



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
39th OAK PARK CITY COUNCIL
September 18, 2023
7:00 PM**

MINUTES

The meeting was called to order at 7:00 p.m. by Mayor ProTem Edgar 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 Edgar, Council Member Burns,
Council Member Radner

ABSENT: Council Member Whitehead

OTHERS

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

APPROVAL OF AGENDA:

**CM-09-301-23 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED
– APPROVED**

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

- Add a CLOSED SESSION to discuss pending litigation regarding bighted property.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-09-302-23 (AGENDA ITEM #5A-H) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes for August 21, 2023 **CM-09-303-23**
- B. Special City Council Meeting Minutes for September 5, 2023 **CM-09-304-23**
- C. Request to authorize the Department of Public Works to enter into an inter-governmental agreement with the City of Ferndale to utilize their storage yard for leaf pick-up **CM-09-305-23**
- D. Request to approve an agreement with the Road Commission for Oakland County for winter maintenance on Greenfield Road from Eight to Eleven Mile Roads and on Ten Mile Road from Greenfield to Woodward **CM-09-306-23**
- E. Arts and Cultural Diversity Commission Meeting Minutes for February 9, 2023, March 9, 2023, April 13, 2023, May 31, 2023, June 8, 2023, and July 13, 2023 **CM-09-307-23**
- F. Request to approve payment of invoices from MDOT for the Nine Mile Road Project for the total amount of \$579,257.93 **CM-09-308-23**

- G. Request to approve Payment Application No. 2 for the Nine Mile Connector Park Project,
M- 746 to DMC Consultants Inc. of Detroit, Michigan for \$2,374.19 **CM-09-309-23**
H. Licenses New and Renewals submitted for September 18, 2023 **CM-09-310-23**

MERCHANT'S LICENSES – September 18, 2023
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
None			
<u>RENEWALS (2023)</u>	<u>ADDRESS</u>	<u>FEE</u>	
DOLLAR GENERAL	22100 COOLIDGE HWY	\$225.00	RETAIL
STUDIO NOVA	22153 COOLIDGE HWY	\$225.00	RETAIL
TODAY'S SMILE	25101 COOLIDGE HWY	\$187.50	DENTAL OFFICE
MICHIGAN CONSTRUCTION PROTECTION	14211 W ELEVEN MILE	\$150.00	LEGAL OFFICE
TOP'S FASHION AND BRAID	21910 GREENFIELD # 105	\$225.00	BRAIDING SALON
SALON KLS	23300 GREENFIELD # 115	\$225.00	HAIR SALON

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

SPECIAL LICENSES:

**CM-09-311-23 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – DOG PARK
COMMITTEE – OAK PARK & BARK GRAND OPENING
– APPROVED**

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

Name	Event	Fee
Dog Park Committee	Grand Opening for Dog Park 21950 Scotia Rd. October 15, 2023 Noon – 3 pm	Application fee waived

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

MOTION DECLARED ADOPTED

CM-09-312-23 (AGENDA ITEM #10B) SPECIAL EVENT REQUEST – DOG PARK MURAL DEDICATION – APPROVED

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

Name	Event	Fee
Mark Phillips 13670 Nadine	Mural Dedication – Dog Park October 15, 2023 10:00 am – 10:30 am	Application fee waived

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

MOTION DECLARED ADOPTED

CM-09-313-23 (AGENDA ITEM #10A) DOG AND PONY SHOW BREWING FUNDRAISER – APPROVED

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

Name	Event	Fee
Dog and Pony Show Brewing, 14661 W 11 Mile Rd, 200	Corn Hole Fundraiser October 1, 2023 10 am- 5 pm	\$100 application fee paid

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-09-314-23 (AGENDA ITEM #11A) PAYMENT OF AN INVOICE SUBMITTED BY THE LAW OFFICES OF SHIFMAN FOURNIER FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$18,000.00 - APPROVED

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve payment of an invoice to Shifman Fournier for legal services from October 1, 2022 – December 31, 2022 in the total amount of \$18,000.00.

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

MOTION DECLARED ADOPTED

**CM-09-315-23 (AGENDA ITEM #11B) APPROVAL FOR PAYMENT OF INVOICES
SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL
SERVICES IN THE TOTAL AMOUNT OF \$14,683.33 - APPROVED**

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoice #613988 by Garan, Lucow, Miller P.C., for legal services rendered through August 31, 2023 in the total amount of \$14,683.33

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

MOTION DECLARED ADOPTED

BIDS:

**CM-09-315A-23 (AGENDA ITEM #12A) – MOTION TO AWARD THE REGULAR BID
FOR THE 2023 WELCOME SIGN AND MEDIAN LANDSCAPE
CONTRACT TO PREMIER GROUP ASSOCIATES OF DETROIT, MI,
FOR A TOTAL AMOUNT OF \$38,100 - APPROVED**

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to award the regular bid for the 2023 Welcome Sign and Median Landscape Contract to Premier Group Associates of Detroit, MI, for a total amount of \$38,100.

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

MOTION DECLARED ADOPTED

Municipal Services Director Marrone reported the CIA authorized the 2023-2026 Budget to include landscaping of the Welcome signs and Nine Mile medians within the CIA District on March 16, 2023. The project was advertised, and 37 contractors viewed the documents. On September 11, 2023, no bids were received, and the deadline was extended to September 18, 2023 and 1 bid was received. The low bidder, Premier Group Associates of Detroit, MI submitted a bid of \$33,100 with an additional option of \$5,000 to add fall perennials. This project will replace the Welcome sign landscaping at City Hall, I-696 and Coolidge, and add landscaping to the 11 Mile Coolidge sign and the Nine Mile sign between Sherman and Forest. In addition, the bid includes landscaping the median islands on Nine Mile at Rensselaer and Majestic

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

City Clerk

**CM-09-317-23 (AGENDA ITEM #15A) REQUEST TO APPROVE AN ELECTION
SERVICES AGREEMENT WITH OAKLAND COUNTY TO PROVIDE
EARLY VOTING SERVICES FOR THE CITY OF OAK PARK, TO**

DESIGNATE THE OAK PARK COMMUNITY CENTER, 14300 OAK PARK BLVD., AS THE EARLY VOTING REGIONAL SITE AND TO AUTHORIZE THE CITY CLERK TO SIGN THE AGREEMENT ON BEHALF OF THE CITY - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve an election services agreement with Oakland County to provide early voting services for the City of Oak Park, to designate the Oak Park Community Center, 14300 Oak Park Blvd., as the early voting regional site and to authorize the City Clerk to sign the agreement on behalf of the city.

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

MOTION DECLARED ADOPTED

Finance/Assessing

CM-03-317-23 (AGENDA ITEM #15B) RESOLUTION AUTHORIZING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLLS, ASSESSING UNPAID CHARGES TOGETHER WITH A 10% PENALTY ON PRIVATE PROPERTY FOR DELINQUENT UTILITIES - \$220,684.55; PROPERTY BLIGHT - \$22,737.00; FALSE ALARMS - \$1,683.00, AND SIDEWALK REPLACEMENT - \$2,753.58 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City Assessor to prepare Special Assessment Rolls, assessing unpaid charges together with a 10% penalty on private property for Delinquent Utilities - \$220,684.55; Property Blight - \$22,737.00; False Alarms - \$1,683.00; and Sidewalk Replacement - \$2,753.58:

**PROPOSAL FOR
SPECIAL ASSESSMENT DISTRICTS**

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, in accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make Special Assessment Rolls for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment Districts therefore according to the benefits derived in the sum of \$247,858.13:

Delinquent Utilities	\$220,684.55
Property Blight	\$22,737.00
False Alarms	\$1,683.00, and
Sidewalk Replacement	\$2,753.58

THAT, Said Special Assessment Rolls shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

THAT, The Assessor, when s/he shall have completed the said assessment rolls, shall report the same to the Council in the manner provided by the City Charter.

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

MOTION DECLARED ADOPTED

CM-03-318-23 (AGENDA ITEM #15C) RESOLUTION RECEIVING SPECIAL ASSESSMENT ROLLS ESTABLISHING OCTOBER 2, 2023 AS THE DATE FOR THE PUBLIC HEARING ON THE ROLLS FOR UNPAID CHARGES FOR CITY EXPENSES INCURRED ON PRIVATE PREMISES FOR DELINQUENT UTILITIES #708, FALSE ALARMS #709, PROPERTY BLIGHT #710, AND SIDEWALK REPLACEMENT #711 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution receiving Special Assessment Rolls establishing October 2, 2023 as the date for the Public Hearing on the rolls for unpaid charges for city expenses incurred on private premises for Delinquent Utilities #708, False Alarms #709, Property Blight #710, and Sidewalk Replacement #711:

SPECIAL ASSESSMENT RESOLUTION

DISTRICT NO. 708, 709, 710 and 711

Meeting of the City Council held September 18, 2023, at 7:00 P.M.

The Assessor reported Special Assessment Rolls No. 708, 709, 710 and 711 to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

BE IT RESOLVED, that Special Assessment Rolls No. 708, 709, 710 and 711 this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the 2nd day of October, 2023 at 7:00 P.M. Eastern Standard Time, for the purpose of reviewing the assessment contained in said Special Assessment Rolls.

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby ordered to cause notice of said review and of the filing of said Special Assessment Rolls to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.

BE IT STILL FURTHER RESOLVED that the City Clerk be and is hereby instructed to serve notice of said Special Assessment Hearing to each owner of, or party in interest in, property to be assessed, whose name

appears upon the last general tax assessment records by mailing the notice first class mail, addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of said hearing.

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

MOTION DECLARED ADOPTED

Economic Development and Planning

CM-09-320-23 (AGENDA ITEM #15D) REQUEST TO APPROVE A RESOLUTION IN SUPPORT AND FUNDING COMMITMENT OF THE CITY'S JOINT APPLICATION FOR THE RECONNECTING COMMUNITIES PILOT DISCRETIONARY GRANT PROGRAM FOR THE 11 MILE ROAD REDESIGN - APPROVED

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution in support and funding commitment of the city's joint application for the Reconnecting Communities Pilot Discretionary Grant Program for the 11 Mile Road Redesign:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

RESOLUTION IN SUPPORT AND FUNDING COMMITMENT OF JOINT APPLICATION OF THE RECONNECTING COMMUNITIES AND NEIGHBORHOOD GRANT PROGRAM

WHEREAS, the Federal Department of Transportation, through the Reconnecting Communities and Neighborhood Grant Program is providing grant funding to support projects that reconnect communities by removing, retrofitting, or mitigating highways and other transportation facilities that create barriers to community connectivity, including to mobility, access, or economic development; and

WHEREAS, the Cities of Oak Park, Berkley, Huntington Woods, Southfield and Royal Oak are planning to redesign the Eleven Mile Corridor and jointly apply for the Reconnecting Communities and Neighborhood Grant Program; and

WHEREAS, the City of Oak Park's Corridor Improvement Authorities Development and Tax Increment Financing Plans lists "establishing vibrant commercial corridors, creating bike paths, landscaping and economic development" as objectives;" and

WHEREAS, the City of Oak Park's Master Plan lists "Create a catalytic transformation of our commercial corridors with strategically targeted investment" as objectives under the goal of "Create vibrant, dynamic commercial corridors;" and

WHEREAS, the City of Oak Park's Master Plan lists "Incorporate green infrastructure into future design for City projects" as objectives under the goal of "Improve environmental sustainability;" and

WHEREAS, the City of Oak Park's Master Plan lists "Improve the safety and comfort of pedestrians and bicyclists at key intersections and Improve the safety and accessibility of the City's transportation network for all users" as objectives under the goal of "Enhance pedestrian scaled streets and foster a comfortable and safe environment for all users within the context of the City's existing infrastructure and community needs;" and

WHEREAS, the 11 Mile Redesign will contribute significantly to meeting these goals; and

WHEREAS, the grant request is for the City of Oak Park's portion to plan and engineer the project and will be funded through the Corridor Improvement Authority funds; and

BE IT HEREBY RESOLVED, that the City Council of the City of Oak Park, Michigan, does hereby support the joint application of the Cities of Oak Park, Berkley, Huntington Woods, and Royal Oak to the Reconnecting Communities and Neighborhood Grant Program; and commit to the funding for the City of Oak Park grant match funding.

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

MOTION DECLARED ADOPTED

Public Safety

CM-09-320-23 (AGENDA ITEM #15E) REQUEST TO APPROVE TRAFFIC CONTROL ORDER 160 SEC. 1.32 ALLOWING FOR TEMPORARY PARKING ON THE NORTH SIDE OF ALBANY BETWEEN DANTE AND FERN FROM SEPTEMBER 25, 2023 THROUGH NOVEMBER 13, 2023 - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve Traffic Control Order 160 Sec 1.32 allowing for temporary parking on the north side of Albany between Dante and Fern from September 25, 2023 through November 13, 2023.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Ken Sherman, 27840 Jerome St., expressed concerns about a trailer left at the 10 Mile and Coolidge shopping center.

CLOSED SESSION (Added to the meeting)

The Closed Session to discuss pending litigation was not convened since Council Member Radner had to leave the meeting which did not allow for the requisite number of Council Members to convene the closed session.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:45 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor