



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL
September 21, 2020
7:00 PM**

MINUTES

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

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Radner,
Council Member Weiss, Council Member Edgar

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

**CM-09-279-20 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS
AMENDED – APPROVED**

Motion by Weiss, seconded by Radner, CARRIED UNANIMOUSLY, to approve the agenda with the following addition:

- Add Item #17 – Closed Session

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-09-280-20 (AGENDA ITEM #5A-D) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of September 8, 2020 **CM-09-281-20**
- B. Special Council Meeting Minutes of September 8, 2020 **CM-09-282-20**
- C. Request to approve Payment Application No. 1 in the amount of \$131,306.46 to Michigan Joint Sealing, Inc. of Farmington Hills, MI for the 2020 Joint and Crack Sealing Project, M-698 **CM-09-283-20**
- D. Licenses New and Renewals submitted for September 8, 2020 **CM-09-284-20**

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-09-285-20 (AGENDA ITEM #9A) SPECIAL EVENT REQUEST – STREET CORNER MUSIC, LTD – APPROVED

Motion by Weiss, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following Special Event request subject to all departmental approvals:

Name	Event	Fee
Street Corner Music, LTD 26020 Greenfield	Albany Street Block Party September 26, 2020 9:00 a.m. – 6:00 p.m.	Application fee paid

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-09-286-20 (AGENDA ITEM #10A) PAYMENT OF AN INVOICE SUBMITTED BY THE LAW OFFICES OF HOWARD L. SHIFMAN, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$18,000.00 - APPROVED

Motion by Weiss, Seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoice #13950 to Howard L. Shifman, P.C. for legal services from October 1, 2020 – December 31, 2020 in the total amount of \$18,000.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No report

CITY MANAGER:

(AGENDA ITEM #14A) Water and Sewer Rate Project Update. Assistant City Manager Yee provided an update regarding the Water and Sewer Rate Project.

(AGENDA ITEM #14B) Election Update. Election Director Vecchio provided an update on the upcoming November General Election.

(AGENDA ITEM #14C) 2020 Wellness Challenge Winners. Human Resources Director Burke announced the winners of the city's Wellness Challenge.

CLOSED SESSION

CM-09-287-20 (AGENDA ITEM #17) REQUEST TO CONVENE A CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING OAK PARK CROWN POINTE, LLC V CITY OF OAK PARK - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to convene a Closed Session to discuss pending litigation regarding Oak Park Crown Pointe, LLC v City of Oak Park.

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

MOTION DECLARED ADOPTED

The Closed session convened at 8:07 p.m. and the regular meeting reconvened at 8:37 p.m.

APPROVAL OF CLOSED SESSION MINUTES

CM-09-288-20 REQUEST TO APPROVE THE CLOSED SESSION MINUTES OF SEPTEMBER 21, 2020 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the Closed Session minutes of September 8, 2020.

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

MOTION DECLARED ADOPTED

ADDITIONAL CITY COUNCIL BUSINESS IF NEEDED

**CM-09-289-20 RESOLUTION APPROVING SETTLEMENT WITH OAK PARK
CROWN POINTE, LLC MICHIGAN TAX TRIBUNAL DOCKET
NOS. 18-003490-R, 19-002261-TT, AND 20-000954-TT - APPROVED**

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following resolution rejecting offer of settlement and approving costs for appraisal Michigan Tax Tribunal Docket No. 19-002261:

**CITY OF OAK PARK
RESOLUTION APPROVING SETTLEMENT WITH OAK PARK CROWN POINTE, LLC
MICHIGAN TAX TRIBUNAL DOCKET NOS. 18-003490-R, 19-002261-TT, AND 20-000954-TT**

WHEREAS, Oak Park Crown Pointe, LLC, the owner of property parcel no. 52-25-19-301-014, commonly known as 25900 Greenfield, filed Petitions before the Michigan Tax Tribunal with respect to the 2018, 2019 and 2020 tax years that are currently pending as MTT Docket Nos. 18-003490-R, 19-002261-TT, and 20-000954-TT disputing the true cash value of the parcel;

WHEREAS, the City of Oak Park desires to resolve the dispute with an agreement that resolves the 2018, 2019 and 2020 tax years whereby the parties would dismiss the appeal with respect to the 2018 tax year, and agree that the true cash value of the property for tax years 2019 and 2020 is \$9,000,000.00, and the taxable value/state equalized value is \$4,500,000.00. As additional consideration for the agreement, Oak Park Crown Pointe, LLC shall issue payment to the City of Oak Park of \$30,000.00, representing reimbursement for its costs and fees incurred in the pending appeals.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Oak Park, Oakland County, Michigan, that:

1. Counsel for the City of Oak Park is authorized to resolve petitions filed by Oak Park Crown Pointe, LLC in the Michigan Tax Tribunal with respect to the 2018, 2019 and 2020 tax years that are currently pending as MTT Docket Nos. 18-003490-R, 19-002261-TT, and 20-000954-TT with an agreement to dismiss the 2018 appeal in its entirety, and an agreed upon true cash value of \$9,000,000.00/ \$4,500,000.00 assessed value for property parcel no. 52-25-19-301-014, in conjunction with Oak Park Crown Pointe, LLC's agreement to issue payment to the City of Oak Park of \$30,000.00.

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:25 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor