



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
June 6, 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

OTHERS

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

APPROVAL OF AGENDA:

**CM-06-198-16 (AGENDA ITEM #4) ADOPTION OF THE AGENDA WITH CHANGES
– APPROVED**

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

- Item #15 E, Resolution approving the sale of tax foreclosed property removed

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-06-199-16 (AGENDA ITEM #5A-J) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of May 16, 2016 **CM-06-200-16**
- B. Request to cancel the regularly scheduled Planning Commission Meeting of June 13, 2016 due to the lack of scheduled business **CM-06-201-16**
- C. Request to cancel the regularly scheduled Zoning Board of Appeals Meeting of June 28, 2016 due to the lack of scheduled business **CM-06-202-16**
- D. Request to appoint Rocco Fortura as the representative and Kevin Yee as the alternate representative to the SOCCRA Board for the fiscal year beginning July 1, 2016 **CM-06-203-16**

- E. Payment Application No. 1 for the 2016 Water Main Replacement Project, M-625 to ADJ Excavating, Inc. for the amount of \$124,307.32 **CM-06-204-16**
- F. Request to advertise for bids for the 2016 Sidewalk Replacement Project, M-627 **CM-06-205-16**
- G. Request to advertise for bids for the Scotia Resurfacing Project, M-642 **CM-06-206-16**
- H. Proposed Change Order No. 1 in the amount of (\$54,269.04) and Payment Application No. 2 in the amount of \$10,580.00 to Nagle Paving Company for the 2015 Shepherd Park Parking Lot Reconstruction Project, M-608 **CM-06-207-16**
- I. Proposed Change Order No. 1 in the amount of (\$4,832.65) and Payment Application No. 3 in the amount of \$112,779.16 to Mattioli Cement Company, LLC for the 2015-16 Miscellaneous Concrete Repair Project, M-621 **CM-06-208-16**
- J. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for 9 Mile Road Conceptual Plan and Traffic Analysis, CE Oak Park Blvd. and Lincoln Rehab, Traffic Signal Optimization and CE Traffic Signal Construction in the total amount of \$87,902.67 **CM-06-209-16**

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

County Commissioner Helaine Zack was present to provide an update from Oakland County.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) City Manager Employee Recognition. City Manager Tungate presented an Employee Recognition Award to Toni Christofel and Jeff Wren from the Technical & Planning Department.

PUBLIC HEARINGS: None

SPECIAL LICENSES:

CM-06-210-16 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – COMMUNITY AND ECONOMIC DEVELOPMENT – SUMMER CONCERT SERIES – APPROVED

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

Name	Event	Fees
Community and Economic Development	Summer Concert Series – Shepherd Park July 7, 14, 21 and 28, 2016	Waived

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

MOTION DECLARED ADOPTED

CM-06-211-16 (AGENDA ITEM #10B) SPECIAL EVENT REQUEST – ARTS AND CULTURAL COMMISSION – DANCING IN THE PARK SERIES – APPROVED

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

Name	Event	Fees
Arts and Cultural Commission	Dancing in the Park Series – Shepherd Park June 9, 16, 23 and 30, 2016	Waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-06-212-16 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF AN INVOICE AS SUBMITTED BY SECREST, WARDLE, LYNCH, HAMPTON, TRUOX & MORLEY FOR LEGAL SERVICES IN THE AMOUNT OF \$2,372.40 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of invoice #1285985 as submitted by Secrest, Wardle, Lynch, Hampton, Truox & Morley for legal services in the amount of \$2,372.40.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY:

City Attorney Duff indicated that a work session to discuss various ordinances will be scheduled for either July 5th or July 18th.

CITY MANAGER:

City Manager Tungate provided a statement regarding the alleged illegal activities involving an employee in the Finance Department.

Administration

CM-06-213-16 (AGENDA ITEM #15A) CONTRACT WITH WCA ASSESSING FOR ASSESSING SERVICES FOR A TERM OF JUNE 2016 THROUGH MAY 2019 SUBJECT TO FINAL APPROVAL BY THE CITY ATTORNEY - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve a contract with WCA Assessing for Assessing Services for a term of June 2016 through May 2019 subject to final approval by the City Attorney.

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

MOTION DECLARED ADOPTED

City Manager Tungate reported that on March 15, 2016 the City's Assessor Dean Bush notified the City of his retirement effective March 31, 2016. Dean retired on March 31, 2016 but agreed to help the City contractually on a part-time basis from April 1, 2016 through June 30, 2016 while the position was posted with the goal of hiring a new full-time assessor. After several months of advertising the open position, the City has received no qualified applicants. In addition to the assessor's retirement, the appraiser in the assessing department took an indefinite medical leave of absence in February 2016. The City Manager was contacted by WCA Assessing in April 2016 after seeing the advertisement for the open assessor position and met to discuss possibility of contracting out the operations of the department. WCA Assessing presented a proposal to provide complete assessing services (assessor and appraiser) for a three year term beginning in June 2016 through May 2019. The assessing contract would provide a person at the City four days (Monday through Thursday) per week during normal business hours. The annual cost for the assessing services outlined in the contract totals \$140,000 for the first year and increases to \$153,300 in the second and third year. In addition, it will include an annual increase of inflation plus 1%. The budget for the Assessor and Appraiser positions in the 2016/2017 fiscal year totals \$164,654.

Department of Public Works

CM-06-214-16 (AGENDA ITEM #15B) CONTRACT EXTENSION FROM TROELSEN EXCAVATING COMPANY IN THE TOTAL AMOUNT OF \$202,301.50 FOR THE 2016 SEWER LATERAL & CATCH BASIN REPAIR PROJECT, M-648 - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve a proposed contract extension from Troelsen Excavating Company in the total amount of \$202,301.50 for the 2016 Sewer Lateral & Catch Basin Repair Project, M-648

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

Absent: Speech

MOTION DECLARED ADOPTED

CM-06-215-16 (AGENDA ITEM #15C) PROPOSED PLAY STRUCTURES AND SWING SET FOR VICTORIA PARK - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve proposed play structures and swing set for Victoria Park.

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee reported that plans have been completed for new playground structures and a swing set to be installed at Victoria Park. The play structures and swing set have been approved by MDOT and the installer has been working with the MDOT Engineers to ensure it will fit within the newly repaired bridge deck. The cost for the equipment and installation will be reimbursed by MDOT.

Community and Economic Development

CM-06-216-16 (AGENDA ITEM #15D) PURCHASE OF TAX FORECLOSED PROPERTY - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolution approving the purchase of Tax Foreclosed Property:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION APPROVING PURCHASE OF TAX FORECLOSED PROPERTIES

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on the 6th day of June, 2016, at 7:00 p.m.

Present: McClellan, Burns, Radner, Rich
Absent: Speech

The following preamble and resolution was offered by Rich and seconded by Burns.

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

WHEREAS, the Oak Park City Council has determined that it is in the best interest of the City to exercise its option to purchase the foreclosed properties identified on the Attached Addendum "Oak Park Tax Sale 2016"; and

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

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

1. Pursuant to the Act, the City hereby approves the purchase of the properties identified on the Attached Addendum "Oak Park Tax Sale 2016" for the not to exceed purchase price of \$161,433.38.
2. The City Assessor is hereby directed to file a copy of this Resolution with the Oakland County Treasurer no later than Tuesday, June 7, 2016.
3. Any and all Resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

Addendum
Oak Park Tax Sale 2016

25-28-331-018	23430 Sherman St.	\$9,501.38
25-28-354-008	23240 Roanoke Ave.	\$16,496.79
25-29-102-063	13240 Dartmouth Ave.	\$37,231.04
25-29-228-013	Lot 95, Palmer Woods Manor Sub	\$1,461.13
25-29-251-014	24321 Geneva Ave.	\$8,423.68
25-31-254-003	21740 Cloverlawn St.	\$10,108.66
25-31-426-024	21401 Kipling St.	\$13,081.50
25-31-428-006	21400 Westhampton St.	\$29,173.23
25-31-483-007	20730 Ridgedale St.	48,411.13
25-32-102-019	21961 Blackstone St.	\$7,760.71
25-32-203-041	10630 Saratoga Ave.	\$10,365.35
25-33-103-009	8771 Troy Ave.	\$9,418.78

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #15E) Resolution approving the sale of Tax Foreclosed Property – **Removed from the agenda**

CM-06-217-16 (AGENDA ITEM #15F) EXPENDITURE TO NOWAK & FRAUSE FOR PREPARING A CONDOMINIUM PLAT AMENDMENT FOR THE PARK PLACE OF OAK PARK CONDOMINIUM PROJECT IN THE AMOUNT OF \$2,600.00 - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve an expenditure to Nowak & Frause for preparing a condominium plat amendment for the Park Place of Oak Park Condominium Project in the amount of \$2,600.00.

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

MOTION DECLARED ADOPTED

Finance

**CM-06-218-16 (AGENDA ITEM #15G) MOTION TO RECEIVE THE QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING 3/31/16
- APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to receive the quarterly investment report for period ending 3/31/16.

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

MOTION DECLARED ADOPTED

Finance Director Carl Johnson reported that the State of Michigan Public Act 213 of 2007 requires the City's investment officer to provide a written report quarterly to the governing body concerning the investment of all funds of the City that fall under Public Act 20. Public Act 20 governs how non-pension and non-OPEB funds can be invested. The attached report details the cash and investments (citywide for all funds) held by the City at March 31, 2016. The report includes a description of each investment by type, market and book values, current and yield to maturity interest rates and the number of days to maturity

The third quarter investment report shows total citywide cash and investments of \$21,305,621 including cash in the operating account of \$1,253,603, short-term investments in the Oakland County Investment Pool of \$10,044,152 and long-term investments totaling \$9,162,134. The City has maximized investment return on short-term cash by utilizing the Oakland County Investment Pool and minimizing the amount maintained in the checking and daily depository accounts. Interest income for the months of July through December 2015 totaled \$75,939 while income for January through March 2016 totaled \$65,808 bringing the citywide total for the first nine months of the 2016 fiscal year to \$141,747. The new investment strategy implemented in the first quarter of the 2016 fiscal year has significantly reduced the amount of time spent monthly on investments by the treasurer's office and continues to result in returns on overall investments five to six times higher than previous years.

**CM-06-219-16 (AGENDA ITEM #15H) BUDGET AMENDMENT #2016-3
- APPROVED**

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to approve Budget Amendment #2016-3 as follows:

NOW, THEREFORE BE IT RESOLVED that the following
 Budget Amendment #2016-3 is authorized:

INCREASE
 (DECREASE)

GENERAL FUND	
REVENUES	
FINES	\$ 111,596
INTEREST INCOME	4,346
TOTAL REVENUES	<u>115,942</u>
EXPENDITURES	
LEGISLATIVE	(16,251)
ADMINISTRATIVE	21,800
COMMUNITY & ECONOMIC DEVELOPMENT	(41,000)
CITY CLERK - ADMINISTRATIVE AND RECORDS	(23,500)
CITY CLERK - ELECTIONS	28,500
TECHNICAL AND PLANNING	(18,000)
RECREATION	(605)
PUBLIC WORKS	10,000
INFORMATION TECHNOLOGY	30,791
PUBLIC INFORMATION	12,611
NON-DEPARTMENTAL	111,596
TOTAL EXPENDITURES	<u>115,942</u>
Net Increase to fund Balance	<u><u>\$ -</u></u>

MAJOR STREETS FUND	
REVENUES	
INTERGOVERNMENTAL	\$ 158,145
INTEREST INCOME	2,536
OTHER REVENUE	40,500
TOTAL REVENUES	<u>201,181</u>
EXPENDITURES	
TRANSFER OUT - GENERAL FUND	2,382
TOTAL EXPENDITURES	<u>2,382</u>
Net Increase to fund Balance	<u><u>\$ 198,799</u></u>

45TH DISTRICT COURT FUND	
REVENUES	
TRANSFER IN - GENERAL FUND	\$ 111,596
TOTAL REVENUES	<u>111,596</u>

EXPENDITURES

TRANSFER OUT - COURT RETIREE HEALTHCARE FUND	111,596
TOTAL EXPENDITURES	<u>111,596</u>
Net Increase to fund Balance	<u>\$ -</u>

2010 MUNICIPAL COMPLEX DEBT SERVICE FUND

REVENUES

TAX AND TAX RELATED	\$ (54,562)
INTEREST EARNINGS	(392)
TOTAL REVENUES	<u>(54,954)</u>

EXPENDITURES

INTEREST PAYMENTS	24,549
PRIOR YEAR REFUNDS	(119,897)
TOTAL EXPENDITURES	<u>(95,348)</u>
Net Increase to fund Balance	<u>\$ 40,394</u>

2006 ROAD BOND DEBT SERVICE FUND

REVENUES

TAX AND TAX RELATED	\$ (21,929)
TRANSFER IN - 2015 ROAD REFUNDING BOND FUND	8,331,855
TOTAL REVENUES	<u>8,309,926</u>

EXPENDITURES

PRINCIPAL	8,495,000
PAYING AGENT FEES	(2)
PRIOR YEAR REFUNDS	(94,385)
TOTAL EXPENDITURES	<u>8,400,613</u>
Net Decrease to fund Balance	<u>\$ (90,687)</u>

2015 ROAD REFUNDING BOND DEBT SERVICE FUND

REVENUES

PROCEEDS FROM ISSUANCE OF DEBT	\$ 7,825,000
PERMIUM FROM ISSUANCE OF DEBT	796,883
TOTAL REVENUES	<u>8,621,883</u>

EXPENDITURES

PRINCIPAL	-
INTEREST PAYMENTS	153,892

PAYING AGENT FEES	1,100
COST OF ISSUANCE OF DEBT	135,036
TRANSFER OUT - 2006 ROAD BOND FUND	8,331,855
TOTAL EXPENDITURES	<u>8,621,883</u>
Net Decrease to fund Balance	<u>\$ -</u>

MOTOR POOL INTERNAL SERVICE FUND

REVENUES	
CHARGES TO OTHER FUNDS	\$ (110,589)
INTEREST EARNINGS	452
TOTAL REVENUES	<u>(110,137)</u>
EXPENDITURES	
OPERATIONS	6,000
DEPRECIATION	(135,000)
TOTAL EXPENDITURES	<u>(129,000)</u>
Net Decrease to fund Balance	<u>\$ 18,863</u>

RISK MANAGEMENT INTERNAL SERVICE FUND

REVENUES	
CHARGES TO OTHER FUNDS	\$ 82,826
INTEREST EARNINGS	209
OTHER REVENUE	31,456
TOTAL REVENUES	<u>114,491</u>
EXPENDITURES	
INSURANCE - WORKERS COMPENSATION	90,219
INSURANCE - PUBLIC LIABILITY	1,692
TOTAL EXPENDITURES	<u>91,911</u>
Net Decrease to fund Balance	<u>\$ 22,580</u>

45TH DISTRICT COURT RETIREE HEALTHCARE INTERNAL SERVICE FUND

REVENUES	
FINES	\$ 3,399
INTEREST EARNINGS	(39)
TRANSFER IN - 45TH DISTRICT COURT FUND	111,596
TOTAL REVENUES	<u>114,956</u>
EXPENDITURES	
RETIREE HEALTHCARE	111,340

RETIREE DENTAL	40
RETIREE LIFE INSURANCE	<u>3,575</u>
TOTAL EXPENDITURES	<u>114,955</u>
Net Decrease to fund Balance	<u>\$ 1</u>

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

MOTION DECLARED ADOPTED

City Manager Tungate announced that an executive Summary of the City’s budget is available for viewing on line or copies are available at City Hall.

CALL TO THE AUDIENCE:

Carol Kunkle, 14001 Balfour, requested consideration for a four way stop at the intersection of Balfour and Kipling.

Steven Gold, 15000 Leslie, discussed his participation in the Oak Park Citizen’s Academy sponsored by the Public Safety Department.

Joyce Bannon, 10611 Troy, asked for clarification about the work sessions proposed for July 5th or July 18th.

CALL TO THE COUNCIL:

Mayor McClellan praised the Oak Park Public Safety Department and read a letter of support from a resident. She also emphasized the work by Finance Director Johnson with regard to the increase of investment income for the City. She also offered support for the Regional Transit Authority

Mayor Pro Tem Burns congratulated the Oak Park High School boys and girls track team for their success at the State meet.

Council Member Radner thanked Erik Tungate and the team that uncovered the alleged crime that occurred by an employee of the Finance Department.

Council Member Rich wished everyone a good night.

CLOSED SESSION:

CM-06-220-16 (AGENDA ITEM #18) MOTION TO ADJOURN INTO CLOSED SESSION TO DISCUSS ATTORNEY CLIENT PRIVILEGED COMMUNICATION AND PENDING LITIGATION - APPROVED

Motion by Rich, Seconded by Burns, CARRIED UNANIMOUSLY, to adjourn into Closed Session to discuss Attorney Client Privileged Communication and Pending Litigation regarding Kish et al vs. City of Oak Park.

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

MOTION DECLARED ADOPTED

The Closed Session began at 8:20 PM. The Regular Meeting reconvened at 8:43 PM.

ADDITIONAL BUSINESS:

CM-06-221-16 (AGENDA ITEM #19A) CLOSED SESSION MINUTES - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the minutes of the 06-06-16 Closed Session.

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:45 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor