



**MINUTES
REGULAR CITY COUNCIL MEETING
40TH CITY COUNCIL
OAK PARK, MICHIGAN
JUNE 3, 2024
7:00 PM**

1. CALL TO ORDER

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.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

PRESENT: Mayor McClellan, Council Member Edgar, Mayor Pro Tem Burns, Council Member Whitehead

ABSENT: Council Member Radner

OTHERS

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

4. APPROVAL OF AGENDA

Motion by Burns, seconded by Whitehead, **CARRIED**, to approve the agenda as presented.

Voice Vote:	Yes:	McClellan, Edgar, Burns, Whitehead
	No:	None
	Absent:	Radner

5. CONSENT AGENDA

Motion by Burns, seconded by Edgar, **CARRIED**, to approve the **CONSENT AGENDA** consisting of the following items:

Roll Call Vote:	Yes:	McClellan, Edgar, Burns, Whitehead
	No:	None
	Absent:	Radner

- A. Regular City Council Meeting Minutes for May 20, 2024
CM-06-178-2024
- B. Library Meeting Minutes for April 16, 2024
CM-06-179-2024
- C. Parks and Recreation Meeting Minutes for March 20, 2024
CM-06-180-2024
- D. Budget to Actual Report for period ending 3-31-24
CM-06-181-2024

- E. 3rd Quarter FY 2023-24 Investment Report
CM-06-182-2024
- F. Approval of Pay Application No. 6 and Change Order No. 2 for the 2023-2024 Miscellaneous Concrete Project, M-754 to Mattioli Cement Company of Fenton, MI, in the amount of \$99,335.49 and -\$7,330.20, respectively
CM-06-183-2024
- G. Payment of invoices from OHM Advisors for GIS DWAM Grant, the West Nine Mile Road Design, and the Eight Mile Booster Station Rehabilitation for the total amount of \$25,195.75
CM-06-184-2024
- H. Payment request from Neumann Smith Architecture for Architectural Services on the Event Hub and Municipal Services Move.
CM-06-185-2024
- I. Request authorization to bid the 2024 Block Pruning Project
CM-06-186-2024
- J. Approval of Pay Application No. 2 for the 2024 Sewer Lining Project, M-763 in the amount of \$113,369.80
CM-06-187-2024
- K. Approval of Pay Application No. 1 for the 2024 Water Main Replacement Project, M-764 in the amount of \$324,048.36
CM-06-188-2024
- L. Approval of Pay Application No. 1 for the Water Service Line Hydro Excavation Project, M-736 in the amount of \$44,081.10
CM-06-189-2024
- M. Approval of Final Pay Application No. 7 for the 2022 Water Main and Road Reconstruction Project, M-737 in the amount of \$30,000.00
CM-06-190-2024
- N. Approval of Final Pay Application No. 2 for the 2023 Sewer Lining Project, M-749 in the amount of \$5,000.00
CM-06-191-2024
- O. New and renewal licenses submitted for June 3, 2024
CM-06-192-2024

6. RECOGNITION OF VISITING ELECTED OFFICIALS

There were no elected officials in the audience who wished to speak.

7. SPECIAL LICENSES

- A. Request for a Special Event License and waiver of application fee, submitted by the Juneteenth Committee, for the Annual Juneteenth Celebration, to be held on June 19, 2024, from 4:00 p.m. - 9:00 p.m.
CM-06-193-2024

Motion by Edgar, seconded by Burns, CARRIED, to approve the following special event request subject to all departmental approvals:

NAME	EVENT	FEE
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Juneteenth Committee	Juneteenth Celebration June 19, 2024 4:00pm - 9:00pm	Application fee waived.
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Voice Vote: YES: McClellan, Edgar, Burns, Whitehead
NO: None
ABSENT: Radner

8. CITY ATTORNEY

- A. Resolution regarding the proposed renewal of a Uniform Local Franchise Agreement with Comcast Cable Communications Company.
CM-06-194-2024

Motion by Burns, seconded by Whitehead, CARRIED, to approve the following resolution regarding the renewal of a Uniform Local Franchise Agreement with Comcast Cable Communications Company:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION REGARDING THE PROPOSED RENEWAL UNIFORM LOCAL FRANCHISE AGREEMENT WITH COMCAST CABLE COMMUNICATIONS COMPANY

WHEREAS, on June 16, 2014, Comcast Cable Communications ("Comcast") entered into a Video Service Local Franchise Agreement with the City of Oak Park pursuant to 2006 Public Act 480, MCL 484.3301, et seq (the "Act") for Comcast to provide video services in the City of Oak Park which expires on June 16, 2024.

WHEREAS, in accordance with the instructions set forth by the Michigan Public Service Commission relative to the Act, Comcast submitted a request for Renewal Uniform Video Service Local Franchise Agreement to the City Clerk on May 10, 2024.

WHEREAS, Comcast cannot provide video services in any local unit of government without first obtaining a uniform video service local franchise agreement.

WHEREAS, the Act requires the City of Oak Park as the Franchising Entity to approve the Franchise Agreement or notify Comcast if the agreement is incomplete within 30 days after the submission of a complete Franchise Agreement.

WHEREAS, the City Attorney's office has reviewed the Uniform Video Service Local Franchise Agreement and has determined that it is complete.

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to enter into a Renewal Uniform Video Service Local Franchise Agreement with Comcast for a period of ten (10) years from the date it is issued.

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

1. The City Manager is hereby authorized to execute the attached Renewal Uniform Video Service Local Franchise Agreement with Comcast, subject to final approval by the City

Attorney.

2. 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, Edgar, Burns, Whitehead
 No: None
 Absent: Radner

B. Resolution regarding the proposed amendments to the lease agreement with Sprint Spectrum Realty Company, LLC
CM-06-195-2024

Motion by Burns, seconded by Whitehead, CARRIED, to approve the following resolution regarding the proposed amendments to the lease agreement with Sprint Spectrum Realty Company, LLC:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION REGARDING THE PROPOSED AMENDMENT TO THE LEASE AGREEMENT WITH SPRINT SPECTRUM REALTY COMPANY LLC

WHEREAS, on July 7, 1997, Sprint Spectrum Realty Company LLC ("Sprint-Spectrum") entered into a Lease Agreement with the City of Oak Park for the placement of cellular equipment on City-owned property at 14710 Kingston Street. Spring-Spectrum has since been acquired by T-Mobile and has requested that the City consider a proposed lease extension agreement for three years, with all other lease provisions remaining the same. Three years is the maximum amount of time that the City Council may approve a lease of City property without a voter referendum.

WHEREAS, Sprint-Spectrum is currently paying a monthly rental rate of \$4,613.93, with annual rent increases of 4% per year.

WHEREAS, Section 13.3 of the City of Oak Park Charter vests exclusive authority with the City Council to approve a proposed lease for City-owned property for fair consideration as determined by the Council.

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to enter into a lease extension agreement for the placement of cellular equipment on the water tower for fair consideration of \$4,613.93 per month payable to the City of Oak Park for a term of 36 (thirty-six) months, with annual increases of 4%.

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

1. The City Manager is hereby authorized to execute the attached lease extension agreement, subject to final approval by the City Attorney.

2. 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, Edgar, Burns, Whitehead
 No: None
 Absent: Radner

9. CITY MANAGER

A. Administration

1. Resolution establishing Juneteenth as a recognized Oak Park city holiday.
CM-06-196-2024

Motion by Burns, seconded by Whitehead, CARRIED, to approve the following resolution establishing Juneteenth as a recognized Oak Park city holiday:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

A RESOLUTION ESTABLISHING JUNETEENTH AS A RECOGNIZED CITY HOLIDAY

WHEREAS, Juneteenth is a holiday marking the end of slavery in the United States; and

WHEREAS, news of the end of slavery did not reach the frontier areas of the United States, in particular, the State of Texas and other Southwestern States, until months after the conclusion of the Civil War, more than two and a half years after President Abraham Lincoln issued the Emancipation Proclamation of January 1, 1863, declaring “that all persons held as slaves” are, and henceforward shall be free; and

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, landed at the port city of Galveston, Texas, with news that the Civil War had ended and the enslaved were free; and

WHEREAS, since then, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, recognizing the triumph of the human spirit over the cruelty of slavery, and honoring the strength, endurance, and faith of African American ancestors and as inspiration and encouragement for future generations while celebrating not only their freedom, but their history, culture and achievements; and

WHEREAS, African Americans continued the tradition of observing Juneteenth Independence Day for more than 150 years, remembering the centuries of struggle and progress led by abolitionists, educators, civil rights advocates, lawyers, activists, trade unionists, religious leaders, public officials and everyday Americans; and

WHEREAS, Juneteenth Independence Day became an observed federal holiday on June 17, 2021, and is now recognized as a holiday by all 50 states and the District of Columbia; and

WHEREAS, the faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Oak Park, Michigan does hereby find, determine, and declare as follows:

1. Recognizes the historical significance of Juneteenth Independence Day.
2. Supports the continued celebration of Juneteenth Independence Day in observance of the end of slavery as part of the history and heritage of the United States and encourages all citizens to participate in the Juneteenth Jubilee and celebrate African American history and culture, while continuing to promote diversity, equality, and a strong sense of community in the City of Oak Park.
3. Designates June 19, 2024, as “Juneteenth Independence Day” in which all City of Oak Park non-emergency facilities and offices will be closed and will be observed as an official paid holiday for all City of Oak Park employees and the Letters of Understanding the Administration has negotiated with all bargaining units within the City adding Juneteenth (June 19) to the existing list of recognized and observed paid holidays going forward, are hereby approved.
4. Establishes “Juneteenth Independence Day” as an annually observed holiday for the City of Oak Park and when June 19 falls on a Saturday, the holiday shall be observed the preceding Friday and when June 19 falls on a Sunday, the holiday shall be observed on the following Monday.
5. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.
6. This Resolution shall become effective immediately upon its passage and adoption.

Roll Call Vote: Yes: McClellan, Edgar, Burns, Whitehead
 No: None
 Absent: Radner

B. City Clerk

1. Resolution authorizing the temporary relocation of Oak Park Voting precinct 14 for the August 6, 2024 State Primary Election.

CM-06-197-2024

Motion by Edgar, seconded by Burns, CARRIED, to approve the following resolution authorizing the temporary relocation of Oak Park Voting precinct 14 for the August 6, 2024 State Primary Election:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION AUTHORIZING THE TEMPORARY RELOCATION OF POLLING PRECINCT
14 FOR THE AUGUST 6, 2024 STATE PRIMARY ELECTION

WHEREAS, Ferndale Upper Elementary, 24220 Rosewood, Oak Park, MI, in the Ferndale School District, is the polling location for Oak Park Voting Precinct 14; and

WHEREAS, Ferndale Upper Elementary will be unavailable for use as a polling location for the August 6, 2024 State Primary Election due to construction; and

WHEREAS, the Ferndale School District has Ferndale Lower Elementary, 23501 Rosewood, available to accommodate Precinct 14 for the August 6, 2024 State Primary Election.

NOW THEREFORE BE IT RESOLVED, that the City of Oak Park City Council hereby agrees to temporarily move Precinct 14 for the August 6, 2024 State Primary Election to Ferndale Lower Elementary, 23501 Rosewood, Oak Park, MI; and

BE IT FURTHER RESOLVED, that the City Clerk of the City of Oak Park is directed to notify the voters in Precinct 14 that their voting precinct is moved to Ferndale Lower Elementary, for the August 6, 2024 State Primary Election.

Voice Vote:	Yes:	McClellan, Edgar, Burns, Whitehead
	No:	None
	Absent:	Radner

C. Municipal Services

1. Resolution supporting the Local Road Improvement Matching Fund Program for the Nine Mile Road Project
CM-06-198-2024

Motion by Burns, seconded by Edgar, CARRIED, to approve the following resolution supporting the Local Road Improvement Matching Fund Program for the Nine Mile Road Project:

RESOLUTION ADOPTED BY THE CITY OF OAK PARK OF THE COUNTY OF OAKLAND, MICHIGAN UNDER DATE OF JUNE 3, 2024

WHEREAS, the Oakland County Board of Commissioners established the Local Road Improvement Matching Fund Program (LRIP); and

WHEREAS, the City of Oak Park has applied for LRIP funding; and

WHEREAS, the City of Oak Park was awarded \$68,980.00 in LRIP reimbursement funds to be used on the Nine Mile Road Improvement Project, M-771; and

WHEREAS, the City of Oak Park agrees to fund administrative, coordination, permit fees, preliminary engineering, right-of-way acquisition and construction engineering services related to the implementation of the Nine Mile Road Improvement Project; and

WHEREAS, the City of Oak Park acknowledges and agreed that the City shall assume any and all responsibilities and liabilities arising out of the administration of the project; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Oak Park will utilize LRIP funds to improve economic development as part of the Nine Mile Road Improvement Project, M-771.

Roll Call Vote:	Yes:	McClellan, Edgar, Burns, Whitehead
	No:	None
	Absent:	Radner

2. Approval of Greenfield Gateway Sign
CM-06-199-2024

Motion by Burns, seconded by Whitehead, CARRIED, to approve the purchase of the Greenfield Gateway Sign in the amount of \$16,345.

Roll Call Vote: Yes: McClellan, Edgar, Burns, Whitehead
 No: None
 Absent: Radner

10. CALL TO THE AUDIENCE

Ann-Marie Morris, 15045 Rosemary, spoke to her history in Oak Park and is excited to have moved back.

Ken Sherman, 23840 Jerome, requested that there be communication regarding the transfer of ownership between GFL and Priority Waste and also requested that the water bill inserts be printed on two sides to provide more information.

Sherry Curry, 15240 Oakwood, requested an update on the concern she raised at the May 6 meeting regarding the blighted property next to her home.

Krysti Gardner, 15000 Dartmouth, expressed concerns about the lack of striping on the soccer fields in the city.

11. CALL TO THE COUNCIL

12. ADJOURNMENT

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:40 PM.

T. Edwin Norris, City Clerk