



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL**

December 7, 2020

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, Mayor Pro Tem Burns, Council Member Radner, Council Member Weiss, Council Member Edgar

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

**CM-12-341-20 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

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

Voice vote:	Yes:	McClellan, Burns, Weiss, Radner, Edgar
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-12-342-20 (AGENDA ITEM #4A-C) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of November 10, 2020 and November 16, 2020
(Removed from the Consent agenda by Council member Weiss)
- B. Special City Council Meeting Minutes of November 10, 2020 and November 16, 2020
CM-12-343-20
- C. Request to approve Payment Application No. 2 for the 2020 Miscellaneous Concrete Project, M-714 to Mattioli Cement Company of Fenton, MI for the amount of \$132,827.97
CM-12-344-20

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

MOTION DECLARED ADOPTED

**CM-12-345-20 (AGENDA ITEM #4A) (Removed from the Consent Agenda)
REGULAR COUNCIL MEETING MINUTES OF NOVEMBER 10,
2020 AND NOVEMBER 16, 2020 – APPROVED AS AMENDED**

Motion by Weiss seconded by Burns, to approve the Regular Council Meeting Minutes of November 10, 2020 and November 16, 2020. During discussion, Council member Weiss indicated her vote on Item #7C from the November 10, 2020 Regular Meeting minutes should reflect a No vote instead of Yes. The minutes were approved UNANIMOUSLY with that amendment.

Voice Vote:	Yes:	McClellan, Burns, Weiss, Radner, Edgar
	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:

**CM-12-346-20 (AGENDA ITEM #10A) APPROVAL FOR PAYMENT OF AN
INVOICE SUBMITTED BY HOWARD L. SHIFMAN, P.C., FOR
LEGAL SERVICES RETAINER FOR JANUARY 1, 2021 – MARCH
31, 2021 IN THE TOTAL AMOUNT OF \$18,000.00- APPROVED**

Motion by Burns seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of invoice #14450 submitted by Howard L. Shifman, P.C., for legal services retainer for January 1, 2021 – March 31, 2021 in the total amount of \$18,000.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

Administration

CM-12-347-20 (AGENDA ITEM #14A) REQUEST TO APPROVE THE APPOINTMENTS OF JAMIE POWELL HOROWITZ, BEN VINEBUG, CARL DADE AND LESLYE RICHIE TO THE OAK PARK YOUTH ASSISTANCE BOARD - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the appointments of Jamie Powell Horowitz, Ben Vinebug, Carl Dade and Leslye Richie to the Oak Park Youth Assistance Board.

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

MOTION DECLARED ADOPTED

Department of Public Works

CM-12-348-19 (AGENDA ITEM #14B) REQUEST TO APPROVE COST SHARING AGREEMENT NUMBER 20-5405 WITH MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR 2021 SAFE ROUTES TO SCHOOL PROJECT AND TO AUTHORIZE THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY – APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve Cost Sharing Agreement Number 20-5405 with Michigan Department of Transportation (MDOT) for 2021 Safe Routes to School Project and to authorize the City Manager to sign on behalf of the city.

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee reported the City has been working with OHM Advisors on plans and submittals for a Safe Routes to School project that includes sidewalk ramp additions and replacements, addition of a median island and HAWK Signal at 10 Mile and Rue Versailles as well as the addition of a left turn phase at 10 Mile and Church. The City made it through the fund obligation process and MDOT included the City's project in the November bid letting and received three bids. The lowest bid came in at \$564,936.12. The proposed agreement is the final step of the process before construction and the City agrees to pay 100 percent of the costs greater than the grant amount of \$464,321.00.

Economic Development

CM-12-349-20 (AGENDA ITEM #14C) REQUEST TO APPROVE A FAÇADE IMPROVEMENT GRANT TO ERNIES MARKET, 8500 CAPITAL AVE. FOR 50% OF THE PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$2,500.00 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY Request to approve a façade improvement grant to Ernies Market, 8500 Capital Ave. for 50% of the project costs in an amount not to exceed \$2,500.00 and to waive the two quote requirement.

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

MOTION DECLARED ADOPTED

The Economic Development & Communications Department has received an application for a Façade Improvement Grant from Ernies Market 8500 Capital Ave. The project specifications have met city all guidelines for the program except the receipt of two quotes due to issues not being able to get a contractor out. I am asking that due to these circumstances we waive that requirement during COVID. The project consists of adding an awning and wind enclosure on the south side to allow customers waiting to get in to be out of the elements. Total cost is \$5,776. The 50% grant match will not exceed the guidelines of \$2,500

Communications and Public Information

CM-12-350-20 (AGENDA ITEM #14D) REQUEST TO APPROVE THE PURCHASE OF COMMUNICATIONS EQUIPMENT IN THE AMOUNT OF \$29,125.00, AUTHORIZED AS A FUND BALANCE EXPENDITURE - APPROVED

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve the purchase of communications equipment in the amount of \$29,125.00, authorized as a fund balance expenditure.

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

MOTION DECLARED ADOPTED

Communications Director Davis reported that In light of unexpected burdens caused by the global, coronavirus pandemic, the City of Oak Park has been forced to adapt in many ways to maintain open, accurate, and timely communication with stakeholders.

At the City Manager's request, the Communications and Public Information (CPI) department was tasked with identifying efficient and effective communication methods for delivering City Council

meetings, both, virtually and in a hybrid format, which accommodates meetings with limited in-person participation and simultaneous, interactive broadcast (currently scheduled to begin taking place in January 2021).

In addition, the CPI department was asked to identify other equipment essential to maintaining effective stakeholder communication while minimizing physical contact to maintain the health and safety of city staff and visitors to the municipal complex.

As a result of the requested research, the CPI department recommends the following:

- New production switcher with remote user training and 24/7 vendor tech support – which is instrumental in broadcasting reliable videoconferences and hybrid meetings
- Cablecast digital signage in five locations within the municipal complex: City Hall, Municipal Services, Recreation, Library, and Public Safety –allowing the CPI department to program and scroll consistent messaging related to instructions and program marketing on all signage players
- Podium video source – which expands our ability to use multiple devices from City Council Chambers during meetings

There is a possibility that some of the suggested items may be reimbursed by Oakland County as part of the county's efforts to support municipalities relative to the pandemic. The county stipulates that all potentially reimbursable purchases must be completed, and equipment installed by December 17, 2020, to qualify for consideration.

FilmTools, a production equipment vendor and past supplier for the City of Oak Park, is prepared to install the necessary equipment before the county's deadline. The total cost of purchase and installation is \$29,125.00. Should the City of Oak Park qualify for reimbursement, the county has indicated that only equipment for the Community Center and Library may qualify, which may be \$8,580.00 of the total cost.

Please note that it is the CPI department's recommendation that the City of Oak Park requires all the equipment discussed in this request to meet the city's communication objectives regardless of the county's reimbursement decision.

CITY COUNCIL

**CM-12-351-20 (AGENDA ITEM #15A) RESOLUTION ACCEPTING THE
RESIGNATION OF COUNCIL MEMBER REGINA WEISS
- APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution accepting the resignation of Council Member Weiss:

**RESOLUTION OF THE OAK PARK, MICHIGAN CITY COUNCIL
ACCEPTING THE RESIGNATION OF COUNCIL MEMBER REGINA WEISS
AND SPECIFYING AN EFFECTIVE DATE**

WHEREAS, in accordance with the City Charter, Section 5.5 - Resignations, resignations of elective officers shall be made in writing and filed with the clerk and shall be acted upon by the council at its next regular meeting following receipt thereof by the clerk; and

WHEREAS, on December 2, 2020 Council Member Regina Weiss provided written notice of resignation to the City Clerk with said resignation being effective December 11, 2020 after acceptance of the resignation by the Council at the December 7, 2020, City Council Meeting.

NOW, THEREFORE, BE IT RESOLVED, that the resignation of Council Member Regina Weiss is hereby accepted; and

BE IT FURTHER RESOLVED, that the City Council declares that a vacancy exists on Council effective December 11, 2020; and

BE IT FURTHER RESOLVED, that this Resolution shall become effective upon conclusion of the December 7, 2020 Regular City Council Meeting.

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #15A) Recognition of Council Member Weiss

Mayor McClellan presented the following special recognition to Council Member Weiss:

City of Oak Park

MAYOR, COUNCIL & ADMINISTRATION

*In Special Recognition
of
Regina Weiss*

*Years of Service
Council Member 2017-2020*

The Mayor, Council and Administration of the City of Oak Park, Michigan, in testament and tribute to her distinguished public service and lasting contributions to the City of Oak Park and its residents, wish to express their sincere appreciation to Council Member Regina Weiss. While confronting a range of community issues and unprecedented challenges you were and always will be an ally and friend of the people of Oak Park. Your sustained commitment to civic participation and providing the best possible services to the citizens while continually seeking to improve their quality of life will always serve as a reminder to city employees and officials to put the people of Oak Park first.

CALL TO THE AUDIENCE:

Kenneth Sherman, 23840 Jerome, asked about the status of sidewalk repair in his neighborhood.

Cheryl Weiss, 24101 Norwood, expressed concern about the lack of city support to isolated residents especially seniors during the pandemic.

CLOSED SESSION

**CM-12-352-20 REQUEST TO CONVENE A CLOSED SESSION TO DISCUSS
ATTORNEY-CLIENT PRIVILEGED COMMUNICATION AND
PENDING LITIGATION REGARDING PRIME-SITE MEDIA, LLC
V. CITY OF OAK PARK, USDC CASE NUMBER 19-CV-12143-
LJM-RSW - APPROVED**

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to convene a Closed Session to discuss attorney-client privileged communication and pending litigation regarding Prime-Site Media, LLC v. City of Oak Park, USDC Case number 19-cv-12143-LJM-RSW.

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

MOTION DECLARED ADOPTED

The Closed session convened at 8:13 p.m. and the regular meeting reconvened at 8:33 p.m.

**CM-12-353-20 MOTION TO APPROVE THE CLOSED SESSION MINUTES OF
DECEMBER 7, 2020 - APPROVED**

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve the Closed Session minutes of November 10, 2020.

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

MOTION DECLARED ADOPTED

**CM-12-354-20 MOTION TO APPROVE PROPOSED CONSENT JUDGMENT
UPON FINAL REVIEW AND APPROVAL BY THE OAK PARK
CITY ATTORNEY IN THE MATTER OF PRIME-SITE MEDIA,
LLC V. CITY OF OAK PARK, USDC CASE NUMBER 19-CV-
12143-LJM-RSW - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve proposed Consent Judgment upon final review and approval by the Oak Park City Attorney in the matter of Prime-Site Media, LLC v. City of Oak Park, USDC Case number 19-cv-12143-LJM-RSW.

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:35 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor