



- G. Agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield **CM-05-168-17**
- H. Resolution designating Kevin J. Yee as the agent for the City of Oak Park with regard to the Oakland County West Nile Virus Reimbursement Program **CM-05-169-17**
- I. Licenses - New and Renewals as submitted for May 1, 2017 **CM-05-170-17**

**MERCHANT’S LICENSES – May 1, 2017  
 (Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Do-Re-Mi	10820 W. Nine Mile	\$150	Retail
<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Bacarbo LLC	13040 Capital	\$150	Holding Company
Walker Printiery Inc	13351 Cloverdale	\$225	Printer
Complete Parking Lot Maint	20800 Coolidge	\$225	Automotive
Machine R E Sales Inc	21020 Coolidge	\$225	
Nik Necessities Emporium	22041 Coolidge	\$225	Retail
Dollar Express Store	22100 Coolidge	\$150	Retail
Dollar Express – Tobacco	22100 Coolidge	\$150	Retail
Joyful Tots Childcare & Learning Center	22141 Coolidge	\$187.50	Childcare
Orthopedic Medical Building	12990 Eight Mile	\$225	Medical
Fars Fill Up Inc	13500 Eight Mile	\$150	Automotive
Zeune Michigan Storage Centers	15300 Eight Mile	\$150	Storage facility
Custom Concept Collision	14051 Eleven Mile	\$150	Automotive
ARKK Engineering	14251 Eleven Mile	\$187.50	Engineering
Intra State Mort Services	14691 Eleven Mile	\$225	Mortgage Services
Shear Directions	21700 Greenfield 104	\$187.50	Salon
Metropolitan Rehab Clinics	21700 Greenfield 130	\$150	Medical
Caring Nurses of Michigan Inc	23300 Greenfield 213	\$225	Medical
Oak Park Donuts	25170 Greenfield	\$150	Restaurant
Like Skills Village PLLC	25900 Greenfield 100	\$225	Medical
Bling Bling Lee Inc	26122 Greenfield	\$225	Retail
Oak Park Marathon Gas Station	26700 Greenfield	\$150	Automotive
Hansen’s Auto Service Center	8210 Nine Mile	\$225	Automotive
Pest Arrest	8560 Nine Mile	\$225	Pest Control
The Stellar Realty Group Inc	10140 Nine Mile	\$225	Real Estate
Quick Cash and More LLC	13710 Nine Mile	\$150	Banking
Domino’s Pizza	13735 Nine Mile	\$225	Restaurant
Dollar Village Discount Inc	13201 Ten Mile	\$225	Retail
Sahni’s Inc	13251 Ten Mile	\$225	
Check N Go	13320 Ten Mile	\$225	Banking
Oak Park Dialysis	13481 Ten Mile	\$225	Medical

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

**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 Dawnetta Boyde-Hale from the Treasury Department.

**(AGENDA ITEM #7B) Master Plan Committee Recognition.** City Manager Tungate and Mayor McClellan recognized Kimberly Marrone, Crystal McLain, Kevin Rulkowski, Nathan Isydorek and Elizabeth King for their part in developing the Oak Park Master Plan.

**PUBLIC HEARINGS:**

**(AGENDA ITEM #8A) Public Hearing to receive public comment on the reprogramming of the 2015 Community Development Block Grant Funds.** It was announced that the published advertisement for the May 1, 2017 public hearing indicated an incorrect amount for the proposed reprogramming, the advertisement indicated \$15,000 and the correct amount is \$14,893.03. Mayor McClellan opened the Public Hearing at 7:15 PM and it was immediately closed as there were no members of the public that wanted to speak.

**CM-05-171-17 (AGENDA ITEM #8B) RESOLUTION APPROVING THE REPROGRAMMING OF 2015 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS - APPROVED**

Motion by Speech, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution:

**RESOLUTION APPROVING THE REPROGRAMMING  
OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS PY 2015**

WHEREAS, the City of Oak Park is a participating local unit of government in the Oakland County Community Development Block Grant Program; and

WHEREAS, the City of Oak Park has duly advertised and conducted a public hearing on May 1, 2017 for the purpose of receiving comments regarding the proposed reprogramming of Program Year 2015 Community Development Block Grant funds; and

WHEREAS, the public hearing conformed to the guidelines of the Oakland County Community Development Division; and

WHEREAS, the City of Oak Park found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need and should be reprogrammed as follows:

FROM 2015 PY  
Yard Services                    \$14,893.03

TO 2015 PY  
Code Enforcement            \$14,893.03

NOW THEREFORE, BE IT RESOLVED, that the City of Oak Park CDBG funds for Program Year 2015 be reprogrammed as outlined above and submitted to Oakland County.

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

**MOTION DECLARED ADOPTED**

**COMMUNICATIONS:** None

**SPECIAL LICENSES:** None

**ACCOUNTING REPORTS:**

**CM-05-172-17                    (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$17,498.45 - APPROVED**

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve payment of invoices #474822, #474823 and #474824 by Garan, Lucow, Miller P.C., for legal services rendered through March 31, 2017 in the total amount of \$17,498.45.

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

**MOTION DECLARED ADOPTED**

**BIDS:**

**CM-05-173-17                    (AGENDA ITEM #12A) BID AWARD FOR THE 2017 FIRE HYDRANT BLASTING AND REPAINTING PROJECT, M-646 TO CROSS RENOVATION, INC. OF LIVONIA, MI FOR THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$45,000.00 - APPROVED**

Motion by Speech, seconded by Rich, CARRIED UNANIMOUSLY, to award the bid for the 2017 Fire Hydrant Blasting and Repainting Project, M-646 to Cross Renovation, Inc. of Livonia, MI for the total contract amount not to exceed \$45,000.00.

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

**MOTION DECLARED ADOPTED**

Mr. Yee reported that at the February 20, 2017 regular meeting of the Oak Park City Council, the request to bid the 2017 Fire Hydrant Blasting and Repainting Project, M-646 was approved (CM-02-070-17). The project was advertised and 9 contractors viewed the documents. On April 18, 2017, two (2) bids were received and opened. The low bidder, Cross Renovation, Inc. of Livonia, MI, submitted a bid of \$59,750.00. Cross Renovation, Inc. performed this work for the City last year to the satisfaction of city personnel. He indicated the bids came in above the budgeted amount, therefore we are recommending reducing the number of hydrants painted to meet the budgeted amount and adding those that are not done to a future project. Funding is available in the Water & Sewer Fund for this project.

**ORDINANCES:** None

**CITY ATTORNEY:** No Report

**CITY MANAGER:**

**Administration**

**CM-05-174-17 (AGENDA ITEM #15A) MOTION TO SCHEDULE A PUBLIC HEARING ON THE FY 2017-2018 ANNUAL BUDGET FOR MONDAY, MAY 15, 2017 AT 7:00 PM - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to schedule a public hearing on the FY 2017-2018 Annual Budget for Monday, May 15, 2017 at 7:00 PM.

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

**MOTION DECLARED ADOPTED**

**CM-05-175-17 (AGENDA ITEM #15B) RESOLUTION APPROVING THE LEGAL SERVICES AGREEMENT BETWEEN GARAN, LUCOW, MILLER, P.C. AND THE CITY OF OAK PARK - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to adopt the following resolution approving the legal services agreement between Garan, Lucow, Miller, P.C. and the City of Oak Park:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK PARK, MICHIGAN AUTHORIZING THE ADMINISTRATION TO ENTER INTO A LEGAL SERVICES AGREEMENT FOR CITY ATTORNEY SERVICES WITH THE LAW FIRM OF GARAN LUCOW MILLER P.C.

WHEREAS, under the authority of the Home Rule Charter for the City of Oak Park, Michigan, Chapter 4 captioned Organization of Government, Section 4.6 entitled Administrative service, the City Attorney shall be appointed by the Council; and

WHEREAS, in accordance with Section 4.14 captioned Attorney- Functions and duties, the City Attorney shall be responsible solely to the council; and

WHEREAS, pursuant to Section 4.15 entitled Compensation of attorney and special counsel, the City Attorney shall have their compensation set by the council; and

WHEREAS, the City Council had previously selected and appointed the Law Firm of Garan Lucow Miller, P.C. and its Firm members John J. Gillooly and Ebony L. Duff as the City Attorneys; and

WHEREAS, the City Council has determined that it is in the best interest of the City to reappoint the Law Firm of Garan Lucow Miller, P.C. and its Firm members John J. Gillooly and Ebony L. Duff as the City Attorneys.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby reappoints the Law Firm of Garan Lucow Miller, P.C. and its Firm members John J. Gillooly and Ebony L. Duff as the City Attorneys; and

BE IT FURTHER RESOLVED that the Oak Park City Council authorizes the Administration to enter into a Legal Services Agreement for City Attorneys Services including Exhibits "A" and "B" with the Law Firm of Garan Lucow Miller, P.C.; and

BE IT FURTHER RESOLVED, that on behalf of the City of Oak Park, Michigan, the Mayor and City Manager, are authorized to sign the Legal Services Agreement for City Attorneys Services including Exhibits "A" and "B" with the Law Firm of Garan Lucow Miller, P.C.; and

BE IT FURTHER RESOLVED, that to the extent any portion of this Resolution is declared invalid, unenforceable or non-binding, that shall not affect the remaining portions of this Resolution; and

BE IT FURTHER RESOLVED, all resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

#### **MOTION DECLARED ADOPTED**

#### **Community and Economic Development, Planning Division**

**CM-05-176-17 (AGENDA ITEM #15C) SPECIAL LAND USE (CONVALESCENT HOME) AND SITE PLAN FOR OAKRIDGE MANOR NURSING AND REHABILITATION CENTER, 13200 OAK PARK BOULEVARD, SUBJECT TO CONDITIONS - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and approve the Special Land Use (Convalescent Home) and Site Plan for Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard, subject to the following conditions:

- 1) Approval by the Engineering Division of an acceptable storm water management plan.
- 2) Approval by the Engineering Division of the final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Department for final approval.

- 3) Approval by the Engineering Division and Public Safety Department of the locations of the fire hydrants and fire suppression building connections.
- 4) Restoration of the landscape area identified as “existing vegetation to remain” and removal of a concrete planter box near the sidewalk.
- 5) Screen fence detail to be submitted which meets the Zoning Ordinance requirements. Proposed screen fence be extended on the east property line to match the front building line of the adjacent home (approximately 30 feet from the southern property line).
- 6) All ground and rooftop equipment screened as required by the Zoning Ordinance.
- 7) Dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted
- 8) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

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

**MOTION DECLARED ADOPTED**

Community and Economic Development Director Marrone reported that at their April 24, 2017 meeting, the Planning Commission conducted a Public Hearing on a Special Land use request for Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard, to construct a 64 bed skilled nursing facility, 41,660 square feet in size. The Planning Commission voted to recommend to the City Council approval of the Special Land Use and Final Site Plan with conditions.

**CM-05-177-17                    (AGENDA ITEM #15D) SPECIAL LAND USE (RESTAURANT THAT SERVES ALCOHOLIC LIQUOR) AND SITE PLAN FOR SWEET SOUL BISTRO, 13400 EIGHT MILE, SUBJECT TO CONDITIONS - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and approve the Special Land Use (Restaurant that serves alcoholic liquor) and Site Plan for Sweet Soul Bistro, 13400 Eight Mile, subject to the following conditions:

- 1) The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
- 2) The repair or the replacement of the parking lot and storm water catch basins as necessary as determined by the Building Inspector.
- 3) Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.
- 4) A detailed landscaping plan meeting the minimum Zoning Ordinance standards to be developed and approved by the Planning Division.
- 5) All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
- 6) A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
- 7) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.
- 8) Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.

- 9) 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.
- 10) 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 beer and wine for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine.

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

**MOTION DECLARED ADOPTED**

Ms. Marrone reported that at their April 24, 2017 meeting, the Planning Commission conducted a Public Hearing on a Special Land use request from Sweet Soul Bistro, 13400 Eight Mile, for a restaurant that serves alcoholic liquor. At the meeting the applicant presented correspondence from the adjacent 8 Mile Congregation of Jehovah's Witnesses place of worship, indicating a neutral position on Sweet Soul Bistro serving alcoholic liquor. The Planning Commission voted to recommend to the City Council approval of the Special Land Use and Final Site Plan with conditions.

**CM-05-178-17                    (AGENDA ITEM #15E) SIX MONTH MORATORIUM ON THE REVIEW AND APPROVAL OF ANY NEW SELF-STORAGE FACILITIES IN THE CITY OF OAK PARK - APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and adopt a six month moratorium on the review and approval of any new self-storage facilities in the City of Oak Park.

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

**MOTION DECLARED ADOPTED**

Ms. Marrone reported that the Planning Commission has recently discussed the dramatic increase of new self-storage facilities that have been reviewed and approved by the city in recent years. The approvals range from brand new buildings to the renovation of existing office and warehouse buildings. Due to this increase, city staff recommended reviewing the City's regulatory options to possibly develop new standards and regulations for this use. The Planning Commission voted to recommend to the City Council the adoption of a six month moratorium on the review and approval of any new self-storage facilities in the City.

**(AGENDA ITEM #15F)** Request to approve a façade improvement grant to Stanley Upholstering, 25651 Coolidge, for 50% of the project costs not to exceed \$2,500.00. **(Removed from the agenda)**



**Recreation**

**CM-05-179-17 (AGENDA ITEM #15G) REQUEST TO INCREASE THE RECREATION SUMMER DAY CAMP AND LATCHKEY PARTICIPANT FEES FOR WEEKS STARTING JUNE 19, 2017 AND JUNE 26, 2017 - APPROVED**

Motion by Burns, seconded by Rich, CARRIED, to increase the Recreation Summer Day Camp and Latchkey weekly participant fees for weeks starting June 19, 2017 and June 26, 2017 as follows:

Summer Day Camp - one week resident	increase from \$95 to \$120
Summer Day Camp - one week non-resident	increase from \$95 to \$130
AM Latchkey - one week	increase from \$20 to \$30
PM Latchkey - one week	increase from \$25 to \$35

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

**MOTION DECLARED ADOPTED**

Recreation Director Stasiak reported that the Recreation Department is requesting a fee increase for Summer Day Camp and AM and PM Latchkey for the weeks of June 19, 2017 and June 26, 2017 in order to be consistent with the fee schedule proposed for the budget year of 2017-18. She indicated the increases will cover the cost for staff, supplies and field trips and will be in line with other programs.

**CALL TO THE AUDIENCE:**

There were no members of the audience wishing to speak.

**CALL TO THE COUNCIL:**

**Mayor McClellan** reported on the World Day of Dance event held on April 29<sup>th</sup> and expressed condolences regarding the loss of Oak Park resident Peter Cooper.

**Mayor Pro Tem Burns** encouraged everyone to dress appropriately due to the ever changing spring weather.

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

**Council Member Speech** congratulated students who will be graduating soon.

**Council Member Rich** wished everyone a good night.

**CLOSED SESSION:**

**CM-05-180-17 (AGENDA ITEM #18) MOTION TO CONVENE INTO A CLOSED SESSION TO DISCUSS ATTORNEY CLIENT PRIVILEGED COMMUNICATION AND PENDING LITIGATION REGARDING CITY OF HUNTINGTON WOODS, CITY OF PLEASANT RIDGE VS. CITY OF OAK PARK, 45TH DISTRICT COURT - APPROVED**

Motion by Radner, Seconded by Rich, CARRIED UNANIMOUSLY, to convene into a Closed Session to discuss Attorney Client Privileged Communication and Pending Litigation regarding City of Huntington Woods, City of Pleasant Ridge vs. City of Oak Park, 45th District Court.

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

**MOTION DECLARED ADOPTED**

The Closed Session began at 6:38 PM. The Regular Meeting reconvened at 8:15 PM.

**CM-05-181-17 CLOSED SESSION MINUTES - APPROVED**

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to approve the minutes of the 05-01-17 Closed Session.

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

**MOTION DECLARED ADOPTED**

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:16 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor