

Oak Park

City Council Agenda

December 5, 2016





AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
December 5, 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 November 21, 2016
 - B. Request to cancel the regularly scheduled Zoning Board of Appeals Meeting of December 27, 2016
 - C. Payment Application No. 1 for the 2016 Miscellaneous Concrete Project, M-644 to Rotondo Construction Corp. for the amount of \$116,521.94
 - D. Licenses - New and Renewals as submitted for December 5, 2016
6. **RECOGNITION OF VISITING ELECTED OFFICIALS**
 7. **SPECIAL RECOGNITION/PRESENTATIONS: None**
 8. **PUBLIC HEARINGS: None**
 9. **COMMUNICATIONS: None**
 10. **SPECIAL LICENSES: None**
 11. **ACCOUNTING REPORTS: None**
 12. **BIDS: None**
 13. **ORDINANCES: None**
 14. **CITY ATTORNEY**
 15. **CITY MANAGER:**
 - Administration**
 - A. City Hall Holiday Hours
 - Public Works**
 - B. Request to approve Proposed Change Order No. 2 in the amount of \$32,454.75 and Payment Application No. 4 in the amount of \$32,454.75 to ADJ Excavating, Inc. for the 2016 Water Main Replacement Project, M-625

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**

November 21, 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 Radner, Council Member Rich

ABSENT: Council Member Speech (Excused due to illness)

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris, City Attorney Gillooly, City Attorney Murphy

APPROVAL OF AGENDA:

CM-11-383-16 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS SUBMITTED - APPROVED

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-11-384-16 (AGENDA ITEM #5A-H) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of November 7, 2016 **CM-11-385-16**
- B. Corridor Improvement Authority Board Meeting Minutes of August 18, 2016 **CM-11-386-16**
- C. Public Safety Activity Summary Report for September 2016 **CM-11-387-16**
- D. Request to advertise for bids for the 2017 Janitorial Services Contract, M-662 **CM-11-388-16**
- E. Request to advertise for bids for the 2017 Lawn Maintenance Project, M-660 **CM-11-389-16**
- F. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for CE Oak Park Blvd./ Lincoln Rehab, and Traffic Signal Optimization in the total amount of \$62,591.77 **CM-11-390-16**

- G. Request to cancel the regularly scheduled Zoning Board of Appeals Meeting of November 22, 2016 **CM-11-391-16**
- H. Licenses - New and Renewals as submitted for November 21, 2016 **CM-11-392-16**

**MERCHANT'S LICENSES – November 21, 2016
 (Subject to All Departmental Approvals)**

| <u>NEW MERCHANT</u> | <u>ADDRESS</u> | <u>FEE</u> | <u>BUSINESS TYPE</u> |
|------------------------------|-----------------------|------------|----------------------|
| BMI Road Service | 13380 Capital | \$150 | Towing Service |
| | | | |
| <u>RENEWALS</u> | <u>ADDRESS</u> | <u>FEE</u> | |
| Health Systems | 25900 Greenfield #140 | \$225 | Medical Office |
| | | | |
| <u>PAWNBROKER</u> | <u>ADDRESS</u> | <u>FEE</u> | |
| Major Deals Norris Antoon | 24721 Coolidge | \$400 | |
| | | | |
| <u>PRECIOUS METALS</u> | <u>ADDRESS</u> | <u>FEE</u> | |
| Major Deals Norris Antoon | 24721 Coolidge | \$50 | |

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Public Hearing to receive public comment on the allocation of the 2017 Community Development Block Grant Funds. Mayor McClellan opened the Public Hearing at 7:04 PM and it was immediately closed as there were no members of the public that wanted to speak.

CM-11-393-16 (AGENDA ITEM #8B) RESOLUTION APPROVING THE RECOMMENDED ALLOCATIONS OF THE 2017 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING THE MAYOR TO SIGN THE SUBRECIPIENT AGREEMENT ON BEHALF OF THE CITY - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution approving the recommended allocations of the 2017 Community Development Block Grant Funds and to authorize the Mayor to sign the Sub recipient Agreement on behalf of the City:

**RESOLUTION APPROVING THE 2017
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

WHEREAS, Oakland County has requested CDBG eligible projects from participating communities for inclusion in the Action Plan; and

WHEREAS, the City of Oak Park is a participating local unit of government in the Oakland County Community Development Block Grant Program; and

WHEREAS, the City Of Oak Park has duly advertised and conducted a public hearing on November 21, 2016 for the purposes of receiving comments regarding the proposed use of Program Year 2017 Community Development Block Grant funds in the approximate amount of \$112,915.00; and

WHEREAS, the public hearing conformed to the guidelines of the Oakland County Community Development Division; and

WHEREAS, The City of Oak Park found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need:

| Account Number | Project Name | Amount |
|----------------|------------------------------|-------------|
| 172170-730310 | Code Enforcement | \$82,915.00 |
| 172160-732170 | Public Service/Yard Services | \$30,000.00 |

NOW THEREFORE, BE IT RESOLVED, that the City of Oak Park CDBG application is hereby authorized to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

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

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

CM-11-394-16 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$16,745.19 - APPROVED

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve payment of invoices #466956, #466961, #466962 and #466963 submitted by Garan Lucow Miller P.C., for legal services rendered through October 31, 2016 in the total amount of \$16,745.19.

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

MOTION DECLARED ADOPTED

CM-11-395-16 (AGENDA ITEM #11B) APPROVAL FOR PAYMENT OF AN INVOICE AS SUBMITTED BY SECREST, WARDLE, LYNCH, HAMPTON, TRUOX & MORLEY, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$2,352.00 - APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve payment of Invoice #1297828 as submitted by Secrest, Wardle, Lynch, Hampton, Truox & Morley, P.C. for legal services in the total amount of \$2,352.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-11-396-16 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND SECTION 2-354, MEETINGS, OF DIVISION 8, ETHNIC ADVISORY COMMISSION, OF ARTICLE III, BOARDS AND COMMISSIONS, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, THEREBY CHANGING THE TIME FOR MONTHLY COMMISSION MEETINGS FROM 7:30 P.M. TO 7:00 P.M. - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Section 2-354, Meetings, of Division 8, Ethnic Advisory Commission, of Article III, Boards and Commissions, of Chapter 2, Administration, of The Code of Ordinances of the City Of Oak Park, thereby changing the time for monthly commission meetings from 7:30 P.M. To 7:00 P.M.:

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 2-354, MEETINGS, OF DIVISION 8, ETHNIC ADVISORY COMMISSION, OF ARTICLE III, BOARDS AND COMMISSIONS, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, THEREBY CHANGING THE TIME FOR MONTHLY COMMISSION MEETINGS FROM 7:30 P.M. TO 7:00 P.M.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 2-354, Meetings, of Division 8, Ethnic Advisory Commission, of Article III, Boards and Commissions, of Chapter 2, Administration, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 2-354. Meetings.

The ethnic advisory commission shall meet once a month on the second Thursday of each month at 7:00 p.m. The chairperson may call a special meeting with the approval of the council.

SECTION 2. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above 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 3. Effective Date.

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

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

MOTION DECLARED ADOPTED

CM-11-397-16

(AGENDA ITEM #13B) SECOND READING AND ADOPTION OF A PROPOSED TEXT AMENDMENT TO THE CITY OF OAK PARK ZONING ORDINANCE, ARTICLE II DEFINITIONS, SEC. 201; ARTICLE IV ONE FAMILY DWELLING DISTRICT, SEC. 401 PERMITTED

**USES & SEC. 403 REQUIRED CONDITIONS; ARTICLE
V TWO FAMILY DWELLING DISTRICT, SEC. 503
REQUIRED CONDITIONS; ARTICLE VI MULTI-
FAMILY RESIDENTIAL DISTRICT, SEC. 603
REQUIRED CONDITIONS - APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following proposed text amendment to the City of Oak Park Zoning Ordinance, Article II Definitions, Sec. 201; Article IV One Family Dwelling District, Sec. 401 Permitted Uses & Sec. 403 Required Conditions; Article V Two Family Dwelling District, Sec. 503 Required Conditions; Article VI Multi-Family Residential District, Sec. 603 Required Conditions:

**CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.**

AN ORDINANCE TO AMEND SECTION 201, OF ARTICLE II, DEFINITIONS, SECTION 401 AND SECTION 403, OF ARTICLE IV, R-1 ONE-FAMILY DWELLING DISTRICTS, SECTION 503, OF ARTICLE V, R-2 TWO-FAMILY DWELLING DISTRICTS, SECTION 603, OF ARTICLE VI, RM-1 AND RM-2 MULTI-FAMILY RESIDENTIAL DISTRICTS, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Section 201, of Article II, Definitions, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to delete the following definitions:

Boarding house. The term boarding house, rooming house, and lodging house are used synonymously in this ordinance. A one-family residential dwelling occupied in such a manner that certain rooms in excess of those used by members of the immediate family and occupied as a home or family unit are leased or rented to persons outside of the family, without any attempt to provide therein or therewith, cooking or kitchen accommodations for individuals leasing or renting rooms.

Bed and breakfast. An owner-occupied, one-family residential structure where the owner or operator provides overnight accommodations to guests in return for payment.

SECTION 2. Section 201, of Article II, Definitions, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

Building. Any permanent structure having a roof supported by columns, or walls, and intended for the shelter, or enclosure of persons, animals, or property of any kind.

SECTION 3. Section 401, B, of Article IV, R-1 One-Family Dwelling Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to delete the following provisions and re-number the remaining provisions:

5. The operation of a boarding house, as defined in Article II, provided that no more than two rooms may be used for boarders or roomers. One non-illuminated sign, not over one square foot in area, indicating such use may be displayed on the premises.
7. The operation of a bed and breakfast as defined in Article II, subject to all of the following criteria:
 - a. Has ten or fewer sleeping rooms, including sleeping rooms occupied by the owner or occupant, one or more of which are available to rent to transient tenants;
 - b. Serves meals at no extra cost to its transient tenants; and
 - c. Has a smoke detector in proper working order in each sleeping room and a fire extinguisher in proper working order on each floor.

SECTION 4. Section 403, B, of Article IV, R-1 One-Family Dwelling Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

B. Prohibited use for open areas: No machinery, equipment, vehicles, or other materials, shall be stored or parked, or permitted to stand in any open area that is clearly visible from the street, public place or adjoining residential property.

SECTION 5. Section 503, B, of Article V, R-2 Two-Family Dwelling Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

B. Prohibited use for open areas: No machinery, equipment, vehicles, or other materials, shall be stored or parked, or permitted to stand in any open area that is clearly visible from the street, public place or adjoining residential property.

SECTION 6. Section 603, B, of Article VI, RM-1 and RM-2 Multi-Family Residential Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

B. Prohibited use for open areas: No machinery, equipment, vehicles, or other materials, shall be stored or parked, or permitted to stand in any open area that is clearly visible from the street, public place or adjoining residential property.

SECTION 7. Section 403 of Article IV, R-1 One-Family Dwelling Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following:

D. The total area of all impervious surfaces shall not exceed 70% of the lot area.

SECTION 8. Section 503 of Article V, R-2 Two-Family Dwelling Districts, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

D. The total area of all impervious surfaces shall not exceed 70% of the lot area.

SECTION 9. 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 10. 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 11. 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, Radner, Rich |
| | No: | None |
| | Absent: | Speech |

MOTION DECLARED ADOPTED

CM-11-398-16 (AGENDA ITEM #13C) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND THE CITY'S OFFICIAL ZONING DISTRICT MAP TO REZONE 13200 OAK PARK BOULEVARD, FROM R-1, ONE FAMILY DWELLING DISTRICT TO RM-1, LOW-RISE MULTI-FAMILY RESIDENTIAL DISTRICT - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend the City's Official Zoning District Map to rezone 13200 Oak Park Boulevard, from R-1, One Family Dwelling District to RM-1, Low-Rise Multi-Family Residential District:

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND APPENDIX A-ZONING, ARTICLE III, AND THE OFFICIAL ZONING MAP CONTAINED THEREIN, BEING PART OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY CHANGING THE USE DISTRICT OF CERTAIN PARCELS OF LAND IN SECTION 29 AND CURRENTLY ZONED R-1, ONE FAMILY DWELLING DISTRICT TO RM-1, MULTI-FAMILY RESIDENTIAL DISTRICT.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. The Code of Ordinances of the City of Oak Park is hereby amended by changing the use district of the following described parcel of land in Section 29 and currently zoned R-1, One-Family Dwelling District, according to the City's Official Zoning District Map, Appendix-A Zoning, Article III, to RM-1, Multi-Family Residential District:

T1N, R11E SEC 29 Part of SW 1/4 BEG at PT DIST N 89-29-00 E 776.27 FT from INTERSEC of E LINE of Coolidge Hwy & S LINE of NORTHFIELD BOULEVARD SUB, TH N 89-29-00 E 493.94 FT, TH S 00-21-16 E 397.58 FT, TH S 89-56-39 W 496 FT, TH N 00-03-01 W 393.60 FT TO BEG 4.50 Acres.

Common address: 13200 Oak Park Blvd.
Property Identification Number: 52-25-29-301-015

SECTION 2. It is hereby ordered that the Official Zoning District Map of the City of Oak Park, as herein amended, be incorporated with this ordinance and be considered a part hereof and be published in connection herewith.

SECTION 3. It is further ordered that from and after the effective date of this ordinance, the above described parcel of land shall be in the RM-1, Multi-Family Residential District, and be subject to the regulations pertaining to such a district.

SECTION 4. Conflicting Provisions Repealed

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

SECTION 5. Severability

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

SECTION 6. Effective Date

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

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

MOTION DECLARED ADOPTED

CITY ATTORNEY:

City Attorney Murphy provided an update on House Bill 5282 that was introduced on February 2, 2016 by Representative Michael Webber. The proposed legislation would amend the Governmental Tort Liability Act (GTLA), which addresses governmental liability in tort cases and would amend the definition for a sewage disposal event, clarify design and construction defects, and explain notice requirements. She also summarized Public Acts 281, 282, and 283 that provide regulations and rules for those municipalities that opt-in to the Medical Marijuana Facilities Act and expands the type of permitted usable marijuana.

CITY MANAGER:

Community and Economic Development

**CM-11-399-16 (AGENDA ITEM #15A) FINAL SITE PLAN FOR BEST FRIENDS
CHILD CARE, 8430 NINE MILE ROAD, SUBJECT TO CONDITIONS
- APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and approve the Final Site Plan for Best Friends Child Care, 8430 Nine Mile Road, subject to the following conditions:

- 1) A six foot high screen wall is required on the north side of the alley adjacent to a residential property. The screen wall and screened refuse area construction detail to be submitted at the time of submission for building permit.
- 2) Proposed or existing lighting should be shielded and downward casting to eliminate the possibility of nuisance.
- 3) All proposed roof top or ground level equipment must be screened as required by the Zoning Ordinance.
- 4) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

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

MOTION DECLARED ADOPTED

Community and Economic Development Director Marrone reported that at the November 14, 2016 meeting, the Planning Commission reviewed a Site Plan for the renovation of a small office complex (three buildings) with a total of 3,705 square feet, into a day care center. The Planning Commission voted to recommend to the City Council approval of the Final Site Plan with conditions.

CM-11-400-16 (AGENDA ITEM #15B) SIX MONTH MORATORIUM ON THE APPROVAL AND ISSUANCE OF ANY VEHICLE DEALER LICENSES IN THE CITY - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and adopt a six month moratorium on the approval and issuance of any Vehicle Dealer Licenses in the City.

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

MOTION DECLARED ADOPTED

Ms. Marrone reported that at the November 14, 2016 meeting, City staff discussed with the Planning Commission the recent sharp increase in the number and type of requests for Vehicle Dealer Licenses. Because of this increased activity, City staff recommended reviewing the City's regulatory options and possibly developing new standards and regulations for these uses. The Planning Commission voted to recommend to the City Council the adoption of a six month moratorium on the approval and issuance of any Vehicle Dealer Licenses in the City.

Recreation

CM-11-401-16 (AGENDA ITEM #15C) MUNICIPAL AND COMMUNITY CREDITS CONTRACT WITH SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION (SMART) - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the Recreation Department to enter into a Municipal and Community Credits contract with Suburban Mobility Authority for Regional Transportation (SMART) for the fiscal year ending June 30, 2017.

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

MOTION DECLARED ADOPTED

Recreation Director Stasiak reported this contract allows the Recreation Department to enter into a Municipal Credits and Community Credits contract with SMART that will allow the city to operate a senior transportation program. The Municipal credits will total \$28,842 and the Community Credits will total \$38,803 for the fiscal year ending June 30, 2017.

(AGENDA ITEM #15C) Recap of Boo Bash Event. Ms. Stasiak provided a recap of the Boo Bash event held on October 31, 2016 that drew nearly 3,000 people.

Public Works

CM-11-402-16 (AGENDA ITEM #15E) PROPOSAL FROM FRENCH ASSOCIATES, INC. TO PERFORM ARCHITECTURAL SERVICES FOR THE RENOVATION OF COURT ROOM 1 FOR THE TOTAL AMOUNT OF \$15,625.00 SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY - APPROVED

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve a proposal from French Associates, Inc. to perform architectural services for the renovation of Court Room #1 for the total amount of \$15,625.00 subject to final review by the City Attorney.

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

MOTION DECLARED ADOPTED

Mr. Yee reviewed the proposal from French Associates, Inc. to perform architectural services for the renovation of Court Room #1. The proposal is for the planning and document preparation for the renovation.

Finance

CM-11-403-16 (AGENDA ITEM #15F) MOTION TO RECEIVE THE QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING 9/30/16 - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to receive the quarterly investment report for period ending 9/30/16.

Voice Vote: Yes: McClellan, Burns, Radner, Rich
 No: None
 Absent: 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. The attached report details the cash and investments (citywide for all funds) held by the City at September 30, 2016. The report includes a description of each investment by type, market and book values, current and yield to maturity interest rates and the number of days to maturity

The first quarter investment report shows total citywide cash and investments of \$29,384,809 (market value) including cash in the operating account of \$3,353,641, short-term investments in the Oakland County Investment Pool of \$15,583,430 and long-term investments totaling \$10,447,738. The first quarter saw bond prices drop which resulted in lower yields for new investments and reductions in unrealized gains on investments currently held. The City has maximized investment 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 through September 2016 remained strong totaling \$72,126 compared to \$24,983 for the Quarter ended September 30, 2015 (new investment strategy started in September 2015).

Public Safety

CM-11-404-16 (AGENDA ITEM #15G) CONTRACT WITH EMERGENCY CALLWORKS, INC. FOR THE PURCHASE OF NEXT GENERATION 9-1-1 EQUIPMENT AND SERVICES - APPROVED

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve a Contract with Emergency CallWorks, Inc. for the purchase of Next Generation 9-1-1 Equipment and Services.

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

MOTION DECLARED ADOPTED

Public Safety Director Cooper reported that the Department of Public Safety is in the process of replacing the current 911 Dispatch Center with a new system. The current system is old, antiquated and will no longer be supported by Oakland County. On September 19, 2016 City Council approved the Public Safety Answering Point Agreement, which spells out the duties and responsibilities of the County and the Oak Park Public Safety Department in updating the system. The County will be covering the cost of the new (external) infrastructure, which will connect directly into the City's Dispatch Center. The City is responsible for upgrading our current Dispatch Center infrastructure so that it may be supported by Oakland County's upgrades. The County has awarded the contract to Emergency CallWorks, Inc. The upgrades are included in the 2016-17 budget.

CALL TO THE AUDIENCE:

Regina Weiss, 23470 Majestic, spoke on behalf of the Tri-Community Coalition and invited everyone to attend their "leadership breakfast" on December 2, 2016.

CALL TO THE COUNCIL:

Mayor McClellan wished everyone a Happy Thanksgiving.
Mayor Pro Tem Burns thanked everyone for coming out and wished everyone a nice evening.
Council Member Radner wished everyone a Happy Thanksgiving.
Council Member Rich commended the Oak Park Public Safety Department.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:52 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** November 29, 2016**AGENDA #****SUBJECT:** Request to cancel the December 27, 2016 Zoning Board of Appeals meeting.**DEPARTMENT:** Community & Economic Development, Planning Division**SUMMARY:** The Chairperson of the Zoning Board of Appeals is requesting the December 27, 2016 Zoning Board of Appeals meeting be cancelled. There is no business scheduled before the Zoning Board of Appeals.**RECOMMENDED ACTION:** The City Council consider accepting the request of the Chairperson of the Zoning Board of Appeals and cancel the December 27, 2016, regularly scheduled meeting.**APPROVALS:**City Manager: Director: 

Finance Director: _____

EXHIBITS:



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 5, 2016

AGENDA #

SUBJECT: Payment Application no. 1 for the 2016 Miscellaneous Concrete Project, M-644.

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

SUMMARY: Attached is Payment Application no. 1 for the 2016 Miscellaneous Concrete Project, M-644. The project is now approximately 42% complete.

| | | |
|------------------------------------|--|---------------|
| <u>FINANCIAL STATEMENT:</u> | Original Contract Amount: | \$ 276,453.00 |
| | Total Completed to Date: | \$ 129,468.82 |
| | Less Retainage: | \$ 12,946.88 |
| | Net Earned: | \$ 116,521.94 |
| | Deductions: | \$ 0.00 |
| | Balance: | \$ 116,521.94 |
| | Payments to Date: | \$ 0.00 |
| | Amount Due Rotondo Construction Corp.: | \$ 116,521.94 |

RECOMMENDED ACTION: It is recommended that Payment Application no. 1 for the 2016 Miscellaneous Concrete Project, M-644 to Rotondo Construction Corp. be approved for the amount of \$116,521.94. Funding is available in the Water & Sewer Fund and Local Street Fund for this project. We will also be reimbursed \$14,140.73 for work performed in the City of Pleasant Ridge.

APPROVALS:
City Manager: *[Signature]*

Department Director: *[Signature]*

Finance Director: _____

EXHIBITS: Payment Application no. 1

PAYMENT APPLICATION

PROJECT: 2016-2017 MISCELLANEOUS CONCRETE PROJECT (FALL)

JOB NUMBER: M-644

OWNER: CITY OF OAK PARK, MICHIGAN

APPLICATION NO.: 1

CONTRACTOR: ROTONDO CONSTRUCTION
20771 RANDALL STREET
FARMINGTON HILLS, MI 48336

PERIOD ENDING: 11/30/2016

| ITEM | DESCRIPTION | ORIGINAL BID QUANTITY | UNIT | UNIT PRICE | PERIOD QUANTITY | PERIOD AMOUNT | QUANTITY TO DATE | AMOUNT TO DATE |
|------|---|-----------------------------|------|---------------|--------------------|------------------|---------------------|-------------------|
| 1 | REMOVE CONCRETE PAVEMENT | 4,150 | SYD | \$10.80 | 2,650.82 | \$28,628.91 | 2,650.82 | \$28,628.91 |
| 2 | CONCRETE PVMT W/INT CURB & GUTTER, 9" CONC. | 1,970 | SYD | \$45.00 | 402.82 | \$18,126.90 | 402.82 | \$18,126.90 |
| 3 | SIDEWALK CONC. NON-REINF 6" SIDEWALK/DRIVE APPROACH | 3,100 | SFT | \$3.95 | 3,661.03 | \$14,461.07 | 3,661.03 | \$14,461.07 |
| 4 | SIDEWALK CONC. NON-REINF 4" SIDEWALK | 15,370 | SFT | \$3.30 | 16,756.77 | \$55,297.34 | 16,756.77 | \$55,297.34 |
| 5 | CONC. PVMT 24" CURB & GUTTER SECTION NON REINF 9" CONC. | 55 | LFT | \$29.00 | 11.10 | \$321.90 | 11.10 | \$321.90 |
| 6 | ADJUSTING DRAINAGE STRUCTURES | 5 | EA | \$250.00 | 2.00 | \$500.00 | 2.00 | \$500.00 |
| 7 | CAST IN PLACE DETECTABLE/TACTILE WARNING SURFACE | 40 | SFT | \$19.00 | 78.00 | \$1,482.00 | 78.00 | \$1,482.00 |
| 8 | AGGREGATE BASE UNDER 9" CONC. (6" 21AA CR LIMESTONE) | 1,970 | SYD | \$25.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 9 | AGGREGATE BASE UNDER 4"& 6" & 9" CONC. (3" 21AA CR LIMESTONE) | 510 | SYD | \$25.00 | 358.06 | \$8,951.50 | 358.06 | \$8,951.50 |
| 10 | DRAINAGE STRUCTURE COVER | 760 | LBS | \$1.20 | 166.00 | \$199.20 | 166.00 | \$199.20 |
| 11 | MINOR TRAFFIC DEVICES | 1 | LSUM | \$3,000.00 | 0.50 | \$1,500.00 | 0.50 | \$1,500.00 |
| 12 | PROJECT CLEAN UP | 1 | LSUM | \$2,500.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 13 | INSPECTION CREW DAYS | 25 | DAY | \$320.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |

Period Total Amount: \$129,468.82 Total Amount to Date: \$129,468.82

Original Contract Amount:

\$276,453.00

Earnings This Period: \$129,468.82

Total Earnings to Date: \$129,468.82

Less Retainage: \$12,946.88

Net Earned: \$116,521.94

Deductions: \$0.00

Balance: \$116,521.94

Payments to Date: \$0.00

AMOUNT DUE ROTONDO CONSTRUCTION CORP.: \$116,521.94

Accepted By: _____
Rotondo Construction

Date: _____

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

Date: _____

MERCHANT'S LICENSES – DECEMBER 5, 2016

(Subject to All Departmental Approvals)

| <u>NEW MERCHANT</u> | <u>ADDRESS</u> | <u>FEE</u> | <u>BUSINESS TYPE</u> |
|---------------------------------------|--------------------------|------------|--|
| SPEEDY AUTO CLAIM CENTER | 23300 GREENFIELD #102 | \$150 | INSURANCE CLAIM CENTER |
| | | | |
| <u>RENEWALS</u> | <u>ADDRESS</u> | <u>FEE</u> | <u>BUSINESS TYPE</u> |
| 1-800-PAY-BENY | 21380 GREENFIELD | \$150 | PAWN SALES |
| DIAMONDS FOREVER | 21700 GREENFIELD #350 | \$150 | JEWELRY SALES |
| GOLD & SOLVER CORP | 21700 GREENFIELD #320 | \$150 | JEWELRY SALES |
| G & J WHOLESALE | 21700 GREENFIELD#310 | \$150 | WAREHOUSE |
| GREENFIELD PLAZA ASSOC | 21700 GREENFIELD #202 | \$150 | MANAGEMENT OFFICE |
| GOLD CORP | 21600 GREENFIELD #100 | \$150 | JEWELRY SALES |
| LEE BEAUTY SUPPLIES DISCOUNT | 22136 COOLIDGE | \$150 | BEAUTY SUPPLY SALES |
| MICHIGAN CHIROPRACTIC & MEDICAL | 23300 GREENFIELD #104 | \$150 | CHIROPRACTIC OFFICE |
| SALON MICHELLE MONAE | 23300 GREENFIELD#102 | \$675 | HAIR SALON |
| SCOTIA STOP/G&M INVESTMENTS | 12701 TEN MILE | \$150 | INVESTMENTS |
| CLASSIC EXPRESSIONS | 8126 NINE MILE | \$150 | CLOTHING/DRESSMAKING AND FABRIC SALES |
| DIAMOND NAILS | 21700 GREENFILED #118 | \$150 | NAIL SALON |
| PRINCE'S JEWELERS | 21700 GREENFIELD #447 | \$150 | JEWELRY SALES |



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 5, 2016

AGENDA #

SUBJECT: Proposed Change Order no. 2 and Payment Application no. 4 for the 2016 Water Main Replacement Project, M-625.

DEPARTMENT: Technical & Planning – Engineering RMB

SUMMARY: Attached are Proposed Change Order no. 2 and Payment Application no. 4 for the 2016 Water Main Replacement Project, M-625. The proposed Change Order is an increase for the replacement of nine (9) City water services throughout the City. The project is approximately 99% complete.

| | | |
|------------------------------------|----------------------------------|----------------------|
| <u>FINANCIAL STATEMENT:</u> | Original Contract Amount: | \$ 280,160.00 |
| | Change Order no. 1: | (\$ 21,852.71) |
| | Proposed Change Order no. 1: | <u>\$ 32,454.46</u> |
| | New contract amount: | \$ 290,661.75 |
| | Total Completed to Date: | \$ 290,661.75 |
| | Less Retainage: | \$ 1,000.00 |
| | Net Earned: | \$ 290,661.75 |
| | Deductions: | \$ 0.00 |
| | Balance: | \$ 290,661.75 |
| | Payments to Date: | <u>\$ 257,207.29</u> |
| | Amount Due ADJ Excavating. Inc.: | \$ 32,454.75 |

RECOMMENDED ACTION: It is recommended that Proposed Change Order no. 2 for the 2016 Water Main Replacement Project, M-625, to ADJ Excavating. Inc. be approved for the amount of \$32,454.75. It is further recommended that Payment Application no. 4 for the same be approved for \$32,454.75. There is \$400,000 budgeted in the Water & Sewer Fund for this project.

APPROVALS:

City Manager: _____

Department Director: *Ug*

Finance Director: _____

EXHIBITS: Change Order no. 2 and Payment Application no. 4

PAYMENT APPLICATION

PROJECT: 2016 Water Main Replacement Project
OWNER: City of Oak Park, Michigan
CONTRACTOR: ADJ Excavating, Inc.
 47301 Feathered Ct.
 Shelby Twp., MI 48315

JOB NUMBER: M-625
APPLICATION NO.: 4
PERIOD ENDING: 11/4/16
PAGE: 1 of 2

| Item No. | Description | Original Bid Quantity | Unit | Unit Price | Period Quantity | Period Amount | Quantity To Date | Amount To Date |
|----------|---|-----------------------|------|------------|-----------------|---------------|------------------|----------------|
| 1 | Mobilization, Max 5% | 1 | LSUM | \$8,200.00 | 0.00 | \$0.00 | 1.00 | \$8,200.00 |
| 2 | Minor Traffic Device, Modified SP | 1 | LSUM | \$5,000.00 | 0.00 | \$0.00 | 1.00 | \$5,000.00 |
| 3 | Pavement Removal, Modified SP | 1,175 | SYD | \$8.00 | 158.53 | \$1,268.24 | 1,224.54 | \$9,796.32 |
| 4 | Water Main D.I CL 54 8 Inch Trench Detail "B" Modified | 1,420 | LFT | \$75.50 | 0.00 | \$0.00 | 1,407.00 | \$106,228.50 |
| 5 | Install Fire Hydrant. E.IIW SBR-250 | 3 | EACH | \$3,750.00 | 0.00 | \$0.00 | 3.00 | \$11,250.00 |
| 6 | Water Main Connection "A"@ Kenwood Ave./Rosewood Ave. | 1 | LSUM | \$7,800.00 | 0.00 | \$0.00 | 1.00 | \$7,800.00 |
| 7 | Water Main Connection "B"@ Ithaca Ave./Nine Mile Rd. | 1 | LSUM | \$2,000.00 | 0.00 | \$0.00 | 1.00 | \$2,000.00 |
| 8 | Install 8" Gate Valve and Well | 3 | EACH | \$3,250.00 | 0.00 | \$0.00 | 2.00 | \$6,500.00 |
| 9 | Remove & Replace Short Side Service Curb Box 3/4 inch to 2 inch | 17 | EACH | \$225.00 | 9.00 | \$2,025.00 | 25.00 | \$5,625.00 |
| 10 | Service Transfers (long and short side) | 36 | EACH | \$750.00 | 9.00 | \$6,750.00 | 42.00 | \$31,500.00 |
| 11 | 3/4" to 2" Diameter Type K Copper | 110 | LFT | \$10.00 | 0.00 | \$0.00 | 35.17 | \$351.70 |
| 12 | Remove Existing Fire Hydrant | 2 | EACH | \$350.00 | 0.00 | \$0.00 | 2.00 | \$700.00 |
| 13 | Remove Existing Gate Valve and Well | 2 | EACH | \$400.00 | 0.00 | \$0.00 | 2.00 | \$800.00 |
| 14 | Abandon Existing Water Main - Ithaca Ave. | 1 | LSUM | \$1,500.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 15 | Conc. Pavt. With Integral Curb Non-Reinforced, 8" Modified SP | 105 | SYD | \$60.00 | 0.00 | \$0.00 | 156.17 | \$9,370.20 |
| 16 | Sidewalk Conc. Non-Reinforced 6" Conc. Sidewalk/Drive Approach | 3,100 | SFT | \$5.25 | 0.00 | \$0.00 | 2,476.04 | \$12,999.21 |
| 17 | Sidewalk Conc. Non-Reinforced 4" Conc. Sidewalk/Driveway | 6,000 | SFT | \$4.35 | 0.00 | \$0.00 | 5,668.80 | \$24,659.28 |
| 18 | Sidewalk Conc. Non-Reinforced 8" Conc. Sidewalk/Drive Approach | 400 | SFT | \$6.50 | 0.00 | \$0.00 | 189.10 | \$1,229.15 |
| 19 | Hot Mix Asphalt, 3C 2 inch leveling Modified SP | 5 | TON | \$250.00 | 0.00 | \$0.00 | 3.00 | \$750.00 |
| 20 | Hot Mix Asphalt, 4C 2 inch leveling Modified SP | 5 | TON | \$250.00 | 0.00 | \$0.00 | 3.00 | \$750.00 |
| 21 | Aggregate base under concrete (6" 21AA Crush Limestone) | 135 | SYD | \$6.00 | 84.77 | \$508.62 | 222.49 | \$1,334.94 |
| 22 | Cast in Place Detectable, Tactile Warning Surfaces | 64 | SFT | \$20.00 | 0.00 | \$0.00 | 64.00 | \$1,280.00 |
| 23 | Underdrain Subgrade, Open Graded 6" Modified SP | 20 | LFT | \$10.00 | 0.00 | \$0.00 | 25.00 | \$250.00 |
| 24 | Class A Sodding, Modified SP | 900 | SYD | \$7.50 | 0.00 | \$0.00 | 1,129.58 | \$8,471.85 |
| 25 | Adjusting Drainage Structure Cover Case 1, Modified SP | 1 | EACH | \$225.00 | 0.00 | \$0.00 | 0.00 | \$0.00 |
| 26 | Drainage Structure Cover | 1,140 | LBS | \$1.50 | 0.00 | \$0.00 | 1,140.00 | \$1,710.00 |
| 27 | Salvage Sign, Modified SP | 5 | EACH | \$50.00 | 0.00 | \$0.00 | 2.00 | \$100.00 |
| 28 | Erosion Control Inlet Filter, Fabric Drop, Modified SP | 10 | EACH | \$80.00 | 0.00 | \$0.00 | 10.00 | \$800.00 |
| 29 | Maintenance Gravel, Modified SP | 250 | TON | \$8.00 | 0.00 | \$0.00 | 146.00 | \$1,168.00 |
| 30 | Crossing Existing Water Mains, Sewers, and Sewer Leads | 5 | EACH | \$250.00 | 1.00 | \$250.00 | 5.00 | \$1,250.00 |
| 31 | Unidentified Irrigation System Repairs - Sprinkler Lines | 75 | LFT | \$3.00 | 0.00 | \$0.00 | 285.00 | \$855.00 |
| 32 | Unidentified Irrigation System Repairs - Sprinkler Heads | 25 | EACH | \$50.00 | 0.00 | \$0.00 | 26.00 | \$1,300.00 |
| 33 | Project Clean Up (5% max) | 1 | LSUM | \$4,500.00 | 0.00 | \$0.00 | 1.00 | \$4,500.00 |
| 33 | Inspection Crew Days, Modified SP | 5320 | DAY | 30.00 | 1.50 | \$0.00 | 1.50 | \$480.00 |
| 34 | Connection at Basement | 0 | EACH | 750.00 | 2.00 | \$1,500.00 | 2.00 | \$1,500.00 |
| 35 | 3/4" Type K Copper (lead services only) | 0 | LFT | 25.00 | 473.00 | \$11,825.00 | 473.00 | \$11,825.00 |
| 36 | Class A Sodding, Modified SP (lead services only) | 0 | SYD | 20.00 | 378.00 | \$7,560.00 | 378.00 | \$7,560.00 |
| 37 | Maintenance Gravel, Modified SP (lead services Only) | 0 | TON | 20.00 | 38.38 | \$767.60 | 38.38 | \$767.60 |

\$32,454.46

\$290,661.75

PROJECT: 2016 Water Main Replacement Project
OWNER: City of Oak Park, Michigan
CONTRACTOR: ADJ Excavating, Inc.
47301 Feathered Ct.
Shelby Twp., MI 48315

JOB NUMBER: M-625
APPLICATION NO.: 4
PERIOD ENDING: 11/4/16
PAGE: 2 of 2

Original Contract Amount: \$280,160.00
Change Order No. 1 (\$21,952.71)
Proposed Change Order No.2: \$32,454.46
\$290,661.75

Earnings This Period: \$32,454.46
Total Earnings to Date: \$290,661.75
Less Retainage: \$1,000.00
Net Earned: \$289,661.75
Deductions: \$0.00
Balance: \$289,661.75
Payments to Date: \$257,207.29

Amount Due: \$32,454.46

Accepted By: _____
ADJ Excavating Inc.

Date: _____

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

Date: _____