF SEC, TH S 00-27-00 W 904.62 FT, TH S 89-55-00 W 410.30 FT, TH N 00-27-00 E 1328.22 FT, TH E 205.04 FT, TH S 00-27-00 W 423.00 FT, TH E 205.26 FT TO BEG EXC N 43 FT TAKEN FOR LINCOLN AVE 10.31 A FR S 25-19-326-001 ANNEX

be and here is established as an Obsolete Property Rehabilitation District pursuant to the provisions of PA 146 of 2000 to be known as Oak Park Obsolete Property Rehabilitation District No. 1.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the city council of the city of Oak Park, County of Oakland, Michigan at a regular meeting held on July 20, 2015.

Clerk

**CITY OF OAK PARK, MICHIGAN
NOTICE OF PUBLIC HEARING
ON THE ESTABLISHMENT OF AN
OBSOLETE PROPERTY REHABILITATION DISTRICT**

NOTICE IS HEREBY GIVEN that the Oak Park City Council will hold a Public Hearing on Monday, July 20, 2015 at 7:00 P.M. or as soon thereafter as the hearing may be commenced, at the Oak Park City Hall, 14000 Oak Park Blvd., Oak Park, MI 48237. The purpose of the Public Hearing is to receive public comment regarding the establishment of an Obsolete Property Rehabilitation District at Property Identification Nos.: 52-25-19-326-017 and 52-25-19-301-012 commonly known as the Providence Green Apartment Complex (the complete legal description(s) of the real property are available for public inspection at Oak Park City Hall).

PLEASE TAKE FURTHER NOTICE that in the event an Obsolete Property Rehabilitation District is established by the Oak Park City Council at or following the public hearing, a rehabilitated facility (but not the land on which the rehabilitated facility is located, or personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14) for which an Obsolete Property Rehabilitation Certificate is approved is exempt from ad valorem property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157 so long as the Certificate is in force.

All owners of real property within the proposed District, all residents, taxpayers and the general public are invited to attend the Public Hearing to have an opportunity to be heard and provide input regarding the establishment of the Obsolete Property Rehabilitation District. Please note that all aspects on the establishment of the District are open for discussion at the public hearing. In advance of the meeting, written comments may be addressed to the City of Oak Park, Attention: City Clerk, 14000 Oak Park Blvd., Oak Park, MI 48237.

The City of Oak Park will comply with the spirit and intent of the Americans 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.

T. Edwin Norris
City Clerk



CITY OF OAK PARK

Steve Cooper, Director
Department of Public Safety

Paul Levine
Council Members
Michael M. Seligson
Keisha Speech
Carolyn Burns
City Manager
Erik Tungate

AGENDA OF: July 20, 2015

AGENDA #

SUBJECT: Public Hearing and approval to purchase (11) Dell Computers and (3) HP Printers for the Public Safety Department utilizing the funding from the Edward Byrne Justice Assistance Grant (JAG) in the amount of \$12,189.00 (no matching funds).

DEPARTMENT: Public Safety

SUMMARY: The Department of Public Safety is requesting to purchase (11) Dell Computers and (3) HP Printers. The current computers throughout the Public Safety Department are obsolete and can no longer be updated or supported. The current computers are more susceptible to viruses and are not compatible with the City's new BS&A data base system.

FINANCIAL STATEMENT: The total cost for (11) Dell Computers will be \$10,345.50 (\$940.50 each). The total cost of (3) HP Printers will be \$2,601.00 (\$867.00 each). The grand total will be \$12,946.50. The net balance owed after applying the grant funding will be \$757.50.

RECOMMENDED ACTION Mayor and Council to authorize the acceptance of the Edward Byrne Justice Assistance Grant and utilize the funding to purchase (11) Dell Computers and (3) HP Printers.

APPROVALS:

City Manager

Director:

Finance Director

EXHIBITS:

2015 Jag Grant Budget and Budget Narrative

2015 JAG Grant Budget and Budget Narrative:

Budget Narrative

Funding from the 2015 JAG grant will be used by the Oak Park Department of Public Safety to purchase computers and printers. The goal is to upgrade our equipment because our current computers are no longer able to be updated and they are not supported. The computers are more susceptible to viruses since they are not able to be supported and they are not compatible with the new database system that we have upgraded to.

- 1) The Department proposes to purchase Eleven (11) Dell Optiplex computers at a cost of \$940.50 per computer. The total cost of the purchase would be \$10,345.50.
- 2) The Department proposes to purchase Three (3) HP P3015N printers at a cost of \$867.00 per printer. The total cost of the printers would be \$2,601.00.

Budget Detail Worksheet

<i>Quantity</i>	<i>Description</i>	<i>Unit Cost</i>	<i>Total Cost</i>
11	Dell Optiplex Computer	\$940.50	\$10,345.50
3	HP P3015N Printer	\$867.00	\$2,601.00
		Total Balance	\$12,946.50
		2015 JAG Allocation	\$12,189.00
		Balance to be paid by the Oak Park Public Safety 2015-2016 Budget	\$757.50

**CITY OF OAK PARK, MICHIGAN
NOTICE OF PUBLIC HEARING
ON INTENDED USE OF 2015 EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT**

NOTICE IS HEREBY GIVEN that the Oak Park City Council will hold a Public Hearing on Monday, July 20, 2015 at 7:00 P.M. or as soon thereafter as the hearing may be commenced, at the Oak Park City Hall, 14000 Oak Park Blvd., Oak Park, MI 48237. The purpose of the Public Hearing is to receive public comment regarding the award from the Bureau of Justice Assistance, Fiscal Year 2015 Byrne Memorial Justice Assistance Grant Program. If awarded, this grant of \$12,189.00 would be used to purchase computers for Public Safety Administration and the Detective Bureau.

The public is invited to attend the Public Hearing and provide input regarding the areas of proposed expenditure of the Grant funds. In advance of the meeting, written comments may be addressed to the City of Oak Park, Attention: City Clerk, 14000 Oak Park Blvd., Oak Park, MI 48237.

The City of Oak Park will comply with the spirit and intent of the Americans 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.

T. Edwin Norris
City Clerk

Published: DT-7/8/15

**CITY OF OAK PARK
MICHIGAN
APPLICATION FOR SPECIAL EVENT LICENSE**

Today's Date: 6/14/15

Applicant Information

Applicant/Business Name: Renee Hermann

Applicant/Business Address: 13710 Bergman Oak Park, MI 48237

Phone number: 248-930-3946

E-Mail Address: renee-hermann@msn.com

Relation of applicant to business: personal home

Has applicant ever been convicted of a felony? Yes No

Owner Information

Owner or manager of site: Renee Hermann

Phone: 248-930-3946

Names and addresses of partners or officers of corporation: N/A

Event Information

Proposed date(s) of event: Block Party Aug. 8TH

Has this event been held previously? Yes No

Address or location of event: Bergman St. - between Coolidge + Kipling

Is this a City owned park? No

If this event is to take place in a City owned park, have you received and do you agree to abide by the City's Parks and Recreation rules and regulations? Yes No

Nature, purpose, and detailed description of event: Block Party - to get to know our neighbors - create a sense of community and have a safe environment where we live

Will the event be open to the public? Yes No

If yes, please describe how so: It is meant for our block only!

Estimated number of people attending event? off and on 50-100 people

Hours of Event: 5⁰⁰ pm - 12⁰⁰ am

or whatever is city regulations.

Are you requesting to have a parade? Yes No **If yes, please attach a map of the parade route**

Where will the parade participants be walking? Sidewalks Streets **Block Party**

Will the parade require streets to be blocked off? Yes No

If yes, how many streets/intersections will need to be blocked: **2 Coolidge + Kipling**

Please attach a sign off from the residences located on the affected streets, indicating that they are aware of the event to take place, the date, times and location.

Food Services

Will food or beverages be sold at event? Yes No, if yes please list type(s) of food to be sold:

Food will be served - NOT sold!

Will the food be prepackaged or prepared on site: **both-everyone-is bringing a dish and we will be BBQ ~~also~~ also**

Please note: If your application is approved and you plan to prepare food on site, you will need to contact the Oakland County Health Department at 248-424-7000 for inspection. You will also need to provide temporary water services at the site where the food is prepared.

Mechanical Amusement

Will there be any mechanical rides at event? Yes No, if yes, please provide the name and the address of amusement operators: _____

Will the event have a moonwalk? Yes No, if yes, please provide the name and address of Company/Entity providing moonwalk: _____

Will the event have video games, etc.? If so, please provide the names and address of company providing the Games: **N/A**

Please Note: You must provide proof of insurance for all mechanical rides, moonwalks, circus rides/games, etc. The City of Oak Park must be listed on the insurance certificate as "additionally insured." A copy of the City Ordinance with required liability insurance coverage for these events is attached. Also, certification by the State of Michigan Department of Labor is required for all mechanical amusement devices and rides.

Technical/Support

Will the event require use of electrical supply source? Yes No, if yes, please describe:

possible for music - some lighting

Will sanitary facilities be required at event? Yes No

- supplied by my front outlet

Will tent(s) be used at the event? Yes No, if yes, please state size(s) of tent:

Will the event have banners displayed? Yes No, if so, please provide the number of signs and dimension(s):

Please Note: *If a temporary generator or electric supply source is provided, you must provide an Electrical permit by a licensed electrical contractor. Also, you will need certification of flame spread rates of all canvas and/or cloth enclosures.*

Other possible Special Event requirements include: additional application, inspection and bond fees, temporary sign permit.

The fee for a Special Event application is \$100: The fee is non-refundable. Once an application is received, the City Clerk's Office will send copies of the application to the following departments: City Manager, Public Safety, Public Works, and Recreation. Each department will review the application and provide a written estimate of services they will need to provide, along with man-hours and costs (if any). The City Clerks' office will contact the applicant to inform them of the additional costs involved. At that time the applicant can decide whether or not to proceed with the event. If so, the event will be placed on the City Council agenda for approval.

If it is possible could you please wave the \$100.00 fee. We have some older people + some single parent family homes that it would create a hardship for. Thank for your consideration!!
Bence Hermann

Should any of the above information prove to be inaccurate or untruthful, it will be grounds to deny the applicant's request or revoke any approvals. I hereby certify the above information to be true and accurate to the best of my knowledge.



Applicant's Signature

Renee Hermann 248-930-3946

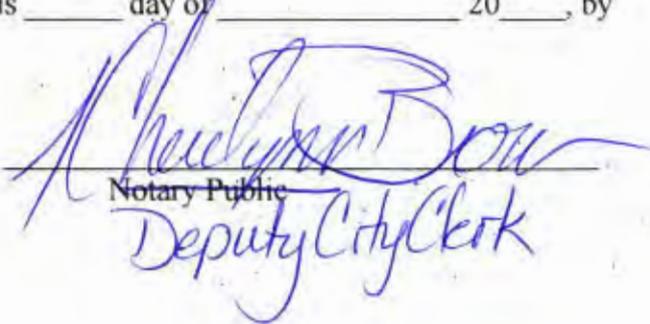
State of Michigan

ss

County of _____

Subscribed and sworn to before me, a Notary Public this _____ day of _____, 20____, by

My Commission expires: _____



Notary Public
Deputy City Clerk

Borgman 1st Annual Block Party

<i>Address</i>	<i>Agreed</i>	<i>Declined</i>	<i>Haven't heard from</i>	<i>Name if known</i>
13771 Borgman	X			Martin
13761 Borgman			X	?
13751 Borgman	X			Peggy & Jeff
13741 Borgman	X			Bobby
13731 Borgman	X			?
13721 Borgman	X			John & Donna Nickels
13711 Borgman	X			Rachel & Mike
13701 Borgman	X			
13691 Borgman			X	
13681 Borgmam			X	
13671 Borgman	X			Mrs. Pelograssi
13661 Borgman			X	
13651 Borgman			X	
13641 Borgman			X	
13631 Borgman			X	
13621 Borgman			X	
13760 Borgman	X			Annie
13750 Borgman	X			Fiona
13746 Borgman	X			Penny Nickels
13740 Borgman	X			Felicia
13730 Borgman	X			Sue & Ed Price
13720 Borgman	X			Scott Waxenberg
13710 Borgman	X			Renee Hermann & Mike Gibson
13700 Borgman	X			Jennifer Strand
13690 Borgman	X			Nick & Tiana
13680 Borgman	X			Genna
13670 Borgman	X			
13660 Borgman			X	

13650 Borgman

X

13640 Borgman

X

13630 Borgman

X

Saturday, August 8th, 2015

BLOCK PARTY

**1st Annual
Borgman Block Party**

It's about time we all got together!!!!

Date: August 8th 2015

Time: 5:00pm -12:00am

(Times maybe altered depending upon city approval)

RSVP - Renee Hermann- 13710 Borgman - (258) 930-3946

Please RSVP ASAP so I can secure the date and get our permit.

Please bring a dish to pass & chairs to sit and any games or fun things we can do to get to know each better.

Hope to see/meet all of you there!!!!!!

***Please be advised: The city has informed me that we only need 50% of the block to commit to have the street closed, please let me know if there is ANY reasons that this date is not good - ASAP!! This party is to bring us together, not cause any conflict....

SPECIAL EVENT LICENSE APPLICATION FEE ESTIMATION

Borgman Block Party

DATE: August 8, 2015

<u>DEPARTMENT</u>	<u>SERVICES</u>	<u>ESTIMATED HOURS</u>	<u>ESTIMATED COST</u>
TECHNICAL AND PLANNING <i>Rob Barrett</i>	None	NA	NA
PUBLIC SAFETY Steve Cooper	Periodic checks as part of normal patrol activities.	1 hr	NA
RECREATION			NA
DPW <i>Kevin J. Yee</i>	Drop off/pick up barricades	½ hr	\$0

CITY OF OAK PARK
MICHIGAN
APPLICATION FOR SPECIAL EVENT LICENSE

Today's Date: JUNE 29 2015

Applicant Information

Applicant/Business Name: MARIC PHILLIPS

Applicant/Business Address: 13670 MADINE O.P.

Phone number: 2487094977 E-Mail Address: MICENS4@AOL.COM

Relation of applicant to business: _____

Has applicant ever been convicted of a felony? Yes No

Owner Information

Owner or manager of site: _____ Phone: _____

Names and addresses of partners or officers of corporation:

Event Information

Proposed date(s) of event: AUGUST ²³ ~~23~~ Has this event been held previously? Yes No

Address or location of event: MADINE ST

Is this a City owned park? NO

If this event is to take place in a City owned park, have you received and do you agree to abide by the City's Parks and Recreation rules and regulations? Yes No

Nature, purpose, and detailed description of event: BLOCK PARTY

Will the event be open to the public? Yes No

If yes, please describe how so: ONLY THOSE ON MADINE

Estimated number of people attending event? @40 Hours of Event: 5PM - 8PM

PLEASE WAIVE THE FEE.

Are you requesting to have a parade? Yes No **If yes, please attach a map of the parade route**

Where will the parade participants be walking? Sidewalks Streets

Will the parade require streets to be blocked off? Yes No

If yes, how many streets/intersections will need to be blocked : _____

Please attach a sign off from the residences located on the affected streets, indicating that they are aware of the event to take place, the date, times and location.

Food Services

Will food or beverages be sold at event? Yes No, if yes please list type(s) of food to be sold:

Will the food be prepackaged or prepared on site: _____

Please note: *If your application is approved and you plan to prepare food on site, you will need to contact the Oakland County Health Department at 248-424-7000 for inspection. You will also need to provide temporary water services at the site where the food is prepared.*

Mechanical Amusement

Will there be any mechanical rides at event? Yes No, if yes, please provide the name and the address of amusement operators: _____

Will the event have a moonwalk? Yes No, if yes, please provide the name and address of Company/Entity providing moonwalk: _____

Will the event have video games, etc.? If so, please provide the names and address of company providing the Games: _____

Please Note: *You must provide proof of insurance for all mechanical rides, moonwalks, circus rides/games, etc. The City of Oak Park must be listed on the insurance certificate as "additionally insured." A copy of the City Ordinance with required liability insurance coverage for these events is attached. Also, certification by the State of Michigan Department of Labor is required for all mechanical amusement devices and rides.*

Technical/Support

Will the event require use of electrical supply source? Yes No, if yes, please describe:

Will sanitary facilities be required at event? Yes No

Will tent(s) be used at the event? Yes No, if yes, please state size(s) of tent:

Will the event have banners displayed? Yes No, if so, please provide the number of signs and dimension(s):

Please Note: If a temporary generator or electric supply source is provided, you must provide an Electrical permit by a licensed electrical contractor. Also, you will need certification of flame spread rates of all canvas and/or cloth enclosures.

Other possible Special Event requirements include: additional application, inspection and bond fees, temporary sign permit.

The fee for a Special Event application is \$100: The fee is non-refundable. Once an application is received, the City Clerk's Office will send copies of the application to the following departments: City Manager, Public Safety, Public Works, and Recreation. Each department will review the application and provide a written estimate of services they will need to provide, along with man-hours and costs (if any). The City Clerks' office will contact the applicant to inform them of the additional costs involved. At that time the applicant can decide whether or not to proceed with the event. If so, the event will be placed on the City Council agenda for approval.

Should any of the above information prove to be inaccurate or untruthful, it will be grounds to deny the applicant's request or revoke any approvals. I hereby certify the above information to be true and accurate to the best of my knowledge.



Applicant's Signature

State of Michigan

ss

County of _____

Subscribed and sworn to before me, a Notary Public this _____ day of _____ 20____, by

_____.

My Commission expires: _____

Notary Public

- ① MARIE PHILLIPS 13670 NADINE
- ② Gerri Muller 13660 Nadine St
- ③ Fran Pelome 13710 Nadine St
4. Mike English 13720 Nadine st
- Robert & Esther 13730 NADINE ST
- Margo Simons 13711 Nadine St.
- Kim Morris 13701 Nadine
- Jan Plum 13691 NADINE
- Dorene Hermann 13641 Nadine
- ~~ST~~
- Karen Powell 13690 Nadine
- Brian Stuhr 13651 Nadine
- MIMI/MAMM 13650 NADINE

PLEASE WAIVE ANY FEES

Annual Nadine Street Party

August 16, 5pm

Bring a dish to pass, your
own meat,
and grill away!

**Meet the
Neighbors!**
To come!

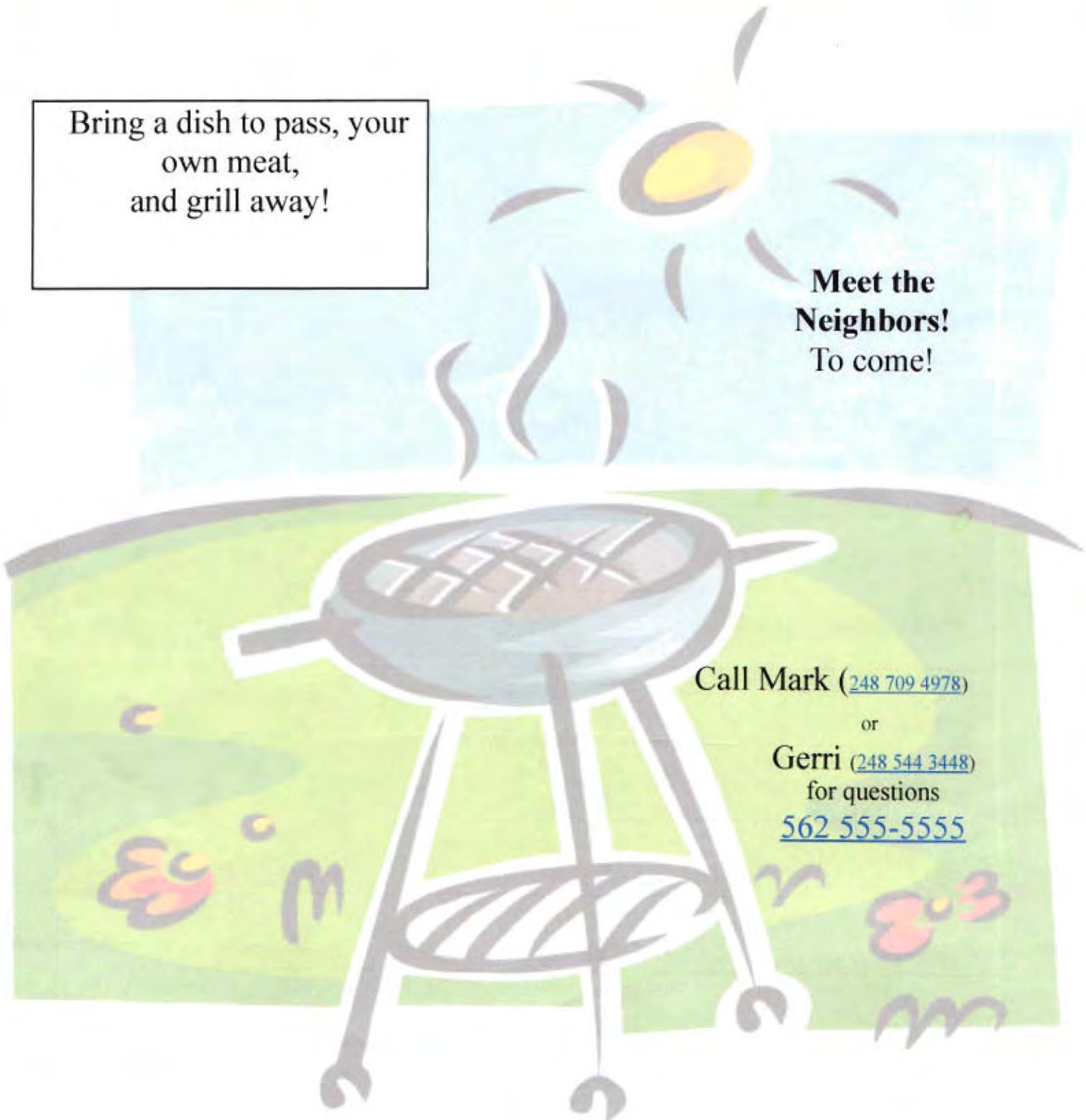
Call Mark ([248 709 4978](tel:2487094978))

or

Gerri ([248 544 3448](tel:2485443448))

for questions

[562 555-5555](tel:5625555555)



SPECIAL EVENT LICENSE APPLICATION FEE ESTIMATION

Request for a Special Event License and waiver of fees as submitted by Mark Phillips, 13670 Nadine, for Annual Block Party, to be held on August 23, 2015

DATE: August 23, 2015

<u>DEPARTMENT</u>	<u>SERVICES</u>	<u>ESTIMATED HOURS</u>	<u>ESTIMATED COST</u>
TECHNICAL AND PLANNING <i>Rob Barrett</i>	None	NA	NA
PUBLIC SAFETY Steve Cooper	Periodic checks as part of normal patrol assignment	1/2 hr.	NA
RECREATION			NA
DPW <i>Kevin J. Yee</i>	Drop off/pick up barricades	1/2 hr	N/A

CITY OF OAK PARK
MICHIGAN
APPLICATION FOR SPECIAL EVENT LICENSE

Today's Date: 7-1-15

Applicant Information

Applicant/Business Name: Book Beat

Applicant/Business Address: 26010 Greenfield

Phone number: 248-968-1190 E-Mail Address: bookbeatcolleen@gmail.com

Relation of applicant to business: co-owner

Has applicant ever been convicted of a felony? Yes No

Owner Information

Colleen

Owner or manager of site: Sary Loren Phone: 248-557-9013

Names and addresses of partners or officers of corporation:

Sary Loren ~~26010 Greenfield Oak Park Mich 48077~~
Colleen Kammer 16200 Renoke #202
SFLD, MI 48075

Event Information

Proposed date(s) of event: Fri July 31-2015 Has this event been held previously? Yes No

Address or location of event: 26010 greenfield oak park

Is this a City owned park? NO

If this event is to take place in a City owned park, have you received and do you agree to abide by the City's Parks and Recreation rules and regulations? Yes No Blue moon

Nature, purpose, and detailed description of event: Book Sale & Celebration
music, authors, art activity, book club meeting,
read-a-louds (will rent a tent topper to hold some of
the events)

Will the event be open to the public? Yes No

If yes, please describe how so: sending out cards, email, ads
to promote sale

Estimated number of people attending event? (maybe 400) Hours of Event: 10 am - midnight
(throughout the day)

Technical/Support

Will the event require use of electrical supply source? Yes No, if yes, please describe:
microphones & amps for musicians existing outlets @ mall

Will sanitary facilities be required at event? Yes No

Will tent(s) be used at the event? Yes No, if yes, please state size(s) of tent: 20' X 20'

Will the event have banners displayed? Yes No, if so, please provide the number of signs and dimension(s): _____

Please Note: *If a temporary generator or electric supply source is provided, you must provide an Electrical permit by a licensed electrical contractor. Also, you will need certification of flame spread rates of all canvas and/or cloth enclosures.*

Other possible Special Event requirements include: additional application, inspection and bond fees, temporary sign permit.

The fee for a Special Event application is \$100: The fee is non-refundable. Once an application is received, the City Clerk's Office will send copies of the application to the following departments: City Manager, Public Safety, Public Works, and Recreation. Each department will review the application and provide a written estimate of services they will need to provide, along with man-hours and costs (if any). The City Clerks' office will contact the applicant to inform them of the additional costs involved. At that time the applicant can decide whether or not to proceed with the event. If so, the event will be placed on the City Council agenda for approval.

Should any of the above information prove to be inaccurate or untruthful, it will be grounds to deny the applicant's request or revoke any approvals. I hereby certify the above information to be true and accurate to the best of my knowledge.

Colleen Kammer

Applicant's Signature

State of Michigan

County of *Oakland*⁸⁹

Subscribed and sworn to before me, a Notary Public this _____ day of _____ 20____, by

_____.

My Commission expires: _____
Notary Public



CITY OF OAK PARK

OFFICE OF THE CITY CLERK

Mayor
 Marian McClellan
Mayor Pro Tem
 Paul Levine
Council Members
 Michael Seligson
 Carolyn Burns
 Kiesha Speech

NAME: BOOK BEAT
 ADDRESS: 26010 Greenfield

(Highlight fee to be charged)

Day Care Registration	\$ 25.00
FOIA Request	\$ _____
Garage Sale Permit	\$ 5.00
Handbill - 1 day	\$ 10.00
Handbill - 1 week	\$ 25.00
Handbill - 3 months	\$ 50.00
Handbill - 1 year	\$ 100.00
Handbill - name change	\$ 10.00
Mechanical Amusement Distributor License	\$ 250.00
Mechanical Amusement Device License	
1 Machine	\$ 250.00
2 machines - \$200 per machine	\$ 400.00
3-4 machines - \$175.00 per machine	\$ _____
5-6 machines - \$150.00 per machine	\$ _____
7-10 machines - \$125.00 per machine	\$ _____
Notary Fee	\$ 5.00
Pawnbroker License	\$ 400.00
Precious Metals License	\$ 50.00
Sidewalk Sale	\$ 10.00
<u>Special Event Fee</u>	<u>\$ 100.00</u>
Tavern License -	
New On-Premises Consumption or transfer of owner	\$ 800.00
Adding additional owners (Per Owner)	\$ 200.00
Background Check (Per applicant)	\$ 75.00
Annual Renewal	\$ 250.00
Vendor License - Food	\$ 50.00
Vendor License - Taxi (Per Driver)	\$ 75.00
Vendor License Lawn Care / Snow Removal	\$ 50.00
Voter List	\$ _____
Other: _____	\$ _____

N:\Cityclerk\2015 Receipt For Services.Doc

SECURITY FEATURES INCLUDED

32401

6-12/410

DATE: 7-1-15

\$ 100.00 DOLLARS

AUTHORIZED SIGNATURE: Colleen Hammer

MEMO: Sidewalk sale permit

PNC BANK
2625 W 12 MILE RD
BERKLEY, MI 48072

BOOK BEAT LTD.
26010 Greenfield
Oak Park, MI 48237
Ph: 248-968-1190
www.thebookbeat.com

CITY OF OAK PARK
One Hundred & _____

FOR SECURITY PURPOSES, THE BORDER OF THIS DOCUMENT CONTAINS MICROPRINTING

www.theclerkadvantage.com

SPECIAL EVENT LICENSE APPLICATION FEE ESTIMATION

Request for a Special Event License as submitted by Cary Loren, 26010 Greenfield, for Book Beat, to be held on July 31, 2015

DATE:

<u>DEPARTMENT</u>	<u>SERVICES</u>	<u>ESTIMATED HOURS</u>	<u>ESTIMATED COST</u>
TECHNICAL AND PLANNING Rob Barrett	Inspection required for flame retardant certificate and for proper egress of the proposed tent(s)	1 hour	\$60 Building Permit fee for tent and required inspection(s).
PUBLIC SAFETY Steve Cooper	Periodic checks as part of normal patrol activities.	1/2hr.	NA
RECREATION			NA
DPW <i>Kevin J. Yee</i>	None	N/A	N/A



MEMO TO THE CITY COUNCIL, OAK PARK, MICHIGAN

July 20, 2015

SUBJECT: Summerfest Special Event license for beer tent and waiver of fees

DEPARTMENT: Community & Economic Development – Kim Marrone

SUMMARY: This is the fourth year of the Oak Park Summerfest. This event originally began four years ago as an art fair. As each year passed the event has grown a little larger. This year is no exception. We have submitted for a special event license to allow a beer tent at this years' Summerfest. The beer tent will be on Saturday, August 8 between noon and 10 p.m. The non-profit organization that will apply for the temporary liquor license has many years of experience running other beer tents and festivals. Camp Casey is a grassroots nonprofit that brings horses into the lives of local children with cancer. (please see attached)

The addition of adding the Beer tent to the event is significant. The hope is to attract more people to the event to showcase what a great community Oak Park is. While other community events like the Independence Day Parade and Winterfest are given a budget to run these events and not charged for city services, Summerfest is not given a budget to host the event. To date we have raised \$6,900 in sponsorship revenue and an additional \$869 in booth and vendor fees. As you can see the expenses outweigh the revenues for the event once we add in Public Safety and DPW charges.

FINANCIAL STATEMENT: See attachments. This does not affect the general fund it is an escrow amount with all funds earned or donated. The account is 704-00.000.277.141. However, should city council waive the fee for city services at the event it would impact the departments as follows: Public Safety - \$3,000 and DPW \$1,141.04.

EXHIBITS: Event Budget, Letter from Cap Casey

**CITY OF OAK PARK
MICHIGAN
APPLICATION FOR SPECIAL EVENT LICENSE**

Today's Date: July 7, 2015

Applicant Information

Applicant/Business Name: Molly Reeser/Camp Casey

Applicant/Business Address: 333 W. Seventh Street, Ste 230, Royal Oak

Phone number: 248-705-2780 E-Mail Address: molly@camp-casey.org

Relation of applicant to business: Director

Has applicant ever been convicted of a felony? Yes No

Owner Information

Owner or manager of site: Same as above Phone: _____

Names and addresses of partners or officers of corporation:

Andrea Karlik, President, Alissa Vanderkooi, VP, Jennifer Hadley, secretary
Dean Gauthier, treasurer, Aimee Spencer, Dr. O'Brien,
Ryan Kinch (legal), Dominic Mirabella

Event Information

Proposed date(s) of event: August 8, 2015 Has this event been held previously? Yes No

Address or location of event: Shepherd Park

Is this a City owned park? Yes

If this event is to take place in a City owned park, have you received and do you agree to abide by the City's Parks and Recreation rules and regulations? Yes No

Nature, purpose, and detailed description of event: Beer tent to be held in conjunction with the Oak Park Summerfest. The beer tent will be held in conjunction with the Oak Park Summerfest. This will be a fundraiser for our organization to allow us to continue to provide our service to local children, spread awareness of our organization and engage the community.

Will the event be open to the public? Yes No

If yes, please describe how so: It will be open to the public but no one under the age of 21 will be allowed to enter the fenced in area of the beer tent.

Estimated number of people attending event? 1500 Hours of Event: Noon to 10 pm

Are you requesting to have a parade? Yes No **If yes, please attach a map of the parade route**

Where will the parade participants be walking? Sidewalks Streets

Will the parade require streets to be blocked off? Yes No

If yes, how many streets/intersections will need to be blocked : _____

Please attach a sign off from the residences located on the affected streets, indicating that they are aware of the event to take place, the date, times and location.

Food Services

Will food or beverages be sold at event? Yes No, if yes please list type(s) of food to be sold:
Beer and Wine - Food vendors will also be at the summerfest event

Will the food be prepackaged or prepared on site: _____

Please note: *If your application is approved and you plan to prepare food on site, you will need to contact the Oakland County Health Department at 248-424-7000 for inspection. You will also need to provide temporary water services at the site where the food is prepared.*

Mechanical Amusement

Will there be any mechanical rides at event? Yes No, if yes, please provide the name and the address of amusement operators: _____

Will the event have a moonwalk? Yes No, if yes, please provide the name and address of Company/Entity providing moonwalk: _____

Will the event have video games, etc.? If so, please provide the names and address of company providing the Games: _____

Please Note: *You must provide proof of insurance for all mechanical rides, moonwalks, circus rides/games, etc. The City of Oak Park must be listed on the insurance certificate as "additionally insured." A copy of the City Ordinance with required liability insurance coverage for these events is attached. Also, certification by the State of Michigan Department of Labor is required for all mechanical amusement devices and rides.*

Technical/Support

Will the event require use of electrical supply source? Yes No, if yes, please describe:

Will sanitary facilities be required at event? Yes No

Will tent(s) be used at the event? Yes No, if yes, please state size(s) of tent:

40 x 60

Will the event have banners displayed? Yes No, if so, please provide the number of signs and dimension(s): 4 x 8 event banner and additional banner displaying Camp Casey

Please Note: If a temporary generator or electric supply source is provided, you must provide an Electrical permit by a licensed electrical contractor. Also, you will need certification of flame spread rates of all canvas and/or cloth enclosures.

Other possible Special Event requirements include: additional application, inspection and bond fees, temporary sign permit.

The fee for a Special Event application is \$100. The fee is non-refundable. Once an application is received, the City Clerk's Office will send copies of the application to the following departments: City Manager, Public Safety, Public Works, and Recreation. Each department will review the application and provide a written estimate of services they will need to provide, along with man-hours and costs (if any). The City Clerks' office will contact the applicant to inform them of the additional costs involved. At that time the applicant can decide whether or not to proceed with the event. If so, the event will be placed on the City Council agenda for approval.

Should any of the above information prove to be inaccurate or untruthful, it will be grounds to deny the applicant's request or revoke any approvals. I hereby certify the above information to be true and accurate to the best of my knowledge.


Applicant's Signature

State of Michigan

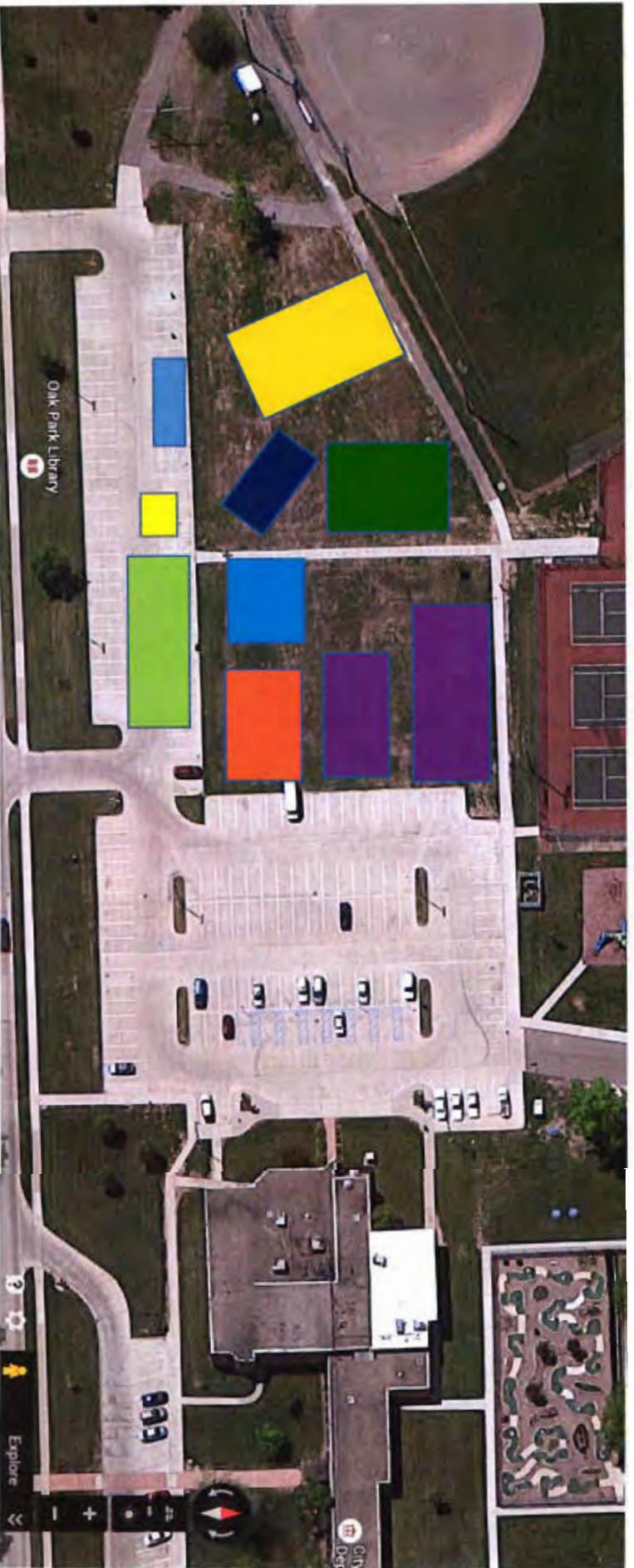
ss

County of _____

Subscribed and sworn to before me, a Notary Public this _____ day of _____ 20____, by

_____.

My Commission expires: _____
Notary Public



- Stage
- DIA Away Bus
- Rock Wall

- Tent
- Inflatable
- Inflatable
- Beer Tent

- Activity Tent
- Artists/Vendors
- Food vendors



July 15, 2015

Dear friends at the Oak Park City Council,

I am writing from Camp Casey, a local nonprofit horseback riding program for children with cancer, to thank you and the organizers of the event, Oak Park Summer Fest, for considering including Camp Casey in this year's event to help raise the much-needed funds to provide free horseback riding services to local children with cancer by operating the beverage portion of the event.

Camp Casey comprises three cost-free programs for children with cancer: Horsey House Calls, Cowboy Camp Outs and Outlaw Outings.

Horsey House Calls surprise children with a knock on the door and a horse on their doorstep to provide an afternoon of riding, arts and crafts, pizza and fun all in the family's yard. **Cowboy Camp Outs** provide all-inclusive weekend getaways at dude ranch resorts for selected families to enjoy together and **Outlaw Outings** offer families one-day recreational activities such as trail rides throughout state parks and tickets to professional sports games, allowing them to enjoy events with one another without the hassle of cost or planning.

As the charity that could possibly run the beverage portion of the Oak Park Summer Fest, we are grateful to receive the tremendous awareness the event spreads and also raise enough funds to provide services to local kids with cancer.

Camp Casey has tremendous experience executing the beverage portion of many events including (but not limited to):

The Royal Oak Winter Beer Festival, 2012-2015
Dabble Grosse Pointe, 2013-2015
The Wild West Summer Beer Fest, 2012-2014
Gardenia Blue Grass and Roots Festival, 2013-2015

To assure the event is as safe as possible, Camp Casey's staff will be overseeing all aspects of the event, and thoroughly training and managing volunteers.

It is because of kind and compassionate people like you that our program is made possible.

Thank you, on behalf of everyone working toward the growth of Camp Casey and all the families whose lives you've helped.

In health and horses,

Molly Reeser
Camp Casey, Executive Director

> Expenses

Total Expenses	Estimated	Actual
	\$9,942.50	\$9,203.00

Site	Estimated	Actual
Pool rental	\$0.00	\$0.00
Generators	\$400.00	\$400.00
barbecue	\$1,300.00	\$500.00
Tents, tables & chairs	\$2,964.50	\$1,685.00
Total	\$4,664.50	\$2,585.00

Refreshments	Estimated	Actual
Food		\$150.00
Drinks		\$60.00
Linens		
Total	\$0.00	\$210.00

Activities	Estimated	Actual
Inflatables	\$0.00	\$0.00
Sound system	\$500.00	\$800.00
Stage	\$450.00	\$0.00
Bands	\$1,000.00	\$2,000.00
Total	\$1,950.00	\$2,800.00

Volunteers	Estimated	Actual
Lanyards	\$0.00	\$40.00
Water	\$20.00	\$20.00
Total	\$20.00	\$60.00

Publicity	Estimated	Actual
Website	\$108.00	\$108.00
Photocopying/Printing	\$420.00	\$0.00
Misc. Marketing	\$500.00	\$500.00
Event Banner	\$100.00	\$0.00
Total	\$1,128.00	\$608.00

Misc	Estimated	Actual
Insurance		\$500.00
Supplies	\$500.00	\$500.00
Total	\$500.00	\$500.00

Sponsor Signage	Estimated	Actual
Signage	\$830.00	\$0.00
Banners	\$250.00	\$0.00
Total	\$1,080.00	\$0.00

Contracts	Estimated	Actual
Sponsorship Development		\$1,380.00
Security	\$600.00	\$1,560.00
Total	\$600.00	\$2,940.00

City Services	Estimated	Actual
DPW	\$0.00	\$1,141.04
Parks & Recreation		\$20.00
Public Safety		\$3,000.00
Total	\$0.00	\$4,161.04

Oak Park Summer Fest

> Income

	Estimated	Actual
Total Income	\$11,275.00	\$7,769.00

Sponsors

	Estimated	Actual
1	Presenting @ \$1,500.00	\$4,500.00
3	Music @ \$1,000.00	\$1,000.00
6	Activities @ \$500.00	\$1,000.00
15	Supporters @ \$100.00	-\$400.00
	\$9,000.00	\$6,900.00

Exhibitors/vendors

	Estimated	Actual
10	Food Vendors @ \$75.00	\$349.00
2	outside vendor \$75.00	\$160.00
25	Art / Craft Vendor @ \$55.00	\$360.00
0	#VALUE!	
	\$2,275.00	\$869.00

Oak Park Summerfest Beer Tent

The Oak Park Summerfest Committee has teamed up with Camp Casey to provide a beer tent at this year's event on Saturday only. Camp Casey is a nonprofit horseback riding program for children with cancer and their families. www.camp-casey.org.

"As a grassroots nonprofit that brings horses into the lives of local children with cancer, we are thrilled about being a part of such a fantastic event" says Molly Reeser, Camp Casey's Executive Director. "We hope that by running the beer and beverage tent at the Oak Park Summerfest, we can both raise the much-needed funds for local kids and also spread awareness about what we do to engage the community, recruit volunteers and ultimately continue growing."

The Camp Casey organization has hundreds of volunteers that will assist in providing the beer tent. The organization has experience in running beer tents to raise money for their charity and volunteers that have experience as well. They have also enlisted a partner that has many years of experience running beer festivals in Detroit.

The layout will be such that there is a 40 x 60 foot tent with additional 40 x 20 space for some outdoor tables and chairs. The entire beer tent will be fenced in using the orange snow fence. In the past this organization has used RSIG as their security company for these events. They typically hire 4-6 people 2 at each entrance during the event. They will be doing that again for this event. With one entrance in and out we will hire four RGIS security staff to help secure the beer tent portion of this event. No one under the age of 21 will be allowed to enter into the tent.

Here is some additional information on this organization.

Helping Kids Conquer Cancer One Neigh at a Time!

"Like" us on Facebook! <https://www.facebook.com/CampCasey?fref=ts>

Watch Camp Casey on the TODAY

show: http://allday.msnbc.msn.com/_news/2010/06/09/4487433-healing-cancer-stricken-kids-with-horseback-therapy



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 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Part I

Application for Special License for Sale of Beer and Wine Only or Beer, Wine and Spirits for Consumption on the Premises

1. Application for Wine Auction Beer & Wine Only Beer, Wine & Spirits

2. Has your organization previously received a special license? Yes No

3. When was your organization formed? (mm/dd/yyyy): August 18, 2004

4. Applicant and Contact Information

Name of applicant organization Camp Casey Corporation

Street Address, City, State, Zip Code 333 West Seventh, Suite 230, Royal Oak, MI 48067

Contact name Molly Reeser Phone number 248-705-2780

E-mail address molly@camp-casey.org Fax number _____

Provide a name and address of where the special license should be mailed, if not to the organization address listed above:

5. Event Information - Attach a copy of your resolution or minutes from the meeting for your application to be considered

Event date(s) and the hours of operation for each:

Saturday, August 8 12PM to 10PM

Describe the type of event(s) being held for each date requested:

beer and beverage tent in conjunction with Oak Park Summer Fest.

Location Name: Shepard Park

Street Address: 14300 Oak Park Boulevard

This location is in the (city, incorporated village or township) of: Oak Park County of: Oakland

Is this event for a Millionaire Party? Yes No

If yes, have you obtained a Millionaire party license from the Michigan Gaming Control Board? Yes No

Will this event be held outdoors? Yes No

What are the dimensions of the proposed total area (indoor or outdoor)? 60 feet by 100 feet.

What is the type and height of the barrier that will be used to enclose the area?

5' snow fencing

Describe the type of security that will be used for the event(s) and how they will be utilized to secure and monitor to prevent sales to minors and sales to visibly intoxicated persons.

Licensed and bonded security team and Oak Park public safety department at all entrances/exits and throughout. Volunteers are additionally trained to adhere to Camp Casey's safety standards and how to recognize and deny serving intoxicated guests.

In addition to the questions above it is your responsibility to submit a clear/legible diagram that contains the dimensions of the area, and how it will be contained and secured.



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Part I - Continued

Application for Special License for Sale of Beer and Wine Only or Beer, Wine and Spirits for Consumption on the Premises

All applicants - We certify that all profits derived from the sale of beer, wine and/or spirits will go to the organization and not to any individual. We further certify that the statements made are true. We further agree to abide by all provisions of the Liquor Control Code and Administrative Rules; that any license issued by the Commission is a contract subject to suspension or revocation by the MLCC, that there shall be no liability on the part of the State of Michigan, the MLCC, or any of its officers or employees by reason of such suspension or revocation, and that the granting of the license does not create a vested right.

President (Print and sign name) Andrea Karlik

Home address, city, state, zip code _____

Witness (Print and sign name) _____

*****Notary and Witness must be two separate people*****

Notary (Print and sign name) _____ Date _____

Notary public, State of Michigan, County of _____

My commission expires _____ Acting in the County of _____

Secretary (Print and sign name) Jennifer Hackley

Home address, city, state, zip code _____

Witness (Print and sign name) _____

*****Notary and Witness must be two separate people*****

Notary (Print and sign name) _____ Date _____

Notary public, State of Michigan, County of _____

My commission expires _____ Acting in the County of _____

6. Church or School

Is the proposed location within 500 feet of a church or school? Yes No

I, the authorized representative of the named church and/or school, state that we have no objection to the issuance of a special license to the applicant organization at the location entered on the resolution.

Name of church and/or school: Oak Park High School

Name of clergy member or superintendent: Dr. Devida Colbert

Street Address, City/Village/Township, Zip Code: _____

Phone number: _____ Email address: _____

Signature and date of the authorized church clergy member and/or school superintendent: (Attach additional sheets if necessary)

Please Note: The Commission has the sole and only right to grant or deny this application



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Part I - Continued

Application for Special License for Sale of Beer and Wine Only or Beer, Wine and Spirits for Consumption on the Premises

7. Military Installation

Is the proposed location at a military installation or a facility operated by the military? Yes No

If you answered "yes," you must also complete and submit the local government resolution in Part III of this application package.

Military Agreement Number: _____

We understand the granting of this license and operation under such license are subject to all regulations of the Department of Military Affairs, the provisions of the Liquor Control Code and MLCC Administrative Rules

8. Sunday Sales

Will this event be held on a Sunday? Yes No

If you answered "yes," section 1113, being MCL 436.2113(2), requires that proceeds received from the sale of food and other goods and services will exceed 50% of the total gross receipts on your event date.

Will your event commence prior to noon? Yes No

If yes, verify that your local unit of government allows early morning sales of alcohol on Sundays and enclose \$160.00

Will your event include the sale of spirits? Yes No

If yes, verify that your local unit of government allows sales of spirits on Sundays

9. Police Approval - The agency with primary jurisdiction where the event is held must complete this section

I certify that I have investigated the application of this organization for a Special License for the sale of beer and wine or beer, wine and spirits for consumption on the premises and approve the issuance of a license by the Michigan Liquor Control Commission.

Name of law enforcement agency Oak Park Public Safety

Name and title of approving officer (please print): _____

Signature and date of approving officer: _____

Phone number and e-mail of approving officer: _____



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Certified Resolution of the Membership or Board of Directors Authorizing the Application for Special License

(Authorized by R436.576)

At a regular meeting of the Board of Directors
(regular or special) (membership or board of directors)

called to order by Andrea Karlik on June 30 at 6:00PM
(date) (time)

the following resolution was offered.

Moved by Alissa VanderKooi and supported by Dean Gauthier

that the application from Camp Casey Corporation
(name of organization)

for a special license to serve alcohol on August 8, 2015
(event date(s))

to be located at The Oak Park Summer Fest at Shepard Park, 14300 Oak Park Boulevard, Oak Park, MI 48237

It is the consensus of this body that the application be recommended for issuance.
(recommended or not recommended)

Approval

Yeas: 8
 Nays: 0
 Absent: 0

I hereby certify that the foregoing is true and is a complete copy of a resolution offered and adopted by the Board of Directors

at a special meeting held on June 30, 2015
(regular or special) (date)

Name and title of authorized officer (please print): Molly Reeser
 Signature and date of authorized officer: *Molly Reeser*
 Phone number and e-mail of authorized officer: 248-705-2780



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**Bond of Special License for Sale of
 Beer, Wine and Spirits for Consumption on the Premises**
 (Authorized by MCL 436.1801(1)(b))

PART II

*****NOTICE: Bonding Company must attach power of attorney to this form**

Applicant Information

Name of Organization:

Camp Casey Corporation

Location name and address (street name, city/village/township, zip code and county) where event is to be held:

14300 Oak Park Boulevard, Oak Park, MI 48237

Know all men by these presents, that the above applicant, as principal,

and

of _____ street, city of _____ State of _____

have been authorized to do business in the State of Michigan, as surety, are held and firmly bound unto the People of the State of Michigan in the sum of One Thousand (\$1,000.00) dollars, to the payment whereof, well and truly to be made we bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

Sealed with our seals and dated this (date and year) _____

Now therefore the condition of this obligation is such that if the principal shall well and truly keep and perform all and singular the terms and conditions of this contract of license and/or permit and permits, and any modifications thereof, together with all and singular the obligations imposed by the Michigan Liquor Control Code of 1998, as amended, and will comply with all the rules and regulations promulgated by the Liquor Control Commission, and will pay all fines, costs and/or penalties that may be imposed upon him for violations of this Act and/or for violations of the rules and regulations promulgated by the Liquor Control Commission and

Conditioned further, that if the said principal will not directly or indirectly, by the principal, clerk, agent or servant of the principal at any time, sell, furnish, give or deliver any alcoholic liquor to a minor, nor to any adult person who is at the time visibly intoxicated, and that if the said principal will pay all actual damages that may be adjudged to any person or persons for injuries inflicted upon such person or persons either in person or in property of means of support or likewise, by reason of the said principal, selling, furnishing, giving or delivering any such alcoholic liquor, then this obligation shall be void; otherwise to remain in full force and effect.

And the obligors, for themselves, their heirs, executors, administrators, successors or assigns do further covenant and agree with the State of Michigan as follows:

That this bond shall be in effect for a period commencing at 7:00 a.m. on (date): _____

if accepted by the Liquor Control Commission, and shall remain in full force and effect until 60 days after the date of receipt by the Michigan Liquor Control Commission at Lansing of the expired license, at which time it shall terminate as to all acts on the part of the principal subsequent to said date, excepting as may be set forth in this bond, or otherwise limited by law and the rules and regulations of the said Liquor Control Commission. If the effective date of the bond is not filled in, the date of execution shall be effective date of the bond.

That all rights and liabilities under this bond shall be governed, controlled and fixed by the terms thereof, and by the law and the regulations made pursuant thereto as the same now exists or may hereafter be modified, amended or supplemented.

Witness our hands and seals this (date and year): _____

Signature of Officer of Special License Applicant _____

Printed (or typed) name of officer and title Molly Reeser, Executive Director

Attorney-in-fact (print or type name) _____

Attorney-in-fact Signature _____

Name of Surety Company _____

Address and phone of Surety Company _____



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Local Legislative Body Resolution for Special Licenses on Military Installations Only

[Authorized by MCL 436.1519]

PART III

At a _____ meeting of the _____
(regular or special) (township board, city or village council)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered.

Moved by _____ and supported by _____

that the application from _____
(name of organization)

It is the consensus of this body that the application be _____ for issuance.
(recommended or not recommended)

Approval

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of a resolution offered and adopted by the _____

at a _____ meeting held on _____
(regular or special) (date)

Print and sign name of clerk: _____

Street Address, City, Zip Code: _____

Phone number and e-mail address: _____



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CREDIT CARD AUTHORIZATION FORM

Fax completed form to secured number: 517 373-4202

Name _____
Address _____
City _____
State _____
Zip _____
Payment is for: _____
Phone _____

Transaction Amount: _____
Card Number: _____
Check one: MasterCard Visa Discover Card
Expiration Date: _____
Security Code: _____
Signature _____

Notice: This form may be used for payment of goods and services offered by the Michigan Liquor Control Commission, with the exception of the purchase of alcoholic beverages.



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Notice to Special Licensees (Authorized by Act 58, P.A. of 1998)

Like any other licensee of the MLCC, Special Licensees are responsible for following the Liquor Control Code and the MLCC Administrative Rules. Organizations any persons who are running the events should take time to familiarize themselves with the rules that govern the sale of alcoholic beverages. Failure to comply may lead to steep fines and penalties as well as causing dangerous situations to develop.

The following is a synopsis of some important laws and rules. The list is not all inclusive but it will assist you in maintaining a legal and successful operation at your event. Do not take a chance on violating the law or rules. If in doubt about the legality of any activity or function for your event, call your local police department or the closest Liquor Control District Enforcement office (located in Southfield, Lansing, Grand Rapids and Escanaba).

Questions can also be answered at the MLCC Special License unit. You may purchase a copy of the Liquor Control Code and MLCC Administrative Rules by submitting to the address printed above, a check or money order for \$15.00 made payable to the State of Michigan/MLCC. The Code and Rules are also available for download from the MLCC web site at www.michigan.gov/lcc.

Purchases

All your alcoholic beverages must be purchased from an MLCC licensee. Do NOT permit BYOB (bring your own bottle) at your event. Do not sell, offer to sell or advertise an unlimited quantity of alcoholic beverages for a single price.

Profits

Do not permit any person, organization or business entity, other than the licensee, to receive any profit or loss from the sale of alcoholic beverages.

Gambling/Contests

Do not allow gambling other than that what is legal under the state lottery and gaming laws. You must obtain a license for legalized gambling from the State Lottery Commission and or the Michigan Gaming Control Board. Ensure that any contests are of a legal nature, and they do not violate any state laws.

Minors

Do not allow anyone who is less than 21 years old to purchase or consume alcoholic beverages. Ask for identification and examine it closely. Employment of a minor under the age of 18 must be in accordance with the Youth Employments Standards Act of June 1, 1978, being MCL436.1707.

Intoxication

Always watch for signs of intoxication and limit sales. **Do not allow anyone who is intoxicated to purchase or consume alcoholic beverages**, or to loiter or congregate on the licensed premises.

Legal Hours

Do not sell alcohol other than beer or wine, on Sundays, unless you have been licensed by the Commission to do so. Do not **sell** any alcohol between 2:00 a.m. and 7:00 a.m. weekdays and 2:00 a.m. and 7:00 a.m. on Sundays without an AM Sunday Sales Permit. Do not allow consumption of alcohol between 2:30 a.m. and 7:00 a.m. on weekdays and 2:30 a.m. and 7:00 a.m. on Sundays with an AM Sunday Sales Permit. Do not sell alcoholic beverages between 11:59 p.m. on December 24 and 12:00 Noon on December 25.

Licensed Premises

It is your responsibility to control and properly police the area where the alcoholic beverages are being sold and consumed. Do not permit persons to carry their alcoholic beverages outside the area approved for consumption. If your event is near a residential area, make sure your guests do not disturb or intrude on your neighbor's property.

Other Rules

It is your responsibility to comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee, pursuant to MAC 436.1003.

Cooperation

It is your responsibility to cooperate with all law enforcement officers. Do not allow within or upon the licensed premises any illegal occupation or illegal act.

Remember:

- All codes and rules which apply to a regular licensee of the commission who sells alcoholic beverages for consumption on the premise also apply to a special one-day licensee.
- Violations of any of the Codes and MLCC Administrative Rules, or any other regulations governing the sale of alcoholic beverages for consumption on the premises or the provisions of the liquor control code may result in a stop being placed against your organization for issuance of any additional special licenses.

PLEASE KEEP THIS NOTICE AND POST IT WITH YOUR LICENSE ON THE PREMISES DURING THE HOURS OF OPERATION



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Concession Agreement Requirements

(Authorized by MCL 436.1433 and 436.1023)

Organizations that contract with other persons to operate a food business on the special licensed premises must provide a copy of the Concession/License Agreement for review by the Commission.

The agreement must include:

- The time span of the agreement.
- Language that the licensee shall receive all profits from the sale of alcoholic beverages and that the licensee will purchase all alcoholic beverages from an authorized source.
- Provision that the licensee shall maintain control and responsibility for the actions of all persons or employees operating the concession business as they relate to the Liquor Control Act and Rules or violation of the Act and Rules.
- Provision that the licensee shall retain control over all portions of the licensed premises.
- Licensee needs to be the non-profit organization.

In addition, the agreement must be based on the stipulation that you are merely granting the concessionaire the right to use the facilities and are not leasing or renting any portion of the premises, such as the kitchen for food concession agreements.

Before you sign any concession agreement it must be reviewed by the Commission.

Your application will not be considered until your agreement is found to be acceptable and an executed copy is resubmitted.

SPECIAL EVENT LICENSE APPLICATION FEE ESTIMATION
Camp Casey Beer Tent in Conjunction with Summerfest

DATE: August 8, 2015

<u>DEPARTMENT</u>	<u>SERVICES</u>	<u>ESTIMATED HOURS</u>	<u>ESTIMATED COST</u>
TECHNICAL AND PLANNING Rob Barrett	Inspection required for flame retardant certificate and for proper egress of the proposed tent(s)	1 hour	\$60 Building Permit fee for tent and required inspection(s).
PUBLIC SAFETY Steve Cooper	Public Safety to provide (5) Officers for Camp Casey (beer tent) on Saturday, August 8th from 12:00 Noon until 10:00 PM.	10 hrs	\$3,000
RECREATION Julie L. Hall	N/A	N/A	N/A
DPW Kevin J. Yee	Preparation of area including snow fence installation and generators. Also clean up.	Approximately 8 hours	\$600.

**GARAN
LUCOW
MILLER P.C.**
GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 440610

July 15, 2015

Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327

Re: In Re: City of Oak Park

*Client 7406
Matter 1*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, June 30, 2015

\$11,667.00

Fee Total

Costs Advanced:

Date	Description	Amount
06/02/15	Reproduction Charges 6 @ 0.15	0.90
06/02/15	Reproduction Charges 8 @ 0.15	1.20
06/04/15	Reproduction Charges 14 @ 0.15	2.10
06/10/15	Reproduction Charges 8 @ 0.15	1.20
07/01/15	Reproduction Charges 18 @ 0.15	2.70
07/01/15	Reproduction Charges 18 @ 0.15	2.70
Total Costs Advanced		\$10.80

Total Fees and Disbursements: \$11,677.80



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2015

AGENDA #

SUBJECT: Payment In Lieu of Taxes (PILOT) – Jefferson Oaks**DEPARTMENT:** Community & Economic Development**SUMMARY:** The Community & Economic Development Department recommends to city council to conduct the first reading to consider an ordinance for a PILOT incentive for the Jefferson Oaks housing project.

Service Fee/PILOT housing is an agreement between a municipality and a property owner (private or public) to pay a service fee instead of property taxes. Regardless of the amount of rent paid, the Income Tax Act provides that a renter living in Service Fee/PILOT housing must calculate the property tax credit using only 10% of rent paid.

Often, Service Fee/PILOT housing is low income or senior citizen housing that can include an apartment or the rental of a single family home. The Jefferson Oaks project is a low income project to provide better housing for families in need at the former Jefferson School site. The tenants on site will go through a strict screening process.

FINANCIAL STATEMENT: The site current does not pay taxes. The PILOT estimated schedule is attached.**RECOMMENDED ACTION:** City Council conduct the first reading of an ordinance to pass a Payment in Lieu of Taxes (PILOT) ordinance – Jefferson Oaks**APPROVALS:**

City Manager:

Handwritten signature of the City Manager in black ink.

Director:

Handwritten signature of the Director in blue ink.

Finance Director: _____

EXHIBITS: schedule, ordinance

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO.: ____

TAX EXEMPTION ORDINANCE

JEFFERSON OAKS PILOT

ADOPTED:

An Ordinance to provide for a service charge in lieu of taxes for a housing project for low income persons and families to be financed with an Authority-aided Mortgage Loan or an advance or grant from the Authority pursuant to the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended; MCL 125.1401, *et seq*) (the "Act").

THE CITY OF OAK PARK ORDAINS:

SECTION 1. This Ordinance shall be known and cited as the City of Oak Park Tax Exemption Ordinance-Jefferson Oaks.

SECTION 2. Preamble.

It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The City acknowledges that the Sponsor (as defined below) has offered, subject to receipt of a Mortgage Loan from the Michigan State Housing Development Authority, to acquire and rehabilitate, own and operate a housing project identified as Jefferson Oaks on certain property located at 22001 Republic in the City to serve low income persons and families, and that the Sponsor has offered to pay the City on account of this housing project an annual service charge for public services in lieu of all *ad valorem* property taxes.

SECTION 3. Definitions.

- A. Authority means the Michigan State Housing Development Authority.
- B. Annual Shelter Rent means the total collections during an agreed annual period from or paid on behalf of all occupants of a housing project representing rent or occupancy charges, exclusive of Utilities.
- C. Low Income Persons and Families means persons and families eligible to move into a housing project.
- D. Mortgage Loan means a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of the housing project, and secured by a mortgage on the housing project.
- E. Sponsor means Community Housing Network, Inc. (“CHN”) and any entity that receives or assumes a Mortgage Loan.
- F. Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project.

SECTION 4. Class of Housing Projects.

It is determined that the class of housing projects to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing projects for Low Income Persons and Families that are financed with a Mortgage Loan by the Authority. It is further determined that Jefferson Oaks is of this class.

SECTION 5. Establishment of Annual Service Charge.

The housing project identified as Jefferson Oaks and the property on which it will be located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction or rehabilitation. The City acknowledges that the Sponsor and the Authority have established the economic feasibility of the housing project in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the housing project for exemption from all *ad valorem* property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's offer to rehabilitate, construct and operate the housing project, the City agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes. Subject to receipt of a Mortgage Loan, the annual service charge shall be equal to 10% of the Annual Shelter Rents actually collected by the housing project during each operating year.

SECTION 6. Contractual Effect of Ordinance.

Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this Ordinance.

SECTION 7. Limitation on the Payment of Annual Service Charge.

Notwithstanding Section 5, the service charge to be paid each year in lieu of taxes for the part of the housing project that is tax exempt but which is occupied by other than low income persons or families shall be equal to the full amount of the taxes which would be paid on that portion of the housing project if the housing project were not tax exempt.

SECTION 8. Payment of Service Charge.

The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City/Township and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before August 1 of the following year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, *et. seq.*).

SECTION 9. Duration.

This Ordinance shall remain in effect for a period of 18 years commencing from the date the Mortgage Loan is executed.

SECTION 10. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this Ordinance as a whole or any section or provision of this Ordinance, other than the section or provision so declared to be unconstitutional or invalid.

SECTION 11. Inconsistent Ordinances.

All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are repealed to the extent of such inconsistency or conflict.

SECTION 12. Effective Date.

This ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

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

T. EDWIN NORRIS
City Clerk

MARIAN McCLELLAN
Mayor

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

Jefferson Oaks
 CHN Jefferson LDHA LP
 60 Multifamily Units

Sample Tax Summary in Oak Park
\$250,000 Taxable Value (SEV)

		<u>All Taxes</u>	<u>City Portion</u>
		250	
Operating	16.3563	4,089.08	4,089.08
Debt	6.2017	1,550.43	1,550.43
Waste	2.9531	738.28	738.28
Library	1.4914	372.85	372.85
Recreation	0.5000	125.00	125.00
Public Safety	2.0000	500.00	500.00
PS 345	6.4729	1,618.23	1,618.23
Headlee Override	1.1437	285.93	285.93
School District	40.9160	10,229.00	-
School District	1.7736	443.40	-
Admin Fee	-	199.52	199.52
Total Estimate	<u>79.8087</u>	<u>20,151.70</u>	<u>9,479.30</u>
		City Portion -	47.0%

PILOT Calculation

	<u>Calculation</u>	<u>Non-City</u>	<u>City Portion</u>
Gross Rents	562,356		
Less Vacancy	7% (39,365)		
Less Landlord Paid Utilities	(60,312)		
Less Water & Sewer	(48,000)		
Net Collected Rents	<u>414,679</u>		
PILOT Percentage	<u>10%</u>		
PILOT Payment	<u>41,467.91</u>	<u>21,961.53</u>	<u>19,506.38</u>

Jefferson Oaks
 CHN Jefferson LDHA LP
 60 Multifamily Units

PILOT Projections

	Year	Projected Rent Increase %	Total PILOT Amount	Non-City Portion	City Portion	Total Payments To Oak Park
PILOT Approved						
	2015					
	2016					
Development Time Construction and Lease up Time						
PILOT Starts						
Year 1	12/31/2017	n/a	41,468	21,962	19,506	19,506
Year 2	12/31/2018	1.00%	41,883	22,181	19,701	39,208
Year 3	12/31/2019	1.00%	42,301	22,403	19,898	59,106
Year 4	12/31/2020	1.00%	42,724	22,627	20,097	79,204
Year 5	12/31/2021	1.00%	43,152	22,853	20,298	99,502
Year 6	12/31/2022	1.00%	43,583	23,082	20,501	120,004
Year 7	12/31/2023	2.00%	44,455	23,543	20,911	140,915
Year 8	12/31/2024	2.00%	45,344	24,014	21,330	162,245
Year 9	12/31/2025	2.00%	46,251	24,495	21,756	184,001
Year 10	12/31/2026	2.00%	47,176	24,984	22,191	206,192
Year 11	12/31/2027	2.00%	48,119	25,484	22,635	228,827
Year 12	12/31/2028	2.00%	49,082	25,994	23,088	251,915
Year 13	12/31/2029	2.00%	50,063	26,514	23,550	275,465
Year 14	12/31/2030	2.00%	51,065	27,044	24,021	299,486
Year 15	12/31/2031	2.00%	52,086	27,585	24,501	323,987
Year 16	12/31/2032	2.00%	53,128	28,137	24,991	348,978
Year 17	12/31/2033	2.00%	54,190	28,699	25,491	374,469
Year 18	12/31/2034	2.00%	55,274	29,273	26,001	400,469

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

**RESOLUTION CONCURRING IN REVISION OF FEES ASSESSED BY DISTRICT
COURT FOR THE DISTRICT COURT RETIREE HEALTH CARE FUND
AND BUILDING FUND**

WHEREAS, since 1995 the 45th District Court has assessed and collected a civil infraction fee on each ticket and a fee for serious and specified misdemeanors to be deposited into the Retiree Health Care District Court Fund – Fund 678 (the “Health Care Fund”) with the approval and concurrence of the City of Oak Park;

WHEREAS, since 1995 the 45th District Court has also assessed and collected a civil infraction fee on each ticket and a fee for serious and specified misdemeanors to be deposited into the District Court Municipal Building Construction Fund – Fund 470 (the “Building Fund”) with the approval and concurrence of the City of Oak Park;

WHEREAS, the money collected by the 45th District Court and transmitted to the City of Oak Park for deposit into the Health Care Fund and the Building Fund are for the sole and exclusive use as intended for the respective funds and designated by the 45th District Court and the City of Oak Park;

WHEREAS, the actual collections of the fee deposited into the District Court Retiree Health Care Fund – Fund 678 falls short of the annual cost of this expenditure and as part of the budget process, the Court has offered and the City concurs in the Court increasing the assessed fee for the District Court Retiree Health Care Fund – Fund 678, and reducing the fee assessed for the District Court Municipal Building Construction Fund – Fund 470;

WHEREAS, the 45th District Court has expressed its intent to revise the fees assessed for the Health Care Fund and the Building Fund without disturbing or otherwise affecting the intended purposes of the funds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oak Park, Michigan approves and concurs in the revision of the fees assessed by the Court on each ticket for a civil infraction and for serious and specified misdemeanors as follows: (a) the fee assessed on each ticket for a civil infraction and for serious and specified misdemeanors to be deposited into the Health Care Fund shall be \$20.00; and (b) the fee assessed on each ticket for a civil infraction and serious and specified misdemeanors to be deposited in the Building Fund shall be \$15.00.

BE IT FURTHER RESOLVED by the City Council of the City of Oak Park, that these revisions and amendments to the fee assessments shall become effective as of July 1, 2015.

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City of Oak Park, County of Oakland, State of Michigan at a regular meeting held on the ___th, day of May, 2015. Said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Ed Norris, City Clerk
City of Oak Park

Updated 7/13/15

Construction Costs

Typically Covered in Transportation Alternative Project Funding

	Improvement	Mobilization	Temporary Traffic Control	Total Construction Cost
	Subtotal	10%	5%	
Ferndale	\$193,920	\$19,392	\$9,696	\$223,008
Pleasant Ridge	\$2,880	\$288	\$144	\$3,312
Hazel Park	\$1,200	\$120	\$60	\$1,380
Royal Oak	\$27,160	\$2,716	\$1,358	\$31,234
Huntington Woods	\$9,660	\$966	\$483	\$11,109
Oak Park	\$8,160	\$816	\$408	\$9,384
	\$242,980	\$24,298	\$12,149	\$279,427

Design and Engineering Costs

Not covered in Transportation Alternative Project Funding

	Engineering Design	Contract Administration	Construction Observation	Total Design and Engineering Costs	Total Design and Engineering Costs (Rounded)
	10%	4%	6%		
Ferndale	\$22,400	\$8,960	\$13,440	\$44,800	\$45,000
Pleasant Ridge	\$400	\$160	\$240	\$800	\$1,000
Hazel Park	\$200	\$80	\$120	\$400	\$1,000
Royal Oak	\$3,200	\$1,280	\$1,920	\$6,400	\$7,000
Huntington Woods	\$1,200	\$480	\$720	\$2,400	\$3,000
Oak Park	\$1,000	\$400	\$600	\$2,000	\$2,000
	\$28,400	\$11,360	\$17,040	\$56,800	\$59,000

Community Match

30% Match per Community

	Total Community Match
Ferndale	\$67,200
Pleasant Ridge	\$1,200
Hazel Park	\$600
Royal Oak	\$9,600
Huntington Woods	\$3,600
Oak Park	\$3,000
	\$85,200

Community Total

Obligated funds with match and design/engineering (TAP funds removed)

Ferndale	\$112,200
Pleasant Ridge	\$2,200
Hazel Park	\$1,600
Royal Oak	\$16,600
Huntington Woods	\$6,600
Oak Park	\$5,000
Community Contribution Total	\$144,200
TAP Award Total	\$279,427
Project Grand Total	\$423,627

Ferndale

	Quantity	Unit	Unit Price	Cost Estimate
Signed Bike Route (5.4 miles)				
Signs	64	each	\$240	\$15,360
Shared Lane Markings				
Woodward Heights (0.6 miles)	28	each	\$190	\$5,320
Marshall (0.4 miles)	20	each	\$190	\$3,800
Allen (0.4 miles)	26	each	\$190	\$4,940
Paxton (0.2 miles)	10	each	\$190	\$1,900
				\$15,960
Bike Lane				
Woodward Heights	0.5	mile	\$18,000	\$9,000
Crossing at Cambourne/Pinecrest				
RRFB	2	each	\$9,500	\$19,000
Crossing at Huron/Woodward Heights				
RRFB	2	each	\$9,500	\$19,000
Refuge Island	1	each	\$18,000	\$18,000
				\$37,000
Crossing at St Louis/Marshall				
High Visibility Crosswalk with Signs	1	each	\$1,200	\$1,200
Crossing at Woodward Heights/Martin				
Refuge Island	1	each	\$18,000	\$18,000
Crossing at Allen/Marshall				
High Visibility Crosswalk with Signs	1	each	\$1,200	\$1,200
Crossing at Allen/Pearson				
High Visibility Crosswalk with Signs	1	each	\$1,200	\$1,200
Crossing at Planavon/Breckenridge				
Curb Extensions	2	each	\$8,500	\$17,000
Crossing at Marshall/Laprairie				
Curb Extensions	2	each	\$8,500	\$17,000
Wayfinding Hubs				
(orientation map, repair stand with air pump, bike parking, benches, trash receptacle)	3	each	\$14,000	\$42,000

\$193,920

Pleasant Ridge

	Quantity	Unit	Unit Price	Cost Estimate
Signed Bike Route (1 mile)				
Signs	12	each	\$240	\$2,880
				\$2,880

Hazel Park

	Quantity	Unit	Unit Price	Cost Estimate
Signed Bike Route (0.3 miles)				
Signs	5	each	\$240	\$1,200
				\$1,200

Royal Oak

	Quantity	Unit	Unit Price	Cost Estimate
Signed Bike Route (1.4 miles)				
Signs	34	each	\$240	\$8,160
Crossing at Washington/Harrison RRFB	2	each	\$9,500	\$19,000
				\$27,160
				\$8,160 *Without R

Huntington Woods

	Quantity	Unit	Unit Price	Cost Estimate
Signed Bike Route (3.5 miles)				
Signs	26	each	\$240	\$6,240
Shared Lane Markings				
Scotia Road (0.8 miles)	18	each	\$190	\$3,420
				\$9,660
				\$6,240 *Without SI

Oak Park

	Quantity	Unit	Unit Price	Cost Estimate
Signed Bike Route (5.3 miles)				
Signs	34	each	\$240	\$8,160
				\$8,160

**DTE Energy**

One Energy Plaza, Detroit, MI 48226-1279

May 29, 2015

Dear Customer:

DTE Energy is committed to the highest standards of service and providing safe, affordable, reliable electric service for every home and family in this region.

We also want to see our communities with beautiful landscapes that are planted correctly to preserve both the health of the trees and the reliability of electric service. Soon, DTE Energy work crews will be visiting your area to trim and remove trees growing too close to power lines.

We do this work because trees and branches often bring down electrical wires and poles, causing potential safety risks as well as severe damage and power outages. Our tree trimming program is a common sense solution designed to prevent power outages and public safety concerns and keep your cost low.

Our first step will be visually inspecting your property to determine where trimming is needed to clear tree limbs away from power lines. You may see our arborist planners in your yard or neighborhood. They will be wearing yellow DTE Energy vests and carrying ID badges. If we are planning to do work on your property, the arborists will also knock on your door and leave an information tag which will describe the work that will be performed.

Trees slated for trimming will be marked with a white dot. If a tree poses a serious hazard to the power lines, and if trimming will damage the tree's health and strength, we may need to remove it. ***Trees slated for removal will be marked with a red ribbon.***

Please be assured we will work closely with you to address any tree issues and to discuss both the impact and intent of all work before we begin trimming. We are committed to collaborating with you to deliver both safe, strong trees and reliable, affordable electricity.

The trimming work in your community will be done by a professional tree-trimming company. **The crews will remove all branches, limbs and other debris created by this work unless you indicate that you would like it to remain on your property.**

We look forward to working with you to reduce and prevent power outages and potential safety concerns while preserving the natural beauty that trees provide.

If you have questions or concerns, please call us at 313-235-4141 between 8 a.m. and 4 p.m. Monday through Friday. If you need to leave a message, we will return your call the next business day.

Sincerely,

Joseph E. Robinson
Manager, Vegetation Management, DTE Energy



Tree Trimming and Maintenance Program



Program Goals:

DTE Energy's goal is to deliver electricity that every home and business customer can depend on 24/7. Through our tree trimming and maintenance program, we are committed to working collaboratively with customers to deliver both reliable electricity and strong, healthy trees.

Tree-related damage is responsible for two-thirds of the time customers are without power. Trimming problem trees is a common sense solution to prevent outages from happening in the first place.

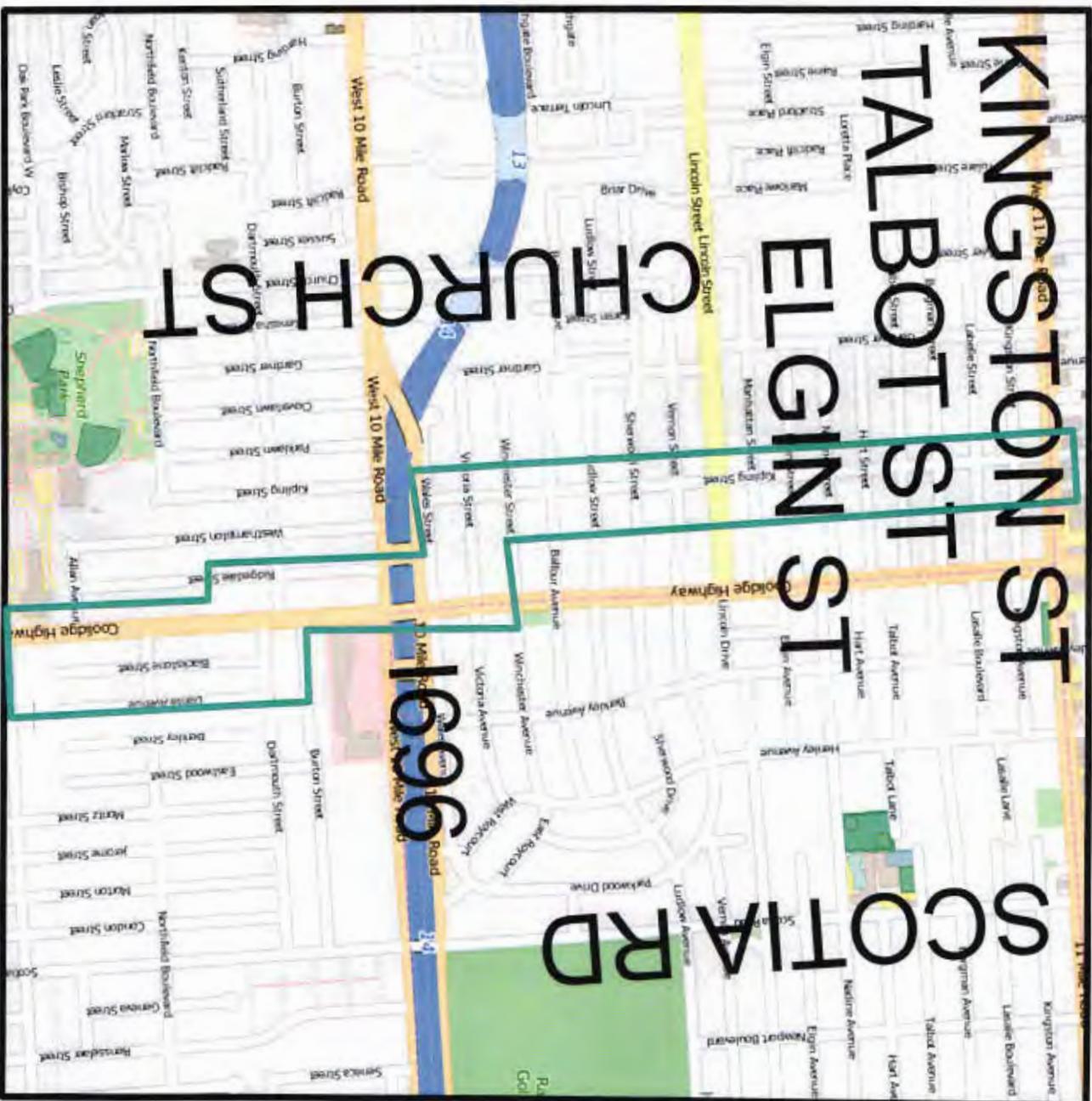
Community: Oakpark

Circuit: TRK2111

Estimated Timeline

April - June
2015

Page: 1 of 1



Program Goals:

Tree related damages are responsible for two-thirds of the time customers are without power.

DTE Energy's Vegetation Management Program is designed to reduce tree related power outages as well as provide safer and more reliable electric service to residents and businesses in the area.

Communities: Ferndale, Oak Park, Pleasant Ridge, Huntington Woods, Royal Oak

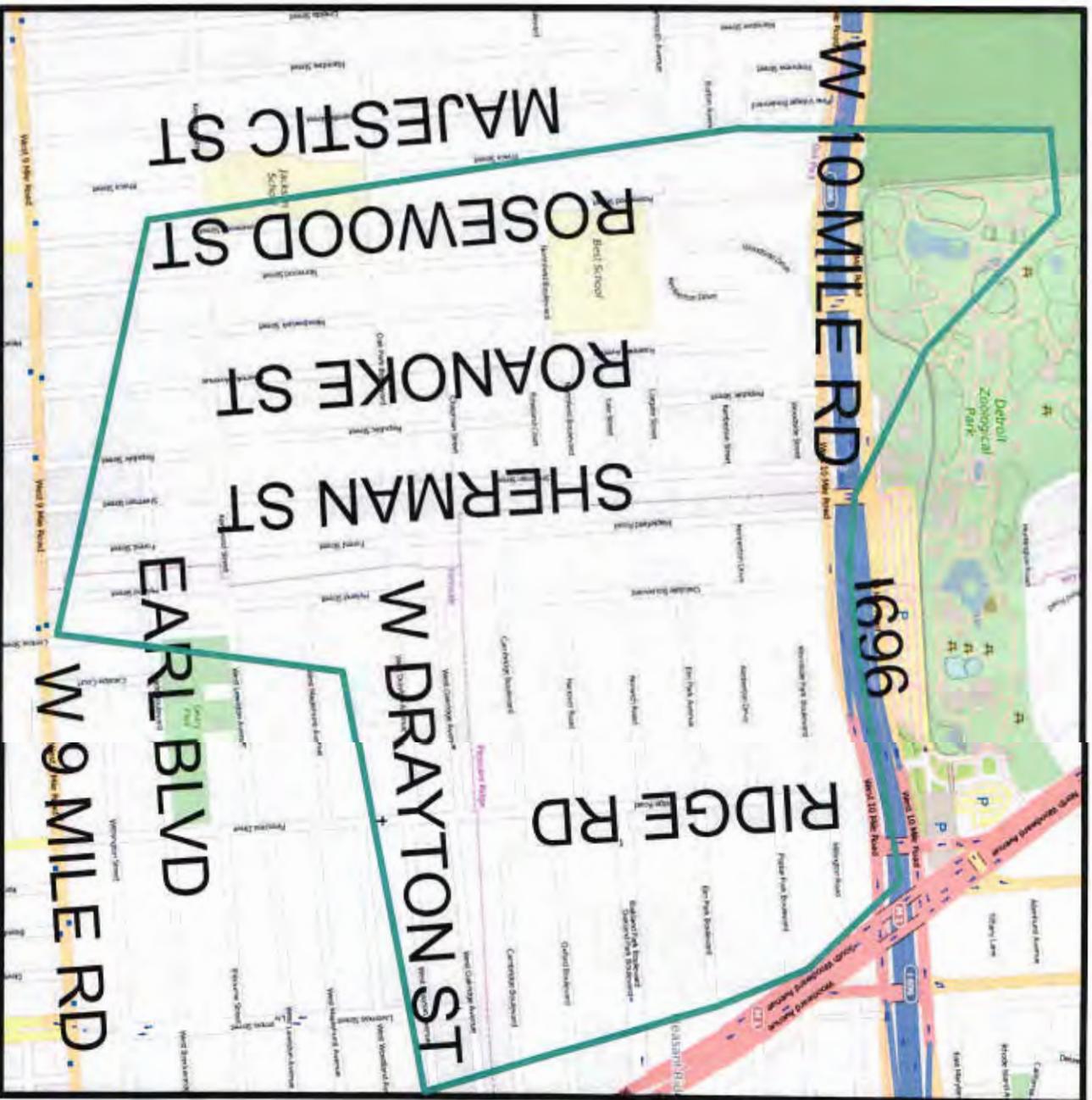
Circuit: FERND2689

Estimated Timeline

July - September

2015

Page: 1 of 1



Program Goals:

Tree related damages are responsible for two-thirds of the time customers are without power.

DTE Energy's Vegetation

Management Program is designed to reduce tree related power outages as well as provide safer and more reliable electric service to residents and businesses in the area.

Communities: Ferndale,

Oak Park

Circuit:

FERNND2682

Estimated Timeline

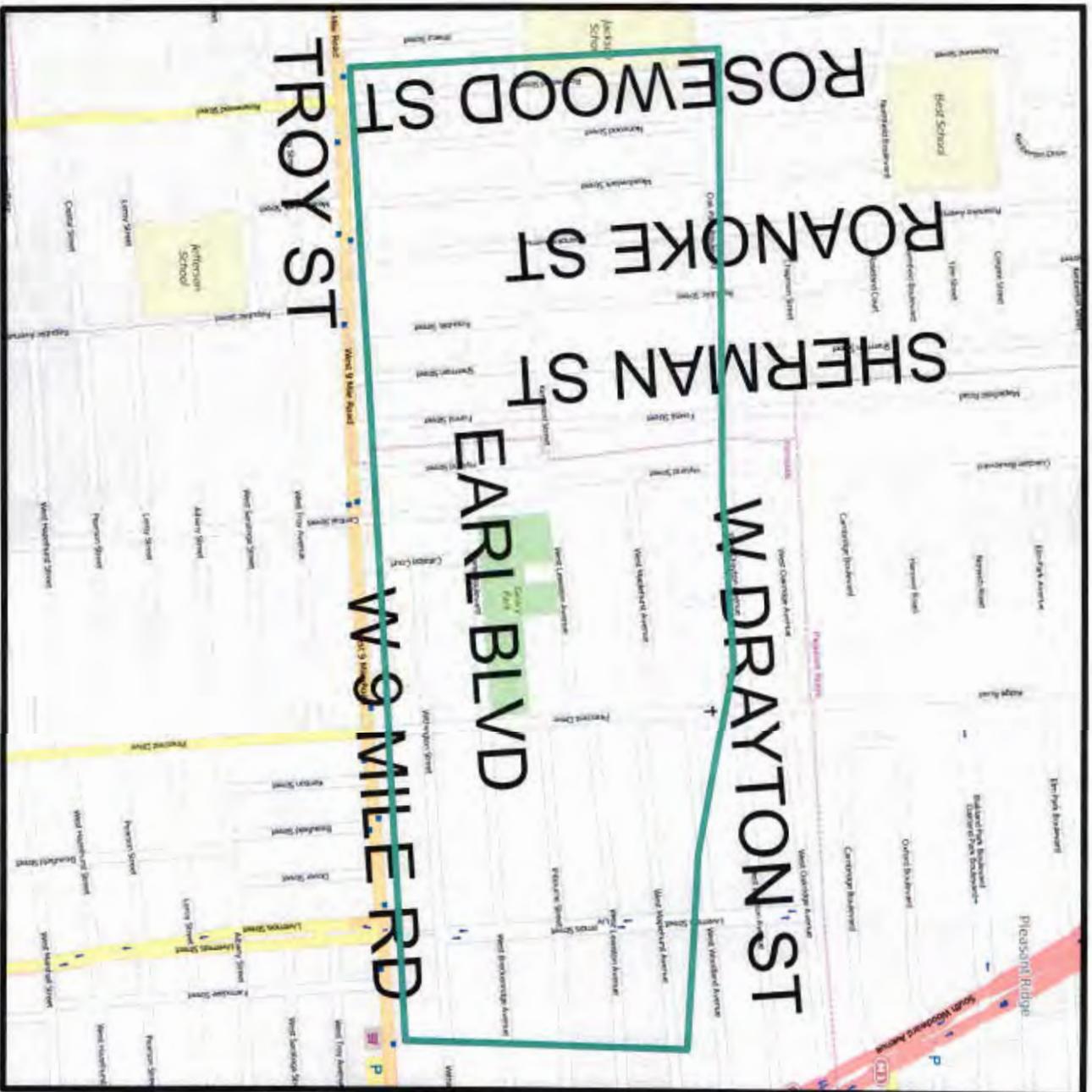
July - September
2015

Date:

May 12, 2015

Page:

1 of 1





BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2015

AGENDA #

SUBJECT: Resolution Approving Sale of Tax Foreclosed Property and Resolution Approving Purchase of Tax Foreclosed Property

DEPARTMENT: Community & Economic Development

SUMMARY: A list was provided to the Oak Park city clerk (attached) of all available properties for purchase. Attached are resolutions to allow the city of Oak Park to purchase these properties and also to sell these properties to a third party to rehabilitate and sell to owner occupants.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: Approve the Resolution Approving Sale of Tax Foreclosed Property and Resolution Approving Purchase of Tax Foreclosed Property

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: resolutions and attached list of properties

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

RESOLUTION APPROVING PURCHASE OF TAX FORECLOSED PROPERTIES

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 the ____ day of _____, 2015, at 7:00 p.m.

Present: _____

Absent: _____

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the General Property Tax Act at MCL 211.78M, as amended, (the "Act") authorizes the City of Oak Park ("City") to purchase properties located within the City that were tax foreclosed by the Oakland County Circuit Court on February 18, 2015, and by the County Treasurer under Public Act 123 of 1999, as amended, subject to the provisions of the Act; and

WHEREAS, the Oak Park City Council has determined that it is in the best interest of the City to exercise its option to purchase the foreclosed properties identified on the Attached Addendum "Oak Park Tax Sale 2015"; and

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to purchase the referenced properties for the minimum bid amount for the public purpose of renovating and selling them primarily for owner occupancy in order to maintain and stabilize neighborhoods and commercial properties within the community.

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

1. Pursuant to the Act, the City hereby approves the purchase of the properties identified on the Attached Addendum "Oak Park Tax Sale 2015" for the not to exceed purchase price of \$388,816.26.

2. The City Assessor is hereby directed to file a copy of this Resolution with the Oakland County Treasurer no later than Tuesday, July 21, 2015.

3. 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.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated:

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

RESOLUTION APPROVING SALE OF TAX FORECLOSED PROPERTIES

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 the ____ day of _____, 2015, at 7:00 p.m.

Present: _____

Absent: _____

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the General Property Tax Act at MCL 211.78M, as amended, (the "Act") authorizes the City of Oak Park ("City") to purchase properties located within the City that were tax foreclosed by the Oakland County Circuit Court on February 18, 2015, and by the County Treasurer under Public Act 123 of 1999, as amended, subject to the provisions of the Act; and

WHEREAS, on July 20, 2015, the Oak Park City Council resolved to purchase the foreclosed properties identified on the Attached Addendum "Oak Park Tax Sale 2015"; and

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to sell the referenced properties to a company that can rehabilitate, reconstruct and manage the properties for the public purpose of renovating and selling them primarily for owner occupancy in order to maintain and stabilize neighborhoods and commercial properties within the community.

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

1. The City Manager is hereby authorized to negotiate the sale of the properties identified on the Attached Addendum "Oak Park Tax Sale 2015" for the not to exceed purchase price of \$388,816.26 to include all terms stated in the Purchase Agreement.

2. The Mayor and/or City Manager are hereby authorized to sign all necessary documents to complete the transaction.

3. 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.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated:

PURCHASE AGREEMENT ADDENDUM

Oak Park Tax Sale 2015

Parcel Id	Property Address/Legal Description	Assessed Value	Tax Year	Tax Amount	Intergovt/Fees	Amount Due	
25-19-233-025	13670 TALBOT ST OAK PARK MI 48237-1128 T1N, R11E, SEC 19 NORTHAVEN SUB LOT 257	\$32,400	2007	\$230.21	\$247.48	\$477.69	
			2010	\$342.82	\$245.11	\$587.93	
			2011	\$1,978.66	\$1,650.30	\$3,628.96	
			2012	\$2,147.44	\$1,252.19	\$3,399.63	
			2013	\$2,861.85	\$1,054.25	\$3,916.10	
			2014	\$3,949.51	\$355.46	\$4,304.97	
	Total:					\$16,315.28	
25-29-328-014	12836 OAK PARK BLVD OAK PARK MI 48237-2125 T1N, R11E, SEC 29 VINCENT PARK SUB LOT 115	\$23,700	2012	\$1,223.05	\$867.56	\$2,090.61	
						Total:	\$2,090.61
25-29-352-019	13380 WOODVALE AVE OAK PARK MI 48237-2055 T1N, R11E, SEC 29 MC CLAIN SUB LOT 127	\$21,200	2012	\$2,206.36	\$1,188.64	\$3,395.00	
			2013	\$2,228.57	\$867.43	\$3,096.00	
			2014	\$2,620.18	\$235.82	\$2,856.00	
						Total:	\$9,347.00
25-29-355-015	23035 OAK CREST AVE OAK PARK MI 48237-2049 T1N, R11E, SEC 29 MC CLAIN SUB LOT 25	\$20,300	2012	\$2,112.03	\$1,164.49	\$3,276.52	
			2013	\$1,785.18	\$736.63	\$2,521.81	
			2014	\$2,572.91	\$231.56	\$2,804.47	
						Total:	\$8,602.80
25-29-478-017	23040 MAJESTIC ST OAK PARK MI 48237-2218 T1N, R11E, SEC 29 OAK PARK SUB S 50 FT OF LOT 340	\$24,800	2012	\$2,247.13	\$1,297.56	\$3,544.69	
			2013	\$2,195.25	\$857.60	\$3,052.85	
			2014	\$2,464.66	\$216.42	\$2,681.08	
						Total:	\$9,218.62
25-30-204-016	24670 CLOVERLAWN ST OAK PARK MI 48237-1402 T1N, R11E, SEC 30 PLEASANT RIDGE MANOR N B	\$12,700	2011	\$1,402.27	\$1,257.35	\$2,659.62	
			2012	\$1,953.17	\$1,323.57	\$3,276.74	
			2013	\$1,425.10	\$630.40	\$2,055.50	
25-30-204-016	24670 CLOVERLAWN ST OAK PARK MI 48237-1402 T1N, R11E, SEC 30 PLEASANT RIDGE MANOR N B FT OF LOT 378 & S 24 FT OF LOT 379	\$12,700	2014	\$1,106.34	\$99.57	\$1,205.91	
					Total:	\$9,197.77	
25-30-402-011	23530 CHURCH ST OAK PARK MI 48237-2430 T1N, R11E, SEC 30 PARKLANE SUB LOTS 1 & 2	\$34,600	2011	\$2,095.78	\$1,549.79	\$3,645.57	
			2012	\$3,139.07	\$1,590.71	\$4,729.78	
			2013	\$2,340.97	\$900.58	\$3,241.55	
			2014	\$2,347.87	\$211.31	\$2,559.18	
						Total:	\$14,176.08
25-31-101-018	22141 BEVERLY AVE OAK PARK MI 48237-2576 T1N, R11E, SEC 31 MARTIN'S POLO HEIGHTS SUB LOT 119 & 1/2 OF VAC ALLEY ADJ TO SAME	\$23,100	2012	\$2,115.27	\$1,165.84	\$3,281.11	
			2013	\$3,736.01	\$1,312.12	\$5,048.13	
			2014	\$2,926.07	\$263.35	\$3,189.42	
						Total:	\$11,518.66
25-31-103-018	22030 AVON AVE OAK PARK MI 48237-2521 T1N, R11E, SEC 31 MARTIN'S POLO HEIGHTS SUB S 10 FT OF LOT 185, ALL OF LOT 186 & N 2 FT OF LOT 187	\$25,100	2010	\$1,290.08	\$1,175.05	\$2,465.13	
			2011	\$2,570.79	\$1,929.62	\$4,500.41	
			2012	\$2,291.22	\$1,530.85	\$3,822.07	
			2013	\$2,178.97	\$852.79	\$3,031.76	
			2014	\$2,186.61	\$196.79	\$2,383.40	
						Total:	\$16,022.77
25-31-177-002	14531 PEARSON ST OAK PARK MI 48237-2607 T1N, R11E, SEC 31 GREENLAWN PARK SUB LOT 87	\$4,300	2012	\$808.77	\$623.64	\$1,432.41	
			2013	\$376.08	\$320.95	\$697.03	
			2014	\$911.67	\$82.05	\$993.72	
						Total:	\$3,123.16
25-31-201-001	14531 W 9 MILE RD OAK PARK MI 48237-2623	\$25,200	2011	\$1,258.03	\$1,015.86	\$2,273.89	
			2012	\$1,769.85	\$1,176.49	\$2,946.34	

PURCHASE AGREEMENT ADDENDUM

Oak Park Tax Sale 2015

Parcel Id	Property Address/Legal Description	Assessed Value	Tax Year	Tax Amount	Interest/Fees	Amount Due
25-31-201-001	14331 W 9 MILE RD OAK PARK MI 48237-2623 TIN, R11E, SEC 31 KENWOOD PARK LOTS 46 TO 51 INCL, ALSO E 13 FT OF VAC CHURCH ST & 1/2 OF VAC ALLEY ADJ TO SAME	\$25,200	2013	\$1,699.40	\$711.32	\$2,410.72
			2014	\$1,854.99	\$166.95	\$2,021.94
			Total:			
25-31-254-003	21740 CLOVERLAWN ST OAK PARK MI 48237-2671 TIN, R11E, SEC 31 KENWOOD PARK S 30 FT OF LOT 508 & N 21 FT OF LOT 509	\$21,400	2011	\$78.94	\$53.93	\$134.87
			2012	\$1,963.26	\$1,063.76	\$3,027.02
			2013	\$1,863.89	\$759.85	\$2,623.74
			2014	\$1,864.27	\$167.78	\$2,032.05
Total:					\$7,817.68	
25-31-276-073	21921 COOLIDGE HWY OAK PARK MI 48237-2610 TIN, R11E, SEC 31 PLEASANT RIDGE MANOR NO 1 LOTS 470, 471 & 472, ALSO 1/2 OF VAC ALLEY ADJ TO SAME 2-4-04 FR 035 & 036	\$27,400	2011	\$2,872.43	\$2,060.10	\$4,932.53
			2012	\$3,649.03	\$1,938.35	\$3,587.38
			2013	\$2,530.33	\$956.45	\$3,486.78
			2014	\$2,655.41	\$238.99	\$2,894.40
Total:					\$16,901.09	
25-31-278-027	21661 RIDGEDALE ST OAK PARK MI 48237-2725 TIN, R11E, SEC 31 S Z WOLACK SUB NO 2 LOT 59	\$24,000	2009	\$3,421.66	\$3,475.90	\$6,897.56
			2010	\$2,998.82	\$2,574.08	\$5,572.90
			2011	\$2,457.76	\$1,711.37	\$4,169.13
			2012	\$2,187.20	\$1,175.69	\$3,362.89
			2013	\$1,624.33	\$689.18	\$2,313.51
			2014	\$1,628.55	\$146.57	\$1,775.12
Total:					\$24,091.11	
25-32-129-008	22170 CONDON AVE OAK PARK MI 48237-2924 TIN, R11E, SEC 32 RIDGEWOOD ESTATES N 18 FT OF LOT 457 & S 40 FT OF LOT 458	\$13,000	2010	\$526.77	\$783.25	\$1,310.02
			2011	\$1,739.70	\$1,426.12	\$3,165.82
			2012	\$1,819.68	\$1,092.17	\$2,911.85
			2013	\$1,191.58	\$561.51	\$1,753.09
			2014	\$1,923.16	\$173.08	\$2,096.24
Total:					\$11,237.02	
25-32-129-008	22170 CONDON AVE OAK PARK MI 48237-2924 TIN, R11E, SEC 32 RIDGEWOOD ESTATES N 18 FT OF LOT 457 & S 40 FT OF LOT 458	\$13,000				\$11,237.02
25-32-151-007	13401 ALBANY ST OAK PARK MI 48237-2802 TIN, R11E, SEC 32 CAPITAL SUB LOT 6	\$12,900	2012	\$441.03	\$432.03	\$873.06
			2013	\$776.05	\$438.93	\$1,214.98
Total:						\$2,088.04
25-32-151-033	13240 CAPITAL AVE STE A OAK PARK MI 48237-3159 TIN, R11E, SEC 32 PRACTICAL SUB NO 5 W 18.50 FT OF LOT 100 & ALL OF LOT 101, ALSO E 30 FT OF LOT 30 OF 'CAPITAL SUB'	\$137,800	2009	\$9,066.49	\$8,871.51	\$17,938.00
			2010	\$13,963.86	\$11,152.00	\$25,115.86
			2011	\$12,809.35	\$7,948.56	\$20,757.91
			2012	\$11,417.67	\$5,064.33	\$16,482.00
			2013	\$11,962.76	\$3,739.01	\$15,701.77
			2014	\$12,236.59	\$1,101.29	\$13,337.88
Total:					\$109,333.42	
25-32-151-034	13200 CAPITAL AVE OAK PARK MI 48237-3168 TIN, R11E, SEC 32 PRACTICAL SUB NO 5 LOTS 98 & 99, ALSO LOT 100 EXC W 18.50 FT	\$130,400	2009	\$8,731.62	\$8,574.48	\$17,306.10
			2010	\$13,237.01	\$10,628.69	\$23,865.70
			2011	\$12,453.01	\$7,741.54	\$20,194.55
			2012	\$11,537.61	\$5,192.11	\$16,729.72
			2013	\$11,350.20	\$3,538.31	\$14,908.51
			2014	\$11,563.52	\$1,040.72	\$12,604.24
Total:					\$105,608.82	
25-33-101-015	8780 TROY AVE OAK PARK MI 48237-2317 TIN, R11E, SEC 33 FERNDALE WYOMING SUB LOT 63 & W 10 FT OF LOT 64 & 1/2 OF VAC ALLEY ADJ TO SAME	\$16,500	2012	\$25.24	\$259.48	\$284.72
			2013	\$1,444.06	\$636.00	\$2,080.06
			2014	\$99.69	\$8.97	\$108.66
			Total:			

PURCHASE AGREEMENT ADDENDUM

Oak Park Tax Sale 2015

Parcel Id	Property Address/Legal Description	Assessed Value	Tax Year	Tax Amount	Interest/Fees	Amount Due
25-33-152-010	8625 CAPITAL AVE	\$91,600	2012	\$7,413.28	\$3,456.51	\$10,869.79
	OAK PARK MI 48237-2361		2013	\$7,809.96	\$2,513.94	\$10,323.90
	T1N, R11E, SEC 33 AUSTIN HEIGHTS SUB LOTS	2014	\$7,735.04	\$696.15	\$8,431.19	
	34, 35 & 36				Total:	\$29,624.88

Total Purchase Price = \$388,816.26

PURCHASE AGREEMENT

MLS#

LISTING BROKER	SELLING BROKER
LISTING AGENT	SELLING AGENT
AGENT ID #	OFFICE ID
PHONE	PHONE

1. **PROPERTY DESCRIPTION:** The undersigned Buyer hereby offers and agrees to purchase property located in Michigan, City/ of OAK PARK County of OAKLAND Tax ID# _____

Legal description _____
Also commonly known as SEE ADDENDUM "OAK PARK TAX SALE 2015" Zip 48237
Street address

Property described above shall include all available sub surface and mineral rights, all fixtures, improvements and appurtenances now in or on the property, including all built-in appliances/equipment, shelving, cabinets, all lighting fixtures, ceiling fans, attached carpeting, all window treatments and hardware, attached mirrors, telephone network, television antennae, satellite dishes (if owned) and complete rotor equipment, storm doors, storm windows, screens, awnings, garage door openers and transmitters, water softeners and security systems (if owned), mailboxes, fences, fireplace inserts, doors, screens, gas logs, grates, gas attachments and equipment, attached humidifiers, all landscaping, fuel in tanks, central vacuum and attachments, and AS-IS

Seller shall provide a bill of sale for all included personal property at closing. Exclusions specified in listing contract that are **NOT** specifically excluded herein shall be included in this sale. Excluded Items: AS-IS

2. **PRICE:** Purchaser agrees to pay the sum of THREE HUNDRED EIGHTY-EIGHT THOUSAND EIGHT HUNDRED SIXTEEN AND 26/100 DOLLARS (\$388,816.26) in consideration for which Seller will provide a QUIT CLAIM deed subject to existing building and use restrictions and easements and rights of way of record.

3. **METHOD OF PAYMENT:** All money must be paid in U.S. funds by certified, cashiers or a licensed title company check acceptable to closing agent. Sale shall be completed by the following method: (Mark only the box that applies.)

- A. CASH SALE.** DELIVERY OF THE QUIT CLAIM DEED CONVEYING MARKETABLE TITLE AND PAYMENT OF THE PURCHASE PRICE.
- B. CASH SALE WITH NEW MORTGAGE.** Agreement contingent upon Purchaser securing a _____ mortgage, not contingent upon sale or closing of other assets, in the amount of \$ _____ and paying \$ _____ down plus mortgage costs, prepaid items, adjustments and flood insurance if required by lender. Purchaser agrees to apply for such mortgage within _____ calendar days from final acceptance of this Agreement at their own expense. If a mortgage commitment conditioned only upon marketable title and satisfactory survey (if required) is not delivered to Listing Broker within _____ calendar days from date of Agreement, Listing Broker shall be notified immediately and Seller may declare Agreement void. Purchaser further agrees that in connection with said application to lender, they will promptly comply with lender's request for true and accurate information required to process loan application. In the event the Purchaser(s) mortgage application is denied as evidenced by a written denial letter from Purchaser(s) lender, this offer shall be declared null and void, and all earnest monies shall be returned to the Purchaser(s) without penalty.
- C. SALE TO EXISTING FINANCING, LAND CONTRACT OR PURCHASE MONEY MORTGAGE.** (See appropriate finance addendum attached and made a part hereof.)

4. **EARNEST MONEY:** Purchaser is tendering with offer \$100,000.00 in the form of a check. All monies shall be deposited by Broker/escrow agent in accordance with rules and regulation of the State of Michigan and applied to purchase price at closing. Earnest monies shall be disbursed ONLY in accordance with either: (a) the terms hereof; (b) a fully executed mutual release; or (c) upon order of appropriate authority. If offer made is not accepted by Seller, earnest monies shall be returned to Purchaser without the written consent of the Seller.

5. **ACKNOWLEDGEMENT OF EARNEST MONEY DEPOSIT:** Received by: VISIONARY TITLE
AGENCY _____

DIANA SLOAN

Agent

Company Name

Signature

6. **CLOSING:** Subject to all conditions herein, closing shall take place on or before DATE TO BE DETERMINED BY CITY _____ at the Listing Office or otherwise mutually agreed location.

7. **POSSESSION:** PURCHASER RECOGNIZES THAT SOME PROPERTIES MAY BE OCCUPIED AND PURCHASER IS SOLELY RESPONSIBLE FOR THE CONTINUED OCCUPANCY/RELOCATION/EVICTION OF ANY OCCUPANTS.

- 8. AVAILABILITY OF HOME PROTECTION PLANS:** Buyer and Seller acknowledge having been advised of the availability of home protection plans.
- 9. SEWER AND WATER CHARGES:**
- 10. TITLE EVIDENCE AND SURVEY:** TITLE INSURANCE HAS BEEN RECOMMENDED BY THE REAL ESTATE BROKER(S).
- 11. TITLE OBJECTIONS:** If objection to title is made, based upon written notice that title is not in marketable condition required for performance hereunder, Seller shall have 30 calendar days from date notified in writing of particular defects claimed, to either: (a.) remedy title; or (b.) obtain title insurance satisfactory to Buyer. Buyer agrees to complete sale within 10 calendar days of written notification or by date specified if later. If Seller is unable or unwilling to remedy title within time specified, Buyer will waive requirement in writing within 10 calendar days of written notification thereof, or Agreement may become null and void at Buyer's option.
- 12. PROPERTY TAXES:** BUYER TO PAY 2015 SUMMER TAXES, INCLUDING ANY SPECIAL ASSESSMENTS AND RELATED CHARGES.
- 13. ASSESSMENTS:** Buyer shall discharge in full all public authority charges confirmed by said municipality or taxing unit(s) (special assessments, water, sewer, paving charges, etc.) which are currently due and payable. Buyer is responsible for other assessments including, but not limited to, capital and lateral charges (assessed, but value not yet determined) which are confirmed and become due and payable after closing.
- 14. CONDOMINIUM/HOMEOWNERS ASSOCIATION ASSESSMENTS:** Current dues shall be prorated to date of closing. Any delinquent condominium/homeowner association dues/assessments/liens shall be paid by Seller at closing. Any and all dues/assessments/liens confirmed and becoming due and payable after closing will be paid by Buyer. (See Condominium Addendum made a part hereof if applicable)
- 15. MAINTENANCE OF PROPERTY:** Seller is responsible to keep property in substantially the same condition as of date of Agreement. Seller is responsible to maintain grounds and keep all systems in working order until property is vacated and keys are surrendered by Seller except for conditions disclosed in Seller's Disclosure Statement or conditions discovered by Buyer as part of inspections. In the event property has been winterized, it shall be the obligation and expense of Seller to de-winterize property prior to closing. Seller agrees to leave property broom-clean and free of debris and personal property. WITHIN 7 DAYS OF CLOSING, BUYER WILL SECURE THE PROPERTY AND BEGIN MAINTENANCE.
- 16. RISK OF LOSS:** If loss or damage to property occurs before closing for any reason (including, but not limited to, fire, vandalism or acts of God) risk of loss shall be on Seller. If property is destroyed or substantially damaged before closing, at Buyer's option, this Agreement may become null and void, or Buyer may accept property and take assignment of insurance proceeds as available.
- 17. DISCLAIMER OF BROKER(S):** Broker(s) and Salesperson(s) specifically disclaim responsibility for condition of property and/or for performance of Agreement by the parties. Parties acknowledge that they are not relying on any representation or warranties that may have been made other than those in writing.
- 18. FINAL WALK-THROUGH PRIOR TO CLOSING:** Buyer reserves right to walk through property within 48 hours prior to closing to determine whether terms of Agreement have been met.
- 19. ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between Buyer and Seller. No agreement shall be binding except those in writing and signed by all parties involved. Prior negotiations and verbal agreements will not be binding.
- 20. SUCCESSORS AND ASSIGNS:** This Agreement shall bind executors, administrators, successors and assigns of the parties.
- 21. FACSIMILE/ELECTRONIC AUTHORITY:** Parties agree that this offer, any counteroffer or acceptance, may be delivered by use of facsimile/electronic authority with signatures, and that initials and modifications shall be deemed valid and binding upon the parties as if original signatures.
- 22. TIME IS OF THE ESSENCE:** Buyer and Seller understand that no extensions of time limits contained herein are expected or agreed to unless specified in writing and signed by both Buyer and Seller. Time is of the essence.
- 23. SELLER'S DISCLOSURE STATEMENT:** (Initial only one)
- Buyer(s) Initials**
- A. With Disclosure:** Buyer has, prior to writing this offer, received Seller's Disclosure Statement.
- B. Without Disclosure:** All Parties understand that the Seller's Disclosure Statement was not available at the time this offer was written. Seller shall provide Buyer with a Seller's Disclosure Statement with Seller's acceptance of this offer pursuant to Public Act 92 of 1993.

- 34. BUYER ACCEPTANCE OF CONDITION:** If Buyer elects to close regardless of conditions disclosed in due diligence period, Buyer shall be deemed to have accepted property in its "AS IS" condition. Buyer hereby knowingly waives, releases and relinquishes any and all claims of causes of action against Brokers, their officers, directors, employees and/or their agents for condition of property.
- 35. SHOWINGS:** Seller agrees not to allow property to be shown after inspection contingency is removed or has expired.
- 36. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT (FIRPTA):** If the sale price of residence exceeds \$300,000.00, the parties to the Agreement will be bound by FIRPTA requirements and must complete addendum for FIRPTA at closing.
- 37. LEGAL COUNSEL RECOMMENDATION:** BROKER(S) RECOMMEND(S) THAT ALL PARTIES TO THIS AGREEMENT RETAIN AN ATTORNEY TO PROTECT THEIR INTERESTS. The terms of this agreement shall survive the closing.
- 38. OTHER TERMS AND CONDITIONS.** BUYER IS A LICENSED REAL ESTATE AGENT/BROKER IN THE STATE OF MICHIGAN. BUYER TO COMMIT TO 95% OWNER OCCUPANT SALES. BUYER TO REMEDY AND CITY CERTIFY ALL PROPERTIES WITHIN ONE (1) YEAR. BUYER TO PAY ALL TAXES AND KEEP FUTURE TAXES CURRENT. BUYER IS RESPONSIBLE FOR ALL OUTSTANDING UTILITY CHARGES, INCLUDING WATER AND SEWER. WITHIN 90 DAYS AFTER CLOSING, BUYER SHALL PROVIDE THE CITY OF OAK PARK WITH A REHABILITATION PLAN FOR THE 3 COMMERCIAL PROPERTIES INCLUDED IN THIS AGREEMENT AND BUYER SHALL HAVE PHASE I OF ANY PLAN CONDUCTED BY A CERTIFIED ENVIRONMENTAL ENGINEER.

BUYER SIGNATURE AND ACKNOWLEDGEMENT OF RECEIPT: Buyer hereby makes this offer with terms and conditions contained herein.

WITNESS BUYER

DATE BUYER

SELLER SIGNATURE: Seller hereby agrees to terms and conditions contained herein. Seller acknowledges receipt of a copy of Agreement.

WITNESS SELLER

DATE SELLER CITY OF OAK PARK

~~**BUYER ACKNOWLEDGEMENT OF ACCEPTANCE.** Buyer by signing below acknowledges receipt of Seller's signed acceptance of Agreement or shall constitute a final acceptance of Seller's counteroffer.~~

~~WITNESS BUYER~~

~~DATE BUYER~~
