

Oak Park City Council Agenda

February 15, 2016





AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
February 15, 2016
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. Regular Council Meeting Minutes of February 1, 2016
- B. Retirement Board Meeting Minutes of October 26, 2015 and November 23, 2015
- C. Election Commission Meeting Minutes of October 22, 2015
- D. Zoning Board of Appeals Meeting Minutes of November 24, 2015
- E. Payment Application No. 2 to Terra Contracting for the 2015 Sewer Cleaning and Television Inspection Project, M-626, for the total amount of \$31,689.92
- F. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for Water Reservoir Pumping Station Improvements, Traffic Signal Design, Traffic Signal Optimization and Oak Park Boulevard and Lincoln Rehabilitation in the total amount of \$90,920.78
- G. Resolution to support the 2016 Tri-Party Program and authorize the submission of funding for repairs to Greenfield Road
- H. Request to advertise for bids for the 2016 Lawn Maintenance Project, M-639 and the 2016 Landscape Maintenance Project, M-640
- I. Licenses - New and Renewals as submitted for February 15, 2016

6. RECOGNITION OF VISITING ELECTED OFFICIALS:

7. SPECIAL RECOGNITION/PRESENTATIONS:

- A. City Manager Employee Recognition – Matthew Brandimarte

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES:

- A. Special Event Request and waiver of fees as submitted by the Oak Park Public Schools for an art contest, reception and award ceremony to be held at City Hall on March 24, 2016

11. ACCOUNTING REPORTS:

- A. Approval for payment of invoices submitted by Garan, Luow, Miller, P.C. for legal services in the total amount of \$13,654.78

12. BIDS: None

13. ORDINANCES: None

14. CITY ATTORNEY:

- A. Committee recommendation regarding approval of the Regular Council Meeting Minutes of January 19, 2016 and Special Council Meeting Minutes of January 19, 2016
- B. Committee recommendation regarding the request to reschedule the October 3, 2016 and October 17, 2016 City Council Meetings

15. CITY MANAGER:

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.



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
February 1, 2016
7:00 PM**

MINUTES

The meeting was called to order at 7:00 PM by Mayor McClellan in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Rich,
Council Member Speech (left meeting at 7:50 PM)

ABSENT: Council Member Radner

OTHERS

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

APPROVAL OF AGENDA:

**CM-02-036-16 (AGENDA ITEM #4) ADOPTION OF THE AGENDA WITH AN
ADDITION – APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the agenda with the following addition:

- Resolution in support of submitting an application for a Michigan State Housing Development Authority (MSHDA) Placemaking Initiative Grant as Item #15I.

Voice Vote:	Yes:	McClellan, Burns, Rich, Speech
	No:	None
	Absent:	Radner

MOTION DECLARED ADOPTED

CONSENT AGENDA:

Items #5A and #5B were removed from the Consent Agenda by Council Member Speech to be considered separately.

- A. Regular Council Meeting Minutes of January 19, 2016
- B. Special Council Meeting Minutes of January 19, 2016

CM-02-037-16 (AGENDA ITEM #5C-G) CONSENT AGENDA - APPROVED

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

Voice Vote:	Yes:	McClellan, Burns, Rich, Speech
	No:	None
	Absent:	Radner

MOTION DECLARED ADOPTED

Council Member Speech raised questions about her absences that were not excused from the January 19, 2016 council meetings. Mayor McClellan appointed a committee consisting of City Attorney Duff, Mayor ProTem Burns, Council Member Rich and Council Member Speech to consider the rules related to excusing absences from council meetings.

RECOGNITION OF VISITING ELECTED OFFICIALS:

State Representative Robert Wittenberg provided an update on legislative matters in Lansing. He discussed Public Act 269 that limits a municipality's ability to inform the public regarding ballot initiatives. He also discussed Senate Bill 13 that has eliminated straight party voting. He concluded by discussing the water crisis in Flint.

Oakland County Commissioner Helaine Zack provided an update on county level activities. She discussed programs for qualified citizens that can help with their tax payments and encouraged them to contact the Oakland County Treasurer. She also discussed programs for seniors and youth suicide prevention. The county is also celebrating Oakland County Parks 50th year.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Michigan Department of Transportation (MDOT) presentation regarding the Victoria Park Project. Representatives from MDOT provided a presentation regarding the bridge deck reconstruction project over I-696 due to drainage problems. Work includes removing everything above the bridge beams, including the dirt, sidewalks, parking lot, Church Street, trees, lights and a play structure in order to install proper drainage measures. When completed, the affected area will be restored to its original condition plus additional upgrades to the play structure. The project will begin in April and continue through November with the final tree planting and landscaping to be finished in the spring of 2017. Church Street will be closed to through traffic during this project. Additional information about the project can be obtained at www.michigan.gov/mdot or by calling 248-451-2423.

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Public Hearing (Continued from the January 19, 2016 Council Meeting) and Resolution approving the Corridor Improvement Authority Development and Tax Increment Financing (TIF) Plans

Mayor McClellan continued the public hearing at 8:04 PM that was opened on January 19, 2016 to hear comments on the Corridor Improvement Authority Development and Tax Increment Financing (TIF) Plans. The Public Hearing was immediately closed as there were no interested parties who wanted to speak.

CM-02-044-16

**(AGENDA ITEM #8A) RESOLUTION APPROVING THE
DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN
FOR THE OAK PARK CORRIDOR IMPROVEMENT AUTHORITY
- APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to adopt the following resolution approving the Development Plan and Tax Increment Financing Plan for the Oak Park Corridor Improvement Authority:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

RESOLUTION NO. CM-02-044-16

**A RESOLUTION OF THE OAK PARK CITY COUNCIL TO APPROVE THE
DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN FOR THE OAK
PARK CORRIDOR IMPROVEMENT AUTHORITY**

At a meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at the city hall at 14000 Oak Park Boulevard, Oak Park, Michigan 48237, on February 1, 2016, at 7:00 P.M., with those present and absent being,

PRESENT: McClellan, Burns, Rich

ABSENT: Radner, Speech

The following preamble and resolution were offered by Councilperson Burns and supported by Councilperson Rich.

WHEREAS, the Oak Park Corridor Improvement Authority was established, per Public Act 280 of 2005, as amended, under city council resolution CM-09-356-15; and

WHEREAS, the CIA Board approved the City of Oak Park Corridor Improvement Authority Development and Tax Increment Financing Plans on December 17, 2015, which Plan sets forth a series of action items to facilitate and support the revitalization of the Oak Park Corridor; and

WHEREAS, the CIA Board has identified Tax Increment Financing (TIF) as an important part of the redevelopment strategy and has prepared, considered and approved the requisite Development and TIF Plans, having forwarded said Plans to City Council for consideration, and

WHEREAS, pursuant to Section 22 of Public Act 280 of 2005, as amended, City Council held a duly noticed public hearing on the Development and TIF Plans for the Oak Park Corridor Improvement Authority on January 19, 2016 and continued on February 1, 2016, at which time an opportunity was provided for the expression of the views of all interested parties;

NOW THEREFORE BE IT RESOLVED:

1. In accordance with Section 23 of Public Act 280 of 2005, as amended, the City Council hereby finds and determines that the Development Plan and TIF Plans (the "Plans") constitute and seek to accomplish the public purposes of providing for and promoting critical revitalization and redevelopment of the Oak Park Corridor Improvement Authority within the development area designated in the Plans, as well as the other public purposes identified in the Plans.

2. The City Council of the City of Oak Park, in accordance with Section 23 of Public Act 280 of 2005, as amended, hereby finds and determines the following:
- a. The Plans meet the requirements of Section 20(2) of Public Act 280 of 2005, as amended.
 - b. The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
 - c. The development is reasonable and necessary to carry out the purposes of Public Act 280 of 2005, as amended.
 - d. Any land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of Public Act 280 of 2005, as amended, in an efficient and economically satisfactory manner.
 - e. The Development Plan is in reasonable accord with the Strategic Economic Development Plan for Future Land Use of the City of Oak Park Corridor Improvement Authority Development and TIF Plan.
 - f. Public services, such as Public Safety and utilities are, or will be adequate to service the project area.
 - g. Changes in zoning, streets, street levels, intersections, and utilities are reasonable necessary for the project and for the City.

That based upon the foregoing findings and determinations, and upon further finding that pursuit and execution of the Development and TIF Plans appear to be in the best interest of the City, the City of Oak Park City Council approves the Development Plan and TIF Plans for the Oak Park Corridor Improvement Authority, copies of which are attached to this resolution.

Roll Call Vote:	Yes:	McClellan, Burns, Rich
	No:	None
	Absent:	Radner, Speech

MOTION DECLARED ADOPTED

SPECIAL LICENSES: None

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES:

CM-02-045-16 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND SECTION 1201, PERMITTED USES, OF ARTICLE XII, PCD, PLANNED CORRIDOR DEVELOPMENT DISTRICT, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK – APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following Ordinance to amend Section 1201, Permitted Uses, of Article XII, PCD, Planned Corridor Development District, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 1201, PERMITTED USES, OF ARTICLE XII, PCD, PLANNED CORRIDOR DEVELOPMENT DISTRICT, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XII, PCD, Planned Corridor Development Districts, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

Section 1201. Permitted uses.

- I. Health, fitness and exercise clubs.
- J. Accessory uses customarily incidental to the above permitted uses.
- k. Uses which, in the opinion of the planning commission based on findings of fact, are similar to the above permitted uses.

SECTION 2. Conflicting Provisions Repealed

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

SECTION 3. Severability

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

SECTION 4. Effective Date

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

Roll Call Vote:	Yes:	McClellan, Burns, Rich
	No:	None
	Absent:	Radner, Speech

MOTION DECLARED ADOPTED

CITY ATTORNEY REPORT: None

CITY MANAGER:

City Council

CM-02-046-16 (AGENDA ITEM #15A) RESCHEDULING OF THE OCTOBER 3, 2016 AND OCTOBER 17, 2016 CITY COUNCIL MEETINGS - POSTPONED

Motion by Rich, seconded by Burns, to reschedule the October 3, 2016 and October 17, 2016 City Council Meetings. After discussion, motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to postpone consideration to reschedule the October 3, 2016 and October 17, 2016 City Council Meetings until the next regular meeting on February 15, 2016.

Voice Vote:	Yes:	McClellan, Burns, Rich
	No:	None
	Absent:	Radner, Speech

MOTION DECLARED ADOPTED

Council Member Rich indicated that the October Council Meetings fall on Jewish Holidays and that at least two members of Council will not be able to attend those meetings. He suggested moving the meetings to a day later in each of those weeks. Mayor McClellan suggested that moving meetings due to religious holidays should be considered further by a subcommittee before taking action on this topic. She appointed Mayor Pro Tem Burns, Council Member Radner and City Attorney Duff to look into this issue and provide a recommendation to Council. Consideration on this subject was postponed to the next regular council meeting.

Administration

(AGENDA ITEM #15B) State of the City Address scheduled for February 25, 2016. City Manager Tungate indicated the State of the City Address will take place on February 25, 2016 at 7:00 PM and a reception will precede the event at 6:00 PM.

Department of Public Works

CM-02-047-16 (AGENDA ITEM #15C) MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) CONTRACT NUMBER 15-5515 FOR THE REPLACEMENT OF THE PLAYGROUND STRUCTURE IN VICTORIA PARK ABOVE HIGHWAY I-696 SUBJECT TO REVIEW BY THE CITY ATTORNEY AND TO AUTHORIZE THE MAYOR AND CITY CLERK TO SIGN THE CONTRACT ON BEHALF OF THE CITY - APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve Michigan Department of Transportation (MDOT) contract number 15-5515 for the replacement of the playground structure in Victoria Park above Highway I-696 subject to review by the City Attorney and to authorize the Mayor and City Clerk to sign the contract on behalf of the City.

Roll Call Vote: Yes: McClellan, Burns, Rich
 No: None
 Absent: Radner, Speech

MOTION DECLARED ADOPTED

Assistant City Manager Yee summarized the Michigan Department of Transportation (MDOT) contract for the replacement of the playground structure, including the protective surface, in Victoria Park above Highway I-696. The City will select the vendor and play structure, contract with them including making the payment, and then submit for reimbursement from MDOT.

CM-02-048-16 (AGENDA ITEM #15D) PROPOSAL FROM ORCHARD, HILTZ & MCCLIMENT, INC. TO PERFORM CONSTRUCTION ENGINEERING FOR THE INSTALLATION OF TRAFFIC SIGNALS ON 9 MILE ROAD AND COOLIDGE HIGHWAY FOR A COST PLUS FIXED FEE THAT SHALL NOT EXCEED \$159,401.02 SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY - APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the proposal from Orchard, Hiltz & McCliment, Inc. to perform Construction Engineering for the installation of traffic signals on 9 Mile Road and Coolidge Highway for a cost plus fixed fee that shall not exceed \$159,401.02 subject to final review by the City Attorney.

Roll Call Vote: Yes: McClellan, Burns, Rich,
 No: None
 Absent: Radner, Speech

MOTION DECLARED ADOPTED

Mr. Yee reported the City's Engineering Division went through the Quality Based Selection Process to select an Engineering firm to perform professional services for the Construction Engineering of the traffic signal installations on 9 Mile Road and Coolidge Highway. Proposals for qualification were sent to engineering firms that are MDOT prequalified to design and time traffic signals. Three submissions were received and rated. The highest rated proposal was submitted from Orchard, Hiltz & McCliment, Inc. Mr. Yee indicated the contract will allow OHM to perform the Construction Engineering on the installation of 8 traffic signals. This project has received Federal funding that pays for this portion of the project. The Michigan Department of Transportation will reimburse the City of Oak Park for the entire amount of this contract.

CM-02-049-16 (AGENDA ITEM #15E) PROPOSED CHANGE ORDER NO. 3 FOR THE 2015 WATER MAIN REPLACEMENT PROJECT, M-609 TO MACOMB PIPELINE AND UTILITY CO. FOR THE TOTAL AMOUNT OF \$10,132.50 AND PAYMENT APPLICATION NO. 4 FOR THE SAME IN THE AMOUNT OF \$10,132.50 - APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve Proposed Change Order No. 3 for the 2015 Water Main Replacement Project, M-609 to Macomb Pipeline and Utility Co. for the total amount of \$10,132.50 and Payment Application No. 4 for the same in the amount of \$10,132.50.

Roll Call Vote: Yes: McClellan, Burns, Rich
 No: None
 Absent: Radner, Speech

MOTION DECLARED ADOPTED

Mr. Yee summarized Proposed Change Order No. 3 and Payment Application No. 4 for the 2015 Water Main Replacement Project, M-609. This project replaces the water main on Manistee Ave. and Burton Ave. The proposed Change Order is an increase after a final review and measurement with the contractor. This project is now 99% complete.

FINANCIAL STATEMENT:

Original Contract Amount:	\$461,034.00
Change Order No. 1:	\$ 43,490.00
Change Order No. 2:	(\$ 27,490.00)
Proposed Change Order No. 2:	\$ 10,132.50
Current Contract Amount:	\$487,216.46
Total Completed to Date:	\$ 487,216.46
Less Retainage:	\$ 5,000.00
Net Earned:	\$ 482,216.46
Deductions:	\$ 0.00
Balance:	\$ 482,216.46
<u>Payments to Date:</u>	<u>\$ 472,083.96</u>
Amount Due Macomb Pipeline and Utility Co.:	\$ 10,132.50

Finance

**CM-02-050-16 (AGENDA ITEM #15D) MOTION TO RECEIVE THE QUARTERLY
INVESTMENT REPORT FOR PERIOD ENDING 12/31/15
- APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to receive the quarterly investment report for period ending 12/31/15.

Roll Call Vote: Yes: McClellan, Burns, Rich
 No: None
 Absent: Radner, Speech

MOTION DECLARED ADOPTED

Finance Director Carl Johnson reported that the State of Michigan Public Act 213 of 2007 requires the City's investment officer to provide a written report quarterly to the governing body concerning the investment of all funds of the City that fall under Public Act 20. Public Act 20 governs how non-pension and non-OPEB funds can be invested. Mr. Johnson summarized the report detailing the cash and investments (citywide for all funds) held by the City at December 31, 2015.

During the second quarter, the remaining funds available for longer-term investing were converted from cash to investments increasing long-term investments from \$4.793 million at September 30, 2015 to \$8.395 million at December 31, 2015. The City has also maximized the return on short-term cash by utilizing the Oakland County Investment Pool and minimizing the amount maintained in the checking and daily depository accounts. Interest income for the months of July and August 2015 totaled \$2,502 while income for September through December 2015 totaled \$73,437 bringing the citywide total for the first six months of the fiscal year to \$75,939. The new investment strategy will continue to result in returns on overall investments five to six times higher than previous years.

CM-02-051-16 (AGENDA ITEM #15E) MOTION TO RECEIVE THE QUARTERLY FINANCIAL REPORT FOR PERIOD ENDING 12/31/15 - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to receive the following report highlighting fiscal year-to-date revenue and expenditure activity in the General Fund through the second quarter ending December 31, 2015:

GENERAL FUND

REVENUES

Total revenues for the first quarter total approximately \$12.2 million, representing approximately 60% of the annual budget. Overall revenues are on track with budget (including the minor adjustments included in the proposed amendment) with the following items of note:

- Total revenues through the second quarter total approximately \$15.0 million, representing approximately 72% of the annual budget. Overall revenues are on track with budget (including the minor adjustments included in the proposed amendment) with the following items of note:
- Property Tax Revenue – City property tax levies are billed July 1 and payable in full without penalty by August 31, 2015. As of the end of the first quarter approximately 90% of the taxes billed had been paid. Any unpaid real property taxes will be purchased from the City by Oakland County in May 2016. Property tax revenue is the primary reason the overall revenues are at 72% to date.
- Intergovernmental Revenue (State Revenue Sharing) – The City receives six bi-monthly payments annually for share-shared revenue. The second quarter report reflects two fiscal 2016 payments as the August 31, 2015 payment by statute is included as part of the June 30, 2015 revenues. The City will receive the remaining four payments on February 28, April 30, June 30 and August 31 (2016) related to the current fiscal year. The estimated annual revenue included in the budget totals \$3,309,894.
- The City receives cable franchise fees on a quarterly basis estimated at \$605,876 for the current fiscal year. The second quarter remittances will be received during January 2016.
- Fines and forfeiture revenue received from the district court is budgeted for a total of \$1,788,404 of which \$917,305 or 51.3% was received through the second quarter. The revenue received is used to offset a portion of the court's operating costs.

EXENDITURES

Total expenditures through the second quarter total approximately \$8.8 million, representing approximately 42% of the annual budget. Overall departmental expenditure budgets are on track with the following items of note (departments over 50%):

- City Manager’s Department has requested a budget amendment to address the increase in salary costs related to the contract incentive paid in December and the increase in costs related to new employee testing. Payment of annual membership dues during the first half of the fiscal year also results in a higher expenditure percentage to date.
- DPW Administration has requested a budget amendment to address the increase in salary costs related to the contract incentive paid in December.
- Senior Services Department has requested a budget amendment to address the increase in salary costs related to the contract incentive paid in December.
- Non Departmental is running lower than budget due to the timing of the annual contributions related to OPEB and the Public Safety Pension System.

Overall the General Fund operations are in line with the annual budget (incorporating the second quarter requested amendment). The projected fund balance remains at the targeted level of 15% of annual expenditures and the annual operating budget is balanced which continuing to address the long-term legacy costs of OPEB and pensions.

Voice Vote: Yes: McClellan, Burns, Rich
 No: None
 Absent: Radner, Speech

MOTION DECLARED ADOPTED

CM-02-052-16 (AGENDA ITEM #15H) BUDGET AMENDMENT #2016-2 - APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve Budget Amendment #2016-2 as follows:

NOW, THEREFORE BE IT RESOLVED that the following
 Budget Amendment #2016-2 is authorized:

	INCREASE (DECREASE)
GENERAL FUND	
REVENUES	
TAX AND TAX RELATED	\$ (100,000)
INTEREST	568
OTHER REVENUE	(10,000)
CHARGES TO OTHER FUNDS	<u>2,382</u>
TOTAL REVENUES	(107,050)
EXPENDITURES	
LEGISLATIVE	3,230
ADMINISTRATIVE	8,633
COMMUNITY & ECONOMIC DEVELOPMENT	1,615
CITY CLERK - ADMINISTRATIVE AND RECORDS	1,615
CITY CLERK - ELECTIONS	1,615
FINANCE	9,689
PUBLIC SAFETY	365,873

TECHNICAL AND PLANNING	9,150
RECREATION	2,154
PUBLIC WORKS	1,077
INFORMATION TECHNOLOGY	1,077
PUBLIC INFORMATION	6,327
NON-DEPARTMENTAL	(519,105)
TOTAL EXPENDITURES	(107,050)
Net Increase to fund Balance	\$ -

Roll Call Vote: Yes: McClellan, Burns, Rich
 No: None
 Absent: Radner, Speech

MOTION DECLARED ADOPTED

Mr. Johnson indicated the City's annual budget was adopted on May 18, 2015 and was effective July 1st. The budget is adopted at the departmental level and in accordance with the State Budget Act, budget amendments are to be completed throughout the fiscal year in order to reflect the most current information available related to revenue and expenditure budgets. Budget amendments that have a positive or negative impact on fund balance or change the department total require Council approval. The proposed amendments are based on actual and projected activity-to-date and have no net impact on the fund balance of the General Fund keeping the estimated fund balance at approximately 15% of annual revenues.

**CM-02-053-16 (AGENDA ITEM #15I) Added to the Agenda. RESOLUTION
AUTHORIZING THE CITY OF OAK PARK TO APPLY TO THE
MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
(MSHDA) FOR A PLACEMAKING INITIATIVE GRANT - APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City of Oak Park to apply to the Michigan State Housing Development Authority (MSHDA) for a Placemaking Initiative Grant:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

RESOLUTION NO. CM-02-053-16

AUTHORIZING THE CITY OF OAK PARK TO JOINTLY APPLY TO THE MICHIGAN
STATE HOUSING DEVELOPMENT AUTHORITY PLACEMAKING INITIATIVE GRANT
FOR 12700 EIGHT MILE ROAD, OAK PARK, MICHIGAN

February 1, 2016

WHEREAS, the City of Oak Park is working cooperatively with the Eight Mile Boulevard Association to apply for a MSHDA Placemaking Initiative Grant for 12700 Eight Mile Road; and

WHEREAS, the grant is to assist in MSHDA's mission to engage in community economic development activities to revitalize urban and rural communities; and

WHEREAS, the grant is to assist in improving Commercial buildings that serve or improve the area in which housing for low or moderate-income persons are located and are within walking distance of such; and

WHEREAS, the concept is to work with the current property owner to sell the property to a developer who will retain the historic character of the building, eliminate the blight, and contribute to the revitalization of that area; and

WHEREAS, the grant request is for \$15,000; and

BE IT HEREBY RESOLVED, by the Oak Park City Council, that this Resolution authorizes the City of Oak Park to apply to MSHDA for a Placemaking Initiative Grant for 12700 Eight Mile Road, Oak Park, Michigan, to revitalize the community, reduce blight, and retain the historical character of the building.

Roll Call Vote:	Yes:	McClellan, Burns, Rich
	No:	None
	Absent:	Radner, Speech

MOTION DECLARED ADOPTED

Community and Economic Development Manager Marrone reported the CED Department has prepared an application to apply for a Placemaking Initiative Grant to assist in the redevelopment of the property at 12700 Eight Mile Road, otherwise known as the WWJ Building and requests a resolution in support of the application. She indicated the application will be submitted jointly with the Eight Mile Boulevard Association in support of a \$15,000 grant that would allow an incentive to a potential investor to redevelop the old WWJ Building. With the location of this building on 8 Mile Road at the entrance to Oak Park it is in the city's best interest to work with the current owners to sell the building to be rehabilitated. The building is currently in disrepair and a blight to our community.

CALL TO THE AUDIENCE:

CJ Feldman, from Community Housing Network, announced the Michigan State Housing Development Authority has funded their Jefferson Oaks project, and they hope to break ground in late August or early September with occupancy for the new town homes to be in the fall of 2017.

Paul Newberger, Manhattan and Gardner, expressed concerns regarding school traffic flow in his neighborhood near Norup School. He suggested one-way streets.

Carla Finley, expressed concerns about a problem with trash in the alley near her business at 9 Mile and Coolidge.

Lana Sherman, 14071 Manhattan St., expressed concerns about the school traffic problem in her neighborhood.

Denise Rome, 13646 Hart St., also expressed concerns about the problems associated with school traffic near Norup School.

CALL TO THE COUNCIL:

Mayor McClellan thanked everyone for coming.

Mayor Pro Tem Burns encouraged everyone to dress appropriately during these cold winter days.

Council Member Rich thanked everyone for coming and wished them a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:44 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
EMPLOYEES' RETIREMENT SYSTEM AND
PUBLIC SAFETY RETIREMENT SYSTEM BOARD OF TRUSTEES
CONCURRENT MEETING**

**October 26, 2015
4:30 PM**

MINUTES

Chairperson Tungate called the meeting to order at 4:33 PM and asked the City Clerk to call roll.

EMPLOYEES' RETIREMENT SYSTEM:

TRUSTEES PRESENT: Trustee McClellan, Trustee Tungate, Trustee Eickmeier,
Trustee Waxenberg, Trustee Mlynczyk

TRUSTEES ABSENT: None

ALSO PRESENT: City Clerk Norris, City Attorney Duff,
Deputy Finance Director Crawford

PUBLIC SAFETY RETIRMENT SYSTEM:

TRUSTEES PRESENT: Trustee Batora, Trustee Tungate, Trustee McClellan,
Trustee Tetler, Trustee Levine (Arrived at 4:48 PM)

TRUSTEES ABSENT: None

ALSO PRESENT: City Clerk Norris, City Attorney Duff
Deputy Finance Director Crawford

Trustee Tungate indicated that this will be Trustee Levine's last meeting and thanked him for his service to this board. He also announced that Shawn Tetler has been re-elected to the PSRS Board and welcomed him back.

(Agenda Item #4A) Approval of Minutes

ERS-10-015-15

**MINUTES FROM THE JULY 27, 2015 ERS/PSRS
CONCURRENT MEETING – APPROVED**

Motion by Waxenberg, seconded by Mlynczyk, CARRIED UNANIMOUSLY, to approve the Minutes from the July 27, 2015 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg, Mlynczyk
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

**PSRS-10-015-15 MINUTES FROM THE JULY 27, 2015 ERS/PSRS
CONCURRENT MEETING – APPROVED**

Motion by Tetler, seconded by Batora, CARRIED UNANIMOUSLY, to approve the Minutes from the July 27, 2015 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora
	No:	None
	Absent:	Levine

MOTION DECLARED ADOPTED

(Agenda Item #5A) DROP Program

HR Director Vicki Brooks summarized the administrative aspects of the DROP Program and indicated that SAVITZ, SEI and the City's labor attorney have been working to create an application that will come before the PSRS Board for approval at their next meeting.

City Manager Tungate indicated that the reason the City negotiated this program was to allow for a plan that would retain experienced workers beyond retirement and would have a neutral effect on the systems.

(Agenda Item #5B) SAVITZ Presentation

Ellen Kleinstuber (by telephone) presented the Actuarial Valuations dated June 1, 2014 and GASB 45 (Healthcare) Valuations dated June 30, 2014 for both boards. (Complete copies are on file in the City Clerk's Office)

(Agenda Item #5B) SEI Presentation

Glen Harris and Vivian Estadt from SEI presented a Third Quarter Investment Review dated October 26, 2015. A complete report is on file in the City Clerk's Office. Mr. Harris reported third quarter returns for the plans and summarized plan highlights on page 5 of the report. The Employee Retirement System assets as of September 30, 2015 were \$19,260,630 and the Public Safety Retirement System assets were \$35,695,220. Both plans returned -5.9% in quarter 3 relative to -5.7% for the Policy Index. Mr. Harris indicated that most of the losses in the third quarter have been gained back just in the first 3 weeks of October.

He indicated volatility has increased meaningfully across all assets, with emerging markets seeing some of the largest drawdowns during the period on residual fears stemming from China. The

most positive returns were found in high quality fixed income and treasury markets, as investors sought safety during a period of heightened uncertainty.

Mr. Harris continued by reviewing asset allocations for the plans and discussed a recommended portfolio adjustment that would increase exposure to "Frontier Markets." The adjustment would shift from the SIT Emerging Markets Equity Fund to the SIIT Emerging Markets Equity Fund.

ERS-10-016-15 MOTION TO AUTHORIZE SEI TO SHIFT PORTFOLIO ALLOCATIONS FROM THE SIT EMERGING MARKETS EQUITY FUND TO THE SIIT EMERGING MARKETS EQUITY FUND – APPROVED

Motion by Eickmeier, seconded by Waxenberg, CARRIED UNANIMOUSLY, to authorize SEI to shift portfolio allocations from the SIT Emerging Markets Equity Fund to the SIIT Emerging Markets Equity Fund.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg, Mlynczyk
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

PSRS-10-016-15 MOTION TO AUTHORIZE SEI TO SHIFT PORTFOLIO ALLOCATIONS FROM THE SIT EMERGING MARKETS EQUITY FUND TO THE SIIT EMERGING MARKETS EQUITY FUND – APPROVED

Motion by Tetler, seconded by Batora, CARRIED UNANIMOUSLY, to authorize SEI to shift portfolio allocations from the SIT Emerging Markets Equity Fund to the SIIT Emerging Markets Equity Fund.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Levine
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

(Agenda Item #5C) Bonding against unfunded liability

Mr. Tungate briefly discussed the subject of bonding against the unfunded liability of the pension systems and indicated that we will continue to pursue a relationship with a consultant to take a look at options that may work for the Retirement Systems.

D. Disbursements made by Retirement System

DATE	CHECK#	PAYEE/DESCRIPTION	AMOUNT
08/31/15	JE#1429	SEI Private Trust Co. Investment Counseling Fees for 4/01/15- 06/30/15.	\$ 23,262.88
TOTAL QUARTERLY DISBURSEMENTS:			\$23,262.88

- E. Fiduciary Net Assets Statement – Fund 680
- F. Retirees Actuarial Statements - None
- G. Municipal and Military Buy-Back Calculations - None
- H. Correspondence of Retirement Submission - None
- I. Necrology Report - None
- J. Miscellaneous Information - None

Voice Vote:	Yes:	Tungate, Levine, Tetler, McClellan, Batora
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

PUBLIC COMMENTS:

There were no members of the public present wishing to speak.

ADJOURNMENT:

The meeting adjourned at 5:35 PM.

T. Edwin Norris, City Clerk



**CITY OF OAK PARK, MICHIGAN
PUBLIC SAFETY RETIREMENT SYSTEM BOARD OF TRUSTEES
MEETING**

**November 23, 2015
4:30 PM**

MINUTES

PUBLIC SAFETY RETIRMENT SYSTEM:

TRUSTEES PRESENT: Trustee Tungate, Trustee Batora, Trustee Tetler, Trustee Rich (Arrived at 5:38 PM)

TRUSTEES ABSENT: Trustee McClellan

ALSO PRESENT: City Clerk Norris, Deputy Finance Director Crawford, HR Director Brooks

(Agenda Item #3A) Deferred Retirement Option Plan

Deputy Finance Director Crawford thanked Vicki Brooks for her work to make the DROP Program happen.

Attorney Cynthia Billings from Ward Sullivan was present to discuss the Deferred Retirement Option Plan (DROP) that was approved by the Unions. The DROP listed below was discussed by the Trustees:

Deferred Retirement Option Plan

1. Purpose

The purpose of the Deferred Retirement Option Plan ("DROP") is to allow an eligible employee (defined below) to remain actively employed by the City for a maximum of three (3) years; freeze his/her regular retirement allowance level on the effective date of the DROP election; and receive DROP contributions to his/her DROP account. The DROP is created to add flexibility to the City of Oak Park Public Safety Employees' Retirement Plan ("Retirement Plan") and a DROP participant by providing him/her access to a lump sum benefit at the time of his/her actual retirement in addition to his/her regular retirement benefit that is frozen upon his/her DROP election. The DROP is intended to be cost neutral.

2. Eligibility

Effective July 28, 2015, all members in the Oak Park Command Union and Patrol Union, Director of Public Safety and Deputy Public Safety Director (hereinafter referred to as the “participant or participants”) may elect to participate in the deferred retirement option plan established pursuant to this Plan, provided they have attained the minimum requirements for a normal service retirement/pension from the Retirement Plan.

3. Election to Participate

To participate in the DROP, the participant must complete and sign an application approved by the retirement board, and submit it to the retirement board no more than sixty (60) days and not less than thirty days from their DROP effective date. The retirement board shall review the application at their next regularly scheduled meeting to determine participant’s eligibility to participate in the DROP. The participant’s election of DROP participation shall have an effective DROP Date no earlier than his date of application. Once elected, participation in the DROP is irrevocable.

As of the participant’s effective DROP Date, he or she shall continue to contribute 7½% of pay to the Retirement System; however, he or she shall cease to accrue additional retirement benefits otherwise credited to active members of the Retirement Plan. The amount of credited service, multiplier and average final compensation shall be fixed as of the participant’s DROP Date. Increases in compensation and additional service earned after the participant’s DROP Date will not be included in the calculation of an active or former DROP participant’s pension benefit.

The participant will continue to provide services to the city and will receive remuneration, including fringe benefits, in accordance with the bargaining agreement governing his/her employment, with the following exceptions:

- (A) Participants in the DROP will not have, nor will they be entitled to any sick, vacation or personal leave time.
- (B) Participants in the DROP will have a 180-hour annual paid time off bank, which will be payable as of April 1st in each year. For those participants who enter the DROP after April 1st, they will receive a pro-rata share of the 180 hours calculated from their DROP date through the following April 1st. This 180-hour bank must be used in that year (i.e. April 1st to March 31st), except that a member may roll over up to 40 hours to the following year. Any remaining hours in the annual paid time off bank at the conclusion of the DROP or the conclusion of the participant’s participation in the DROP will not be redeemable for payment.
- (C) Members who elect to participate in the DROP may, prior to entering the DROP, roll over up to 100 hours of time accumulated (excluding sick time) which would have been payable to them at the time of retirement. The hours rolled over under this provision will be paid to them on the

first March 31st after their entry into the DROP. This amount may not be carried forward to future years.

- (D) DROP participants shall be provided benefits in accordance with the collective bargaining agreement in effect at the time of DROP participation. These benefits are subject to changes in accordance with successive collective bargaining agreements.
- (E) DROP participants are active employees and as a result shall be provided health insurance benefits consistent with the terms and conditions of the current collective bargaining agreement and shall be subject to changes as successive collective bargaining agreements are negotiated.
- (F) DROP Participants eligibility for retirement health insurance shall be governed and provided by the terms of the collective bargaining agreement in force at the time of separation of employment and not upon the date of DROP participation.

4. Participation Period

The maximum period for participations in the DROP is three (3) years (the "Participation Period"). The three (3) year participation period shall not constitute a guarantee of employment or program participation. There is no minimum time period for participation. The participant's monthly pension benefit which is credited to their DROP account shall cease as of the earlier of the participant's termination of employment or expiration of the DROP Participation Period. Interest on the DROP account shall cease as of the earlier of the participant's termination of employment or expiration of the DROP Participation Period.

If a member is involuntary separated from the City during the eligible participation period, he/she acknowledges that the City is not liable for any additional DROP benefits that would have accrued over a full realized three (3) year participation period. Upon retirement, the participant's monthly retirement benefit from the Retirement Plan shall be the monthly amount credited to their DROP account and the participant shall be eligible for a distribution of their DROP account balance in accordance with section 8 below.

5. DROP Benefit

During the participation period, the participant's DROP account shall be credited monthly with an amount equal to the regular monthly retirement benefit to which the participant is entitled from the Retirement Plan. The amount of credited service, multiplier, and average final compensation shall be fixed as of the DROP date.

Prior to the participant's DROP Date, the participant must elect to have his retirement benefit paid in the form of a regular retirement benefit which would be payable through his lifetime, consistent with the available options as set forth in the Oak Park Retirement Ordinance. The participant may **not** change the form of benefit, or his/her beneficiary on or after his/her DROP Date, unless the requirements of PA 345, Section 6(1)(k) are met (relating to domestic relation orders). A participant's spouse means the person to whom

the participant was legally married to on the participant's date of death if such death occurs after the participant's DROP Date, but prior to termination of employment; or the person to whom the retiree was legally married on both the date of termination of employment and the date of death, provided such death occurs after termination of employment. The definition of spouse as used herein may be amended pursuant to a Domestic Relations Order entered under the Eligible Domestic Relations Order Act, Michigan Public Act 46 of 1991, as amended, or the Public Employee Retirement Benefit Protection Act, Michigan Public Act 100 of 2002.

Failure to cease providing services at or before the expiration of the maximum three (3) year Participation Period shall result in forfeiture of the participant's monthly Retirement Plan benefit otherwise payable to his DROP account until cessation of services.

6. DROP Accounts

An individual DROP account shall be created in the accounting records of the Retirement Plan for each DROP participant. The participant's DROP Account shall be credited throughout the duration of the participant's DROP Participation Period with the Participant's monthly DROP Benefit and an interest payment in the amount of 2% per annum, prorated for any fraction of a year. The individual DROP account shall be maintained for the benefit of the participant and will be managed by the retirement board in the same manner as the other funds held in the Retirement Plan.

The Retirement Board shall provide participants with an annual statement of their DROP Account. The reference to individual DROP Accounts shall be interpreted to refer to the accounting records of the Retirement Plan and not the actual segregation of DROP assets.

7. DROP Beneficiary

At the time a participant makes application to the Retirement Board for participation in the DROP, the participant will nominate a beneficiary for any accumulated amounts in the participant's DROP account. A participant may subsequently revoke this beneficiary designation and nominate a new beneficiary provided, this will only go into effect upon receipt by the Retirement Board of a validly executed beneficiary nomination form.

8. Distribution of DROP Funds

Upon cessation of the participant's services to the city, the participant shall receive the accumulated lump sum in his DROP Account unless an optional form of benefit is elected pursuant to this subsection. At the time the participant makes application to the retirement board for participation in the DROP, the participant may choose one (or a consistent combination of one or more) of the following distribution methods to receive payment from his DROP account:

- (a) A total lump sum distribution.
- (b) A partial lump sum distribution.
- (c) A lump sum direct rollover to another qualified plan to the extent allowed by federal law and in accordance with the Retirement Board's rollover procedures, including an annuity.
- (d) No distribution, in which case the accumulated balance shall remain in the plan to the extent allowed by federal law.

- (e) Distributions from the participant's DROP account may be made to an alternate payee pursuant to an acceptable domestic relations order, prior to the cessation of the participant's services to the City.

The participant may change the distribution method prior to cessation of employment, no more than once per year. All payments under the plan shall be made (or begin) as soon as practical, but in no event later than the April 1 following the later of (A) the calendar year in which the participant attains age 70-½ or (B) the calendar year in which the Participation Period terminated.

If the accumulated balance in the Participant's DROP account becomes less than \$5,000.00 [or other amount as provided in Internal Revenue Code Section 411(a)(11)(A)], then the Retirement Board shall have at its discretion the option of distributing the entire account, in the form a lump sum, to the participant.

In the event of a distribution greater than \$1,000 under this Section, if the participant does not elect to have such distribution paid directly to an eligible retirement plan specified by the participant, in a direct rollover or to receive the distribution as a direct payment, then the Retirement Board will pay the distribution in a direct rollover to an individual retirement plan designated by the Retirement Board.

Distributions from the participant's DROP Account shall not be subject to offset by worker's compensation wage loss payments received by the participant, including any redemption amounts.

9. Death During DROP Participation

If the participant dies either:

- (i) During the participation period, or
- (ii) After the participation period but before the DROP account balance has been fully paid out;

The Participant's designated beneficiary(ies) shall receive the remaining balance in the participant's DROP account in the manner in which they elect from section 8 above. If the participant has failed to name a beneficiary, the account balance shall be payable to the participant's beneficiary of benefits from the Retirement Plan. If there is no such beneficiary, the account balance shall be paid in a lump sum to the participant's estate. In the event such death occurs prior to termination of service, benefits payable from the Retirement Plan shall be determined as though the participant had terminated service on the day prior to the participant's date of death.

10. Disability During DROP Participation

If participant becomes totally and permanently disabled such that it would preclude him from performing his obligations under the agreement with the city, the participant's participation in the DROP shall cease and the participant shall receive such benefits as if

the participant had ceased providing services to the city and the participation period had ended. Application and determination of disability shall be conducted in accordance with the Retirement Plan provisions; however, the participant shall not be eligible for disability benefits from the retirement system.

11. The City of Oak Park hereby disclaims any and all responsibility for any tax implications that may affect an individual's participation in the DROP. The City recommends that each Employee consult with a professional tax advisor, CPA, or other such individual capable of providing tax advice.

12. Internal Revenue Code Compliance

The DROP is subject to the requirements of the Internal Revenue Code ("IRC") and related regulations including but not limited to, IRC Section 415(b) relating to the amount of benefits that can be paid; IRC Section 401(a)(9) relating to the minimum distribution rules; and IRC Section 401(a)(31) relating to the rollover of benefits. This DROP is hereby established within the Retirement Plan in accordance with the terms set forth herein.

Any provision of the DROP, or portion thereof that is determined to be in conflict with an applicable provision of the Internal Revenue Code of the United States is hereby declared null and void.

(Agenda Item #3B) Deferred Retirement Option Plan Application

PSRS-11-018-15 DEFERRED RETIREMENT OPTION PLAN (DROP) APPLICATION FORM – APPROVED

Motion by Tetler, seconded by Batora, CARRIED UNANIMOUSLY, to approve the presented Oak Park Deferred Retirement Option Plan (DROP) Application Form with the change of "Section 7" to "Section 8" in paragraph one found on page two.

Roll Call Vote:	Yes:	Tungate, Tetler, Batora, Rich
	No:	None
	Absent:	McClellan

MOTION DECLARED ADOPTED

Trustee Rich noted that the reference to Section 7 of the DROP in paragraph one found on page two of the application should actually reference Section 8 instead. The application was approved with the noted change.

PUBLIC COMMENTS:

There were no members of the public present wishing to speak.

ADJOURNMENT:

The meeting adjourned at 5:03 PM.

T. Edwin Norris, City Clerk



CITY OF OAK PARK, MICHIGAN

ELECTION COMMISSION

October 22, 2015

1:00 p.m.

MINUTES

A meeting of the Oak Park Election Commission was held October 22, 2015 at City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. The meeting was called to order at 1:00 p.m. by City Clerk Ed Norris.

PRESENT: City Clerk Norris, Election Commissioner Sherman

ABSENT: Election Commissioner Chudnow

3. APPROVAL OF ELECTION COMMISSION MEETING MINUTES OF OCTOBER 7, 2015

Resolution #EC-10-012-15

Motion by ~~Chudnow~~ *Norris, seconded by Sherman.

RESOLVED, that the Minutes of October 7, 2015 are APPROVED as amended.

VOTE: Yes: All
No: None

MOTION CARRIED

4. PUBLIC ACCURACY TEST

The Commission conducted the Public Accuracy test for Precinct 15 & 16 in accordance with state law.

5. CALL TO AUDIENCE. No members of the public were in attendance.

6. ADJOURNMENT.

There being no objections, the meeting adjourned at 1:30 p.m.

T. Edwin Norris, City Clerk

**As amended on February 2, 2016.*

**CITY OF OAK PARK, MICHIGAN
ZONING BOARD OF APPEALS
NOVEMBER 24, 2015
MEETING MINUTES**

The meeting was called to order at 7:30 p.m. by Chairperson Landau in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237 and Roll Call was made.

PRESENT: Chairperson Landau, Members Barton, Blumenkopf, Peiss, Seligson

ABSENT: Vice Chairperson Huston

OTHERS PRESENT: City Planner Kevin Rulkowski

APPROVAL OF ZONING BOARD OF APPEALS MINUTES OF OCTOBER 27, 2015

MOTION BY Blumenkopf, SECONDED BY Barton, to approve the meeting minutes of October 27, 2015 as submitted.

Vote: Yes: Barton, Blumenkopf, Landau, Peiss, Seligson
No: None

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

OLD BUSINESS: None

NEW BUSINESS:

a) APPLICANT:

Ms. Brie-Ana Falzon
23130 Forest
Oak Park, Michigan

PROPERTY:

23130 Forest
Property Identification Number: 25-28-382-001

ORDINANCE REQUIREMENTS AND REQUEST:

The following variances are requested:

1. Article XVII, Section 1703, B, 2, c, requires accessory buildings located on corner lots, no closer to the side street than the width of the required side yard (15 feet). The applicant is requesting a waiver to allow for a garage/carport to

be re-constructed with a side yard setback of four (4) feet, nine (9) inches from the side property line.

2. Article XVII, Section 1703, B, 2, d, requires accessory buildings located on corner lots not to have driveways less than 20 feet in length between garage or carport and the street right of way. The applicant is requesting a waiver of allow for a driveway of four (4) feet, nine inches in length between the garage/carport and the street right of way.

STAFF FINDINGS OF FACT:

- 1) The subject parcel is Zoned R-1, One-Family Dwelling District.
- 2) Article XVII, Section 1703, B, 2, c, requires accessory buildings located on corner lots, no closer to the side street than the width of the required side yard (15 feet).
- 3) The applicant is requesting a variance to allow for a garage/carport to be re-constructed with a side yard setback of four (4) feet, nine (9) inches from the side property line.
- 4) Article XVII, Section 1703, B, 2, d, requires accessory buildings located on corner lots not to have driveways less than 20 feet in length between garage or carport and the street right of way.
- 5) The applicant is requesting a variance of allow for a driveway of four (4) feet, nine inches in length between the garage/carport and the street right of way.
- 6) The applicant is requesting a variance to re-construct a garage in the same location as one that was recently removed at this location. The property is a corner lot with the house fronting on Forest Avenue.
- 7) The adjacent neighbor to the rear of the applicant's parcel has a garage with similar setbacks as the applicant. The adjacent neighbor's garage door and the garage door of the garage to be re-constructed face Breckenridge Avenue.
- 8) The lot dimensions of the subject parcel are 40 feet by 117 feet.

STAFF RECOMMENDATIONS:

In this circumstance although strict compliance with the setback provisions would not unreasonably prevent the owner from using the property for a permitted purpose, it might render conformity unnecessarily burdensome. In addition, given the proposed garage location, it most likely will not negatively affect the adjacent residential properties or essentially alter the character of the surrounding area or be that visibly noticeable.

TO BE DECIDED:

Based on the information presented in the Planning Division Report, and additional findings of fact discussed during the review of case # 15-06, I move to (approve, deny) the request

of Ms. Brie-Ana Falzon, 23130 Forest,

- 1) a waiver from the provisions in Article XVII, Section 1703, B, 2, c, to allow for a garage/carport to be re-constructed with a side yard setback of four (4) feet, nine (9) inches from the side property line.

- 2) a waiver from the provisions in Article XVII, Section 1703, B, 2, to allow for a driveway of four (4) feet, nine inches in length between the garage/carport and the street right of way.

Ms. Falzon explained her decision to remove the existing garage was based on safety concerns, as the building was rotting and structurally unsound.

MOTION BY Peiss, SECONDED BY Seligson: based on the information presented in the Planning Division Report, and additional findings of fact discussed during the review of case # 15-06, to **grant** the request of Ms. Brie-Ana Falzon, 23130 Forest, for:

- 1) a waiver from the provisions in Article XVII, Section 1703, B, 2, c, to allow for a garage/carport to be re-constructed with a side yard setback of four (4) feet, nine (9) inches from the side property line.
- 2) a waiver from the provisions in Article XVII, Section 1703, B, 2, to allow for a driveway of four (4) feet, nine inches in length between the garage/carport and the street right of way.

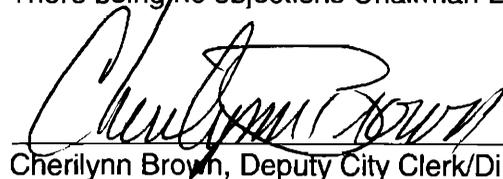
Vote: Yes: Barton, Blumenkopf, Landau, Peiss, Seligson
No: None

MOTION DECLARED ADOPTED

City Planner Rulkowski reported no cases have been filed for the regularly scheduled December meeting. Board members were in general agreement to have Mr. Rulkowski request that City Council cancel the December 22, 2015 meeting.

ADJOURNMENT

There being no objections Chairman Landau adjourned the meeting at 7:34 p.m.



Cherilynn Brown, Deputy City Clerk/Director of Elections



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: February 15, 2016

AGENDA #

SUBJECT: Payment Application no. 2 for the 2015 Sewer Cleaning and Television Inspection Project, M-626.

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

SUMMARY: Attached is Payment Application no. 2 for the 2015 Sewer Cleaning and Television Inspection Project, M-626. This project cleaned and televised sewers in the section shown on the attached map. This project is now 50% complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$174,878.00
	Total Completed to Date:	\$ 86,736.27
	Less Retainage:	\$ 8,673.63
	Net Earned:	\$ 78,062.64
	Deductions:	\$ 0.00
	Balance:	\$ 78,062.64
	Payments to Date:	\$ <u>46,372.72</u>
	Amount Due Terra Contracting:	\$ 31,689.92

RECOMMENDED ACTION: It is recommended that Payment Application no. 2 to Terra Contracting for the 2015 Sewer Cleaning and Television Inspection Project, M-626, be approved for the total amount of \$31,689.92. Funding is available in the Water and Sewer Fund no. 592-18-550-930.

APPROVALS:
City Manager: *[Signature]*

Department Director: *[Signature]*

Finance Director: _____

EXHIBITS: Payment Application no. 2, map of area

PAYMENT APPLICATION

PROJECT: 2016 SEWER CLEANING AND TELEVISION INSPECTION PROJECT
OWNER: CITY OF OAK PARK, MICHIGAN
CONTRACTOR: TERRA CONTRACTING, LLC
 21221 MULLIN AVE.
 WARREN, MICHIGAN 48089

JOB NUMBER: M-626
APPLICATION NO.: 2
PERIOD ENDING: 12/31/2015

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY	UNIT	UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	MEDIUM 8" SEWER CLEANING & TV INSPECTION	1,000	LFT	\$1.09	0	\$0.00	0	\$0.00
2	MEDIUM 10" SEWER CLEANING & TV INSPECTION	9,100	LFT	\$1.15	5,926	\$8,814.90	6,139	\$7,059.85
3	MEDIUM 12" SEWER CLEANING & TV INSPECTION	41,500	LFT	\$1.15	7,541	\$8,672.15	19,004	\$21,854.60
4	MEDIUM 15" SEWER CLEANING & TV INSPECTION	22,100	LFT	\$1.27	4,528	\$5,750.56	13,070	\$16,598.90
5	MEDIUM 18" SEWER CLEANING & TV INSPECTION	23,000	LFT	\$1.33	3,048	\$4,053.84	11,765	\$15,647.45
6	MEDIUM 21" SEWER CLEANING & TV INSPECTION	8,800	LFT	\$1.33	1,968	\$2,617.44	3,362	\$4,471.46
7	MEDIUM 24" SEWER CLEANING & TV INSPECTION	10,200	LFT	\$1.41	2,614	\$3,685.74	3,058	\$4,311.78
8	MEDIUM 27" SEWER CLEANING & TV INSPECTION	3,100	LFT	\$1.62	822	\$1,331.64	1,464	\$2,371.68
9	MEDIUM 30" SEWER CLEANING & TV INSPECTION	6,100	LFT	\$1.69	1,172	\$1,980.88	4,513	\$7,626.97
10	MEDIUM 33" SEWER CLEANING & TV INSPECTION	1,200	LFT	\$1.69	0	\$0.00	304	\$513.76
11	MEDIUM 36" SEWER CLEANING & TV INSPECTION	5,400	LFT	\$1.81	168	\$304.08	1,747	\$3,162.07
12	MEDIUM 42" SEWER CLEANING & TV INSPECTION	2,000	LFT	\$2.00	0	\$0.00	1,123	\$2,246.00
13	MEDIUM 48" SEWER CLEANING & TV INSPECTION	0	LFT	\$2.75	0	\$0.00	317	\$871.75
14	MEDIUM 64" SEWER CLEANING & TV INSPECTION	0	LFT	\$3.10	0	\$0.00	0	\$0.00
Period Total Amount:						\$35,211.03	Amount to Date:	\$66,736.27

Original Contract Amount:	\$174,878.00	Earnings This Period:	\$35,211.03
		Total Earnings to Date:	\$66,736.27
		Less Retainage:	\$8,673.63
		Net Eamed:	\$78,062.64
		Deductions:	\$0.00
		Balance:	\$78,062.64
		Payments to Date:	\$46,372.72

AMOUNT DUE TERRA CONTRACTING, LLC: \$31,689.92

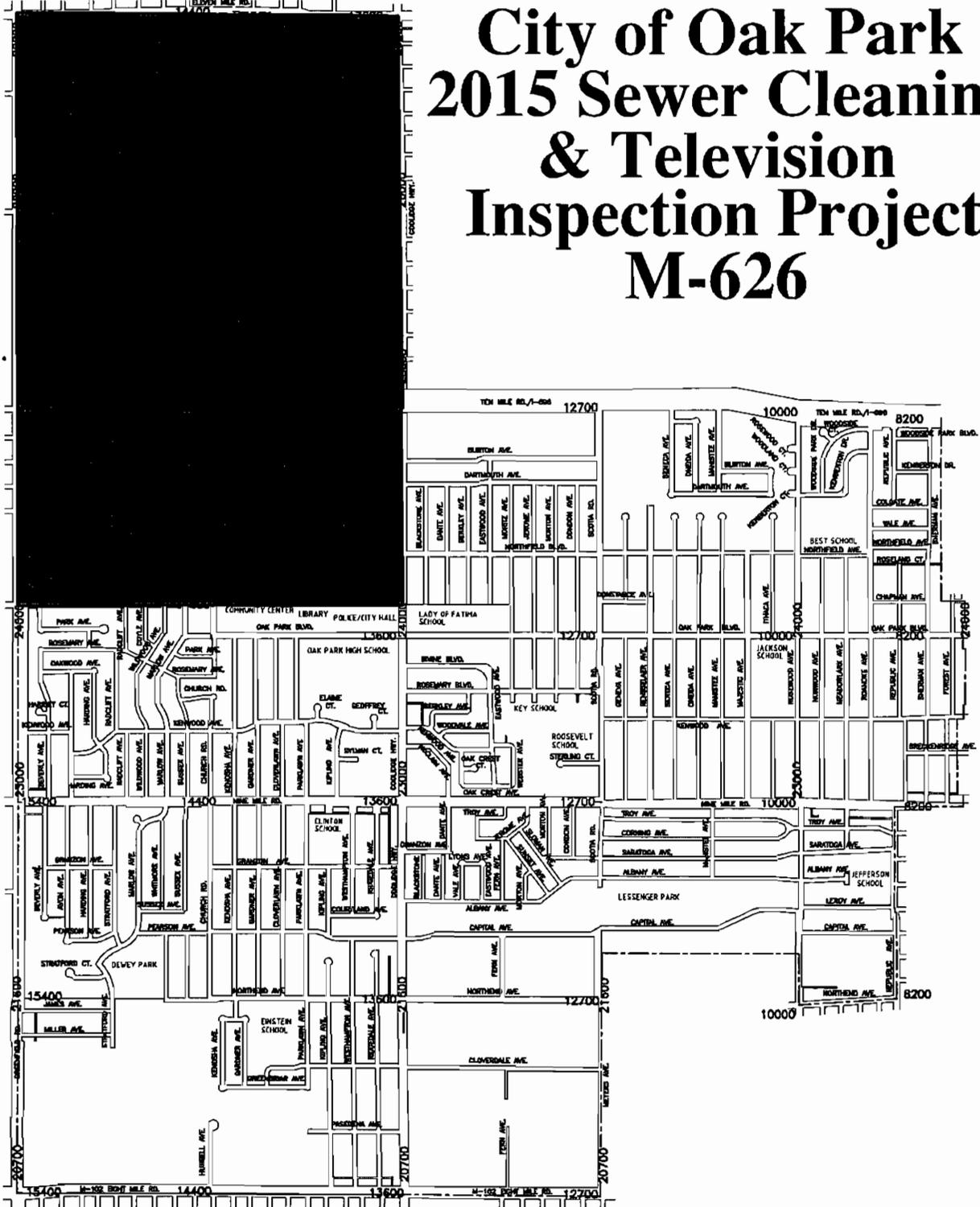
Accepted By: 
 Terra Contracting, LLC

Date: 2-1-2016

Approved By: 
 Robert Barrett, Director Technical & Planning Services
 City of Oak Park, Michigan

Date: 2/2/2016

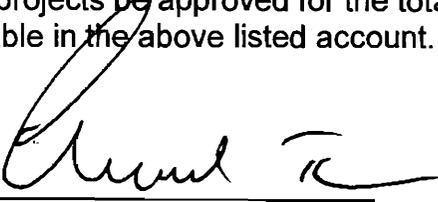
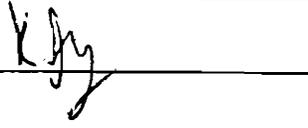
City of Oak Park 2015 Sewer Cleaning & Television Inspection Project M-626



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** February 15, 2016**AGENDA #****SUBJECT:** Payment request from Orchard, Hiltz, & McCliment for Engineering Consulting Services.**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY***SUMMARY:** Attached are invoices from Orchard, Hiltz & McCliment for the project listed below:

Project	This Period	Prior Billings	To Date	Current Contract	Account Number
CE – Water Reservoir Pumping Station Improvements	\$697.50	\$29,297.75	\$29,995.25	\$30,000.00	592-18-540-801
PE – Traffic Signal Design	\$3,700.00	\$107,076.25	\$110,776.25	\$114,060.00	202-18-474-801
Traffic Signal Optimization	\$49,102.78	\$0.00	\$49,102.78	\$184,662.88	202-18-474-801
PE – Oak Park Blvd & Lincoln Rehab	\$37,420.50	\$34,896.25	\$72,316.75	\$84,000.00	202-18-479-801
Totals	\$90,920.78	\$171,270.25	\$262,191.03	\$228,060.00	

RECOMMENDED ACTION: It is recommended that the invoices from OHM for the above listed projects be approved for the total amount of \$90,920.78. Funding is available in the above listed account.

APPROVALS:City Manager: Department Director: 

Finance Director: _____

EXHIBITS: Invoices

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

Invoice Date: 01/13/2016
Invoice #: 175669
Project: 0037-15-0040

Project Name: 2016 Oak Park Federal Aid Patching Program

For Professional Services Rendered through: 1/2/2016

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
G2 Subconsultant	8,089.00	0.00	8,089.00	0.00
Professional Fees	75,911.00	59,485.75	16,425.25	12,831.00
		Amount Due This Invoice **		12,831.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

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

Invoice Date: 01/13/2016
Invoice #: 175669
Project: 0037-15-0040

Professional Fees

Fixed Rates Labor

<i>Classification / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Associate			
MARK R. LOCH	10.50	160.0000	1,680.00
	2.50	165.0000	412.50
Graduate Engineer I			
THOMAS BACHMAYER	8.00	103.0000	824.00
	26.00	100.0000	2,600.00
Graduate Engineer III			
ERIN WILKINSON	22.00	115.0000	2,530.00
	24.50	119.0000	2,915.50
Technician II			
CAROL ELERT	21.00	89.0000	1,869.00
	<u>114.50</u>		<u>12,831.00</u>
	Fixed Rates Labor subtotal		12,831.00
	Total Professional Fees		12,831.00

Total Project: 0037150040 - 2016 Oak Park Federal Aid Patching Program **12,831.00**

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

Invoice Date: 12/10/2015
Invoice #: 175330
Project: 0037-15-0040

Project Name: 2016 Oak Park Federal Aid Patching Program

For Professional Services Rendered through: 11/28/2015

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
G2 Subconsultant	8,089.00	0.00	8,089.00	0.00
Professional Fees	75,911.00	34,896.25	41,014.75	24,589.50
			Amount Due This Invoice **	24,589.50

REMIT TO:

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34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

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

Invoice Date: 12/10/2015
Invoice #: 175330
Project: 0037-15-0040

Professional Fees

Fixed Rates Labor

<i>Classification / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Associate			
JAMES STEVENS	0.50	160.0000	80.00
MARK R. LOCH	31.50	160.0000	5,040.00
Engineering/Architectural Aide			
JONATHAN NICHOLS	1.50	52.0000	78.00
Graduate Engineer I			
ALEX BLEHM	1.50	100.0000	150.00
JOSHUA SCHEENSTRA	68.50	100.0000	6,850.00
Graduate Engineer III			
ERIN WILKINSON	68.50	115.0000	7,877.50
MITCHELL MASTER	0.50	115.0000	57.50
Sr. Associate			
KEVIN MAILLARD	6.00	170.0000	1,020.00
Technician II			
CAROL ELERT	23.00	87.0000	2,001.00
HOSEA CUNNINGHAM	10.50	87.0000	913.50
NASRAT NASSER	6.00	87.0000	522.00
	Fixed Rates Labor subtotal	218.00	24,589.50
	Total Professional Fees		24,589.50

Total Project: 0037150040 - 2016 Oak Park Federal Aid Patching Program **24,589.50**

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
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CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
13700 OAK PARK BLVD.
OAK PARK, MI 48237

Invoice Date: 01/07/2016
Invoice #: 175557
Project: 0037-14-0021

Project Name: Design of Eight Traffic Signals

For Professional Services Rendered through: 12/26/2015

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
Professional Services	114,060.00	107,076.25	6,983.75	3,700.00
			Amount Due This Invoice **	3,700.00

REMIT TO:

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34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

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F 734.522.6427

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

Invoice Date: 01/07/2016
Invoice #: 175557
Project: 0037-14-0021

Professional Services

Fixed Rates Labor

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Associate	3.00	160.0000	480.00
	0.50	165.0000	82.50
Graduate Engineer III	4.00	115.0000	460.00
Professional Engineer/Architect II	6.00	125.0000	750.00
	5.00	129.0000	645.00
Professional Engineer/Architect III	9.50	135.0000	1,282.50
			3,700.00
	Fixed Rates Labor subtotal	28.00	3,700.00
	Total Professional Services		3,700.00

Total Project: 0037140021 - Design of Eight Traffic Signals **3,700.00**

REMIT TO:

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

Invoice Date: 01/07/2016
Invoice #: 175556
Project: 0037-13-0023

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

For Professional Services Rendered through: 12/26/2015

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
Professional Services	30,000.00	29,297.75	702.25	697.50
Amount Due This Invoice **				697.50

REMIT TO:
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34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

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F 734.522.6427

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

Invoice Date: 01/07/2016
Invoice #: 175556
Project: 0037-13-0023

Professional Services

Fixed Rates Labor

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Professional Engineer/Architect IV	4.50	155.0000	697.50
Total Professional Services			697.50

Total Project: 0037130023 - Construction Services – Oak Park **697.50**

REMIT TO:

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LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

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

Invoice Date: 01/14/2016
Invoice #: 175738
Project: 0037-15-0060

Project Name: Signal Optimization of 36 Locations

Progress Billing #3 Percent Complete 26%

For Professional Services Rendered through: 1/2/2016

Analysis of Costs

Direct Salaries	3,562.55
Overhead % 174.49	6,216.07
FCC % 0.85	30.28
Total Direct Personnel	9,808.90
Total Other Direct Charges	29,471.84
Total Costs	39,280.74
Fixed Fee	3,238.86
Total Charges/Fees	<u>42,519.60</u>
Amount Due This Invoice **	<u>42,519.60</u>

REMIT TO:

OHM Advisors

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LIVONIA, MICHIGAN 48150-1512

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

Invoice Date: 01/14/2016
Invoice #: 175738
Project: 0037-15-0060

Professional Fees

Fixed Rates Labor

Classification / Employee Name

Date Hours Rate Amount

Associate

STEPHEN B. DEARING

12/14/2015	0.50	51.2019	25.60
12/18/2015	0.50	51.2019	25.60
Subtotal	1.00		51.20

Graduate Engineer I

MATTHEW CLARK

11/30/2015	2.00	24.2500	48.50
12/1/2015	6.50	24.2500	157.63
12/2/2015	2.50	24.2500	60.63
12/3/2015	5.50	24.2500	133.38
12/4/2015	2.50	24.2500	60.63
12/7/2015	2.50	24.2500	60.63
12/10/2015	8.50	24.2500	206.13
12/11/2015	6.50	24.2500	157.63
12/14/2015	10.00	24.2500	242.50
12/15/2015	4.00	24.2500	97.00
12/16/2015	8.00	24.2500	194.00
12/17/2015	7.50	24.2500	181.88
12/18/2015	5.00	24.2500	121.25
12/18/2015	5.00	24.2500	121.25
12/21/2015	6.00	24.7500	148.50
12/22/2015	7.50	24.7500	185.63
12/23/2015	8.50	24.7500	210.38
Subtotal	98.00		2,387.55

Professional Engineer/Architect III

STEVEN M. LOVELAND

11/30/2015	2.00	42.3078	84.62
12/1/2015	2.00	42.3078	84.62
12/7/2015	1.50	42.3078	63.46
12/8/2015	3.00	42.3078	126.92
12/9/2015	3.50	42.3078	148.08
12/10/2015	2.00	42.3078	84.62

REMIT TO:

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 F 734.522.6427

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Professional Fees

Fixed Rates Labor

<i>Classification / Employee Name</i>	<i>Date</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>	
Professional Engineer/Architect III					
STEVEN M. LOVELAND	12/11/2015	2.00	42.3078	84.62	
	12/14/2015	2.00	42.3078	84.62	
	12/16/2015	2.00	42.3078	84.62	
	12/18/2015	2.00	42.3078	84.62	
	Subtotal	22.00		930.80	
Technician II					
ANDREW SHERWOOD	12/15/2015	1.00	26.5000	26.50	
	12/17/2015	1.00	26.5000	26.50	
	12/21/2015	2.00	28.0000	56.00	
	12/22/2015	2.00	28.0000	56.00	
	12/23/2015	1.00	28.0000	28.00	
	Subtotal	7.00		193.00	
	Fixed Rates Labor subtotal	128.00		3,562.55	
Subconsultant					
Vendor Name	Date	Invoice	Cost	Multiplier	Amount
Traffic Data Collection	12/12/2015	1600	7,390.82	1.00	7,390.82
	12/12/2015	1601	21,101.22	1.00	21,101.22
	1/2/2016	1606	979.80	1.00	979.80
	Subconsultant subtotal				29,471.84
	Total Professional Fees				39,280.74
Project Totals	Hours:	128.00	Labor:	3,562.55	

Total Project: 0037150060 - Signal Optimization of 36 Locations	42,519.60
--	------------------

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

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

Invoice Date: 12/08/2015
Invoice #: 175300
Project: 0037-15-0060

Project Name: Signal Optimization of 36 Locations

Progress Billing #2 Percent Complete 5%

For Professional Services Rendered through: 11/28/2015

Analysis of Costs

Direct Salaries	2,166.89
Overhead % 174.49	3,780.96
FCC % 0.85	18.40
Total Direct Personnel	5,966.25
Total Other Direct Charges	
Total Costs	5,966.25
Fixed Fee	616.93
Total Charges/Fees	<u>6,583.18</u>
Amount Due This Invoice **	<u>6,583.18</u>

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



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

Invoice Date: 12/08/2015
Invoice #: 175300
Project: 0037-15-0060

Professional Fees

Fixed Rates Labor

<i>Classification / Employee Name</i>	<i>Date</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Administrative Support				
BRANDEE N. RUSSEL	11/2/2015	0.50	25.0000	12.50
Graduate Engineer I				
MATTHEW CLARK	10/26/2015	2.00	24.2500	48.50
	11/4/2015	3.00	24.2500	72.75
	11/5/2015	7.50	24.2500	181.88
	11/6/2015	5.00	24.2500	121.25
	11/9/2015	5.00	24.2500	121.25
	11/10/2015	5.50	24.2500	133.38
	11/11/2015	2.50	24.2500	60.63
	11/12/2015	1.50	24.2500	36.38
	11/16/2015	4.50	24.2500	109.13
	Subtotal	36.50		885.15
Professional Engineer/Architect III				
STEVEN M. LOVELAND	10/26/2015	3.00	42.3078	126.92
	10/27/2015	2.00	42.3078	84.62
	10/29/2015	1.50	42.3078	63.46
	10/30/2015	1.50	42.3078	63.46
	11/2/2015	0.50	42.3078	21.15
	11/3/2015	2.50	42.3078	105.77
	11/4/2015	1.00	42.3078	42.31
	11/5/2015	2.50	42.3078	105.77
	11/6/2015	0.50	42.3078	21.15
	11/12/2015	2.00	42.3078	84.62
	11/13/2015	1.00	42.3078	42.31
	11/16/2015	1.50	42.3078	63.46
	11/17/2015	1.50	42.3078	63.46
	11/18/2015	0.50	42.3078	21.15
	11/19/2015	1.50	42.3078	63.46
	11/20/2015	1.00	42.3078	42.31

REMIT TO:

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Professional Fees

Fixed Rates Labor

<i>Classification / Employee Name</i>	<i>Date</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Professional Engineer/Architect III				
STEVEN M. LOVELAND	11/23/2015	2.00	42.3078	84.62
	11/24/2015	2.00	42.3078	84.62
	11/25/2015	2.00	42.3078	84.62
	Subtotal	<u>30.00</u>		<u>1,269.24</u>
	Fixed Rates Labor subtotal	67.00		<u>2,166.89</u>
	Total Professional Fees			5,966.25
Project Totals	Hours:	67.00	Labor:	2,166.89

Total Project: 0037150060 - Signal Optimization of 36 Locations **6,583.18**

REMIT TO:

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BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: February 15, 2016 **AGENDA #**

SUBJECT: Resolution in support of the Road Commission for Oakland County's 2016 Tri-party program.

DEPARTMENT: Technical & Planning – Engineering *KJY*

SUMMARY: The Oakland County Board of Commissioners has approved a FY 2016 budget of \$2,000,000 to create a \$6,000,000 Tri-Party Program. The City of Oak Park's share in the 2016 Tri-Party Program is \$15,141.

FINANCIAL STATEMENT: This expenditure of \$15,141 for the Tri-Party Program will not be collected by the County until the funds are to be used for a project.

RECOMMENDED ACTION: It is recommended that the City Council approve the attached resolution of support in the 2016 Tri-Party Program and authorize the submission of funding for repairs to Greenfield Road.

APPROVALS:

City Manager: _____

A large, handwritten signature in black ink, appearing to be "Curt T.", written over a horizontal line.

Finance Director: _____

A handwritten signature in black ink, appearing to be "KJY", written over a horizontal line.

Department Director: _____

EXHIBITS: Resolution

**CITY OF OAK PARK
MICHIGAN**

**RESOLUTION IN SUPPORT OF THE ROAD COMMISSION FOR
OAKLAND COUNTY'S 2016 TRI-PARTY PROGRAM**

- WHEREAS, Past participation in the Tri-Party Program has been beneficial to the City of Oak Park and its residents;
- WHEREAS, The Oakland County Board of Commissioners approved a FY 2016 budget of \$2,000,000 to create a \$6,000,000 Tri-Party Program;
- WHEREAS, \$3,000,000 of those funds will be designated for townships and \$3,000,000 for cities and villages;
- WHEREAS, Based on population, road miles and accidents the City of Oak Park's share in the program is \$45,424 per year with a cost of \$15,141 to the City of Oak Park;
- WHEREAS, Projects which improve road safety take precedence over congestion, aesthetics, drainage, or maintenance projects; and
- WHEREAS, The City Engineer has determined that the submission of funding for repairs to Greenfield Road are needed for safety reasons.

NOW, THEREFOR, BE IT RESOLVED that the City Council for the City of Oak Park, Michigan, hereby submits the funding for repairs to Greenfield Road as the project for the 2016 Tri-Party Program Project commitment; and

BE IT FURTHER RESOLVED that copies of this resolution be submitted to the Oakland County Board of Commissioners and to the Oakland County Executive.

Roll Call Vote: Yes,
 No,
 Absent,

I, T. Edwin Norris, duly authorized City Clerk of the City of Oak Park, Michigan, do hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Oak Park City Council at the regular Council Meeting held on February 15, 2016.

T. Edwin Norris, City Clerk

ROAD COMMISSION FOR OAKLAND COUNTY TRI-PARTY PROGRAM

Your participation is requested in the FY 2016 Tri-Party Program. The fiscal year governing this program is October 1, 2015 through September 30, 2016. The Oakland County Board of Commissioners has approved an increased Tri-Party budget of \$2.0 million to create a \$6.0 million program for FY 2016. A total of \$3 million will be designated for townships and a total of \$3 million will be designated for cities and villages.

The distribution formula and method of calculation of Tri-Party allocations have remained the same in an attempt to most equitably distribute the Tri-Party dollars. For cities and villages, it includes RCOC road miles and three-year average annual crashes. For townships, the most recent census population figures are combined with RCOC road miles and three-year annual crashes.

Separate formulas are used because population in the city/village equation would skew the results toward more densely populated cities with fewer RCOC road miles. In townships, population has been used as a determining factor to prevent the distribution from being skewed toward townships with high road miles and small populations. The population data includes the most recent official count from the 2010 U.S. Census and the most recent traffic crash data available from the Traffic Improvement Association of Oakland County is from 2011 to 2013.

A schedule of events has been established as detailed below. If you are unable to meet any of the dates below, please inform me as soon as possible.

DEADLINE	ACTIVITY
March 2016	Potential project locations submitted to Programming Division for review.
April 2016	Project commitments submitted for projects to be constructed in 2016.
May 2016	Project approval by Road Commission and County Board.
May – November 2016	Design, bidding, and construction period.

A list of suggested project locations is attached. The list is not in priority order and most do not yet have cost estimates. Also shown are some typical costs for comparison purposes.

In addition, a historical report of your community's Tri-Party Program participation is also attached along with your community's FY2016 allocation. The report lists the projects that have been completed with their associated costs and shows the allocations that have been reserved for future Tri-Party projects.

Please contact me at (248) 645-2000 extension 2266 if you have any questions.

Thomas G. Noechel
Programming Supervisor
Road Commission for Oakland County
31001 Lahser Road
Beverly Hills, MI 48025

2016 TRI-PARTY PROGRAM
CITY OF OAK PARK
ALLOCATION FOR 2016: \$45,424

The following list contains typical safety projects with general costs for your information. Actual project costs will vary depending on location and a preliminary concept and estimate should be requested. Below is the list of potential project sites recommended over the past year or so by citizens and officials; many of these have not been field checked.

SAFETY PROJECTS	GENERAL COSTS
Additional right turn lane at intersection	\$150,000 per approach
Approach paving – subdivision street	\$125,000
Approach paving – primary road	\$150,000
Passing lane	\$100,000
Widen for 150-200' center left-turn lane	\$250,000 per approach
Shoulder paving one side	\$ 90,000 per mile

POTENTIAL PROJECT LOCATIONS

No suggestions at this time.

**ROAD COMMISSION FOR OAKLAND COUNTY
TRI-PARTY PROGRAM**

City of Oak Park

County Commissioners:

17- Nancy L. Quarles

18- Helaine M. Zack

PROJECT DESCRIPTION	Date of Agrmt	Project No.	1980-2006	2007	2008	2009	2010	2011	2012	Add'l 2012	2013	2014	2015	2016	PROJECT
															TOTAL
Greenfield (10 Mile-Lincoln)	C	8/1/91	36611	105,229											105,229
10 Mile (Grnflid-Cburch) & Sthfld	C	7/11/91	38951	43,444											43,444
Greenfield (n of 10 1/2 Mile)	C	7/22/99	44341	80,808											80,808
Greenfield (8-10 Mile) PE	C	11/7/93	41511	16,646											16,646
Greenfield (8-9 Mile) CONST Est final 8/2003	C	1/10/02	41511	195,177											195,177
Greenfield (9-10 Mile) CONST Est final 6/2005	C	6/27/02	47171	112,505											112,505
10 Mile (Greenfield-Kenosha)	C	4/13/06	48781	98,880											98,880
10 Mile (Greenfield-Kenosha) concrete repair	C	6/14/07	49101	16,050	61,196										77,246
10 Mile (Greenfield-Kenosha) P.E.	C	7/24/08	49451	0	25,000										25,000
10 Mile @ Coolidge	C	10/8/09	50011	0	36,016	61,016		27,753	26,487	9,607					160,879
10 Mile Greenfield to east City Limits	C	7/22/10	50491	0			27,869								27,869
Greenfield Road at 10 Mile Road		5/7/15	52961	0						25,174	26,033	24,003	23,280		98,490
AMOUNT REMAINING FOR FUTURE PROJECT				0	0	0	0	0	0	0	0	0	0	45,424	45,424
TOTAL				668,739	61,196	61,016	61,016	27,869	27,753	26,487	34,781	26,033	24,003	23,280	1,087,597
															1,087,597



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: February 15, 2016

AGENDA #

SUBJECT: Request authorization to bid lawn and landscape maintenance.

DEPARTMENT: DPW – KJY

SUMMARY: Bid documents are being prepared for the City's lawn and landscape maintenance projects. We are requesting to bid the 2016 Lawn Maintenance Project, M-639 and the 2016 Landscape Maintenance Project, M-640.

FINANCIAL STATEMENT: There is funding available in the Major Street Fund, Water and Sewer Fund, and Public Works Other Parks budget for these expenditures.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for 2016 Lawn Maintenance Project, M-639 and the 2016 Landscape Maintenance Project, M-640 be approved. Funding is available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works budget.

APPROVALS:
City Manager: _____

Department Director: _____

Finance Director: _____

EXHIBITS: none

MERCHANT'S LICENSES – FEBRUARY 15, 2016

(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>
The Steller Realty Group	10140 Nine Mile	\$150
<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>
Pinewood Dental	21950 Greenfield	\$187.50
Bling Bling Lee Inc.	26122 Greenfield	\$150.00
Empower Mart	25850 Greenfield	\$187.50
Check N Go	13321 Ten Mile	\$187.50
The Blouse House	21700 Greenfield 112	\$187.50
Lori'el – N – Ladon's	21700 Greenfield 441	\$187.50
American Data Security	13070 Northend	\$187.50
Fallou's African Hair Braiding	12716 Nine Mile	\$187.50
Check 'N' Go	25274 Greenfield	\$187.50
Aldi Inc. #88	26300 Greenfield	\$450.00
Ross Special Services	13380 Capital	\$225.00
Eddie's Gourmet	25920 Greenfield	\$225.00
Oak Park Beauty	13421 Ten Mile	\$225.00

CITY OF OAK PARK
MICHIGAN
APPLICATION FOR SPECIAL EVENT LICENSE

Today's Date: 11/12/15

Applicant Information

Applicant/Business Name: Oak Park Public Schools ^{Eileen Bigham} Charles Bugelli, Art Teachers

Applicant/Business Address: 13900 Granzon

Phone number: 734-717-4324 E-Mail Address: hooked on fun camps @ gmail.com

Relation of applicant to business: Art Teachers - OP Elementaries

Has applicant ever been convicted of a felony? Yes No

Owner Information

Owner or manager of site: Dr. Davida Colbert Phone: 248 336 7705 office

Names and addresses of partners or officers of corporation:
Superintendent of schools 13900 Granzon

Event Information

Proposed date(s) of event: 3rd/24 Has this event been held previously? Yes No

Address or location of event: City Hall - Council Chambers & lobby area

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 NA

Nature, purpose, and detailed description of event: Culmination of Art Contest
Art Reception + Presentation of Awards

Will the event be open to the public? Yes No

If yes, please describe how so: Student participants, their families and the general public

Estimated number of people attending event? 150-200 Hours of Event: 100 kids plus available family members

(*) Application fee waiver requested (*)

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 : NA

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: Nb

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.

Eileen Bigham
Applicant's Signature

State of Michigan

County of ^{SS} DAKLAND

Subscribed and sworn to before me, a Notary Public this 12TH day of NOVEMBER 20 15, by
MDL# B250147585922

My Commission expires: 12-11-2050

S. Jankovik

Notary Public

SPECIAL EVENT LICENSE APPLICATION FEE ESTIMATION

Oak Park Schools

(Mayor's Art Event – Council Chambers & City Hall Lobby)

DATE: March 24, 2016

<u>DEPARTMENT</u>	<u>SERVICES</u>	<u>ESTIMATED HOURS</u>	<u>ESTIMATED COST</u>
TECHNICAL AND PLANNING <i>Rob Barrett</i>	N/A	N/A	N/A
PUBLIC SAFETY <i>Steve Cooper</i>	Periodic checks	N/A	N/A
RECREATION <i>Julie Hall</i>	N/A	N/A	N/A
DPW <i>Kevin J. Yee</i>	N/A	N/A	N/A
ADDITIONAL <i>Administration</i>	Food and set up provided by staff Application Fee Waiver Requested	3 hours	\$100 \$100 application fee waiver requested

**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 452480

February 10, 2016

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 Sunday, January 31, 2016

\$11,667.00

Fee Total

Costs Advanced:

Date	Description	Amount
01/06/16	Fee to 43rd Judicial District Court for Motion For Leave to Amend Affirmative Defenses	20.00
01/06/16	Reproduction Charges 53 @ 0.15	7.95
01/07/16	Reproduction Charges 1 @ 0.15	0.15
01/13/16	Reproduction Charges 70 @ 0.15	10.50
01/18/16	Reproduction Charges 25 @ 0.15	3.75
01/29/16	Oakland County Case Look-Up. Copy of filed complaint.	9.50
01/29/16	Reproduction Charges 1 @ 0.15	0.15
01/29/16	Reproduction Charges 14 @ 0.15	2.10
	Total Costs Advanced	\$54.10

In Re: City of Oak Park
02/10/16
Page 2

Total Fees and Disbursements: \$11,721.10

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**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 452481

February 10, 2016

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

*Re: Judy Kish and Joyce Bannon, et al v City of
Oak Park*

*Client 7406
Matter 31*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, January 31, 2016

\$325.50

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$325.50

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**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 452482

February 10, 2016

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

*Re: Tina Polk and Richard Newton v City of Oak
Park, County of Oakland, et al.*

*Client 7406
Matter 24*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, January 31, 2016

\$1,599.00

Fee Total

Costs Advanced:

Date	Description	Amount
01/19/16	Commenced travel to City of Oak Park for special meeting – received call that meeting was cancelled 17 @ 0.54	9.18
	Total Costs Advanced	\$9.18

Total Fees and Disbursements: \$1,608.18

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
January 19, 2016
7:00 PM**

MINUTES

The meeting was called to order at 7:00 PM by Mayor McClellan in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Rich,
Council Member Radner (arrived at 7:04 PM)

ABSENT: Council Member Speech

OTHERS

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

**CM-01-018-16 MOTION TO EXCUSE THE ABSENCE OF COUNCIL MEMBER
SPEECH - FAILED**

Motion by Burns, seconded by Rich, **FAILED**, to excuse Council Member Speech's absence due to illness.

Voice Vote:	Yes:	McClellan
	No:	Burns, Rich
	Absent:	Speech, Radner

MOTION FAILED

APPROVAL OF AGENDA:

**CM-01-019-16 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED
- APPROVED**

Motion by Burns, seconded by Rich, **CARRIED UNANIMOUSLY**, to approve the agenda with the following changes:

- Add an Employee Recognition by the City Manager as Item #7A and move the audit presentation to 7B.

Voice Vote:	Yes:	McClellan, Burns, Rich,
	No:	None
	Absent:	Speech, Radner

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-01-020-16 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of January 4, 2016 **CM-01-021-16**
- B. Board of Review Meeting Minutes of December 15, 2015 **CM-01-022-16**
- C. Communications Commission Meeting Minutes of October 28, 2015 and November 18, 2015 **CM-01-023-16**
- D. Arts and Cultural Commission Meeting Minutes of August 26, 2015 and October 21, 2015 **CM-01-024-16**
- E. Payment Application No. 1 to Terra Contracting for the 2015 Sewer Cleaning and Television Inspection Project, M-626 in the total amount of \$46,372.72 **CM-01-025-16**
- F. Licenses - New and Renewals as submitted for January 19, 2016 **CM-01-026-16**

(Subject to all Departmental Approvals)	ADDRESS	FEE
MERCHANT (NEW) January 19, 2016		
Maximum Tax Service	25222 Greenfield	150.00
Moonlink Studios LLC	13320 Northend 3000	150.00
Paper Goods Plus	15310 Lincoln	150.00
Ascension Bibles & Books	10720 Nine Mile	150.00
MERCHANT (RENEWALS)		
Citi Financial Servicing LLC	13331 West Ten Mile	150.00
CVS Pharmacy #8106	23001 Coolidge	150.00
Borensteins	25242 Greenfield	150.00
Advantage Cash Advance I LLC	13730 Eight Mile	150.00
Cash Now X	13720 Eight Mile	150.00
Shear Directions	21700 Greenfield 104	150.00
Dr. Ester R. Sleutelberg	15421 Nine Mile	150.00
K & M Leasing L.L.C.	20900 Hubbell	150.00
Auto Zone #4365	22150 Greenfield	150.00
Plumbing Techs Pipecon	12700 Capital	150.00
Sunoco	25000 Greenfield	150.00
EJ USA, Inc.	13001 Northend	150.00
Tradefirst.com	23200 Coolidge	150.00
Smart Way Recycling of Southfield LLC	13000 Eight Mile	150.00
Golden Hands of Regina	21700 Greenfield 204	150.00
Dallas Designs Salon	13831 Nine Mile	150.00
Wireless U Now	8980 Nine Mile	150.00
Common Cents Coin Laundry	10840 Nine Mile	150.00
Oak Park Marathon Gas Station	26700 Greenfield	150.00
On Point Hair Designs	13721 Nine Mile	150.00
Pennzoil 10 Minute Oil Change	13601 Eleven Mile	\$187.50
Meco Metals Company	21430 Coolidge	150.00
Gold Star Products	21680 Coolidge	150.00
Advance America #1328	22140 Coolidge	150.00
Joyful Tots Childcare Learning Center	22141 Coolidge	150.00
Gotta Have Water	22175 Coolidge	150.00
Freedom Cleaners	24681 Coolidge	150.00

Fine Furniture	13751 Eleven Mile	150.00
Plaskey Painters	14669 Eleven Mile	150.00
Sboy LLC	21700 Greenfield S125	150.00
Top's Fashion & Braiding	21910 Greenfield 105	187.50
Step Into The Trend	21700 Greenfield 105	150.00
John & Karon's Hair Affair	21700 Greenfield 250	150.00
Hopeful Harvest Foods	21800 Greenfield	150.00
Hidden Treasures Speciality Shop	25242 Greenfield	150.00
J Squared Salon	23300 Greenfield 224	150.00
Fedex Office #1693	24760 Greenfield	150.00
Motor City Soul Food #2	24790 Greenfield	187.50
Express Payday & Advance Check Cashing	24800 Greenfield	150.00
T-Mobile Central	24830 Greenfield	150.00
3 Leaf Group	25900 Greenfield 204	150.00
Advance America #1398	26038 Greenfield	150.00
Step and Style LLC	26080 Greenfield	150.00
Lee Beauty of Greenfield	26118 Greenfield	150.00
Bricco Excavating Company	21201 Meyers	150.00
Woodshed Studios Oak Park	8130 Nine Mile	150.00
Impact Media Construction	8558 Nine Mile	150.00
Pest Arrest	8560 Nine Mile	150.00
Binno & Binno Investment	10850 Nine Mile	187.50
Primos Pizza #1	10100 Nine Mile	150.00
Excell Insulation	10670 Nine Mile	150.00
Royal Care Day Program	12724 Nine Mile	187.50
Little Bear's Learning Center	13391 Nine Mile	150.00
Fresh Baked Prints	13807 Nine Mile	150.00
An Des New You Beauty Culture	15411 Nine Mile	150.00
Dr. Ester R Sleutelberg	15421 Nine Mile	150.00
Positive Home Doctors	12800 Northend	150.00
Motor Works	13350 Northend	150.00
Dollar Village Discount	13201 Ten Mile	150.00
Sherwin William #1390	13241 Northend	150.00
William L. Jordan, M.D. P.C.	12900 Nine Mile	637.50
B's Vanity Hair Salon	10851 Ten Mile	187.50
Dynamite Tax & Financial Service	15401 Nine Mile	187.50
Shoe Rack Outlet	13291 Ten Mile	187.50
AAA Ferguson Insurance Agency	13691 Eleven Mile 200	187.50
O.O. Corsaut, Inc.	15101 Eleven Mile	187.50
International Cybergraphix	25900 Greenfield 258	187.50
Metropolitan Rehab Clinics	21700 Greenfield 130	187.50
Jewish Senior Life Services Inc	15000 Ten Mile	150.00
Daniel S Lazar, DPM	26106 Greenfield A	150.00
B-1 Jewelry	21700 Greenfield 415	150.00
China City	13715 Nine Mile	150.00
Select Restaurant Equipment	21380 Coolidge A	150.00
Woodway Corporation	12981 Capital	150.00
Oak Park Urgent Care	24661 Coolidge	150.00
Sands Restaurant	10116 Nine Mile	150.00
Sukhothai Restaurant	25226 Greenfield	150.00

Oska Jeweler & Repair	21700 Greenfield 362	150.00
A Head of ExSalonce	25201 Coolidge	150.00
Physical Medicine & Rehab	21675 Coolidge 1A	150.00
Executive Home Health Services	25900 Greenfield 122	150.00
Auto Metal Craft	10240 Capital	150.00
Auto Metal Craft	10230 Capital	150.00
Auto Metal Craft	12741 Capital	150.00
Auto Metal Craft	12721 Capital	150.00
Weathergard Window Factory	14350 Eight Mile	150.00
Designer Suite	23130 Coolidge	150.00
Findings Outlet	21990 Greenfield 100	150.00
Sandler Chiropractic	15400 Lincoln 3	150.00
Alliance A/C & Heating	20800 Hubbell	150.00
Quick Cash & More LLC	13710 Nine Mile	150.00
Family Dollar Stores of MI	13471 Ten Mile	150.00
Fancy Feet	14935 Eleven Mile	150.00
Apollo Heat Treating & Processing	10400 Capital	150.00
C D Nails	13710 Eight Mile	150.00
Zeune Michigan Storage Centers	15300 Eight Mile	150.00
Renaissance Jewelers	21700 Greenfield 325	150.00
Moulden Agency	26013 Coolidge	150.00
Bruttell Roofing	10821 Capital	150.00
Modern Stamps	25900 Greenfield 136	150.00
Dollar General #955	12720 Nine Mile	150.00
CSL Plasma	13770 Nine Mile	150.00
It's All About You	10810 Nine Mile	150.00
Popeyes Chicken & Biscuits	25910 Greenfield	150.00
T M Leasing	21680 Fern	150.00
Love Nail & Spa	22118 Coolidge	150.00
Grace Fashions	23059 Coolidge	150.00
Anton's Jewelry	21700 Greenfield 335	150.00
Speedway LLC #9814	24771 Coolidge	150.00
Glory Wireless 9B	22150 Coolidge	150.00
Azar Jewelry	21700 Greenfield	150.00
Wing's Gardens	8410 Nine Mile	150.00
Ernie's Market	8500 Capital	150.00
Midland Equipment Co of Michigan	12771 Capital	150.00
Luxury Homes	20830 Coolidge	150.00
Pest Arrest	8560 Nine Mile	150.00
Scheer's Ace Hardware	8601 Nine Mile	150.00
RCI Detroit LLC	21320 Coolidge	150.00
Ashley-Bleu Diamond	22211 Coolidge	150.00
PCI Industries	21717 Republic	150.00
Allwell Physical Therapy & Rehab	21700 Greenfield 257	150.00
Image Xprezzion LLC	24740 Greenfield	150.00
Michigan Bicycle	25909 Coolidge	150.00
The Blind Factory	25603 Coolidge	150.00
Office Depot #617	21110 Greenfield	150.00
Design Metal	10841 Capital	150.00
Stella;s Professional Alterations	25900 Greenfield 114	150.00

Roll Call Vote: Yes: McClellan, Burns, Rich, Radner
 No: None
 Absent: Speech

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) City Manager Employee Recognition. City Manager Tungate presented an Employee Recognition Award to Public Safety Officers Stephen Arbenowski and Joseph Meier.

(AGENDA ITEM #7B) Audit Presentation. Mark Kettner from Rehmann Robson and Finance Director Carl Johnson presented the Year Ended June 30, 2015 Comprehensive Annual Financial Report, Single Audit Act Compliance Report and Independent Auditor's Communication. Complete reports are on file with the City Clerk.

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Public Hearing and Resolution approving the Corridor Improvement Authority Development and Tax Increment Financing (TIF) Plans

Community and Economic Development Manager Marrone summarized the Development Plan and Tax Increment Financing Plan for the Oak Park Corridor Improvement Authority (CIA) that will help redevelop commercial corridors and promote economic growth in the City.

Public Hearing

Mayor McClellan opened the public hearing to hear comments on the Corridor Improvement Authority Development and Tax Increment Financing (TIF) Plans at 8:35 PM. Father Paul Chateau from Our Lady of Fatima Parish commented that he would like to know more about the plans and their effect on residents of the City. Mayor McClellan then announced the public hearing will be continued at the next Regular Meeting of Council on February 1, 2016 at which time anyone wishing to address the Council on the proposed plans will be permitted to do so prior to closing the public hearing. The resolution to approve the plans will be considered after the public hearing is closed at the February 1, 2016 meeting.

SPECIAL LICENSES:

CM-01-027-16 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – OAK PARK ARTS AND CULTURAL COMMISSION – ARTIST APPRECIATION RECEPTION – APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following Special Event request subject to all departmental approvals:

Name	Event	Fee
Oak Park Arts & Cultural Commission	Artist Appreciation Reception – City Hall Lobby February 1, 2016 5 – 7:00 PM	Application Fee Waived

Voice Vote: Yes: McClellan, Burns, Radner, Rich
 No: None
 Absent: Speech

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-01-028-16 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES AS SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$16,308.20 - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoices #45079, 450792 and 450793 as submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$16,308.20.

Roll Call Vote: Yes: McClellan, Burns, Radner, Rich
 No: None
 Absent: Speech

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-01-029-16 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND APPENDIX A – ZONING, OF THE CODE OF ORDINANCES, CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 1930 OF ARTICLE XIX, SECTION 802 OF ARTICLE VIII, AND SECTION 1401 OF ARTICLE XIV – APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following Ordinance to amend Appendix A – Zoning, of the Code of Ordinances, City of Oak Park, Michigan, by amending Section 1930 of Article XIX, Section 802 of Article VIII, and Section 1401 of Article XIV:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. O-16-622

AN ORDINANCE TO AMEND APPENDIX A - ZONING, OF THE CODE OF ORDINANCES, CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 1930 OF ARTICLE XIX, SECTION 802 OF ARTICLE VIII, AND SECTION 1401 OF ARTICLE XIV.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Article XIX, Special Land Uses, Section 1930, Restaurants Serving Beer or Wine, of Appendix

A-Zoning, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Sec. 1930. Restaurants Serving Alcoholic Liquor.

Restaurants, serving alcoholic liquor may be permitted in certain districts specified in this ordinance, if the establishment is continually operated according to the following

- A. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.
- B. 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.
- C. The proposed restaurant is not located within 500 feet of a church or school building. The distance between the church or school building and the contemplated location shall be measured along the center line of the street or streets of address between 2 fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the church or school building nearest to the contemplated location and from the part of the contemplated location nearest to the church or school building. Notwithstanding the stated distance requirements, no proposed restaurant will be permitted to serve alcoholic liquor if the restaurant is located on a parcel of land adjacent to a parcel of land with a church or school building. This provision may be waived by the City Council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the City Council determines that the restaurant will not adversely affect the operation of the school or place of worship.
- D. 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.
- E. 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.
- F. The proposed restaurant, serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.
- G. The proposed restaurant, serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.
- H. The proposed restaurant, serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.

SECTION 2. Section 802, Special Land Uses, L, of Article VIII, B-2, General Business Districts, of Appendix A- Zoning, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

- L. Restaurants serving *alcoholic liquor*, subject to the provisions specified in section 1930.

SECTION 3. Section 1401, Permitted uses, F. Special Land Uses, 1, of Article XIV, PUD, Planned Unit Development Districts of Appendix A- Zoning, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows.

1. Restaurants serving *alcoholic liquor*, subject to the provisions specified in Section 1930.

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

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

Roll Call Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

CM-01-030-16 (AGENDA ITEM #13B) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC LIQUORS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING ARTICLE I, IN GENERAL, SECTION 6-1; AND ARTICLE III, REGULATION OF ON-THE-PREMISES CONSUMPTION, SECTIONS 6-54, 6-55, and 6-58 THEREOF – APPROVED

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following Ordinance to amend Chapter 6, Alcoholic Liquors, of the Code of Ordinances of the City of Oak Park by amending Article I, In General, Section 6-1; and Article III, Regulation of On-the-Premises Consumption, Sections 6-54, 6-55, And 6-58 Thereof:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. O-16-623

AN ORDINANCE TO AMEND CHAPTER 6, ALCOHOLIC LIQUORS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING ARTICLE I, IN GENERAL, SECTION 6-1; AND ARTICLE III, REGULATION OF ON-THE-PREMISES CONSUMPTION, SECTIONS 6-54, 6-55, and 6-58 THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 6-1, Definitions, of Article I, In General, of Chapter 6, Alcoholic Liquors, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 6-1 – Definitions.

The following definitions shall apply when used in this chapter:

Alcoholic liquor. Any spirituous, vinous, malt, or fermented liquor, powder, liquids, and compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing 1/2 of 1% or more of alcohol by volume that are fit for use for food purposes or beverage purposes as defined and classified by the Michigan Liquor Commission according to alcoholic content as belonging to 1 of the varieties defined in the Michigan Liquor Code.

License. A contract between the Michigan Liquor Commission and the licensee granting authority to that licensee to manufacture and sell, or sell, or warehouse alcoholic liquor in the manner provided by the Michigan Liquor Code.

(Code 1973, § 4-1)

Cross reference— Definitions generally, § 1-2.

State Law reference— Definitions, MCL 436.2 et seq.

SECTION 2. Section 6-54, Licensing Policy, of Article III, Regulation of On-the-Premises Consumption, of Chapter 6, Alcoholic Liquors, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

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.

(f) Pursuant to the Michigan Liquor Control Code, liquor licenses issued by the Michigan Liquor Control Commission shall expire on April 30 of each year unless a different date is fixed by the Commission.

(Ord. No. O-15-615, § 1, 7-6-15)

SECTION 3. Section 6-55, Restaurant Requirements, of Article III, Regulation of On-the-Premises Consumption, of Chapter 6, Alcoholic Liquors, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 6-55. – Restaurant requirements.

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) 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.

(2) Not more than 50 percent of the gross revenues of the establishment will be or is derived from the sale 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 to alcoholic beverages.

(3) No admission fees or cover charges shall be levied on any patrons except as approved either through a special event permit or as outlined in the establishment's plan of operation as approved by the city council.

(4) Restaurants are required to operate consistent with the hours established by the Liquor Control Commission for such establishments.

(Ord. No. O-15-615, § 1, 7-6-15)

SECTION 4. Section 6-58, Review Procedures, of Article III, Regulation of On-the-Premises Consumption, of Chapter 6, Alcoholic Liquors, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

(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 300 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) Nonpayment 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 alcoholic liquor, 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-15-615, § 1, 7-6-15)

SECTION 5. Savings Clause.

Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby amended, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

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 any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park.

SECTION 7. 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.

Roll Call Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

CM-01-031-16 (AGENDA ITEM #13C) FIRST READING OF AN ORDINANCE TO AMEND SECTION 1201, PERMITTED USES, OF ARTICLE XII, PCD, PLANNED CORRIDOR DEVELOPMENT DISTRICT, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK – APPROVED

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to approve the First reading of the following Ordinance to amend Section 1201, Permitted Uses, of Article XII, PCD, Planned Corridor Development District, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 1201, PERMITTED USES, OF ARTICLE XII, PCD, PLANNED CORRIDOR DEVELOPMENT DISTRICT, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XII, PCD, Planned Corridor Development Districts, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

Section 1201. Permitted uses.

- I. Health, fitness and exercise clubs.
- J. Accessory uses customarily incidental to the above permitted uses.
- k. Uses which, in the opinion of the planning commission based on findings of fact, are similar to the above permitted uses.

SECTION 2. Conflicting Provisions Repealed

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

SECTION 3. Severability

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

SECTION 4. Effective Date

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

Roll Call Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

Ms. Marrone reported that the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance at their October 11, 2016 meeting. The proposed text amendment would allow for health, fitness and exercise clubs as a permitted use in the PCD, Planned Corridor Development District. She indicated the Planning Commission voted to recommend to the City Council adoption of the text amendment.

CITY ATTORNEY REPORT:

City Attorney Duff reported there is newly enacted legislation, Public Act 269, that amends the State's Campaign Financing laws with respect to regulating what political activities a municipality may engage in. She indicated further clarification will be forthcoming.

CITY MANAGER:

Administration

CM-01-032-16 (AGENDA ITEM #15A) REAPPOINTMENT OF SAUL CHUDNOW AND LANA SHERMAN TO THE ELECTION COMMISSION FOR TERMS EXPIRING JANUARY 1, 2017 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to reappoint Saul Chudnow and Lana Sherman to the Election Commission for terms expiring January 1, 2017.

Roll Call Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

City Clerk Norris reported the term of office for Election Commission members is one-year and expires in the month of January. He indicated current Election Commission members Saul Chudnow and Lana Sherman have served since 2011, and have expressed interest in being reappointed for another term. Both Mr. Chudnow and Ms. Sherman have good attendance records and have performed their duties well during their tenure.

(AGENDA ITEM #15B) Snow Emergency Parking. City Manager Tungate reviewed the designated snow emergency parking areas found throughout the city.

Community and Economic Development

CM-01-033-16 (AGENDA ITEM #15C) APPLICATION TO THE MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS (MCACA) FOR A MATCHING 2016 MINI-GRANT TO HELP FUND THE SUMMER CONCERT SERIES AND EXPENDITURE OF \$800 BY THE OAK PARK ARTS & CULTURAL COMMISSION TO FUND 50% OF THE COST - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to authorize the submission of an application to the Michigan Council for Arts and Cultural Affairs (MCACA) for a matching 2016 mini-grant to help fund the Summer Concert Series and the expenditure of \$800 by the Oak Park Arts & Cultural Commission to fund 50% of the cost.

Roll Call Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

Community and Economic Development Manager Marrone reported the Community & Economic Development Department in partnership with the Parks & Recreation Department are submitting an application to MCACA for a 2016 mini-grant. The grant will fund 50% of the cost of the Summer Concert Series that was introduced last year. These concerts were a huge success and enjoyed by close to 1,000 people last summer. The concerts are scheduled to take place July 7, July 14, July 21, and July 28, 2016, from 7-8:30 pm in Shepherd Park, Pavilion One. She indicated that a request will be made to the Arts & Cultural Commission to fund \$800 of the grant match for 2016 at their January meeting. In 2015 they helped fund the concert series in the amount of \$897.

Finance/Assessing

CM-01-034-16 (AGENDA ITEM #15D) RATE OF COMPENSATION FOR THE BOARD OF REVIEW MEMBERS AND THE 2016 MEETING DATES AND TIMES – APPROVED

Motion by Burns, Seconded by Rich, CARRIED UNANIMOUSLY, to approve the rate of compensation for the Board of Review at \$80.00 for a full day and \$40.00 for a half day of service and the following dates and times for the 2016 Board of Review Meetings:

Monday	March 14, 2016	12:00 PM to 5:00 PM & 6:00 PM to 9:00 PM
Tuesday	March 22, 2016	6:00 PM to 9:00 PM
Monday	March 28, 2016	9:00 AM to 11:30 AM & 1:00 PM to 5:00 PM

Roll Call Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

CM-01-035-16 (AGENDA ITEM #15E) CITY OF OAK PARK 2016 POVERTY EXEMPTION POLICY – APPROVED

Motion by Radner, Seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following City of Oak Park 2016 Poverty Exemption Policy:

CITY OF OAK PARK
2016 POVERTY EXEMPTION POLICY

1. Applicants must be the owner(s) of, and at least one must be an occupant of, the home for which the exemption is being sought. Proof of ownership and residency will be required (deed or land contract, and driver's license or voter's registration card) if it is not already on record with the City of Oak Park Assessor's Office.
2. Applicants will not be eligible for consideration unless they meet the following adopted guidelines as of December 31, 2015. This includes all individuals currently residing in the household, as well as any co-owners who are not residing in the household:

INCOME LIMIT

Income limits shall be those established by the Oak Park City Council, in adherence with Public Act 390 of 1994. For tax year 2015, applicable income limits are as follows:

<u># in Household</u>	<u>2015 Total Household Resources Cannot Exceed</u>
1	\$17,655/yr.
2	\$23,895/yr.
3	\$30,135/yr.
4	\$36,375/yr.
5	\$42,615/yr.
6	\$48,855/yr.
	add \$6,240/yr. for each additional person

ASSET LIMIT

Combined assets cannot exceed the applicant's projected 2016 property taxes +25%. Assets include: cash, checking, savings, money market, IRA's, annuities, investments of any type (eg. stocks & bonds, or other such liquid assets), boats, recreational vehicles, or other property. Assets do not include the applicant's homestead.

3. Meeting the above guidelines will not necessarily result in a property tax reduction. The amount of reduction, if any, will be equal to the difference between line 45 and line 35 on a simulated MI-1040CR

(Michigan Homestead Property Tax Credit Claim), using the applicant's 2015 total household income and their projected 2016 property taxes.

4. The above guidelines shall apply to each applicant unless the Board determines there are substantial and compelling reasons to make an exception. If there is a deviation from these guidelines, the reasons shall be communicated in writing to the applicant.
5. All applicants must obtain the proper application from the Assessor's Office, complete the entire application, attach all documentation requested (see back), sign the application and have it notarized.
6. All applicants must supply copies of the following documents for each individual currently residing in the household as well as any co-owners who are not residing in the household:

Itemized Statements of Account for the most recent 3 months for every asset account you currently have. (Checking, Savings, IRA's, Investments, etc.)

2014* & 2015 Homestead Property Tax Credit Claim** (MI-1040CR)

2014* & 2015 Michigan Income Tax Return** (MI-1040)

2014* & 2015 Federal Income Tax Return** (Federal 1040 or 1040A)

**NEW applicants are required to submit both 2014 & 2015 information.*

Applicants RETURNING from last year need only submit 2015 information.

****All applicants must also provide the documents that substantiate each of the dollar figures listed on the above tax forms, such as:**

W-2 Forms, Social Security Annual Benefit Statements (SSA-1099), SSI Benefit Notices (Federal & State), Pension Benefit Statements, Dividend & Interest Income Statements, Annual FIP/SA Assistance Statements, Workmen's Compensation Benefit Statements, Unemployment Benefit Statements, Child Support &/or Alimony Documentation, etc.

7. All applicants must appear before the Board of Review in person, unless a written medical excuse is provided by their doctor at the time their application is submitted. Applicants with a written medical excuse may appoint a representative to appear on their behalf to answer any questions the Board may have.
8. All applicants will be evaluated based on data submitted and testimony given along with information gathered from any source the Board chooses.
9. Any applicant may be subject to investigation of their financial and property records by the City. This investigation will be performed to verify information used to support the applicant's poverty claim.
10. Documents submitted to the Board will not be returned. Information and documents submitted to the Board of Review in support of an application for a poverty exemption shall be kept confidential, to the maximum extent permitted by law.
11. Application for Poverty Exemption may be made only one time per year, at either the March, July or December Boards of Review. The amount of exemption, if granted, applies to the whole year, and any amount of overpayment will be refunded.
12. All poverty exemptions are applicable only for the year in which granted. To be considered for exemption the following year, you must repeat the application process.

Voice Vote:	Yes:	McClellan, Burns, Rich, Radner
	No:	None
	Absent:	Speech

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Dawn Sketch, 24241 Cloverlawn, thanked Council for their support of the arts and indicated the Oak Park Arts and Cultural Commission hopes to apply for the 2017 Inside Out Program that displays works of art replicas around the city.

Zena Attisha, business owner and Corridor Improvement Authority Board Member, thanked Council for the support of new economic development in the city.

CALL TO THE COUNCIL:

Mayor Pro Tem Burns thanked everyone for coming out and urged them to please dress appropriately during the cold winter months.

Council Member Radner encouraged everyone to have a wonderful evening.

Council Member Rich thanked everyone for coming and wished them a good night.

Mayor McClellan thanked Oak Park Schools for putting on a wonderful Martin Luther King, Jr. celebration and encouraged everyone to participate in Winterfest on Sunday, January 24, 2016. She also summarized the MDOT project that is fixing the overpass on I-696 at Church St. The project will last from April to November. She indicated the Historical Society is looking for people to interview about the history of Oak Park and concluded by encouraging everyone to vote in the Presidential Primary on March 8, 2016.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 9:15 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
January 19, 2016
5:30 P.M.**

MINUTES

This Special Meeting of the 36th Oak Park City Council was held in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

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

The Special Meeting was called to order by Mayor McClellan at 5:30 P.M.

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Rich

ABSENT: Council Member Radner, Council Member Speech

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

City Manager Tungate indicated he had received an email from Council Member Speech informing him that she would not be able to attend the 1/19/16 meetings due to medical reasons and requesting that she be excused by Council. There was no vote taken to excuse the absence.

SPECIAL BUSINESS:

CLOSED SESSION

A closed session had been posted pursuant to Section 8 of the Open Meetings Act to discuss Attorney Client Privileged Communication and Pending Litigation.

Three members of Council were present at the meeting. A closed session requires a two thirds vote of Council (4 Members) therefore, Council did not vote to go into closed session. The Special Meeting proceeded with a quorum of three members. City Manager Tungate indicated pending litigation and attorney client privileged communication matters will be discussed at a later date.

City Manager Tungate provided a brief update on various City related topics.

City Audit

Mr. Tungate indicated the Oak Park financial audit would be presented at the regular meeting by Mark Kettering from Rehmann Robson followed by a staff presentation by our Finance Director Carl Johnson. He confirmed that Council would be able to ask questions of our auditor following the presentation.

MDOT Victoria Park Project

Assistant City Manager Kevin Yee discussed the MDOT project that will begin in April and last through November. The project will remove the entire bridge deck down to the beams in order to fix drainage problems that cause ice to form under the overpass. Church Street will be closed during the project. He also reported that part of the project consists of removing and replacing the playground structure in Victoria Park. Mr. Tungate indicated that he has received requests for the old playground structure. Mr. Yee indicated making repairs to the old structure may be problematic so keeping it may not be the best option for the City.

Staff Changes

Mr. Tungate reported that new IT Director Ricardo Singson has been a nice addition to the city and that he will provide an update to Council at a future meeting. He indicated there are plans to fill a full-time facilities maintenance position as well as a full time accounts payable clerk.

State Audit of Property Records

Mr. Tungate indicated that the State of Michigan will be auditing a sample of the City's Property Cards to determine their accuracy. He indicated that we are among other cities in Oakland County that have been selected for this audit.

Snow Emergencies

A snow emergency may be called when snow accumulation reaches 4 inches or more. Residents are required to move their vehicles from streets to designated areas throughout the city when a snow emergency is declared. A \$100 citation will be issued for vehicles that are not moved appropriately.

Customer Service

Mr. Tungate discussed initiatives to improve customer service. Mayor Pro Tem Burns reported a resident complaint regarding a property on Dartmouth. Mayor McClellan asked about the possible implementation of Civil Infractions to help with blight issues and Mr. Tungate responded that consideration of the use of civil infractions would resume when the District Court litigation is finished.

Economic Development

Mr. Tungate reported that the Fed Ex facility is fully enclosed but will not be completely finished until 2017. He reminded everyone that the largest Planet Fitness in metro Detroit will be coming to Oak Park, occupying the old Farm Fresh location on 10 Mile Road.

Corridor Improvement Authority

Mr. Tungate reported the Public Hearing for the CIA Development and TIF plans is scheduled for the regular meeting. The CIA project has been over three years in the planning and is a tool help develop the commercial districts in the city.

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

ADJOURNMENT:

The Special Meeting adjourned at 6:35 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor