



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL
December 4, 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 Radner, Council Member Burns,
Council Member Rich, Council Member Weiss

ABSENT: None

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris

APPROVAL OF AGENDA:

CM-12-487-17 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED – APPROVED

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

- Add Item #5I, resolution approving the inclusion of a loan program within the 457 retirement plans.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-12-488-17 (AGENDA ITEM #5A-I) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of November 20, 2017 **CM-12-489-17**
- B. Arts and Cultural Diversity Commission Meeting Minutes of September 14, 2017 and October 12, 2017 **CM-12-490-17**
- C. Zoning Board of Appeals Meeting Minutes of October 24, 2017 **CM-12-491-17**
- D. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for Traffic Signal Optimization and the Nine Mile TAP Grant Design in the total amount of \$22,513.74 **CM-12-492-17**

- E. Payment application No. 2 (FINAL) for the 2017 Fire Hydrant Blasting and Repainting Project, M-646 to Cross Renovation, Inc. of Garden City, MI. for the total amount of \$1,000.00 **CM-12-493-17**
- F. Public Safety Activity Summary Report for October 2017 **CM-12-494-17**
- G. Parks and Recreation Commission Meeting Minutes of November 15, 2017 **CM-12-495-17**
- H. Licenses - New and Renewals as submitted for December 4, 2017 **CM-12-496-17**

MERCHANT’S LICENSES – December 4, 2017
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Life Skills Residential LLC	25623 Lincoln Ter. 101	\$150	Professional Services

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
None			

- I. Resolution approving the inclusion of a loan program within the 457 retirement plans (**Added to the agenda**) **CM-12-497-17**

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

State Representative Robert Wittenberg congratulated the newly elected members of City Council and reported on activity pertaining to the State Legislature.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Public Safety Special Recognition

Public Safety Director Cooper presented Merit Citations to the following Public Safety Officers:

Ryan Beasley
Scott Turner
Matthew Theisen
Donald Hoffman

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Public Hearing to receive public comment on the allocation of the 2018 Community Development Block Grant Funds

Mayor McClellan opened the Public Hearing at 7:25 PM and it was immediately closed as there were no members of the public that wanted to speak.

CM-12-498-17 (AGENDA ITEM #8B) RESOLUTION APPROVING THE RECOMMENDED ALLOCATIONS OF THE 2018 COMMUNITY

**DEVELOPMENT BLOCK GRANT FUNDS AND AUTHORIZING
THE MAYOR TO SIGN THE SUB RECIPIENT AGREEMENT ON
BEHALF OF THE CITY - APPROVED**

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution approving the recommended allocations of the 2018 Community Development Block Grant Funds and to authorize the Mayor to sign the Sub recipient Agreement on behalf of the City:

**RESOLUTION APPROVING THE 2018
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

WHEREAS, Oakland County has requested CDBG eligible projects from participating communities for inclusion in the Action Plan; and

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 December 4, 2017 for the purposes of receiving comments regarding the proposed use of Program Year 2018 Community Development Block Grant funds in the approximate amount of \$112,915.00; 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:

Account Number	Project Name	Amount
172170-730310	Code Enforcement	\$82,915.00
172160-732170	Public Service/Yard Services	\$30,000.00

NOW THEREFORE, BE IT RESOLVED, that the City of Oak Park CDBG application is hereby authorized to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

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

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES:

CM-12-499-17 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF THE FOLLOWING ORDINANCE TO AMEND ARTICLE II, DEFINITIONS, SECTION 204, ARTICLE VIII, SECTION 802, SPECIAL LAND USES, AND ARTICLE XIX, SECTION 1919, SELF-STORAGE WAREHOUSE, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Article II, Definitions, Section 204, Article VIII, Section 802, Special Land Uses, and Article XIX, Section 1919, Self-Storage Warehouse, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE II, DEFINITIONS, SECTION 204, ARTICLE VIII, SECTION 802, SPECIAL LAND USES, AND ARTICLE XIX, SECTION 1919, SELF-STORAGE WAREHOUSE, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

Article II, Definitions, Article VIII, Section 802, Special Land Uses, Article XVII, Section 1725, Site Plan Review, and Article XIX, Section 1919, Self-storage Warehouse

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article II, Definitions, Section 204, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following:
Sec. 204. – Definitions N through S.

Self-storage Facilities - A building or group of buildings in a controlled access or fenced area that contains varying sizes of individual compartmentalized units which are accessed by separate exterior doorways for each unit, designed for the storage of property for individuals, organizations, and businesses.

SECTION 2. Article VIII, Section 802, Special Land Uses, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to delete the following provision and re-order the remaining provisions:

A. Wholesale, storage, self-storage and warehouse facilities, subject to the provisions in Section 1919.

SECTION 3. Article XIX, Section 1919, Self-storage Warehouse, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read:

Sec. 1919. - Self-storage Facilities.

Self-storage facilities may be permitted in certain districts as specified in the ordinance, subject to the following requirements:

- A. The owner and/or operator shall not permit any non-storage business activity to be conducted from individual storage units. The purpose of self-storage facilities shall be limited to storage of private property by individuals, individuals, organizations, and businesses.
- B. The minimum spacing between self-storage buildings shall be 30 feet where a one-way traffic pattern is used and 40 feet for two-way movement of customer vehicles.
- C. If an office and caretaker's quarters are proposed on-site, they shall occupy a single building.
- D. If the site of a self-storage facility directly abuts or lies across the street from a residential district, a masonry screen wall, obscuring fence and/or a landscaped greenbelt shall be provided, at the discretion of the city council. In deciding what type of screening to require, the council shall evaluate which would be most appropriate to the neighborhood area in question.
- E. Any proposed outdoor storage yard proposed in conjunction with a self-storage facility shall be screened on all sides by a six-foot high masonry wall of face brick, six-foot high simulated brick pattern poured concrete wall, or a six-foot high treated-wood or vinyl obscuring fence. The plan shall detail the location, height and type of wall/fence proposed.
- F. No individual self-storage unit shall have an interior width greater than ten-feet and there shall be no electrical service to individual units that could be used by customers.
- G. There shall be no storage of hazardous, flammable, explosive, or toxic materials in any storage units at any time.
- H. Any proposed outdoor storage yard proposed in conjunction with a self-storage facility shall be utilized only for recreation vehicles, private automobiles, and customarily manufactured non-commercial vehicles. The intent of this subsection is to prevent use of these facilities for contractor's storage yards, heavy equipment etc.
- I. Box trucks for use by lessees or rental by the general public, subject to the following:
 - a. The self-storage facility may store on the premises not more than two (2) box trucks for moving/transportation of personal property to and from the self-storage facility by lessees of the self-storage facility units.
 - b. The public self-storage facility may have up to six (6) box trucks available for rent by the general public, provided that trucks requiring a commercial driver's license to operate shall be prohibited.
 - c. Box trucks shall be parked behind the front building line of the self-storage facility. The box trucks shall not be parked or otherwise situated upon the property of the public self-storage facility in such a manner that the box trucks serve as signs or advertisements of any kind.
- J. All vehicular use and outdoor storage areas shall be paved with asphalt or concrete.
- K. The minimum lot size for self-storage facilities shall be five (5) acres.

SECTION 4. 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 5. 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 6. 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, Radner, Burns, Rich, Weiss
 No: None
 Absent: None

MOTION DECLARED ADOPTED

**CM-12-500-17 (AGENDA ITEM #13B) SECOND READING AND ADOPTION OF
THE FOLLOWING ORDINANCE TO AMEND ARTICLE XVII,
GENERAL PROVISIONS, SECTION 1725 SITE PLAN REVIEW,
APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF
THE CITY OF OAK PARK, MICHIGAN - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Article XVII, General Provisions, Section 1725 Site Plan Review, Appendix A, Zoning, Of the Code of Ordinances of the City of Oak Park, Michigan:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE TO AMEND ARTICLE XVII, GENERAL PROVISIONS, SECTION 1725 SITE PLAN REVIEW, 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 XVII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Section 1725, with the following:

Sec. 1725. - Site plan review.

This section sets forth the requirements for the site plan review process in the City of Oak Park.

- A. *Development requiring submittal of a site plan.* A site plan shall be submitted in accordance with the procedures in this section for any of the following activities, uses or development except single-family and two-family dwellings.
 - 1. All new construction, structural alteration, or substantial change in use, as determined by the department of economic development and communications, for all permitted uses in all zoning districts, except single-family and two-family dwellings.

2. All special land uses in every district.
 3. Any use that requires a new, modified, or expanded parking lot.
 4. The improvement, expansion, extension, or abandonment of any public or private overhead or underground utility or utility lines or easement.
- B. *Site plan review process.* A site plan submitted to the City of Oak Park for site plan review must contain all of the information set forth in the site plan data checklist included in subsection E and F below. Deadlines for submittals are established by administrative policy.

1. Administrative Review Process

Development requiring administrative site plan review only.

Site plans for the following do not require approval of the city planning commission:

- a. New uses, changes in use, construction of additions to existing permitted uses, and alterations to existing construction, where the new building, addition or area affected by the changes in use or alterations is 2,000 square feet or less in gross floor area.
 - b. Minor changes to approved site plans and minor changes in indoor and outdoor use(s) where, in the opinion of the director of the department of technical and planning services, the proposed change(s) do not warrant planning commission review and approval.
 - c. Initiating the process. To initiate the site plan review process, the applicant must submit the following information to the department of economic development and communications:
 - i. 18 copies (please fold) of the site plan.
 - ii. The site plan application form.
 - iii. Payment of all applicable fees.
 - d. Application packets will be distributed by the department of economic development and communications to other appropriate departments for review and approval as required by this ordinance.
 - e. Applications will be distributed and reviewed by the department of economic development and communications and other appropriate city departments for compliance with applicable city ordinances and regulations. After review of the application, and receipt of comments from other city departments, the department of economic development and communications will issue an approval, approval with conditions, or denial. Applications receiving an approval with conditions or denial must be revised and resubmitted to the department of economic development and communications. Approval by the department of economic development and communications under this section will constitute administrative site plan approval.
2. Developments requiring planning commission site plan review.
- a. Initiating the process. To initiate the site plan review process, the applicant must submit the following information to the department of economic development and communications:
 - i. 18 copies (please fold) of the site plan.

- ii. The site plan application form.
 - iii. Payment of all applicable fees.
- b. Applications will be reviewed by the department of economic development and communications and other appropriate departments for compliance with applicable city ordinances and regulations. If the department of economic development and communications, or other department finds that it cannot recommend approval or conditional approval because the application is incomplete or does not meet applicable ordinances and regulations, the applicant will be notified by letter of the deficiencies in the application. The applicant may thereupon submit additional information or a revised application, as necessary.
 - c. When the application has received a recommendation for approval or conditional approval from the department of economic development and communications, the application will be placed on the agenda of a meeting of the planning commission. The applicant will be notified of the date, time and place of the meeting at which the planning commission will consider the application.
 - d. At the scheduled meeting, the planning commission will consider all review letters and reports from the applicable city department, together with such statements, evidence or argument as the applicant may present concerning the application.
 - e. The planning commission may issue an approval, conditional approval, or deny approval, of the site plan.
 - f. The applicant or a representative should attend all meetings at which their development is scheduled for discussion or action. Failure to appear at the meeting may cause the item to be tabled to the next meeting. The planning commission may take action on a scheduled agenda item regardless of the attendance of the applicant or a representative.
- C. *Site plan review criteria.* In reviewing site plans, city departments and the planning commission shall consider and endeavor to assure the following:
- 1. The location of development features, including principal buildings, and open spaces, and the location, design, width, and adequacy of curb cuts, parking areas, driveways, and sidewalks within the site and their relationship to nearby connecting streets and sidewalks providing access to and egress from the site, are such as to minimize possible adverse effects on adjacent properties and so as to relate properly to pedestrian vehicular traffic safety.
 - 2. On-site circulation of both vehicular and pedestrian traffic will achieve both safety and convenience of persons and vehicles using or visiting the site.
 - 3. Landscaping, earth berms, fencing, signs, and obscuring walls are of such a design and location that the proposed development is aesthetically pleasing and is harmonious with nearby existing or proposed developments.
 - 4. Utility service, including proposed water, sanitary sewer and stormwater runoff systems are sufficient to fulfill the projected needs of the development and the recommendation of the city engineer and director of public safety. Approval by a state or county department having jurisdiction, such as the department of health, drain commission or road commission, may also be a prerequisite to approval.

5. Notwithstanding any other provisions of this ordinance, the city may require as a condition of site plan approval, landscaping, berming, fencing, construction of walls, marginal access drives or other appurtenances as necessary or desirable to promote the health, safety, and welfare of the community, to provide adequate protection to surrounding properties, to preserve and promote the character of the district and the intent of this chapter, and to achieve a lasting and desirable improvement to the community.
- D. *Expiration of site plan approval.* The approval of any site plan under the provisions of this ordinance shall expire and be considered revoked one year after the date of such approval unless actual construction has commenced in accordance with the issuance of a valid building permit.
- E. *Site plan application checklist.*
1. Applicant's name, address and phone number.
 2. Name of proposed development.
 3. Common description of property and complete legal description.
 4. Land acreage and frontage on public roads or rights-of-way.
 5. Existing zoning of subject and adjacent properties.
 6. Detailed description of the proposed use of the land.
 7. Name, address, and phone number of:
 - a. Firm or individual who prepared site plan.
 - b. Legal owner of property.
 8. Signature of applicant and legal owner of property, if not the applicant.
- F. *Site plan data required.*
1. Name of development and title block.
 2. Location map at a scale of one inch equals 2,000 feet, showing site location, major roads, and railroads.
 3. A scale of not less than one inch equals 50 feet if the subject property is less than three acres, and one inch equals 100 feet if there are three acres or more.
 4. Date, north point, and scale (graphic and written).
 5. Seal of registered architect, landscape architect, land surveyor, or civil engineer who prepared the plan. In cases of minor structural alterations where professional services are not required, or for changes in the use of existing buildings, the department of economic development and communications may waive this requirement.
 6. Property identification number(s) and the dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 7. Location of all existing and proposed structures, uses, number of stories, gross building area, setback lines, distances between structures, and location of loading areas on the subject property.
 8. Location of all existing structures within 100 feet of the subject property lines.
 9. All existing and proposed aisles, drives, pedestrian paths, roadways, parking areas and number of parking spaces on the subject property. Interior walks and pedestrian or bicycle paths within right-of-way.

10. All existing and proposed roadways, drives, parking areas, and pedestrian paths within 100 feet of the subject property.
11. Location and height of all walls, fences, and screen planting, including a plan for landscaping of the development and the method by which landscaping is to be maintained.
12. Location and widths of all abutting streets, existing and proposed rights-of-way, easements, and pavements.
13. Types of existing and proposed surfacing, such as asphalt or concrete paving.
14. Types of facing materials to be used on structures.
15. Elevations (front, sides, and rear views) of all sides of the building(s).
16. A floor plan drawing showing the specific use areas of all existing and proposed building on-site.
17. Density calculations (for multiple family projects).
18. Principal and accessory buildings.
19. Exterior lighting locations, type of fixtures, and methods of shielding from projecting onto adjoining properties.
20. Trash receptacle and transformer locations and method of screening.
21. Drive or street approaches including acceleration, deceleration and passing lanes, where appropriate.
22. All utilities located on or serving the site, including sizes of water and sewer lines.
23. Loading and unloading areas.
24. Estimated number of full-time and part-time employees.
25. Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimensions, noise, vibration, and emission levels, and other data of all such equipment or machinery.
26. General location type, and size of proposed signs for all buildings and uses on site.
27. Such other reasonable and relevant information as may be required by the city to assist in the review of the proposed development.
28. Proposed fire lanes and fire lane signs.
29. Proposed traffic circulation pattern and proposed signs and specifications for control of traffic.
30. Measures to be taken to protect existing on-site trees not proposed for removal as part of the development.
31. Landscape plan showing species, spacing, and size of each tree and plant material and ground cover and including required irrigation method.
32. Final site plan approval may be conditioned on approvals being obtained from outside agencies.
33. Site engineering plans prepared by a registered civil engineer. Submission of final engineering plans may be a condition of site plan approval. Plans shall include the following:
 - (a) A proposed grading and drainage plan. The plan should show proposed finished floor elevations, finished grades at structures, proposed storm collection system, storm outlet(s), ultimate downstream outlet, and, when required, retention/detention basin design calculations. Any areas of filled or reclaimed land shall be identified and all

development shall detain stormwater so that the runoff from the property does not negatively impact upon adjacent properties or public and private rights-of-way. Compliance with engineering standards shall be determined by the city engineer. The planning commission shall require compliance with engineering standards, subject to the city engineer's final approval, as a condition of site plan approval.

- (b) All utilities located on or serving the site, including sizes of water and sewer lines, proposed hydrants, proposed meter size, and proposed fire suppression line into building. Proposed sanitary leads, proposed sanitary sewers or on-site disposal systems must also be shown, as applicable.
- (c) Proposed streets and drives showing types of surfacing, whether public or private, and grade elevations.
- (d) If connected to a city water system, show existing invert elevation or lateral at proposed tap manhole and approximate invert; otherwise, Location of existing or proposed well.
- (e) If connected to a city sanitary system, show existing invert elevation or lateral at proposed tap man-hole and approximate invert
- (f) Preliminary storm system layout and flow arrows demonstrating that storm flow connections and disposal methods are feasible.
- (g) Typical cross-sections for streets, roads, alleys, parking lots, etc., as applicable.
- (h) Existing and proposed ground contours at intervals of one foot.

G. *Fees.* Any application for site plan approval shall be accompanied by a fee as determined from time to time by resolution of the city council. Such fee may be utilized by the city to determine if the development will conform to the applicable city ordinances, policies, and standards, and for investigation and report of any objectionable elements.

H. *Performance guarantees.* To insure compliance with the provisions of this ordinance and any conditions imposed by the planning commission, the department of technical and planning services may require that a performance guarantee be deposited with the city to insure the faithful completion of improvements, in accordance with Section 505 (1) of the Michigan Zoning Enabling Act of 2006, Public Act 110 of 2006, as amended. Improvements for which the city may require a performance guarantee include, but are not limited to, landscaping, berms, screen walls, lighting, surfacing of drives, parking areas, and acceleration/deceleration lanes, traffic control devices, sewer or water line improvements, and storm water management systems.

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, Radner, Burns, Rich, Weiss
 No: None
 Absent: None

MOTION DECLARED ADOPTED

CITY ATTORNEY:

**CM-12-501-17 (AGENDA ITEM #14A) RESOLUTION APPROVING A METRO
ACT PERMIT FOR 123NET, INC. - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolution approving a Metro Act Permit application submitted by 123Net, Inc.:

CITY OF OAK PARK

RESOLUTION APPROVING 123 NET INC.
APPLICATION FOR METRO ACT PERMIT

WHEREAS, the City of Oak Park has received a request from 123 Net, Inc. for a METRO Act Right-of-Way Telecommunications Permit for a term of five years; and

WHEREAS, 123 Net, Inc. has submitted an Application for the permit, which complies with the requirements of the Act; and

WHEREAS, the City is aware of no reason to deny the permit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Oak Park, Oakland County, Michigan, that:

1. The request by 123 Net, Inc. for the City to grant a five year METRO Act Permit is hereby approved.
2. The Mayor, City Manager, and City Clerk are authorized and directed to execute the METRO Act Right-of-Way Permit, in substantially the form attached hereto.
3. All resolutions inconsistent with this Resolution be and hereby are rescinded to the extent of such inconsistency.

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

MOTION DECLARED ADOPTED

CITY MANAGER:

Department of Public Works

CM-12-502-17 (AGENDA ITEM #15A) REQUEST TO APPROVE MAINTENANCE AND OPERATION AGREEMENT 17-5505 WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR A GATEWAY SIGN, ORNAMENTAL PEDESTRIAN FENCING AND DECORATIVE STREET LIGHTING TO BE INSTALLED AS A PART OF THE 2017 I-696 AT COOLIDGE HIGHWAY BRIDGE ENHANCEMENT PROJECT, M-670 AND TO AUTHORIZE THE CITY MANAGER AND CITY CLERK TO SIGN THE CONTRACT ON BEHALF OF THE CITY - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve Maintenance and Operation agreement 17-5505 with the Michigan Department of Transportation for a gateway sign, ornamental pedestrian fencing and decorative street lighting to be installed as a part of the 2017 I-696 at Coolidge Highway Bridge Enhancement Project, M-670 and to authorize the City Manager and City Clerk to sign the contract on behalf of the City.

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee indicated the Engineering Division is requesting approval and adoption of a resolution certifying rights and obligations regarding the performance, maintenance, and operation of Gateway signage, ornamental pedestrian fencing, and decorative street lighting installation work. Upon completion of construction, the City will, at its sole cost and expense, inspect, maintain and operate the facilities constructed. There is \$350,000 budgeted in the FY 2017-18 budget for the project.

CALL TO THE AUDIENCE:

Members of the South Oakland Helping Hands 4-H Club presented information about their service organization.

CALL TO THE COUNCIL:

Mayor McClellan reported on her trip to a conference in Charlotte, North Carolina that focused on best practices for city government. She also reviewed recent library events and thanked the Department of Public Works for putting up the wonderful holiday lights.

Mayor Pro Tem Radner wished everyone a good evening.

Council Member Burns reminded everyone to pay attention to the weather and wished everyone a good night.

Council Member Weiss reminded everyone to complete the Recreation Department Five Year Recreation Plan Survey that can be found online and also encouraged East Oak Park Block Club members to attend their upcoming holiday party.

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