

Oak Park

City Council Agenda

December 20, 2021





AGENDA
REGULAR CITY COUNCIL MEETING
39th CITY COUNCIL
OAK PARK, MICHIGAN
December 20, 2021
7:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

The following routine items are presented for City Council approval without discussion, as a single agenda item. Should any Council Member wish to discuss or disapprove any item it must be dropped from the blanket motion of approval and considered as a separate item.

- A. Regular City Council Meeting Minutes of December 6, 2021
- B. Traffic Safety Board Minutes of October 20, 2021
- C. Licenses New and Renewals submitted for December 20, 2021

5. RECOGNITION OF VISITING ELECTED OFFICIALS

6. SPECIAL RECOGNITION/PRESENTATIONS: None

7. PUBLIC HEARINGS:

- A. Public Hearing to receive public comment on the allocation of the 2022 Community Development Block Grant Funds in the amount of \$128,952
- B. Resolution approving the recommended allocations of the 2022 Community Development Block Grant Funds and authorizing the Mayor to sign the application and subrecipient agreement on behalf of the City
- C. Public Hearing to receive public comments regarding the request by Crazy Crab Gao Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant, 13351 W. 10 Mile, for the issuance of a Class C Liquor License
- D. Resolutions approving issuance of a Class C Liquor License to Crazy Crab Gao Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant, 13351 W. 10 Mile, Oak Park Michigan 48237

8. COMMUNICATIONS: None

9. SPECIAL LICENSES: None

10. ACCOUNTING REPORTS:

- A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$12,083.34
- B. Approval for payment of an invoice submitted by Shifman Fournier for legal services retainer for January 1, 2022 – March 31, 2022 in the total amount of \$18,000.00

11. BIDS: None

12. ORDINANCES: None

13. CITY ATTORNEY:

A. Remote Meeting Update

14. CITY MANAGER:

Administration

A. Introduction of Resident Services Coordinator Timothy Ciechorski

Recreation/City Manager's Office

B. Request to approve a resolution in support of the City's application for the Community Foundation of Southeast Michigan Ralph C. Wilson Jr. Fund Grant for the Nine Mile Connector Park

C. Request to approve a resolution in support of the City's application for the Community Foundation of Southeast Michigan Ralph C. Wilson Jr. Fund Grant for the Rec on the Road Mobile Recreation Program

Economic Development and Planning

D. Request to approve a Neighborhood Enterprise Zone Policy

15. CALL TO THE AUDIENCE

Each speaker's remarks are a matter of public record; the speaker, alone, is responsible for his or her comments and the City of Oak Park does not, by permitting such remarks, support, endorse or accept the content, thereof, as being true or accurate. "Any person while being heard at a City Council Meeting may be called to order by the Chair, or any Council Member for failure to be germane to the business of the City, vulgarity, or personal attacks on persons or institutions." There is a three minute time limit per speaker.

16. CALL TO THE COUNCIL

17. ADJOURNMENT

The City of Oak Park will comply with the spirit and intent of the American with Disabilities Act. We will provide support and make reasonable accommodations to assist people with disabilities to access and participate in our programs, facilities and services. Accommodations to participate at a Council Meeting will be made with 7-day prior notice.



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
39th OAK PARK CITY COUNCIL
December 6, 2021
7:00 PM**

MINUTES

Mayor McClellan called the virtual meeting to order at 7:00 p.m. Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

PRESENT: Mayor McClellan (Oak Park, Oakland County), Mayor ProTem Edgar (Oak Park, Oakland County), Council Member Radner (Oak Park, Oakland County), Council Member Burns (Oak Park, Oakland County), Council Member Whitehead (Oak Park, Oakland County)

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

CM-12-393-21 (AGENDA ITEM #3) 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, Radner, Edgar, Whitehead
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-12-394-21 (AGENDA ITEM #4A-J) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes of November 15, 2021 **CM-12-395-21**
- B. Special City Council Meeting Minutes of November 22, 2021 **CM-12-396-21**
- C. Library Board Meeting Minutes of October 19, 2021 **CM-12-397-21**
- D. Public Safety Activity Summary Reports for September and October 2021 **CM-12-398-21**
- E. Parks and Recreation Commission Meeting Minutes of October 20, 2021 **CM-12-399-21**
- F. Request to bid the 2022 Sewer Lining Project, M-730 **CM-12-400-21**
- G. Request to cancel the Beautification Advisory Commission meeting of December 21, 2021 **CM-12-401-21**
- H. Payment application No. 3 (final) for the 2021 Swimming Pool Repair Project, M-719 **CM-12-402-21**
- I. Request to schedule a Public Hearing for allocating 2022 CDBG Funds **CM-12-403-21**

J. Licenses New and Renewals submitted for December 6, 2021 **CM-12-404-21**

MERCHANT'S LICENSES – December 6, 2021
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
BERKLEY COFFEE	14661 ELEVEN MILE #500	\$150.00	COFFEE
<u>RENEWALS (2021)</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
SALON SAGA	21790 COOLIDGE C	\$150.00	HAIR SALON
MARBLECAST	14831 ELEVEN MILE	\$150.00	KITCHEN AND BATH
SECURITY CENTRAL PROT.	12821 CAPITAL	\$150.00	SECURITY - ALARM
ALDI	26300 GREENFIELD	\$150.00	GROCERY
GIFT ME CHOCOLATE	22133 COOLIDGE	\$150.00	CHARACTER MASCOT RENTAL
ROYAL CONTAINER	21100 HUBBELL	\$150.00	STORAGE FACILITY
ANNIEWRAP & FLOWERS	22171 COOLIDGE	\$150.00	FLORIST
LAW OFFICES OF IVAN L. LAND	25900 GREENFIELD # 210	\$150.00	LAW OFFICE
<u>RENEWALS (2022)</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
SAUNDERS LAND COMPANY	8564 CAPITAL	\$150.00	FUNERAL TRANSPORTATION
PRONTO PEST MANAGEMENT	10130 CAPITAL	\$150.00	PEST ELIMINATION
INNOVATIVE TOOL & DESIGN	10725 CAPITAL	\$150.00	MANUFACTURING
MIDLAND EQUIPMENT CO	12771 CAPITAL	\$150.00	
UNITED REFRIGERATION	12811 CAPITAL	\$150.00	
REB RESEACH CONSULTING	12851 CAPITAL	\$150.00	RESEARCH AND CONSULTING
HUNTINGTON CLEANERS	12980 CAPITAL	\$150.00	WINDOW TREATMENT
HUNTINGTON CLEANERS	13000 CAPITAL	\$150.00	DRY CLEANERS
BENSTON D HARRIS INC	13040 CAPITAL	\$150.00	HVAC
IMAGE ONE CORPORATION	13201 CAPITAL	\$150.00	MANAGE PRINT ENV
LG MOTORS	13350 CAPITAL	\$150.00	BODY SHOP
TALK A LOT WAREHOUSE	21150 COOLIDGE	\$150.00	CELLULAR
PHYSICAL MEDICINE REHAB	21675 COOLIDGE # 1A	\$150.00	OUT PATIENT CLINIC
HANDS OF HOPE INTERNAT.	21790 COOLIDGE	\$150.00	NONPROFIT
KFC TAKE HOME	22001 COOLIDGE	\$150.00	RESTAURANT
GRACE CENTERS OF HOPE	23119 COOLIDGE	\$150.00	NON PROFIT THRIFT STORE
OAK PARK URGENT CARE	24661 COOLIDGE	\$150.00	MEDICAL
INSURANCE GIANT	24681 COOLIDGE	\$150.00	INSURANCE AGENCY
WEAVE WORLD WHOLESALERS	24725 COOLIDGE	\$150.00	HAIR AND ACCESSORIES
DREAMS OF GOLD JEWELRY	24760 COOLIDGE	\$150.00	JEWELRY SALES
SPEEDWAY	24771 COOLIDGE	\$150.00	GAS STATION
LINCOLN RX INC	25901 COOLIDGE 1	\$150.00	PHARMACY
DEBORAH HECHT LLC	25907 COOLIDGE	\$150.00	ART & ANTIQUES; GALLERY
OAK PARK BARBERS	26003 COOLIDGE	\$150.00	BARBERSHOP
WINX & WAX	26011 COOLIDGE	\$150.00	EYELASH & WAXING, SPA
BELLA BODY SPA	26013 COOLIDGE	\$150.00	SALON
7*11	26641 COOLIDGE	\$150.00	RETAIL CONVENIENCE STORE
BERTONI HOLDINGS	13600 EIGHT MILE	\$150.00	GAS STATION
VALUE WHOLESALE	15188 EIGHT MILE	\$150.00	GROCERY DISTRIBUTION
WILSON WELLNESS LLC	13691 ELEVEN MILE # 108	\$150.00	MANIPULATIVE THERAPY
KOR THERAPY	13691 ELEVEN MILE # 109	\$150.00	PHYSICAL THERAPY
HENRY'S AUTO CARE CENTER	14041 ELEVEN MILE	\$150.00	AUTO REPAIR
DOG AND PONY SHOW	14661 ELEVEN MILE	\$150.00	CRAFT BEER
MARBLECAST	14831 ELEVEN MILE	\$150.00	KITCHEN AND BATH
ELEVEN MILE SELF STORAGE	14935 ELEVEN MILE	\$150.00	SELF-STORAGE
SEERCO INC	14441 ELEVEN MILE A	\$150.00	GENERAL CONTRACTOR
KROME JEWELERS	21700 GREENFIELD # 302	\$150.00	RETAIL JEWELRY STORE,
HERMAN'S CREATIONS	21700 GREENFIELD # 324	\$150.00	JEWELRY SALES & REPAIRS
DIAMOND ISLAND	21700 GREENFIELD # 390	\$150.00	JEWELRY SALES & REPAIRS

STEPPING OUT HAIR & NAIL SALON	25266 GREENFIELD	\$150.00	HAIR AND NAIL SALON
PITA CAFÉ	25282 GREENFIELD	\$150.00	RESTAURANT
AUTO PRO TECHINCAL	25900 GREENFIELD # 232	\$150.00	TECHNICAL RECRUITER
OXFORD HILL PARTNERS	25900 GREENFIELD # 232	\$150.00	MARKETING
MCDONALDS	26160 GREENFIELD	\$150.00	RESTAURANT
KROGER #751	26200 GREENFIELD	\$150.00	RETAIL GROCERY
ALDI	26300 GREENFIELD	\$150.00	GROCERY STORE
ERIC S MENDELSON DPM	26106 GREENFIELD A B	\$150.00	PODIATRIST
FELLERS	26659 HARDING	\$150.00	WHOLESALE DISTRIBUTION
VINT II	15075 LINCOLN # 104	\$150.00	LINCOLN CONVENIENT SHOPPE
JTS DESIGN JEWELRY	15075 LINCOLN # 119	\$150.00	JEWELER
PRAIRIE FARMS	21631 MEYERS	\$150.00	DAIRY SUPPLIER
WEALTHY LLC	8126 NINE MILE	\$150.00	CLOTHING STORE
LEO WEISS PLUMBING	8500 NINE MILE	\$150.00	CONTRACTOR
TOUCH OF CLASS CATERING	10612 NINE MILE	\$150.00	CATERING
EVOLVE SALON	12712 NINE MILE	\$150.00	SALON
PUBLIC SERVICE CREDIT U	13401 NINE MILE	\$150.00	CREDIT UNION
HAPPY'S PIZZA	13700 NINE MILE	\$150.00	PIZZA RESTAURANT
OAK PARK FRUIT MARKET	13745 NINE MILE	\$150.00	FRUIT MARKET
MIGHTY MO MUFFLERS	13941 NINE MILE	\$150.00	COMPLETE AUTO REPAIR
EJ USA	13001 NORTHEND	\$150.00	IRON WORKS
OOZE	13231 NORTHEND	\$150.00	WHOLESALE
PCI INDUSTRIES	21717 REPUBLIC	\$150.00	CONSTRUCTION
PLANET PROPANE	21815 REPUBLIC	\$150.00	PROPANE WHOLESALE
SCOTIA STOP	12701 TEN MILE	\$150.00	FOOD STORE
DOLLAR VILLAGE DISCOUNT	13201 TEN MILE	\$150.00	RETAIL
SUBWAY	13311 TEN MILE	\$150.00	RESTAURANT
CHECK N GO	13321 TEN MILE	\$150.00	BANKING
MAD CRAB SEAFOOD REST	13351 TEN MILE	\$150.00	RESTURANT
NEW VINTAGE USA	21840 WYOMING PL	\$150.00	AUTOMATIC INSTRUMENTATION

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

Technical and Planning

**CM-12-405-21 (AGENDA ITEM #14A) REQUEST TO APPROVE A CONTRACT
AMENDMENT TO THE CDBG PROGRAM YEAR 2019 SENIOR
YARD SERVICES PROGRAM - APPROVED**

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve a contract amendment to the CDBG Program Year 2019 Senior Yard Services Program.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Ken Sherman, 23840 Jerome St., asked about including a return envelope with water bills. Director Crawford indicated this was cost prohibitive since the city has moved to monthly billing.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:20 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

CITY OF OAK PARK TRAFFIC SAFETY BOARD MEETING 10/20/2021

IN ATTENDANCE:

Aaron Tobin (Associate Chair), John Klein (Chair), Nour Almahameed, Nadine Coleman, Shaun Whitehead (City Council Member), Robert Barrett (Technical and Planning Services)

UNABLE TO CONNECT WITH ZOOM: Mike Pinkerton (DPS)

CALL TO ORDER: 7:01pm

It was unanimously agreed upon that Klein would continue as recording secretary for the meetings while they remain on Zoom.

The Minutes from 8/18/21 were approved.

The following agenda items were discussed:

5. THE STRIP MALL ON 9 MILE AND COOLIDGE: Nadine Coleman mentioned that the curve inside the strip mall, by the CVS Pharmacy, presents a danger to pedestrians and motorists. In particular, there is a tendency for motorists to speed around the curve where there is a blind spot.

Several suggestions were made to address this, all which are outside the TSB's mandate (as it is private property), such as having the mall owner install stop signs, rumble strips, etc.

Rob Barrett mentioned that Oak Park's Planning Commission can review the site plans to ensure that the location meets the requirements of the site plans. If indeed anything is awry, the city's code officers can contact the owner of the mall.

(It seems that this location has had more traffic due to the addition of the CVS prescription drive through that was added onto the CVS at some point in the not-too-distant past.)

It was in any case decided that a letter be sent to CVS requesting that the mall owner take action to rectify the problem location.

6. THE TRAFFIC CALMING DESIGN AT LINCOLN AND BRIAR: The road was recently narrowed on Lincoln in both directions at this intersection as a result of MDOT's Safe Roads to School Program. Near the intersection, the sidewalk juts out. The idea is that drivers will be forced to slow down as they pass through the intersection so as to avoid hitting the sidewalk.

However, it was brought to our attention that some drivers with wide vehicles have difficulty navigating through the intersection. There have been several complaints to the TSB in this

instance (and there was even one vehicle that incurred some damage). The problem seems to be that drivers don't notice the change in the road width early enough. Aaron suggested that extending the yellow paint up to 10 feet on the curb on both sides might mitigate the problem. Rob Barrett said he would look into it, as it might not be a bad suggestion.

7. FOLLOW-UP: THE INTERSECTION AT 10 MILE AND COOLIDGE. Klein reiterated his concern about the dangers of pedestrians crossing Coolidge, especially on the north side of 10 Mile RD pointing west.

John suggested a potential solution: a pedestrian crossing signal which is activated by the pedestrian pressing a button. When the button is pressed and the pedestrian signal turns green, the westbound motorized traffic would face a red signal for 20 seconds before turning green.

Rob Barrett pointed out that this is a complex issue as it involves Oak Park, Huntington Woods, Oakland County and MDOT. Rob suggested that we could request the TIA do a pedestrian study of that intersection, the results which might be shared with the aforementioned constituents.

It was also mentioned that a similar problem occurs when crossing Coolidge at Lincoln.

The following motions were passed unanimously:

*Motion #1: The TSB requests the TIA to do a pedestrian study at the intersection of **10 mile and Coolidge** to potentially enhance the safety of pedestrians crossing Coolidge, with the view towards upgrading the pedestrian traffic lights.*

*Motion #2: The TSB requests the TIA to do a pedestrian study at the intersection of **Lincoln and Coolidge** to potentially enhance the safety of pedestrians crossing Coolidge, with the view towards upgrading the pedestrian traffic lights.*

8. THE FB PAGE: Aaron requested that TSB members invite their FB friends to the TSB's unofficial FB group. Aaron also requested that each TSB member consider five problem Oak Park intersections for discussion.

9. MATTERS ARISING: Nadine offered to draft a letter about the strip mall on 9Mi and Coolidge which the TSB would eventually send to CVS. Rob pointed out that Zoom meetings of the TSB would continue through December per order of the City Council.

ADJOURNMENT:

The meeting adjourned at 8pm

Minutes prepared by: John R. Klein, 11/16/21

MERCHANT'S LICENSES - DECEMBER 20TH, 2021
(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
RENEWALS FOR 2022			
VAHALLA KRAV MAGA	26039 COOLIDGE	\$150.00	FITNESS CENTER
DIAMOND NAILS	21700 GREENFIELD # 118	\$150.00	NAIL SALON
M. BESHARA	10020 CAPITAL	\$150.00	PRINTING COMPANY
BUILDING TECHNOLOGY ASSOCIATES	21850 GREENFIELD	\$150.00	ROOF CONSULTANT
CURT'S SERVICE	14611 ELEVEN MILE	\$150.00	AUTO REPAIR
PAIRS FOOD STORE	9000 NINE MILE	\$150.00	GROCERY
TAI FAJ RESTAURANT	8505 NINE MILE	\$150.00	RESTAURANT
G & J WHOLESALE	21700 GREENFIELD # 310	\$150.00	WHOLESALE JEWELRY AND SUPPLIES
MODERN NAILS	13720 NINE MILE	\$150.00	NAIL SALON
SUNUGAL HAIR BRAIDING	22131 COOLIDGE	\$150.00	HAIR SALON
CAR STOP AUTOMOTIVE	21006 COOLIDGE	\$150.00	AUTO REPAIR
HAYNES ENTERPRISE	21171 MEYERS	\$150.00	TRUCKING COMPANY
GREENFIELD PLAZA ASSOCIATES	21700 GREENFIELD # 202	\$150.00	SHOPPING AND OFFICE BUILDING
D/A CENTRAL	13155 CLOVERDALE	\$150.00	SECURITY SYSTEMS, IT SERVICES, ALARM, VIDEO SURVEILLANCE
METRO FRAME	26045 COOLIDGE	\$150.00	FRAME SHOP
TOBACCO IMPORT USA	21060 COOLIDGE	\$150.00	HOOHAH, HOOKAH TOBACCO AND ACCESSORIES WHOLESALE AND DISTRIBUTION
LAWFORD FABRICATING CO	21650 WYOMING CT	\$150.00	PROTOTYPE TOOLING
LARA STOP & SHOP	26700 GREENFIELD	\$150.00	GAS STATION
HUNGRY HOWIE'S PIZZA	24691 COOLIDGE	\$150.00	PIZZERIA
LITTLE BEAR'S LEARNING CENTER	13391 NINE MILE	\$150.00	DAYCARE
GOBIND L. GARG M.D. P.L.L.C	13801 NINE MILE	\$150.00	INTERNAL MEDICINE
FAMILY DOLLAR	13471 TEN MILE	\$150.00	RETAIL GENERAL MERCHANDISE
JEWISH SENIOR LIFE SERVICES	15000 TEN MILE	\$150.00	SENIOR SERVICES
ARTISTRY OF HAIR	25661 COOLIDGE	\$150.00	HAIR SALON
ALASKA FRESH FISH AND CHICKEN	13701 NINE MILE	\$150.00	RESTAURANT
DIAMOND'S FOREVER	21700 GREENFIELD # 350	\$150.00	JEWELRY STORE
GOLD & SILVER CORP	21700 GREENFIELD # 320	\$150.00	JEWELRY STORE
KABOB CONEY ISLAND	21700 GREENFIELD # 120	\$150.00	RESTAURANT
STUDIO NOVA	22153 COOLIDGE	\$150.00	MEN'S CLOTHING AND SHOES
MOTOR WORKS LTD	13350 NORTHEND	\$150.00	AUTO REPAIR FACILITY
MARO JEWELERS	21700 GREENFIELD # 365	\$150.00	JEWELRY STORE
BLING BLING GG	26122 GREENFIELD	\$150.00	
SPECTRUM JEWELERS	21700 GREENFIELD # 355	\$150.00	JEWELRY STORE
WOODWAY CORPORATION	12981 CAPITAL	\$150.00	GENERAL CONTRACTOR
TO GO CAFE	21700 GREENFIELD # 132	\$150.00	GROCERY STORE
MR. BIGGS	22151 COOLIDGE	\$150.00	RETAIL
WURTH BAER SUPPLY CO	13390 CLOVERDALE	\$150.00	WAREHOUSE DISTRIBUTOR
VGAGE	13250 NORTHEND # 13320	\$150.00	INDUSTRIAL
VIP HOME HELP CARE LLC	21700 GREENFIELD # 225	\$150.00	HOME HELP CARE (NON MEDICAL ASSISTANCE)
LIFE SKILLS RESIDENTIAL LLC	25640 LINCOLN TER	\$150.00	PROFESSIONAL SERVICES
OAK PARK RX	24651 COOLIDGE # 24661	\$150.00	PHARMACY
REMARKABLE REHAB SERVICES	21675 COOLIDGE # 1B	\$150.00	PHYSICAL THERAPY OUT PATIENT CLINIC
VIP WEAR	22124 COOLIDGE	\$150.00	CLOTHING STORE
HOOHAH 101	15401 NINE MILE	\$150.00	SMOKE SHOP, HOOKAH PRODUCTS, AND RETAIL
PENELOPES HOUSE CLEANING	25900 GREENFIELD # 255	\$150.00	COMMERCIAL AND RESIDENTIAL CLEANING
SMOKERZ DEPOT 6 LLC	25222 GREENFIELD	\$150.00	RETAIL
FAMILY DOLLAR	23105 COOLIDGE	\$150.00	RETAIL VARIETY
PINK GARLIC INDIAN CUISINE	26661 COOLIDGE	\$150.00	INDIAN FOOD
		\$150.00	
RENEWALS FOR 2021			
PAIRS FOOD STORE	9000 NINE MILE	\$150.00	GROCERY
ALLWELL PHYSICAL THERAPY AND REHAB SERVICES	21700 GREENFIELD # 257	\$150.00	PHYSICAL THERAPY
LITTLE BEAR'S LEARNING CENTER	13391 NINE MILE	\$150.00	DAYCARE
DREAMS OF GOLD JEWELRY CORP	24760 GREENFIELD	\$150.00	JEWELRY SALES
FRENCH KIDZ LLC	24721 COOLIDGE	\$150.00	KIDS CLOTHING STORE
FAMILY DOLLAR	23105 COOLIDGE	\$150.00	RETAIL VARIETY

PAWN BROKER RENEWAL - DECEMBER 20, 2021
(Subject to All Departmental Approvals)

MERCHANT	ADDRESS	FEES
PAY BENNY, INC. 21380 Greenfield *Surety Bond Approval	21380 Greenfield	\$400.00

MASSAGE FACILITY RENEWAL - DECEMBER 20, 2021
(Subject to All Departmental Approvals)

MERCHANT	ADDRESS	FEES
GREAT HANDS MASSAGE	8230 West Nine Mile	\$125.00



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 20, 2021

AGENDA #

SUBJECT: Public Hearing for allocation of 2022 CDBG Funds.

DEPARTMENT: Technical and Planning Services

SUMMARY: The City of Oak Park is expected to receive \$128,952 in Community Development Block Grant Funds (CDBG) for the 2022 Program Year. The funds must be allocated to specific projects and the dollar amount identified for each project. One of the conditions of the acceptance of these funds is that the community holds a Public Hearing to solicit public comment as to how the funds should be allocated.

FINANCIAL STATEMENT: No funds required at this time.

RECOMMENDED ACTION: It is recommended that City Council conduct a public hearing to receive comment on the allocation of the 2022 Community Development Block Grant Funds. It is also recommended that City Council pass a resolution approving the recommended allocation of funds and authorize the Mayor to sign the application and Sub-recipient Agreement on behalf of the City. The proposed allocation is:

Code Enforcement	\$98,952
Public Services (Yard Services)	<u>\$30,000</u>
Total	\$128,952

APPROVALS:

City Manager: ET

Director: RB

Finance Director: _____

Budgeted: ☐

EXHIBITS: CDBG Resolution

RESOLUTION (CM-XXXXX) APPROVING THE 2022
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 20, 2021 for the purposes of receiving comments regarding the proposed use of Program Year 2022 Community Development Block Grant funds in the approximate amount of \$128,952; 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	\$98,952.00
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.

Yes:

No:

Absent:

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City of Oak Park, County of Oakland, State of Michigan, at a regular meeting held on December 20, 2021 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

T. Edwin Norris, City Clerk

TO: The Oak Park City Council

FROM: Erik Tungate, City Manager

DATE: December 15, 2021

RE: Approval of the Class C Liquor License Application for Crazy Crab GAO Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant, 13351 W. 10 Mile

PURPOSE(S) OF ACTION:

To consider the approval of the issuance of a Class C Liquor License for the above-described establishment.

BACKGROUND/KEY ISSUES/CONTRIBUTING FACTORS:

Chapter 6, captioned Alcoholic Liquor, Article III, entitled Regulation of On-the-Premises Consumption of the Code of Ordinances in Section 6-54. - Licensing policy, specifies that an applicant for a license must obtain approval from both the State of Michigan and the City of Oak Park, that new licenses and transfers of licenses into the City require the prior approval of the City Council and that no person shall engage in the business of selling alcoholic liquor for consumption on the premises in the City of Oak Park, Michigan without first obtaining a special land use approval, as required by the Zoning Act and entering into a contract with the City.

Sec. 6-56. - Application for license, outlines the process for obtaining a Class C Liquor License from the City.

Sec. 6-58. - Review procedures, requires that the City Clerk distribute an application for a Class C Liquor License to the appropriate departments for certifications by the Director of Technical and Planning Services that the building or structures to which the License will apply meet all applicable building and property maintenance codes or that acceptable building plans for work which will satisfy all such codes have been submitted, that the location is appropriately zoned for the proposed use and that any required zoning approvals, including site plan approval, have been applied for or obtained and certification by the Director of Public Safety that the proposed Licensee(s) is/are of good moral character and that the Licensed Premises are in compliance with all applicable fire safety regulations. In addition, given that Subsection (c) (17) specifies that one of the review factors to be considered when analyzing a request for a license or related permit(s) is whether the applicant is delinquent on any taxes or other payment obligations to the City, as part of its review process the Administration requires certification from the Finance Director or their designee that the proposed Licensee(s) is not in default on any obligations due the municipality and/or Oakland County (for anything that was transferred by the City to the County for collection).

Further, Subsection (b) (1) of Sec. 6-58 provides that when a completed application and fee have been received, the city council shall schedule a public hearing to consider the request for a new

license and related permit(s). Subsection (e) then specifies that after review by staff and recommendation, and a public hearing, if the City Council is satisfied that the establishment or operation will provide a benefit to the City and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution. Approval of the license shall be conditioned on any necessary remodeling or new construction for the use of the license be completed within six (6) months of the action of the City Council or the Michigan Liquor Control Commission approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction may subject the license to revocation. The Ordinance also includes provisions addressing the issuance of entertainment permits along with other regulatory provisions.

Sec. 1930 of the Zoning Ordinance addresses Class C Liquor Licenses and provides that such establishments may be permitted in certain zoning districts upon review of a special land use request by the Planning Commission. At its meeting held on May 11, 2020 the City of Oak Park Planning Commission approved the Request of Crazy Crab GAO Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant, located at 13351 W. 10 Mile for Special Land Use to Operate with a Class C Liquor License.

Crazy Crab GAO Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant, has reapplied to the Michigan Liquor Control Commission for a Class C Liquor License at 13351 W. 10 Mile which is subject to City Council approval of its application. Prior to issuing a Class C Liquor License the Liquor Control Commission pursuant to MCL 436.1501 requires local government approval in the form of a resolution from the local legislative body. In addition, as outlined above, the Applicant has refiled the requisite documents as confirmed in the attached Class C Liquor License Requirements Checklist to seek the issuance of a license by the City permitting the service of spirits by the glass on the premises.

As stated previously, pursuant to Sec. 6-58 of the Code, when a completed application has been received the City Council shall schedule a public hearing to consider the request for a new license and related permit(s). In reference to the Application from Crazy Crab Gao Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant, 13351 W. 10 Mile we are requesting that the Public Hearing on the Application be held at the December 20, 2021 Regular Meeting at 7:00 P.M. or as soon thereafter as the matter may be heard.

It is the recommendation of the Administration, subject to any comments, conditions, and/or explanations contained in the Class C Liquor License Requirements Checklist which are incorporated and/or specified in the attached proposed Resolution Approving the Application of Crazy Crab Gao Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant for the establishment, located at 13351 W. 10 Mile for a Class C Liquor License that at the conclusion of the Public Hearing after analyzing the review factors specified in Sec. 6-58 (c) of the Code that (unless evidence is presented that would serve as a basis for denial of the issuance of the license(s)/permit(s)) the City Council adopt resolutions approving the issuance of the licenses by both the Michigan Liquor Control Commission and the City of Oak Park.

SUPPORTING DOCUMENTATION/INFORMATION ATTACHED:

1. Requirements Checklist for a Class C Liquor License
2. Proposed Local Government Approval Resolution for the Michigan Liquor Control Commission
3. Proposed Resolution Approving the Application of Crazy Crab Gao Corporation (Ganrong Chen) D/B/A Mad Crab Seafood Restaurant for the establishment, located at 13351 W. 10 Mile for a Class C Liquor License for a Class C Liquor License

xc: T. Edwin Norris, City Clerk

Kimberly Marrone, Director of the Department of Community and Economic Development

CITY OF OAK PARK, MICHIGAN

REQUIREMENTS CHECKLIST FOR A LICENSE PERMITTING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON THE PREMISES OF A RESTAURANT OPERATION

The following checklist is intended to assist the elected and appointed representatives of the City of Oak Park, Michigan in determining whether an applicant for a License Permitting the Consumption of Alcoholic Liquor On the Premises of a Restaurant Operation (hereinafter referred to as License) from the municipality has provided all of the required documentation and/or information as specified in the City's License Application Process and pursuant to **Article III, Sections 6-51 – 6-68** and **Ordinance No. O-13-597 (Zoning Ordinance)** of the Code of Ordinances, City of Oak Park, Michigan.

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

Remittance of Application Fees

- ☒ New On-Premises Consumption or Full Transfer of Ownership: \$800.00
- ☐ Adding Additional Owners to a License for On-Premises Consumption: \$200.00
- ☐ Special Land Use Site Plan Review: \$600.00
- ☒ Background Check: \$75.00
- ☐ Annual Renewal: \$250.00

B. Distance Compliance Certification

- ☒ Issued ☐ Pending

C. Request for Special Land Use to Operate a Restaurant that Serves Alcoholic Liquor

- ☒ Approved by the City of Oak Park Planning Commission at its meeting held on May 11, 2020.

D. Submission and Review of Background Check Information

- ☒ Investigation Completed by Representatives of the Department of Public Safety on December 7, 2021.
- ☒ Investigation Confirmed that there are No Issues that Preclude the Issuance of a Class C Liquor License in the Name of the Applicant

E. Application(s)

- ☒ Complete in All Appropriate/Requisite Sections
- ☒ Signed, Dated and Notarized

F. Proof of Possession of Property

- ☐ Deed ☐ Land Contract
- ☒ Lease ☐ Assignment of Lease
- ☐ Sublease ☐ Bill of Sale and/or Lease for Equipment/Furniture/Fixtures

G. Business Entity/Organization/Structure Documents

- ☒ Corporation (Copy of Articles of Incorporation Attached to Application)
- ☐ Partnership (General or Limited – Full Names, Dates of Birth and Home Addresses of All Partners and Copy of Articles of Partnership/Agreement Attached to Application)

- ☐ Sole Proprietorship (If Doing Business Under an Assumed Name a Copy of the D/B/A Certificate was Attached to the Application)
- ☐ Other (i.e. LLC – Details Provided as Required in License Application)

H. Financial Qualifications/Information

- ☐ Copy of Loan Document(s)/Affidavits Detailing the Sources of Funding for Business
- ☒ Information Provided Concerning Source of Funding for Acquisition/Opening/Operating the Licensed Business

I. Management Information

- ☒ Provided Name, Address and Telephone Number of Individual Who Will Serve as the Manager of the Licensed Business
- ☒ Provided Name, Address and Telephone Number of Individual Who is Authorized to Sign Checks and Pay Bills in Connection with the Operation of the Licensed Business

J. Description of Proposed Facilities in Some Detail

- ☐ Detail Provided Including Square Footage, Seating Capacity, Parking Capacity, Etc.
- ☒ Copy of Site Plan (If Necessary) and Description/Diagram (Detailed Floor Plan) of the Premises

K. Dancing or Entertainment

- ☐ Yes - Description of Planned Entertainment: . Pursuant to state law and/or local ordinance(s), Applicant is required to obtain any permit(s) for dancing required by the Michigan Liquor Control Commission and must maintain a dance floor that is not less than 100 square feet, is well defined and without tables, chairs, or other obstacles while customers are dancing. **Authorizing dancing at the venue does not allow topless activity or adult entertainment of any kind.**
- ☒ No

L. Status of City of Oak Park Business License

- ☒ Applicant has Current Valid City Business License(s) as Required Based on Business Activity
- ☐ Applicant has Submitted an Application for a Business License(s)
- ☐ Applicant is Current on All Applicable Business License(s) Fees

M. Applicant, and/or its Principals/Shareholders are Not in Default on Any Obligations Due the City of Oak Park and/or Oakland County

- ☐ Personal Property Taxes
- ☐ Real Property Taxes
- ☐ Special Assessments
- ☐ Sewer and Water

N. Documents Submitted by Applicant Pursuant to Section 20 of the City of Oak Park, Michigan License Application

- ☒ Spousal Affidavit (For each Applicant if Applicable)
- ☐ Certificate of Liquor Liability Insurance
- ☐ Verification of Compliance with Michigan Liquor Control Commission Mandatory Server Training Requirements

- ☐ Contract with the City of Oak Park
- ☐ Record of Any Previous Liquor License Complaint Violations
- ☐ Current Valid License(s)/Permit(s) from Appropriate County, State or Federal Governments Authorizing Service of Food at the Establishment

BALANCE OF THIS PAGE LEFT BLANK INTENTIONALLY

DEPARTMENTAL CERTIFICATIONS REQUIRED BY SECTION 6-58 (a) OF THE CODE OF ORDINANCES, CITY OF OAK PARK, MICHIGAN OR THE CITY ADMINISTRATION

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

DEPARTMENT OF TECHNICAL AND PLANNING

Certification that the buildings or structures to which the License will apply meet all applicable building and property maintenance codes or that acceptable building plans for work which will satisfy all such codes have been submitted and the proposed Licensed Premises is appropriately zoned for the use and that any required zoning approvals, including site plan approval, have been applied for or obtained.

☒ Recommended for Approval

☐ Recommended for Approval with Comments/Conditions/Explanations:

☐ Not Recommended for Approval

Robert Barrett

(Print Name) Robert Barrett

Director of the Department of Technical and Planning or His Designee

Date: December 10, 2021

DEPARTMENTAL CERTIFICATIONS REQUIRED BY SECTION 6-58 (a) OF THE CODE OF ORDINANCES, CITY OF OAK PARK, MICHIGAN OR THE CITY ADMINISTRATION

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

DEPARTMENT OF PUBLIC SAFETY

Certification that the proposed Licensee(s) are of good moral character and the Proposed Licensed Premises are in compliance with all applicable fire safety regulations.

☐ Recommended for Approval

☒ Recommended for Approval with Comments/Conditions/Explanations:

Subject to Final Fire Inspection

☐ Not Recommended for Approval

Steve Cooper

(Print Name) Steve Cooper

Director of the Department of Public Safety or His Designee

Date: December 7, 2021

DEPARTMENTAL CERTIFICATIONS REQUIRED BY SECTION 6-58 (a) OF THE CODE OF ORDINANCES, CITY OF OAK PARK, MICHIGAN OR THE CITY ADMINISTRATION

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

CITY CLERK

Certification that the proposed Licensee has a current valid license for operation of a restaurant at the proposed Licensed Premises or meets applicable requirements for the issuance of such a license.

☐ Recommended for Approval

☒ Recommended for Approval with Comments/Conditions/Explanation: Subject to all final departmental approvals and Michigan Liquor Control Commission approving the Class C Liquor License.

☐ Not Recommended for Approval

T. Edwin Norris

(Print Name) T. Edwin Norris

City Clerk or His Designee

Date: December 9, 2021

DEPARTMENTAL CERTIFICATIONS REQUIRED BY SECTION 6-58 (a) OF THE CODE OF ORDINANCES, CITY OF OAK PARK, MICHIGAN OR THE CITY ADMINISTRATION

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

DEPARTMENT OF FINANCE

Certification that that the proposed Licensee(s) are not in default on any obligations due the City of Oak Park and/or Oakland County.

☒ Recommended for Approval

☐ Recommended for Approval with Comments/Conditions/Explanation:

☐ Not Recommended for Approval

Steven Lukasik

(Print Name) Steven Lukasik

Finance Director or Their Designee

Date: November 23, 2021

Based on the Certifications provided by the appropriate representatives of the departments of Finance, Public Safety, Technical and Planning and the City Clerk it is recommended that subject to any conditions specified by those administrative offices/officials the City Council adopt a Resolution approving the issuance of a License to:

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

Comments/Conditions/Explanations:

Kimberley Marrone

(Print Name) Kimberley Marrone

Director of Economic Development and Communications or Their Designee

Date: November 30, 2021

Based on the Certifications provided by the appropriate representatives of the departments of Finance, Public Safety, Technical and Planning and the City Clerk subject to any conditions specified by those administrative offices/officials and pursuant to the recommendation of the Director of the Department of Community and Economic Development as well as having completed my analysis and assessment of the documentation and information submitted by the Applicant it is requested that the City Council consider adopting resolutions approving the issuance of a Class C Liquor License to:

City of Oak Park License Application No.: 03-2021

Name of Establishment Applying for a License: Mad Crab Seafood Restaurant

Name of Applicant and/or its Principals/Shareholders: Ganrong Chen

Location: 13351 W. 10 Mile

Comments/Conditions/Explanations:

Erik Tungate

Erik Tungate

City Manager

Date: December 13, 2021

**A RESOLUTION OF THE OAK PARK, MICHIGAN CITY COUNCIL
APPROVING THE REQUEST OF CRAZY CRAB GAO CORPORATION
(GANRONG CHEN) D/B/A MAD CRAB SEAFOOD RESTAURANT FOR
A CLASS C LIQUOR LICENSE**

WHEREAS, pursuant to state law and the Code of Ordinances, of the City of Oak Park, Michigan it is unlawful for any person to sell, or possess for sale, any alcoholic beverage unless licensed to do so and all licenses required are in full force and effect; and

WHEREAS, Crazy Crab GAO Corporation (hereinafter referred to as Mad Crab Seafood Restaurant) located at 13351 W. 10 Mile has applied for a Class C Liquor License from both the Michigan Liquor Control Commission and the City of Oak Park.

NOW, THEREFORE, BE IT RESOLVED, that the Mad Crab Seafood Restaurant application for a Class C Liquor License is hereby approved subject to the following conditions:

1. The Michigan Liquor Control Commission issuing a Class C Liquor License to Crazy Crab GAO Corporation/Mad Crab Seafood Restaurant at 13351 W. 10 Mile, Oak Park, Michigan 48237.
2. Upon issuance of the Class C Liquor License by the Michigan Liquor Control Commission, Mad Crab Seafood Restaurant shall provide the City Clerk's Office with copies of the License along with a Certificate of Liquor Insurance for the subject business.
2. Mad Crab Seafood Restaurant executes a Contract for a Class C Liquor License with the City of Oak Park, Michigan.

BE IT FURTHER RESOLVED, that subject to the conditions described in the immediately preceding paragraph and all departmental authorizations, upon approval of a Class C Liquor License by the Michigan Liquor Control Commission for Mad Crab Seafood Restaurant located at 13351 W. 10 Mile, Oak Park, Michigan 48237, the City Clerk is hereby authorized to issue a Class C Liquor License with an expiration date of April 30, 2023 to Mad Crab Seafood Restaurant; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective upon its approval by the City Council.

I hereby certify that the forgoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Oak Park, County of Oakland, State of Michigan, at a regular meeting held on December 20, 2021 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

T. Edwin Norris, City Clerk



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll Free: 866-813-0011 • www.michigan.gov/lcc

Business ID: _____
Request ID: _____
(For MLCC use only)

Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ regular _____ meeting of the _____ Oak Park City _____ council/board
(regular or special) (township, city, village)
called to order by _____ on December 20, 2021 at 7:00 PM
(date) (time)
the following resolution was offered:

Moved by _____ and supported by _____

that the application from Crazy Crab GAO Corporation (Ganrong Chen)
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): Class C Liquor License
(list specific licenses requested)

to be located at: 13351 W 10 Mile Rd., Oak Park, MI 48237

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____ Oak Park City
council/board at a _____ regular _____ meeting held on December 20, 2021 (township, city, village)
(regular or special) (date)

T. Edwin Norris

December 21, 2021

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 577891

December 13, 2021

Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327

Re: In Re: City of Oak Park

*Client 7406
Matter 1*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, November 30, 2021

\$12,083.34

Fee Total

Total Costs Advanced

\$ 0.00

Total Fees and Disbursements: \$12,083.34

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

Howard L. Shifman, P.C.
31600 Telegraph Road, Suite 100
Bingham Farms, MI 48025

Invoice Submitted to:

Erik Tungate, City Manager
City of Oak Park
14000 Oak Park Boulevard
Oak Park, MI 48237

In Reference To: City of Oak Park/General Labor

Invoice # 15100

Professional Services		
12/01/21	Services per Retainer Agreement For January 1, 2022 thru March 31, 2022	\$ 18,000.00
TOTAL		\$ 18,000.00
BALANCE DUE		<u>\$ 18,000.00</u>



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 20, 2021

SUBJECT: Request Support of the City's Application for the Community Foundation of Southeast Michigan Ralph C. Wilson Jr. Grant for the Nine Mile Connector Park

DEPARTMENT: Recreation / City Manager's Office

SUMMARY: In the Strategic Plan City Council listed "identifying the best uses for City property to ensure access to quality public spaces," and "fostering social interaction and a sense of ownership at all of the City's public spaces" as top priorities. In addition, The City's Master Plan, as well as the Parks and Recreation Master Plan further prioritize the creation of new pocket parks and access to park space. The Community Foundation of Southeast Michigan, through the Ralph C. Wilson Jr. Fund, is offering grants up to \$50,000 for projects that serve to increase the walkability and bikeability of local communities and/or increase outdoor recreational activities within the region. We believe the Nine Mile Connector Park is a worthy candidate for this grant. The Connector Park is another important incremental piece of the Nine Mile Redesign project, which has transformed underutilized public land into vibrant public spaces, providing more equitable access to park space throughout the City.

We are requesting a grant of \$50,000 to assist the development of the Connector Park. Specifically, the grant is being requested to fund an array of small-scale recreational amenities within the Park.

The Community Foundation of Southeast Michigan and the Ralph C. Wilson Jr. Foundation awarded the City with two separate grants of \$50,000 in 2019 and 2020, which supported the DNA tower structure within Seneca Pocket Park, and recreation amenities in the Linear Park. We are grateful for their generosity and are hoping for their continued support of the City's transformational Nine Mile Redesign.

FINANCIAL STATEMENT: Funding is available for the Connector Park in the Public Improvement Fund and the General Fund. Additionally, we have already secured funding from the Michigan Department of Natural Resources.

RECOMMENDED ACTION: It is recommended that City Council approve a resolution in support of the City's application for the Community foundation of Southeast Michigan Ralph C. Wilson Jr. Fund Grant.

APPROVALS:

City Manager: _____ *ET* _____

Department Director: _____ *LS* _____

Director of Finance: _____



Budgeted:

EXHIBITS:

Resolution

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

RESOLUTION NO. CM-XX-XXX-XX

**SUPPORT FOR THE CITY OF OAK PARK APPLICATION FOR THE COMMUNITY
FOUNDATION OF SOUTHEAST MICHIGAN RALPH C. WILSON LEGACY FUND GRANT
FOR THE NINE MILE CONNECTOR PARK**

December 20, 2021

WHEREAS, the Community Foundation of Southeast Michigan, through the Ralph C. Wilson Fund is providing grant funding to support projects within southeast Michigan that serve to increase the walkability and bikeability of local communities and/or increasing outdoor recreational activities within the region; and

WHEREAS, the City of Oak Park is planning the creation of the Nine Mile Connector Park located on Nine Mile Rd.; and

WHEREAS, the City of Oak Park’s Master Plan lists “create new pocket parks with a sense of place” and “create more pathways and connectors” as objectives under the goal of “improve park facilities and recreational programming;” and

WHEREAS, the City of Oak Park’s Strategic Plan lists “identify the best uses for City property to ensure equitable access to quality public spaces” as objectives under the goal of “deepen sense of place and community identity;” and

WHEREAS, the creation of the Pocket Park will contribute significantly to meeting these goals; and

WHEREAS, the grant request is for \$50,000; and

BE IT HEREBY RESOLVED, that the Oak Park City Council supports the grant application for the Community Foundation of Southeast Michigan Ralph C. Wilson Legacy Fund Grant for the Nine Mile Connector Park.

Yeas:

Nays:

Absent:

Abstained:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting City Clerk of the City of Oak Park, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Oak Park at a duly called meeting held on December 20, 2021, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 20th day of December, 2021.

T. Edwin Norris, City Clerk



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 20, 2021

SUBJECT: Request Support of the City's Application for the Community Foundation of Southeast Michigan Ralph C. Wilson Jr. Grant for the Rec on the Road Mobile Program

DEPARTMENT: Recreation / City Manager's Office

SUMMARY: In the Strategic Plan City Council identified "providing programming that responds to the needs of all demographics of the community," and "fostering social interaction and a sense of ownership at all of the City's public spaces" as top priorities. In addition, The Parks and Recreation Master Plan lists "providing well-rounded recreational experiences and programs that reflect the needs of all residents equitably, improve the quality of life, celebrate diversity, and promote inclusion for all residents to enjoy" as an objective. The Recreation Department has developed a mobile recreation program, called "Rec on the Road, to help the City work towards these objectives, as a way to ensure that all youth residents have access to quality and accessible programming, in all areas of the city.

The Community Foundation of Southeast Michigan, through the Ralph C. Wilson Jr. Fund, is offering grants up to \$25,000 to support projects within southeast Michigan that bring high-quality sports programs to youth. We believe the Rec on the Road mobile program is a worthy candidate for this grant. We are requesting a grant of \$25,000 to assist the City in kicking off this program. Specifically, the grant is being requested to fund much of the startup costs, including equipment and programming costs, which will ensure the City can afford a robust program from the beginning.

The Community Foundation of Southeast Michigan and the Ralph C. Wilson Jr. Foundation awarded the City with two separate grants of \$50,000 in 2019 and 2020, which supported the DNA tower structure within Seneca Pocket Park, and recreation amenities in the Linear Park. We are grateful for their generosity and are hoping for their continued support.

FINANCIAL STATEMENT: Funding is available for the Rec on the Road program in the Recreation budget.

RECOMMENDED ACTION: It is recommended that City Council approve a resolution in support of the City's application for the Community Foundation of Southeast Michigan Ralph C. Wilson Jr. Fund Grant.

APPROVALS:

City Manager: _____ *ET* _____

Department Director: _____ *LS* _____

Director of Finance: _____

Budgeted: ☐

EXHIBITS:

Resolution

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

RESOLUTION NO. CM-XX-XXX-XX

**SUPPORT FOR THE CITY OF OAK PARK APPLICATION FOR THE COMMUNITY
FOUNDATION OF SOUTHEAST MICHIGAN RALPH C. WILSON LEGACY FUND GRANT
FOR THE REC ON THE ROAD MOBILE RECREATION PROGRAM**

December 20, 2021

WHEREAS, the Community Foundation of Southeast Michigan, through the Ralph C. Wilson Fund is providing grant funding to support projects within southeast Michigan that bring high-quality sports programs to youth; and

WHEREAS, the City of Oak Park is planning the creation of the Rec on the Road Mobile Program.; and

WHEREAS, the City of Oak Park's Parks and Recreation Master Plan lists "provide well-rounded recreational experiences and programs that reflect the needs of all residents equitably, improve the quality of life, celebrate diversity, and promote inclusion for all residents to enjoy" as an objective and;

WHEREAS, the City of Oak Park's Strategic Plan lists "provide programming that responds to the needs of all demographics of the community" and "foster social interaction and sense of ownership at all of the City's public spaces" as objectives under the goal of "deepen sense of place and community identity;" and

WHEREAS, the creation of the Rec on the Road Mobile Program will contribute significantly to meeting these goals; and

WHEREAS, the grant request is for \$25,000; and

BE IT HEREBY RESOLVED, that the Oak Park City Council supports the grant application for the Community Foundation of Southeast Michigan Ralph C. Wilson Legacy Fund Grant for the Rec on the Road Mobile Recreation Program.

Yeas:

Nays:

Absent:

Abstained:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and acting City Clerk of the City of Oak Park, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Oak Park at a duly called meeting held on December 20, 2021, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 20th day of December, 2021.

T. Edwin Norris, City Clerk



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: December 20, 2021

SUBJECT: New policy for Neighborhood Enterprise Zone

DEPARTMENT: Economic Development and Planning

SUMMARY: A new policy is presented to City Council for approval when considering a Neighborhood Enterprise Zone Tax Incentive. The purpose of this incentive is to: improve the housing stock in distressed or declining urban areas where little or no new construction is occurring and where housing is in need of repair. The legislation is intended to spur residential investment where it might not otherwise occur. The stated goals of the new policy include:

1. Revitalize existing neighborhoods and promote the creation of new residential areas;
2. Promote new construction and the rehabilitation of housing;
3. Advance City strategies for homeownership, economic development, mixed income development, housing type diversity, utilization of public transit and mobility focused initiatives, infill, and elimination of blight;
4. Utilize vacant and underutilized properties;
5. Increase the value of real property; and
6. Implement the Master Plan, Strategic Economic Plan and achieve the Oak Park Strategic Plan priorities, where applicable.

The policy will provide a framework for City Council when considering an application for a Neighborhood Enterprise Zone Incentive.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: It is recommended that City Council approve the recommended policy for a Neighborhood Enterprise Zone

APPROVALS:

City Manager: _____ET_____

Department Director: _____KM_____

Director of Finance: _____

Budgeted: ☐

Legal: _____KC_____

EXHIBITS: Neighborhood Enterprise Zone Policy

CITY OF OAK PARK

Neighborhood Enterprise Zone Act

Procedure and Guidelines for Tax Exemption

Application

Section A - NEZ Tax Exemption Certificate Application Guidelines

Introduction

The intent of this document is to outline the procedures and guidelines adopted by the City of Oak Park regarding the Neighborhood Enterprise Zone Act (Act 147 of 1992, as amended)(the “Act”) provides a tax incentive for a defined period of time for new construction or substantial rehabilitation of residential structures, and under certain circumstances, for rental apartments. The stated purpose of the legislation is to: improve the housing stock in distressed or declining urban areas where little or no new construction is occurring and where housing is in need of repair. The legislation is intended to spur residential investment where it might not otherwise occur. Properties benefiting from a Neighborhood Enterprise Zone (NEZ) exemption must be located within an NEZ established by the City Council. The Act provides for the establishment of Geographic NEZs or Project Specific NEZs.

The City of Oak Park's heritage and culture present the community with a unique opportunity to encourage and support sustainable economic development. The City is committed to working closely with entrepreneurs, business owners and developers to provide a business-friendly climate while meeting the needs of the Oak Park community.

I. Goals

The City’s goals in designating an area as a Neighborhood Enterprise Zone are to:

1. Revitalize existing neighborhoods and promote the creation of new residential areas;
2. Promote new construction and the rehabilitation of housing;
3. Advance City strategies for homeownership, economic development, mixed income development, housing type diversity, utilization of public transit and mobility focused initiatives, infill, and elimination of blight;
4. Utilize vacant and underutilized properties;
5. Increase the value of real property; and

6. Implement the Master Plan, Strategic Economic Plan and achieve the Oak Park Strategic Plan priorities, where applicable.

II. Qualification Criteria for Project Specific NEZ Designations

1. Property Eligibility Criteria

There are two different types of projects that can be undertaken in an NEZ:

- a) A rehabilitated facility is defined as an existing structure or a portion of an existing structure with a current true cash value of \$80,000 or less per unit that has or will have as its primary purpose residential housing consisting of 1–8 units.
- b) A new facility is defined as a new structure or portion of a new structure that has as its primary purpose residential housing consisting of one or two units, one of which will be owner occupied as a principal residence. This definition includes a new individual condominium unit, in a structure with one or more condominium units, that has as its primary purpose residential housing which will be owner-occupied as a principal residence. Except when project meets all of the following items, a new facility does not include apartments:
 - a. Rented or leased or is available for rent or lease.
 - b. A mixed-use building or located in a mixed use building that contains retail business space on street level floor.
 - c. Located in a qualified downtown district (Downtown Development Authority, Principal Shopping District or boundaries identified by the local government in an area zoned and primarily used for business).

2. Applicant Eligibility

- A. Any applicant must be in good standing with the City, including any contractual relationships and must not be in default to the City on any obligations.
- B. In order for the City Council to consider an application for an NEZ district for a specific project, the applicant (defined as the individual(s) and/or the entity which owns or proposes to own the property) must meet the following criteria:
 - a. The applicant must prove a financial need for the incentive and provide the Economic Development and Planning Department their pro formas for consideration.
 - b. The applicant must have a legal interest in the property for which an abatement is being sought, or must provide documentation evidencing its ability to acquire the property (i.e. binding purchase agreement).
 - c. The applicant represents that the project would not have been considered without the exemption certificate.
 - d. The proposed NEZ shall be located in a zone district which permits commercial use by right, or be in an area that has commercial use identified as the preferred future land use in the City's Master Plan.
 - e. The applicant must not have any outstanding written orders or violations for any property under its control or ownership that is located in the City

- f. Before an application which has been approved by the City Council will be forwarded to the State Tax Commission for approval, the applicant shall have filed a completed Michigan Department of Treasury Form 2766 – Property Transfer Affidavit L-4260 with the City Assessor related to its acquisition of the property. The Property Transfer Affidavit shall be considered incomplete if the purchase price of the real estate is not entered on the form.

3. Project Eligibility for NEZ Certificate

- A. In order for the City Council to consider a project for an NEZ abatement, the proposed project must meet the following criteria:
 - a. The project must propose a mixed-use development with commercial space on the ground floor in conformance with any requirements of the zoning ordinance.
 - b. The project must propose to contain a minimum of ten residential rental facilities
 - c. (as defined in the Act). The project was not started prior to the City Commission's establishment of the NEZ District and filing of an NEZ Certificate application.
 - d. There are no delinquent taxes on the facility or the structure being renovated.
 - e. All projects must be in compliance with the zoning ordinance, have received the necessary approvals, or propose to come into compliance with the zoning ordinance as part of the project.
 - f. An application fee will be charged for each request to establish a Project Specific NEZ. In addition, an application fee will be charged for each application for an NEZ exemption certificate. The amounts of these fees will be established by City Council.
- B. Eligible properties shall be determined based on application of the Neighborhood Enterprise Zone Act (Act 147 of 1992, as amended) and City Ordinance.
- C. Rehabilitated structures may be owner or non-owner occupied, provided a specific minimum threshold investment is satisfied. Prior to rehabilitation, existing properties that have a primary residential use may not have a true cash value (T.C.V.) of more than \$80,000 per unit.
- D. Newly created units do not have a cap on their value. This definition and the following table Summary of Improvement Requirements and Tax Abatements may change from time to time, based on amendments to the Neighborhood Enterprise Zone Act (Act 147 of 1992, as amended).
- E. An application fee will be charged for each individual application for exemption within a NEZ. The amount of the fee will be established by City Council.

Summary of Improvement Requirements and Tax Abatements				
Abatement Type:	Ownership:	Improvement Type:	Minimum Investment:	Tax Abatement:*
New	Owner occupant	New construction or a portion of a new structure w/1 or 2 units	No Minimum	Taxed at the State-issued NEZ rate
New	Rental	New construction, mixed use	\$1,000,000	Taxed at the State-issued NEZ rate
Rehab	Owner occupant	Rehab of an existing structure with 1–8 units & T.C. V. of <\$80,000 per unit	> \$35,000 per unit(licensed contractor) or; > \$20,000 per unit (non-licensed contractor/ owner)	Taxed at pre-rehab value at current rate
Rehab	Non-Owner Occupant	Rehab of an existing structure with 1-8 units & T.C.V. of <\$80,000 per unit	> \$35,000 per unit(licensed contractor) or; > \$20,000 per unit (non-licensed contractor/ owner)	Taxed at pre-rehab rate

Term

- A. The Act provides that the duration of an NEZ abatement can be from six to fifteen years at the discretion of the City. The City has established a nine-year term as the default for NEZ exemptions. This nine-year standard NEZ exemption will be considered the base level of support for projects that meet the relevant Qualification Criteria (above) and the criteria contained in the Act.
- B. The City Council may increase the term of an NEZ exemption to a maximum of fifteen (15) years, if the project meets one or more of the City Investment Criteria (below). Additional years will be added to the duration of the exemption as defined in the table below.

PROJECT EVALUATION	LEVEL OF INCENTIVE
Base Level of Support (Does not meet any City Investment Criteria)	9 year exemption
Affordable Housing	+ 6 years
Housing Type Diversity	+ 3 years
Enhance Mobility	+ 3 years

C.

** The NEZ tax abatement applies to improvement only, land is still taxed at ad valorem rates. The effective date of the NEZ certificate is the first day of the tax year following the year in which the new facility or rehabilitated facility is substantially completed and, for a new facility, occupied by an owner as a principal residence. For a rehabilitated facility, a certificate that the improvements meet housing code requirements is needed.*

4. City Investment Criteria

The City Investment Criteria described below have been identified in various plans developed with input from the Oak Park community and City Council, and have been prioritized in this Policy in order to incentivize outcomes desired by the City.

In order for a project to be considered for a level of support in excess of the nine-year base level, the project must meet one or more of the following City Investment Criteria.

5. Housing Affordability

- A. At least 20% of the units are affordable to individuals or families earning less than 80% of the Area Median Income (AMI) and is defined as having total occupancy costs that are below 80% of Area Median Income rental limits according to the most recent rent limits published by the Michigan State Housing Development Authority for Oakland County. Total occupancy costs include rent, plus the allowances for basic utilities included in the most recently published Allowances for Tenant-Furnished Utilities provided by the U.S. Department of Housing and Urban Development), this provision to be construed in conformance with the Michigan Public Act 226 of 1988 (MCL 123.411). Affordability must be maintained for the duration of the approved term of the exemption.

6. Housing Type Diversity

- A. Provides a housing type (single-family attached, single-family detached, duplex, or multi-family) that is less than 20% of the existing housing in a census tract, according to the most recent decennial census, or if the census data is more than 5-years old, according to the most recent American Community Survey data.

7. Enhance Mobility

- A. For projects located within ¼ mile of a Bus Rapid Transit Station, or within 500 feet of a permanent covered bus shelter.
- B. Project provides land (by conveyance or easement) for, and/or finances improvements related to a Bus Rapid Transit Station or other covered/sheltered transit stop.
- C. TOD Development or TMD Initiatives
 - i. Pedestrian, bike and transit accommodations
 - ii. Minimize Parking (consistent with TOD, screened behind building, or on-street)
 - iii. Project located within Transit Corridors

III. Application and Review Process

- 1. Applications must be submitted with a hard copy and electronic copy sent to the Economic Development and Planning Department.
- 2. Economic Development staff, with assistance from other City departments as necessary, will review the application for compliance with eligibility requirements and determine whether any City Investment Criteria are met.
- 3. If a project is within a tax increment financing authority district, staff will seek a recommendation from the authority's governing board.
- 4. Information regarding the project, including location, dollar amount of project, and employment impact will be published as part of the public hearing notice.
- 5. The application for an NEZ exemption certificate is not effective unless approved by the State Tax Commission.

IV. Compliance

- 1. Reporting and compliance requirements will be detailed in the Memorandum of Agreement.
- 2. A developer will be required, at a minimum, to submit an annual report containing information requested by the City necessary to determine whether the project was completed as contemplated in the original application.
- 3. If the term of the NEZ exemption was determined based on an applicant's representation of certain aspects of the project, evidence of completion will be required and will be described in the MOA.
- 4. For projects containing residential rental housing, certification of compliance with Article IV Housing of the Code of the City is required for each residential unit.
- 5. The project must be operated and maintained in compliance with all other applicable City codes and ordinances.

V. Termination of Tax Exemption

If a developer is found to be in default of the terms of the Agreement, in violation of any City code or ordinance related to the property, or with any eligibility requirement contained in the Act or this Policy, the NEZ exemption may be terminated at the City

Council's discretion. An NEZ exemption may also be terminated if rehabilitation of the property has not been completed within the time frame agreed upon by the applicant and the City, or the operation of the facility is not consistent with the original intent of Act 147, or the owner/operator is in violation of Article IV, Housing of the City Code of Ordinances.

Accompanying each application for an NEZ certificate located in a Project Specific NEZ, a signed and notarized request to revoke the NEZ exemption must be provided by the applicant to the City. Should the applicant be found in default as described in the preceding paragraph, the City shall notify the applicant of such default and will provide a 30 day period for the NEZ certificate holder to remedy the default.

In the event that the default is not or cannot be remedied, the City shall submit the letter requesting revocation to the State Tax Commission.