

Oak Park

City Council Agenda

September 18, 2017





AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
September 18, 2017
7:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **CONSENT AGENDA**

The following routine items are presented for City Council approval without discussion, as a single agenda item. Should any Council Member wish to discuss or disapprove any item it must be dropped from the blanket motion of approval and considered as a separate item.

- A. Regular Council Meeting Minutes of September 5, 2017
 - B. Special Council Meeting Minutes of September 5, 2017
 - C. Planning Commission Meeting Minutes of July 10, 2017
 - D. 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
 - E. Request to advertise for bids for the 2017 I-696 at Coolidge Highway Bridge Enhancement Project, M-670
 - F. Payment No. 2 (Final) for the 2017 Roof Replacement Project, M-665 to Schreiber Corporation in the amount of \$55,730.00
 - G. 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
 - H. Licenses - New and Renewals as submitted for September 18, 2017
6. **RECOGNITION OF VISITING ELECTED OFFICIALS**
 7. **SPECIAL RECOGNITION/PRESENTATIONS:**
 - A. City Manager Employee Recognition – Cindy Victor
 8. **PUBLIC HEARINGS:**
 - A. Public Hearing and acceptance of the 2017 Byrne Memorial Justice Grant in the amount of \$10,200.00 for the purchase of light bars and single drawer vaults for two public safety vehicles
 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 \$18,382.74
 - B. Approval for payment of an invoice submitted by Secrest, Wardle, Lynch, Hampton, Truex & Morley for legal services in the total amount of \$9,058.78
 - C. Approval for payment of an invoice submitted by Howard L. Shifman, P.C., for legal services retainer for October 1, 2017 thru December 31, 2017 in the total amount of \$15,000.00

12. BIDS:

- A. Request to award the bid for the 2017-2018 Miscellaneous Concrete Project, M-672 to Mattioli Cement Company of Fenton, MI for the amount of \$183,409.40
- B. Request to award the bid for the 2017-2018 Sewer & Catch Basin Cleaning and Television Inspection Project, M-673 to Taplin Group, LLC of Kalamazoo, MI for the amount of \$232,087.85

13. ORDINANCES:

- A. First reading of an Ordinance to amend Section 1302, Approval Process of Article XIII, PMF Planned Multifamily Districts, Appendix A, Zoning of the Code of Ordinances of the City of Oak Park, Michigan.
- B. First reading of an Ordinance to amend Article VI, Property Maintenance Code, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park by amending section 18-231
- C. First reading of an ordinance to amend Sections 42-36, 42-37 and 42-38 of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances, City of Oak Park, thereby adopting the 2015 Edition of the International Fire Code as the Fire Prevention Code of the City
- D. First reading of an Ordinance to amend Article III, Nuisances, of Chapter 38, Environment, of the Code of Ordinances of the City of Oak Park by amending Sections 38-96, 38-98 and 38-100

14. CITY ATTORNEY:

15. CITY MANAGER:

City Clerk

- A. Resolution amending the 2018 City Council Regular Meeting Schedule

Department of Public Works

- B. Request to authorize the Public Works Department to participate in the National Joint Purchasing Alliance (NJPA) Contract bid for the purchase of a new ODB Leaf Vacuum in the amount of \$35,692.33.

Economic Development and Communications

- C. Request to approve a Façade Improvement Grant to Realteam Real Estate for the building located at 8250 Nine Mile Road, for 50% of the project costs not to exceed \$2,500.00
- D. Request to accept the recommendation of the Planning Commission for approval of the Final Site Plan for CRDN (Huntington Cleaners), 8775 Capital, subject to conditions
- E. Request to accept the recommendation of the Planning Commission for approval of the Final Site Plan for Michigan Dessert, 10750 Capital, subject to conditions
- F. Request to accept the recommendation of the Planning Commission for approval of the Special Land Use (Restaurant that serves alcoholic liquor) and Site Plan for 8MK Restaurant, 12700 Eight Mile, subject to conditions
- G. Request to accept the recommendation of the Planning Commission for approval of the proposed Coolidge Place PMF Development/Site Plan, 21111-21435 Coolidge Highway, subject to conditions

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. Accommodations to participate at a Council Meeting will be made with 7-day prior notice.



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
September 5, 2017
7:00 PM**

MINUTES

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

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

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

CM-09-377-17 (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 Item #10A, Special Event Request – Vernon Block Party

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-09-378-17 (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 Council Meeting Minutes of August 21, 2017 **CM-09-379-17**
- B. Special Council Meeting Minutes of August 21, 2017 **CM-09-380-17**
- C. Corridor Improvement Authority Board Meeting Minutes of May 18, 2017 **CM-09-381-17**
- D. Zoning Board of Appeals Meeting Minutes of July 25, 2017 **CM-09-382-17**
- E. Payment Application No. 4 for the 2017 Water Main Replacement Project, M-649, to Aielli Construction Co. in the amount of \$134,799.80 **CM-09-383-17**
- F. Payment Application No. 4 for the 2017 Granzon Avenue Reconstruction Project, M-650, to Florence Cement Company in the amount of \$91,379.80 **CM-09-384-17**

- G. Change Order No. 1 in the amount of (\$11,207.00) and payment application No. 2 in the total amount of \$48,035.95 to Doetsch Environmental Services for the 2016 Sewer & Catch Basin Cleaning and TV Inspection Project, M-641 **CM-09-385-17**
- H. Licenses - New and Renewals as submitted for September 5, 2017 **CM-09-386-17**

MERCHANT'S LICENSES – September 5, 2017
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Next Level Barbershop	13641 Nine Mile	\$150	Barber
Boost Mobile	13645 Nine Mile	\$150	Cellular
<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Eaton Steel Corporation	10221 Capital	\$150	Manufacturing
Weave World Wholesalers	24725 Coolidge	\$150	Retail
Salon Ultimo	22155 Coolidge	\$225	Salon

Roll Call Vote: Yes: McClellan, Burns, Rich, Radner, Speech
 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-09-387-17 (AGENDA ITEM #10A) Added to the Agenda. SPECIAL EVENT REQUEST –VERNON BLOCK PARTY – APPROVED

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

Name	Event	Fee
Shawna Gobel 13730 Vernon	Vernon Block Party September 10, 2017 1:00 PM – 7:00 PM	Fees waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS: None

CITY ATTORNEY: No report

CITY MANAGER:

Recreation

(AGENDA ITEM #15D) **Concerts in the Park Recap.** Recreation Director Stasiak reported on the Concerts in the Park events that took place this summer and thanked everyone who contributed to the success of the program.

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

CALL TO THE COUNCIL:

Mayor McClellan read letters from residents who offered praise to the city and staff.

Mayor Pro Tem Burns reminded everyone that Oak Park is a great place to live.

Council Member Speech thanked everyone for coming and reminded them to be careful especially now since school has started.

Council Member Radner wished everyone a good night.

Council Member Rich wished everyone a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:19 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
September 5, 2017
5:30 P.M.**

MINUTES

This Special Meeting of the 36th Oak Park City Council was held in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

Notice of this Special Meeting was given in compliance with the provisions of Act 267 of the Public Acts of Michigan, 1976, as amended, the "Open Meetings Act".

The Special Meeting was called to order by Mayor McClellan at 5:30 P.M.

PRESENT: Mayor McClellan, Council Member Radner, Council Member Rich, Council Member Speech (Arrived at 5:33 PM)

ABSENT: Mayor Pro Tem Burns

ALSO PRESENT: City Manager Tungate, City Clerk Norris, City Attorney Duff, Deputy City Clerk Vecchio, Assistant to the City Manager McClain, Library Director Bowman

SPECIAL BUSINESS:

Mayor McClellan announced that the Agenda Items 3E, Closed Session and 3F, Settlement Agreement – District Court Litigation would not be needed for this meeting and were removed from the agenda. There were no objections from Council Members.

(AGENDA ITEM #3A) Appointments to City Boards and Commissions

SCM-09-375-17 APPOINTMENT OF CRAIG MCCRARY TO THE BOARD OF REVIEW FOR A TERM ENDING AUGUST 31, 2020 AND TALESSA ANDERSON TO THE ZONING BOARD OF APPEALS FOR A TERM ENDING AUGUST 31, 2020 – APPROVED

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to appoint Craig McCrary to the Board of Review for a term ending August 31, 2020 and Talessa Anderson to the Zoning Board of Appeals for a term ending August 31, 2020.

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #3B) Reappointments to City Boards and Commissions

Deputy City Clerk Vecchio presented information regarding members of boards and commissions whose terms expired August 31, 2017.

SCM-09-376-17 (AGENDA ITEM #3B) REAPPONTMENTS AND LETTERS OF APPRECIATION TO MEMBERS OF BOARDS AND COMMISSIONS – APPROVED

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to authorize the following reappointments of members to boards and commissions and letters of appreciation for service to be sent to members not being reappointed:

Reappointments to City Boards and Commissions:

APPOINTEE	BOARD	TERM TO EXPIRE
Leona Burns	Arts & Cultural Diversity Commission	August 2020
Stephanie Crawford	Arts & Cultural Diversity Commission	August 2020
Rosetta Kincaid	Arts & Cultural Diversity Commission	August 2020
Reatha Richmond	Arts & Cultural Diversity Commission	August 2020
Carla Wallace	Arts & Cultural Diversity Commission	August 2020
Anita Warner	Arts & Cultural Diversity Commission	August 2020
Regina Weiss	Arts & Cultural Diversity Commission	August 2020
Zakiya Hollifield	Board of Review	August 2020
Jack Blumenkopf	Corridor Improvement Authority	August 2021
Daveda Colbert	Corridor Improvement Authority	August 2021
Nathaniel Cobb	Parks & Recreation Commission	August 2020
Diane Spiller	Parks & Recreation Commission	August 2020
Michael Seligson	Planning Commission	August 2020
Clarissa Clemons	Recycling & Environmental Conservation Commission	August 2020
Michael Seligson	Zoning Board of Appeals	August 2020

Letters of appreciation to members not being reappointed:

Tina Baker	Arts & Cultural Diversity Commission
Mattie Boykin	Arts & Cultural Diversity Commission
Louis Landau	Board of Review
Ruth Allon	Parks & Recreation Commission
Shalawn Jones	Parks & Recreation Commission

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #3D) Library Discussion

Mayor McClellan distributed a list of problems and concerns pertaining to disruptive behavior by students using the Library after school. Council discussed a variety of issues related to the well-being of patrons using the facility. Director Bowman reviewed the Library hours of operation and summarized the staff and their specific duties. He also reviewed operational procedures as they relate to students using the Library.

City Manager Tungate distributed a list highlighting security initiatives that have taken place from 2014 to the present. Council continued to discuss issues related to disruptive behavior by students and explored options to help remedy the problems.

CALL TO THE AUDIENCE:

Cheryl Weiss and Willie Payne presented opinions and provided input during the Library discussion.

ADJOURNMENT:

The Special Meeting adjourned at 6:44 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**CITY OF OAK PARK PLANNING COMMISSION
MONDAY, JULY 10, 2017
MINUTES**

Meeting was called to order at 7:04 p.m., in the City Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI, by Vice Chairperson Brown and roll call was made.

PRESENT: Vice Chairperson Brown
Commissioner Burns
Commissioner McClellan
Commissioner Seligson
Commissioner Tungate
Commissioner Walters-Gill

ABSENT: Chairperson Torgow
Commissioner Eizelman
Commissioner Tkatch

OTHERS PRESENT: City Planner, Kevin Rulkowski
Community & Economic Development Director, Kimberly Marrone
Deputy City Clerk, Lisa Vecchio

3. APPROVAL OF AGENDA OF JULY 10, 2017 - APPROVED

4. APPROVAL OF MINUTES OF JUNE 12, 2017 - APPROVED

MOTION by Burns, **SECONDED** by Seligson, to approve the minutes of June 12, 2017 with one correction.

VOTE: Yes: All
No: None

MOTION CARRIED

5. COMMUNICATIONS/CORRESPONDENCE: None

6. PUBLIC HEARING:

7. CONSENT AGENDA: No Items Eligible This Month

8. MATTERS FOR CONSIDERATION

- A. OLD BUSINESS – None**
- B. NEW BUSINESS**

- 1) Schedule Public Hearing for Coolidge Place – Spero Housing Group

Vice Chairperson Brown referenced City Planner Rulkowski's report dated July 5, 2017:

In 2004, the City of Oak Park went through a Request for Proposal process to select a developer to purchase and develop three parcels of property on the west side of Coolidge from just south of Pasadena Avenue to Northend Avenue. At that time the Planning Commission approved a Planned Multifamily Development Plan and Site Plan which rezoned the property to PMF, Planned Multifamily District. The selected developer was able to construct only the first phase of the development south of Pasadena before the housing crisis ended the effort.

In 2010, the City purchased the remaining two parcels (from Pasadena Avenue to Northend Avenue) through the Oakland County Tax Foreclosure process. Since that time the City has been maintaining the property. The City Council approved the Economic Development Department to advertise for sale the property through an RFP process which began in August 2016. The first RFP deadline the City only received one bid. In the best interest of the City Council decided to repost the RFP which was due on May1, 2017.

The new deadline produced three bids on the property. A panel of four participants from the City Staff and City Council met with each developer and scored them according to several factors important to the City. After careful consideration, the panel recommended to City Council the RFP submitted jointly by South Oakland Shelter and Southwest Solutions.

The South Oakland Shelter/Southwest Solutions proposal includes an investment of \$13,246,900 to develop 64 units of high quality and affordable housing. A mix of one, two, and three bedroom ranches and townhomes (ranging from 800-1,350 square feet) with rents between \$628-1,444. The project will include shared recreational space, including a community center with office and fenced tot-lot. Attached is a conceptual Site Plan for the project.

As the property has already been rezoned to PMF, Planned Multifamily District, the next step is a Public Hearing to hear comments regarding the PMF Development/Site Plan Review. It is the recommendation of the Planning Division to schedule a Public Hearing for the August 14th Planning Commission meeting for this purpose.

Commissioner Burns inquired on the name "South Oakland Shelter" and if this would be anything like a "shelter". Community and Economic Development Director Marrone explained that is only the name of the non-profit organization involved with the project, which will be almost identical to the Jefferson Oaks project previously approved and developed.

Vice Chairperson Brown inquired why there would only be one-bedroom units included if it is not a "shelter". Director Marrone explained that those units are intended for single, low-income seniors who would only have use for one bedroom.

Commissioner McClellan inquired if any water and utilities would be included in the cost of rent. Director Marrone did not have information on that detail but she will find out what is included in the rent.

Vice Chairperson Brown inquired what the "several factors" were that the review panel looked at when scoring the three submitted bids on the property. Director Marrone explained that the panel scored on multiple factors including bid amount, use of the property and how it related to the City's adopted Master Plan, any tax incentives, architectural quality, neighborhood impact, and community involvement.

MOTION by Walters-Gill, SECONDED by Burns, to schedule a public hearing for the August 14, 2017 Planning Commission meeting for the purpose of reviewing the PMF Development/Site Plan.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Tungate, Walters-Gill
No: None

MOTION CARRIED

2) Proposed text amendments to PMF District

Vice Chairperson Brown reference City Planner Rulkowski's report dated July 5, 2017:

Planned zoning districts such as the City's PMF, Planned Multifamily District, allow for greater flexibility in site requirements. In keeping with some of the design principles discussed and incorporated during the Master Plan process, staff is proposing some minor amendments to the PMF Planned Multifamily District that would allow for even greater flexibility in this district. On the back of this page are the proposed PMF, Planned Multifamily District Standards for approval amendments.

The process for approval of text changes to the Zoning Ordinance requires a Public Hearing to be scheduled. It is the recommendation of the Department of Community and Economic Development that the Planning Commission schedule a Public Hearing for the August 14th, 2017, regular meeting to consider these proposed changes.

Vice Chairperson Brown expressed concern in having an undefined standard for setbacks.

City Planner Rulkowski explained how with the desire and trend for housing to be closer to the front of the lot and giving the community a more walkable feel, these amendments would allow for more flexibility when it comes to specific projects and the determined setbacks for them.

Commissioner Burns mentioned that when it comes to the Michigan Economic Development Corporation's Redevelopment Ready Communities program, this is one of the areas that was identified where Oak Park could make some improvements. Commissioner McClellan further explained that with improvements like these, it would put City in a better position for receiving development grants.

MOTION by Burns, SECONDED by McClellan, to schedule a public hearing for the August 14, 2017 Planning Commission meeting to consider the proposed changes to the Planned Multifamily District.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Tungate, Walters-Gill
No: None

MOTION CARRIED

9. PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only: None

10. PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING: None

11. ADJOURNMENT

There being no further business, Vice Chairperson Brown adjourned the meeting at 7:44 p.m.

Lisa Vecchio, Deputy City Clerk



5D

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: September 18, 2017

AGENDA #

SUBJECT: Request authorization to enter into an inter-governmental agreement with the City of Ferndale to utilize their Southwest Storage Yard as a transfer station for leaf pick up.

DEPARTMENT: Public Works

SUMMARY: The Department of Public Works is requesting authorization to enter into an inter-governmental agreement with the City of Ferndale to utilize their Southwest Storage Yard as a transfer station for leaf pick up. The advantages of utilizing the Ferndale storage yard include less activity, storage, and "smell" at the DPW yard, more convenient drop off due to the larger yard, and significantly less leaf loading costs since they have a ramp and large loader bucket capable of loading leaves directly onto SOCRRA contracted trucks.

FINANCIAL STATEMENT: The agreement calls for a cost to the City of Oak Park of \$3,712 for usage of the yard and actual labor and equipment costs estimated at \$11,325.

RECOMMENDED ACTION: It is recommended that City Council 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 upon final review from the City Attorney's office.

APPROVALS:

City Manager: _____

Director of Public Works: _____

Director of Finance: _____

Budgeted: ☒

EXHIBITS: agreement



FERNDALE

**Department of Public Works
521 E. Cambourne
Ferndale, MI 48220
248-546-2519**

August 23, 2017

Mr. Kevin J. Yee, P. E.
Director of Public Works/City Engineer
City of Oak Park
14000 Oak Park Boulevard
Oak Park, MI 48237

Dear Kevin,

Attached are two copies of the Agreement between Oak Park and Ferndale regarding use of our Southwest Storage area for leaf disposal from October 1 through December 16, 2017. Please sign and return one copy to me.

Additionally, as indicated in the Agreement, a check in the amount of \$15,037 (host fee of \$3,712; estimated labor/equipment fee of \$11,325) should be sent to us in the next two weeks.

If you need anything further, please let me know.

Sincerely,

Loyd Cureton
DPW Director

AGREEMENT BETWEEN THE CITY OF OAK PARK AND THE CITY OF FERNDALE REGARDING USE OF SOUTHWEST STORAGE AREA

This Agreement (the "Agreement") is made between the City of Oak Park ("Oak Park"), a Michigan Municipal Corporation with an address at 13600 Oak Park Boulevard, Oak Park, Michigan 48237 and the City of Ferndale ("Ferndale") a Michigan Municipal Corporation with an address at 300 E. Nine Mile Road, Ferndale, Michigan 48220.

Pursuant to Article VII, § 28 of the Michigan Constitution of 1963, Ferndale and Oak Park enter into this Agreement for the purpose of delineating the obligations and responsibilities regarding the use by Oak Park of Ferndale's Southwest Storage Yard as a transfer site for leaves.

This Agreement, which will provide for efficient and coordinated collection of leaves, is determined to be in the best interests of both Oak Park and Ferndale.

NOW THEREFORE, in consideration of the mutual promises, obligations, representations and assurances set forth in this Agreement, the parties agree to the following:

1. Ferndale shall allow Oak Park to utilize its southwest storage yard as a transfer site for leaves from October 1, 2017, through December 16, 2017. This Agreement may be extended for additional years upon terms and conditions agreed to by the parties. Any such delivery of leaves by Oak Park to the Southwest Storage Yard shall be through the west gate entrance of the storage yard, with any such trucks using Republic Street in Oak Park.
2. Oak Park shall pay Ferndale for using the Southwest Storage Yard as a transfer site for leaves the amount of \$3,712 within fourteen (14) days from the execution of this Agreement. Additionally, Oak Park shall pay Ferndale \$11,324, the amount that represents the estimated proportionate tonnage between the two communities for employees and equipment costs associated with loading the leaves into the transfer trucks at the Southwest Storage Yard as described in the attached 2016 leaf disposal schedule, which is attached as Exhibit 1 and incorporated by reference into this Agreement. This \$11,324 shall also be paid by Oak Park to Ferndale within fourteen (14) days from the execution of this Agreement. In the event that Oak Park employees work at the Southwest Storage Yard for the loading of leaves to be transferred from the Southwest Storage Yard or in the event that the actual hours for labor and equipment are less than the estimated hours for Oak Park as set forth in Exhibit 1, the \$11,324 payment to Ferndale shall be adjusted on a proportionate basis based on Exhibit 1 and a reimbursement to Oak Park shall be made within thirty (30) days from the date the adjustment is calculated and verified by Ferndale's DPW Director. In the event that the actual hours for labor and equipment are more than the estimated hours for Oak Park as set forth in Exhibit 1, Oak Park shall pay an additional amount to Ferndale adjusted on a proportionate basis based on Exhibit 1 within thirty (30) days from the date the adjustment is calculated and verified by Ferndale's DPW Director. In the event that Oak Park employees work at the Southwest Storage Yard as discussed above, they shall utilize Oak Park equipment only.

3. This Agreement does not, and is not intended to, impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of Oak Park or Ferndale.
4. Absent a written waiver, no act, failure or delay by either Oak Park or Ferndale to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances, shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Oak Park or Ferndale shall subsequently effect its right to require strict performance of this Agreement.
5. Nothing contained herein shall be construed to make the employees of either party the employees of the other or to render either party liable for such other party's debts or obligations.
6. 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, condition, and provisions of this Agreement shall remain in full force.
7. The section and subsection numbers, captions, and any index to such sections and subsections contained in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers, captions and indexes shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or nonpossessive use in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.
8. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid, and addressed to the clerk of the respective party. Notice will be deemed given on the date when one of the following first occur: (1) the date of actual receipt; (2) the next business day when notice is sent express delivery services or personal delivery; or (3) three days after mailing first class or certified mail.
9. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any claim arising under or related to this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan and venue is acknowledged as proper in the court set forth above.
10. Any modifications, amendments, recessions, waivers, or releases to this Agreement must be in writing and agreed to by both Oak Park and Ferndale. Unless otherwise agreed, the modification, amendment, recession, waiver, or release shall be signed by the same persons who signed this Agreement or other persons as authorized by the Oak Park and Ferndale governing bodies.

11. This Agreement represents the entire Agreement and understanding between Oak Park and Ferndale. This Agreement shall supersede all other oral or written Agreements between Oak Park and Ferndale respecting this matter. The language of this Agreement shall be construed as a whole according to its fair meaning, and shall not be construed strictly for or against any party.

12. This Agreement may be executed in two or more counter parts, each of which shall be deemed an original and all of which together shall constitute one in the same instrument. The effective date shall be the date the last party has executed the Agreement.

IN WITNESS WHEREOF, the City of Oak Park and the City of Ferndale have caused this Agreement to be signed and executed on its behalf by its respective Mayor and City Clerk on the day and year noted below:

City of Oak Park,
a Michigan Municipal Corporation

By: _____

Its: _____

Dated: _____

By: _____

Its: _____

Dated: _____

City of Ferndale,
a Michigan Municipal Corporation

By: David Coulter
David Coulter, Mayor

Dated: 8/28/17

By: Marne McGrath
Marne McGrath, City Clerk

Dated: 8/28/17

Exhibit 1

2016	CITY	PERCENTAGE	TONNAGE
	Ferndale	24%	1,235.58
	Oak Park	31%	1,595.95
	Pleasant Ridge	12%	617.49
	Huntington Woods	20%	1,029.65
	Lathrup Village	13%	669.27
	TOTAL	100%	5,147.94

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #**

SUBJECT: Request authorization to bid the 2017 I-696 at Coolidge Highway Bridge Enhancement Project, M-670.

DEPARTMENT: DPW/Technical & Planning – Engineering *KJY*

SUMMARY: Plans and specifications are complete for the 2017 I-696 at Coolidge Highway Bridge Enhancement Project, M-670. This project will enhance the bridge over I-696 at Coolidge Highway with new fencing and Oak Park branding.

FINANCIAL STATEMENT: There is \$350,000 budgeted in the FY 2017-18 budget for this expenditure.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for the 2017 I-696 at Coolidge Highway Bridge Enhancement Project, M-670 be approved. Funding is available in the Major Street Fund No. 202-18-479-801.

APPROVALS:City Manager: *KJY for G.T.*Department Director: *KJY*Finance Director: *[Signature]*Budgeted ☒**EXHIBITS:** None

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #****SUBJECT:** Payment Application number 2 (Final) for the 2017 Roof Replacement Project, M-665.**DEPARTMENT:** Technical & Planning – Facilities RMB**SUMMARY:** Attached is Contractors Application for Payment number 2 (Final) for the 2017 Roof Replacement Project, M-665.

This project replaced the roof above Court Room 1, the south court entrance canopy, the south old public safety canopy "Area A-3" and above rooms A and B "Area F" at the Community Center. The project is now 100% complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$205,000.00
	Total Completed to Date:	\$205,000.00
	Less Retainage:	\$ 00.00
	Net Earned:	\$205,000.00
	Deductions:	\$ 0.00
	Balance:	\$205,000.00
	Payments to Date:	<u>\$149,270.00</u>
	Amount Due to Schreiber Corporation:	\$ 55,730.00

RECOMMENDED ACTION: It is recommended that Contractors Application for Payment number 2 (Final) for the 2017 Roof Replacement Project, M-665 to Schreiber Corporation be approved in the amount of \$55,730.00.

Funding is available in the Building Maintenance Repairs & Maintenance Account #101-18-265-930 as well as the Municipal Building Construction Account (Court) #470-70-900-970.

APPROVALS:

City Manager:

Kmy for E.T.

Department Director:

[Signature]

Finance Director:

[Signature]Budgeted: ☒**EXHIBITS:** Contractors Application for Payment, Drawing/map

TO (OWNER): THE CITY OF OAK PARK
14000 OAK PARK BLVD
OAK PARK, MI 48237

PROJECT: 2017 ROOF REPLACEMENT PROJECT
14000 OAK PARK BLVD
OAK PARK, MI 48237

APPLICATION NO: 2
INVOICE NO: 4303
PERIOD TO: 8/31/2017

DISTRIBUTION
TO:
OWNER
ARCHITECT
CONTRACTOR

FROM (CONTRACTOR): Schreiber Corporation
29945 Beck Rd.
Wixom, MI 48393

VIA (ARCHITECT):

ARCHITECT'S
PROJECT NO: M695

CONTRACT FOR: SRC #7487-17

CONTRACT DATE: 3/31/2017

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Type Document is attached.

1. ORIGINAL CONTRACT SUM \$ 205,000.00
2. Net Change by Change Orders \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 205,000.00
4. TOTAL COMPLETED AND STORED TO DATE \$ 205,000.00
5. RETAINAGE:
a. 0.00 % of Completed Work \$ 0.00
b. 0.00 % of Stored Material \$ 0.00
Total retainage (Line 5a + 5b) \$ 0.00
6. TOTAL EARNED LESS RETAINAGE \$ 205,000.00
(Line 4 less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate) \$ 149,270.00
8. CURRENT PAYMENT DUE \$ 55,730.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 8) \$ 0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order	0.00	

The Undersigned Contractor certifies that to the best of the Contractor's knowledge, information belief the work covered by this application for Payment has been completed in accordance with Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the owner, and that current payment shown herein is now due.

CONTRACTOR: Schreiber Corporation
29945 Beck Rd. Wixom, MI 48393

By: Sharon Kirk, Vice President Date: 9/6/17

State of MI
County of: OAKLAND
Subscribed and sworn to before me this 6th Day of September 20 17
Notary Public: Jason Emery
My Commission Expires: 9/4/23 JASON EMERY
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Sep 4, 2023

ARCHITECT'S CERTIFICATE FOR PAYMENT

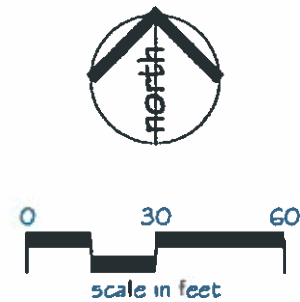
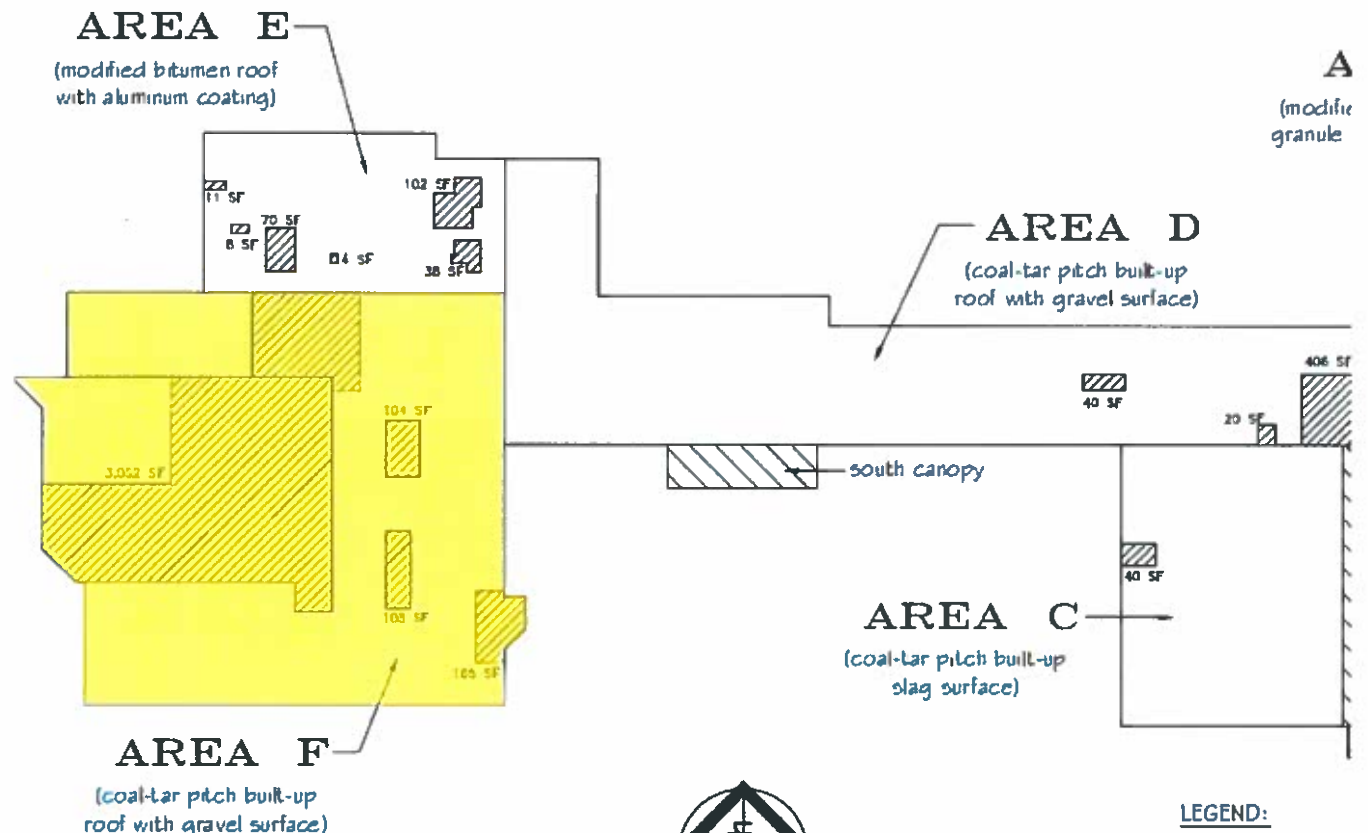
In Accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

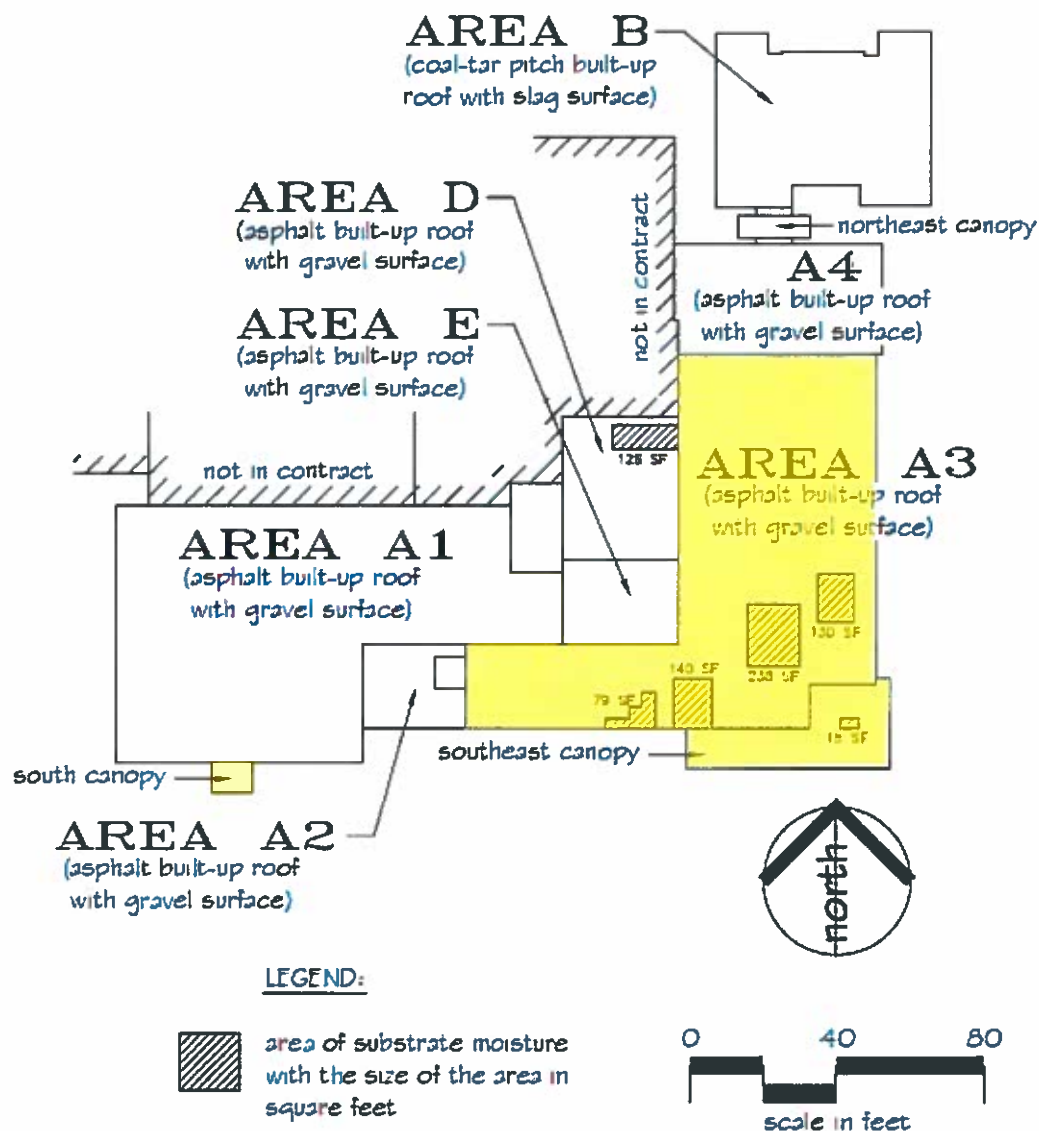
AMOUNT CERTIFIED \$

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT:
By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, Payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.





ROOF AREA PLAN			
 ROOFING TECHNOLOGY ASSOCIATES, LTD. 38031 SCHOOLCRAFT ROAD LIVONIA, MICHIGAN 48150-1065 (734) 591-4444			
46th DISTRICT COURT BUILDING CITY OF OAK PARK 14500 OAK PARK BOULEVARD OAK PARK, MICHIGAN			
Project No:	16-045	Drawn By:	RDK
Date:	9-13-16	Checked By:	RDK
			Plate No: 2

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #**

SUBJECT: Maintenance 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 Oakdale.

DEPARTMENT: Department of Public Works - KJY

SUMMARY: The Road Commission for Oakland County has offered to compensate the City of Oak Park \$45,447.45 for winter maintenance on Greenfield Road from Eight to Eleven Mile Roads and on Ten Mile Road from Greenfield to Woodward. This will require our City crews to plow and salt these sections of roadway as needed throughout the winter.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: It is recommended that the City Council approve the attached 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.

APPROVALS:City Manager: Finance Director: Department Director: Budgeted ☐**EXHIBITS:** Agreement

2017-2018 WINTER MAINTENANCE AGREEMENT
CITY OF OAK PARK

Under 1951 PA 51, As Amended

This Winter Maintenance Agreement ("Agreement") is made this ____ day of _____, 2017, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the "Board," and the City of Oak Park, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the "City."

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain winter maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City will perform Winter Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. "Winter Maintenance," herein required to be performed by the City, shall mean snow removal and ice control, on all roads listed in Exhibit A, as follows: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel, and ice control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel, together with such other work and services, such as recordkeeping and insurance, required by this Agreement. All Winter Maintenance work and services performed by the City shall be in accordance with the Board's maintenance guidelines, including the Board adopted Winter Maintenance Guidelines, the Board's standard practices and this Agreement.

II

The City shall keep accurate and uniform records of all Winter Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Winter Maintenance by the City, the Board hereby agrees to pay to the City the sum of \$45,447.45, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

50% in December 2017
50% in March, 2018

The making of said payments shall constitute the Board's entire obligation in reference to Winter Maintenance.

IV

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local units(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Winter Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Winter Maintenance under Section I, the City agrees to promptly notify the Board as soon as possible, but not longer than 5 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Winter Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

VI

The City further agrees to comply with all applicable laws and regulations, including without limitation, laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status; or because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Winter Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2017, and shall continue in full force and effect until a subsequent Winter Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Winter Maintenance agreement has not been executed by the parties hereto on or before September 1, 2018, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of _____,
and by the City by authority of a resolution of its governing body, adopted _____,
(copy attached as Exhibit C).

Witnesses:

CITY OF OAK PARK
A Municipal Corporation

By: _____

Its: _____

By: _____

Its: _____

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,
A Public Body Corporate

By: _____

Its: _____

By: _____

Its: _____

WINTER MAINTENANCE
2017-2018

CITY OF OAK PARK

EXHIBIT A

10 MILE ROAD

Extending from Woodward Avenue to Greenfield

<u>Miles</u>	<u>Cost Per Mile</u>	
4.92	\$3,722.61	\$ 18,315.24
0.53	\$6,514.59	\$ 3,452.73
		<u>\$ 21,767.97</u>

GREENFIELD ROAD

Extending from Eight Mile Road to Eleven Mile Road

<u>Miles</u>	<u>Cost Per Mile</u>	
0.28	\$6,514.59	\$ 1,824.09
2.72	\$8,035.07	\$ 21,855.39
		<u>\$ 23,679.48</u>

TOTAL \$ 45,447.45

TWO LANES \$3,722.61 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>	
4.92	\$3,722.61	\$ 18,315.24

FOUR OR FIVE LANES (\$6,514.59 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>	
0.81	\$6,514.59	\$ 5,276.82

SIX OR MORE LANES (\$8,035.07 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>	
2.72	\$8,035.07	\$ 21,855.39

<u>Total Miles</u>	TOTAL	<u>\$ 45,447.45</u>
8.45		

50% in December, 2017	\$22,723.73
50% in March, 2018	<u>\$22,723.72</u>
	\$45,447.45

EXHIBIT B

2017-2018 WINTER MAINTENANCE AGREEMENT

ROAD COMMISSION FOR OAKLAND COUNTY

INSURANCE PROVISION (CITY)

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. **Worker's Compensation and Employer's Liability Insurance:** The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

Each Accident	\$1,000,000
Disease – Each Employee	\$1,000,000
Disease – Policy Limit	\$1,000,000

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. **Bodily Injury and Property Damage:** The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

1. **Bodily Injury and Property Damage Other Than Automobile:** The minimum limits of property damage and bodily injury liability covering each contract shall be:

Bodily Injury and Property Damage Liability:	or: Combined Single Limit:
Each Person \$1,000,000	Aggregate \$2,000,000
Each Occurrence \$1,000,000	
Aggregate \$2,000,000	

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. **Bodily Injury Liability and Property Damage Automobiles:** The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury and Property Damage Liability:		or: Combined Single Limit:
Each Person	\$1,000,000	Each Occurrence: \$1,000,000
Each Occurrence	\$1,000,000	

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- a. **Excess and Umbrellas Insurance** – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- b. The City shall provide for and in behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's General Liability Insurance.
- c. **Notice** – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- d. **Reports:** The City or its insurance carrier shall promptly report to the Road Commission all of the following events each time as they occur: Claims received, claims investigations made, and disposition of claims.

See provisions of the maintenance agreement to which this Exhibit B is attached.

MERCHANT'S LICENSES – SEPTEMBER 18, 2017**(Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Nova Home Improvement	10700 Capital	\$150	Construction
Acceptance Now	20830 Coolidge	\$150	Furniture
Hands of Hope International	21790 Coolidge	\$150	Religious
My Dream Clozet	25250 Greenfield	\$150	Salon
Scentilly Yours LLC	8970 Nine Mile	\$150	Retail

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Family Dollar	13471 Ten Mile	\$150	Retail



CITY OF OAK PARK

Steve Cooper, Director
Department of Public Safety

Council Members
Keisha Speech
Solomon Radner
Ken Rich
City Manager
Erik Tungate

AGENDA OF: September 18, 2017

AGENDA #

SUBJECT: Public Hearing and approval to purchase and install two Code 3 light bars and controllers for two of the Chevy Tahoe marked patrol vehicles, along with two (2) Truck Vault single drawer vaults (including installation) utilizing the funding from the Edward Byrne Justice assistance Grant (JAG) in the amount \$10,200.

DEPARTMENT: Public Safety

SUMMARY: The Department of Public Safety is requesting to use funding from the 2017 Edward Byrne Justice Assistance Grant to purchase and install two Code 3 light bars and controllers. The Department recently switched to the Chevy Tahoe Patrol vehicle and are in need of two new light bars to properly outfit the vehicles. Additionally, we are in need of two single drawer vaults to house our less lethal shotguns and ammunition bags inside the vaults as well. The vault system would allow for the safe and secure housing of this equipment.

FINANCIAL STATEMENT: The cost for each Code 3 Light Bar (model # 21TRL47LED) which includes installation is \$3,658.91. The total cost for (2) light bars including installation would be \$7,317.82. The cost for each Truck Vault is \$1,805.32. Installation for each truck vault is \$200. The total cost for (2) Truck Vaults plus installation is \$4,010.64. The grand total for all of the above equipment plus installation is \$11,328.46.

RECOMMENDED ACTION Mayor and Council authorize the acceptance of the Edward Byrne Justice Assistance Grant and utilize the funding for the above purchases. I am also requesting that the remaining balance of \$1,128.46 be taken from the Public Safety Material and Supplies Account (funding is budgeted and available in this account).

APPROVALS:

City Manager:

Director:  11/13/2017

Finance Director: 

Budgeted 

EXHIBITS:

2017 Jag Grant Budget and Budget Narrative

2017 JAG Grant Budget and Budget Narrative:

Budget Narrative

Funding from the 2017 JAG grant will be used by the Oak Park Department of Public Safety to purchase and install light bars and weapons vaults in patrol vehicles. The Department recently switched the brand/model of patrol vehicle to the GMC Tahoe. We have two vehicles that need light bars. Additionally, we would like to implement the option of deploying less lethal shotguns and "go bags" of ammunition in patrol vehicles. We would like to purchase vaults for the patrol vehicles to securely house the new equipment.

- 1) The Department proposes to purchase Two (2) Code 3 light bars and controllers (model#21TRL47LED) at a price of \$3,658.91 per light bar. The price includes installation. The total cost of the purchase would be \$7,317.82.
- 2) The Department proposes to purchase Two (2) Truck Vault 1 drawer vault (model# T-CHTAHM1-15N-PP) for a price of \$1,805.32 per vault. The total cost of the vaults would be \$3,610.64. There will be an additional \$400.00 cost for installation.

Budget Detail Worksheet

<i>Quantity</i>	<i>Description</i>	<i>Unit Cost</i>	<i>Total Cost</i>
2	Code 3 Light Bar/Control	\$3,658.91	\$7,317.82
2	Single Drawer Vault	\$1,805.32	\$3,610.64
2	Installation of Vault	\$200.00	\$400.00
Total Balance			\$11,328.46
2017 JAG Allocation			\$10,200.00
Balance to be paid by the Oak Park Public Safety 2017-2018 Budget			\$1,128.46

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
2017
Tax I.D. 38-1879991**Invoice 482223****September 12,**Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327*Re: Harmony Montessori Center v City of Oak
Park**Client 7406
Matter 4***Statement for City Attorney Legal Services**

For Legal Services Rendered Through Thursday, August 31, 2017

\$3,024.00**Fee Total****Total Costs Advanced****\$0.00****Total Fees and Disbursements: \$3,024.00**

*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.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
2017
Tax I.D. 38-1879991

Invoice 482224

September 12,

Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327

*Re: Tina Polk and Richard Newton v City of Oak
Park, County of Oakland, et al.*

*Client 7406
Matter 24*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Thursday, August 31, 2017

\$1,568.00

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$1,568.00

*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.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
2017
Tax I.D. 38-1879991

Invoice 482228

September 12,

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 Thursday, August 31, 2017

\$12,083.34

Fee Total

Costs Advanced:

Date	Description	Amount
08/04/17	Fee to Howard L. Shifman PC for professional services rendered	420.00
08/04/17	Reproduction Charges 2 @ .15 2 @ 0.15	0.30
08/25/17	Reproduction Charges 14 @ .15 14 @ 0.15	2.10
	Total Costs Advanced	\$422.40

Total Fees and Disbursements: \$12,505.74

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
2017
Tax I.D. 38-1879991

Invoice 482230

September 12,

Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327

Re: In Re: Prosecution Matters

*Client 7406
Matter 39*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Thursday, August 31, 2017

\$686.00

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$686.00

*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.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKE LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
2017
Tax I.D. 38-1879991

Invoice 482231

September 12,

Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327

*Re: Judy Kish and Joyce Bannon, et al v City of
Oak Park*

*Client 7406
Matter 31*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Thursday, August 31, 2017

\$599.00

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$599.00

*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.*

SECRET
SW
WARDLE

SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS # 38-1863919

City of Oak Park
Erik Tungate
13600 Oak Park Blvd
Oak Park, MI 48237

September 8, 2017
Invoice # 1316784
Client No. M1409
Matter No. 100314

RE: Oak Park, City of (Building Fund)

INTERIM

Services Rendered:

CURRENT BILLING SUMMARY THROUGH AUGUST 31, 2017

Fees for Professional Services	\$8,993.50
Expenses Advanced	\$65.28
CURRENT BILL DUE	\$9,058.78

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

Howard L. Shifman, P.C.
370 E. Maple Road, Ste. 200
Birmingham, MI 48009

Invoice Submitted to:

Erik Tungate, City Manager
City of Oak Park
14000 Oak Park Boulevard
Oak Park, MI 48237

In Reference To: City of Oak Park/General Labor

Invoice # 13062

Professional Services

9/1/17	Services per Retainer Agreement for October 1, 2017 thru December 31, 2017	\$ 15,000.00
TOTAL		\$ 15,000.00
BALANCE DUE		<u><u>\$ 15,000.00</u></u>

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017 **AGENDA #****SUBJECT:** Report on bids for the 2017-2018 Miscellaneous Concrete Project, M-672.**DEPARTMENT:** DPW/Technical & Planning – Engineering GWS

SUMMARY: At the July 17, 2017 regular meeting of the Oak Park City Council, the request to bid the 2017-2018 Miscellaneous Concrete Project, M-672 was approved (CM-07-324-17). The project was advertised and 48 contractors viewed the documents. On August 29, 2017, 10 bids were received and opened. The low bidder, Mattioli Cement Company of Fenton, MI, submitted a bid of \$183,409.40. References were checked and all had positive responses.

This project will replace sections of damaged pavement from water & sewer breaks, along with other patches throughout the City. This project will also replace reimbursable sidewalk sections based on complaints from our sidewalk evaluations.

FINANCIAL STATEMENT: There is \$250,000 budgeted for this project in the 2017-18 budget.

RECOMMENDED ACTION: It is recommended City Council award the bid for the 2017-2018 Miscellaneous Concrete Project, M-672 to Mattioli Cement Company of Fenton, MI for the amount of \$183,409.40. Funding is available in the Local Street Fund and Water & Sewer Fund for this project.

APPROVALS:

City Manager: _____

Department Director: _____

Director of Finance: _____

Budgeted: ☒**EXHIBITS:** Bid Tabulation

BID TABULATION

2017-2018 MISCELLANEOUS CONCRETE PROJECT M-672				MATTIOLI CEMENT COMPANY 6085 MCGUIRE ROAD FENTON, MI 48430		L ANTHONY CONSTRUCTION, INC 11085 LISA LANE SHELBY TOWNSHIP MI, 48316		JB CONTRACTORS 3201 LIVERNOIS AVE. DETROIT, MI 48201	
BID OPENING DATE: TUESDAY, AUGUST 29, 2017									
ITEM	DESCRIPTION	QUANT.	U/M	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	REMOVE CONCRETE PAVEMENT	2,680	SYD	\$ 10.00	\$ 26,800.00	\$ 8.00	\$ 21,440.00	\$ 8.75	\$ 23,450.00
2	CONCRETE PVMT W/INT CURB & GUTTER, 9" CONC.	2,350	SYD	\$ 47.00	\$ 110,450.00	\$ 55.00	\$ 129,250.00	\$ 55.00	\$ 129,250.00
3	SIDEWALK CONC. NON-REINF 6" SIDEWALK/DRIVE APPROACH	870	SFT	\$ 4.80	\$ 4,176.00	\$ 5.75	\$ 5,002.50	\$ 5.50	\$ 4,785.00
4	SIDEWALK CONC. NON-REINF 4" SIDEWALK	2,100	SFT	\$ 4.45	\$ 9,345.00	\$ 5.00	\$ 10,500.00	\$ 4.00	\$ 8,400.00
5	CONC. PVMT 24" CURB & GUTTER SECTION NON REINF 9" CONC.	20	LFT	\$ 33.00	\$ 660.00	\$ 25.00	\$ 500.00	\$ 35.00	\$ 700.00
6	ADJUSTING DRAINAGE STRUCTURES	10	EA	\$ 295.00	\$ 2,950.00	\$ 200.00	\$ 2,000.00	\$ 225.00	\$ 2,250.00
7	CAST IN PLACE DETECTABLE/TACTILE WARNING SURFACE	50	SFT	\$ 12.00	\$ 600.00	\$ 25.00	\$ 1,250.00	\$ 19.50	\$ 975.00
8	AGGREGATE BASE UNDER 9" CONC. (6" 21AA CR LIMESTONE)	330	SYD	\$ 4.60	\$ 1,518.00	\$ 5.00	\$ 1,650.00	\$ 7.00	\$ 2,310.00
9	AGGREGATE BASE UNDER 4"& 6" & 9" CONC. (3" 21AA CR LIMESTONE)	2,350	SYD	\$ 7.00	\$ 16,450.00	\$ 10.00	\$ 23,500.00	\$ 11.00	\$ 25,850.00
10	DRAINAGE STRUCTURE COVER	760	LBS	\$ 1.79	\$ 1,360.40	\$ 1.50	\$ 1,140.00	\$ 2.50	\$ 1,900.00
11	MINOR TRAFFIC DEVICES	1	LSUM	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ 7,000.00	\$ 7,000.00
12	PROJECT CLEAN UP	1	LSUM	\$ 980.00	\$ 980.00	\$ 2,000.00	\$ 2,000.00	\$ 10,000.00	\$ 10,000.00
13	INSPECTION CREW DAYS	320	DAY	\$ 16.00	\$ 5,120.00	\$ 10.00	\$ 3,200.00	\$ 18.00	\$ 5,760.00
				TOTAL COST \$ 183,409.40		\$ 202,432.50		\$ 222,630.00	

OTHER BIDDERS

ZUNIGA CEMENT CONSTRUCTION, INC	\$226,670.00
AUDIA CONSTRUCTION	\$237,329.00
FIORE ENTERPRISES, LLC	\$278,832.50
GM & SONS, INC.	\$279,995.00
CENTURY CEMENT CO. INC.	\$299,295.00
HARTWELL CEMENT COMPANY	\$311,330.00
LACARIA CONCRETE CONSTRUCTION, INC.	\$328,621.00

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #**

SUBJECT: Report on bids for the 2017 Sewer & Catch Basin Cleaning and Television Inspection Project, M-673.

DEPARTMENT: DPW/Technical & Planning – Engineering GWS

SUMMARY: At the July 17, 2017 regular meeting of the Oak Park City Council, the request to bid the 2017 Sewer & Catch Basin Cleaning and Television Inspection Project, M-673 was approved (CM-07-323-17). The project was advertised and 20 contractors viewed the documents. On September 5, 2017, 6 bids were received and opened. The low bidder, Taplin Group, LLC of Kalamazoo, MI, submitted a bid of \$232,087.85. References were checked and all had positive responses.

This project will clean and televise sewer in the area shown on the attached map.

FINANCIAL STATEMENT: There is \$250,000 budgeted for this project in the 2017-2018 budget.

RECOMMENDED ACTION: It is recommended City Council award the bid for the 2017-2018 Sewer & Catch Basin Cleaning and Television Inspection Project, M-673 to Taplin Group, LLC of Kalamazoo, MI for the amount of \$232,087.85. Funding is available in the Water & Sewer Fund for this project.

APPROVALS:

City Manager: _____

Department Director: _____

Director of Finance: _____

Budgeted: ☒**EXHIBITS:** Bid tabulation, Map

BID TABULATION

2017 SEWER & CATCH BASIN CLEANING AND TV INSPECTION PROJECT, M-673				TAPLIN GROUP, LLC 5140 W. MICHIGAN AVE KALAMAZOO, MI 49006		NATIONAL POWER RODDING CORP. 2500 W. ARTHINGTON ST. CHICAGO, IL 60612		ADVANCED UNDERGROUND INSPECTION, LLC 38657 WEBB DR. WESTLAND, MI 48185	
BID OPENING DATE: TUESDAY, SEPTEMBER 5, 2017									
ITEM	DESCRIPTION	QUANT.	U/M	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Medium 8" Sewer Cleaning & TV Inspection	1,800	LFT	\$ 1.15	\$ 2,070.00	\$ 1.50	\$ 2,700.00	\$ 2.85	\$ 5,130.00
2	Medium 10" Sewer Cleaning & TV Inspection	4,800	LFT	\$ 1.23	\$ 5,904.00	\$ 1.50	\$ 7,200.00	\$ 2.85	\$ 13,680.00
3	Medium 12" Sewer Cleaning & TV Inspection	35,000	LFT	\$ 1.35	\$ 47,250.00	\$ 1.50	\$ 52,500.00	\$ 2.85	\$ 99,750.00
4	Medium 15" Sewer Cleaning & TV Inspection	22,600	LFT	\$ 1.42	\$ 32,092.00	\$ 1.50	\$ 33,900.00	\$ 2.85	\$ 64,410.00
5	Medium 18" Sewer Cleaning & TV Inspection	15,000	LFT	\$ 1.48	\$ 22,200.00	\$ 1.50	\$ 22,500.00	\$ 3.00	\$ 45,000.00
6	Medium 21" Sewer Cleaning & TV Inspection	8,700	LFT	\$ 1.56	\$ 13,572.00	\$ 1.50	\$ 13,050.00	\$ 3.00	\$ 26,100.00
7	Medium 24" Sewer Cleaning & TV Inspection	10,900	LFT	\$ 1.60	\$ 17,440.00	\$ 1.50	\$ 16,350.00	\$ 3.30	\$ 35,970.00
8	Medium 27" Sewer Cleaning & TV Inspection	3,300	LFT	\$ 1.65	\$ 5,445.00	\$ 1.50	\$ 4,950.00	\$ 3.75	\$ 12,375.00
9	Medium 30" Sewer Cleaning & TV Inspection	1,400	LFT	\$ 1.75	\$ 2,450.00	\$ 1.50	\$ 2,100.00	\$ 4.00	\$ 5,600.00
10	Medium 33" Sewer Cleaning & TV Inspection	500	LFT	\$ 1.80	\$ 900.00	\$ 2.00	\$ 1,000.00	\$ 5.00	\$ 2,500.00
11	Medium 36" Sewer Cleaning & TV Inspection	1,800	LFT	\$ 1.91	\$ 3,438.00	\$ 2.00	\$ 3,600.00	\$ 5.00	\$ 9,000.00
12	Medium 48" Sewer Cleaning & TV Inspection	1,100	LFT	\$ 2.10	\$ 2,310.00	\$ 5.00	\$ 5,500.00	\$ 6.00	\$ 6,600.00
13	Catch Basin Lead Cleaning & TV Inspection	14,200	LFT	\$ 3.08	\$ 43,736.00	\$ 5.50	\$ 78,100.00	\$ 2.50	\$ 35,500.00
14	Catch Basin Structure Cleaning	615	EA	\$ 51.90	\$ 31,918.50	\$ 175.00	\$ 107,625.00	\$ 65.00	\$ 39,975.00
15	Sewer Lateral Protruding Lead Cutting	5	EA	\$ 272.47	\$ 1,362.35	\$ 500.00	\$ 2,500.00	\$ 125.00	\$ 625.00
TOTAL COST				\$	232,087.85	\$	353,575.00	\$	402,215.00

OTHER BIDDERS

D.V.M UTILITIES, INC	\$ 422,175.00
UNITED RESOURCES, LLC	\$ 444,773.00
GREENSCAPE	\$ 447,275.00

CITY OF OAK PARK

2017 SEWER & CATCH BASIN AND TELEVISION INSPECTION PROJECT

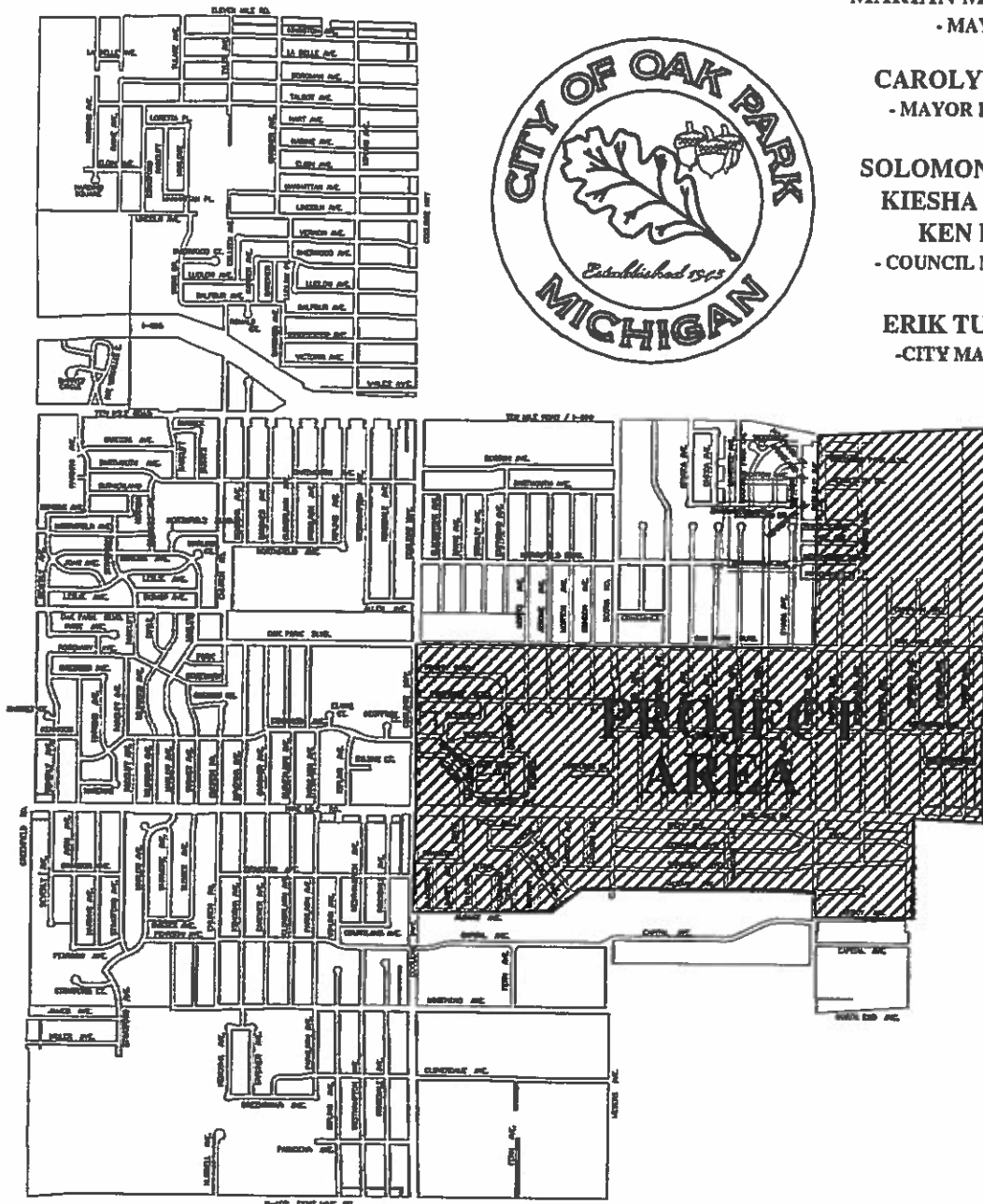
M-673

MARIAN McCLELLAN
- MAYOR -

CAROLYN BURNS
- MAYOR PRO TEM -

SOLOMON RADNER
KIESHA SPEECH
KEN RICH
- COUNCIL MEMBERS -

ERIK TUNGATE
- CITY MANAGER -



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CITY OF OAK PARK ENGINEERING DIVISION			
SHEET A	SCALE N.T.S.	DRAWN BY JER	DATE 6/28/17
2017 SEWER & CATCH BASIN CLEANING AND TV INSPECTION, M-673			
DATE 4/24/17	APPROVED BY KIT	DRAWING NUMBER 107-1	

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #**

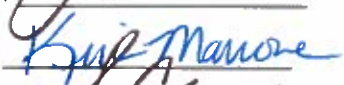
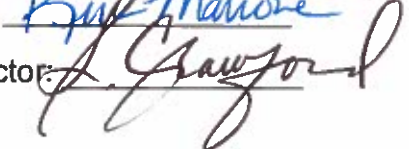
SUBJECT: Recommendation of the Planning Commission for Zoning Ordinance text amendments to Article XIII, PMF, Planned Multi-Family Districts.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the September 11, 2017 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendments to the PMF, Planned Multi-Family Districts would allow for greater flexibility in the standards for required setbacks and screening.

The Planning Commission voted to recommend to the City Council adoption of the text amendments.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and conduct the first reading of the proposed text amendments to the City of Oak Park Zoning Ordinance, Article XIII, PMF Planned Multifamily Districts, Section 1302, C.

APPROVALS:City Manager: Director: Finance Director: 

EXHIBITS: Memorandum, proposed ordinance for adoption.



CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Planning Commission members DATE: August 30, 2017
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/PMF
 Amend APRV
 memo

SUBJECT: PMF, Planned Multifamily District *Standards for approval* amendments.

The Department of Community & Economic Development proposed at the July meeting some minor amendments to the PMF Planned Multifamily District that would allow for even greater flexibility in this district. A Public Hearing was scheduled for the August meeting to hear public comment on the proposed changes. Since that meeting was cancelled due to a lack of quorum, the required Public Hearing was advertised for the September meeting.

As was discussed with the Planning Commission in July, planned zoning districts such as the City's PMF, Planned Multifamily District, allow for greater flexibility in site requirements. In keeping with some of the design principles discussed and incorporated during the Master Plan process, staff is proposing some minor amendments to the PMF Planned Multifamily District that would allow for even greater flexibility in this district. On the back of this page are the proposed PMF, Planned Multifamily District *Standards for approval* amendments along with a proposed ordinance to effectuate the changes.

If the proposed Zoning Ordinance text amendments are acceptable to the Planning Commission the Department of Community & Economic Development recommends approving the attached proposed ordinances.

Proposed changes in red.

ARTICLE XIII. - PMF PLANNED MULTIFAMILY DISTRICTS

Sec. 1300. - Intent.

The PMF planned multifamily residential district is designed to provide for low-rise multiple-family residential and related uses fronting on major thoroughfares.

Sec. 1301. - Permitted uses.

In the PMF planned multiple-family residential district the following uses shall be permitted:

- A. Any uses permitted in the R-2 two-family dwelling district and subject to the regulations of that district.
- B. Low-rise multiple-family dwellings.
- C. Attached one-family dwellings.

Sec. 1302. - Approval process.

- C. *Standards for approval.* Based upon the following standards, the planning commission may recommend approval or denial, and the city council may approve or deny the proposed planned multiple-family district:
 - 1. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare or convenience or any combination thereof, on present and potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation systems, surrounding properties or the environment.
 - 2. The uses proposed shall be consistent with the land use plans adopted by the city.
 - 3. The zoning is warranted by the design and amenities incorporated in the development proposal.
 - 4. **The city council may, if deemed appropriate, require for planned multiple-family districts more or less setbacks than that required by this Code.**
 - 5. The city council may, if deemed appropriate, require for planned multiple-family districts more or less usable open space than that required by this Code.
 - 6. The city council may, if deemed appropriate, require for planned multiple-family districts more or less parking than that required by this Code.
 - 7. The city council may, if deemed appropriate, require for planned multiple-family districts more or less **screening and** landscaping than that required by this Code.
 - 8. Major natural, historical and architectural features of the district shall be preserved.

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 1302, APPROVAL PROCESS OF ARTICLE XIII, PMF PLANNED MULTIFAMILY DISTRICTS, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XIII, PMF Planned Multifamily Districts, Section 1302, C, Approval process, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to the following:

Sec. 1302. – Approval process.

- C. *Standards for approval.* Based upon the following standards, the planning commission may recommend approval or denial, and the city council may approve or deny the proposed planned multiple-family district:
1. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare or convenience or any combination thereof, on present and potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation systems, surrounding properties or the environment.
 2. The uses proposed shall be consistent with the land use plans adopted by the city.
 3. The zoning is warranted by the design and amenities incorporated in the development proposal.
 4. The city council may, if deemed appropriate, require for planned multiple-family districts more or less setbacks than that required by this Code.
 5. The city council may, if deemed appropriate, require for planned multiple-family districts more or less usable open space than that required by this Code.
 6. The city council may, if deemed appropriate, require for planned multiple-family districts more or less parking than that required by this Code.
 7. The city council may, if deemed appropriate, require for planned multiple-family districts more or less screening and landscaping than that required by this Code.
 8. Major natural, historical and architectural features of the district shall be preserved.

SECTION 2. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to 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 3. 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 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, Michigan.

SECTION 4. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

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

T. Edwin Norris, City Clerk

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

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE VI, PROPERTY MAINTENANCE CODE, OF CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING SECTION 18-231 THEREOF.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 18-231, Adoption of property maintenance code by reference; amendments, of Article VI, Property Maintenance Code, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 18-231. Adoption of property maintenance code by reference; amendments.

- (a) There is hereby adopted that certain code known as the *International Property Maintenance Code*, 2015 Edition, as published by the International Code Council, as the property maintenance code of the city for the purpose of regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said property maintenance code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, set forth in this section.
- (b) The *International Property Maintenance Code*, adopted by the provisions of this article as the property maintenance code of the city, is hereby amended, changed and altered in the following respects:

Section 101.1. Title: These regulations shall be known as the Property Maintenance Code of the City of Oak Park, Michigan, hereafter referred to as "this code."

Section 102.3. Application of Other Codes: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the following codes as currently adopted by the Michigan Department of Licensing and Regulatory Affairs: Michigan Building Code, International Fire Code, Michigan Plumbing Code, Michigan Mechanical Code, National Electric Code (with Part 8 State of Michigan Amendments), The International Fuel Gas Code, NFPA 25 (Standard), and ASTM F1346-91 (Standard).

Section 103.1. Code official: References to the “code official” shall be deemed to refer to the City of Oak Park Director of Technical and Planning Services, or his designee.

Section 103.2. Deleted.

Section 103.5. Fees: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be determined by resolution of the City Council from time to time adopted.

Section 106.4. Violation Penalties: Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$50.00 nor more than \$500.00 or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

Section 107.3 Method of service: Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. A copy posted in a conspicuous place in or about the structure / property affected by such notice.

Section 110. Deleted. The provisions contained in Section 110, Demolition, of the Property Maintenance Code, shall be and hereby are deleted.

Section 111.2. Board of Appeals: The City of Oak Park Building Board of Appeals shall serve as the board of appeals required by this Property Maintenance Code. All references herein to the “Board of Appeals” or the “Board”, shall be deemed to refer to the Oak Park Building Board of Appeals.

Section 111.2.1. Deleted.

Section 112.4. Failure to Comply: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$50.00 dollars or more than \$500.00 dollars.

Section 302.4. Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches (254mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 304.14. Insect screens: During the period from April 1 to December 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception. Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

Section 308.3.1. Garbage Facilities: The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; or an approved leak-proof, covered, outside garbage container.

Section 602.3. Heat Supply: Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guest room on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 15 to maintain a temperature of not less than 68° Fahrenheit (20° Celsius) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at is full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Michigan Plumbing Code.
2. In the areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

Section 602.4. Occupiable Work Spaces: Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 15 to maintain a temperature of not less than 65° Fahrenheit (18° Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

SECTION 2. Savings Clause.

Nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred,

or any cause or causes of action acquired or existing, under any act or ordinance hereby amended, or under the former Property Maintenance Code of the City of Oak Park, which is being replaced by the 2015 *International Property Maintenance Code*, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

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

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

T. EDWIN NORRIS
City Clerk

MARIAN McCLELLAN
Mayor

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

T. EDWIN NORRIS, City Clerk

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

ORDINANCE NO. O-17-

AN ORDINANCE TO AMEND SECTIONS 42-36, 42-37 and 42-38 OF CHAPTER 42, FIRE PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCES, CITY OF OAK PARK, THEREBY ADOPTING THE 2015 EDITION OF THE *INTERNATIONAL FIRE CODE* AS THE FIRE PREVENTION CODE OF THE CITY, FOR THE PURPOSE OF REGULATING AND GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING, AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF OAK PARK AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, AND PROVIDING FOR APPEALS RELATING THERETO.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Section 42-36, Adoption by reference, of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances, City of Oak Park is hereby amended to read as follows:

Section 42-36. Adoption by reference.

The City of Oak Park hereby adopts by reference as the Fire Prevention Code for the City the 2015 Edition of the *International Fire Code*, including Appendix Chapters B, C, D and F only, as published and promulgated by the International Code Council, Inc., for the purpose of regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Oak Park and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Fire Code*, 2015 edition, hereby referred to, are adopted and made a part hereof as if fully set out herein, with amendments and deletions as set forth in Section 42-37 of this Chapter.

SECTION 2. Section 42-37, Amendments; Deletions, of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 42-37. Amendments; Deletions

(a) **Amendments; Deletions.** The Fire Prevention Code adopted by the provisions of this Article is hereby amended, changed and altered in the following respects:

Section 101.1. Title. is amended to read as follows:

These regulations shall be known as the Fire Code of the City of Oak Park, Michigan, hereinafter referred to as ☐this Code☐.

Section 108.1. Board of appeals established. is amended to read as follows:

The City of Oak Park Building Board of Appeals, created by Section 18-126 of the Code of Ordinances of the City of Oak Park, is hereby designated to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this Code. The Board may, as required, adopt rules or procedures for conducting its business and shall render all decisions and findings in writing to the appellant with a copy to the fire code official.

Section 109.4. Violation Penalties. is amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4. Failure to Comply. is amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be responsible for a violation of this Code and liable to pay a fine as provided by ordinance. Every day that work shall continue shall constitute a separate and additional offense.

(b) **Limits Established.** The geographic limits referred to in certain sections of the 2015 *International Fire Code* are hereby established as follows:

Section 5806.2 - (geographic limits in which the storage of flammable cryogenic fluids in stationery containers is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 5704.2.9.6.1 - (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 5706.2.4.4 - (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

Section 6104.2 - (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Prohibited in all areas of the City with the exception of areas zoned as light industrial that are more than 500 feet from any areas zoned residential, and more than 500 feet from the city limits.

SECTION 3. Section 42-38 of Article II, Fire Prevention Code, of Chapter 42, Fire Prevention and Protection, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

Section 42-38. Copy on File.

A complete copy of the *International Fire Code*, 2015 edition, as adopted herein, shall be kept in the office of the City Clerk, available for inspection by and distribution to the public at all times, in compliance with state law requiring that records of public bodies be made available to the general public.

SECTION 4. Savings Clause.

That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance amended or repealed by this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 6. Effective Date.

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

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 18th day of September, 2017.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

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

T. EDWIN NORRIS, City Clerk

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

ORDINANCE NO. _____

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

THE CITY OF OAK PARK ORDAINS:

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

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

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

Sec. 38-98. - Notice to remove.

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

Sec. 38-100. - Abatement by city.

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

SECTION 2. Severability.

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

SECTION 4. Effective Date.

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

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

T. EDWIN NORRIS
City Clerk

MARIAN McCLELLAN
Mayor

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

T. EDWIN NORRIS, City Clerk



CITY OF OAK PARK

Robert Barrett, Director
Department of Technical & Planning Services

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

To: Erik Tungate, City Manager

From: Robert Barrett, Director of Technical and Planning

Date: August 9, 2017

RE: Refuse Collection Violations

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

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

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

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

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

DIVISION 3. - BLIGHT

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

(11) The existence of any personal property, garbage, yard debris or recyclables that have been placed upon any property outside of the collection schedule established by City Ordinance Section 62-33.

(12) The existence of snow and ice on sidewalks in violation of City Ordinance Section 66-166.

(Code 1973, § 29-45)

Sec. 38-98. - Notice to remove.

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

(Code 1973, § 22-24)

Sec. 38-100. - Abatement by city.

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



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: September 18, 2017

SUBJECT: Amended Calendar Year 2018 Regular Meeting Schedule of the City Council.

DEPARTMENT: City Clerk

SUMMARY: The Charter in Chapter 7 captioned The Council: Procedure and Miscellaneous Powers and Duties in Section 7.1 entitled Regular meetings, specifies that the council shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month. The City Council Rules of Procedure, in Section 2 captioned City Council Meetings, Subsection A entitled Regular Meetings specifies that before the end of the year, the Council will approve by resolution the Regular meeting schedule for the following calendar year, including exceptions to the first and third Monday meetings. This item was presented and approved at the Monday, August 7, 2017 City Council meeting. Subsequently, it was confirmed that the January 2, 2018 meeting date had to be changed to January 3, 2018 because City Offices will be closed on Monday, January 1, 2018 and Tuesday, January 2, 2018 since New Year's Eve falls on a Sunday.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: The City Council adopt an Amended Resolution scheduling the Calendar Year 2018 Regular Meetings as follows:

January 3 and 16 (Monday, January 1, 2018 and Tuesday, January 2, 2018 City Offices are closed in observance of New Year's Eve and New Year's Day since New Year's Eve falls on a Sunday and on Monday, January 15, 2018 City Offices are closed in observance of Martin Luther King Jr. Day)

February 5 and 19

March 5 and 19

April 2 and 16

May 7 and 21

June 4 and 18

July 2 and 16

August 6 and 20

September 4 (Monday, September 3, 2018 City Offices are closed in observance of Labor Day) and 17

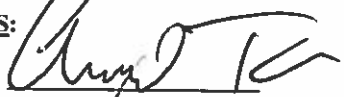
October 1 and 15

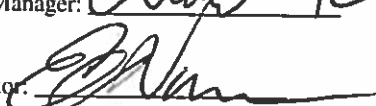
November 5 and 19

December 3 and 17

This item is being submitted for the City Council's consideration at this time with the expectation that if favorable action is taken, the dates as outlined above can be included in the Oak Park 2018 Calendar.

APPROVALS:

City Manager: 

Director: 

Finance Director: 

EXHIBITS: Amended Resolution Amending the 2018 Regular Meeting Schedule of the Oak Park City Council.

**AN AMENDED RESOLUTION ADOPTING THE 2018 REGULAR MEETING
SCHEDULE OF THE OAK PARK CITY COUNCIL**

WHEREAS, the **Home Rule Charter for the City of Oak Park, Michigan** in **Chapter 7** captioned **The Council: Procedure and Miscellaneous Powers and Duties** in **Section 7.1** entitled **Regular meetings**, specifies that the council shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month.

WHEREAS, the City of Oak Park City Council Rules of Procedure, in Section 2 captioned City Council Meetings, Subsection A entitled Regular Meetings specifies that the Regular meetings of the City Council will be held on the first and third Mondays of each month, unless that day is a holiday or holiday eve.

WHEREAS, the City of Oak Park City Council Rules of Procedure, in Section 2 captioned City Council Meetings, Subsection A entitled Regular Meetings further specifies that before the end of the year, the Council will approve by resolution the Regular meeting schedule for the following calendar year, including exceptions to the first and third Monday meetings.

WHEREAS, the Michigan **"Open Meetings Act"** (MCL 15.261 et. seq.) in **Section 5, Subsection (2)** provides that for regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year a public notice stating the dates, times, and places of its regular meetings.

NOW, THEREFORE, BE IT RESOLVED that the regular meetings of the Oak Park City Council for calendar year 2018 shall be held in the Council Chambers at the Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, Michigan, telephone number (248) 691-7544, at 7:00 P.M. on the following dates:

January 3 and 16 (Monday, January 1 and Tuesday January 2, 2018, City Offices are closed in observance of New Year's Eve which is on a Sunday and New Year's Day and on Monday, January 15, 2018 City Offices are closed in observance of Martin Luther King Jr. Day)

February 5 and 19

March 5 and 19

April 2 and 16

May 7 and 21

June 4 and 18

July 2 and 16

August 6 and 20

September 4 (Monday, September 3, 2018 City Offices are closed in observance of Labor Day) and **17**

October 1 and 15

November 5 and 19

December 3 and 17

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to give public notice of the forgoing regular dates and times for City

Council meetings and the place at which meetings are to be held consistent with the requirements of **Section 5, Subsection (2)** of the **“Open Meetings Act”**.

I hereby certify that the forgoing constitutes a true and complete copy of an amended resolution adopted by the City Council of the City of Oak Park, County of Oakland, State of Michigan, at a regular meeting held on September 18, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the **Open Meetings Act, being Act 267 of the Public Acts of 1976**, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

T. Edwin Norris, City Clerk

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #**

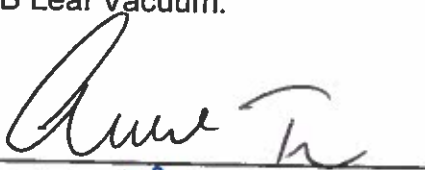
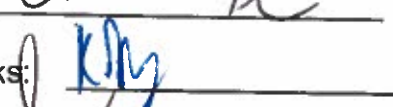
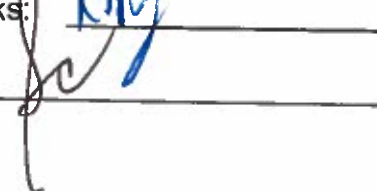
SUBJECT: Request Authorization to participate with the National Joint Purchasing Alliance (NJPA) for the purchase of an ODB Leaf Vacuum.

DEPARTMENT: Public Works

SUMMARY: The Public Works Department is requesting authorization to participate in the National Joint Purchasing Alliance (NJPA) Contract bid for the purchase of a new ODB Leaf Vacuum . The total purchase price for this unit is \$35,692.33.

FINANCIAL STATEMENT: The amount of \$40,000.00 has been allocated in account number 226-18-528-970 (Solid Waste Fund-Capital Outlay) of the 2017-2018 Budget for this purchase.

RECOMMENDED ACTION: It is recommended that City Council authorize the Public Works Department to participate in the NJPA Contract bid for the purchase of an ODB Leaf Vacuum.

APPROVALS:City Manager: Director of Public Works: Director of Finance: Budgeted ☒**EXHIBITS:** Proposal

OLD DOMINION BRUSH CO., INC.
5118 Glen Alden Drive, Richmond, VA 23231
1-800-446-9823

Proposal 081817-DB2
City of Oak Park
Oak Park, MI

Date: 8/18/2017
Attn: R. Fortura
NJPA# 44763

SKU#	ODB Model LCT600CN	MSRP
LCT600CNJD74	Powered by John Deere 4045TFC03 diesel 4 cyl. engine rated for 74 HP Final Tier 4 ** 32" diameter suction impeller with six 3/8" thick T-1 steel blades 4-groove power band belt drive for suction impeller 16" diameter x 48" long rubber exhaust hose 38" wide curb nozzle that raises/lowers hydraulically via an electric/hydraulic pump 13" clutch assembly with a 2.25" diameter PTO shaft & safety engagement 44-gallon polyethylene fuel tank Engine controls with Murphy safety shut down system 1/4" thick trailer deck with channel members on the ends Single 6,000 pound rubber Torflex axle with EZ lube hubs ST225-75-R15 radial tires mounted on steel wheels and steel fenders Electric brakes with break-away actuator LED type DOT lights and oval LED amber flasher light at rear HD height adjustable pintle eye with three quick release pins Parking jack with 5" swivel castor wheel All components pre-painted prior to assembly - standard color is white	\$ 35,870.00

Options

SP.PNT	Special paint color other than standard white (Orange)	\$ 618.00
4045.0018SP.OPT	Boxed perforated pleated radiator screen in lieu of standard	\$ 721.00

Total Equipment Cost: \$ 37,209.00

NJPA 7.5% Discount: \$ (2,790.68)

NET Equipment Cost: \$ 34,418.33

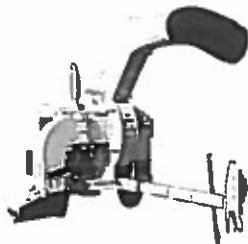
Transportation cost from Richmond, VA at \$2/mile 637 \$ 1,274.00

TOTAL DELIVERED COST PER UNIT: \$ 35,692.33

*30" diameter impeller

NJPA AWARDED
CONTRACTS
Contract #041217-ODB

Thank you,
Duke Brizzolara
800-446-9823
odb@odbco.com





BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: September 18, 2017

AGENDA #

SUBJECT: Façade Grant Approval

DEPARTMENT: Economic Development & Communications

SUMMARY: The Economic Development & Communications Department has received an application for a Façade Improvement Grant from Realteam Real Estate for the building located at 8250 Nine Mile Road. The project specifications have met city guidelines for the program. The project consists of replacing a window which was broken from an unknown source. Total cost is \$5490. The 50% grant match will not exceed the guidelines of \$2,500.

FINANCIAL STATEMENT: Money is available in the facade improvement ^{escrow} budget, 704-00.000.277.109

RECOMMENDED ACTION: Request that city council approve the façade grant for 50% of the project costs in an amount not to exceed \$2,500.

APPROVALS:

City Manager:

Department Director:

Director of Finance:

Budgeted:

EXHIBITS: application, estimates

CITY OF OAK PARK SMALL BUSINESS FAÇADE IMPROVEMENT PROGRAM

APPLICANT INFORMATION

Name of Applicant: PRJ Jones, LLC
 Address: 48915 Hayes
 City: Shelby State: MI ZIP Code: 48315
 Phone: 586-909-2244 Email: danny@mjrealteam.com

FOR TENANTS

Name of Building Owner: PRJ Jones, LLC
 Address of Building Owner:
 City: State: Zip Code:
 Phone: Email:

PROPERTY TO BE IMPROVED

Name of Business: Red Team Real Estate
 Address: 8250 W 9 Mile Phone:
 City: Oak Park State: MI ZIP Code: 48237
 Type of Business: Real Estate Tax ID #:
 Proposed start of construction: 10/1/17 Anticipated completion: 12/30/17
 Short description of proposed work: Add window, mural on side of building.

ACKNOWLEDGEMENTS

By signing this Application, I affirm that I am the property owner of the above Property or as the tenant, have received permission from the property owner via the accompanying notarized letter to perform the proposed improvements. I further affirm that all the statements made on this application are true, and I understand that any falsification or willful omission will be sufficient cause to void my Application and any reimbursement awarded. In such a case that any reimbursement awarded by the city is voided due to any falsification or willful omission, I agree to repay the reimbursement amount to the DCED within sixty (60) days, plus all of the costs and attorney fees incurred by the DCED to collect the reimbursement proceeds if I fail to repay the DCED within the sixty (60) days. I have read and understand and agree to comply with all requirements of the DCED Façade Improvement Program (hereinafter the "Program"). I hereby acknowledge that I may be required to submit additional documentation or information that was not required on this application if requested by the DCED. I further hereby acknowledge that the DCED reserves the right to reject any or all applications received pursuant to the Program

Also, I understand, acknowledge and agree to the following:

1. It is expressly understood that the Applicant shall be solely responsible for all safety conditions and compliance with all safety regulations, building costs, ordinances and other applicable regulations.
2. It is expressly understood that the Applicant will not seek to hold the City of Oak Park and or any of its employees, officers/directors liable for any property damage and/or personal injury, or other loss related in any way to the Small Business Façade Improvement Program
3. The Applicant shall be responsible for maintaining sufficient insurance coverage for property damage and personal injury liability relating to the Small Business Façade Improvement Program. Applicant should ask for contractor's proof of liability insurance.
4. Applicant will review and abide by the Oak Park Design Guidelines
5. Applicant will pull permits if required.
6. Applicant will maintain the improvements made to the property.
8. If Applicant chooses to alter the scope of work after DCED has approved it, Applicant may be ineligible for a portion or the entire reimbursement amount agreed upon from the original scope of work.
9. Applicant agrees to allow the DCED to promote the program including but not limited to displaying signage at the construction site and using photographs in promotional materials and press releases.

SIGNATURES

Signature of applicant: [Signature] Date: 8/9/17
 Printed name of applicant: PRJ Jones, LLC
 Signature of Property Owner (if applicable): [Signature] Date:

**DANIELS GLASS, INC.**

21250 W. Seven Mile Road
Detroit, Mich. 48219
(313) 538-2746 Fax (313) 538-1221

September 11, 2017

Job Name: **8250 W. 9 Mile Rd.**

We Propose to Provide All Necessary Material, Labor and Equipment Required for the Completion
of the Following Scope of Work for the Lump Sum of: \$ **5,490.00**

SCOPE OF WORK TO INCLUDE:

- 1.) Remove existing sash style storefront and glazing. Haul off site
- 2.) Furnish and install 2" x 4 1/2" thermally broken storefront manufactured by Tube Lite Corp.
Glazed with 1" insulated tempered glass with Low-E (N70)
- 3.) Furnish and install breakmetal to match new storefront at head and sill of opening
- 4.) All storefront and break metal to be Clear Anodized
- 5.) Please allow 2-3 week lead time for material

Daniels Glass quote is based on our interpretation of information supplied. It is the customer's responsibility to qualify quote. Daniels Glass is not responsible for providing materials different and/or over and above quantities quoted. Pricing subject to change for partial orders.

NOT INCLUDED IN SCOPE:

Protection, Final Cleaning, Liquidated Damages, Testing, Demolition and / or Mock-Ups.
Replacement of Broken Glass or Other Damaged Materials, Unless Damaged by Daniels Glass Workforce.
Framed Mirrors with or without Shelves.

50% Deposit Required Prior to Placing Order, Balance Due Upon Completion..
This proposal may be withdrawn by us if not accepted within 30 days

ALTERNATE:

Warranty on Labor and Material Shall be for a Period of One Year from Date of Substantial Completion. Any Contract Award Shall Specify that Design, Architectural and Engineering Services are the Responsibility of Others. We have not included any Professional Liability Errors and Omissions Insurance.

Payments to be upon completion if complete in less than 30 days, or progressive monthly payments of percentage complete if greater than 30 days. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. The owner/representative signed below, expressly waives the right of subrogation against Daniels Glass Co., Inc., their agents and employees.

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED:

NAME: _____

TITLE: _____

DATE: _____

SUBMITTED:

NAME: Chris Mandelka

TITLE: Estimator

DATE: September 11, 2017



LICENSED AND INSURED

Phone: (586) 995-4211
Email: c3renovations@gmail.com

910 Harvard
Berkley, MI 48072

ESTIMATE # 42188
To: PRI Homes

Date: 9-5-17
Job Address: 8250 West 9 Mile Rd, Oak Park

<i>Description</i>	<i>Amount</i>
Replace all exterior windows with new double pane windows	6,250

TOTAL: 6,250.00

THANK YOU FOR CONSIDERING
C3 RENOVATIONS



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: September 18, 2017

AGENDA #

SUBJECT: Recommendation of Planning Commission for CRDN (Huntington Cleaners), 8775 Capital, Final Site Plan Review.

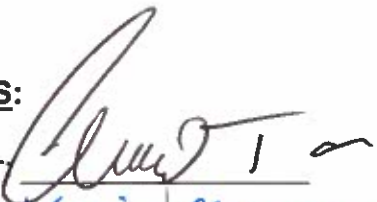
DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At September 11, 2017 meeting, the Planning Commission reviewed a Site Plan for CRDN (Huntington Cleaners), 8775 Capital to construct a 10,600 square foot addition. The Planning Commission voted to recommend to the City Council approval of the Final Site Plan with conditions.

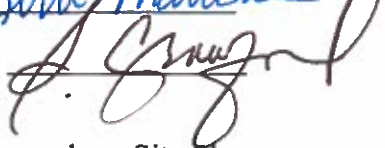
RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Final Site Plan for CRDN (Huntington Cleaners), 8775 Capital, subject to the following conditions:

- 1) Engineering plans (storm water management) for the new driveway and parking lot to be submitted for review and approval by the City Engineer.
- 2) A more detailed landscape plan to be submitted as part of application for a building permit and approved by the City Planner.
- 3) Exterior lighting to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic.
- 4) All roof top and ground level equipment must be screened as required by the Zoning Ordinance.
- 5) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

APPROVALS:

City Manager: 

Director: 

Finance Director: 

EXHIBITS: Memorandum, Site Plan.



CITY OF OAK PARK

MEMORANDUM

TO: Planning Commission Members
FROM: Kevin Rulkowski, AICP, City Planner
DATE: August 30, 2017
FILE: G/.../aplIncom/CDRN
8775 Capital SPR
201709
SUBJECT: CRDN (Huntington Cleaners), 8775 Capital, Final Site Plan Review

In April of 2016, CRDN (Huntington Cleaners), 8775 Capital, received Final Site Plan approval for a 10,600 square foot addition to their facility at 8775 Capital. Site Plan approvals expire one year after they are granted if application for a building permit has not been submitted and construction commenced. Because the applicant only recently applied for a building permit and has not begun construction the original approval has expired. The applicant has submitted the Site Plan originally approved in April of last year for reconsideration.

The property is zoned LI, Light Industrial District and commercial cleaning processes are permitted by right in this district. CRDN (Huntington Cleaners) performs fire restoration to a variety of fire damaged items at this facility.

The new addition meets all the height and setback requirements of the Zoning Ordinance with the exception of the rear yard setback. The new addition is proposed to be located on the rear property line to match the building footprint of the existing building. The applicant applied for a variance and the Zoning Board of Appeals granted the necessary variance on April 26, 2016.

A new eight space parking lot and drive is proposed for the Wyoming Avenue side (west side) of the property. The new drive and parking lot will have to meet all the requirements for storm water management. Preliminary engineering plans for the drive and parking lot will need to be submitted to the Engineering Department for review and approval.

Based on the proposed square footage of the building (20,860 square feet), the facility is required to provide parking for 50 vehicles. The Site Plan shows 70 parking spaces. The existing and proposed circulation patterns of the parking lots and drives are acceptable.

The Site Plan indicates new landscaping will be installed at the Capital/Wyoming corner of the property to meet the minimum landscaping requirement. The Site Plan indicates

that this landscape area would be irrigated with an in-ground water irrigation system. The Site Plan does not give adequate detail on the nature of the new landscaping. A more detailed landscape plan can be submitted when applying for a building permit.

The Site Plan does not indicate any details regarding new mechanical equipment but does show some additional wall mounted lighting on the proposed building. The Zoning Ordinance requires all roof top and ground level equipment to be screened. All proposed exterior lighting will need to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic.

There is no indication that any new signage is proposed.

Based on the above considerations, the Planning Division recommends approval of the Final Site Plan, with the following conditions:

- 1) Engineering plans (storm water management) for the new driveway and parking lot to be submitted for review and approval by the City Engineer.
- 2) A more detailed landscape plan to be submitted as part of application for a building permit and approved by the City Planner.
- 3) Exterior lighting to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic.
- 4) All roof top and ground level equipment must be screened as required by the Zoning Ordinance.
- 5) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** September 18, 2017**AGENDA #**

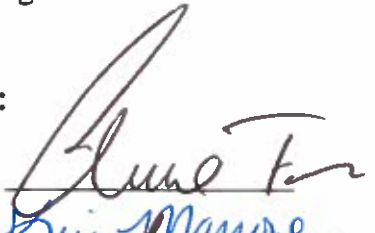
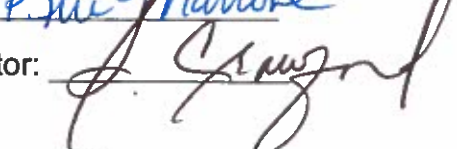
SUBJECT: Recommendation of Planning Commission for Michigan Dessert, 10750 Capital, Final Site Plan Review.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At September 11, 2017 meeting, the Planning Commission reviewed a Site Plan for a 23,291 square foot addition to the building at 10750 Capital, for additional warehouse space. The Planning Commission voted to recommend to the City Council approval of the Final Site Plan with conditions.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Final Site Plan for Michigan Dessert, 10750 Capital, subject to the following conditions:

- 1) An application for a Land Development Permit will need to be submitted to the Engineering Department for review and approval of the on-site storm water management system.
- 2) Exterior lighting to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic.
- 3) All roof top and ground level mechanical equipment must be screened as required by the Zoning Ordinance.

APPROVALS:City Manager: Director: Finance Director: **EXHIBITS:** Memorandum, Site Plan.



CITY OF OAK PARK

MEMORANDUM

TO: Planning Commission Members DATE: August 30, 2017
FROM: Kevin Rulkowski, AICP, City Planner FILE: G/.../aplncom/Michigan
Dessert10570 Capital
SPR 201709

SUBJECT: Michigan Dessert, 10750 Capital, Final Site Plan Review

Michigan Dessert is requesting Final Site Plan approval for a 23,291 square foot addition to the building at 10750 Capital, for additional warehouse space. The new addition will be located on a small section of the former Lessenger Park that was sold by City Council to Michigan Dessert and rezoned to LI, Light Industrial District earlier this year. The proposed addition will connect Michigan Dessert's building at 10750 Capital to another building the company owns to the west at 10850 Capital.

The property is zoned LI, Light Industrial District and food product manufacturing and warehousing uses are permitted by right in this district.

The proposed addition meets all the height and setback requirements of the Zoning Ordinance.

The existing parking lot is being re-configured to accommodate better truck traffic flow and new landscaped areas. The Zoning Ordinance requires 60 parking spaces on-site for the different use types and the Site Plan identifies 81 parking spaces. The existing and proposed circulation patterns of the parking lots and drives are acceptable.

A storm water detention basin is shown in the northwest corner of the property. Storm water calculations for the detention basin are shown on the Site Plan. An application for a Land Development Permit will need to be submitted to the Engineering Department for review and approval of the on-site storm water management system.

The Site Plan indicates new landscaped areas throughout the site with a variety of plant types. The proposed landscaped areas of 16,667 square feet, exceeds the minimum Zoning Ordinance requirement. Particular attention has been placed on new landscaping at the front of the building along Capital Avenue and should be a nice site feature. The Site Plan notes that all landscaped areas will be irrigated with an automatic underground system.

The Site Plan does not indicate any details regarding new roof or ground mechanical equipment or exterior lighting. The Zoning Ordinance requires all roof top and ground level equipment to be screened. All proposed exterior lighting will need to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic.

There is an existing monument sign in the front of the building that will remain.

Based on the above considerations, the Planning Division recommends approval of the Final Site Plan, with the following conditions:

1. An application for a Land Development Permit will need to be submitted to the Engineering Department for review and approval of the on-site storm water management system.
2. Exterior lighting to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic.
3. All roof top and ground level mechanical equipment must be screened as required by the Zoning Ordinance.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: September 18, 2017

AGENDA #

SUBJECT: Recommendation of Planning Commission for 8MK Restaurant, 12700 Eight Mile, Special Land Use (Restaurant that serves alcoholic liquor).

DEPARTMENT: Community & Economic Development, Planning Division

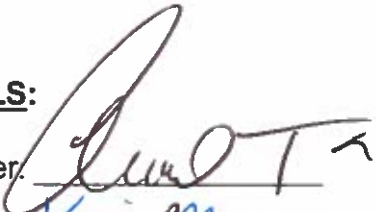
SUMMARY: At the September 11, 2017 meeting, the Planning Commission conducted a Public Hearing on a Special Land use request for 8MK Restaurant, 12700 Eight Mile, for a restaurant that serves alcoholic liquor. The Planning Commission voted to recommend to the City Council approval of the Special Land Use and Final Site Plan with conditions.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Special Land Use (Restaurant that serves alcoholic liquor) and Site Plan for 8MK Restaurant, 12700 Eight Mile, subject to the following conditions:

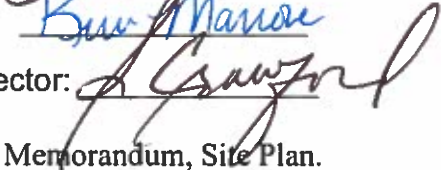
- 1) The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
- 2) An application for a Land Development Permit to be submitted to the Engineering Division for review and approval of the on-site storm water management system for the parking lots.
- 3) Construction design details of parking lot entryways to be submitted to the Engineering Division for review and approval.
- 4) A detailed landscaping plan meeting the minimum Zoning Ordinance standards, and including irrigation method, to be provided and approved by the Planning Division.
- 5) All proposed exterior lighting will need to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic or adjacent properties.
- 6) All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
- 7) A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
- 8) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.
- 9) The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
- 10) During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues

shall be considered as derived from the sale of beer and wine for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine.

APPROVALS:

City Manager: 

Director: 

Finance Director: 

EXHIBITS: Memorandum, Site Plan.



CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Planning Commission members DATE: August 29, 2017
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/8MK Rest
SLURPT1709
SUBJECT: Special Land Use Public Hearing, 8MK Restaurant, 12700 Eight Mile

A Public Hearing has been scheduled for the September 11th meeting to review the request of 8MK Restaurant, 12700 Eight Mile, for approval of a restaurant that serves alcoholic liquor.

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use for a Restaurant that serves Alcoholic Liquor to meet a number of general standards (Section 1900) as well as use specific standards for Restaurants Serving Alcoholic Liquor (Section 1930).

Section 1900 General Standards:

- A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
- B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.
- C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted

uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

F. The proposed use is necessary for the public convenience at the proposed location.

G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.

H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the eight general standards identified in Section 1900 Special Land Uses in the Zoning Ordinance.

Section 1930 Restaurants Serving Alcoholic Liquor

Restaurants serving alcoholic liquor may be permitted in certain districts specified in this section if the establishment is continually operated according to the following:

- A. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.
- B. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aiseways. Public restroom facilities shall not be considered in this determination.
- C. The proposed restaurant is not located within 500 feet of a church or school building. The distance between the church or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the church or school building nearest to the contemplated location and from the part

of the contemplated location nearest to the church or school building. Notwithstanding the stated distance requirements, no proposed restaurant will be permitted to serve alcoholic liquor if the restaurant is located on a parcel of land adjacent to a parcel of land with a church or school building. This provision may be waived by the city council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the city council determines that the restaurant will not adversely affect the operation of the school or place of worship.

- D. The layout of the site of the proposed restaurant serving alcoholic liquor and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed restaurant serving alcoholic liquor, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.
- E. The proposed restaurant serving alcoholic liquor will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.
- F. The proposed restaurant serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.
- G. The proposed restaurant serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.
- H. The proposed restaurant serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.

Specific standards findings:

- 1. The location of the proposed restaurant meets the spacing requirements of Section 1930 C and is not located within 500 feet of a school, park, or place of worship.
- 2. The interior layout of the proposed restaurant accommodates over 20 patrons as indicated on the submitted floor plan.
- 3. Not more than 50 percent of the gross floor area open to the general public is used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways.

The Planning Division finds the submitted information demonstrates the proposed 8MK Restaurant, satisfactorily meets the specific standards for Restaurants serving Alcoholic Liquor (Section 1930).

Site Plan Review

A Site Plan is required as part of the Special Land Use process. The Site Plan has been reviewed to ensure that the proposed use would function properly on the site. The proposal calls for the renovation of the 5,228 square foot former WWJ Transmitter Building into a restaurant that serves alcohol and a 5,103 square foot expansion to include a new kitchen and meeting/banquet facility. In addition, the applicant is proposing two outdoor dining areas on the rear western side of the building.

The property is zoned PTRED, Planned Technical, Research, Education Development District and rehabilitation of historic buildings into restaurants serving alcoholic liquor is a permitted use. This section of the Zoning Ordinance states "the determination of whether a building is historic will be made by the Planning Commission based on the review and consideration of a report developed by a qualified historic preservation professional". Attached is a report prepared by Ron Campbell, AIA, Principal Planner / Preservation Architect for Oakland County at the request of City Manager Erik Tungate. The report is very informative on the historical significance of the former WWJ Transmitter Building and concludes:

"The WWJ Building is one of the most iconic and intact Art Deco buildings in the region. Through its art and architecture it represents an important era in American History. The very reason of its construction is evidence to the coming of age of public broadcasting and the impact that it would have throughout the world. This structure embodies, not one, but three of the four criteria used by the Secretary of the Interior to determine historic designation.

Without hesitation I conclude that this structure should be designated historic and preserved/rehabilitated."

Based on the report it would be appropriate for the Planning Commission to make a determination the former WWJ building is historic.

The existing building and the proposed expansion meets the minimum setback requirements of the Zoning Ordinance as well as the maximum building height requirement.

The identified outdoor dining areas are required to meet the operational standards in Section 1709 Outdoor Dining of the Zoning Ordinance. The outdoor dining areas are located in appropriate areas on the site and should result in no negative impacts to adjacent properties or traffic on Eight Mile Road.

The Site Plan shows two new parking lots. The 120 parking space lot to the east will serve as the primary parking location for patrons to the facility. This lot can be accessed off of Eight Mile Road (one way in) or off of Meyers Road (two way directional access).

The eastern parking lot has an efficient design that will allow for a good traffic circulation pattern. There is an additional 40 space parking lot on the western portion of the site. The combination of the two parking areas meets the minimum parking requirements of the Zoning Ordinance and will provide adequate parking for both patrons and the restaurant employees.

An application for a Land Development Permit will need to be submitted to the Engineering Division for review and approval of the on-site storm water management system for the parking lots. In addition, design of the entryways onto the site will need to be submitted to the Engineering Division for review and approval.

The combination of existing and proposed landscaping identified on the Site Plan appears to be sufficient to meet the minimum requirements of the Zoning Ordinance. However a more detailed landscaping plan is required to ensure the project meets the minimum Zoning Ordinance requirements. The Site Plan does not indicate that all landscaped areas will be irrigated as required by the Zoning Ordinance and should be noted as a condition of approval.

The Site Plan indicates parking lot pole lighting will be used but there are no details regarding this lighting. The Site Plan shows that the building will be illuminated with ground mounted lighting. All proposed exterior lighting will need to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic or adjacent properties.

A six foot dumpster enclosure is noted on the Site Plan. A dumpster enclosure detail will need to be submitted that meets the minimum Zoning Ordinance requirements.

There is a ground level electrical transformer identified on the plan and a note states it will be screened with landscaping. Any additional ground or rooftop equipment will also need to be screened as required by the Zoning Ordinance.

A separate sign permit application must be submitted for the monument sign in the southeast corner of the property as well as any wall sign for the building

Staff Recommendation

It is the recommendation of the Planning Division to approve the Special Land Use and Site Plan for 8MK Restaurant, 12700 Eight Mile, as a restaurant serving alcoholic liquor with the following conditions:

1. The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
2. An application for a Land Development Permit to be submitted to the Engineering Division for review and approval of the on-site storm water management system for the parking lots.

3. Construction design details of parking lot entryways to be submitted to the Engineering Division for review and approval.
4. A detailed landscaping plan meeting the minimum Zoning Ordinance standards, and including irrigation method, to be provided and approved by the Planning Division.
5. All proposed exterior lighting will need to be shielded downward and away from adjacent properties and positioned as to not create a nuisance to automobile traffic or adjacent properties.
6. All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
7. A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
8. No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.
9. The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
10. During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of beer and wine for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: September 18, 2017

AGENDA #

SUBJECT: Recommendation of Planning Commission for Coolidge Place, 21111-21435 Coolidge Highway, PMF Development/Site Plan.

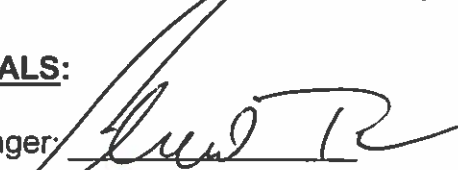
DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the September 11, 2017 meeting, the Planning Commission conducted a Public Hearing on a request submitted by Spero Housing Group and Southwest Housing Solutions on a Planned Multi-Family Development Site Plan for 64 attached multi-family residential units to be located at 21111-21435 Coolidge Highway. The Planning Commission voted to recommend to the City Council approval of the proposed PMF Development/Site Plan with conditions.

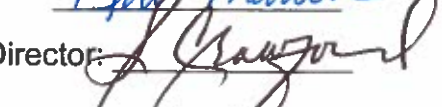
RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the proposed Coolidge Place PMF Development/Site Plan, 21111-21435 Coolidge Highway, from Spero Housing Group and Southwest Housing Solutions, subject to the following conditions:

- 1) Plans for the proposed storm water management system will need to be reviewed and approved by the Engineering Division as part of a Land Improvement permit.
- 2) All proposed roof top or ground level mechanical equipment must be screened as required in Section 1716.
- 3) Any proposed outdoor lighting should be designed or shielded so it does not create a nuisance to adjacent properties or vehicular traffic.
- 4) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

APPROVALS:

City Manager: 

Director: 

Finance Director: 

EXHIBITS: Memorandum, Site Plan.



CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Planning Commission members DATE: August 8, 2017
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/Coolidge
Place 8-17 SPR
SUBJECT: Coolidge Place PMF Development/Site Plan Review

In 2004, the City of Oak Park went through a Request for Proposal (RFP) process to select a developer to purchase and develop three parcels of property on the west side of Coolidge from just south of Pasadena Avenue to Northend Avenue. At that time, the Planning Commission approved a conceptual Planned Multifamily Development Plan and Final Site Plan which rezoned the property to PMF, Planned Multifamily District. The selected developer was able to construct only the first phase of the development south of Pasadena before the housing crisis ended the effort.

In 2010, the City purchased the remaining two parcels (from Pasadena Avenue to Northend Avenue) through the Oakland County Tax Foreclosure process. Since that time the City has been maintaining the property. The City Council approved the Economic Development Department to advertise the property for sale through an RFP process which began in August 2016. The first RFP deadline the City only received one bid. In the best interest of the City, City Council decided to repost the RFP which was due on May 1, 2017.

The new deadline produced three bids on the property. A panel of four participants from the City Staff and City Council met with each developer and scored them according to several factors important to the City. After careful consideration, the panel recommended to City Council the RFP submitted jointly by South Oakland Shelter and Southwest Solutions. The proposal submitted by South Oakland Shelter/Southwest Solutions proposes the construction of 64 one, two, and three bedroom ranches and townhomes (ranging from 800-1,350 square feet). The project also includes a shared recreational space, a community center and a tot lot.

Public Hearing and PMF Development/Site Plan Review

The property is currently zoned PMF, based on the actions of the Planning Commission in 2004 approving a Conceptual PMF Development Plan which resulted in the property's rezoning. Although a Final Site Plan was approved for all three parcels in 2004, because the development was not started within the required three year time frame, a Public Hearing must be conducted on a new PMF Development/Site Plan for the property.

The City's original hope for the property was a residential design that incorporated a minimal front yard setback, parking in the rear, and an environment that was friendly to people and conducive to walking. The preliminary design submitted by South Oakland Shelter/Southwest Solutions and included in your packet last month, preliminarily achieved those criteria.

However, after a detailed survey was completed, it was discovered that a 30 foot Oakland County sewer drain easement prevented the construction of any structures on top of the easement. The result is a modified site design that although necessitating a 30 foot building setback, is still able to achieve many of the City's initial design goals. The proposed Final Site Plan shows a majority of the parking in the rear of project, with the exception being on the northern portion of the property where the depth of the property is narrower. A meandering secondary sidewalk has been added to the front of the residential units and connects to the public sidewalk along Coolidge Highway. This sidewalk provides any easy access through the site for people walking as well as connecting the project to the surrounding neighborhood. The combination of the deeper building setbacks, large open space, and enhanced landscaping should give the project a very appealing visual character.

Planned zoning districts such as the PMF, Planned Multifamily District, allow for greater flexibility in site requirements. In Oak Park's PMF District, the Planning Commission may require:

- More or less setbacks (subject to final approval of proposed text amendment)
- More or less usable open space
- More or less parking
- More or less screening and landscaping (subject to final approval of proposed text amendment)

The proposed Site Plan meets the Zoning Ordinance's minimum requirements for height, and floor area. The proposed Site Plan meets the Zoning Ordinance's minimum requirements for building setbacks with the exception of the area where the property's depth narrows between Cloverdale and Northend Avenues. The required rear yard setback is 40 feet and the proposed setback is 25 feet. This area is proposed to receive additional landscaping which should help screen the impact of the buildings being slightly closer to the rear property line. The flexibility of the PMF District allows the Planning Commission to approve such a reduction in this setback requirement.

As required by the Zoning Ordinance, the proposed Site Plan includes a six foot high privacy fence along the rear property line. This type of screening is consistent with the screening method used in the first phase of the project constructed in 2005 and requested by the adjacent neighbors at that time. A community meeting was held by the applicants on August 2nd to discuss the proposed project and input from those in attendance confirmed their preference for a vinyl privacy fence.

The proposed Site Plan identifies that there will be 64 residential units with a mixture of units ranging from one, two and three bedroom ranches to two and three bedroom townhomes. Sizes range from 800 square feet to 1,350 square feet. The front (and rear) elevations of the proposed

buildings are attractive, combining composite stone and vinyl building finishes along with covered porches over entranceway doors.

The Zoning Ordinance parking provisions require two parking spaces per unit. The Site Plan shows 128 parking spaces for the residential units with an additional 25 parking spaces for the common building. The majority of the parking spaces are located in the rear of the property. Traffic circulation throughout the development is provided by a two-way, twenty-two foot wide drive that connects to Pasadena, Cloverdale, and Northend. The presented design is efficient and should satisfactorily evenly distribute the trips to and from the development to the adjacent streets. The Engineering Division has reviewed this layout and considers it acceptable.

Engineering plans (storm water management, etc.) for the site need to be submitted to the City Engineering Division for review and approval as part of a Land Development Permit.

The application submittal includes a detailed landscaping plan with a good variety of trees (Maples, Elms & Honeylocust) and shrubs (Forsythia, Lilac and Arbovitae) with the remainder non-hard surfaced areas grass. A note on the landscaping plan indicates an underground automatic irrigation system will be included as required by the Zoning Ordinance. The applicants will be presenting a slightly modified version of the landscaping plan at the Planning Commission meeting which will include additional landscaping for the area with a reduced rear yard setback (between Cloverdale and Northend Avenues).

Dumpsters have been positioned within the development in a way that should lead to easy servicing. A dumpster enclosure detail has been submitted that is acceptable.

There is no indication on the elevation or Site Plan of any proposed rooftop or ground mechanical equipment. Any proposed ground or rooftop mechanical equipment will need to be screened as required by Section 1716 of the Zoning Ordinance.

There is no outdoor parking lot lighting indicated on the proposed Site Plan. Any proposed outdoor lighting should be designed or shielded so it does not create a nuisance to adjacent properties or vehicular traffic.

No new signs are indicated on the Site Plan and therefore no signs are approved as part of the Site Plan review.

Based on the above considerations, the Planning Division recommends approval of the Final Site Plan, with the following conditions:

1. Plans for the proposed storm water management system will need to be reviewed and approved by the Engineering Division as part of a Land Improvement permit.
2. All proposed roof top or ground level mechanical equipment must be screened as required in Section 1716.
3. Any proposed outdoor lighting should be designed or shielded so it does not create a nuisance to adjacent properties or vehicular traffic.
4. No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.