



**CITY OF OAK PARK, MICHIGAN  
REGULAR COUNCIL MEETING OF THE  
36<sup>th</sup> OAK PARK CITY COUNCIL  
April 19, 2017  
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 Speech, Council Member Radner

**ABSENT:** None

**OTHERS**

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

**APPROVAL OF AGENDA:**

**CM-04-141-17 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS  
PRESENTED – APPROVED**

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

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

**MOTION DECLARED ADOPTED**

**CONSENT AGENDA:**

**CM-04-142-17 (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 March 27, 2017 **CM-04-143-17**
- B. Regular Council Meeting Minutes of April 3, 2017 **CM-04-144-17**
- C. Request to cancel the regularly scheduled Zoning Board of Appeals meeting of April 25, 2017 **CM-04-145-17**
- D. Request to advertise for bids for the Program Year 2016 Yard Services Program, M-669 **CM-04-146-17**
- E. Request to schedule a public hearing on May 1, 2017 to receive comments on the possible reprogramming of Community Development Block Grant (CDBG) funds for the Program Years of 2015 and 2016 **CM-04-147-17**
- F. Licenses - New and Renewals as submitted for April 19, 2017 **CM-04-148-17**

**MERCHANT'S LICENSES – April 19, 2017  
 (Subject to All Departmental Approvals)**

<b><u>NEW MERCHANT</u></b>	<b><u>ADDRESS</u></b>	<b><u>FEE</u></b>	<b><u>BUSINESS TYPE</u></b>
To Go Café	21700 Greenfield	\$150	Restaurant
<b><u>RENEWALS</u></b>	<b><u>ADDRESS</u></b>	<b><u>FEE</u></b>	<b><u>BUSINESS TYPE</u></b>
Slot Speedway USA Inc	10200 Capital	\$150	Gas Station
Kings Welding Works Inc	10311 Capital	\$150	Welding Fabricators
LaDuke Corporation	10311 Capital	\$187.50	Roofing and Sheet Metal
Michigan Dessert Corp	10750 Capital	\$150	Food Preparation
Plumbing Techs Pipecon	12700 Capital	\$225	Plumbing Contractor
Huntington Cleaners	13103 Capital	\$150	Laundry Service
Live Smart	13305 Capital 600	\$150	
Partlan-Labadie Sheet Metal	12901 Cloverdale	\$150	Sheet Metal
Deezers LLC	13201 Cloverdale	\$225	Hookah
Car Stop Automotive Inc	21006 Coolidge	\$150	Automotive
Tobacco Import USA	21060 Coolidge	\$225	Tobacco
Trinity Physical Therapy	21675 Coolidge 1B	\$225	Physical Therapy
Glory Wireless 9B	22150 Coolidge	\$225	Wireless
Studio Nova	22153 Coolidge	\$225	Men's Clothing
Ashley-Bleu Diamond Inc	22211 Coolidge	\$150	Jeweler
Danny's Fine Wine	23063 Coolidge	\$150	Liquor
Tradefirst.com	23200 Coolidge	\$150	Banking
Oak Park Urgent Care	24661 Coolidge	\$150	Medical
Freedom Cleaners	24681 Coolidge	\$150	Laundry
Hungry Howie's Pizza	24691 Coolidge	\$150	Restaurant
Zalman's Treasurers	26001 Coolidge	\$150	Jeweler
Bombshell Lyfe Studio	26011 Coolidge	\$225	Studio
Weathergard Window Factory	14350 Eight Mile	\$150	Home Improvement
Marblecast Inc	14831 Eleven Mile	\$150	Home Improvement
Hartwell Cement Company	21650 Fern	\$150	Concrete Company
John & Karon's Hair Affair	21700 Greenfield 250	\$150	Salon
Forgotten Harvest	21800 Greenfield	\$150	Food pantry
Foxxiladi Boutique	23300 Greenfield 114	\$225	Salon
Salon Renu	23300 Greenfield 300	\$150	Salon
Sukhothai Restaurant	25226 Greenfield	\$225	Restaurant
Summit Disability PLLC	25900 Greenfield 111	\$225	
THD at Home Service	25900 Greenfield 318	\$225	Home Improvement
Four Sisters Fashion	26068 Greenfield	\$150	Clothing Store
The Suit Depot	26158 Greenfield	\$225	Clothing Store
McDonalds	26160 Greenfield	\$225	Restaurant
20700 Hubbell LLC	20700 Hubbell	\$150	Storage
Paper Goods Plus	15310 Lincoln	\$225	Party Supplier
7-11 Food Stores #13486	15350 Lincoln	\$150	Convenience Store
Bricco Excavating Company	21201 Meyers	\$150	Excavators
MBush LLC	8100 Nine Mile	\$150	
One-Stop Cash Advance	8530 Nine Mile A	\$225	Banking
Wireless U Now	8980 Nine Mile	\$150	Wireless
Primos Pizza #1	10100 Nine Mile	\$187.50	Restaurant

Manistee Clinic	10300 Nine Mile	\$150	Medical
Ascension Bibles & Books	10720 Nine Mile	\$150	Book Store
Walgreens #5425	13550 Nine Mile	\$150	Drug Store
Oak Park Medical Center	15300 Nine Mile	\$150	Medical
Discount Office & Equipment	12780 Northend	\$225	Office Supplies
Positive Home Doctors Inc	12800 Northend	\$150	Medical
EJ USA Inc	13001 Northend	\$150	
Brilar LLC	13200 Northend	\$150	Landscaping
Alfa Medical Equipment Sup.	13181 Ten Mile	\$150	Medical Supplier
H & R Block	13241 Ten Mile	\$150	Tax Service
Oak Park Beauty	13421 Ten Mile	\$187.50	Salon

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

**MOTION DECLARED ADOPTED**

**RECOGNITION OF VISITING ELECTED OFFICIALS:** None

**SPECIAL RECOGNITION/PRESENTATIONS:** None

**PUBLIC HEARINGS:**

**CM-04-149-17                   (AGENDA ITEM #8A) RESOLUTION NO. 9 AND RESOLUTION  
NO. 10 CONFIRMING THE ROLLS AND SETTING THE DUE  
DATE AND PENALTY FOR SPECIAL ASSESSMENT DISTRICTS  
– ADOPTED**

Motion by, Speech, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following Special Assessment Resolution (No. 9) confirming the Rolls, and Special Assessment Resolution (No. 10), setting the due date of May 31, 2017, together with a penalty of ten percent (10%) for Special Assessment District No. 660 – Unpaid Utility Invoices; Special Assessment District No. 661 – Unpaid False Alarm Invoices; Special Assessment District No. 662 – Unpaid Special Property Blight Invoices; and Special Assessment District No. 663 – Unpaid Sidewalk Repair Invoices; and withholding the temporary exceptions pending further review by the City Manager to report back to the City Council as to whether they will be kept on the Roll; added on at a later date or removed permanently:

**CITY OF OAK PARK  
MICHIGAN**

**SPECIAL ASSESSMENT RESOLUTION NO. 9**

**DISTRICT NO. 660  
DISTRICT NO. 661  
DISTRICT NO. 662  
DISTRICT NO. 663**

The Mayor announced that this was the time set to review the Special Assessment Roll as prepared and revised by the City Assessor for unpaid expenses incurred on private premises, assessed in Special Assessment Roll No. 660, 661, 662, 663

The Clerk read into the record the objections that were received.

There were objections received as follows:

SAD	Address	Parcel ID #
<b>660 Unpaid Utility Invoices</b>		
660	14000 Balfour	#25-19-408-045
660	14461 Northfield	#25-30-180-001
660	8785 Woodside Drive	#25-28-102-012
<b>661 Unpaid False Alarm Invoices</b>		
661	23741 Beverly	#25-30-301-001
<b>662 Unpaid Property Blight Invoices</b>		
662	10355 Capital	#25-32-276-069
661	23030 Marlow	#25-30-378-014
662	26090 Marlowe Place	#25-19-180-036
662	23028 Norwood	#25-28-352-034
662	24611 Radclift	#25-30-127-044
<b>663 Unpaid Sidewalk Repair Invoices</b>		
663	10100 Capital	#25-32-251-074
663	13751 Courtland	#25-31-276-023
663	10241 Dartmouth	#25-29-202-034

BE IT RESOLVED That Special Assessment Roll No. 660, 661, 662 and 663 as prepared and revised by the City Assessor, are hereby confirmed.

CITY OF OAK PARK  
 MICHIGAN

SPECIAL ASSESSMENT RESOLUTION NO. 10

DISTRICT NO. 660  
 DISTRICT NO. 661  
 DISTRICT NO. 662  
 DISTRICT NO. 663

At a Regular Meeting of the City Council of the City of Oak Park, held the 19th day of April, 2017 at 7:00 P.M., at the City Hall, 14000 Oak Park Boulevard, in said City.

WHEREAS, by resolution adopted April 19, 2017, Special Assessment Rolls No. 660, 661, 662 and 663 were confirmed by the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT: Said Special Assessment Rolls shall be due in one (1) installment payable on May 31, 2017, in full, together with a penalty of ten percent (10%).

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

**MOTION DECLARED ADOPTED**

**COMMUNICATIONS:** None

**SPECIAL LICENSES:**

**CM-04-150-17 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – FIRST BAPTIST CHURCH OF OAK PARK – APPROVED**

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

<b>Name</b>	<b>Event</b>	<b>Fee</b>
First Baptist Church of Oak Park	24201 Coolidge, Outreach Event June 3, 2017 (11:00 a.m. – 4:00 p.m.)	App fee waived

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

**MOTION DECLARED ADOPTED**

**ACCOUNTING REPORTS:**

**CM-04-151-17 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF AN INVOICE SUBMITTED BY SECREST, WARDLE, LYNCH, HAMPTON, TRUOX & MORLEY, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$2,652.00 - APPROVED**

Motion by Speech, seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of Invoice #1305910 as submitted by Secrest, Wardle, Lynch, Hampton, Truox & Morley, P.C. for legal services in the total amount of \$2,652.00.

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

**MOTION DECLARED ADOPTED**

**BIDS:** None

**ORDINANCES:**

**CM-04-152-17 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND ARTICLE IV, HOUSING, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING DIVISION 3, INSPECTIONS, THEREOF, THEREBY PERMITTING ADVERTISING OF RENTAL UNITS CERTIFIED WITHIN LAST SIX MONTHS - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance:

CITY OF OAK PARK, MICHIGAN  
ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE IV, HOUSING, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING DIVISION 3, INSPECTIONS, THEREOF, THEREBY PERMITTING ADVERTISING OF RENTAL UNITS CERTIFIED WITHIN LAST SIX MONTHS.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Division 3, Inspections, of Article IV, Housing, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 18-181. - To determine compliance with applicable codes; certificates of compliance and occupancy.

No owner of any rental unit governed by this article, and no agent of such owner, shall hereafter offer to let or hire, any one-family dwelling or any unit in a two-family dwelling, unless such unit has been inspected and a certificate of compliance has been issued by the department of technical and planning services. The department of technical and planning services shall cause such inspection to be had, and such certificate of

occupancy to be issued, if the unit meets the minimum requirements of all applicable state and city housing and building codes, within a reasonable time after application therefor and payment of any inspection fee. The certificate of occupancy shall certify that the dwelling unit complies with all applicable provisions of such building and housing codes. An inspection is also required upon each vacancy and re-occupancy of the rental unit. If the rental unit has been issued a certificate of compliance within six months of the vacancy, the Owner is permitted to advertise the unit as long as the Owner has reported the vacancy and requested a re-occupancy inspection by the Rental Inspector.

SECTION 2. Severability.

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

SECTION 3. Effective Date.

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

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

**MOTION DECLARED ADOPTED**

**CITY ATTORNEY: No Report**

**CITY MANAGER:**

**City Clerk**

**CM-04-153-17**

**(AGENDA ITEM #15A) MOTION TO REJECT THE LOCAL OFFICERS' COMPENSATION COMMISSION'S SALARY DETERMINATION FOR LOCAL ELECTED OFFICIALS - FAILED**

Motion by Rich, seconded by Radner, FAILED, to reject the Local Officers' Compensation Commission's salary determination for local elected officials. (2/3 vote required for adoption)

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

**MOTION FAILED**

City Clerk Norris reported that Section 2-314 of the City Code requires the Local Officer's Compensation Commission to meet every odd-numbered year to determine the salaries of all elected officials of the city, which determination shall be the salaries unless the city council by a two-thirds vote of the members elected and serving on the city council shall reject them. In case of rejection, the existing salary shall prevail (Section 2-313). At the April 6, 2017 meeting of the LOCC, the commission voted to increase the annual salaries of the Mayor, Mayor Pro Tem and Council Members by 3% which are reflected as follows: New annual salaries, Mayor - \$6,283; Mayor Pro Tem - \$5,237; Council Member - \$4,888.

**CM-04-154-17**

**(AGENDA ITEM #15B) RESOLUTION AUTHORIZING ACCEPTANCE OF THE HELP AMERICA VOTE ACT (HAVA) GRANT AGREEMENT - APPROVED**

Motion by Speech, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution authorizing acceptance of the Help America Vote Act (HAVA) Grant Agreement:

CITY OF OAK PARK  
COUNTY OF OAKLAND

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE  
HELP AMERICA VOTE ACT (HAVA) GRANT AGREEMENT

WHEREAS, the Grant Agreement is the mechanism by which Counties, Cities and Townships apply to the State of Michigan to receive Federal HAVA and State-appropriated funded voting systems, including optical scan tabulators, accessible voting devices and Election Management System (EMS) software, pursuant to the Federal Help America Vote Act (HAVA) of 2002; and

WHEREAS, the Grant Agreement process applies to voting system purchases occurring between March 1, 2017 and April 30, 2017; and

WHEREAS, The Grant Agreement is to establish a grant program to use State-appropriated and Federal HAVA funds to acquire and implement replacement voting systems throughout the state; and

WHEREAS, The Michigan Department of Technology, Management and Budget has entered into a Master Contract with each Contractor selected to provide voting systems; and

WHEREAS, State-appropriated and Federal HAVA funding provided via the Grant Agreement covers the purchase of the voting system, the software license fee for the EMS software for the full 10-year contract term, and the initial service and maintenance period for all components (which covers the acquisition year, plus 4 additional years); and

WHEREAS, the Master Contract includes an extended service and maintenance period beyond the initial service and maintenance period for an additional five-year period the costs of which along with any other additional expenses, if any, are the sole responsibility of each individual county/local jurisdiction; and

WHEREAS, the Municipality shall obtain this Grant by entering into the Help America Vote Act (HAVA) Grant Agreement Voting System Hardware, Firmware and Software.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk, a position currently held by T. Edwin Norris, is designated as the Grant Manager for the City of Oak Park, Michigan and is authorized to administer the Grant in accordance with its terms.

2. The City Clerk, T. Edwin Norris is authorized to sign and enter into the Grant Agreement.

3. The proposed form of the Help America Vote Act (HAVA) Grant Agreement between the Municipality and the State of Michigan/Michigan Department of State is hereby approved subject to review by the City Attorney and the Authorized Representative, City Clerk, T. Edwin Norris is authorized and directed to execute the Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

4. The Authorized Representative, City Clerk, T. Edwin Norris is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the State of Michigan/Michigan Department of State in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the State of Michigan/Michigan Department of State or as may otherwise be necessary to effect the approval and delivery of the Grant.

5. The Municipality acknowledges that the Grant Agreement is a contract between the Municipality and the State of Michigan/Michigan Department of State.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

7. This Resolution is given immediate effect.

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

**MOTION DECLARED ADOPTED**



Mr. Norris indicated this grant agreement is the mechanism by which the City applies to the State of Michigan to receive a Federal HAVA and State-appropriated funded voting system, including optical scan tabulators, accessible voting devices and Election Management System (EMS) software, pursuant to the Federal Help America Vote Act (HAVA) of 2002. The Grant Agreement requires that the City designate someone to serve as the Grant Manager for the municipality as well as specify who has authority to execute the document on behalf of the City and the Resolution designates the City Clerk to sign and enter into the Agreement and to serve as the Grant Manager.

## **Finance**

**CM-04-155-17 (AGENDA ITEM #15C) AGREEMENT WITH THE BERKLEY SCHOOL DISTRICT TO COLLECT THEIR 2017 PROPERTY TAX LEVY AND TRANSFER THE COLLECTED FUNDS AS REQUIRED BY STATE STATUTE - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve an agreement with the Berkley School District to collect their 2017 property tax levy and transfer the collected funds as required by State Statute.

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

## **MOTION DECLARED ADOPTED**

City Manager Tungate reported that the City of Oak Park annually enters into an agreement with the Berkley School District to collect their property taxes. A 1% fee is collected for this service.

## **Economic Development and Communications**

**CM-04-156-17 (AGENDA ITEM #15C) RESOLUTION AUTHORIZING THE CITY OF OAK PARK TO PARTICIPATE IN THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) REDEVELOPMENT READY COMMUNITIES PROGRAM - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City of Oak Park to participate in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program:

City of Oak Park, Michigan

Resolution Authorizing the City of Oak Park to Participate in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program

Whereas, the Michigan Economic Development Corporation (MEDC) has established the statewide Redevelopment Ready Communities (RRC) Program to empower communities to shape their future and maximize economic potential; and

Whereas, RRC is a program that provides technical assistance to and certifies Michigan communities who actively engage stakeholders and plan deliberate, fair and consistent processes; and

Whereas, the City of Oak Park recognizes the value of the RRC Program and seeks to improve its redevelopment readiness via a detailed review of existing development processes; and

Whereas, the RRC program includes evaluating and strengthening the development-related partnerships between the City Council and stakeholder organizations such as: the MEDC, Oak Park Corridor Improvement Authority (CIA), Oak Park Planning Commission (PC), and Oakland County; and

Whereas, the City of Oak Park has adopted a new Master Plan in 2017 which will guide future development and redevelopment of the City and has incorporated the RRC best practices; and

Whereas, opportunities for the redevelopment of existing parcels and buildings will be a significant source of future growth and investment in the City given the limited opportunities for greenfield development within the city limits; and

Now, Therefore, it is Resolved as follows:

1. The Oak Park City Council is willing to participate in the MEDC Redevelopment Ready Communities Program, including increased interaction and partnership with the MEDC, CIA, PC, Oakland County, and other stakeholders in the development review process.
2. It is the intention of the City of Oak Park to utilize the RRC Best Practices and evaluation process to improve our processes and communication with stakeholders.
3. City Administration is hereby authorized to proceed toward implementation of the recommendations necessary to receive RRC Certification from the MEDC.

This resolution shall become effective April 19, 2017.

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

### **MOTION DECLARED ADOPTED**

Community and Economic Development Director Marrone reported that the Community & Economic Development Department has completed the first step in the RRC Engagement process by completing the RRC Best Practice Evaluation. The next step in the engagement process is the passing of a resolution in support of the RRC process and the steps necessary to become a certified RRD Community. There are many benefits in becoming certified such as, access to grants, media exposure to our redevelopment sites, and improved processes to attract development.

### **CALL TO THE AUDIENCE:**

Misty Patterson from the Oak Park School Board thanked Oak Park staff for their participation with reading month. She also reminded everyone about upcoming events including the Youth Assistance Dinner on April 26th, Battle of the Bands on April 29th and the annual golf outing on July 17th.

Idella Atkins, 21140 Westhampton, voiced concerns about a parking issue taking place in front of her home and expressed a desire to change a city ordinance to address her concern.

**CALL TO THE COUNCIL:**

**Mayor McClellan** shared a report on municipal financing that was presented at a Michigan Municipal League (MML) conference

**Mayor Pro Tem Burns** wished everyone a good evening.

**Council member Radner** wished everyone a good evening.

**Council Member Speech** reminded everyone about World Dance Day April 29<sup>th</sup> and also the free garage sale dates of April 27-30.

**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 7:45 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor