CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL
November 1, 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 Burns (Oak Park, Oakland County), Council Member Radner (Oak Park, Oakland County), Council Member Edgar (Oak Park, Oakland County), Council Member Whitehead (Oak Park, Oakland County)

ABSENT: None

OTHERS PRESENT: City Manager Tungate, Assistant City Manager VanVleck, City Attorney Duff

APPROVAL OF AGENDA:

CM-11-357-21 (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, Radner, Edgar, Whitehead
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-11-358-21 (AGENDA ITEM #4A-I) CONSENT AGENDA - APPROVED

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

A. Regular City Council Meeting Minutes of October 18, 2021 **CM-11-359-21**
B. Special City Council Meeting Minutes of October 18, 2021 **CM-11-360-21**
C. Parks and Recreation Commission Meeting Minutes of September 14, 2021 **CM-11-361-21**
D. Traffic Safety Board Meeting Minutes of August 18, 2021 **CM-11-362-21**
E. Corridor Improvement Authority Board Meeting Minutes of August 19, 2021 **CM-11-363-21**
F. Retirement Board Meeting Minutes of July 26, 2021 **CM-11-364-21**
G. Request to approve Payment Application No. 3 for the 2019 Bridge Enhancement Project, M-670 to Z Contractors of Shelby Township, MI for the amount of $15,000.00 **CM-11-365-21**
H. Request to approve payment for the Nine Mile Linear Park Play Equipment to Midstates Recreation of Pataskala, OH for the amount of $328,741.95 **CM-11-366-21**
I. Licenses New and Renewals submitted for November 1, 2021 **CM-11-367-21**

MERCHANT'S LICENSES – November 1, 2021
(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
PRETTY BROWZ & SPA	13381 TEN MILE B	$150.00	EYEBROW

RENEWALS	ADDRESS	FEE	BUSINESS TYPE
GREAT LAKES LANDSCAPE	10631 CAPITAL	$150.00	LANDSCAPING
MI IMPORT INC	12701 CAPITAL	$150.00	WHOLESALE SOCKS AND HATS
J & D AUTO SERVICE	13051 CAPITAL	$150.00	AUTO REPAIR AND SERVICE
DANNY'S FINE WINE	23063 COOLIDGE	$150.00	PARTY STORE
INNOVATIVE HEARING SERVICES	25211 COOLIDGE	$150.00	AUDIOLOGY - TESTING, SALES
LEARNING DISABILITIES CLINIC	25611 COOLIDGE	$150.00	TUTORING
MARK A. WOLFSON, DDS	26601 COOLIDGE	$150.00	DENTIST
QUALITY CAR WASH II	14421 ELEVEN MILE	$150.00	CAR WASH
UNIVERSAL WHOLESALE	14511 ELEVEN MILE	$150.00	WHOLESALE DISTRIBUTOR
REGAL WINES	14721 ELEVEN MILE	$150.00	WHOLESALE WINE
GADGET DROP REPAIR	21700 GREENFIELD # 116	$150.00	CELL PHONE REPAIR CENTER
GARY ELLENSON ATTORNEY	23300 GREENFIELD # 106	$150.00	LEGAL SERVICES
BROAD COVERAGE	25900 GREENFIELD # 206	$150.00	MARKETING FIRM
UNITED INSURANCE AGENCY	25900 GREENFIELD # 246	$150.00	OFFICE
TOP THAT	25950 GREENFIELD	$150.00	ACCESSORIES
1-800-SELF-STORAGE	26660 GREENFIELD	$150.00	SELF STORAGE
MARINAS ALTERATIONS	15075 LINCOLN # 117	$150.00	CLOTHING ALTERATIONS
RUNCO WASTE INDUSTRIES	21151 MEYERS	$150.00	TRASH COLLECTION
LEO WEISS PLUMBING AND HEATING	8500 NINE MILE	$150.00	PLUMBING HVAC CONTRACTOR
WALGREENS	13550 NINE MILE	$150.00	RETAIL / PHARMACY

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:

CM-11-368-21 **(AGENDA ITEM #12A) SECOND READING AND ADOPTION OF A PROPOSED ZONING MAP AMENDMENT FOR THE CITY OF OAK PARK TO CHANGE THE ZONING FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO B-2 GENERAL BUSINESS DISTRICT FOR THE FOLLOWING ADDRESSES ON EIGHT MILE ROAD CORRIDOR: 13300, 13400, 13500, 13600, 13630, 13650, 13700 - APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following zoning map amendment for the City of Oak Park to change the zoning from B-1 Neighborhood Business District to B-2 General Business District for the following addresses on Eight Mile Road corridor: 13300, 13400, 13500, 13600, 13630, 13650, 13700:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND ARTICLE 2 DIVISION 1 SECTION 201 AND THE OFFICIAL ZONING MAP CONTAINED THEREIN, BEING PART OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY CHANGING THE USE DISTRICT OF CERTAIN PARCELS OF LAND CURRENTLY ZONED B1, NEIGHBORHOOD BUSINESS DISTRICT TO B2, GENERAL BUSINESS DISTRICT

THE CITY OF OAK PARK ORDAINS:

SECTION 1. The Code of Ordinances of the City of Oak Park is hereby amended by changingthe use district of the following addresses and parcels currently zoned B1, Neighborhood Business District, according to the City's Official Zoning District Map,Article 2, Division 1, Section 201 to B2, General Business District.

Addresses: 13300, 13400, 13500, 13600, 13630, 13650, and 13700 Eight Mile Rd. Property ID's # 52-25-32-351-037, 52-25-32-351-016, 52-25-32-351-023, 52-25-31-483-018, 52-25-31-483-009, 52-25-31-483,008, and 52-25-31-482-020, respectively.
Current owner's: Detroit Michigan 8 Mile Road, Splash City Holdings, LLC., 13500 West Eight Mile, LLC., Gomah Investments, LLC. &, Fidelity Leasing Group V, LLC., J H Martin Enterprises, LLC., and Sawa Enterprises, Inc., respectively.

SECTION 2. It is hereby ordered that the Official Zoning District Map of the City of Oak Park,as herein amended, be incorporated with this ordinance and be considered a part hereof and be published in connection herewith.

SECTION 3. It is further ordered that from and after the effective date of this ordinance, the above described parcels of land shall be in the B2, General Business District, and be subject to the regulations pertaining to such a district.

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed onlyto the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shallbe 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 ofOrdinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date

This ordinance shall be effective thirty (30) days from the date of adoption andshall be published as required by the Charter of the City of Oak Park.

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

MOTION DECLARED ADOPTED

CM-11-369-21 (AGENDA ITEM #12B) SECOND READING AND ADOPTION OF A PROPOSED AMENDMENT TO SECTION 18-353 TO CHAPTER 18, ARTICLE IX, DIVISION 2, OF THE CODE OF ORDINANCES - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following amendment to Section 18-353 to Chapter 18, Article IX, Division 2, of the Code of Ordinances:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, DIVISION 2, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 18-353 THEREOF

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Chapter 18, Buildings and Building Regulations, Article IX, Division 2, Section 18-353, stormwater retention, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 18-353. - Stormwater retention.

(a) On-site stormwater retention will be required if the storm drainage outlet is incapable of handling the developed runoff.

(b) The allowable outflow from a site or retention basin shall be restricted to an agricultural rate of runoff, defined in the City Engineering Standards.

(c) The volume of retention provided must be equal to or in excess of that required by the Yrjanainen Method for the ten-year frequency storm. See City Engineering Standards for equations for a ten-year frequency storm.

(d) All retention basins shall have a positive method in which to be de-watered, such as by gravity flow or pump outlet.

(e) Retention volume on a gravity outflow retention basin is defined as the volume of detention provided above the invert of the outflow pipe. Any volume provided below the invert of the outflow pipe will not be considered as retention.

(f) Retention volume must be provided for all acreage contributing to the retention basin, including that acreage offsite.

(g) Retention may be provided by either an in-line or off-line retention basin.

(h) All in-line basins must have a control structure capable of passing the upstream ten-year stormflow.

(i) Provisions for maintenance of the retention basin shall be made by the developer with the property owner or owners. The city will not accept responsibility for the maintenance of any retention basin.

(j) All retention basins must have provision for an overflow.

(k) The bottom of all retention basins shall be graded in such a manner as to provide positive flow to the pump or pipe outlet.

(l) One foot of freeboard shall be provided above the ten-year stormwater elevation.

(m) Fencing will be required as needed, depending upon basin depth, steepness of side slopes, etc.

(n) All retention basins must be permanently stabilized to prevent erosion.

(o) It is not acceptable to retain water on parking lots in excess of 0.3048 meters (one foot) depth. Said depth shall not include curbs.

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 section 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 3. Effective Date.

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

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

MOTION DECLARED ADOPTED

CM-11-370-21 **(AGENDA ITEM #12C) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTIONS 82-261, 82-264, 82-268, AND ADDING SECTION 82-273 THEREOF - APPROVED**

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Chapter 82, Utilities, of the Code of Ordinances of the City of Oak Park, Michigan, by amending sections 82-261, 82-264, 82-268, and adding section 82-273 thereof:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTIONS 82-261, 82-264, 82-268, AND ADDING SECTION 82-273 THEREOF

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Chapter 82, Utilities, Sections 82-261. Definitions; 82-264. Inspections; and 82-268. Right of Entry, of the Code of Ordinances of the City of Oak Park are hereby amended to read as follows:

ARTICLE IV.- CROSS CONNECTIONS

Sec. 82-261. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Backflow means water of questionable quality, wastes or other contaminants entering a public water supply system due to a reversal of flow.

Cross connection means a connection or arrangement of piping or appurtenances through which a backflow could occur.

Safe air gap means the minimum distance of a water inlet or opening above the maximum high water level or overflow device or container to which public water is furnished, which shall be at least two times the inside diameter of the water inlet pipe, but shall not be less than one inch and need not be more than 12 inches.

Secondary water supply means a water supply system maintained in addition to a public water supply, including, but not limited to, water systems from ground or surface sources not meeting the requirements of water from a public water supply which in any way has been treated, processed or exposed to any possible contaminant or stored in other than an approved storage facility.

Submerged inlet means a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.

That the City adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Environment, Great Lakes and Energy, being R 325.11401 to R 325.11407 of the Michigan Administrative Code.

Sec. 82-264. - Inspections; time permitted for completion of correction of violations.

(a) It shall be the duty of the Department of Technical and Planning Services to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the department of public works, water supply division, and as approved by the state department of Environment, Great Lakes and Energy.

(b) The total time permitted for completion of the necessary corrections of violations shall be contingent upon the degree of hazard involved and include the time required to obtain and install equipment.

Sec. 82-268. - Right of entry.

The representative of the department of Department of Technical and Planning Services shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the city for the purpose of inspecting the piping system or systems thereof for cross connections. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

SECTION 2. Chapter 82, Utilities, of the Code of Ordinances of the City of Oak Park are hereby amended to add Section 82-273.- Testing, to read as follows:

Sec. 82-273. - Testing.

All testable backflow prevention assemblies shall be tested initially upon installation, relocation and/or repair to be sure that the assembly is working properly. Subsequent testing of assemblies shall be on an annual basis or as required by the City and in accordance with Michigan Department of Environment, Great Lakes and Energy requirements. Only individuals that hold an active ASSE 5110 tester's certification shall be qualified to perform such testing. That individual(s) shall certify the results of his/her testing.

SECTION 3. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above section 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 take effect ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER:

Department of Public Works

(AGENDA ITEM #13A) Trash removal update.

CM-11-371-21 **(AGENDA ITEM #14B) REQUEST TO APPROVE A PROPOSAL FROM OHM ADVISORS TO PROVIDE PROFESSIONAL SERVICES FOR LANDSCAPE ARCHITECTURE SERVICES FOR THE NINE MILE LINEAR PARK LANDSCAPING PROJECT, M-739 FOR THE HOURLY, NOT TO EXCEED COST OF $17,500 - APPROVED**

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve a proposal from OHM Advisors to provide professional services for Landscape Architecture Services for the Nine Mile Linear Park Landscaping Project, M-739 for the hourly, not to exceed cost of $17,500.

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

MOTION DECLARED ADOPTED

CM-11-372-21 **(AGENDA ITEM #14C) REQUEST TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO PARTICIPATE IN THE SOURCEWELL PRE-BID CONTRACT TO PURCHASE LAWN EQUIPMENT TOTALING $19,500.00 - APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to authorize the Public Works Department to participate in the SourceWell pre-bid contract to purchase the following lawn equipment totaling $19,500.00:

Vehicle:	Department:	Amount: (Pre-Bid Contract)	Account:
Woods TBW180 15' Turf Batwing	Public Works	Total Cost: $19,500.00 ~ $17,000 budgeted ~ (SourceWell Contract No. 44763)	Motor Pool: 654-18.875-970

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

MOTION DECLARED ADOPTED

Economic Development and Planning

(AGENDA ITEM #13D) Corridor Improvement Authority Annual Report Presentation.

Director of Economic Development Marrone presented the Corridor Improvement Authority Annual Report for 2021.

Finance/Assessing

CM-11-373-21 **(AGENDA ITEM #14E) REQUEST TO RECEIVE AND APPROVE EXCEPTION RECOMMENDATIONS REGARDING SPECIAL ASSESSMENT DISTRICTS - APPROVED**

Motion by Burns, seconded by Whitehead, CARRIED UNANIMOUSLY, to receive and approve the following exception recommendations regarding Special Assessment Districts:

Placed back onto the Special Assessment District along with the 10% penalty:

Special Assessment District No. 695 Unpaid Utilities

52-25-31-231-010 21991 Ridgedale
52-25-31-302-003 21500 Greenfield
52-25-29-229-004 24620 Pinevillage
52-25-30-230-024 24301 Kipling
52-25-29-352-026 13310 Woodvale
52-25-32-104-107 22124 Dante Apt. 203
52-25-31-128-047 21925 Sussex
52-25-19-478-026 25125 Coolidge

Special Assessment District No. 696 Unpaid False Alarm

52-25-19-101-001 26700 Greenfield

Special Assessment District No. 697 Unpaid Property Blight

52-25-31-451-007 14600 W. 8 Mile Rd.
52-25-31-276-012 21850 Ridgedale
52-25-28-354-026 23231 Republic

Permanently Removed along with the 10% penalty:

Special Assessment District No. 695 Unpaid Utilities

52-25-31-129-015 22010 Sussex
52-25-29-329-017 23811 Scotia
52-25-29-160-019 24061 Moritz
52-25-19-233-013 13641 Borgman
52-25-29-229-089 24601 Pineview
52-25-29-406-001 10651 Oak Park Blvd.

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #13F) Fourth quarter FY 2020-21 Investment Report.

Finance Director Crawford presented the report. A copy is on file with the City Clerk.

CM-11-374-21 (AGENDA ITEM #14G) REQUEST TO APPROVE THE COMBINATION OF PARCELS FOR BONFIRE NORTHEND VENTURES , LLC - APPROVED

Motion by Edgar, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the combination of parcels 52-25-32-301-012 and 52-25-32-301-002 for Bonfire Northend Ventures , LLC.

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

MOTION DECLARED ADOPTED

The City Assessor reported Bonfire Northend Ventures, LLC has applied to combine two parcels into one parcel, one has an existing commercial building on it and the second is commercial vacant. This request was sent to other City Departments and no objections were raised by those that responded. The requested lot combination will not be detrimental to the adjacent properties, neighborhood, or the City of Oak Park. There is no significant benefit to the City of Oak Park other than reduced paperwork.

Communications

(AGENDA ITEM #14H) Event and Activity Update

Communications Director Flynn reported upcoming activities and events for the month of November.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:58 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor