

Oak Park City Council Agenda

October 16, 2023





AGENDA
REGULAR CITY COUNCIL MEETING
39th CITY COUNCIL
OAK PARK, MICHIGAN
October 16, 2023
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 City Council Meeting Minutes for October 2, 2023
- B. Request to schedule a public hearing for November 6, 2023 to receive public comment on the allocation of the 2024 Community Development Block Grant Funds
- C. Request to approve payment application No. 1 for the 2023-24 Miscellaneous Concrete Project to Mattioli Cement Company, of Fenton, Michigan, for the total amount of \$199,677.48
- D. Licenses New and Renewals submitted for October 16, 2023

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS:

- A. Proclamation declaring October as Michigan Library Appreciation Month
- B. Strategic Plan – Quarterly Report

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES: None

11. ACCOUNTING REPORTS:

- A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$14,587.83

12. BIDS: None

13. ORDINANCES: None

14. CITY ATTORNEY:

15. CITY MANAGER:

City Clerk

- A. Request to approve a license agreement with Oakland County Board of County Election Commissioners for the use of the Oak Park Community Center for Early Voting Site 1 and to authorize the City Manager to sign the agreement on behalf of the city

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. 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. Accommodation to participate in 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
October 2, 2023
7:00 PM**

MINUTES

The meeting was called to order at 7:00 p.m. 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, Council Member Burns, Council Member Radner
Council Member Whitehead

ABSENT: Mayor Pro Tem Edgar

OTHERS

PRESENT: City Manager Tungate, Deputy City Clerk Williams, City Attorney Duff

APPROVAL OF AGENDA:

**CM-10-321-23 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS PRESENTED
– APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-10-322-23 (AGENDA ITEM #5A-I) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes for September 18, 2023 **CM-10-323-23**
- B. Beautification Advisory Commission Meeting Minutes for June 20, 2023 **CM-10-324-23**
- C. Traffic Safety Board Meeting Minutes for August 13, 2023 **CM-10-325-23**
- D. Arts and Cultural Diversity Commission Meeting Minutes for August 10, 2023 **CM-10-326-23**
- E. Request to approve payment of invoices from MDOT for the Nine Mile Rd. and Eight Mile Rd. at Hubbell projects for the total amount of \$284,575.26 **CM-10-327-23**
- F. Request to approve payment of invoices from OHM Advisors for GIS DWAM Grant, Nine Mile Road CE, and Capital Ave. Easement for the total amount of \$54,602.12 **CM-10-328-23**
- G. Request to approve Payment Application No. 6 in the amount of \$66,931.24 and Change Order No.5 in the amount of (\$26,871.32) to Inner City Contracting of Detroit, Michigan for the 2023 Water Main and Road Replacement Project, M-750 **CM-10-329-23**
- H. Request to approve Payment Application No. 1 for the 2023 Block Pruning Project, M-748, to Urban Tree Trimming of Detroit MI, in the amount of \$30,985.00H. **CM-10-330-23**

I. Licenses new and renewals submitted for October 2, 2023 **CM-10-331-23**

MERCHANT'S LICENSES – October 2, 2023
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
STAPLES PROPERTY MANAGEMENT LLC	25900 GREENFIELD # 226	\$150.00	OFFICE
FRONT PAIJE DESIGNS	10760 W NINE MILE RD	\$150.00	RETAIL CLOTHING
<u>RENEWALS (2023)</u>	<u>ADDRESS</u>	<u>FEE</u>	
LIVE TMG LLC	21320 COOLIDGE HWY	\$225.00	MUSIC COWORKING SPACE
MEAL PREP II	24711 COOLIDGE HWY	\$150.00	BAKERY/MEAL PREP
STAR BAKERY	26031 COOLIDGE HWY	\$150.00	BAKERY
NEXT LEVEL BARBERSHOP	13641 W NINE MILE RD	\$187.50	BARBERSHOP
DOMINO'S PIZZA	13735 W NINE MILE RD	\$225.00	RESTAURANT

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Special Retirement Recognition for Ted Kozlowski.

Public Safety Director Cooper recognized Ted Kozlowski who is retiring from the Public Safety Department.

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Public Hearing on the establishment of an Industrial Development District at Bollinger Motors, Inc., 14925 W. Eleven Mile Rd., Oak Park, Michigan.

Mayor McClellan opened the public hearing at 7:06 p.m. Ray Howse, 26571 Tulare St., Meredith Long, 26561 Tulare St., and Michael Long, 26551 Tulare, spoke in opposition to the Industrial Facilities District. Randy Bernstein, 26471 Raine, asked what is planned for the complex?

General Counsel from Bollinger Motors explained the proposed use of the facility and confirmed no manufacturing will take place on site and modifications will be inside the facility only. Mayor McClellan closed the public hearing at 7:42 p.m.

CM-10-332-23

(AGENDA ITEM #8B) RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT FOR BOLLINGER MOTORS, INC., 14925 W. ELEVEN MILE RD., OAK PARK, MICHIGAN - APPROVED

Motion by Burns, Seconded by Whitehead, CARRIED UNANIMOUSLY, to adopt the following resolution approving an industrial development district for Bollinger Motors, Inc., 14925 W. Eleven Mile Rd., Oak Park, Michigan:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

RESOLUTION TO ESTABLISH INDUSTRIAL DEVELOPMENT DISTRICT
FOR BOLLINGER MOTORS, INC.

WHEREAS, Pursuant to Act No. 198 of the Public Acts of 1974, as amended, the City Council of the City of Oak Park has the authority to establish Industrial Development Districts within the City of Oak Park; and

WHEREAS, Bollinger Motors, Inc., has petitioned the City Council of the City of Oak Park to establish an Industrial Development District on its property located at 14925 W. Eleven Mile Rd., Oak Park, Michigan hereinafter described; and

WHEREAS, before acting on said application, the City of Oak Park held a hearing on October 2, 2023, at which the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, Construction acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, Written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Daily Tribune on September 13, 2023; and

WHEREAS, On October 2, 2023 a public hearing was held at which all the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Oak Park were afforded an opportunity to be heard thereon; and

WHEREAS, The City Council deems it to be in the public interest of the City of Oak Park to establish the Industrial Development District as proposed.

BE IT HEREBY RESOLVED, By the City Council of the City of Oak Park that:

The following described parcel of land situated in the City of Oak Park, Oakland County, and State of Michigan, to wit:

T1N, R11E, SEC 19 PART OF NW 1/4 BEG AT PT DIST N 87-45-00 E 1320 FT FROM NW SEC COR, TH N 87-45-00 E 330 FT, TH S 754.50 FT, TH N 88-43-31 W 328.05 FT, TH N 88-55-35 W 140 FT, TH N ALG E LINE OF RAINE AVE TO N SEC LINE, TH N 87-45-00 E 140 FT TO BEG EXC N 33 FT TAKEN FOR RD 7.78 A

Be and hereby is established as an Industrial Development District pursuant to the provision of Act No. 198 of the Public Acts of 1974 to be known as the Bollinger Motors, Inc. Industrial Development District Number 23-01.

NOW FURTHERMORE BE IT RESOVLED that it is the intent of the City Council of the City of Oak Park that said district, Bollinger Motors, Inc. Industrial Development District 23-01, shall expire and become null and void on December 30, 2030, unless extended.

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #8C) Public Hearing on the application of Bollinger Motors, Inc. for an Industrial Facilities Exemption Certificate with respect to a new facility.

Mayor McClellan opened the public hearing at 7:47 p.m. Meridith Long, 26561 Tulare St., spoke against granting the certificate sighting opposition to offering the tax break and potential traffic concerns. Mayor McClellan closed the public hearing at 7:50 p.m.

**CM-10-333-23 (AGENDA ITEM #8D) RESOLUTION APPROVING THE
APPLICATION OF BOLLINGER MOTORS, INC. FOR AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE WITH
RESPECT TO A NEW FACILITY - APPROVED**

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution approving the application of Bollinger Motors, Inc. for an Industrial Facilities Exemption Certificate with respect to a new facility:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

**RESOLUTION APPROVING APPLICATION OF BOLLINGER MOTORS, INC. FOR INDUSTRIAL
FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY**

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held October 2, 2023, this City Council by resolution established Industrial Development No. 23-01, and

WHEREAS, Bollinger Motors, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development District No. 23-01; and

WHEREAS, before acting on said application, the City of Oak Park held a hearing on October 2, 2023, at which the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment had not begun earlier than the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, construction of building improvements had not begun earlier than the date of acceptance of the application for the Industrial Facilities Exemption Certificate;” and

WHEREAS, completion of the facility is calculated to and will at the time of issuance have the reasonable likelihood to retain, create, or prevent the loss of employment in the City of Oak Park; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem within the City of Oak Park, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted,

BE IT HEREBY RESOLVED, By the City Council of the City of Oak Park that:

1. The City Council finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act. No. 198 of 1974, shall not have the effect of substantially impeding the operation of the City of Oak Park, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Oak Park.
2. The application of Bollinger Motors, Inc. for an Industrial Facilities Exemption Certificate with respect to a new facility, which the personal property to be installed and real property building improvements on the following described parcel of real property situated within the City of Oak Park Industrial Development District No. 23-01 to wit:

T1N, R11E, SEC 19 PART OF NW 1/4 BEG AT PT DIST N 87-45-00 E 1320 FT FROM NW SEC COR, TH N 87-45-00 E 330 FT, TH S 754.50 FT, TH N 88-43-31 W 328.05 FT, TH N 88-55-35 W 140 FT, TH N ALG E LINE OF RAINE AVE TO N SEC LINE, TH N 87-45-00 E 140 FT TO BEG EXC N 33 FT TAKEN FOR RD 7.78 A

Be and the same hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall remain in force and effect for a period of 6 years.
4. In accordance with Section 22 of the Act, which requires a written agreement between the local government unit and the person to whom a certificate is to be issued as a condition of the issuance of a new industrial facilities exemption certificate, the City Council hereby approves and authorizes the execution of a written agreement with Bollinger Motors, Inc., in substantially the form attached hereto, by appropriate City officials, the agreement to provide that if Bollinger Motors, Inc. moves out of the City before the expiration of the Certificate, or begins to take steps to do so, then Bollinger Motors, Inc. shall immediately repay to the City the amount of tax benefit derived by the Company as a result of the approval of the Application by the City and issuance of the Certificate by the State Tax Commission, (the "Benefit"), as estimated by the City Treasurer.
5. That all resolutions inconsistent with the foregoing resolution be, and the same hereby are, hereby rescinded.

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #8E) Public hearing for Special Assessment Districts #708 Delinquent Utilities, #709 False Alarms, #710 Property Blight and #711 Sidewalk Replacement.

Mayor McClellan opened the Public Hearing on Special Assessment Districts 708, Delinquent Utilities; #709 – Delinquent False Alarms; and #710 - Property Blight and #711, Sidewalk Replacement at 7:55 p.m. and invited interested parties to speak. Najeeb Shareef, 21350 Ridgedale and Kimberly Brantley, 2111 Kipling, spoke about exceptions for unpaid utilities. The special assessment exceptions listed below were also read into the record then Mayor McClellan closed the Public Hearing at 8:07 p.m.

CM-10-334-22

(AGENDA ITEM #8E) ADOPTION OF SPECIAL ASSESSMENT RESOLUTIONS TO CONFIRM THE ROLLS AND SET THE DUE DATE OF NOVEMBER 14, 2023 TOGETHER WITH PENALTY OF TEN PERCENT (10%) FOR SPECIAL ASSESSMENT DISTRICTS #708 - DELINQUENT UTILITIES; #709 – DELINQUENT FALSE ALARMS; #710 - PROPERTY BLIGHT AND NO. 711 – SIDEWALK REPLACEMENT INVOICES – APPROVED

Motion by Burns, seconded by Whitehead, 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 14, 2023 with penalty for Special Assessment districts: No. 708 – Unpaid Utility Invoices; No. 709 – Unpaid False Alarm Invoices; No. 710 – Unpaid Property Blight Invoices and No. 711 – Sidewalk Replacement Invoices; 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. 708
DISTRICT NO. 709
DISTRICT NO. 710
DISTRICT NO. 711

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. 708, 709, 710 and 711.

There were objections received as follows:

SAD	Address	Parcel ID #
708 - Unpaid Utility Invoices		
	21350 Ridgedale	52-25-31-429-011
	21111 Kipling	52-25-31-476-020
	23000 Eastwood	52-25-29-376-014
	13011 Oak Park Blvd.	52-25-29-330-005
	23421 Cloverlawn	52-25-30-404-034
	24320 Oneida	52-25-29-276-025
	14097 Lincoln	52-25-19-402-009
	23860 Majestic	52-25-29-428-002
	21900 Harding	52-25-31-154-008
710 - Unpaid Property Blight Invoices		
	21921 Eastwood	52-25-32-105-016
	21111 Kipling	52-25-31-476-020

BE IT RESOLVED that Special Assessment Rolls No. 708, 709, 710 and 711 as prepared and revised by the City Assessor, are hereby confirmed.

CITY OF OAK PARK
MICHIGAN

SPECIAL ASSESSMENT RESOLUTION NO. 10

DISTRICT NO. 708
DISTRICT NO. 709
DISTRICT NO. 710
DISTRICT NO. 711

At a Regular Meeting of the City Council of the City of Oak Park, held the 2nd day of October 2023 at 7:00 PM, City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237.

WHEREAS, by resolution adopted October 2, 2023, Special Assessment Rolls No. 708, 709, 710 and 711 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 14, 2023, in full, together with a penalty of ten percent (10%).

BE IT FURTHER RESOLVED THAT: An unpaid installment of said Special Assessment Roll shall bear penalty at an annual rate of five percent (5%) after due date November 14, 2023.

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

MOTION DECLARED ADOPTED

SPECIAL LICENSES: None

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

Municipal Services/CIA

CM-10-335-23 (AGENDA ITEM #15A) REQUEST TO APPROVE A FAÇADE IMPROVEMENT GRANT TO DANNY KALLABAT REGARDING BUSINESSES AT 13805-13845 W. NINE MILE RD. FOR A MAXIMUM OF 50% OF THE PROJECT COSTS IN AN AMOUNT NOT TO EXCEED \$12,500 OR \$2,500 PER BUSINESS - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve a façade improvement grant to Danny Kallabat regarding businesses at 13805-13845 W. Nine Mile Rd. for a maximum of 50% of the project costs in an amount not to exceed \$12,500 or \$2,500 per business.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Sylva Haywood, 21750 Kenosha, expressed concerns about rental property in her neighborhood.

Mark Phillips, 13670 Nadine, thanked the city for allowing the dog park mural to be painted in memory of their son.

CLOSED SESSION:

CM-10-336-22 (AGENDA ITEM #18) MOTION TO ADJOURN INTO CLOSED SESSION TO DISCUSS ATTORNEY-CLIENT PRIVILEGED COMMUNICATION REGARDING PENDING LITIGATION FOR PROPERTY AT 21950 EASTWOOD AND 13200 OAK PARK BLVD - APPROVED

Motion by Burns, Seconded by Whitehead, CARRIED UNANIMOUSLY, to adjourn into Closed Session to discuss attorney-client privileged communication regarding pending litigation for property at 21950 Eastwood and 13200 Oak Park Blvd.

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

MOTION DECLARED ADOPTED

The Closed Session began at 7:30 PM. The Regular Meeting was reconvened at 8:27 PM.

CM-10-337-22 CLOSED SESSION MINUTES - APPROVED

Motion by Burns, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the minutes of the 10-02-23 Closed Session.

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

MOTION DECLARED ADOPTED

CM-09-336-23 MOTION TO APPROVE THE CITY ATTORNEY TO PROCEED WITH FILING ACTIONS TO ABATE PUBLIC NUISANCE IN THE OAKLAND COUNTY CIRCUIT COURT RELATIVE TO PROPERTIES LOCATED AT 21950 EASTWOOD AND 13200 OAK PARK BLVD - APPROVED

Motion by Radner, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the City Attorney to proceed with filing actions to abate public nuisance in the Oakland County Circuit Court relative to properties located at 21950 Eastwood and 13200 Oak Park Blvd.

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

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

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

AGENDA OF: October 16, 2023

SUBJECT: Schedule Public Hearing for allocation of 2024 CDBG Funds.

DEPARTMENT: Municipal Services - *KM*

SUMMARY: The City of Oak Park is expected to receive \$123,732 in Community Development Block Grant Funds (CDBG) for the 2024 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 conducts a Public Hearing to solicit public comment as to how the funds should be allocated. We would like the public hearing to be scheduled for November 6, 2023 City Council meeting.

FINANCIAL STATEMENT: No funds required at this time.

RECOMMENDED ACTION: It is recommended that City Council schedule a Public Hearing for November 6, 2023 to receive public comment on the allocation of the 2024 Community Development Block Grant Funds.

APPROVALS:

City Manager: _____ ET _____

Director: _____ KM _____

Finance Director: _____ SC _____

City Attorney: _____ CK _____

Budgeted: ☐

EXHIBITS: None

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** October 16, 2023**SUBJECT:** Payment Application No. 1 for the 2023-24 Miscellaneous Concrete Project, M-754.**DEPARTMENT:** Municipal Services, Engineering - *KMG***SUMMARY:** Attached is Payment Application No. 1 for the 2023-24 Miscellaneous Concrete Project, M-754 by Mattioli Cement Company of Fenton, Michigan. This project includes miscellaneous concrete road work throughout the city. This project is approximately 23% complete.**FINANCIAL STATEMENT:**

Original Contract Amount:	\$949,943.50
Total Completed to Date:	\$221,863.87
Less Retainage:	\$ 22,186.39
Net Earned:	\$199,677.48
Deductions:	\$ 0.00
Balance:	\$199,677.48
Payments to Date:	\$ 0.00
Amount Due Mattioli Cement Company:	\$199,677.48

RECOMMENDED ACTION: It is recommended that Payment Application No. 1 for the 2023-24 Miscellaneous Concrete Project to Mattioli Cement Company, of Fenton, Michigan, be approved for the amount of \$199,677.48. Funding is available in the Local Street Fund 203-18-479-970 and Water and Sewer Fund 592-18-538-970 for this expenditure.**APPROVALS:**

City Manager: _____ ET _____

Department Director: _____ KM _____

Director of Finance: _____ SC _____

City Attorney: _____ CK _____

Budgeted: ☐**EXHIBITS:** Payment Application No. 1, Maps, Project list

PAYMENT APPLICATION

PROJECT: 2023-2024 MISCELLANEOUS CONCRETE PROJECT

JOB NUMBER: M-754

OWNER: CITY OF OAK PARK, MICHIGAN

APPLICATION NO.: 1

CONTRACTOR: MATTIOLI CEMENT COMPANY
6085 MCGUIRE ROAD
FENTON, MI 48430

PERIOD ENDING: 10/6/2023

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY	UNIT	UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	REMOVE CONCRETE PAVEMENT, MODIFIED SP	11,300	SYD	\$11.71	3,405.71	\$39,880.86	3,405.71	\$39,880.86
2	CONCRETE PVMT W/ INT CURB & GUTTER 9" CONCRETE, MODIFIED SP	5,600	SYD	\$60.00	2,428.93	\$145,735.80	2,428.93	\$145,735.80
3	CONCRETE PVMT W/INT CURB & GUTTER, 9" CONC. PATCHES OVER 4500 SFT	5,000	SYD	\$60.00	0.00	\$0.00	0.00	\$0.00
4	REMOVAL COOLIDGE CONCRETE PAVEMENT, MODIFIED SP	100	SYD	\$20.00	0.00	\$0.00	0.00	\$0.00
5	COOLIDGE CONCRETE PAVEMENT WITH INT. CURB, 9" CONCRETE MOD. SP	100	SYD	\$60.00	0.00	\$0.00	0.00	\$0.00
6	SIDEWALK CONC. NON-REINF 4" SIDEWALK MOD	500	SFT	\$6.00	0.00	\$0.00	0.00	\$0.00
7	SIDEWALK CONC. NON-REINF 4" SIDEWALK MOD (ROTHSTEIN PARK)	5,500	SFT	\$7.50	0.00	\$0.00	0.00	\$0.00
8	SIDEWALK CONC. NON-REINF. 6" SIDEWALK/ DRIVE APPROACH MOD.	500	SFT	\$6.50	57.20	\$371.80	57.20	\$371.80
9	CONCRETE PAVEMENT, 24" CURB & GUTTER SECTION NON- REINF. 9" CONC. MOD	50	LFT	\$36.00	0.00	\$0.00	0.00	\$0.00
10	AGGREGATE BASE UNDER 9" CONC. (3" 21AA CR. LIMESTONE)	10,700	SYD	\$6.44	3,298.66	\$21,243.37	3,298.66	\$21,243.37
11	AGGREGATE BASE UNDER 4"& 6" & 9" CONC. (6" 21AA CR LIMESTONE)	100	SYD	\$9.00	8.56	\$77.04	8.56	\$77.04
12	ADJUST DRAINAGE STRUCTURES	25	EACH	\$225.00	3.00	\$675.00	3.00	\$675.00
13	CAST IN PLACE DETECTABLE/ TACTILE WARNING SURFACE MODIFIED	100	SFT	\$26.00	0.00	\$0.00	0.00	\$0.00
14	CAST IRON DETECTABLE WARNING DEVICE	50	SFT	\$61.75	0.00	\$0.00	0.00	\$0.00
15	SANITARY MANHOLE 1040A RAME AND COVER	5	EACH	\$880.00	0.00	\$0.00	0.00	\$0.00
16	CATCH BASIN 5080M3 6 HOLE FRAME AND COVER	5	EACH	\$880.00	1.00	\$880.00	1.00	\$880.00
17	MINOR TRAFFIC DEVICES MODIFIED (5% MAX)	1	LSUM	\$13,000.00	1.00	\$13,000.00	1.00	\$13,000.00
18	COOLIDGE MINOR TRAFFIC DEVICES MODIFIED (5% MAX)	1	LSUM	\$1,000.00	0.00	\$0.00	0.00	\$0.00
19	PROJECT CLEAN UP MODIFIED (5% MAX)	1	LSUM	\$6,000.00	0.00	\$0.00	0.00	\$0.00
20	INSPECTION CREW DAYS	\$320	DAY	\$45.00	9.00	\$0.00	0.00	\$0.00

		Period Total Amount:	\$221,863.87	Amount to Date:	\$221,863.87
Original Contract Amount:		\$949,943.50	Earnings This Period:	\$221,863.87	
			Total Earnings to Date:	\$221,863.87	
			Less Retainage:	\$22,186.39	
			Net Earned:	\$199,677.48	
			Deductions:	\$0.00	
			Balance:	\$199,677.48	
			Payments to Date:	\$0.00	
			AMOUNT DUE MATTIOLI CEMENT COMPANY:	\$199,677.48	

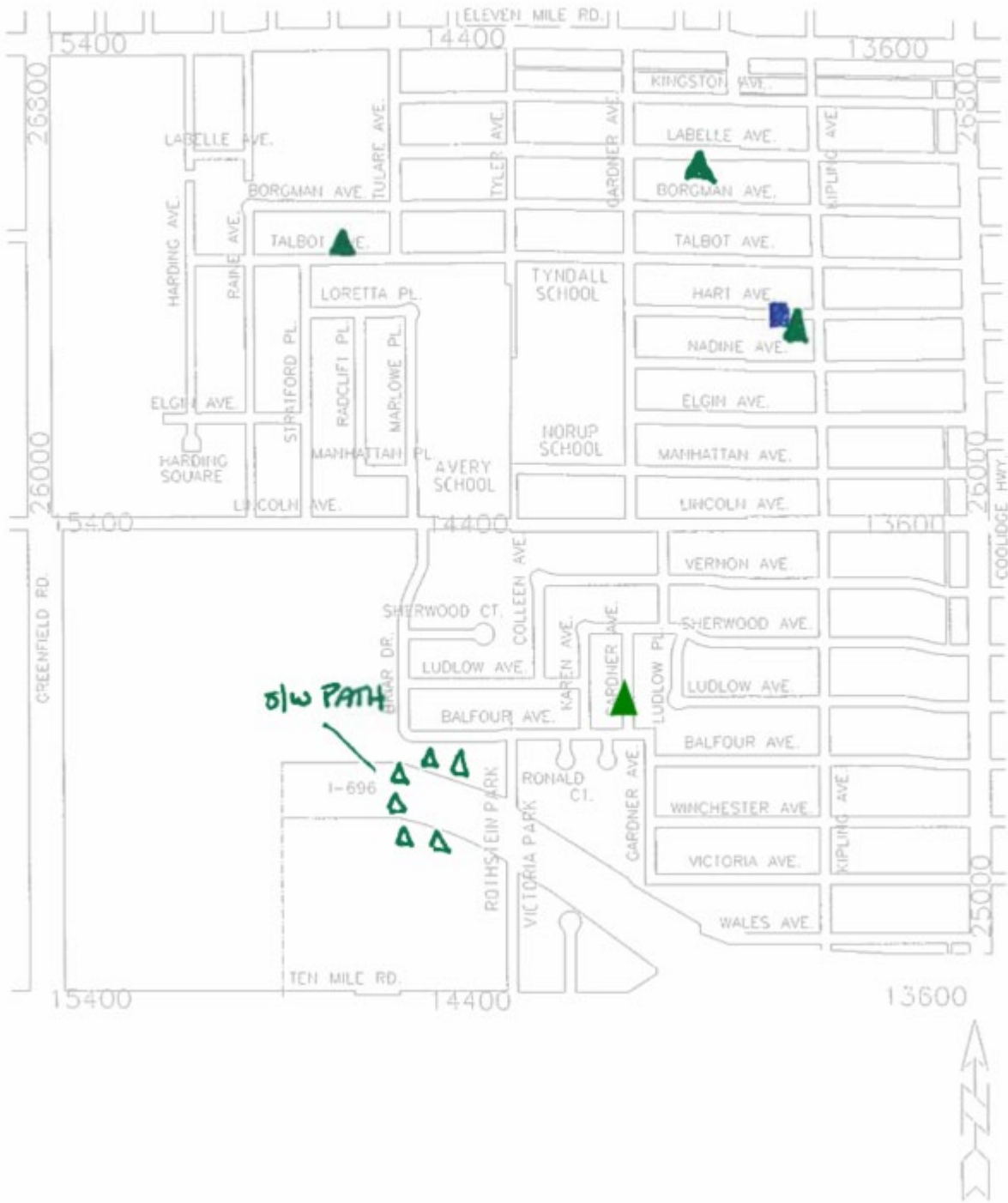
Accepted By: John Mattioli
John Mattioli (Oct 9, 2023 19:26 EDT)
Mattioli Cement Company

Date: Oct 9, 2023

Approved By: Kara M. Grisamer
Kara Grisamer P.E., City Engineer
City of Oak Park, Michigan

Date: Oct 10, 2023

SECTION 19



SECTION 28



TEN MILE RD./I-696

SECTION 30



SECTION 31



SECTION 32



SECTION 33



ROAD WORK									
LOCATION	DOUBLE	PAVEMENT REMOVAL (SQ.FT)	4" Conc. (sq.ft) Sidewalk Homeowner	6" Conc. (sq.ft) Sidewalk/DA Homeowner	4" Conc. (sq.ft) Sidewalk City	6" Conc. (sq.ft) Sidewalk/DA City	9" Conc. (sq.ft)	9" Conc. (sq.yd)	TYPE
8775 CAPITAL (CB AND GATE WELL)	NO	371.1					371.1	41.23	ROAD - 2 LOCATIONS
COLGATE/ROANOKE (CB)	NO	571.83					571.83	63.54	ROAD
15021 DARTMOUTH (CB)	NO	168.2				57.2	111	12.33	ROAD/APPROACH
EASTWOOD/LYONS	YES	9993.81				117.59	9876.22	1097.36	ROAD/APPROACH
GARDNER/KENOSHA WEST END	YES	10384.55			160.84	76.86	10146.85	1127.43	ROAD/SIDEWALK
GARDNER/KENOSHA EAST END	YES	4082					4082	453.56	ROAD
23531 GENEVA (CB)	NO	78.65					78.65	8.74	ROAD
14031 HART (SEWER REPAIR)	NO	117					117	13.00	ROAD
23520 KENOSHA (CB)	NO	87					87	9.67	ROAD
LEROY/REPUBLIC (CB)	NO	118.8					118.8	13.20	ROAD
23830 MEADOWLARK (SEWER)	NO	194.54					194.54	21.62	ROAD
14450 PEARSON (CB)	YES	1118.82					1118.82	124.31	ROAD
23522 RENSSALAER	NO	208.74					208.74	23.19	ROAD
24225 ROANOKE	NO	365.56					365.56	40.62	ROAD
24433 ROANOKE	YES	1802.67					1802.67	200.30	ROAD
24617 ROANOKE	YES	527.24					527.24	58.58	ROAD
15101 SUTHERLAND (CB)	NO	75.75					75.75	8.42	ROAD
VALE/LYONS	YES	12029.93				264.42	11765.51	1307.28	ROAD/APPROACH
DPW YARD	NO	1887.6					1887.6	209.73	PARKING
SCOTIA (S OF 10) FOOTPRINT ON PAVEMENT	NO	0					0		ROAD
		44,183.79	0.00	0.00	160.84	516.07	43,506.88	4,834.11	

SIDEWALK/APPROACH									
23461 Avon		125	125						SIDEWALK
24340 Berkley		96.5	96.5						SIDEWALK
23045 Church		246.5	204	42.5					SIDEWALK
13000 Eight Mile (DPW)		75				75			SIDEWALK
15300 Eight Mile		1354				1340			SIDEWALK/CURB
21101 Gardner		98.23				98.23			APPROACH
25441 Gardner		172.5	150	14	8.5				SIDEWALK
23200 Geneva		149	149						SIDEWALK
23281 Geneva		204	178	26					SIDEWALK
20700 Greenfield		1603				1575			SIDEWALK/CURB
14026 Hart		137.2				137.2			APPROACH
14221 Labelle		246.5	220.5	26					SIDEWALK
23751 Marlow		298.25	275.5			22.75			SIDEWALK
24090 Moritz		97	97						SIDEWALK
14200 Oak Park Blvd (Library)									SIDEWALK RAMP
23525 Renssalaer		100.5	75.5		25				SIDEWALK
22051 Ridgedale (City)		25			25				SIDEWALK
15215 Rosemary		178	153	25					SIDEWALK
Sherman/Colgate Crossing									SIDEWALK
21911 Sloman (DPW)		29			29				DRIVEWAY
14790 Talbot		175.5	149.5	26					SIDEWALK
10061 Troy (DPW)		65			65				SIDEWALK
23420 Wildwood		189.5	170	19.5					SIDEWALK
Connector Park		293.5			293.5				SIDEWALK/APPROACH
		5,958.68	2,043.50	179.00	446.00	3,248.18	0.00	0.00	
Victoria/Rothstein Park		5478.96			5478.96				SIDEWALK

MERCHANT'S LICENSES - OCTOBER 16, 2023

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
NORTHEND WHOLESALE LLC	13261 CLOVERDALE AVE B	\$150.00	APPLIANCE WHOLESALE
SAVVY SLIDERS	21330 GREENFIELD	\$150.00	RESTAURANT
CENTER MOUNT JEWELERS	21700 GREENFIELD RD # 351	\$150.00	JEWELER
ROCCO'S PIZZA	10100 W NINE MILE RD	\$150.00	RESTAURANT

RENEWALS FOR 2023/2024	ADDRESS	FEES	BUSINESS TYPE
INSURANCE GIANT	24681 COOLIDGE HWY	\$225.00	INSURANCE AGENCY
PINK GARLIC INDIAN CUISINE	26661 COOLIDGE HWY	\$150.00	RESTAURANT
BUTTER	13631 W ELEVEN MILE RD	\$150.00	OFFICE
LA MARRA	24700 GREENFIELD RD	\$150.00	RESTAURANT
PIK-NIK BASKET	8511 W NINE MILE RD	\$150.00	RESTAURANT
FRESH BAKED PRINTS	8670 W NINE MILE RD	\$225.00	PRINTING COMPANY
K&F INTERNATIONAL MARKET	13911 NINE MILE RD	\$150.00	MEAT MARKET

City of Oak Park

OAK PARK CITY COUNCIL

Proclamation

Michigan Library Month – October 2023

Whereas, the Michigan Library Association (MLA) annually designates the month of October as a statewide observance to celebrate the contributions of Michigan's public, school, academic, tribal, cooperative and special libraries; and

Whereas, Michigan's libraries continue to evolve and expand their services and now offer more programs, events, services, resources, and collections than ever to serve and support their communities; and

Whereas, libraries are now dynamic centers of discovery and lifelong learning – serving as concert venues, art galleries, tourist destinations, meeting spaces, community living rooms, makerspaces, study rooms and more; and

Whereas, libraries now offer patrons much more to borrow than books, including tablets and laptops, mobile hotspots, tools, games, movies, music and more – serving as an indispensable resource for children, teens, adults and seniors; and

Whereas, libraries provide free access to information to millions of Michiganders allowing them to explore and discover a vast world of information and entertainment; and

Whereas, libraries provide materials and programs that are as diverse as the people they serve, while protecting patron's privacy and supporting their right to read; and

Whereas, libraries serve as the primary point of access for people without internet or access to computers, enabling everyone to connect to the people and ideas of the world; and

Whereas, Michigan libraries are indispensable educational and cultural institutions in the heart of our communities, offering Michiganders a place to gather, socialize, study and learn; and

Whereas, hundreds of libraries and millions of library supporters across Michigan are celebrating Michigan Library Appreciation Month this October;

NOW, THEREFORE, BE IT RESOLVED, that I, Marian McClellan, Mayor of the City of Oak Park, Michigan, on behalf of the Oak Park City Council proclaim October 2023 as Michigan Library Appreciation Month and encourage all residents to visit their library in person or virtually to connect to the myriad of services, resources and collections their library provides.

TESTIMONY WHEREOF, I have officially signed my name, and caused the seal of the City of Oak Park, Michigan, to be affixed this 16th day of October, 2023

Marian McClellan, Mayor

CITY OF OAK PARK

STRATEGIC PLAN

2021 - 2026

2023 Quarterly Report

October, 2023



INTRODUCTION



The Strategic Plan Reports are an opportunity to share the progress the City is making on our 2021-2026 Strategic Plan.

City administration created an action plan that guides staff over the next five years in achieving the City's established goals and objectives. It is broken down into actionable items with a timeframe for completion and identifies the departments responsible for insuring their completion. The Quarterly Reports that have been delivered this year have provided a highlight of the activities that the City has carried out in the previous three months, in an effort to work toward our established objectives.

VISION, MISSION, VALUES



OUR VISION

The City of Oak Park will lead the region as the most dynamic city in Metropolitan Detroit, serving as a destination as a vibrant, cutting-edge community.

OUR MISSION

In the City of Oak Park, we strive to provide the highest quality of life for our residents in everything we do.

We pride ourselves on the richness of our cultural diversity and our safe and secure neighborhoods.

We actively encourage residential and business growth.

We are business minded and family-centered.

OUR VALUES

Prioritizing our public's well-being first;

Operating with integrity and maintaining the trust of our residents;

Providing the highest quality programs and services;

Serving as good stewards of our financial and physical resources;

Delivering honest, responsive government;

Attracting innovation, community development and business enterprise.

GOALS



GOAL 1:

Deepen sense of place and community identity

GOAL 2:

Foster an engaged, informed community

GOAL 3:

Cultivate organizational excellence

GOAL 4:

Provide efficient, resilient government

GOAL 5:

Ensure a safe and comfortable environment for everyone

GOAL 6:

Encourage environmentally sustainable practices

QUARTERLY REPORT



GOAL 1: DEEPEN SENSE OF PLACE AND COMMUNITY IDENTITY

Through the expansion of dynamic commercial and industrial corridors, preservation of the integrity of our neighborhoods, and events and amenities that celebrate Oak Park's diversity

Objective: Attract and retain a mixture of robust businesses into the City

- * 18 new business licenses were issued
- * All of the City's available properties are promoted on the website.
- * The Economic Development department has been actively soliciting mixed use development on 11 Mile and one of the property owners currently has his property listed to attract mixed use.
- * The ED department is working with the library, Southfield, and Lathrup to host a business training events quarterly. The Library and ED department are actively promoting the Oakland County Thrive organization.
 - * Business networking event hosted by the Corridor Improvement Authority in July
 - * E-commerce lunch and learn hosted by Oak Park, Lathrup Village, Southfield, and Oakland County Main Street in August

Objective: Improve the overall appearance of commercial corridors and industrial districts

- Issued 1,166 Code Enforcement Notices for various properties and issued 33 tickets
- Performed 84 Business License Inspections
- Municipal Services is finalizing a vacant property registration ordinance to present to City Council
- The Corridor Improvement Authority just awarded a landscaping project, which will include landscaping the nine mile pedestrian islands, as well as the Oak Park welcome signs around the corridors.

QUARTERLY REPORT



Objective: Combat blight issues in residential neighborhoods

- The recycling commission held a clean up day on September 11
- Performed 325 rental inspections

Objective: Celebrate Oak Park's diversity through events and programs that attract people throughout the region

- ACDC hosted it's third annual Film Festival. It was supported by sponsorships from Oakland University, Thai Fai, Hagopian, Dog and Pony Show Brewing and Berkley Coffee. There were 33 film submissions, of which 9 were selected for viewing. This year, Quizzo movie trivia was added to the agenda!
- This year's Annual July 4th Parade and FunFest saw an increase in participation this year!
 - * 56 participated in the Mayor's 5K Family Walk and Fun Run
 - * 41 parade entries
 - * 6 food vendors
- This year's Farmers Market was a success, with additional resources for our visitors! It ran for 13 weeks (July 6 - September 27, 2 days were rained out)
 - * 20 vendors (12 additional vendors for Family Market Day and Senior Market Day)
 - * 6 sponsors - total sponsorship dollars of over \$33,000
 - * Programs included: Kids Power of Produce (maxed out at 65 participants), Senior Power of Produce (also maxed out at 65 participants), \$9,323 in food assistance dollars given out, 13 free yoga classes
 - * Musical entertainment every market day
- The Communications department continues to promote our events with robust communication strategies:
 - * The Farmers Market and it's weekly offerings were promoted weekly (at a minimum) during their duration on our social media platforms (both City and Rec pages)
 - * The Summer Entertainment series was promoted weekly (at a minimum) during its duration on our social media platforms (City and Rec pages)
 - * Quarterly magazine
 - * Communication with the Oakland Press for inclusion in their weekly events section

QUARTERLY REPORT



Objective: Offer affordable mobility options

- The pilot program with Bird continues. This quarter there have been 1,349 total rides, 386 users, and 10 complaints to Bird

Objective: Invest in public art experiences

- The City Hall art exhibit program continues to host quarterly exhibits and artist receptions to kick off the exhibit. Resident, Christine Monhollon's work was featured July through September.
- The Library is hosted a "Tiny Art Show" in August

Objective: Provide programming that responds to the needs of all demographics of the community

- The Library hosted:
 - * Evening story time in July for working parents
 - * Teen back-to-school grab and go kits were offered at the end of August
 - * A PC Scams information session to help bridge the digital divide in September
 - * Book Club
 - * An Evening with an Author Night (Paul Vachon, "Detroit: An Illustrated Timeline")
 - * Iphone and Android Basis classes

Objective: Foster social interaction and a sense of ownership at all of the City's public spaces

- This summer's entertainment series ran through August and drew in residents and visitors to Shepherd Park every Thursday evening.

Objective: Identify best uses for City property to ensure equitable access to quality public spaces

- The Dog Park opened in August! We currently have 34 registered users (42 dogs)
- In July, we finalized an agreement with Oakland County for investments in Shepherd Park that will begin next year

QUARTERLY REPORT



GOAL 2: FOSTER AN ENGAGED, INFORMED COMMUNITY

Through meaningful, timely communications, and ample opportunities for resident engagement with their government and each other

Objective: Ensure effective, meaningful communication with the community

- A leaf pickup map sent in the October Utility Bill Mailer. We will continue to remind residents of schedules via social media and publish information in the calendar
- We added 30 people to the emergency service notifications (e-blasts)
- The Communications department created the Dog Park webpage and the Elevate Oak Park webpage—each with unique appearances to be more aesthetically pleasing
- The Communications department has put together and carried out an extensive communications plan for the Elevate Oak Park campaign. This stretches across multiple platforms (digital, print, and in-person)
- The Communications department is working with the Recycling Committee to develop a sustainability awareness communications plan
- The Public Safety ice cream truck was out in full force, creating positive experiences with residents
- The Communications department has utilized the water bill to send out important information.
 - * Two Elevate Oak Park/Ballot Information
 - * Leaf pickup
 - * Library programming
 - * Utility bill rates
- 11 Town Halls, 8 Q&A sessions scheduled for the Elevate Oak Park Campaign and have a robust social media campaign underway to educate on Elevate Oak Park and solicit public comment.
- Working with MetroMode on the first story related to Oak Park's Parks and Recreation

Objective: Increase positive media coverage

- The Communications department began working with Metromode in September to allow for additional media coverage of Oak Park. The first story is scheduled to be published in October
- Number of Articles/News Hits (July 1 - September):
 - * Oakland County Times: 11
 - * Oakland Press/Royal Oak Tribune: 10
 - * Detroit News: 1
 - * Detroit Free Press: 1
 - * Toledo Blade: 1
 - * Channel 4: 3
 - * Fox 2: 2
 - * Channel 7: 1
- The Communications department has Crafted 5 press releases; provided quotes/information for 3 other news

QUARTERLY REPORT



GOAL 3: CULTIVATE ORGANIZATIONAL EXCELLENCE

Through the development of a workplace culture that focuses on continuous improvement, accountability, engagement and healthy lifestyles

Objective: Provide high quality, friendly, responsive customer service

- We responded to 285 requests, with an average time to close of 5 days
- Our Resident Services Coordinator has been working closely with residents on various issues, and assisting departments and residents in utilizing the Gov QA system.
- The Communications department and the Resident Service Coordinator work together to identify topics and issues where residents are having issues and increased communication is needed.

GOAL 4: PROVIDE EFFICIENT, RESILIENT GOVERNMENT

Through a commitment to financial sustainability, innovation and best practices

Objective: Secure outside funding to help fund City projects and capital expenses

- We continue to work diligently to secure outside funding for the Event Hub. We have received \$750,000 from the County, \$2 million from the State and are waiting to hear about funding requests and grant applications from the State and Federal government
- Library:
 - * Friends of the Library sponsored Summer Reading June through August
 - * Private donation of \$3,000 to enhance collections
- Recreation:
 - * Humana sponsored the Blood Pressure Monitor Program by donating \$5,000 towards the purchase of 100 monitors to be given out to seniors enrolled in the program
 - * Farmers Market secured \$33,100 in sponsorship dollars

Objective: Partner with neighboring jurisdictions, as appropriate to accomplish common goals and maximize efficiencies

- Through the Clerks office, we are implementing a shared early voting site with the Communities of Berkley, Huntington Woods, and Pleasant Ridge that will be run by Oakland County. The location of the site will be at the Oak Park Community Center for each election.
- Library Partnerships: Citywide Poets, Lakeshore Legal Aid, Area Agency on Aging 1B, Oak Park High School
- Recreation Partnerships: Cities of Ferndale, Hazel Park, Pleasant Ridge, National Kidney Foundation, Americore for Food Safety, Oakland County Health Department, Corwell Health, Oak Park Schools

QUARTERLY REPORT



GOAL 5: ENSURE A SAFE AND COMFORTABLE ENVIRONMENT FOR EVERYONE

Through continued investment in public safety service and sustainable infrastructure throughout the City

Objective: Provide high quality public safety services

- Public Safety strategically directs resources in specific areas, including speed trailer and decoy vehicles, where speeding continues to be an issue.
- Public Safety body cameras have been fully implemented and new in-car cameras have been fully installed.
- Public Safety continues to maintain consistent response time for priority 1 calls within five minutes of being dispatched

Objective: Sustain and expand a safe and comprehensive transportation network for all users

- Public Safety deploys two speed trailers daily, and follows up with selective enforcement
- Approximately 85% of the sidewalk for the 2024 sidewalk program has been measured
- The 9 Mile repaving project is complete, with a new protected cycle track!
- The miscellaneous concrete project is underway, with a budget double last year's

Objective: Incorporate green infrastructure in all City projects, whenever possible

- Oak Park is part of Watertowns in 2024, allowing us to access additional resources to help advance green infrastructure,

QUARTERLY REPORT



GOAL 6: ENCOURAGE ENVIRONMENTALLY SUSTAINABLE PRACTICES

Through a commitment to sustainable practices within City facilities and projects, and the promotion of such practices to businesses and residents

Objective: Promote environmentally sustainable practices to residents and businesses

- The Economic Development department introduces and promotes the Oakland County PACE program to new developers

Objective: Incorporate green infrastructure in all City projects, wherever possible

- Preliminary plans for the 11 Mile Parking lots include bioswales and EV charging stations



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

Invoice 615584

October 10, 2023

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 Saturday, September 30, 2023

\$14,583.33

Fee Total

Costs Advanced:

Date	Description	Amount
09/22/23	Reproduction Charges	4.50
	30 @ 0.15	
	Total Costs Advanced	\$ 4.50

Total Fees and Disbursements: \$14,587.83

*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.*

License Agreement

City of Oak Park ("Licensor") hereby grants a license for use of its property as set forth herein to:

Name of Entity or Person ("Licensee"): Board of County Election Commissioners for Oakland County

Address: 1200 N. Telegraph, Pontiac, Michigan 48341

Contact Person: Joseph Rozell, Director of Elections for Oakland County

Telephone Number: 248-452-2276

E-Mail Address: rozellj@oakgov.com

For and in consideration of the issuance of this license, the Parties agree to the following terms and conditions:

1. **Use of Property.** Licensee may only use the property described below for the purposes set forth in this Agreement.
 - 1.1. **Property.** **Oak Park Community Center, 14300 Oak Park Blvd., Oak Park, MI 48237. ("Property")**
 - 1.2. **Use.** The Property shall only be used as an Early Voting Site pursuant to Article II, Section 4(m) of the Michigan Constitution of 1963 and the Michigan Election Law, 1954 Public Act 116, MCL 168.720a *et seq* during the nine days of early voting at the election dates specified in Michigan Election Law (the "Election Dates") and up to two days before and up to three days after early voting at the Election Dates to allow for equipment setup and equipment removal.
 - 1.3. **Term of Agreement.** This Agreement shall begin on the date this Agreement is fully executed ("**Effective Date**"), and notwithstanding a license generally being terminable at the will of the Licensor, it shall terminate on December 1, 2024 so as to cover more than one election cycle, however, Licensee may only occupy the Property during the nine days of early voting at the Election Dates and up to two days before and up to three days after early voting at the Election Dates to allow for equipment setup and equipment removal.
 - 1.4. **Fee.** Licensee shall pay Licensor \$100 for each election in which the Property is used as an Early Voting Site which shall be governed by the Parties' Agreement for Election Services as applicable.
 - 1.5. **Condition of Property.** During this Agreement, Licensee shall keep the Property in good order, in a clean and safe condition, and free of trash. Except for normal wear and tear, Licensee's use of the Property shall not cause damage to the Property. Licensee is responsible for putting all trash and debris into the appropriate indoor receptacles.

- 1.6. **Condition of Property upon Termination of Agreement.** Except for normal wear and tear, at the expiration or termination of this Agreement, Licensee shall leave or return the Property in the same condition that Licensee found it.
- 1.7. **Compliance with Law.** Licensee, including its employees, agents, volunteers, and subcontractors shall comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and the provisions of this Agreement.
- 1.8. **Signs/Advertisement.** Licensor shall permit the placement of political signage on the Property during the period for early voting, provided that the signage is not placed within 100 feet of the entrance used by voters. The Election Inspectors responsible for the Early Voting Site shall be responsible for the enforcement of the 100-foot requirement.
- 1.9. **Alterations, Additions, Changes to Property.** Licensee shall not make any alterations, additions, or changes to the Property, without the prior written approval of Licensor.
- 1.10. **Property "AS IS".** LICENSEE ACCEPTS THE PROPERTY "AS IS." LICENSEE ACKNOWLEDGES THAT LICENSEE HAD THE OPPORTUNITY TO INSPECT THE PROPERTY AND EITHER INSPECTED THE PROPERTY OR CHOSE NOT TO INSPECT THE PROPERTY.
- 1.11. **No Smoking.** Smoking is prohibited on the Property.
- 1.12. **Alcohol Use on Property.** Licensee shall not sell or consume or allow anyone to sell or consume alcoholic beverages on the Property.
2. **Licensee Responsibilities.**
 - 2.1. The Licensee shall coordinate the delivery of the necessary voting equipment and supplies on the Thursday or Friday prior to the start of early voting.
 - 2.2. The Licensee shall coordinate the removal of the voting equipment and supplies on the Monday or Wednesday after the end of early voting.
3. **Licensor Responsibilities.**
 - 3.1. The Licensor shall provide access to a clean space for the conduct of early voting and access to clean restroom facilities to be used by Election Inspectors and voters.
 - 3.2. The fee paid to the Licensor under Section 1.4 shall be exclusive and Licensor shall not surcharge Licensee for any additional costs such as electricity or water.
4. **Liability/Assurances.**
 - 4.1. **Damage to Licensor's Property/Facility.** Licensee shall be responsible for any damage to the Property that is caused by Licensee, its employees, agents, volunteers or subcontractors. If such damage occurs, Licensor may make the necessary repairs and/or replacements or cause a third party to make the necessary repairs and/or replacements. Licensee shall reimburse Licensor the costs for repairing and/or

replacing such damage to the Property. Licensor shall invoice Licensee for such costs and Licensee shall pay such costs within thirty (30) days of receiving the bill.

- 4.2. **Damage to Licensee's Property.** Licensee shall be solely and entirely liable and responsible for any loss or damage resulting from fire, theft or other means to its personal property located, kept, or stored on the Property.
- 4.3. **Liability for Claims.** Licensee shall be solely liable and responsible for any claims asserted by Licensee's employees, agents, volunteers or subcontractors occurring at or on the Property, which arise out of Licensee's use of the Property.
- 4.4. **Reservation of Rights/Limitation of Liability.** This Agreement does not, and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, or other legal right, privilege, power, obligation, duty, or immunity of the Parties.
- 4.5. **Survival.** Section 4 and the duties and obligations contained herein shall survive the expiration or termination of this Agreement.
5. **Insurance.** Oakland County is self-insured and will provide a self-insurance certificate for use of the Property.
6. **Termination.**
 - 6.1. This Agreement shall terminate automatically at the end of its term.
7. **No Interest in Property.** Licensee, by virtue of this Agreement, shall not have any title to or interest in the Property or any portion thereof. Licensee has not, does not, and will not claim any such title, interest, or any easement over the Property.
8. **Waiver.** Waiver of any term or condition under this Agreement must be in writing. No written waiver, in one or more instances, shall be deemed or construed as a continuing waiver of any term or condition of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
9. **Cumulative Remedies.** A Party's exercise of any remedy shall not preclude the exercise of any other remedies, all of which shall be cumulative. A Party shall have the right, in its sole discretion, to determine which remedies are to be exercised and in which order.
10. **Amendments.** This Agreement cannot be modified unless reduced to writing and signed by both Parties.
11. **Severability.** If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms or conditions shall remain in full force and effect.
12. **Governing Law.** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan.
13. **Counterparts.** This Agreement may be executed in one or more counterparts, including facsimile copies, each of which shall be deemed an original, but all of which shall together constitute one instrument.

14. **Entire Agreement.** This Agreement sets forth all covenants, promises, agreements, conditions, and understandings between the Parties concerning the use of the Property and there are no covenants, promises, agreements, conditions or understandings, either oral or written, between the Parties other than are herein set forth, except the Parties' Agreement for Election Services as applicable.
15. **Authorization.** The Parties represent that their respective signatories have the requisite authority to execute and bind them to the duties and responsibilities contained herein.

APPROVED AND AUTHORIZED BY LICENSEE:

NAME: _____

TITLE: _____

DATE: _____

SIGNATURE

APPROVED AND AUTHORIZED BY LICENSOR:

NAME: _____

TITLE: _____

DATE: _____

SIGNATURE