



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL
June 4, 2018
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, City Attorney Duff

APPROVAL OF AGENDA:

CM-06-213-18 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED – APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the agenda with the following changes:

- Addition of Item #7, Presentation regarding Redevelopment Ready Communities
- Addition of Item #15E, Resolution scheduling Town Hall meetings

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-06-214-18 (AGENDA ITEM #5A-E) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of May 16, 2018 **CM-06-215-18**
- B. Request to cancel the regularly scheduled Planning Commission meeting of June 11, 2018 **CM-06-216-18**
- C. Request to advertise for bids for the 2018 Sidewalk Repair Program, M-676 **CM-06-217-18**
- D. Payment Application No. 2 (FINAL) for the 2015 Commercial Sidewalk Replacement Program, M-594 to Italia Construction, Inc. for the total amount of \$5,000.00 **CM-06-218-18**
- E. Licenses - New and Renewals as submitted for June 4, 2018 **CM-06-219-18**

MERCHANT’S LICENSES – JUNE 4, 2018
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Caribbean Financial Network	13650 Eight Mile	\$450	
Bordrin Motor Corporation	14925 Eleven Mile	Waived	Design & Development
Bouncing All Around Inc	15391 Eleven Mile	\$150	Party Rentals
Life Skills Village	25900 Greenfield #100	\$225	Medical Office
Themes of Harmony Counseling	25900 Greenfield #320	\$450	Counseling
Success In Progress	25900 Greenfield #360	\$150	Consulting
Performance 80 Training LLC	13321 Northend	\$150	Fitness Studio
Caribbean Financial Network	13650 Eight Mile	\$450	

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Closeouts RR Us Inc	13240 Capital B	\$150	Wholesale
Ross Special Services	13380 Capital	\$225	Wholesale Auto Dealer
Salon Essence Inc	21751 Coolidge	\$225	Salon
Professional Beauty Center	23150 Coolidge	\$225	Salon
Tradefirst.com	23200 Coolidge	\$150	Barter Exchange
Orthopedic Medical Building	12990 Eight Mile	\$225	Medical Office
Oak Park Donuts	25170 Greenfield	\$225	Bakery
Kravings	25270 Greenfield	\$225	Restaurant
Four Sisters Fashions	26068 Greenfield	\$225	Retail
White Castle	26500 Greenfield	\$225	Restaurant
AA1 Appliances	10400 Nine Mile	\$150	Retail
My Place Center for Wellness	12718 Nine Mile	\$150	Non-Profit
Hair Unique	8138 Nine Mile	\$150	Salon

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7) (Added to the agenda) Mayor McClellan announced that the Michigan Economic Development Corporation has recognized Oak Park as a Redevelopment Ready Community.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-06-220-18 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – PARK ST. BLOCK PARTY – APPROVED

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

Name	Event	Fee
Denielle Hakins-Payton 15130 Park St.	Park St. Block Party June 30, 2018 4 p.m. – 9 p.m.	Application fee waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES:

**CM-06-221-18 (AGENDA ITEM #13A) FIRST READING OF AN ORDINANCE
 TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF
 ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY
 AMENDING SECTION 82-313 THEREOF - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve the first reading of the following ordinance to amend Chapter 82, Utilities, of the Code of Ordinances of the City of Oak Park, Michigan, by amending Section 82-313 thereof:

CITY OF OAK PARK, MICHIGAN

**AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 82-313 THEREOF.
THE CITY OF OAK PARK ORDAINS:**

SECTION 1. Section 82.313 of Chapter 82, Utilities, of Article V. Rates and Charges, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 82-313. - Determination.

- (a) *Generally.* The rates and charges to be imposed for the consumption and use of water and sewer services furnished by the city shall be determined by ordinance by the city council from time to time and kept on file in the office of the city clerk.
- (b) *Enumeration.* The rates and charges for consumption and use of water and sewer services are as follows:
 - (1) *Water rates.* Effective on all bills rendered on or after July 1, 2018, the rates to be charged for water service shall be as follows:
 - a. Forty One dollars and seventy cents (\$41.70) per thousand cubic feet.
 - b. Quarterly meter service and maintenance charges, in addition to subsection (b)(1) of this section as follows:

5/8 -inch meter	\$4.75
¾-inch meter	\$5.03
1-inch meter	\$5.42
1½-inch meter	\$8.05
2-inch meter	\$9.14
3-inch meter	\$63.80
4-inch meter	\$69.57
6-inch meter	\$79.40

Minimum quarterly charge (includes water and meter service charge for a 5/8 -inch meter service) \$25.60

- c. The minimum quarterly (three-month) water charge to each premises connected with the water supply system shall be the sum of \$25.60, provided that if there were two or more premises using the city water supply and such premises use one meter, the minimum consumption charge herein specified shall apply to each such premises and to the owner or tenant of each such premises, as applicable.

(2) *Sewage disposal rates.* The rates to be charged for sewage disposal services shall be as set forth below, and all bills for service rendered on or after the dates set forth shall be computed at such rates:

- a. *Basic sewage disposal rate; minimum quarterly charge.* Commencing July 1, 2018, the basic sewage disposal rate shall be \$95.80 per 1,000 cubic feet of water consumed. The minimum quarterly sewage disposal charge to each sewage disposal services customer shall be \$47.90, provided that if there are two or more premises using the city water supply and such premises use one meter, the minimum consumption charge herein specified shall apply to each such premises and to the owner or tenant of each such premises, as applicable.
- b. *High-strength surcharge.* Effective with all bills rendered on or after August 1, 2018, for flows beginning on or after July 1, 2018, a high-strength surcharge shall be levied against commercial and industrial customers, other than restaurants, contributing sewage to the sewage disposal system with concentrations of pollutants exceeding the following levels:
1. 275 milligrams per liter (mg/l) of biochemical oxygen demand (BOD);
 2. 350 milligrams per liter (mg/l) of total suspended solids (TSS);
 3. 12 milligrams per liter (mg/l) of phosphorus (P);
 4. 100 milligrams per liter (mg/l) of fats, oils, and grease (fog).

The high strength surcharge will be imposed at the following rates:

Pollutant	Charge per pound of excess pollutant
Biochemical oxygen demand (BOD)	\$0.486
Total suspended solids (TSS)	0.493
Phosphorus (P)	7.266
Fats, oils and grease	0.468

- c. *Industrial waste control charge.* Effective with all bills rendered on or after August 1, 2018, for flows beginning on or after July 1, 2018, an industrial waste control

charge shall be levied against non-residential customers in an amount determined by the size of the water meter or meters serving such customers as set forth below:

Water Meter Size (inches)	Monthly Charge
5/8 -inch meter	\$9.04
3/4-inch meter	13.56
1-inch meter	22.60
1½-inch meter	49.72
2-inch meter	72.32
3-inch meter	131.08
4-inch meter	180.80
6-inch meter	271.20

No such surcharge shall be levied on the basis of any meter which serves exclusively residential users, including all structures designed for habitation including, but not limited to, single-family or two-family dwellings, apartment buildings, condominiums, townhouses, and mobile homes, nor shall such surcharge be levied on the basis of any meter used exclusively for fire protection purposes.

- (3) *Collection policy.* Charges for water, sewer and garbage and rubbish service furnished by the city to any premises shall be a lien thereon, and on March 1 and on September 1 of each year, the person or agency charged with the management of the systems shall certify any such charges which have been delinquent six months or more, to the city assessor who shall enter the same upon the next available tax roll against the premises to which such services shall have been rendered, together with a penalty of an additional ten percent. The charges shall be collected and the lien shall be enforced in the same manner as provided in the respect to taxes assessed upon such roll; provided, that no such charge shall become a lien when a tenant is responsible for the payment of any such charge against any premises and the city has been so notified by the filing of an affidavit that the lease contains a provision that the landlord shall not be liable for payment of water or sewage system bills accruing subsequent to the filing of the affidavit. The affidavit shall be filed with the official in charge of the water works system and 20 days' notice shall be given by the landlord of any cancellation, change in, or termination of the lease. The affidavit shall contain a notation of the expiration date of the lease. In the event of the filing of such affidavit, no further service shall be rendered by the systems to such premises until payment to the city of a cash deposit in accordance with section 82-316.
- (4) *Services outside the city.* Water service provided outside the corporate limits of the city shall be provided by contract only with approval of the city council, and in no event shall the rates and charges for such service be less than the rates charged to customers residing within the corporate limits of the city.

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 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 the Ordinance or the Code of Ordinances, 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, Radner, Burns, Rich, Weiss
 No: None
 Absent: None

MOTION DECLARED ADOPTED

**CM-06-222-18 (AGENDA ITEM #13B) FIRST READING OF AN ORDINANCE
 TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF
 ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY
 AMENDING SECTION 82-313 THEREOF - APPROVED**

Motion by Burns, seconded by Rich, CARRIED UNANIMOUSLY, to approve the first reading of the following ordinance to amend Chapter 82, Utilities, of the Code of Ordinances of the City of Oak Park, Michigan, by amending Section 82-313 thereof:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 62, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 62-92 THEREOF

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 62-92, Monthly charge, of Chapter 62, Solid Waste, of Article III, Rates and Charges, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

ARTICLE III. FEES AND CHARGES

Sec. 62-92. Monthly Charge.

Effective as of July 1, 2018 the monthly charge for each property, including each single-family residence; each unit in a multifamily residence, apartment building or complex, condominium, townhouse or cooperative; and each commercial, industrial or business establishment receiving garbage and rubbish collection services from the city under section 62-91 shall be charged \$12.91 per month, or \$38.72 per quarter.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER:

Department of Public Works

CM-06-223-18 (AGENDA ITEM #15A) CHANGE ORDER NO. 1 IN THE AMOUNT OF \$76,182.76 AND PAYMENT APPLICATION NO. 2 IN THE AMOUNT OF \$125,278.88 TO MATTIOLI CEMENT COMPANY, LLC FOR THE 2017-2018 MISCELLANEOUS CONCRETE REPAIR PROJECT, M-672 – APPROVED

Motion by Radner, Seconded by Rich, CARRIED UNANIMOUSLY, to approve Change Order No. 1 in the amount of \$76,182.76 and Payment Application No. 2 in the amount of \$125,278.88 to Mattioli Cement Company, LLC for the 2017-2018 Miscellaneous Concrete Repair Project, M-672.

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee summarized proposed Change Order No. 1 and Payment Application No. 2 for the 2017-2018 Miscellaneous Concrete Repair Project, M-672. He indicated the change order is an increase due to the additional replacement of drive approaches and sidewalks for which the City will be reimbursed; road, alley and sidewalk ramp restoration from telecom installations for which the City will be reimbursed; and road restoration from sewer lateral repairs performed by private contractors. This project is currently 98% complete and funding is available in the Water & Sewer and Local Street Funds.

CM-06-224-18 (AGENDA ITEM #15B) PROPOSAL FROM OHM ADVISORS TO PROVIDE ASSISTANCE IN THE GREAT LAKES WATER AUTHORITY (GLWA) WATER CONTRACT NEGOTIATIONS AND WATER SYSTEM MODELING OPERATIONS TO OPTIMIZE THE CITY'S WATER STORAGE UTILIZATION - APPROVED

Motion by Burns seconded by Weiss, CARRIED UNANIMOUSLY, to approve the proposal from OHM Advisors to provide assistance in the Great Lakes Water Authority

(GLWA) water contract negotiations and water system modeling operations to optimize the city's water storage utilization.

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

MOTION DECLARED ADOPTED

Mr. Yee reviewed the proposal from OHM Advisors to provide assistance in our Great Lakes Water Authority water contract negotiations and water system modeling operations to optimize water storage utilization.

Economic Development and Communications

**CM-06-225-18 (AGENDA ITEM #15C) RESOLUTION APPROVING THE
PURCHASE OF TAX FORECLOSED PROPERTIES - APPROVED**

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolution approving the purchase of tax foreclosed properties:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION APPROVING PURCHASE OF TAX FORECLOSED PROPERTIES

WHEREAS, the General Property Tax Act at MCL 211.78M, as amended, (the "Act") authorizes the City of Oak Park ("City") to purchase properties located within the City that were tax foreclosed by the Oakland County Circuit Court on February 14, 2018, and by the County Treasurer under Public Act 123 of 1999, as amended, subject to the provisions of the Act; and

WHEREAS, the Oak Park City Council has determined that it is in the best interest of the City to exercise its option to purchase the foreclosed properties identified on the Attached Addendum "Oak Park Tax Sale 2018"; and

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to purchase the referenced properties for the minimum bid amount for the public purpose of renovating and selling them primarily for owner occupancy in order to maintain and stabilize neighborhoods and commercial properties within the community.

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

1. Pursuant to the Act, the City hereby approves the purchase of the properties identified on the Attached Addendum "Oak Park Tax Sale 2018" for the not to exceed purchase price of \$142,282.86.
2. The Economic Development Director is hereby directed to file a copy of this resolution with the Oakland County Treasurer no later than Tuesday, June 5, 2018.
3. Any and all Resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

OAKLAND COUNTY TAX FORECLOSURE LIST
 RIGHT OF FIRST REFUSAL 2018

Sale #	CVT	Parcel ID	Property Street	Assessed	Forfeited Amt	Price
171	52	25-29-102-087	12820 DARTMOUTH AVE	53,300	6,347.63	9,639.47
172	52	25-29-159-016	24071 EASTWOOD AVE	39,200	7,267.48	11,403.51
173	52	25-29-302-015	13311 OAK PARK BLVD	37,800	9,739.28	13,099.14
174	52	25-29-430-017	23450 ONEIDA AVE	41,100	9,180.96	11,637.96
175	52	25-29-453-009	23120 RENSSELAER ST	40,900	8,613.83	11,166.60
176	52	25-29-478-029	23091 ITHACA ST	62,700	1,535.64	1,535.64
177	52	25-30-130-001	15031 SUTHERLAND ST	67,000	14,870.28	19,027.98
178	52	25-30-402-011	23530 CHURCH ST	50,800	7,556.24	12,694.74
179	52	25-30-451-043	14300 W 9 MILE RD # -14340	56,400	7,716.92	7,775.47
180	52	25-31-204-002	22190 CLOVERLAWN ST	40,200	3,995.93	4,058.15
181	52	25-31-277-008	13831 PEARSON ST	39,300	8,676.42	11,712.96
182	52	25-31-426-002	21460 PARKLAWN ST	26,800	3,094.44	3,405.35
183	52	25-31-429-007	21390 RIDGEDALE ST	29,700	6,099.42	6,167.40
184	52	25-32-131-026	21921 SLOMAN AVE	17,500	3,027.53	4,621.26
185	52	25-32-203-007	CORNING ST	15,200	5,103.91	6,598.57
186	52	25-32-203-008	CORNING ST	14,300	6,306.28	7,738.66

\$ 142,282.86

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

MOTION DECLARED ADOPTED

**CM-06-226-18 (AGENDA ITEM #15D) RESOLUTION APPROVING THE SALE
 OF TAX FORECLOSED PROPERTIES - APPROVED**

Motion by Weiss, seconded by Radner, CARRIED UNANIMOUSLY, to adopt the following resolution approving the sale of tax foreclosed properties:

CITY OF OAK PARK
 OAKLAND COUNTY, MICHIGAN

RESOLUTION APPROVING SALE OF TAX FORECLOSED PROPERTIES

WHEREAS, the General Property Tax Act at MCL 211.78M, as amended, (the “Act”) authorizes the City of Oak Park (“City”) to purchase properties located within the City that were tax foreclosed by the Oakland County Circuit Court on February 14, 2018, and by the County Treasurer under Public Act 123 of 1999, as amended, subject to the provisions of the Act; and

WHEREAS, on June 4, 2018, the Oak Park City Council resolved to purchase the foreclosed properties identified on the Attached Addendum “Oak Park Tax Sale 2018”; and

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to sell the referenced properties to a company that can rehabilitate, reconstruct and manage the properties for the public purpose of renovating and selling them primarily for owner occupancy in order to maintain and stabilize neighborhoods and commercial properties within the community.

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

1. The City Manager is hereby authorized to negotiate the sale of the properties identified on the Attached Addendum “Oak Park Tax Sale 2018” for an amount not less than the purchase price of \$142,282.86 to include all terms stated in the Purchase Agreement.
2. The Economic Development Director is hereby directed to file a copy of this Resolution with the Oakland County Treasurer no later than Tuesday, June 5, 2018.
3. Any and all Resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

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

MOTION DECLARED ADOPTED

CM-06-227-18 (AGENDA ITEM #15E) (Added to the agenda) RESOLUTION SCHEDULING TOWN HALL MEETINGS

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolution scheduling Town Hall meetings:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION SCHEDULING TOWN HALL MEETINGS TO PROVIDE INFORMATION REGARDING OAK PARK PUBLIC SAFETY MILLAGE RENEWALS INCLUDED ON THE AUGUST 7, 2018 PRIMARY ELECTION BALLOT

BE IT RESOLVED, by the City Council of the City of Oak Park, Michigan that Town Hall meetings to provide information regarding Oak Park Public Safety millage renewals included on the August 7, 2018 Primary Ballot shall be scheduled for the following dates and times:

Thursday, June 28, 2018 at 6:00 p.m.
Monday, July 10, 2018 at 1:00 p.m.
Wednesday, August 1, 2018 at 6:00 p.m.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Joyce Bannon, 10611 Troy, asked when the new water and sewer rates would take effect.
(July 1, 2018).

CALL TO THE COUNCIL:

Mayor McClellan shared her support for gun violence awareness.

Mayor Pro Tem Radner wished everyone a good night.

Council Member Burns encouraged everyone to enjoy the nice weather and to be aware of children playing in the neighborhoods.

Council Member Weiss also offered her support for gun violence awareness and announced upcoming City events.

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 7:40 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor