



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
October 2, 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 Speech,
Council Member Radner

ABSENT: Council Member Rich

OTHERS

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

APPROVAL OF AGENDA:

**CM-10-415-17 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-10-416-17 (AGENDA ITEM #5A-G) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of September 18, 2017 **CM-10-417-17**
- B. Arts and Cultural Diversity Commission Meeting Minutes of July 13, 2017 and August 10, 2017 **CM-10-418-17**
- C. Beautification Advisory Commission Meeting Minutes of June 20, 2017 **CM-10-419-17**
- D. Recycling and Environmental Commission Meeting Minutes of August 17, 2017 **CM-10-420-17**
- E. Zoning Board of Appeals Meeting Minutes of August 22, 2017 **CM-10-421-17**
- F. Payment of an invoice from French Associates for design work for Court Room 1 Renovation at the 45th District Court in the total amount of \$6,323.41 **CM-10-422-17**
- G. Licenses - New and Renewals as submitted for September 18, 2017 **CM-10-423-17**

**MERCHANT’S LICENSES – October 2, 2017
 (Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Stone for You	10700 Capital	\$150	Home Improvement
Midwest Recycling Services	10800 Capital	\$150	Transportation/Hauling
BSD Management	12750 Northend	\$225	Warehouse

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
American Data Security	13070 Northend	\$225	Data Security
National Time & Signal Corp	21800 Wyoming	\$150	Safety Systems

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

County Commissioner Helaine Zack presented information pertaining to Oakland County.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) City Manager Employee Recognition. City Manager Tungate presented an Employee Recognition Award to Cindy Victor from the Technical & Planning Department.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

**CM-10-424-17 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST –OAK PARK
 HIGHSCHOOL HOMECOMING PARADE – APPROVED**

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

Name	Event	Fee
Oak Park School District, 13900 Granzon St.	High School Homecoming Parade October 13, 2017 4:00 – 5:00 PM	App fee waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES:

CM-10-425-17 (AGENDA ITEM #13A) FIRST READING OF AN ORDINANCE TO AMEND ARTICLE III, NUISANCES, OF CHAPTER 38, ENVIRONMENT, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTIONS 38-96, 38-98 AND 38-100 - APPROVED

Motion by Speech, Seconded by Burns, CARRIED, to approve the first reading of the following ordinance:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE III, NUISANCES, OF CHAPTER 38, ENVIRONMENT, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTIONS 38-96, 38-98 AND 38-100 THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Sections 38-96, Cause of blight or blighting factors; 38-98, Notice to Remove; and 38-100, Abatement by city, of Article III, Nuisances, of Chapter 38, Environment, of the Code of Ordinances of the City of Oak Park are hereby amended to read as follows:

Sec. 38-96. - Cause of blight or blighting factors.

- (11) The existence of any personal property, garbage, yard debris or recyclables that have been placed upon any property outside of the collection schedule established by City Ordinance Section 62-33.
- (12) The existence of snow and ice on sidewalks in violation of City Ordinance Section 66-166.

Sec. 38-98. - Notice to remove.

- (a) Unless otherwise stated herein, the owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in this division are found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within five days after service of the notice upon him. If the blight is related to violations of the City snow removal or refuse collection ordinances, the owner shall only have 24 hours to abate the condition. Such notice shall be served as provided herein. As used in this division, the term "owner" shall mean the owner in whose name the property appears upon the local tax assessment records.

Sec. 38-100. - Abatement by city.

- (a) If the provisions of the notice to comply with the provisions of this division are not complied with after notice has been given in accordance with this division, the city manager or his or her designee shall cause the blighting factors to be removed and eliminated and the actual cost of such action, including charges incurred if the condition is removed by owner after the time for remediation has

elapsed, plus a 15 percent administrative fee for inspection and other additional cost in connection therewith, shall be collected as a special assessment against the premises as provided in section 12.14 of the City Charter.

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 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.

SECTION 4. 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
	No:	Radner
	Absent:	Rich

MOTION DECLARED ADOPTED

CM-10-426-17 (AGENDA ITEM #13B) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND SECTION 1302, APPROVAL PROCESS OF ARTICLE XIII, PMF PLANNED MULTIFAMILY DISTRICTS, APPENDIX A, ZONING OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Speech, Seconded by Burns, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Section 1302, Approval Process of Article XIII, PMF Planned Multifamily Districts, Appendix A, Zoning of the Code of Ordinances of the City of Oak Park, Michigan:

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 1302, APPROVAL PROCESS OF ARTICLE XIII, PMF PLANNED MULTIFAMILY DISTRICTS, 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 XIII, PMF Planned Multifamily Districts, Section 1302, C, Approval process, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

Sec. 1302. – Approval process.

C. *Standards for approval.* Based upon the following standards, the planning commission may recommend approval or denial, and the city council may approve or deny the proposed planned multiple-family district:

1. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare or convenience or any combination thereof, on present and potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation systems, surrounding properties or the environment.
2. The uses proposed shall be consistent with the land use plans adopted by the city.
3. The zoning is warranted by the design and amenities incorporated in the development proposal.
4. The city council may, if deemed appropriate, require for planned multiple-family districts more or less setbacks than that required by this Code.
5. The city council may, if deemed appropriate, require for planned multiple-family districts more or less usable open space than that required by this Code.
6. The city council may, if deemed appropriate, require for planned multiple-family districts more or less parking than that required by this Code.
7. The city council may, if deemed appropriate, require for planned multiple-family districts more or less screening and landscaping than that required by this Code.
8. Major natural, historical and architectural features of the district shall be preserved.

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, Speech, Radner
	No:	None
	Absent:	Rich

MOTION DECLARED ADOPTED

CM-10-427-17

(AGENDA ITEM #13C) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND ARTICLE VI, PROPERTY MAINTENANCE CODE, OF CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTION 18-231 - APPROVED

Motion by Speech, Seconded by Burns, CARRIED, to approve the second reading and adopt the following ordinance to amend Article VI, Property Maintenance Code, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park by amending section 18-231:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE VI, PROPERTY MAINTENANCE CODE, OF CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTION 18-231 THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 18-231, Adoption of property maintenance code by reference; amendments, of Article VI, Property Maintenance Code, 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. 18-231. Adoption of property maintenance code by reference; amendments.

- (a) There is hereby adopted that certain code known as the *International Property Maintenance Code*, 2015 Edition, as published by the International Code Council, as the property maintenance code of the city for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, set forth in this section.
- (b) The *International Property Maintenance Code*, adopted by the provisions of this article as the property maintenance code of the city, is hereby amended, changed and altered in the following respects:

Section 101.1. *Title:* These regulations shall be known as the Property Maintenance Code of the City of Oak Park, Michigan, hereafter referred to as "this code."

Section 102.3. *Application of Other Codes:* Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the following codes as currently adopted by the Michigan Department of Licensing and Regulatory Affairs: Michigan Building Code, International Fire Code, Michigan Plumbing Code, Michigan Mechanical Code, National Electric Code (with Part 8 State of Michigan Amendments), The International Fuel Gas Code, NFPA 25 (Standard), and ASTM F1346-91 (Standard).

Section 103.1. Code official: References to the “code official” shall be deemed to refer to the City of Oak Park Director of Technical and Planning Services, or his designee.

Section 103.2. Deleted.

Section 103.5. Fees: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be determined by resolution of the City Council from time to time adopted.

Section 106.4. Violation Penalties: Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$50.00 nor more than \$500.00 or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Section 107.3 Method of service: Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. A copy posted in a conspicuous place in or about the structure / property affected by such notice.

Section 110. Deleted. The provisions contained in Section 110, Demolition, of the Property Maintenance Code, shall be and hereby are deleted.

Section 111.2. Board of Appeals: The City of Oak Park Building Board of Appeals shall serve as the board of appeals required by this Property Maintenance Code. All references herein to the “Board of Appeals” or the “Board”, shall be deemed to refer to the Oak Park Building Board of Appeals.

Section 111.2.1. Deleted.

Section 112.4. Failure to Comply: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50.00 dollars or more than \$500.00 dollars.

Section 302.4. Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches (254mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 304.14. Insect screens: During the period from April 1 to December 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception. Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 308.3.1. *Garbage Facilities*: The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; or an approved leak-proof, covered, outside garbage container.

Section 602.3. *Heat Supply*: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 68° Fahrenheit (20° Celsius) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Michigan Plumbing Code.
2. In the areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

Section 602.4. *Occupiable Work Spaces*: Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 to maintain a temperature of not less than 65° Fahrenheit (18° Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.
- 3.

SECTION 2. *Savings Clause.*

Nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby amended, or under the former Property Maintenance Code of the City of Oak Park, which is being replaced by the 2015 *International Property Maintenance Code*, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 3. *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 4. 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
	No:	Radner
	Absent:	Rich

MOTION DECLARED ADOPTED

CM-10-428-17 (AGENDA ITEM #13D) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND SECTIONS 42-36, 42-37 AND 42-38 OF CHAPTER 42, FIRE PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCES, CITY OF OAK PARK, THEREBY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE AS THE FIRE PREVENTION CODE OF THE CITY - APPROVED

Motion by Speech, Seconded by Burns, CARRIED, to approve the second reading and adopt the following ordinance to amend Sections 42-36, 42-37 and 42-38 of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances, City of Oak Park, thereby adopting the 2015 Edition of the International Fire Code as the Fire Prevention Code of the City:

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

AN ORDINANCE TO AMEND SECTIONS 42-36, 42-37 and 42-38 OF CHAPTER 42, FIRE PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCES, CITY OF OAK PARK, THEREBY ADOPTING THE 2015 EDITION OF THE *INTERNATIONAL FIRE CODE* AS THE FIRE PREVENTION CODE OF THE CITY, FOR THE PURPOSE OF REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING, AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF OAK PARK AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, AND PROVIDING FOR APPEALS RELATING THERETO.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 42-36, Adoption by reference, of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances, City of Oak Park is hereby amended to read as follows:

Section 42-36. Adoption by reference.

The City of Oak Park hereby adopts by reference as the Fire Prevention Code for the City the 2015 Edition of the *International Fire Code*, including Appendix Chapters B, C, D and F only, as published and promulgated by the International Code Council, Inc., for the purpose of regulating and governing

the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Oak Park and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Fire Code*, 2015 edition, hereby referred to, are adopted and made a part hereof as if fully set out herein, with amendments and deletions as set forth in Section 42-37 of this Chapter.

SECTION 2. Section 42-37, Amendments; Deletions, of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 42-37. Amendments; Deletions

- (a) Amendments; Deletions. The Fire Prevention Code adopted by the provisions of this Article is hereby amended, changed and altered in the following respects:

Section 101.1.Title. is amended to read as follows:

These regulations shall be known as the Fire Code of the City of Oak Park, Michigan, hereinafter referred to as "this Code".

Section 108.1.Board of appeals established. is amended to read as follows:

The City of Oak Park Building Board of Appeals, created by Section 18-126 of the Code of Ordinances of the City of Oak Park, is hereby designated to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this Code. The Board may, as required, adopt rules or procedures for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the fire code official.

Section 109.4.Violation Penalties. is amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4. Failure to Comply. is amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be responsible for a violation of this Code and liable to pay a fine as provided by ordinance. Every day that work shall continue shall constitute a separate and additional offense.

- (b) Limits Established. The geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

Section 5806.2 - (geographic limits in which the storage of flammable cryogenic fluids in stationery containers is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 5704.2.9.6.1 - (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 5706.2.4.4 - (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 6104.2 - (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

SECTION 3. Section 42-38 of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

Section 42-38. Copy on File.

A complete copy of the *International Fire Code*, 2015 edition, as adopted herein, shall be kept in the office of the City Clerk, available for inspection by and distribution to the public at all times, in compliance with state law requiring that records of public bodies be made available to the general public.

SECTION 4. Savings Clause.

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance amended or repealed by this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 6. 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
 No: Radner
 Absent: Rich

MOTION DECLARED ADOPTED

CITY ATTORNEY: No report

CITY MANAGER:

Finance

CM-10-429-17 (AGENDA ITEM #15A) RESOLUTION AUTHORIZING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLLS, ASSESSING UNPAID CHARGES TOGETHER WITH A 10% PENALTY ON PRIVATE PROPERTY FOR DELINQUENT UTILITIES - \$32,666.86; FALSE ALARMS - \$1,595.00; MISCELLANEOUS CONCRETE REPLACEMENT - \$20,679.88; PROPERTY BLIGHT - \$9,556.12; SIDEWALK REPLACEMENT - \$293,316.60; AND WEED MOWING - \$12,693.52 - APPROVED

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City Assessor to prepare Special Assessment Rolls, assessing unpaid charges together with a 10% penalty on private property for Delinquent Utilities - \$32,666.86; False Alarms - \$1,595.00; Miscellaneous Concrete Replacement - \$20,679.88; Property Blight - \$9,556.12; Sidewalk Replacement - \$293,316.60; and Weed Mowing - \$12,693.52:

**PROPOSAL FOR
SPECIAL ASSESSMENT DISTRICTS**

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, in accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make Special Assessment Rolls for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment Districts therefore according to the benefits derived in the sum of \$370,507.98:

False Alarms	\$1,595.00
Miscellaneous Concrete Replacement	\$20,679.88
Property Blight	\$9,556.12
Sidewalk Replacement	\$293,316.60
Weed Mowing	\$12,693.52
Delinquent Utilities	\$32,666.86, and

THAT, Said Special Assessment Rolls shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

THAT, The Assessor, when s/he shall have completed the said assessment rolls, shall report the same to the Council in the manner provided by the City Charter.

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

MOTION DECLARED ADOPTED

CM-10-430-17 (AGENDA ITEM #15B) RESOLUTION RECEIVING SPECIAL ASSESSMENT ROLLS ESTABLISHING OCTOBER 16, 2017 AS THE DATE FOR THE PUBLIC HEARING ON THE ROLLS FOR UNPAID CHARGES FOR CITY EXPENSES INCURRED ON PRIVATE PREMISES FOR - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution receiving Special Assessment Rolls establishing April 19, 2017 as the date for the Public Hearing on the rolls for unpaid charges for city expenses incurred on private premises for Delinquent Utilities #664, False Alarms #665, Miscellaneous Concrete Replacement #666, Property Blight #667, Sidewalk Replacement #668, and Weed Mowing #669:

SPECIAL ASSESSMENT RESOLUTION

DISTRICT NO. 664, 665, 666, 667, 668 and 669

Meeting of the City Council held October 2, 2017, at 7:00 P.M.

The Assessor reported Special Assessment Rolls No. 664, 665, 666, 667, 668 and 669 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. 664, 665, 666, 667, 668 and 669 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 16th day of October, 2017 at 7:00 P.M. Eastern Standard Time, for the purpose of reviewing the assessment 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, Speech, Radner
 No: None
 Absent: Rich

MOTION DECLARED ADOPTED

Economic Development and Communications

**CM-10-431-17 (AGENDA ITEM #15C) FAÇADE IMPROVEMENT GRANT TO
 ERNIE’S MARKET, 8500 CAPITAL, FOR 50% OF THE PROJECT
 COSTS NOT TO EXCEED \$2,500.00 - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve a façade improvement grant to Ernie’s Market, 8500 Capital, for 50% of the project costs not to exceed \$2,500.00.

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

MOTION DECLARED ADOPTED

Community & Economic Development Director Marrone reviewed the application for a Façade Improvement Grant from Ernie’s Market, 8500 Capital. The project specifications have met city guidelines and improvements include replacing windows and the front door.

CALL TO THE AUDIENCE:

Teresa Gurney, 23111 Seneca, expressed concerns about the proposed Pocket Park to be located at Seneca and Sherman Streets.

Cheryl Bishoff, 23110 Seneca, expressed objections to the proposed changes to Nine Mile Road and concerns with problems related to the alley near her home.

CALL TO THE COUNCIL:

Mayor McClellan invited Economic Development Director Marrone to discuss the proposed re-design of Nine Mile Road.

Mayor Pro Tem Burns discussed upcoming events that will be taking place in Oak Park.

Council Member Radner wished everyone a good night.

Council Member Speech thanked everyone for attending the meeting and also thanked city staff for the work that is being done in the area of economic development. She also reminded everyone to refer to the quarterly city magazine for details about all the great things that are taking place in Oak Park.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:07 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor