



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

MINUTES

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

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

ABSENT: Council Member Speech (excused due to illness)

OTHERS

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

APPROVAL OF AGENDA:

**CM-08-273-16 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS PRESENTED
– APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-08-274-16 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of July 18, 2016 **CM-08-275-16**
- B. Public Safety Activity Summary for June 2016 **CM-08-276-16**
- C. Request to advertise for bids for Nine Mile Pipe Bursting Project, M-647 **CM-08-277-16**
- D. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for CE Oak Park Blvd./ Lincoln Rehab, and CE Traffic Signal Construction in the total amount of \$80,379.55 **CM-08-278-16**
- E. Ethnic Advisory Commission Meeting Minutes of November 12, 2015, January 14, 2016, February 11, 2016, March 10, 2016, April 14, 2016, May 12, 2016 and June 9, 2016 **CM-08-279-16**
- F. Licenses - New and Renewals as submitted for August 1, 2016 **CM-08-280-16**

**MERCHANT'S LICENSES – August 1, 2016
 (Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Foxxiladi Boutique	23300 Greenfield #114	\$150	Retail Clothing Sales
Anton's Jewelry	21700 Greenfield #343	\$150	Jewelry Store/Sales
Planet Fitness	13171 Ten Mile	\$150	Office Space – Sales
Weave World Wholesalers	24725 Coolidge	\$150	Hair Sales & Accessories
NYA Brickhouse Boutique	26060 Greenfield	\$150	Hair Salon
Paper Goods Warehouse	26048 Greenfield	\$150	Restaurant Supply Retail

RENEWALS

Midwest Recycling	11000 Capital	\$300	Waste Mngmt/Recycling
Gastronome Russian Gourmet	25290 Greenfield	\$225	Restaurant

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) City Manager Employee Recognition. City Manager Tungate presented an Employee Recognition Award to Gary Shermetaro from the Department of Public Works.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-08-281-16 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – ARTS AND CULTURAL COMMISSION - ARTIST RECEPTION – 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	Artist Reception – City Hall Lobby August 15, 2016	Waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES: None

CITY ATTORNEY:

CM-08-282-16 (AGENDA ITEM #14A-C) AUTHORIZE FOR THE CITY ATTORNEY TO FILE AN APPEARANCE ON BEHALF OF THE CITY IN TAX TRIBUNAL MATTERS - APPROVED

Motion by Rich, Seconded by Burns, CARRIED, to authorize the City Attorney to file an appearance on behalf of the City in the following tax tribunal matters:

- Oak Park Fast Track, LLC v. City of Oak Park, MTT Docket No. 16-001193
- Eight Mile Ventures LLC v. City of Oak Park, MTT Docket No. 16-002224
- Coolidge Terrace Cooperative, Inc. v. Oak Park, MTT Docket No. 16-002335

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

MOTION DECLARED ADOPTED

Council Member Radner abstained from voting due to a professional relationship he has with one of the entities.

CITY MANAGER:

Public Safety

CM-08-283-16 (AGENDA ITEM #15A) RESOLUTION AGREEING TO PARTICIPATE IN THE OAKLAND COUNTY LAW ENFORCEMENT MUTUAL AID AGREEMENT DATED MAY 11, 2016 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution agreeing to participate in the Oakland County Law Enforcement Mutual Aid Agreement dated May 11, 2016:

RESOLUTION OF PARTICIPATION IN THE OAKLAND COUNTY LAW ENFORCEMENT MUTUAL AID AGREEMENT DATED MAY 11, 2016

WHEREAS: The City of Oak Park acknowledges that emergencies requiring a large number of trained public safety personnel and specialized emergency equipment sometimes exceed the ability of any community to cope effectively with them; and

WHEREAS: the Mutual Police Assistance Agreements Act, 1967 PA 236, MCL 123.811 et. Seq., as amended, the Urban Cooperation Act, 1967 PA 7 (ExSess), MCL 124.501 et seq., as

amended, and the Intergovernmental Contracts between Municipal Corporations Act, 1951 PA 35, MCL 124.1 et seq., as amended, provide that communities may enter into agreements to provide mutual police assistance to each other in case of emergencies, and for certain standards to be included in such agreements; and

WHEREAS: the Oakland County Chiefs of Police Association wishes to replace the Oakland County Law Enforcement Mutual Aid Agreement Dated June 1988 and make the benefits of such an agreement available to all Oakland County communities , including local community colleges and public universities that have a campus and public safety department in Oakland county; and

WHEREAS: The Oakland County Chiefs of Police Association has adopted the Oakland County Law Enforcement Mutual Aid Agreement dated May 11, 2016 and recommends that all Oakland County communities agree to participate therein;

NOW THEREFORE BE IT RESOLVED: That the City of Oak Park on August 1, 2016 does hereby agree to participate in the OAKLAND COUNTY LAW ENFORCEMENT MUTUAL AID AGREEMENT DATED MAY 11, 2016 and to give effect to its provisions to the best of its ability. An original of this Resolution shall be sent to the President of the Association.

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

MOTION DECLARED ADOPTED

Community and Economic Development

CM-08-284-16 (AGENDA ITEM #15B) RESOLUTION APPROVING THE SALE OF CITY OWNED PROPERTY THROUGH A REQUEST FOR PROPOSAL PROCESS - APPROVED

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to adopt the following resolution approving the sale of city owned property through a request for proposal process:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION APPROVING SALE OF CITY OWNED 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 1st day of August, 2016, at 7:00 p.m.

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, and by the County Treasurer under Public Act 123 of 1999, as amended, subject to the provisions of the Act; and

WHEREAS, the city has continued to maintain these properties; and

WHEREAS, the cost of maintenance continues to rise and the properties have a higher and better use and city council finds that it is necessary and in the best interest of the public to sell the referenced properties to a bidder through a Request for Proposal (RFP) process.

WHEREAS, the selected bidder will be determined by City Council with a recommendation by the City Manager.

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

1. The City Manager is hereby authorized to release and advertise an RFP offering the vacant parcels 11-66 for sale.
2. The Mayor and/or City Manager are hereby authorized to sign all necessary documents to complete the transaction.
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.

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

MOTION DECLARED ADOPTED

Community and Economic Development Manager Marrone reported the proposed properties for sale are related to the condo project on Coolidge just north of Eight Mile Road. The history of the property is that the city sold the property in 2005 for \$295,000. In December 2006, a master deed was recorded for the properties that were purchased. In January 2007, 66 lot splits were approved per the Master Deed. In 2007, 10 of the 66 units were constructed. In August 2010 the vacant parcels (lots 11-66) were purchased by the city through the tax foreclosure process in the amount of \$107,936.

The remaining vacant parcels have a higher and better use than vacant land so several developers have been approached about purchasing the property. However, no developer has come forth that would develop them into the condo units as originally planned. Most developers have proposed a housing development but did not want to be bound by the existing Master Deed. Per the approval of City Council, the Master Deed has been amended to allow the sale of the property so future owners are not bound by the Master Deed.

CM-07-285-16 (AGENDA ITEM #15C) SALE OF CITY OWNED PROPERTIES TO KENYA SPRATT WITH THE UNDERSTANDING THE CITY WOULD HAVE THE OPTION TO BUY BACK A PROPERTY IF CONSTRUCTION ON THE PROPERTY HAS NOT COMMENCED WITHIN 19 MONTHS - APPROVED

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to approve the sale of the following city owned properties to Kenya Spratt with the understanding that the city would have the option to buy back a property if construction on the property has not commenced within 19 months:

24150 Ridgdale	\$5,000.00
13071 Burton	\$7,000.00
13351 Kenwood	\$7,000.00

23130 Webster \$7,000.00
21331 Kipling \$5,000.00

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

MOTION DECLARED ADOPTED

Ms. Marrone discussed the proposal to sell five city owned vacant lots that have been acquired through tax foreclosure or the Neighborhood Stabilization (NSP) program. The proposal is to sell them to a private investor who plans to build single family homes on the lots. Construction would commence immediately upon their purchase and would proceed one parcel at a time. Ms. Marrone indicated that it would be in the best interest of the city to bring these parcels back onto the tax rolls and eliminate ongoing maintenance expenses. Ms. Marrone also indicated that a \$500 commission for each parcel is to be paid to the realtor and any profit from the sale of the properties will go back into the NSP program.

CM-08-286-16 (AGENDA ITEM #15D) FAÇADE IMPROVEMENT GRANT FOR THE PROPERTY LOCATED AT 26031 COOLIDGE - APPROVED

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve a Façade Improvement Grant for the property located at 26031 Coolidge in the amount of 50% of the project cost not to exceed \$2,500.00.

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

MOTION DECLARED ADOPTED

Ms. Marrone summarized the application for a Façade Improvement Grant from Star Bakery for the building located at 26031 Coolidge. The project consists of replacing broken glass on exterior windows, repairing/cleaning/tuck pointing brick and possibly painting. It also includes replacing the soffit overhang. Estimated total cost of the project is \$5,602.14. If painting is not done the project estimate is \$4,402.14. The requested grant is for 50% of the project costs in an amount not to exceed \$2,500.

CM-08-287-16 (AGENDA ITEM #15E) APPLICATION TO THE MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS (MCACA) FOR A MATCHING 2017 MINI-GRANT TO HELP FUND THE SUMMER CONCERT SERIES - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to submit an application to the Michigan Council for Arts and Cultural Affairs (MCACA) for a matching 2017 mini-grant to help fund the Summer Concert Series

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

MOTION DECLARED ADOPTED

Ms. Marrone indicated the Community & Economic Development Department in partnership with the Parks & Recreation Department is submitting an application to MCACA for a 2017 mini-grant. The grant will fund 50% of the cost of the Summer Concert Series which has been a huge success and enjoyed by close to 1,000 people each summer. The grant application will ask for \$4,000 in grant match with the 50% match coming from in-kind donations and sponsorship dollars if possible.

(AGENDA ITEM #15F) Ms. Marrone provided an update on the planning for Summerfest that will be held August 6, 2016.

CALL TO THE AUDIENCE:

Ed Bass, 24270 Kipling, asked about the beer tent that was a part of Summerfest last year.

Joyce Bannon, 10611 Troy, asked about the planning for a meeting to discuss ordinance changes related to pets and also expressed concerns about constructing basements in certain areas of the city.

CALL TO THE COUNCIL:

Mayor McClellan reminded everyone to be kind to one another and to vote in the primary election.

Mayor Pro Tem Burns reminded everyone to take the proper precautions related to the heat.

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

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 7:50 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor