



**CITY OF OAK PARK, MICHIGAN  
REGULAR COUNCIL MEETING OF THE  
36<sup>th</sup> OAK PARK CITY COUNCIL  
April 4, 2016  
7:00 PM**

**MINUTES**

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

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

**ABSENT:** Council Member Speech (Excused due to illness)

**OTHERS**

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

**APPROVAL OF AGENDA:**

**CM-04-122-16 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS SUBMITTED  
- APPROVED**

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

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

**MOTION DECLARED ADOPTED**

**CONSENT AGENDA:**

**CM-04-123-16 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED**

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

- A. Special Council Meeting Minutes of March 21, 2016 CM-04-124-16
- B. Regular Council Meeting Minutes of March 21, 2016 CM-04-125-16
- C. Agreement with the Road Commission for Oakland County for street sweeping, litter pick-up, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield CM-04-126-16
- D. Payment Application No.2 (final) for the 2015 Fire Hydrant Blasting and Repainting Project, M-607 to Cross Renovation, Inc. of Garden City, MI for the total amount of \$1,000.00  
CM-04-127-16

E. Communications Commission Minutes of January 20, 2016 and February 17, 2016  
**CM-04-128-16**

F. Licenses - New and Renewals as submitted for April 4, 2016 **CM-04-129-16**

**MERCHANT'S LICENSES – APRIL 4, 2016**  
 (Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>TYPE</u>
CLASSIC EXPRESSIONS	8126 NINE MILE	\$150	CLOTHING ALTERATION
GADGET DROP	21700 GREENFIELD 116	\$150	GADGET AND PHONE REP
VIBRANT VIZIONZ	12714 NINE MILE	\$150	CLOTHING CRAFTS
DOLLED UP HAIR STUDIOS	21700 GREENFIELD 114	\$150	HAIR SALON
\$8 DEMO CUTS BARBERSHOP	10620 NINE MILE	\$150	BARBERSHOP

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>TYPE</u>
B-UNIQUE HAIR BOUTIQUE	21700 GREENFIELD 412	\$150	HAIR SALON
UNIVERSAL PIPING	12930 CAPITAL	\$225	PLUMBING INSTALLATIONS
CLOVERDALE SMOKES	13201 CLOVERDALE	\$225	SELLING TOBACCO PROD.
9 OAKS GRILL	22110 COOLIDGE	\$225	RESTAURANT
QUALITY RESTAURANT EQUIP.	8700 CAPITAL	\$150	ONLINE SALES/EBAY
O'REILLY'S AUTO PARTS	23125 COOLIDGE	\$450	AUTO PARTS RETAIL
THE LOOK-A SALON	8531 NINE MILE	\$225	HAIR SALON
QUALITY RESTAURANT EQUIPMENT	8700 CAPITAL	\$150	RESTAURANT EQUIPMENT
AMERICAN EXHAUST SYSTEMS	15441 NINE MILE	\$225	AUTOMOBILE REPAIRS
THERMOCORP SYSTEMS	1300 CAPITAL	\$225	AIR COND. WAREHOUSE
AP WIRELESS	8775 NINE MILE	\$225	PRECIOUS METALS/GOLD
SNEAKER VILLA	26196 GREENFIELD	\$225	SELLING FOOTWEAR
GREAT LAKES LANDSCAPING	10631 CAPITAL	\$225	LANDSCAPING DESIGN
LIVE SMART	13305 CAPITAL 600	\$150	PREPARED FOODS
REHABILITATION INSTITUTE OF MI	25900 GREENFIELD 110	\$225	REHABILITATION CENTER

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

**MOTION DECLARED ADOPTED**

**RECOGNITION OF VISITING ELECTED OFFICIALS:**

**SPECIAL RECOGNITION/PRESENTATIONS:** None

**PUBLIC HEARINGS:** None

**SPECIAL LICENSES:**

**CM-04-130-16 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST AND WAIVER OF APPLICATION FEE AS SUBMITTED BY SECOND CHANCE NETWORK FOR AN INTERSECTION DRIVE TO TAKE PLACE FROM APRIL 20, 2016 TO APRIL 23, 2016 - DENIED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to deny the request for a special event license and waiver of application fee as submitted by Second Chance Network for an intersection drive to take place from April 20, 2016 to April 23, 2016.



Mr. Yee reported that the 2016 Water Main Replacement Project, M-625 was advertised and 72 contractors viewed the documents. On March 28, 2016, 13 bids were received and opened and the low bidder, ADJ Excavating, Inc. of Shelby Township, MI, submitted a bid of \$280,700.00. He indicated that funding is available in the Water and Sewer Fund for this expenditure

**ORDINANCES:**

**CM-04-133-16 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND SECTION 1101, PERMITTED USES, OF ARTICLE XI, PTRED, PLANNED TECHNICAL, RESEARCH, EDUCATION DEVELOPMENT DISTRICT, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED**

Motion by Burns, Seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following Ordinance:

**CITY OF OAK PARK, MICHIGAN**

**AN ORDINANCE TO AMEND SECTION 1101, PERMITTED USES, OF ARTICLE XI, PTRED, PLANNED TECHNICAL, RESEARCH, EDUCATION DEVELOPMENT DISTRICT, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.**

**THE CITY OF OAK PARK, MICHIGAN ORDAINS:**

**SECTION 1. Article XI, PTRED, Planned Technical, Research, Education Development Districts, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:**

Section 1101. Permitted uses.

- I. Rehabilitation of historical buildings into restaurants serving alcohol (subject to Section 1930), museums and performing arts centers. The determination of whether a building is historic will be made by the planning commission based on the review and consideration of a report developed by a qualified historic preservation professional.
- J. Accessory uses customarily incidental to the above permitted uses.

**SECTION 2. Conflicting Provisions Repealed**

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

**SECTION 3. Severability**

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

**SECTION 4. Effective Date**

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

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

**MOTION DECLARED ADOPTED**

**CITY ATTORNEY REPORT:**

City Attorney Duff reported receipt of a notice of potential claim by a former Independence Day Commission member dated March 23, 2016. The City Attorney's office will review the merits of the claim and prepare a written response and report to Council.

**CITY MANAGER:**

**Department of Public Works**

**CM-04-134-16 (AGENDA ITEM #15A) PROPOSAL FROM Professional Services Industries, Inc. (PSI) FOR MATERIAL TESTING SERVICES FOR THE 2016 WATER MAIN REPLACEMENT PROJECT, M-625 IN THE TOTAL AMOUNT OF \$16,840.00 - APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the proposal from Professional Services Industries, Inc. (PSI) for material testing services for the 2016 Water Main Replacement Project, M-625 in the total amount of \$16,840.00.

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

**MOTION DECLARED ADOPTED**

Mr. Yee reported that Professional Services Industries, Inc. (PSI) was the lowest acceptable bidder on this project and funding is available in the Water and Sewer Fund for this expenditure.

**CM-04-135-16 (AGENDA ITEM #15B) MICHIGAN DEPARTMENT OF TRANSPORTATION CONTRACT 16-5083 FOR PAVEMENT REPAIRS ON LINCOLN DRIVE AND OAK PARK BOULEVARD IN THE TOTAL AMOUNT OF \$292,980.00 AND TO AUTHORIZE THE MAYOR AND CITY CLERK TO SIGN THE CONTRACT ON BEHALF OF THE CITY - APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the Michigan Department of Transportation (MDOT) Contract 16-5083 for pavement repairs on Lincoln Drive and Oak Park Boulevard in the total amount of \$292,980.00 and to authorize the Mayor and City Clerk to sign the contract on behalf of the City.

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

#### **MOTION DECLARED ADOPTED**

Mr. Yee summarized the MDOT contract and indicated this project will perform concrete pavement repairs on Lincoln Drive from Greenfield Road to Coolidge Road and on Oak Park Boulevard from Greenfield Road to Coolidge Road. The agreement is required due to the Federal Funding received for this project (\$1,242,020 Federal with a \$292,980 local match). He indicated the Oak Park local match portion is available in the Major Street Fund.

#### **Finance**

##### **CM-04-136-15**

(AGENDA ITEM #15C-F) RESOLUTION NO. 8, RECEIVING SPECIAL ASSESSMENT ROLLS; 655 UNPAID FALSE ALARM INVOICES; 656 UNPAID WEED MOWING INVOICES; 657 UNPAID SPECIAL PICK-UP INVOICES; AND 658 UNPAID UTILITY INVOICES AND SCHEDULING THE PUBLIC HEARING ON THOSE SPECIAL ASSESSMENT ROLLS FOR APRIL 18, 2016 AT 7:00 PM  
- APPROVED

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to adopt the following Resolution #8 receiving Special Assessment Rolls: 655 Unpaid False Alarm Invoices; 656 Unpaid Weed Mowing Invoices; 657 Unpaid Special Pick-Up Invoices; And 658 Unpaid Utility Invoices and scheduling the Public Hearing on those Special Assessment Rolls for April 18, 2016 at 7:00 pm:

##### **SPECIAL ASSESSMENT RESOLUTION #8**

Meeting of the City Council held April 4, 2016, at 7:00 P.M.

The Assessor reported **Special Assessment Rolls No. 655, 656, 657 and 658** to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

**BE IT RESOLVED**, that **Special Assessment Rolls No. 655, 656, 657 and 658** this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

**BE IT FURTHER RESOLVED**, that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the **18th day of April, 2016 at 7:00 P.M.** eastern standard time, for the purpose of reviewing the assessments contained in said Special Assessment Rolls.

**BE IT FURTHER RESOLVED**, that the City Clerk be and is hereby ordered to cause notice of said review and of the filing of said Special Assessment Rolls to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.

BE IT STILL FURTHER RESOLVED that the City Clerk be and is hereby instructed to serve notice of said Special Assessment Hearing to each owner of, or party in interest in, property to be assessed, whose name appears upon the last general tax assessment records by mailing the notice first class mail, addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of said hearing.

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

**MOTION DECLARED ADOPTED**

**CALL TO THE AUDIENCE:**

Joyce Bannou, 10611 Troy, expressed concerns about the holes left from the construction near sidewalks along Nine Mile Road and asked about delinquent utilities from businesses.

**CALL TO THE COUNCIL:**

Mayor McClellan encouraged everyone to report pot holes that exist on City streets. She also reminded everyone about plans to redesign Nine Mile road and commented on the upcoming Oak Park book sale, newly formed Historical Society and spring clean-up.

Mayor Pro Tem Burns thanked everyone for coming out and encouraged residents to keep their porch lights on and to be mindful of senior citizens and children in their neighborhood.

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

Council Member Rich wished everyone a good night.

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:27 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor