

Oak Park

City Council Agenda

January 4, 2016





AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
January 4, 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. Special Council Meeting Minutes of December 21, 2015
- B. Regular Council Meeting Minutes of December 21, 2015
- C. Beautification Advisory Commission Minutes of September 15, 2015
- D. Emergency Services Council Meeting Minutes of May 11, 2015
- E. Emergency Services Council Meeting Minutes of November 9, 2015
- F. Recycling and Environmental Conservation Commission Minutes of October 15, 2015
- G. Licenses - New and Renewals as submitted for January 4, 2016

6. RECOGNITION OF VISITING ELECTED OFFICIALS:

7. SPECIAL RECOGNITION/PRESENTATIONS:

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES: None

11. ACCOUNTING REPORTS: None

12. BIDS: None

13. ORDINANCES:

- A. First reading of an Ordinance to amend Appendix A – Zoning, of the Code of Ordinances, City of Oak park, Michigan, by Amending Sections 1930 of Article XIX, Section 204 of Article II, Section 702 of Article VII, Section 802 of Article VIII, Section 1202 of Article XII, and Section 1401 of Article XIV
- B. First reading of an Ordinance to amend Article III Regulation of On-The-Premises Consumption, of Chapter 6, Alcoholic Liquors, of The Code of Ordinances of The City of Oak Park by Amending Sections 6-54, 6-55, And 6-58 thereof

14. CITY ATTORNEY:

15. CITY MANAGER:

Administration

- A. Resolution to request and authorize the George W. Kuhn Drainage District to issue refunding bonds pursuant to the provisions of Public Act 34 of 2001, as amended.

Community and Economic Development

- B. Façade Improvement Grant as submitted by Mark Wolfson for a Dental Office at 26601 Coolidge.

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
SPECIAL COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
December 21, 2015
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 5:31 P.M.

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Rich,
Council Member Speech (arrived at 5:40 PM)

ABSENT: Council Member Radner

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

SPECIAL BUSINESS:

(AGENDA ITEM A) City Manager Contract Extension

CLOSED SESSION

**SCM-12-482-15 MOTION TO CONVENE INTO A CLOSED SESSION
PURSUANT TO SECTION 8 OF THE OPEN MEETINGS ACT TO
DISCUSS ATTORNEY CLIENT PRIVILEGED
COMMUNICATION - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to convene into a Closed Session Pursuant to Section 8 of the Open Meetings Act to discuss Attorney Client Privileged Communication and to designate City Attorney Duff to keep the minutes of the Closed Session.

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

MOTION DECLARED ADOPTED

**SCM-12-483-15 CONTRACT EXTENSION FOR CITY MANAGER ERIK
TUNGATE - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve a contract extension for City Manager Erik Tungate for a term ending September 30, 2019.

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

MOTION DECLARED ADOPTED

**SCM-12-484-15 MOTION TO APPROVE THE CLOSED SESSION MINUTES OF
DECEMBER 21, 2015 - APPROVED**

Motion by Speech, seconded by Burns, CARRIED UNANIMOUSLY, to approve the Closed Session Minutes of December 21, 2015.

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

MOTION DECLARED ADOPTED

**(AGENDA ITEM B) Discussion of amendments to City Ordinances related to
Alcoholic Liquor**

Community and Economic Development Director Marrone and City Attorney Duff presented proposed amendments to Sections of the Code of Ordinances that pertain to alcoholic liquor and Council discussed the proposed changes. The suggested amendments will be finalized in new ordinance documents that will be considered for a first reading at the Council meeting on January 4, 2016.

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

ADJOURNMENT:

The Special Meeting adjourned at 6:50 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
December 21, 2015
7:00 PM**

MINUTES

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

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

ABSENT: Council Member Radner

OTHERS

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

APPROVAL OF AGENDA:

**CM-12-485-15 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS SUBMITTED
- APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-12-486-15 (AGENDA ITEM #5A-L) CONSENT AGENDA - APPROVED

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

- A. Special Council Meeting Minutes of December 7, 2015 **CM-12-487-15**
- B. Regular Council Meeting Minutes of December 7, 2015 **CM-12-488-15**
- C. Library Board of Directors Meeting Minutes of October 20, 2015 **CM-12-489-15**
- D. Request approval for budgeted payment of \$40,500.00 to Rehmann Robson for audit work performed for fiscal year ending June 30, 2015 **CM-12-490-15**
- E. Request approval for CLEMIS Agreement for IT Services and to authorize the City Manager to sign the agreement on behalf of the City **CM-12-491-15**
- F. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for Water Reservoir Pumping Station Improvements, Traffic Signal Design and Oak Park Boulevard and Lincoln Rehabilitation in the total amount of \$54,656.75 **CM-12-492-15**

- G. Payment Application No. 1 for the 2015-16 Miscellaneous Concrete Repair Project, M-621 to Mattioli Cement Company, LLC in the total amount of \$58,867.73 **CM-12-493-15**
- H. Change Order No. 1 in the amount of (\$21,034.60) and Payment Application No. 1 in the amount of \$258,757.20 to Insituform Technologies USA for the 2014 Sewer Lining Project, M-588 **CM-12-494-15**
- I. Request to cancel the December 22, 2015 regularly scheduled Zoning Board of Appeals Meeting **CM-12-495-15**
- J. Request to schedule a Public Hearing on January 18, 2016 to hear comments on the proposed Corridor Improvement Authority Development and TIF Plans **CM-12-496-15**
- K. Public Safety Activity Summary Report for November 2015 **CM-12-497-15**
- L. Licenses - New and Renewals as submitted for December 21, 2016 **CM-12-498-15**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>
(Subject to all Departmental Approvals)		
Lecom, Inc.	13270 Capital	\$150
Maria's K	10760 Nine Mile	\$150
Save-A-Lot	23105 Coolidge	\$150
Royal TV	22135 Coolidge	\$150
A & A Cabinets and Store, Inc.	21890 Meyers	\$150
Prudential Virtual Guard Series	25900 Greenfield 144	\$150
<u>RENEWALS</u>		
Tiger Collision	10010 Capital	\$150
M. Beshara Inc.	10020 Capital	\$150
Eaton Steel Corp	10221 Capital	\$150
Auditory Instruments	13261 Cloverdale	\$150
Ramsay F Dass, M.D.	24601 Coolidge	\$150
Dr. Salwan Francis, DDS, PC	24621 Coolidge	\$150
Northland Chrysler Jeep & Dodge	14100 Eight Mile	\$150
Addixion, LLC	14701 Eleven Mile	\$150
Diamond Nails	21700 Greenfield 118	\$150
Krome Jewelers	21700 Greenfield 302	\$150
Aura International	21700 Greenfield 347	\$150
Zeman's New York Bakery	25258 Greenfield	\$150
Haynes Enterprise	21171 Meyers	\$150
James Tailoring & Alterations	8236 Nine Mile	\$150
Lighthouse Liquor	13651 Nine Mile	\$150
Millenium Medical Group PCO	15300 Nine Mile	\$150
Yousif Goriel, MD PC	15351 Nine Mile A	\$150
Atlas Cast Stone	12920 Northend	\$150
Detroit Custom Coach	13201 Northend	\$150
Access & Vascular Care PLLC	10861 Ten Mile	\$150
Subway	13311 Ten Mile	\$150
La Insurance	13381 Ten Mile	\$150
Oak Park Dialysis	13481 Ten Mile	\$150
Lawford Fabricating	21650 Wyoming CT	\$150
A1 Custom Diamonds	21700 Greenfield 359	\$150
Excell Steel Corp	11000 Capital	\$150
Huntington Cleaners	13103 Capital	\$150
United Truck Sales	12950 Cloverdale	\$150
Auditory Instruments	13261 Cloverdale	\$150
Donn Imports DBA Kashat Spices	23141 Coolidge	\$150
Walk In The Park Coin Laundry	23170 Coolidge	\$150
Hungry Howie's Pizza & Subs	24691 Coolidge	\$150

Sassy Nails	24750 Coolidge	\$150
Dreams of Gold Jewelry	24760 Coolidge	\$150
Lincoln Drugs	25901 Coolidge A	\$150
Caring Dentistry	26021 Coolidge	\$150
Metro Frame	26045 Coolidge	\$150
H.O. Trerice Co.	12950 Eight Mile	\$150
Oak Liquor & Wine	13700 Eight Mile	\$150
VHV Sub/Tubby's	13740 Eight Mile	\$150
Value Wholesale	15188 Eight Mile	\$150
F.I.R.M.	13691 Eleven Mile 103	\$150
Custom Concept Collision	14051 Eleven Mile	\$150
Douglas Stamping Co.	14231 Eleven Mile	\$150
Four Seasons Garden Center	14471 Eleven Mile	\$150
Universal Wholesale	14511 Eleven Mile	\$150
Curt's Service	14611 Eleven Mile	\$150
Hersch's Lawn Spray	15431 Eleven Mile	\$150
McDonald's	21000 Greenfield	\$150
Greenfield Plaza Associates	21700 Greenfield 202	\$150
G & J Wholesale	21700 Greenfield 310	\$150
Gold & Silver Corp	21700 Greenfield 320	\$150
Diamonds Forever	21700 Greenfield 350	\$150
Diamond Island of Greenfield	21700 Greenfield 390	\$150
Building Technology Associates	21850 Greenfield	\$150
Dollar Castle	26186 Greenfield	\$150
7-11 Food Stores #13486	15350 Lincoln	\$150
Prairie Farms Daily	21631 Meyers	\$150
Hansen's Auto Service Center	8210 Nine Mile	\$150
Tai Fai Restaurant	8505 Nine Mile	\$150
Occupational Rehabilitation	10350 Nine Mile	\$150
Community Family Dentistry	10470 Nine Mile	\$150
Oak Park Center for Physical Therapy	12702 Nine Mile	\$150
Evolve Salon	12712 Nine Mile	\$150
Easter Seals - Michigan	12718 Nine Mile	\$150
Alaska Fresh Fish & Chicken	13701 Nine Mile	\$150
Diana Enterprise USA	13271 Northend	\$150
Ringside Creative LLC	13320 Northend 3000	\$150
State Farm Insurance	10841 Ten Mile	\$150
Scotia Stop	12701 Ten Mile	\$150
Parkwood Open Imaging	13161 Ten Mile	\$150
Sahni's Inc.	13251 Ten Mile	\$150
National Time & Signal Corp.	21800 Wyoming	\$150
Car Stop Automotive Main Office	21000 Coolidge	\$150
Car Stop Automotive	21006 Coolidge	\$150
Danny's Fine Wine	23063 Coolidge	\$150
Ramsay F. Dass, M.D.	24601 Coolidge	\$150
Fars Fill Up	13500 Eight Mile	\$150
1800Paybeny	21380 Greenfield	\$150
GLR of Northville	26500 Harding	\$150
Elie R Khoury, M.D.	24611 Coolidge	\$150
Medaplex Dental Center	23350 Greenfield	\$150
Attisha LLC Food Center	15450 Nine Mile	\$150
Unique Furniture	21820 Wyoming Pl	\$150
Prince Jewelers	21700 Greenfield 447	\$150
United Refrigeration Inc.	12811 Capital	\$150

Athens Gift Shop	21700 Greenfield 132	\$150
Forgotten Harvest, Inc.	21800 Greenfield	\$150
Ryan Polishing Corporation	10707 Capital	\$150
H & R Block	13241 Ten Mile	\$150
For Kids Only/Leytons	23101 Coolidge	\$525
Hewson Van Hellemont, PC	25900 Greenfield 650	\$150
BC & F Tool Company	26670 Harding	\$150
T. Nails	26028 Greenfield	\$150
Grace Centers of Hope – Oak Park Thrift Store	23119 Coolidge	\$150
Hanna Fruit Market – Oak Park	13745 Nine Mile	\$150
Bread Basket Deli Inc.	26052 Greenfield	\$150
E Z Petroleum 1, Inc.	13600 Eight Mile	\$150
E Z Petroleum 4 Inc.	13551 Nine Mile	\$150
Learning Disabilities Clinic	25611 Coolidge	\$150
Professional Beauty Center	23150 Coolidge	\$150
Hollywood Diamond Setting	21700 Greenfield 327	\$150
Dale Prentice Company	26511 Harding	\$150
Talk A Lot Warehouse	21150 Coolidge	\$150
Herman's Creations	21700 Greenfield 324	\$150
Express Collision	21470 Coolidge	\$150
Premier Insurance	24721 Coolidge	\$150
Intra State Mort Services	14691 Eleven Mile	\$150
Domino's Pizza	13735 Nine Mile	\$150
E-Zee Set Wood Products	21650 Coolidge	\$150
JTS Design Jewelry	15075 Lincoln 119	\$150
H/D Holdings	14241 Eleven Mile	\$150
Captain Jay's	13500 Nine Mile	\$150
Sunugal Hair Braiding	22131 Coolidge	\$150
Sherwin Williams	13101 Northend	\$150
Community Center Classrms & Offices	10780 Nine Mile	\$150
Closeouts RR Us, Inc.	13240 Capital B	\$150
GEM Corporation	21600 Greenfield 106	\$150
C & B Motors	13000 Northend 205	\$150
Magic Discount Jewelry	21600 Greenfield 108	\$150
Public Storage	20700 Greenfield	\$150
Royal Crest	14851 Eleven Mile	\$150
Hewson Van Hellemont, PC	25900 Greenfield 650	\$150
BC & F Tool Company	26670 Harding	\$150
Oak Park Dental	13730 Nine Mile	\$150
Royal TV	22135 Coolidge	\$150
A & A Cabinets and Stone	21890 Meyers	\$150
Grace Centers of Hope	23119 Coolidge	\$150
Hanna Fruit Market	13745 Nine Mile	\$150
Bread Basket Deli	26052 Greenfield	\$150
E Z Petroleum 4	13551 Nine Mile	\$150
E Z Petroleum 1	13600 Nine Mile	\$150
Learning Disabilities Clinic	25611 Coolidge	\$150
Professional Beauty Center	23150 Coolidge	\$150
Hollywood Diamond Setting	21700 Greenfield 327	\$150
Dale Prentice Company	26511 Harding	\$150
Talk a Lot Wireless	21150 Coolidge	\$150
Herman's Creations	21700 Greenfield 324	\$150
LLZ Ventures dba 8 Mile Smoke & Vapor	15180 Eight Mile	\$150
Perfect Eyebrow Threading	21700 Greenfield 455	\$150

Michigan Dessert Corp.	10750 Capital	\$150
Party Poopers	21641 Coolidge	\$150
Armani/Gold Spot Jewelers	21700 Greenfield 354	\$150
Henry's Auto Care Center	14041 Eleven Mile	\$150
LM Studio	8104 Nine Mile	\$150
Meadowbrook Home Health Care	13855 Nine Mile B	\$150
Maple Home Health Care	23300 Greenfield 219	\$150
VINT II	15075 Lincoln 104	\$150
Diamond Star Fine Jewelry	21700 Greenfield 322	\$150
Image One Corp	13201 Capital	\$150
B.A.P.I.	13301 Northend	\$150
Little Caesars	24756 Coolidge	\$150
Trend Express Market	8580 Nine Mile	\$150
Henley Bluewater LLC dba Valvoline	13300 Nine Mile	\$150
Executive Car Rental	14370 Eight Mile	\$150
AA1 Appliance	10400 Nine Mile	\$150
Fast Track of Oak Park Gas Station	8600 Nine Mile	\$150
Fast Track of Oak Park Food Mart	8600 Nine Mile	\$150
Nuts N More	23141 Coolidge	\$150
Autobahn Collision	20850 Coolidge	\$150
El Mar's Suburban Shop	13661 Eleven Mile	\$150
Henderson Towing	13390 Capital	\$150
Zalman's Treasures	26001 Coolidge	\$150
K& S Design Jewelry	21700 Greenfield 477	\$150
Metropolitan Dry Cleaners	26126 Greenfield	\$1887.50
Modern Nails	13720 Nine Mile	\$150
Kerr Pump & Supply	12880 Cloverdale	\$150
ACME Ladder & Supply	10101 Capital	\$150
Hartwell Cement Co	21650 Fern	\$150
Etemade	10440 Nine Mile	\$150
Stepping Out Hair & Nail Salon	25266 Greenfield	\$150
Kravings	25270 Greenfield	\$150
Spice One	12751 Northend	\$150
Payless Shoesource #4815	26142 Greenfield	\$150
Michigan Ambulatory Surgical Center	22000 Greenfield	\$150
Star Bakery	26031 Coolidge	\$150
Samaritan Homes	22610 Rosewood	\$150
C & J General Contractor	22610 Rosewood	\$150
Dependable Gage & Tool	15321 Eleven Mile	\$150
Value World	22130 Coolidge	\$150
Ram Jewelry	21600 Greenfield 105A	\$150
20700 Hubbell LLC	20700 Hubbell	\$150

PRECIOUS METALS – Renewals 2016
(Subject to all Departmental Approvals)

Kramar Jewelry Inc.
 Pay Beny
 Krome Jewelry
 Diamonds Forever
 K & S Design Jewelry
 Taboo
 Janko the Diamond Broker
 Herman's Creations

ADDRESS

21700 Greenfield, # 345
 21380 Greenfield
 21700 Greenfield, # 302
 21700 Greenfield, # 350
 21700 Greenfield, # 477
 21830 Greenfield, # 102
 25900 Greenfield, # 112
 21700 Greenfield, # 324

Zalman's Treasures	26001 Coolidge Hwy.
JTS' Design Jewelry	15075 Lincoln Rd., # 119
Gem Corporation Inc.	21600 Greenfield, # 106
Magic Discount Jewelry	21600 Greenfield, # 108
Luxor Jewelry	21700 Greenfield, # 301
Azar Jewelry	21700 Greenfield, # 368
Anton's Jewelry	21700 Greenfield, # 335
Dreams of Gold Jewelry	24760 Coolidge Hwy.
Savana Resources LLC	PO Box 1322, Birmingham MI 48012
Goldies LLC	13630 W 8 Mile Rd
Ram Jewelry	21600 Greenfield, # 105
Diamond Island Jewelry	21700 Greenfield, # 390
Maro Jewelers	21700 Greenfield, #365
A.P. Wireless	8775W 9 Mile Rd

TAXI CABS – Renewals 2016

Kelly Ilyas	ANA Transportation	3940 Rolf Dr., Warren, MI
William D. Smith	Royal Oak Twp. Taxi Cab Co.	20019 Northlawn, Detroit, MI
Dwight McCollom	Royal Oak Twp. Taxi Cab	8446 Piedmont, Detroit, MI
Lawrence Cochran	Royal Oak Twp. Taxi Cab Co.	8131 Cloverdale, Ferndale MI
Inder S. Khera	Southfield Yellow Cab	47451 Iroquois Court, Novi, MI
Boota Singh Sidhu	Southfield Yellow Cab	3653 Franklin Park Dr., Sterling Heights, MI
Iqbal Sing Gill	Yellow Cab of Southfield	41258 Westfield Circle, Canton, MI

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Public Safety Director Steve Cooper requested a moment of silence in honor of Public Safety Officer Mason Samborski who was killed in the line of duty serving the City of Oak Park. December 28th will mark the 7th anniversary of his death.

(AGENDA ITEM #7B) City Manager Tungate presented the Employee of the Month award to Greg Childs from the Technical and Planning Department.

PUBLIC HEARINGS: None

SPECIAL LICENSES:

**CM-12-499-15 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST –
CONGREGATION AISH - APPROVED**

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

Name	Address	Event	Fee
Congregation Aish (Temp. sale of beer & wine)	25725 Coolidge	Annual Membership Fundraiser	100.00

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

**CM-12-500-15 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF AN INVOICE
AS SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL
SERVICES IN THE TOTAL AMOUNT OF \$15,965.93 - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve payment of invoices #449415, 449416 and 449419 as submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$15,965.93.

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

MOTION DECLARED ADOPTED

**CM-12-501-15 (AGENDA ITEM #11B) PAYMENT OF INVOICE AS SUBMITTED BY
LAW OFFICES OF HOWARD L. SHIFMAN, P.C. FOR LEGAL
SERVICES IN THE TOTAL AMOUNT OF \$15,000.00 - APPROVED**

Motion by Burns, Seconded by Speech, CARRIED UNANIMOUSLY, to approve payment of invoice #12540 to Howard L. Shifman, P.C. for legal services from January 1, 2016 through March 31, 2016 in the total amount of \$15,000.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY REPORT:

CM-12-502-15 (AGENDA ITEM #14A) CONSENT JUDGEMENT IN THE TAX TRIBUNAL MATTER OF ROYAL PLAZA SHOPS, LLC V. CITY OF OAK PARK, MTT DOCKET NO. 14-001780 - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following Consent Judgement in the Tax Tribunal matter of Royal Plaza Shops LLC v. City of Oak Park, MTT Docket No. 14-001780:

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

Royal Plaza Shops LLC
 Petitioner,

v

MTT Docket No. 14-001780

City of Oak Park,
 Respondent.

MULTIPLE PARCEL ATTACHMENT TO
 STIPULATION FOR ENTRY OF CONSENT JUDGMENT

1. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	Parcel Number	True Cash Value	Assessed Value	Taxable Value
2014	52-25-19-351-045	\$471,000	\$235,500	\$235,500
2014	52-25-19-351-047	\$341,000	\$170,500	\$170,500
2014	52-25-19-351-048	\$314,200	\$157,100	\$157,100
		\$1,126,200	\$563,100	\$563,100
2015	52-25-19-351-045	\$475,800	\$237,900	\$237,900
2015	52-25-19-351-047	\$343,600	\$171,800	\$171,800
2015	52-25-19-351-048	\$317,200	\$158,600	\$158,600
		\$1,136,600	\$568,300	\$568,300

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

Tax Year	Parcel Number	True Cash Value	Assessed Value	Taxable Value
2014	52-25-19-351-045	\$471,000	\$235,500	\$235,500
2014	52-25-19-351-047	\$341,000	\$170,500	\$170,500
2014	52-25-19-351-048	\$268,000	\$134,000	\$134,000
		\$1,080,000	\$540,000	\$540,000
2015	52-25-19-351-045	\$475,800	\$237,900	\$237,900
2015	52-25-19-351-047	\$343,600	\$171,800	\$171,800
2015	52-25-19-351-048	\$260,600	\$130,300	\$130,300
		\$1,080,000	\$540,000	\$540,000

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

MOTION DECLARED ADOPTED

**CM-12-503-15 (AGENDA ITEM #14B) CONSENT JUDGEMENT IN THE TAX
TRIBUNAL MATTER OF PARKWOODS PLAZA CENTER, LLC V.
CITY OF OAK PARK, MTT DOCKET NO. 15-000584 - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve the following Consent Judgement in the Tax Tribunal matter of Parkwoods Plaza Center, LLC v. City of Oak Park, MTT Docket No. 15-001047:

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

Parkwoods Plaza Center, LLC
Petitioner,

v

MTT Docket No. 15-001047

City of Oak Park,
Respondent.

STIPULATION FOR ENTRY OF CONSENT JUDGMENT

1. The case is pending in the Entire Tribunal.
2. Property Parcel No: 52-25-19-101-063.
3. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2015	\$5,358,000	\$2,679,00	\$2,672,890

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

Tax Year	True Cash Value	Assessed Value	Taxable Value
2015	\$4,800,00	\$2,400,00	\$2,400,00

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

MOTION DECLARED ADOPTED

CITY MANAGER:

Information Technology

CM-12-504-15 (AGENDA ITEM #15A) AGREEMENT WITH THE SINGSON CORPORATION FOR IT SERVICES - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve an agreement with the Singson Corporation for IT Services in the not to exceed amount of \$11,920.00 per month.

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

MOTION DECLARED ADOPTED

City Manager Tungate reported that this contractor has been providing IT services for the City on an emergency basis for the past month during a staffing crisis, and the administration is recommending an agreement to continue the services for one year. The cost is for a not to exceed amount of \$11,920.00 per month and is based on a Systems Administer being on site for 160 hours.

Department of Public Works

CM-12-505-15 (AGENDA ITEM #15B) PROPOSAL FROM ORCHARD, HILTZ & MCCLIMENT, INC. (OHM) TO PERFORM THE CONCEPTUAL DESIGN OF THE ROADWAY AND PUBLIC SPACE IMPROVEMENTS ALONG NINE MILE ROAD FROM GREENFIELD TO PINECREST DRIVE FOR AN HOURLY NOT TO EXCEED AMOUNT OF \$57,500.00 UPON FINAL REVIEW BY THE CITY ATTORNEY - APPROVED

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve a proposal from Orchard, Hiltz & McCliment, Inc. (OHM) to perform the conceptual design of the roadway and public space improvements along Nine Mile Road from Greenfield to Pinecrest Drive for an hourly not to exceed amount of \$57,500.00 upon final review by the City Attorney

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

MOTION DECLARED ADOPTED

Community and Economic Development Manager Marrone summarized a proposal from OHM to perform the conceptual design of the roadway and public space improvements along Nine Mile Road from Greenfield to Pinecrest Drive. This project will incorporate ideas from the Congress for New Urbanism along with coordination with the current Federally Funded traffic signal replacement and timing project. Funding is available in the Major Street fund for this expenditure.

Finance Department

(AGENDA ITEM #15C) Quarterly Investment Report

Finance Director Johnson reported that the State of Michigan Public Act 213 of 2007 (attached) 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 reported further that a significant responsibility he assumed in the last week of July 2015 was to formulate an investment strategy to maximize investment return while insuring security of all funds. The City's strategy upon his arrival was to keep all investments very short term (no more than 180 days) and invest only in bank certificate of deposits and commercial paper. The rate of return on these types of investments ranged from .15 to .45% generating approximately \$25,000 annually in earnings. The new strategy he implemented is to review the long-term cash flow needs including review of the multi-year budget to determine the amount of cash that can be invested on a longer term basis. The maximum term of investment utilized is six years. The longer-term investments represent fund balance targets and capital reserves for all funds that are not intended to be utilized for operations in the near future. By utilizing this approach, investments are now yielding returns from .15 to 2.70% with an average rate of approximately 1.8%, more than six times the return of prior year with estimated annual earnings citywide of approximately \$150,000. Once all long-term funds have been invested, this strategy will also minimize the time spent on a monthly basis by the treasury department on investment activities and save dozens of labor hours on an annual basis. He concluded by stating that this report will be provided on a quarterly basis.

CM-12-506-15 (AGENDA ITEM #15D) OAK PARK INVESTMENT POLICY - POSTPONED

Motion by Rich, seconded by Burns, to approve the Oak Park Investment Policy. After discussion Motion by Speech, seconded by Rich, CARRIED UNANIMOUSLY, to postpone consideration of the policy to a later date.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

There were no members of the audience who wished to speak.

CALL TO THE COUNCIL:

Mayor Pro Tem Burns updated everyone on matters related to the Recycling Commission and reminded them of upcoming events including a Healthy Lawn Seminar on April 18, 2016 and an Electronic Recycling Event on April 23, 2016. She wished everyone a happy holiday.

Council Member Speech updated everyone on activities of the Beautification and Communication Commissions and wished everyone a very Merry Christmas and Happy New Year.

Council Member Rich thanked everyone for coming to the meeting and wished everyone a good night.

Mayor McClellan expressed greetings during this Holiday season and wished everyone a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:00 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**BEAUTIFICATION ADVISORY COMMISSION
CITY OF OAK PARK
MINUTES
SEPTEMBER 15, 2015**

ATTENDANCE: Mattie Boykin, Karen Davis-Harris, Santhia Guinn, Alice Reed
Reatha Richmond, Joyce Schulman, Judy Simmons
Lonnie Tabb-Upshaw, Deborah Williamson

NON-VOTING

REP: Council Member Kiesha Speech, Assistant City Manager Kevin Yee

ABSENT: Jason Deneau, Brinda Divine, Danielle Fracassa, Angela Mitchell
Harley Sherman, Andrea Stawis, Martha Wilburn

GUEST: None

Meeting called to order at 7:03 p.m.
Approval of May 19, 2015 minutes

Motion: Santhia Guinn
Second Motion: Lonnie Tabb-Upshaw
All in favor YES: All NO: None

Old Business

Fourth of July Parade – Members made comments stating that the Fourth of July Parade was a nice event.

Beautification Nominations – There were 62 addresses that were selected to receive an award, 56 people since have RSVP'd for the October 2nd event.

New Business

Beautification Awards Ceremony Task - Members were assigned tasks of which refreshments and supplies they would bring for the Beautification Award Ceremony. The members decided to serve light refreshments, and cupcakes instead of cake to make the serving easier. This year's speaker will be James Keehn - president of the BCSEM (Beautification Council of Southeastern Michigan). This year, the commission members agreed to have a pre-ceremony reception that will start at 6:30 p.m. Members should arrive by 6:00 p.m. to help with set up of refreshments. High-top tables will be ordered and set up in the lobby area of City Hall for the commission members to engage with the residents. Commission members also agreed to raffle off two mums at the ceremony.

General Discussion

The commission members shared their interest in hosting the December 2016 BCSEM quarterly meeting. Members discussed exploring options for finding a venue to host the ceremony. Member Judy Simmons has volunteered to form a sub-committee to gather members together to plan for hosting the quarterly meeting. Council Member Kiesha Speech made a suggestion to explore options to partner with some of the local businesses within the city instead of hosting the venue in another city outside of Oak Park. Council Member Kiesha Speech also mentioned that the City Council is in the process of interviewing residents who are interested in joining city commissions. In the process they are looking at attendance of current members, and recommendations from city liaisons and any input from council members. Along with this process city commissions will also receive training on how to properly conduct an open acts meeting. The city council has approved a CIA (Corridor Improvement Authority) that will help businesses in the community with façade improvements and will help improve city greenbelts. The city also purchased homes that were tax reverted to the county. A company will come in to renovate and sell the homes to help encourage home ownership and eliminate blight.

Meeting adjourned 7:59p.m. – Next Meeting December 15, 2015 @ 7:00 PM

Emergency Services Council Meeting

May 11, 2015 at 7:00 p.m.

14000 Oak Park Blvd, Oak Park City Hall

Present: Jerry Begel, Nynier Hall Brown, Ken Gaynor, Teresa Roscoe, Rena Tennenberg, John Hines, Director Cooper, Rocco Fortura, Council Member Levine, Officer Benson,

Absent: none

Excused: none

Board Vacancies: Public Information Officer

Guest: Val Moskalik (citizen), Mike Loper (Oakland County Homeland Security)

Meeting Called to order at 7:06 p.m.

Meeting minutes from April 13, 2015 were reviewed and approved.

Old Business:

1. Independence Day Celebration on July 3, 1025:
 - a. J. Begel brought give away items donated by Oakland County Homeland Security.
 - b. Thank you note to be sent to Sarah Stoddard for these items.
 - c. Officer Benson has some fire safety coloring books for children.
 - d. Fire safety will be incorporated into the Emergency Services Council table.
 - e. A fire extinguisher demonstration will also take place.
2. Meet & Greet at June 8th meeting:
 - a. Directory Cooper will provide pizza and beverages from his budget.
 - b. Citizens who have expressed an interest in the volunteer force will be invited.
 - c. City members will briefly describe their role to the group.
 - d. Attendees will be asked if they can volunteer for the July 3rd event or if they have any special skills.
3. Budget for this council:
 - a. \$3,000.00 has been added to the 2016 city budget for this council.
4. City is interviewing for a full time Public Information Director.

Presentation by Mike Loper, Oakland County Homeland Security:

1. Know your hazards (weather, power outages, flood, etc.)
2. Make a plan, build a kit and stay informed.
 - a. Various websites have information, www.ready.gov or www.oakgov.com
3. Shelter in place – usually the best plan. Be prepared to evacuate area if instructed.
4. Pet supplies should also be considered during emergencies. If using a shelter, you will need an appropriate cage for your pet.
5. Be informed, prepare:
 - a. NOAA weather radios
 - b. Oak Alert – sign up at www.oakgov.com for email and text alerts
6. Warning sirens – 274 in Oakland County. The most in Michigan.
7. Incident Management Systems
 - a. Free on-line courses (IS-100)
8. Emergency operations plan available for viewing on www.oakgov.com
9. American Disabilities Act (ADA):
 - a. Shelters need to comply with ADA.
 - b. Oak Park High School has been designated a shelter for the Red Cross.
 - c. Avoid using the term, “Shelter” if you cannot comply with ADA. Use, “warming” or “cooling” reception center.
10. If you see something, say something.
11. Keep cash available at all times. Small and larger bills will be necessary to purchase needed items if stores cannot process credit/debit cards.

Meeting adjourned at 8:40

The next meeting will be conducted on Monday, June 8, 2015 at 7:00 p.m. in the Oak Park Public City Hall. Address is 14000 Oak Park Blvd.

Respectfully submitted by Ken Gaynor

Emergency Services Council Meeting

November 9, 2015 at 7:00 p.m.
14000 Oak Park Blvd, Oak Park City Hall

Present: Nynier Hall Brown, Ken Gaynor, Teresa Roscoe, Gwen Henderson-Kenley, Rocco Fortura, Officer Benson,

Absent: none

Excused: Jerry Begel, Director Cooper, Public Information Director, Technical & Building Director

Guest: Val Moskalik (citizen),

Meeting Called to order at 7:06 p.m.

Meeting minutes from May 11, 2015 were not available for review. They will be reviewed for approval at the December meeting.

Old Business:

1. Independence Day Celebration on July 3, 1025:
 - a. Good turnout. Many give-away items for citizens.
2. Meet & Greet at June 8th meeting:
 - a. Approximately 30 citizens attended.
3. Budget for this council:
 - a. \$3,000.00 has been added to the 2016 city budget for this council.
4. Emergency Services Council membership changes:
 - a. Rena Tennenberg resigned her citizen appointment on this council.
 - b. Gwen Henderson-Kenley has been appointed as a citizen member of this council.
 - c. A Public Information Director has been hired by the City and has been appointed as a member of this council.
 - d. John Hines position on this council has been filled by the City.
 - e. A new Councilmember will be appointed to this council by the City.
5. Objectives of 2015 Review:
 - a. Establish a volunteer force of citizens.
 - b. Public events during Winterfest and Independence Day were conducted.

New Business:

Establish objectives for 2016:

1. Volunteer Force: continue to engage our volunteer force.
 - a. Seminar on conflict resolution and de-escalation was suggested. This may be conducted in late Spring or early Summer 2016.
 - b. Project meeting on how to assemble various emergency kits for the home was proposed for February or March 2016. Various emergency kits include one for the house, the car, pet kit and an evacuation kit.
2. Mike Pousak from Oakland County Homeland Security will attend a future meeting to discuss emergency preparedness for citizens.
3. Citizens with special needs: There was a discussion on how the City of Oak Park can provide assistance to citizens with special medical needs (e.g. ventilators, dialysis, etc.) during severe weather, power outages or other emergency situations.

Meeting adjourned at 7:59 p.m.

The next meeting will be conducted on Monday, December 14, 2015 at 7:00 p.m. in the Oak Park Public City Hall. Address is 14000 Oak Park Blvd.

Respectfully submitted by Ken Gaynor

OAK PARK
RECYCLING & ENVIRONMENTAL CONSERVATION COMMISSION
MEETING MINUTES

5F

Meeting date: Thursday, 10/15/15 7 pm
Location: Oak Park Community Center - employee lunch room

In Attendance:

Members Present: Al Lewis, Paul Bannon, Clarissa Clemons, Carolyn Davis, Denise Trombly
City Council Representative: Carolyn Burns
Naturalist Advisor: Doris Applebaum
Guest: Claire Galed-Huntington Woods
Guest: Joyce Bannon
DPW Representative: Gary Shermetaro
Absent: Angela Mitchell, Kendra Knorp, Jim Head

- A) Meeting called to order at 7:08 pm by Commission Chair Al Lewis
- B) Commission approved the minutes of the 8/20/15 meeting.
- C) Claire Galed-Huntington Woods Manager discussed the following:
 - Huntington Woods recycling activities
 - recycler of the month award
 - metal and electronics drive
 - tracking new home rentals in order to get them involved with recycling
 - recruiting high school students to knock on doors
 - Claire invited Oak Park Recycle Commission members to a joint meeting with Huntington Woods on November 19th
- D) SOCRRA Update
 - Claire Galed talked about the American Recycles event that takes place November 15th from noon to 3pm
- F) Boards/Commissions attendance policy was discussed; 2016 Recycle Commission meeting schedule approved by Commission
- G) Recap of the September 20 Oak Park Electronics Recycling event:
 - Carolyn Davis, Denise Trombly and Clarissa Clemons worked the event.
 - recommendations for the next Electronics event are:
 - more signage around the paper shredder to explain what is/is not acceptable
 - advertise the ending time as one half hour prior to actual ending time

H) Boo Bash Halloween event scheduled for October 31st
-Paul, Carolyn and Doris volunteered to work the event

I) Open Discussion:
-Denise Trombly asked if the Healthy Lawn Seminar was scheduled; it's April 18th

L) Meeting adjourned at 8:53pm



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 4, 2016

AGENDA #

SUBJECT: Recommendation of the Planning Commission for a Zoning Ordinance amendment to amend Appendix A – Zoning, Section 1930 of Article XIX, Section 802 of Article VIII, and Section 1401 of Article XIV.

DEPARTMENT: Community & Economic Development

SUMMARY: At the November 9, 2015 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. Additional changes were made after the special city council meeting on December 7th and again on December 21st. Some items have been moved from the zoning code to general code because they were originally placed there improperly or duplicated in both codes. The proposed text amendments make adjustments to the liquor licensing requirements as follows:

- All references to “beer and wine” throughout Zoning Ordinance are changed to the all-encompassing “alcoholic liquor”.
- Section 1930 A, B – Moving text in reference to food selection to General City Code and reducing the required seating from 40 to 20-
 - 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. ~~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.~~ (This provision included in the General City Code, Section 2, Section 6-55, (1))
- Section 1930 D, E are removed and relocated to General City Code, Section 2, Section 6-55, (1) and (3) respectively. Item E addresses the Hours of operation which are changed to be consistent with Michigan Liquor Control allowed hours of operation.
 - D. ~~During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of alcoholic liquor for purposes of determining the percentage of sales of alcoholic liquor. Sales of food or alcoholic liquor to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of alcoholic liquor.~~ (This provision moved to General City Code Section 2, Section 6-55, (3))
 - E. ~~Restaurants, serving alcoholic liquor are required to stop serving alcoholic beverages no later than 12:00 a.m. (midnight), and otherwise operate consistent with the hours established by the liquor control commission for such establishments.~~ (This provision included in the General City Code 6-55 (3))
- Section 1930 F is changed as follows:
 - F. ~~The proposed restaurant, serving liquor, beer or wine is not located within 500 feet of a school park, or place of worship, regardless of community boundaries. Measurement of distances between restaurants, serving beer and wine and a school, park, or place of worship shall be from the outermost boundaries of the parcel or lot of each use.~~ 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 liquors 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.

FINANCIAL STATEMENT: Not applicable

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission of the proposed text amendment to the City of Oak Park Zoning Ordinance, Appendix A – Zoning, Section 1930 of Article XIX, Section 802 of Article VIII, and Section 1401 of Article XIV.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: ordinance

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

ORDINANCE NO.

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. ~~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.~~ (This provision included in the General City Code, Section 2, Section 6-55, (1))
- C. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be considered in this determination.
- D. ~~During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of alcoholic liquor for purposes of determining the percentage of sales of alcoholic liquor. Sales of food or alcoholic liquor to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of alcoholic liquor.~~ (This provision moved to General City Code Section 2, Section 6-55, (3))
- E. ~~Restaurants, serving alcoholic liquor are required to stop serving alcoholic beverages no later than 12:00 a.m. (midnight), and otherwise operate consistent with the hours established by the liquor control commission for such establishments.~~ (This provision included in the General City Code)
- F. ~~The proposed restaurant, serving liquor, beer or wine is not located within 500 feet of a school park, or place of worship, regardless of community boundaries. Measurement of distances between restaurants, serving beer and wine and a school, park, or place of worship shall be from the outermost boundaries of~~

~~the parcel or lot of each use.~~ 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 liquors 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.

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

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* ~~beer or wine~~, 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* ~~beer or wine~~, 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.

MADE, PASSED AND ADOPTED by the City Council of the City of Oak Park on this ____ day of ____ 2016.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

I, T. EDWIN NORRIS, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Commission of the City of Oak Park at its regular meeting held on ____ 2016.

T. Edwin Norris, City Clerk

Current Code

Sec. 1930. - Restaurants serving alcoholic liquor.

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

- A. There shall at all times be maintained and provided culinary facilities to cook or prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 40 patrons at any time.
- B. The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
- C. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways. Public restroom facilities shall not be considered in this determination.
- D. During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of alcoholic liquor for purposes of determining the percentage of sales of alcoholic liquor. Sales of food or alcoholic liquor to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of alcoholic liquor.
- E. Restaurants, serving alcoholic liquor are required to stop serving alcoholic beverages no later than 12:00 a.m. (midnight), and otherwise operate consistent with the hours established by the liquor control commission for such establishments.
- F. The proposed restaurant serving alcoholic liquor is not located within 500 feet of a school, park, or place of worship, regardless of community boundaries. Measurement of distances between restaurants, serving alcoholic liquor and a school, park, or place of worship shall be from the outermost boundaries of the parcel or lot of each use.
- G. The layout of the site of the proposed restaurant, serving alcoholic liquor and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed restaurant, serving alcoholic liquor and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.
- H. The proposed restaurant serving alcoholic liquor will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.
- I. The proposed restaurant serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.
- J. The proposed restaurant serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.
- K. The proposed restaurant serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.

(Ord. No. O-15-616, § 5, 7-6-15)

Editor's note— Ord. No. O-15-616, § 5, adopted July 6, 2015, amended § 1930 in its entirety to read as set out herein. Former § 1930 pertained to restaurants serving beer or wine and derived from Ord. No. O-13-597, § 1, adopted July 15, 2013.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 4, 2016

AGENDA #

SUBJECT: Recommendation to amend Article III, Chapter 6, Sections 6-54, 6-55, and 6-58 of the General Code of Ordinances

DEPARTMENT: Community & Economic Development

SUMMARY: The following text amendments are proposed to our Tavern license ordinance to allow for the voter approved Class "C" liquor licenses. The amendments take into consideration practices in other communities. Great consideration was given to the residents of the community and business owners who would apply for the licenses. These changes reflect that and minor changes have been suggested. The proposed text amendments make adjustments to the liquor licensing requirements in the General Code as follows:

- Sec 6-54 (f) is added as a recommendation by the City Clerk's office.
(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. (added at the recommendation of the City Clerk's office)
- Sec. 6-55 (1) is removed and moved to Zoning Article XIX, Special Land Uses, Section 1930
~~(1) There shall at all times be maintained and provided culinary facilities to cook or prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 40 patrons at any time.~~ (moved to Zoning Article XIX, Special Land Uses, Section 1930)
- 6-55 (3) is removed and added to Zoning Article XIX, Special Land Uses, Section 1930
~~(3) Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aiseways. Public restroom facilities shall not be included in this determination.~~ (moved to zoning Article XIX, Special Land Uses, Section 1930)
- Sec 6-55 (4) removes the 90 day review of revenues and will still require an annual review.
~~(4)(2) That during any 90-day period, n~~Not more than 50 percent of the gross revenues of the establishment will be or is derived from the sale of alcoholic ~~beverages~~ liquor. Sales of food or alcoholic ~~beverages~~ 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.
- Sec 6-55 (5) has text amendments to allow for admission and cover charges if included in the establishment's plan of operation or by special event permit request.

(5) 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.

- Section 6-55 (6) is changed to follow liquor control hours of operation.

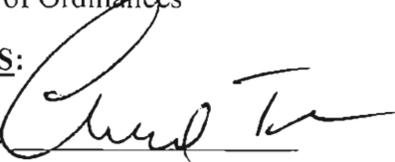
(6)(3) Restaurants ~~shall stop serving alcoholic beverages at 12:00 a.m. (midnight)~~ are required to operate consistent with the hours established by the Liquor Control Commission for such establishments.

FINANCIAL STATEMENT: Not applicable

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the proposed text amendment to the Article III, Chapter 6, Sections 6-54, 6-55, and 6-58 of the General Code of Ordinances

APPROVALS:

City Manager



Director:



Finance Director:

EXHIBITS: ordinance

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

ORDINANCE NO. _____

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

THE CITY OF OAK PARK ORDAINS:

SECTION 1. 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. (added at the recommendation of the City Clerk's office)

(Ord. No. O-15-615, § 1, 7-6-15)

SECTION 2. 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.

~~(a)~~ The city council shall not approve any application for a new, a renewal, or transfer into the city of a license to sell alcoholic liquor for consumption on the premises unless the use of the license is in connection with and incidental to a restaurant operation meeting the following requirements and performance standards:

~~(1) There shall at all times be maintained and provided culinary facilities to cook or prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 40 patrons at any time. (moved to Zoning Article XIX, Special Land Uses, Section 1930 A)~~

~~(2)~~(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.

~~(3) Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aiseways. Public restroom facilities shall not be included in this determination. (moved to zoning Article XIX, Special Land Uses, Section 1930 B)~~

~~(4)~~(2) That during any 90-day period, ~~no~~Not more than 50 percent of the gross revenues of the establishment will be or is derived from the sale of alcoholic ~~beverages~~liquor. Sales of food or alcoholic ~~beverages~~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.

~~(5)~~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.

~~(6)~~(3) Restaurants ~~shall stop serving alcoholic beverages at 12:00 a.m. (midnight)~~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 3. 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 500-300 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.~~ 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 ~~beer or wine~~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 4. 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 5. 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 6. Effective Date.

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

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

T. EDWIN NORRIS
City Clerk

MARIAN McCLELLAN
Mayor

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

T. EDWIN NORRIS, City Clerk

[Current Code]

Sec. 6-54. - Licensing policy.

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

(Ord. No. O-15-615, § 1, 7-6-15)

Sec. 6-55. - Restaurant requirements.

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

(Ord. No. O-15-615, § 1, 7-6-15)

Sec. 6-58. - Review procedures.

- (a)

City clerk processing. Upon receipt of an application and fee, as provided herein, the clerk shall distribute the application to appropriate departments within the city for certifications necessary for city council approval, as follows:

- (1) Certification by the city clerk that the proposed licensee has a current valid license for operation of a restaurant at the proposed licensed premises or meets applicable requirements for the issuance of such a license.
- (2) Certification by the director of technical and planning services that the buildings or structures to which the license will apply meet all applicable building and property maintenance codes or that acceptable building plans for work which will satisfy all such codes have been submitted.
- (3) Certification by the director of technical and planning services that the proposed licensed premises is appropriately zoned for the use and that any required zoning approvals, including site plan approval, have been applied for or obtained.
- (4) Certification by the director of public safety based upon a finding that the proposed licensee or licensees are of good moral character.
- (5) Certification by the director of public safety that the proposed licensed premises are in compliance with all applicable fire safety regulations.

(b) *Public hearing.*

- (1) When a completed application and fee including public hearing and notice have been received, the city council shall schedule a public hearing to consider the request for a new license and related permit, the transfer of ownership of an existing license, or the transfer of a license into the city.
- (2) Notice of the public hearing shall be provided to all property owners within 500 feet of the proposed establishment, according to the tax records of the city.
- (3) Notice of the public hearing shall be provided to all current liquor license holders located in the city, school districts, private schools, public school academies, and churches located in the city.
- (4) The applicant or an authorized representative shall appear at the city council hearing and make a written and/or oral presentation concerning the request.

(c) *Review factors.* In reviewing a request for a new license or related permit, a transfer of ownership of an existing license, or a transfer of a license into the city, the city council may consider and/or weigh the following factors:

- (1) Total number of similar licenses in the city.
- (2) Input from residents and surrounding business owners.
- (3) Impact of the establishment on surrounding businesses and neighborhoods.
- (4) Whether a proposed licensed premises is part of a multi-use project with substantial new retail, office, or residential components, and the size of the proposed licensed premises relative to the overall project or development.
- (5) Crowd control.
- (6) Parking availability.
- (7) Preservation or restoration of historic buildings.
- (8) Location in an underdeveloped area.
- (9) Concentration of establishments and impact on policing requirements.

- (10) Policing requirements.
 - (11) Business history.
 - (12) Business experience.
 - (13) Liquor control commission violation history.
 - (14) Percent of floor area devoted to dining versus bar area.
 - (15) Size of bar area.
 - (16) Overall benefit of the plan to the City of Oak Park.
 - (17) 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 beer or wine, demonstrably in connection with, and incidental to, a bona fide restaurant operation;
 - (12)

An applicant or licensee that where the city council has determined that the premises do not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed;

- (13) An applicant or licensee that where the city council has determined that the location proposed for a licensed liquor establishment will have an adverse effect on the community, with consideration given to traffic safety conditions, accessibility to major streets or highways, distance from public or private schools, impact on adjacent residential districts, zoning classifications and the availability of parking.
 - (14) An applicant or licensee unless a valid special land use approval is lawfully maintained for the premises.
 - (15) An applicant or licensee unless a valid contract has been entered into with the city.
 - (16) An applicant determined to have been untruthful in the application submitted to the city or to have submitted an application or other documentation with material omissions of fact.
- (e) *Approval.* After a review by staff and recommendation, and a public hearing, if the city council is satisfied that the establishment or operation will provide a benefit the City of Oak Park and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution. Approval of a license shall be conditioned on any necessary remodeling or new construction for the use of the license be completed within six months of the action of the city council or the Michigan Liquor Control Commission approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction may subject the license to revocation.

(Ord. No. O-15-615, § 1, 7-6-15)

CITY OF OAK PARK

At a regular meeting of the City Council of the City of Oak Park, Michigan, held on the _____ day of _____, 201_.

PRESENT: _____

ABSENT: _____

The following preambles and resolution were offered by _____ and seconded by _____:

RESOLUTION TO AUTHORIZE REFUNDING

WHEREAS, pursuant to the provisions of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"), the George W. Kuhn Drainage District issued its Drain Refunding Bonds, Series 2007, dated August 1, 2007, in the original principal amount of \$12,460,000 (the "Prior Bonds"), to refund its Drain Bonds, Series 2000B, dated October 1, 2000, maturing in the years 2010 through 2022, and Drain Bonds, Series 2001E, dated January 1, 2002, maturing in the years 2013 through 2024, in anticipation of the collection of the several installments against the City of Oak Park (the "City"), the County of Oakland (the "County") and other units of local government on the applicable special assessment rolls for the George W. Kuhn Drain; and

WHEREAS, the City has been advised that conditions in the bond market have now improved from the conditions which prevailed at the time the Prior Bonds were sold and that the Prior Bonds could be refunded at a considerable savings to the City; and

WHEREAS, it is the determination and judgment of this City Council that the Prior Bonds should be refunded to secure for the City the anticipated savings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OAK PARK, MICHIGAN, as follows:

1. The George W. Kuhn Drainage District is requested and authorized to issue its refunding bonds (the "Refunding Bonds") pursuant to the provisions of Act 34 in an amount necessary to refund all or part of the Prior Bonds (as shall be determined by the Drainage Board) and paying the costs of issuing the Refunding Bonds.

2. The proceeds of the Refunding Bonds shall be sufficient to pay the costs of issuing the Refunding Bonds and to establish an Escrow Fund in an amount which will be sufficient to pay the principal of and redemption premiums and interest on the Prior Bonds that are refunded without further payment by the City or the County.

3. The City agrees and consents to the imposition of special assessments against the City on a refunding bonds special assessment roll for the payment of the Refunding Bonds.

4. The Mayor or the City Manager is authorized, if necessary, to file an Application for State Treasurer's Approval to Issue Long-Term Securities with respect to the Refunding Bonds.

5. The Clerk, Treasurer, Mayor and City Manager are each authorized to approve the circulation of a preliminary and final official statement for the Refunding Bonds, and to cause the preparation of those portions of the preliminary and final official statement for compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule"). The Clerk, Treasurer, Mayor and City Manager are each authorized to execute and deliver such certificates and to do all other things necessary to effectuate the sale and delivery of the Refunding Bonds.

6. The Clerk, Treasurer, Mayor and City Manager are each authorized to execute and deliver in the name and on behalf of the City a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking by the City pursuant to paragraph (b)(5) of the Rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The City hereby covenants and agrees that it will comply with and carry out all the provisions of the Continuing Disclosure Certificate.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YEAS: _____

NAYS: _____

ABSTAINING: _____

THE RESOLUTION WAS DECLARED ADOPTED.



MUNICIPAL FINANCIAL
CONSULTANTS
INCORPORATED

M E M O R A N D U M

TO: Jim Nash
Oakland County Water Resources Commissioner

FROM: Meredith A. Shanle
Municipal Financial Consultants Incorporated

DATE: November 9, 2015

RE: George W. Kuhn Drainage District, Drain Refunding
Bonds, Series 2016 (Refunds Series 2007 Refunding
Bonds)

Due to the continuation of low interest rates, we have reviewed the County's outstanding debt and have found that it will be possible to issue refunding bonds to refund the outstanding George W. Kuhn Drainage District, Drain Refunding Bonds, Series 2007 maturing in the years 2017 through 2024 on April 1, 2016. This will result in an estimated net savings of at least \$545,000 and at least 6.5% of the par value of the bonds to be refunded. This is well within the County's policy for refundings.

Attached hereto please find a copy of our refunding analysis showing the details of the savings.

Please let me know if the County would like to issue these refunding bonds and we can put together a timetable for the refunding.

If you have any questions, please feel free to call me.

Enclosures

cc: Philip Sanzica
Chief Deputy Water Resources Commissioner

Las.m-oak-refunding-george



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 4, 2016

AGENDA #

SUBJECT: Façade Grant Approval

DEPARTMENT: Community & Economic Development

SUMMARY: The Community & Economic Development Department has received an application for a Façade Improvement Grant from Mark Wolfson for a Dental Office at 26601 Coolidge. The project specifications have met city guidelines for the program. The project includes new windows, stone on the façade, signage, door and overhang. Estimated total cost of the project is \$123,000.

FINANCIAL STATEMENT: This does not affect the general fund it is an account held by Metro Matters

RECOMMENDED ACTION: Request that city council to approve the façade grant in the amount of \$2,500 which represents the maximum 50% grant match contingent on the submission of 2 bids to the DCED Manager prior to the work commencing.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: application

CITY OF OAK PARK SMALL BUSINESS FAÇADE IMPROVEMENT PROGRAM

Name of Applicant: <i>Mark A. Wolfson</i>		
Address: <i>13119 Sherwood Dr</i>		
City: <i>Huntington Woods</i>	State: <i>MI</i>	ZIP Code: <i>48060</i>
Phone: <i>248-224-4422</i>	Email: <i>awolfson@yahoo.com</i>	
Name of Building Owner: <i>Mark A. Wolfson DDS PC</i>		
Address of Building Owner: <i>13119 Sherwood Dr</i>		
City: <i>Huntington Woods</i>	State: <i>MI</i>	Zip Code: <i>48070</i>
Phone: <i>248-224-4422</i>	Email:	
Name of Business: <i>Mark A. Wolfson DDS PC</i>		
Address: <i>26601 Conledge Hwy</i>		Phone: <i>248-224-4422</i>
City: <i>Oak Park</i>	State: <i>MI</i>	ZIP Code: <i>48237</i>
Type of Business: <i>General Dentistry</i>	Tax ID #: <i>38-3447626</i>	
Proposed start of construction: <i>12/2015</i>	Anticipated completion: <i>5/2016</i>	
Short description of proposed work: <i>New windows, New stone siding facade, New signage, New door (entrance)</i>		

By signing this Application, I affirm that I am the property owner of the above Property or as the tenant, have received permission from the property owner via the accompanying notarized letter to perform the proposed improvements. I further affirm that all the statements made on this application are true, and I understand that any falsification or willful omission will be sufficient cause to void my Application and any reimbursement awarded. In such a case that any reimbursement awarded by the DCA is voided due to any falsification or willful omission, I agree to repay the reimbursement amount to the DCED within sixty (60) days, plus all of the costs and attorney fees incurred by the DCED to collect the reimbursement proceeds if I fail to repay the DCED within the sixty (60) days. I have read and understand and agree to comply with all requirements of the DCED Façade Improvement Program (hereinafter the "Program"). I hereby acknowledge that I may be required to submit additional documentation or information that was not required on this application if requested by the DCEA. I further hereby acknowledge that the DCED reserves the right to reject any or all applications received pursuant to the Program.

Also, I understand, acknowledge and agree to the following:

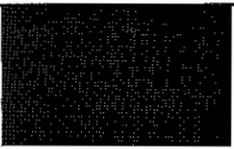
1. It is expressly understood that the Applicant shall be solely responsible for all safety conditions and compliance with all safety regulations, building codes, ordinances and other applicable regulations.
2. It is expressly understood that the Applicant will not seek to hold the City of Oak Park and/or any of its employees, officers/directors liable for any property damage and/or personal injury, or other loss related in any way to the Small Business Façade Improvement Program.
3. The Applicant shall be responsible for maintaining sufficient insurance coverage for property damage and personal injury liability relating to the Small Business Façade Improvement Program. Applicant should ask for contractor's proof of liability insurance.
4. Applicant will review and abide by the Oak Park Design Guidelines.
5. Applicant will pull permits if required.
6. Applicant will maintain the improvements made to the property.
7. If Applicant chooses to alter the scope of work after DCED has approved it, Applicant may be ineligible for a portion or the entire reimbursement amount agreed upon from the original scope of work.
8. Applicant agrees to allow the DCED to promote the program including but not limited to displaying signage at the construction site and using photographs in promotional materials and press releases.

Signature of applicant: <i>[Signature]</i>	Date: <i>11/23/15</i>
Printed name of applicant: <i>Mark R. Wilson</i>	
Signature of Property Owner (if applicable): <i>[Signature]</i>	Date: <i>11/23/15</i>
Printed name of Property Owner (if applicable): <i>Mark R. Wilson</i>	

- Is the application above complete along with all additional necessary documentation (i.e. notarized letter from property owner)? YES NO
- Is the building in compliance with all zoning ordinances and current on all property taxes? YES NO
- Are the proposed improvements eligible under the requirements of the program? YES NO
- Has the applicant provided architectural drawings of the proposed improvement? YES NO
- Has the applicant included at least two photos of the current property? YES NO
- Has the applicant included at least two bids from licensed contractors for the work to be completed? YES NO
- Are the proposed improvements consistent with the proposed Oak Park Design Guidelines? YES NO

Date submitted to city council for approval: *12-7-15* Amount approved: _____

City Council approved YES NO



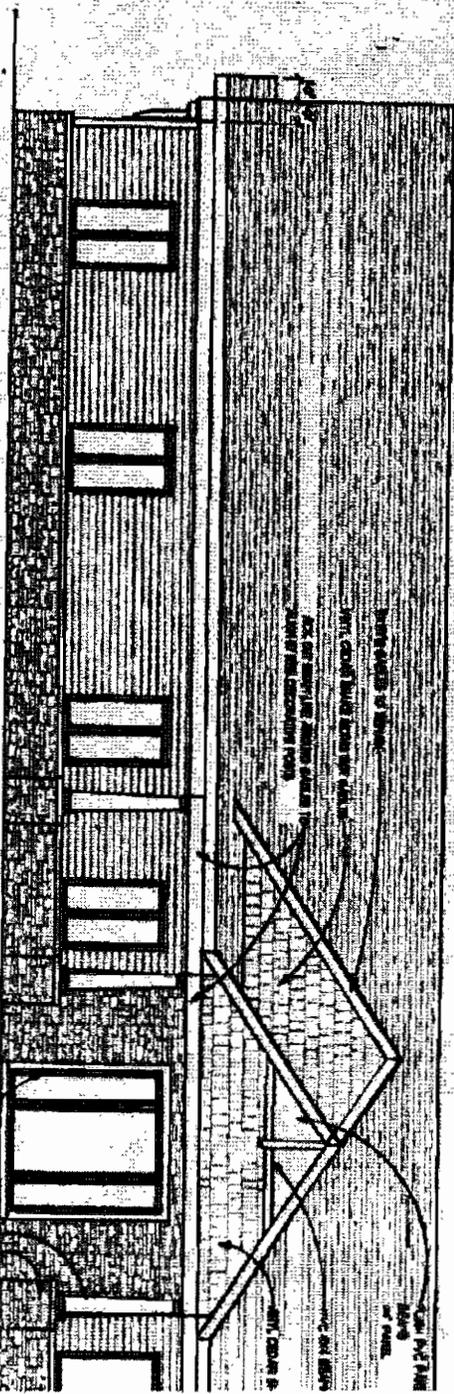
BEFORE
PICTURE





SOUTH SIDE ELEVATION

ARCHED CORNER ON 2nd FLOOR
CORNER CORNER
CORNER CORNER
CORNER CORNER
CORNER CORNER



South side of building
Architectural drawing showing the south side elevation of a building. The drawing includes a gabled roof structure and a series of windows along the side wall. The drawing is oriented vertically on the page.

AFTER RENDERINGS

