

Oak Park City Council Agenda

November 6, 2017





AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
November 6, 2017
7:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **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 Council Meeting Minutes of October 16, 2017
 - B. Park and Recreation Commission Meeting Minutes of October 18, 2017
 - C. Election Commission Meeting Minutes of August 10, 2017
 - D. Payment Application No. 1 for the 2017 Miscellaneous Sewer Repair Project, M-671 to Bricco Excavating in the amount of \$73,764.07
 - E. Request to advertise for bids for 2018 Lawn Maintenance Contract, M-678
 - F. Performance resolution and authorization for the Assistant City Manager, Deputy Director of Public Works, Director of Technical & Planning Services, the Deputy Director of Technical & Planning Services, and the Assistant City Engineer to make applications for permits on behalf of the City of Oak Park
 - G. Licenses - New and Renewals as submitted for November 6, 2017
6. **RECOGNITION OF VISITING ELECTED OFFICIALS**
 7. **SPECIAL RECOGNITION/PRESENTATIONS:**
 - A. City Manager Employee Recognition – Devin Benson
 8. **PUBLIC HEARINGS:** None
 9. **COMMUNICATIONS:** None
 10. **SPECIAL LICENSES:** None
 11. **ACCOUNTING REPORTS:** None
 12. **BIDS:** None
 13. **ORDINANCES:**
 - A. Second reading and adoption of an ordinance to amend Article III, Nuisances, of Chapter 38, Environment, of the Code of Ordinances of the City of Oak Park by amending Sections 38-96, 38-98 and 38-100A.

14. CITY ATTORNEY:

15. CITY MANAGER:

Department of Public Works

- A. Request to authorize the Public Works Department to participate in the Oakland County bid for the purchase of a city vehicle in the total amount of \$23,197.00

Finance

- B. Receive and approve exception recommendations as submitted regarding Special Assessment District No. 664, Unpaid Delinquent Utilities
C. Receive and approve exception recommendations and sidewalk financing options as submitted regarding Special Assessment Districts No. 666, Unpaid Miscellaneous Concrete Replacement, No. 667, Unpaid Property Blight, No. 668, Unpaid Sidewalk Replacement and No. 669, Unpaid Weed Mowing

16. 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.

17. CALL TO THE COUNCIL

18. CLOSED SESSION

- A. Pursuant to Section 8 of the Open Meetings Act to convene into a Closed Session to discuss Attorney Client Privileged Communication and Pending Litigation regarding City of Huntington Woods, City of Pleasant Ridge vs. City of Oak Park, 45th District Court.

19. ADDITIONAL ITEMS

- A. Closed Session Minutes
B. Resolution to approve Interlocal Agreement between the cities of Huntington Woods, Pleasant Ridge and Oak Park for the 45th District Court and Settlement Agreement and Release

20. 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
36th OAK PARK CITY COUNCIL
October 16, 2017
7:00 PM**

MINUTES

The meeting was called to order at 7:00 PM by Mayor McClellan in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Speech, Council Member Radner, Council Member Rich

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

CM-10-432-17 (AGENDA ITEM #4) 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, Speech, Radner, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-10-433-17 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of October 2, 2017 **CM-10-434-17**
- B. Special Council Meeting Minutes of October 2, 2017 **CM-10-435-17**
- C. Planning Commission Meeting Minutes of September 11, 2017 **CM-10-436-17**
- D. Payment No. 4 (Final) for the 2015-16 Miscellaneous Concrete Repair Project, M-621 to Mattioli Cement Company, LLC in the amount of \$1,000.00 **CM-10-437-17**
- E. Payment of invoices from Orchard, Hiltz & McCliment (OHM) for Traffic Signal Optimization, Nine Mile TAP Grant Design and SAW Grant Support in the total amount of \$53,216.677 **CM-10-438-17**
- F. Licenses - New and Renewals as submitted for October 16, 2017 **CM-10-439-17**

MERCHANT'S LICENSES – October 16, 2017
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Hull Brothers Rental	12992 Eight Mile	\$450	Equipment Rental

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
L G Motors	13350 Capital	\$900	Auto Service / Repair

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Public Safety Special Recognition. Public Safety Director Cooper presented Merit and Unit Citations to the following Public Safety Officers:

Unit Citation

Officer Turner

Merit Citation

Officer Gifford
Officer Langford
Officer McFarland
Officer Laskaska

PUBLIC HEARINGS:

Mayor McClellan opened the Public Hearing(s) on Special Assessment Districts 664, 665, 666, 667, 668 and 669 at 7:10 P.M. and invited interested parties to speak. Members of the audience spoke and the special assessment exceptions listed below were read into the record. Mayor McClellan closed the Public Hearing at 7:32 P.M.

CM-10-440-17 (AGENDA ITEM #8A) RESOLUTION NO. 9 AND RESOLUTION NO. 10 CONFIRMING THE ROLLS AND SETTING THE DUE DATE AND PENALTY FOR SPECIAL ASSESSMENT DISTRICTS – ADOPTED

Motion by, Rich, seconded by Radner, CARRIED UNANIMOUSLY, to adopt the following Special Assessment Resolution (No. 9) confirming the Rolls, and Special Assessment Resolution (No. 10), setting the due date of November 17, 2017, together with a penalty of ten percent (10%) for Special Assessment District No. 664 – Unpaid Utility Invoices; Special Assessment District No. 665 – Unpaid False Alarm Invoices; Special Assessment District No. 666 – Unpaid Miscellaneous Concrete Replacement Invoices; Special Assessment District No. 667 – Unpaid Property Blight Invoices; Special Assessment District No. 668 – Unpaid Sidewalk Replacement Invoices and Special Assessment District No. 669 – Unpaid Weed Mowing Invoices and withholding the

temporary exceptions pending further review by the City Manager to report back to the City Council as to whether they will be kept on the Roll; added on at a later date or removed permanently:

CITY OF OAK PARK
MICHIGAN

SPECIAL ASSESSMENT RESOLUTION NO. 9

DISTRICT NO. 664
DISTRICT NO. 665
DISTRICT NO. 666
DISTRICT NO. 667
DISTRICT NO. 668
DISTRICT NO. 669

The Mayor announced that this was the time set to review the Special Assessment Roll as prepared and revised by the City Assessor for unpaid expenses incurred on private premises, assessed in Special Assessment Rolls No. 664, 665, 666, 667, 668 and 669

The Clerk read into the record the objections that were received.

There were objections received as follows:

SAD	Address	Parcel ID #
664 Unpaid Utility Invoices		
664	22120 Avon	#25-31-103-015
664	8785 Woodside Dr.	#25-28-102-012
666 Unpaid Misc. Concrete Repair Invoices		
666	10211 Dartmouth	#25-29-202-037
667 Unpaid Property Blight Invoices		
667	8720 W. Nine Mile	#25-28-352-032
667	21861 Kipling	#25-31-229-026
667	23160 Parklawn	#25-30-476-001
667	21831-21835 Coolidge	#25-31-276-078
667	12825 Nine Mile	#25-32-128-003
667	24731 Church	#25-30-129-023
668 Unpaid Sidewalk Repair Invoices		
668	13720 Courtland	#25-31-231-022
668	21841 Kipling	#25-31-229-028
668	21600 West Hampton	#25-29-202-034
668	21860 Church	#25-31-205-010
668	21750 Cloverlawn	#25-31-254-002
668	14641 Pearson	#25-31-176-003
668	21971 Cloverlawn	#25-31-207-015
668	21951 Stratford	#25-31-154-020
668	21801 Kenosha	#25-31-205-023
668	21630 Westhampton	#25-31-278-019
668	21861 Kipling	#25-31-229-026
668	22000 Ridgedale	#25-31-228-015
668	21910 Cloverlawn	#25-31-208-007

668	21830 Kipling	#25-31-276-015
668	22000 Cloverlawn	#25-31-204-016
668	21740 Kenosha	#25-31-252-003
668	21951 Whitmore	#25-31-127-038
668	21941 Church	#25-31-129-047
668	21931 Church	#25-31-129-048
668	13801 Pearson	#25-31-277-010
668	21691 Whitmore	#25-31-176-014
668	13901 Pearson	#25-31-277-005
668	22195 Sussex	#25-31-128-029
668	13710 Courtland	#25-31-231-023
668	21641 Kipling	#25-31-277-029
668	21840 Ridgedale	#25-31-276-013
668	22160 Sussex	#25-31-129-006
668	21930 Kipling	#25-31-230-005
668	21841 Sussex	#25-31-127-046
668	22101 Ridgedale	#25-31-227-023
668	21601 Ridgedale	#25-31-278-033
668	21850 Church	#25-31-205-011
668	14320 Northend	#25-31-251-031
668	14631 Pearson	#25-31-176-004
668	22201 Marlow Ct.	#25-31-126-042
668	13850 Courtland	#25-31-230-019
668	22170 Gardner	#25-31-203-009
668	22120 Kenosha	#25-31-202-015
668	22020 Kenosha	#25-31-104-014
668	21850 Beverly	#25-31-152-011
668	21910 Stratford	#25-31-126-023
668	22100 Gardner	#25-31-203-016
668	22110 Church	#25-31-201-011
668	21950 Kipling	#25-31-230-007
668	22000 Stratford	#25-31-126-016
668	21824 Sussex	#25-31-129-060
668	21901 Gardner	#25-31-206-022
668	21850 Avon	#25-31-153-010
668	21761 Parklawn	#25-31-254-015
669 Unpaid Weed Mowing Invoices		
669	10351 Corning	#25-32-203-026

BE IT RESOLVED That Special Assessment Rolls No. 664, 665, 666, 667, 668 and 669 as prepared and revised by the City Assessor, are hereby confirmed.

CITY OF OAK PARK
MICHIGAN

SPECIAL ASSESSMENT RESOLUTION NO. 10

DISTRICT NO. 664
DISTRICT NO. 665
DISTRICT NO. 666
DISTRICT NO. 667

DISTRICT NO. 668
DISTRICT NO. 669

At a Regular Meeting of the City Council of the City of Oak Park, held the 16th day of October, 2017 at 7:00 P.M., at the City Hall, 14000 Oak Park Boulevard, in said City.

WHEREAS, by resolution adopted October 16, 2017, Special Assessment Rolls No. 664, 665, 666, 667, 668 and 669 were confirmed by the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT: Said Special Assessment Rolls shall be due in one (1) installment payable on November 17, 2017, in full, together with a penalty of ten percent (10%).

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

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

**CM-10-441-17 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF
INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C.
FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$16,486.49
- APPROVED**

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoices #483638, #483639, #483640 and #483642 by Garan, Lucow, Miller P.C., for legal services rendered through September 30, 2017 in the total amount of \$16,486.49.

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

MOTION DECLARED ADOPTED

**CM-10-442-17 (AGENDA ITEM #11B) APPROVAL FOR PAYMENT OF AN
INVOICE SUBMITTED BY SECREST, WARDLE, LYNCH,
HAMPTON, TRUOX & MORLEY, P.C. FOR LEGAL SERVICES IN
THE TOTAL AMOUNT OF \$8,661.40 - APPROVED**

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve payment of invoice #1318509 by Secrest, Wardle, Lynch, Hampton, Truox & Morley, P.C. for legal services in the total amount of \$8,661.40.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No report

CITY MANAGER:

Economic Development and Communications

**CM-10-443-17 (AGENDA ITEM #15A) FINAL SITE PLAN CONGREGATION
DOVID BEN NUCHIM, 14800 LINCOLN, SUBJECT TO
CONDITIONS - APPROVED**

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and approve the Final Site Plan for Congregation Dovid Ben Nuchim, 14800 Lincoln, subject to the following conditions:

- 1) Engineering plans (storm water management) for the modifications to the parking lot to be submitted for review and approval by the City Engineer.
- 2) A more detailed landscape plan to be submitted as part of application for a building permit and approved by the City Planner.
- 3) All roof top and ground level equipment must be screened as required by the Zoning Ordinance.
- 4) Final approval of the proposed Site Plan conditioned on the Zoning Board of Appeals granting the required variances.
- 5) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

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

MOTION DECLARED ADOPTED

Ms. Marrone reported that at their September 11, 2017 meeting, the Planning Commission reviewed a Site Plan for a 2,647 square foot addition at 14800 Lincoln Avenue that will house a larger library, conference room and offices. The main worship area for Congregation Dovid Ben Nuchim will not increase in size. The Planning Commission voted to recommend to the City Council approval of the Final Site Plan with conditions.

CALL TO THE AUDIENCE: None

CALL TO THE COUNCIL:

Mayor McClellan acknowledged City Manager Tungate's inclusion in the Ferndale Friends publication and discussed the 45th District Court's Veteran's Court Program.

Mayor Pro Tem Burns discussed the Beautification Awards Ceremony whereby 16 homes in Oak Park were recognized. She also reminded everyone about the upcoming Boo Bash event and the youth basketball program.

Council Member Speech encouraged everyone to participate in council meetings and reminded everyone to be mindful of the changing weather. She also thanked everyone for their support during her service to Oak Park as a council member.

Council Member Radner wished everyone a good night.

Council Member Rich wished everyone a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:38 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

City of Oak Park, Michigan
Parks and Recreation Commission
October 18, 2017
Meeting Minutes

The meeting was called to order at 7:00 pm by Chairperson Alexander Simpson in Room 4 of the Oak Park Community Center located at 14300 Oak Park Boulevard, Oak Park, MI 48237.

Present: Chairperson Alexander Simpson, Secretary Juanita Bell, Commission Members Diana Spiller, Dwight Thomas, Beverly Wiggins, Mickey Alderman
Ex-officio member: Recreation Director Laurie Stasiak

1. Reading and Approval of Minutes for July 19, 2017:

Motioned by: Dwight Thomas to approve

Seconded by: Diana Spiller

2. Council Comments: N/A

Commissioners Beverly Wiggins and Juanita Bell were in attendance. Commissioner Wiggins gave an overview of the July Council meeting. Kudos to community servants for doing an outstanding job. Infrastructure was a big concern. Audience was free to talk about issues of concern without time limits. Report was supported with additional comments by L. Stasiak. Commissioner Wiggins mentioned that she had a chance to see who made up the audience and who she could possibly recruit for the commission.

3. Recreation Updates: Laurie Stasiak

- a. Teen Space/After School Program in library with an anticipated start date of January 2018 from 3:00 – 6:00 pm in Rooms 3 and 4
- b. \$12,000 has been allocated for funding
- c. Funding will cover security staff, instructors, games, equipment, and supplies
- d. Other Possibilities – Partnering with Ferndale High and Hazel Park for pool usage for children, Oak Park High's pool is inoperable, possibilities are being explored to get the pool up and running
- e. Summer Splash Bash was very successful, funded by National Kidney Foundation, invitation was extended to all adults
- f. Spring/Summer Walking Club Startup 2018 funded/supported by National Kidney Foundation

4. New Business:

A. Special Events:

- a. Volunteer help from the Board is needed for the Boo Bash scheduled for Tuesday, October 31 from 5:00 – 8:00 pm. Commissioners are encouraged to meet at Shelter 1 around 4:30 pm. An abbreviated Boo Bash event will take place indoors in case of inclement weather.
- b. Reminder of the Board and Commission Members Recognition Dinner on Wednesday, October 25th.

B. Master Plan Update:

- a. Plan was reviewed and board members are encouraged to complete the sample survey and return it to Laurie Stasiak by Wednesday, October 25th
- b. Community Input Meeting is scheduled for Thursday, November 16th at 7:00 pm. Board members are encouraged to be in attendance and lead a table discussion. Additional information will be forthcoming.

5. Announcements: None

It was moved and seconded to adjourn at 8:03 pm.

Respectfully submitted by: *Juanita Bell*



CITY OF OAK PARK, MICHIGAN

ELECTION COMMISSION

August 10, 2017

10:00 a.m.

DRAFT MINUTES

A meeting of the Oak Park Election Commission was held August 10, 2017 at City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. The meeting was called to order at 10:00 a.m. by City Clerk Ed Norris.

PRESENT: Election Commissioner Sherman
City Clerk Norris

ALSO PRESENT: Deputy City Clerk/Director of Elections Vecchio

3. APPROVAL OF ELECTION COMMISSION MEETING MINUTES OF OCTOBER 27, 2016

Resolution #EC-08-013-17

Motion by Sherman, seconded by Norris.

RESOLVED, that the Minutes of October 27, 2016 are APPROVED as submitted.

VOTE: Yes: All
No: None

MOTION CARRIED

4. CONSOLIDATION OF PRECINCTS

Resolution #EC-08-014-17

Motion by Norris, seconded by Sherman.

RESOLVED, that the Election Commission of the City of Oak Park hereby **ADOPTS** the Resolution to Consolidate Certain Precincts for the November 7, 2017 General Election:

- Precinct 2 & 3, Norup International School
- Precinct 5 & 6, Oak Park Community Center
- Precinct 7 & 8, Oak Park High School
- Precinct 9 & 10, Einstein Elementary School
- Precinct 12 & 13, Oak Park Preparatory Academy
- Precinct 15 & 16, Casa (Jackson Center)

5. DELEGATION OF DUTIES

Resolution #EC-08-015-17

Motion by Norris, seconded by Sherman.

RESOLVED, that the Election Commission of the City of Oak Park **AUTHORIZES** the Oak Park City Clerk and his authorized assistants to perform the following duties of the Election Commission for the November 7, 2017 General Election, in accordance with the guidelines set forth by the Michigan Bureau of Elections:

- Preparing meeting materials for the Election Commission, including ballots proof for approval and list of election inspectors for appointment;
- Contracting for the preparation, printing and delivery of ballots;
- Providing candidates and the Secretary of State with proof copies of ballots;
- Providing notice to voters in the case of precinct changes/consolidations;
- Providing election supplies and ballot containers; and
- Preliminary logic and accuracy testing.

6. MEETING SCHEDULE

Resolution #EC-08-016-17

RESOLVED, that the Election Commission of the City of Oak Park hereby **APPROVES** the following meeting schedule for the November 7, 2017 General Election:

October 16, 2017 at 10:00 a.m., Oak Park City Hall – For the purpose of approving the ballots, appointing Election Inspectors, and conducting the Public Accuracy Test

7. CALL TO AUDIENCE: No members of the public were in attendance.

8. ADJOURNMENT.

There being no objections, the meeting adjourned at 10:13 a.m.

Lisa Vecchio, Deputy City Clerk/Director of Elections



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: November 6, 2017

AGENDA #

SUBJECT: Payment Application no. 1 for the 2017 Miscellaneous Sewer Repair Project, M-671.

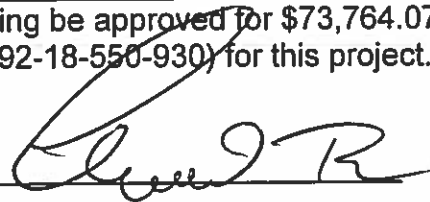
DEPARTMENT: DPW/Technical & Planning – Engineering GWS

SUMMARY: Attached is Payment Application no. 1 for the 2017 Miscellaneous Sewer Repair Project, M-671. The project is now approximately 66% complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$ 117,260.00
	Total Completed to Date:	\$ 77,646.39
	Less Retainage:	\$ 3,882.32
	Net Earned:	\$ 73,764.07
	Deductions:	\$ 0.00
	Balance:	\$ 73,764.07
	Payments to Date:	\$ 0.00
	Amount Due Bricco Excavating Company:	\$ 73,764.07

RECOMMENDED ACTION: It is recommended that Payment Application no. 1 for Bricco Excavating be approved for \$73,764.07. Funding is available in the Water & Sewer Fund (592-18-550-930) for this project.

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: 

Budgeted: ☒

EXHIBITS: Payment Application no. 1

PAYMENT APPLICATION

PROJECT: 2017 MISCELLANEOUS SEWER REPAIR PROJECT
OWNER: CITY OF OAK PARK, MICHIGAN
CONTRACTOR: BRICCO EXCAVATING
 21201 MEYERS RD
 OAK PARK, MI 48237

JOB NUMBER: M-671
APPLICATION NO.: 1
PERIOD ENDING: 9/30/2017

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY	UNIT	UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Mobilization, Max 3%	1	LSUM	\$ 5,800.00	1.00	\$5,800.00	1.00	\$5,800.00
2	Minor Traffic Device, Modified SP	1	LSUM	\$ 15,000.00	1.00	\$15,000.00	1.00	\$15,000.00
3	Pavement Removal, Modified SP	250	SYD	\$ 18.00	121.07	\$2,179.26	121.07	\$2,179.26
4	Sewer Lateral Spot Repair	1	EACH	\$ 9,000.00	0.00	\$0.00	0.00	\$0.00
5	Repa/Rep Sewer up to 15", PVC Pipe with sand Backfill (2 locations)	30	LFT	\$ 390.00	25.00	\$9,750.00	25.00	\$9,750.00
6	Install Manhole 10-15' in Depth with Backfill	1	EACH	\$ 9,000.00	1.00	\$9,000.00	1.00	\$9,000.00
7	Rem/Rep Manhole 15-20' in Depth with Backfill	1.00	EACH	\$ 19,500.00	1.00	\$19,500.00	1.00	\$19,500.00
8	Hot Mix Asphalt, 3C 2 inch Leveling, Modified SP	5	TON	\$ 250.00	5.08	\$1,270.00	5.08	\$1,270.00
9	Hot Mix Asphalt, 4C 2 inch Wearing, Modified SP	5	TON	\$ 250.00	0.00	\$0.00	0.00	\$0.00
10	Conc. Pavt. With Integral Curb Non-Reinf 8" Modified SP	200	SYD	\$ 68.00	49.78	\$3,385.04	49.78	\$3,385.04
11	Sidewalk Conc. Non-Reinforced 6" Conc. Sidewalk/Drive Approach mod SP	300	SFT	\$ 15.00	87.71	\$1,315.65	87.71	\$1,315.65
12	Sidewalk Conc. Non-Reinforced 4" Conc. Sidewalk/Driveway mod SP	100	SFT	\$ 14.00	296.92	\$4,156.88	296.92	\$4,156.88
13	Class A Sodding, Modified SP	50	SYD	\$ 62.00	29.86	\$1,851.32	29.86	\$1,851.32
14	Drainage Structure Cover	780	LBS	\$ 2.00	614.00	\$1,228.00	614.00	\$1,228.00
15	Aggregate Base Under Conc. (6" 21AA Crush Limestone)	225	SYD	\$ 16.00	106.89	\$1,710.24	106.89	\$1,710.24
16	Cast In Place Detectable/ Tactile Warning Surface	20	SFT	\$ 100.00	0.00	\$0.00	0.00	\$0.00
17	6" Schedule 40 Pipe with Backfill	10	LFT	\$ 150.00	10.00	\$1,500.00	10.00	\$1,500.00
18	Project Cleanup	1	LSUM	\$ 3,800.00	0.00	\$0.00	0.00	\$0.00
19	Inspection Crew Days, Modified SP	10	DAY	\$ 320.00	5.00	\$0.00	0.00	\$0.00

Period Total Amount: \$77,646.39 Amount to Date: \$77,646.39

Current Contract Amount: \$117,260.00

Earnings This Period: \$77,646.39

Total Earnings to Date: \$77,646.39

Less Retainage: \$3,882.32

Net Earned: \$73,764.07

Deductions: \$0.00

Balance: \$73,764.07

Payments to Date: \$0.00

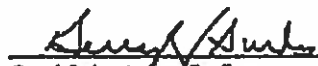
AMOUNT DUE BRICCO EXCAVATING: \$73,764.07

Accepted By:

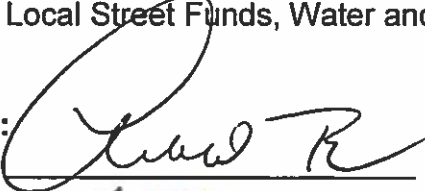
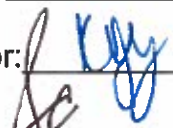
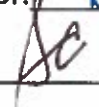

Bracco Excavating

Date: 10/26/17

Approved By:


Gerrah Surles, Assistant City Engineer

Date: 10/27/2017

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** November 6, 2017**AGENDA #****SUBJECT:** Request authorization to bid the 2018 Lawn Maintenance Contract, M-678.**DEPARTMENT:** DPW – KJY**SUMMARY:** Bid documents are nearly complete for the City's 2018 Lawn Maintenance Contract, M-678.**FINANCIAL STATEMENT:** There is funding available in the Major Street Fund, Water and Sewer Fund, and Public Works Other Parks budget for these expenditures.**RECOMMENDED ACTION:** It is recommended that the request to advertise for bids for 2018 Lawn Maintenance Contract, M-678 be approved. Funding is available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works budget.**APPROVALS:**City Manager: Department Director: Finance Director: Budgeted: ☒**EXHIBITS:** none

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** November 6, 2017 **AGENDA #**

SUBJECT: Michigan Department of Transportation Annual Permit Application for work on State Highways.

DEPARTMENT: DPW/Technical & Planning – Engineering KJY

SUMMARY: The Michigan Department of Transportation (MDOT) requires a permit for various types of work performed within the Eight Mile Rd. right-of-way. Attached is the required resolution that must be adopted for the issuance of a MDOT Annual Right-of-Way Permit.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: It is recommended that the City Council adopt the attached performance resolution. It is further recommended that City Council authorize the Assistant City Manager, Deputy Director of Public Works, Director of Technical & Planning Services, the Deputy Director of Technical & Planning Services, and the Assistant City Engineer to make applications for permits on behalf of the City of Oak Park.

APPROVALS:

City Manager: _____

Finance Director: _____

Department Director: _____

EXHIBITS: Resolution

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the City of Oak Park
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name: _____

Assistant City Manager, Deputy Director of DPW, Director of Technical & Planning Services, _____

Deputy Director of Technical & Planning Services, and Assistant City Engineer _____

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the City Council _____

(Name of Board, etc)

of the City of Oak Park _____

(Name of GOVERNMENTAL AGENCY)

of Oakland _____

(County)

at a Regular Scheduled City Council Meeting _____ meeting held on the 6 day

of November _____ A.D. 2017.

Signed _____

Title City Clerk _____

MERCHANT'S LICENSES – NOVEMBER 6, 2017

(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Professional Care Physical Therapy	25591 Coolidge	\$150	Medical
Classic Expressions	8126 Nine Mile	\$150	Retail
Fresh Baked Prints	8670 Nine Mile	\$150	Retail
Hair Rock Café	15454 Ten Mile	\$900	Hair Salon

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
REB Research & Consulting	12851 Capital	\$675	Industrial
Meco Metals Company	21430 Coolidge	\$187.50	Metal Supplier
Olympic Cycle & Fitness	22031 Coolidge	\$187.50	Fitness
Dollar General	22100 Coolidge	\$150	Retail
Gift Me Chocolate	22133 Coolidge	\$187.50	Retail
Dollar Tree	23090 Coolidge	\$150	Retail
Hair Rock Café	15454 Ten Mile	\$900	Hair Salon



CITY OF OAK PARK

13A

Robert Barrett, Director
Department of Technical & Planning Services

Kiesna Speen
Solomon Radner
Ken Rich
City Manager
Erik Tungate

To: Erik Tungate, City Manager
From: Robert Barrett, Director of Technical and Planning
Date: August 9, 2017
RE: Refuse Collection Violations

The Technical & Planning Department has undertaken a review of the City's blight ordinance in order to address an ongoing issue with refuse collection violations. The current blight ordinance does not include an effective provision for abatement of refuse placed on property outside of the refuse collection schedule established by City Ordinance.

Currently for refuse collection violations we give notice of the condition and list the factor as "accumulation of junk and debris" as provided in Section 38-96(3). The issue with this practice is that pursuant to ordinance Section 38-98, the property owner has five days to abate the condition, which essentially permits the refuse to sit out for an additional five days, ultimately leading into the next regular refuse collection day. This timing renders the current ordinance ineffective for dealing with refuse collection violations.

There are similar timing issues with abating snow removal violations as required by ordinance Section 66-166.

In order to properly address these violations, I propose that we amend ordinance Section 38-96, *Cause of Blighting Factors*, (to list refuse collection and snow removal violations as specific blight factors), Section 38-98, *Notice to remove*, (to only permit the owner 24 hours to abate those violations) and Section 38-100, *Abatement by city*, (to add a reference to charges incurred if the condition is removed by owner after the remediation period has lapsed).

For your review are the proposed changes to the referenced ordinances. The amended language is highlighted.

DIVISION 3. - BLIGHT

Sec. 38-96. - Cause of blight or blighting factors.

- (11) The existence of any personal property, garbage, yard debris or recyclables that have been placed upon any property outside of the collection schedule established by City Ordinance Section 62-33.
- (12) The existence of snow and ice on sidewalks in violation of City Ordinance Section 66-166.

(Code 1973, § 29-45)

Sec. 38-98. - Notice to remove.

- (a) Unless otherwise stated herein, the owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in this division are found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within five days after service of the notice upon him. If the blight is related to violations of the City snow removal or refuse collection ordinances, the owner shall only have 24 hours to abate the condition. Such notice shall be served as provided herein. As used in this division, the term "owner" shall mean the owner in whose name the property appears upon the local tax assessment records.

(Code 1973, § 22-24)

Sec. 38-100. - Abatement by city.

- (a) If the provisions of the notice to comply with the provisions of this division are not complied with after notice has been given in accordance with this division, the city manager or his or her designee shall cause the blighting factors to be removed and eliminated and the actual cost of such action, including charges incurred if the condition is removed by owner after the time for remediation has elapsed, plus a 15 percent administrative fee for inspection and other additional cost in connection therewith, shall be collected as a special assessment against the premises as provided in section 12.14 of the City Charter.

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE III, NUISANCES, OF CHAPTER 38, ENVIRONMENT, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTIONS 38-96, 38-98 AND 38-100 THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Sections 38-96, Cause of blight or blighting factors; 38-98, Notice to Remove; and 38-100, Abatement by city, of Article III, Nuisances, of Chapter 38, Environment, of the Code of Ordinances of the City of Oak Park are hereby amended to read as follows:

Sec. 38-96. - Cause of blight or blighting factors.

- (11) The existence of any personal property, garbage, yard debris or recyclables that have been placed upon any property outside of the collection schedule established by City Ordinance Section 62-33.
- (12) The existence of snow and ice on sidewalks in violation of City Ordinance Section 66-166.

Sec. 38-98. - Notice to remove.

- (a) Unless otherwise stated herein, the owner, if possible, and the occupant of any property upon which any of the causes of blight or blighting factors set forth in this division are found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property within five days after service of the notice upon him. If the blight is related to violations of the City snow removal or refuse collection ordinances, the owner shall only have 24 hours to abate the condition. Such notice shall be served as provided herein. As used in this division, the term "owner" shall mean the owner in whose name the property appears upon the local tax assessment records.

Sec. 38-100. - Abatement by city.

- (a) If the provisions of the notice to comply with the provisions of this division are not complied with after notice has been given in accordance with this division, the city manager or his or her designee shall cause the blighting factors to be removed and eliminated and the actual cost of such action, including charges incurred if the condition is removed by owner after the time for remediation has elapsed, plus a 15 percent administrative fee for inspection and other additional cost in connection therewith, shall be collected as a special assessment against the premises as provided in section 12.14 of the City Charter.

SECTION 2. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above sections and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park.

SECTION 4. Effective Date.

This ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park, on this day of _____, 2017.

T. EDWIN NORRIS
City Clerk

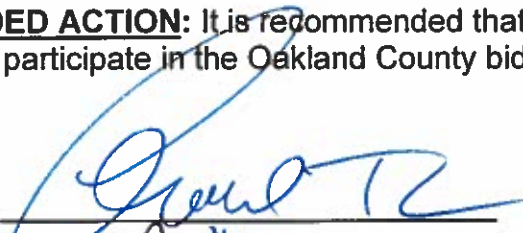
MARIAN McCLELLAN
Mayor

I, **T. EDWIN NORRIS**, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____, 2017.

T. EDWIN NORRIS, City Clerk

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** November 6, 2017**AGENDA #****SUBJECT:** Request Authorization to purchase budgeted vehicle.**DEPARTMENT:** Public Works**SUMMARY:** The Public Works Department is requesting authorization to purchase the following vehicle from the Oakland County pre-bid contract:

<u>Vehicle</u>	<u>Amount</u>	<u>Account</u>
2018 Chevrolet Silverado reg cab truck (T & P, code)	\$23,197.00	654-18-875-970

FINANCIAL STATEMENT: Funding for the above vehicles is available as follows:
\$30,000 has been allocated in account 654-18-875-970.**RECOMMENDED ACTION:** It is recommended that City Council authorize the Public Works Department to participate in the Oakland County bid for the purchase of this vehicle.**APPROVALS:**City Manager: Director of Public Works: Director of Finance: Budgeted: ☒**EXHIBITS:** none



15B

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: November 6, 2017

AGENDA #

SUBJECT: Special Assessment District No. 664 Unpaid Delinquent Utilities Exception Recommendation

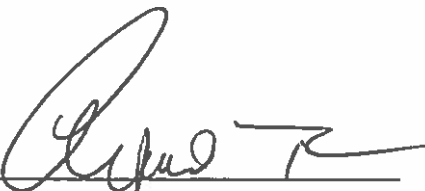
DEPARTMENT: Finance/Treasury

SUMMARY: At the council meeting of 10/16/2017, City Council adopted Special Assessment Resolution No. 9 to confirm the roll with the exceptions of two (attached hereto), which were removed for further review. City Council also adopted Special Assessment Resolution No. 10, setting the due date of 11/17/2017, together with the penalty of ten percent (10%) for Special Assessment District No. 664, unpaid invoices for expenses occurred on private premises – Delinquent Utilities

RECOMMENDED ACTION: It is recommended that the unpaid invoice(s) belonging to the following parcel(s) be permanently removed from the special Assessment District along with the original 10% penalty.

52-25-31-103-015 22120 Avon
52-25-28-102-013 8785 Woodside Park

APPROVALS:

City Manager: 

Department Director: 

Finance Director: 

EXHIBITS:

"Delinquent Water" Special Assessment Complaint/Concern Form

Please fill out the "Delinquent Water" Special Assessment Complaint/Concern Form so that your issue can be placed on record during the Public Hearing and your objection can be heard. The Mayor, City Council, City Manager, and Finance Division will receive copies of this form so that your concerns will be addressed. The Finance Division will investigate your concern and respond directly to you with our recommended action.

Name: Ernestine Washington

Address: 22120 Avon

Sidwell No.: 52-25-31-103-015

Phone: _____

Complaint/Concern: _____

We ask that you fill out this form so that a written record of your concern is on file. You still reserve the right to address City Council at the Public Hearing. If you have any further questions about this procedure, please contact the Finance Division at (248) 691-7545.

UTILITIES

Ernestine Washington
22120 Avon
Oak Park, MI 48237

Oak Park City Council
14000 Oak Park Blvd
Oak Park, MI 48237

RE: Special Assessment Roll #664

Dear City Council,

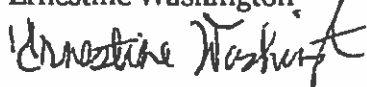
I am writing this letter since I am unable to attend this evening's hearing. I am very disappointed a special assessment is even being thought of regarding my home. As a long standing resident of this community who has been unemployed every year for the past 3 years, why not render assistance to your residents such as the WRAP program versus penalizing someone who is experiencing financial difficulties? Many of the surrounding communities offer this program. Why doesn't the city of Oak Park do the same?

I object to any penalty being placed on my water bill. I realize that the bill needs to be reconciled. On several occasions, I have asked about a payment plan but was told none was available. According to the local Catholic Church, the city does have a payment plan but doesn't like to offer it to its residents. It seems that this City doesn't want to serve its residents but is more focused on and motivated by greed.

Within the next 10 days, I will be in a position to reconcile this issue fully.

Sincerely,

Ernestine Washington



"Delinquent Water" Special Assessment Complaint/Concern Form

Please fill out the "Delinquent Water" Special Assessment Complaint/Concern Form so that your issue can be placed on record during the Public Hearing and your objection can be heard. The Mayor, City Council, City Manager, and Finance Division will receive copies of this form so that your concerns will be addressed. The Finance Division will investigate your concern and respond directly to you with our recommended action.

Name: Brendan Sullivan

Address: 8785 Woodside Dr Oak Park Mi 48237

Sidwell No.: 52-25-28-102-012

Phone: Cell 248-229-2226

Complaint/Concern: See ATTachment

We ask that you fill out this form so that a written record of your concern is on file. You still reserve the right to address City Council at the Public Hearing. If you have any further questions about this procedure, please contact the Finance Division at (248) 691-7545.

10/11/2017

From: Brendan Sullivan
8785 Woodside Dr.
Oak Park, MI 48237

To: Oak Park City Hall and Council Members
Water Department
14000 Oak Park Blvd.
Oak Park, MI 48237

To Whom It May Concern:

I am writing to request that I may continue my current repayment plan I worked out with Mr. Steve Lukasik of the Oak Park Water Department regarding my past due balance. I have consistently paid my monthly payment against the past due balance, as well as remaining up to date on current bills. I have remained in contact with Steve every few months to briefly discuss my plan and he has confirmed with me I have remained in good standing.

I appreciate the consideration of the Oak Park City Council members to allow me to continue my current agreement rather than roll my past due balance into my property tax. If any other information is needed to help the council render a decision, please do not hesitate to reach out. Thank you again for your consideration in this matter.

Sincerely,

Brendan Sullivan
8785 Woodside Dr.
Oak Park, MI 48237
Personal Email: sully240@gmail.com
Business Email: brendan.sullivan@sapientrazorfish.com
Cell: 248.229.2226

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** November 6, 2017**AGENDA #****SUBJECT:** Special Assessment District No. 666-669 - Exception Recommendation**DEPARTMENT:** Finance/Treasury

SUMMARY: At the council meeting of October 16, 2017, City Council adopted Special Assessment Resolution No. 9, to confirm the rolls with a list of exceptions (attached hereto), which were removed temporarily for further review. City Council also adopted Special Assessment Resolution No. 10, setting the due date of November 17, 2017 together with the penalty of ten percent (10%) for Special Assessment District No. 666-669, unpaid invoices for expenses incurred on private premises.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: Approval of the proposed SAD exception recommendations and sidewalk financing options as outlined in the memorandums (attached hereto) of Robert Barrett, Director of Technical & Planning.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

☐ Budgeted

N/A

EXHIBITS:

Exception Recommendation Memo, Sidewalk Financing Memo, Exception Letters.



CITY OF OAK PARK

Robert Barrett, Director
Department of Technical
& Planning Services

Mayor
Marian McClellan
Mayor Pro Tem
Carolyn Burns
Council Members
Solomon Radner
Ken Rich
Kiesha Speech
City Manager
Erik Tungate

MEMORANDUM

TO: Erik Tungate, City Manager
FROM: Rob Barrett, Director of T&P
SUBJECT: Special Assessment Districts 666, 667, 668 and 669

DATE: October 25, 2017

At City Council's request, the Technical and Planning Division has completed an investigation of the concerns voiced at the October 16, 2017 special assessment public hearing for unpaid invoices.

The Technical and Planning Division investigated all of the concerns and mailed letters to the property owners informing them of the results of the investigation or invited so owners to review the pre-construction video. Attached are copies of the letters that we mailed.

Based on the results of the investigation, I recommend placing 26 of the 59 unpaid invoices back on the Special Assessment Rolls. The exceptions are listed below:

Special Assessment District 666 – Misc. Concrete

- None

Special Assessment District 667 – Blight

- 8720 West Nine Mile – After investigating the objection we determined that we did not give the amount of time specified on the warning notice.
- 24731 Church – After investigating the objection we determined that we did not give the amount of time specified on the warning notice.
- 12825 Nine Mile – After investigating the objection we determined that the invoice has been paid in full.
- 21831 – 21835 Coolidge – After investigating the objection we determined that the invoice was billed to the previous owners address.

Special Assessment District 668 – Sidewalk

- The following list of addresses objected primarily due to hardships or other financial concerns. Contingent upon City Council approval of the recommended financing detailed in my attached Sidewalk Financing memo and if the following addresses execute the financing agreement by November 13, 2017, I recommend removing those addresses from Special Assessment District 668:
 - 21850 Church
 - 21860 Church
 - 22110 Church
 - 21931 Church

- | | |
|--------------------|-------------------|
| ○ 21750 Cloverlawn | ○ 21740 Kenosha |
| ○ 21791 Cloverlawn | ○ 22020 Kenosha |
| ○ 22000 Cloverlawn | ○ 22120 Kenosha |
| ○ 13710 Courtland | ○ 14631 Pearson |
| ○ 13850 Courtland | ○ 14641 Pearson |
| ○ 21901 Gardner | ○ 22000 Stratford |
| ○ 22100 Gardner | ○ 21824 Sussex |
| ○ 21641 Kipling | ○ 21841 Sussex |
| ○ 21830 Kipling | ○ 22160 Sussex |
| ○ 21841 Kipling | ○ 22195 Sussex |
| ○ 21930 Kipling | ○ 21691 Whitmore |
| ○ 21950 Kipling | ○ 21951 Whitmore |
| ○ 21840 Ridgedale | |

Special Assessment District 669 – Weed mowing

- 21831 – 21835 Coolidge – After investigating the objection we determined that the invoice was billed to the previous owners address.

Also attached is my Sidewalk Financing Memo to the City Manager. This completes the investigation of the property owners who expressed concerns relating to their unpaid invoices at the October 16, 2017 public hearing.

If you need any further information, please do not hesitate to ask.



CITY OF OAK PARK

Robert Barrett, Director
Department of Technical & Planning Services

Mayor
Marian McClellan
Mayor Pro Tem
Carolyn Burns
Council Members
Kiesha Speech
Solomon Radner
Ken Rich
City Manager
Erik Tungate

To: Erik Tungate, City Manager

From: Robert Barrett, Director of Technical and Planning

Date: October 20, 2017

RE: Sidewalk Financing

As a follow up to our conversation and consultation with City Attorney Ebony Duff and Deputy Director of Finance Jamen Winters, I'm recommending the following finance options:

For the current Special Assessment Objections:

We can remove them from the current unpaid sidewalk special assessment and create three new special assessment districts (S.A.D.) that will meet the following terms:

1. Invoices up to \$1,000: We can set a S.A.D. and offer 11 month financing at 0% interest, due in full on October 1, 2018. If there are any outstanding balances within the S.A.D. as of this deadline, we will roll those amounts to the 2018 winter tax bill.
2. Invoices between \$1,000 and \$2,000: We can set a S.A.D. and offer 17 month financing at 6% interest, due in full on April 1, 2019. If there are any outstanding balances within the S.A.D. as of this deadline, we will roll those amounts to the 2019 summer tax bill.
3. Invoices over \$2,000: We can set a S.A.D. and offer 27 month financing at 6% interest, due in full on February 1, 2020. If there are any outstanding balances within the S.A.D. as of this deadline, we will roll those amounts to the 2020 summer tax bill.

As a condition of acceptance of this additional financing each property owner will have to sign an agreement to the proposed terms prior to Monday, November 13, 2017. If the property owners do not sign the agreement by the due date, I will recommend that they remain on the current unpaid sidewalk S.A.D. which will roll to the 2017 winter tax bill.

For future Sidewalk Programs:

We can set up a special assessment districts in advance for homestead property owners and offer the following options:

1. Invoices up to \$1,000, we can keep the current terms which they have close to a year to pay the invoice. The only difference is that we will clearly show on the invoice that they have close to a year to pay and can pay in installments.

2. Invoices between \$1,000 and \$2,000 we can set a special assessment district and offer two-year financing at 6% interest.
3. Invoices over \$2,000 we can set a special assessment district and offer three-year financing at 6% interest.

Again, each property owner will have to sign an agreement to the proposed terms.

If you have any further questions, please do not hesitate to ask.

Cc: City Attorney, Ebony Duff
Director of Finance, Saundra Crawford
Deputy Director of Finance, Jamen Winters

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

**RESOLUTION TO APPROVE
INTERLOCAL AGREEMENT BETWEEN THE CITIES OF HUNTINGTON WOODS,
PLEASANT RIDGE AND OAK PARK FOR THE 45TH DISTRICT COURT**

AND

SETTLEMENT AGREEMENT AND RELEASE

*City of Huntington Woods and City of Pleasant Ridge v. City of Oak Park and 45th District Court, OCCC
NO. 13-135842-CZ*

WHEREAS, MCL 600.8123 established the 45th Judicial District , a district of the third class, which consists of the cities of Huntington Woods, Oak Park, and Pleasant Ridge and the Township of Royal Oak. The 45th District Court is the administrative unit for the 45th District.

WHEREAS, MCL 600.8104(3) authorizes one of more district funding units within any district to agree among themselves to share any or all of the expenses of the 45th District Court.

WHEREAS, a dispute arose between the cities of Huntington Woods, Oak Park, and Pleasant Ridge related to 1) the distribution of revenue collected by the 45th District Court on cases originating in their respective jurisdictions; and 2) funding of the expenses for the operation of the 45th District Court.

WHEREAS, in resolution of the disputes and pursuant to the authority granted by MCL 600.8104(3), the Parties have agreed to enter into an Interlocal Agreement related to the 45th District Court and a settlement Agreement and Release in the case captioned *City of Huntington Woods and City of Pleasant Ridge v. City of Oak Park and 45th District Court*, OCCC NO. 13-135842-CZ.

NOW, THEREFORE, IT IS RESOLVED that the City Council of the City of Oak Park, Michigan, approves the Interlocal Agreement Between the Cities of Huntington Woods, Pleasant Ridge, and Oak Park pursuant to MCL 600.8104(3) to share the expenses of the 45th District Court as set forth in the Agreement.

BE IT FURTHER RESOLVED that the City Council of the City of Oak Park approves the Settlement Agreement and Release in the case captioned *City of Huntington Woods and City of Pleasant Ridge v. City of Oak Park and 45th District Court*, OCCC NO. 13-135842-CZ

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 the 6th day of November, 2017. 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.

Ed Norris, City Clerk
City of Oak Park