

Oak Park

City Council Agenda

August 23, 2021





AGENDA
REGULAR CITY COUNCIL MEETING
38th CITY COUNCIL
OAK PARK, MICHIGAN
August 23, 2021
7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

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

- A. Regular City Council Meeting Minutes of August 2, 2021
- B. Special City Council Meeting Minutes of August 2, 2021
- C. Traffic Safety Board Meeting Minutes of May 26, 2021
- D. Public Safety Activity Summary Reports for June and July 2021
- E. Planning Commission Meeting Minutes of July 12, 2021
- F. Request to approve payment of invoices from OHM Advisors for Safe Routes to Schools Construction Engineering, Oak Park AWIA Risk and Resilience ERP and Water Reliability Study Update for the total amount of \$45,397.25
- G. Licenses New and Renewals submitted for August 23, 2021

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS:

Moment of Silence in Memory of Avery Riley-Burton

Public Safety Director's Commendation - Officer Evan Beauchamp

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES: None

11. ACCOUNTING REPORTS:

- A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$14,123.34

12. BIDS:

- A. Request to award the bid for the 2021 Sewer & Catch Basin Cleaning and Television Inspection Project, M-728 to DVM Utilities of Sterling Heights, MI, for the total amount of \$281,247.50

13. ORDINANCES:

- A. First reading of an ordinance to amend Chapter 82, Utilities, of the Code of Ordinances of the City of Oak Park, Michigan, by amending Section 82-313 thereof
- B. First reading of an ordinance to amend Article 2 Division 1 Section 201 and the Official Zoning Map contained therein, being part of the Code of Ordinances of the City of Oak Park, Michigan, by changing the use district of certain parcels of land currently zoned PUD, Planned Unit Development to LI, Light Industrial District
- C. First reading of an ordinance to add sections 18-185 to 18-190, Division 4, Chapter 18, Article IV, Fair Housing, of the Code of Ordinances, City of Oak Park

14. CITY ATTORNEY:

15. CITY MANAGER:

Economic Development

- A. Resolution granting local approval to River Rouge Brewing Company, LLC for a Social District Permit Application

Administration

- B. Power Outage Update

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
38th OAK PARK CITY COUNCIL
August 2, 2021
7:00 PM**

MINUTES

Mayor McClellan called the meeting to order at 7:04 p.m. in the Council Chambers of Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

PRESENT: Mayor McClellan, Mayor ProTem Burns, Council Member Radner,
Council Member Edgar, Council Member Whitehead

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

**CM-08-258-21 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-08-259-21 (AGENDA ITEM #4A-E) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes of July 19, 2021 **CM-08-260-21**
- B. Recycling Commission Meeting Minutes of June 17, 2021 **CM-08-261-21**
- C. Parks and Recreation Commission Meeting Minutes of June 16, 2021 **CM-08-262-21**
- D. Resolution approving the City of Oak Park's participation in the Oakland County Street Tree Enhancement Match (OAKSTEM) Pilot Program **(Removed from the Consent Agenda)**
- E. Licenses New and Renewals submitted for August 2, 2021 **CM-08-263-21**

**MERCHANT'S LICENSES – August 2, 2021
(Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
KAMILLION BEAUTY	25595 COOLIDGE	\$150.00	HAIR SALON BOUTIQUE
PURPOSE HEALTHCARE	25900 GREENFIELD 260	\$150.00	HEALTHCARE TRAINING
FLAVORS STUDIO	10740 NINE MILE	\$150.00	HAIR SALON
PRETTY BROWZ & SPA	13381 W. TEN MILE B	\$150.00	EYEBROW THREADING, TINTING, WAXING
<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
WOODWAY CORPORATION	12981 CAPITAL	\$150.00	GENERAL CONTRACTOR
D/A CENTRAL	13155 CLOVERDALE	\$150.00	SECURITY SYSTEMS
SUNUGAL HAIR BRAIDING	22131 COOLIDGE	\$150.00	HAIR SALON
WEAVE WORLD WHOLESALERS	24725 COOLIDGE	\$150.00	HAIR AND ACCESSORIES
SPEEDWAY	24771 COOLIDGE	\$150.00	GAS STATION
INNOVATIVE HEARING SERVICES	25211 COOLIDGE	\$150.00	AUDIOLOGY - TESTING
CONGREGATION AISH HATORAH	25725 COOLIDGE	\$150.00	RELIGIOUS USE - NON-PROFIT
OAK PARK BARBERS	26003 COOLIDGE	\$150.00	BARBERSHOP
WINX & WAX LLC	26011 COOLIDGE	\$150.00	EYELASH & WAXING, SPA
STAR BAKERY	26031 COOLIDGE	\$150.00	BAKERY
METRO FRAME	26045 COOLIDGE	\$150.00	FRAME SHOP
CUSTOM CONCEPT COLLISION	14051 ELEVEN MILE	\$150.00	AUTO BODY SHOP
CURTS SERVICE	14611 ELEVEN MILE	\$150.00	AUTO REPAIR
KABOB CONEY ISLAND	21700 GREENFIELD 120	\$150.00	RESTAURANT
EMAGINATIONS	21700 GREENFIELD 123	\$150.00	
BROAD COVERAGE	25900 GREENFIELD 206	\$150.00	MARKETING FIRM
SOLTMAN HEATING & COOLING	8650 NINE MILE	\$150.00	HVAC COMPANY
CAIR HAIR COLLECTION	8660 NINE MILE	\$150.00	HAIR EXTENSION STORE
WIRELESS U NOW	8980 NINE MILE	\$150.00	CELLULAR
UENA FE	10116 W. NINE MILE	\$150.00	RESTAURANT
SILVIA'S EUROPEAN HAIR	10132 NINE MILE	\$150.00	HAIR SALON
CLASSIC EXPRESSIONS	10820 NINE MILE	\$150.00	CLOTHING ALTERATIONS
VALVOLINE INSTANT OIL	13300 NINE MILE	\$150.00	AUTO SERVICE
PUBLIC SERVICE CREDIT UNION	13401 W. NINE MILE	\$150.00	CREDIT UNION
BUENA FE	10116 W. NINE MILE	\$150.00	RESTAURANT

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

MOTION DECLARED ADOPTED

CM-08-264-21 (AGENDA ITEM #4D) Removed from the Consent Agenda by Mayor McClellan. RESOLUTION APPROVING THE CITY OF OAK PARK'S PARTICIPATION IN THE OAKLAND COUNTY STREET TREE ENHANCEMENT MATCH (OAKSTEM) PILOT PROGRAM - APPROVED

Motion by Burns seconded by Edgar, CARRIED UNANIMOUSLY, to adopt the following resolution approving the City of Oak Park's participation in the Oakland County Street Tree Enhancement Match (OAKSTEM) Pilot Program:

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

RESOLUTION OF THE CITY OF OAK PARK
TO APPROVE OUR PARTICIPATION IN THE OAKLAND COUNTY STREET TREE
ENHANCEMENT MATCH (OAKSTEM) PILOT PROGRAM

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on the 2nd day of August 2021, at 7:00 p.m.

WHEREAS, Oakland County has established the OAKSTEM 2021 Oakland County Street Tree Enhancement Match Pilot Program (the “Program”) for communities that are wholly or partly within the George W. Kuhn (GWK) Drainage District; and

WHEREAS, the Program seeks to assist GWK Communities by providing limited matching funds for street tree planting projects on public road rights of way (ROW) that are under their jurisdiction or on public road ROW directly adjacent to land publicly owned by the GWK Communities; and

WHEREAS, the City of Oak Park (the “Community”) wishes to submit a 2021 OAKSTEM Program Application seeking matching reimbursement funds from the Program, in an estimated amount of \$15,269.00 on a 1 / 1 matching basis for reimbursement for a project briefly described as an effort to decrease impervious surface area and increase the tree canopy in the City of Oak Park, which is located in the GWK Drainage District; and

NOW THEREFORE, the City Council of the City of Oak Park, Oakland County, Michigan hereby approves (i) the completion and submission of the 2021 OAKSTEM Application to seek funding through the Program; (ii) if the Application is approved by Oakland County, the Community’s participation in the Program; and (iii) the appropriation and expenditure of funds necessary or appropriate to fund its obligations under the Program as set forth in the Application and the Cost Participation Agreement, and hereby authorizes City Manager, Erik Tungate to sign the Application and all Agreements and take any other action necessary or appropriate on the Community’s behalf to participate in the Program and certifies that the Community will comply with the Program’s requirements, including submittal of a final report and other documentation as required by the County, as a condition to receiving reimbursement in accordance with the Program.

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

**CM-08-265-21 (AGENDA ITEM #9A) SPECIAL EVENT REQUEST –BOOK BEAT –
OUTDOOR BOOK SALE – APPROVED**

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

Name	Event	Fee
Book Beat 26010 Greenfield	Outdoor Book Sale August 15, 2021 Noon – 4:00 PM	Application fee paid

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

MOTION DECLARED ADOPTED

CM-08-265A-21 (AGENDA ITEM #9B) SPECIAL EVENT REQUEST – RADCLIFT PLACE BLOCK PARTY – APPROVED

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

Name	Event	Fee
Solomon Radner 26071 Radclift Place	Radclift Block Party August 15, 2021 11:00 – 4:00 PM	Application fee Waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES: None

CITY ATTORNEY: None

CITY MANAGER:

Administration

CM-08-266-21 (AGENDA ITEM #14A) RESOLUTION APPROVING LANGUAGE FOR PROPOSALS TO BE INCLUDED ON THE BALLOT FOR THE NOVEMBER 2, 2021 GENERAL ELECTION - APPROVED

Motion by Radner seconded by Burns, CARRIED, to approve the following resolution approving language for proposals to be included on the ballot for the November 2, 2021 General Election:

**PROPOSED RESOLUTION APPROVING LANGUAGE FOR
2021 MILLAGE RENEWALS**

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

BE IT RESOLVED by the City Council of the City of Oak Park, Michigan, that:

1. At the November 2, 2021 General Election, in addition to any other matters which may appear on the ballot, the following proposal shall be submitted to the qualified electors of the City of Oak Park:

BALLOT PROPOSAL No. 21-01

RENEWAL OF PARTIAL HEADLEE OVERRIDE MILLAGE
FOR PUBLIC SAFETY PURPOSES

This ballot proposition, if approved, will authorize the renewal of a levy of 1.0650 of the City of Oak Park Charter-authorized millage, which has been reduced by operation of Section 31 of Article IX of the State Constitution of 1963, the so-called Headlee amendment, for a period of ten (10) years, from 2022 through 2031, inclusive. Revenues from this millage renewal will be available only for the purpose of funding personnel, equipment and operations of the department of public safety, including but not limited to paying the costs of employing public safety officers and purchasing police cars and police and fire equipment.

Shall the City of Oak Park, Oakland County, Michigan, be authorized to renew its tax levy by 1.0650 mill on each dollar (\$1.065 per \$1,000) of the taxable value of all property in the City, for a period of ten (10) years, from 2022 through 2031, inclusive, thereby increasing the Charter-authorized millage in excess of the limit to which it has been reduced by Section 31 of Article IX of the State Constitution of 1963, all of which tax revenues will be disbursed to the City of Oak Park and used for the purpose of funding personnel, equipment and operations of the Department of Public Safety, including but not limited to paying the costs of employing public safety officers and purchasing police cars and police and fire equipment, and paying any and all other costs associated with or related to such purposes? The 1.0650 mill renewal will raise the anticipated sum of approximately \$581,178 in 2022 based on this year's taxable values. A portion of the revenue collected may be subject to capture by the City of Oak Park Brownfield Redevelopment Authority and Corridor Improvement Authority.

Yes
No

2. At the November 2, 2021 General Election, in addition to any other matters which may appear on the ballot, the following proposal shall be submitted to the qualified electors of the City of Oak Park:

BALLOT PROPOSAL No. 21-02

RENEWAL OF PARTIAL HEADLEE OVERRIDE MILLAGE
FOR SOLID WASTE COLLECTION and DISPOSAL

This ballot proposition, if approved, will authorize the renewal of a levy of 0.4655 mill by the City of Oak Park - Charter authorized millage, which has been reduced by operation of Section 31 of Article IX of the State Constitution of 1963, the so-called Headlee amendment, for a period of ten (10) years, from 2022 through 2031, inclusive. Revenues from this millage renewal will be available only for the purpose of funding the collection and disposal of solid waste and paying all costs associated with or related to such purpose.

Shall the City of Oak Park, Oakland County, Michigan be authorized to renew its tax levy by 0.4655 mill on each dollar (\$0.4655 per \$1,000) of the taxable value of all property in the City, for an additional period of ten (10) years, from 2022 through 2031, inclusive, all of which tax revenues will be disbursed to the City of Oak Park and used for the purpose of funding the

collection and disposal of solid waste and paying all costs associated with or related to such purpose? The 0.4655 renewal, if approved and levied, will raise the anticipated sum of approximately \$254,026 in 2022. A portion of the revenue collected may be subject to capture by the City of Oak Park Brownfield Redevelopment Authority and Corridor Improvement Authority.

Yes
No

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

4. This Resolution shall become effective immediately upon its passage and adoption.

RESOLUTION DECLARED ADOPTED

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

MOTION DECLARED ADOPTED

Technical & Planning/Public Works

CM-08-267-21 (AGENDA ITEM #14B) REQUEST TO APPROVE THE OFFER FOR A CONTRACT EXTENSION FROM GREAT LAKES CONTRACTING SOLUTIONS CO. OF WATERFORD, MI FOR THE 2021 CATCH BASIN LINE REPLACEMENT PROJECT, M-725 FOR A TOTAL AMOUNT OF \$221,750.37 - APPROVED

Motion by Radner seconded by Burns, CARRIED UNANIMOUSLY, to approve the offer for a contract extension from Great Lakes Contracting Solutions Co. of Waterford, MI for the 2021 Catch Basin Line Replacement Project, M-725 for a total amount of \$221,750.37.

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

MOTION DECLARED ADOPTED

Deputy Director of Public Works DeCoster summarized the request from Great Lakes Contracting Solutions Co. of Waterford, MI for a contract extension of the 2020 Catch Basin Line Replacement Project, M-712. Great Lakes Contracting Solutions has indicated that they would like to execute a one (1) year extension of their unit prices from this project to perform catch basin repair in additional areas of the city.

CM-08-268-21 (AGENDA ITEM #14C) REQUEST TO APPROVE A PROPOSAL FOR THE STORMWATER UTILITY APPEALS PROCESS FROM OHM ADVISORS FOR THE HOURLY, NOT TO EXCEED AMOUNT OF \$19,000 - APPROVED

Motion by Burns seconded by Radner, CARRIED UNANIMOUSLY, to approve a proposal for the stormwater utility appeals process from OHM Advisors for the hourly, not to exceed amount of \$19,000.

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

MOTION DECLARED ADOPTED

Director of Technical & Planning Barrett summarized the proposal for the stormwater utility appeals process from OHM Advisors. This proposal will include verifying the methodology for pervious and impervious surfaces, developing a dispute process, and reviewing and developing the credit application process. They will further be available to review the appeals as needed (not included in the price of the proposal but would be on an hourly basis). The cost for the services as outlined is \$19,000.

CM-08-269-21 (AGENDA ITEM #14D) REQUEST TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO PARTICIPATE IN THE ROCHESTER HILLS PRE-BID CONTRACT TO PURCHASE A 2023 FREIGHTLINER SINGLE AXLE DUMP TRUCK AND VEHICLE UPFITTING FOR THE TOTAL AMOUNT OF \$209,060.40 - APPROVED

Motion by Radner seconded by Burns, CARRIED UNANIMOUSLY, to authorize the Public Works Department to participate in the Rochester Hills pre-bid contract to purchase the following 2023 Freightliner Single Axle Dump Truck and vehicle upfitting for the total amount of \$209,060.40:

Vehicle:	Department:	Amount: (Pre-Bid Contract)	Account:
2023 Freightliner 39,000 GVW Chassis Single Axle Dump Truck and vehicle upfitting	Public Works	\$209,060.40 (Rochester Hills Co-op RFP-RH-13-030 and RFP-RH-20-023)	Major Streets: 202-18.479-970 (Budgeted: \$105,000) Local Streets: 203-18.479.970 (Budgeted: \$105,000)

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

MOTION DECLARED ADOPTED

Communications

(AGENDA ITEM #14E) Event and Activity Update

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

CALL TO THE AUDIENCE:

Ken Sherman, Jerome Street, discussed the need for better communication from the city when they notify residents when repairs require their water to be shut off.

Crystal Bailey, reminded everyone that she is a candidate for Mayor.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:02 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL
August 2, 2021
6:00 PM**

MINUTES

The Special Meeting was called to order at 6:00 PM by Mayor McClellan in the Executive Conference Room of City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Council Member Radner, Mayor ProTem Burns,
Council Member Edgar, Council Member Whitehead

ABSENT: None

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris, City Attorney Krause, Finance Director Crawford, Dave DeCoster, Carl Johnson, Steve Lukasik, Kevin VanDewalle, Courtney Flynn

SPECIAL BUSINESS:

(AGENDA ITEM #3A) Utility Billing Discussion

City Manager Tungate discussed a proposal that would change the minimum bill for approximately 668 accounts out of the 11,000 total account holders in the city by reducing the monthly unit minimum from 2 units to one unit. The approximate cost to the city would be \$75,109.92.

Carl Johnson and the Finance staff provided an overview of the most recent water and sewer rate study and Council discussed the projected cash reserves in the water and sewer fund through the year 2024.

City Manager Tungate also discussed an idea to enhance the utility billing appeals process and expand the utility board. There was consensus to consider allowing additional penalty waivers but to not expand the existing board.

**CM-08-257A-21 MOTION TO DECREASE THE MONTHLY MINIMUM UTILITY BILL
FROM 2 UNITS TO 1 UNIT – APPROVED**

Motion by Radner, seconded by Whitehead, CARRIED UNANIMOUSLY, to decrease the monthly minimum utility bill from 2 units to 1 unit.

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the special meeting at 6:57 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

TRAFFIC SAFETY BOARD MEETING 05/26/2021

In attendance: Aaron Tobin, Shaun Whitehead, John Klein, Nadine Coleman, Mike Pinkerton (staff), Don (Oak Park resident), Nour Almahameed.

Call to Order: 7:08pm

Selection of secretary for the 05/26/2021 meeting: Nour was selected as secretary for the 05/26/2021 meeting

Motion to approve minutes from 04/21/21: Aaron Tobin moves. Nadine Coleman seconds. Motion carries.

Remarks on School Query: Members of the board were asked to complete the remarks on schools they have visited since the last meeting

- John: Should tutoring centers require school signage?
- Tobin: We should make a recommendation to the city council to require school signage at tutoring centers.
- Nadine: Any building that has students in it should require school signage.

Two motions were proposed:

Motion 1. All accredited schools, public or private, should require adequate school crossing and/or school caution signs as well as clearly designated crosswalks.

- Discussions on **Motion 1**
- Motion to approve **Motion 1:** Aaron Tobin Moves. Nadine Coleman seconds.
- **Motion 1** passed unanimously

Motion 2. Pedestrian crosswalks, curbs at intersections, and curbs in front of hydrants need to be clearly designated (Painted).

- Discussions on **Motion 2**
- Motion to approve **Motion 2:** Aaron Tobin moves. Nouredin Almahameed seconds.
- **Motion 2** passed unanimously

Discussions on Bike Lanes on Kipling:

- Don Jones (Oak Park Resident): Bike lanes are not necessary
- John: We should implement the protected bike lane on Kipling instead of Coolidge

- Pinkerton: I don't see the benefit of putting a bike lane in a residential area
- Nadine: Streets are so narrow there will not be any space for a bike lane
- John: Are there any rules in regard to riding a bicycle in Oak Park?

Matters Arising

- Make sure everyone makes their remarks on schools they have observed before the city council next meeting.

Meeting Adjourned

- 7:59 pm

**CITY OF OAK PARK PLANNING COMMISSION
SPECIAL MEETING, MONDAY JULY 12, 2021
MINUTES**

The meeting was called to order at 7:00 p.m. in the City Council Chambers, 14000 Oak Park Blvd, Oak Park, MI 48237, by Vice Chairperson Brown and roll call was made.

PRESENT: Vice Chairperson Brown
Commissioner Burns
Commissioner Eizelman
Commissioner McClellan
Commissioner Walters-Gill

ABSENT: Chairperson Torgow
Commissioner Seligson
Commissioner Tkatch
Commissioner Tungate

OTHERS PRESENT: Community & Economic Development Director, Kim Marrone
Deputy City Clerk, Lisa Vecchio

3. APPROVAL OF AGENDA OF JULY 12, 2021:

MOTION by McClellan, SECONDED by Burns, to approve the agenda of July 12, 2021.

VOTE: Yes: All
No: None

MOTION CARRIED

4. APPROVAL OF MINUTES OF JUNE 29, 2021:

MOTION by Burns, SECONDED by Eizelman, to approve the minutes of June 29, 2021 with no corrections.

VOTE: Yes: All
No: None

MOTION CARRIED

5. COMMUNICATIONS/CORRESPONDENCE: None

6. PUBLIC HEARING: None

7. CONSENT AGENDA: None

8. MATTERS FOR CONSIDERATION:

A. OLD BUSINESS

- 1. The Nine Apartments, Ferlito Group, 8775 Nine Mile Road, Final PUD Site Plan review**

Vice Chairperson Brown referenced Director Marrone's report dated June 15, 2021:

The Ferlito Group has submitted a Final PUD Site Plan application for a 30 unit, three story apartment building at 8775 Nine Mile Road. The proposed name of the apartment complex is The Nine. The apartment building would contain 20 one bedroom units and 10 studio apartments. The one bedroom units would be 602 square feet in size and eight of the studio apartments 450 square feet in size. Two studio apartments, accessed from the main entry corridor, would be 381square feet in size each.

The applicant has described the project as a Transit Oriented Development (TOD). One definition of a TOD is “a type of urban development that maximizes the amount of residential, business and leisure space within walking distance of public transport”. In the case of this project, there is an existing bus stop immediately in front of the main building entrance. Due to the close proximity to public transportation, an increase in residential unit density, coupled with a reduction in on-site parking, can be achieved on a smaller overall footprint.

On July 6th, acting on the recommendation of the Planning Commission, the City Council approved the Preliminary PUD Site Plan. As discussed at the last Planning Commission meeting, approval of the Preliminary PUD Site Plan confers upon the applicant the right to proceed through the next and final Site Plan review phase.

Final PUD Site Plan Review

As stated earlier, an application for a Preliminary PUD Overlay Site Plan for a 30 unit, three story apartment building, at 8775 Nine Mile Road has been submitted. The Site Plan identifies a combination of one bedroom and studio housing types within the apartment building.

The underlying Zoning for the project is B-1, Neighborhood Business District. This zoning district permits by right, upper floor residential dwellings with a two story building maximum. The Site Plan shows three stories of residential dwelling. This deviation from the B-1 requirements may be approved as part of the PUD Overlay by the City Council on recommendation of the Planning Commission. The rationale for this proposed modification is that it will permit a new compatible housing type (TOD) on a site with development constraints due to its size (0.45 acres). The building meets all other setback requirements of the B-1, Neighborhood Business District.

A new feature of the recently adopted Zoning Ordinance is Architectural Building Standards (Article 3, Division 2). The project meets the General Architectural Standards outlined in Section 333. Because this development is a hybrid, the architectural standards from a number of building types had to be employed:

- 1) The project meets the Residential building type standard regarding a minimum of 25% fenestration (windows & doorways) on the primary façade by providing 28% fenestration on the primary façade.*
- 2) The project meets the Residential building type standard regarding building materials using a combination of brick veneer, steel planks, stucco & vinyl siding.*
- 3) The project meets the Multiple-Family Dwelling building type standard regarding a visually prominent and easily recognizable primary entrance. This center building*

corridor also provides easy access to the apartment units' entrance doors and bike storage areas in the rear of the building.

- 4) The project does not meet the Multiple-Family Dwelling building type standard of 200 square foot of usable open space for each dwelling unit by providing only 1,893 square feet of usable open space. However, the proposed project is on the City's new linear parkway which provides a dedicated bike lane with access to a number of pocket parks.*
- 5) The project meets the Multiple-Family Dwelling building type standard regarding the location of driveways and parking in the side or rear yards.*

The Zoning Ordinance parking provisions require 1.5 parking spaces per unit or 45 total parking spaces on site. The Site Plan shows 35 parking spaces. The applicant received a variance from the Zoning Board of Appeals for the parking space shortage. At that meeting the applicant noted that each apartment unit would only be allowed one vehicle per the lease and strictly enforced by management. Multiple-Family Residential developments are required (Section 408) to provide one bike parking space for every 20 units or in this case 1.5 bike parking spaces. The Site Plan identifies 26 enclosed bike spaces and six exterior bike spaces.

Traffic circulation through the development is provided by a two-way, twenty-two-foot-wide drive on the west side of the property. The presented design is satisfactory. Note that the project relies on the City granting surface use of a twenty-foot-wide public alley on the west and southern sides of the property. The surface use of the alley has no functional value except for the applicant's project. The City is presently working with the applicant to determine the most appropriate legal method to allow for the alley's surface use by the project.

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.

As required by the Zoning Ordinance (Section 446), the proposed Site Plan includes a six-foot-high vinyl privacy fence along the rear property line adjacent to the single family residential area. This type of screening is consistent with the screening method used in these types of development throughout the City.

The application submittal includes a detailed landscaping plan with a good variety of trees (Red Pine, White Oak & Honey locust) and shrubs (Yews and Arborvitae) 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 (Section 447). Both interior landscape area and parking landscape area minimum requirements are exceeded.

A screened dumpster enclosure is located in the southwest corner of the development. The dumpster enclosure detail is shown on the Site Plan and is acceptable.

There is no indication on the elevation or Site Plan of any proposed rooftop or ground located mechanical equipment. Any proposed ground or rooftop mechanical equipment will need to be screened as required by the Zoning Ordinance (Section 318).

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 (Section 494).

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

Section 525 of the Zoning Ordinance allows for the Planning Commission to require the submission of a PUD Development Agreement:

d. PUD Development Agreement. A draft written PUD Development Agreement specifying all the terms and understandings of the PUD development as prescribed in Section 527, Final PUD Site Plan Submittal Requirements, may be required when deemed necessary by the Planning Commission.

The Planning staff is recommending a PUD Development Agreement be developed that is satisfactory to the City Attorney and City Council in accordance with Section 527 of the Zoning Ordinance.

Based on the above considerations, the Planning Division recommends approval of the Final PUD 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 by the Zoning Ordinance (Section 318).*
- 3) Any proposed outdoor lighting should be designed or shielded so it does not create a nuisance to adjacent properties or vehicular traffic (Section 494).*
- 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.*
- 5) Approval by the City Attorney and City Council of a PUD Development Agreement in accordance with Section 527 of the Zoning Ordinance.*
- 6) The applicant is required to reach a mutually acceptable agreement with the City for use of the public alley for parking.*

MOTION by Eizelman, SECONDED by Burns, to approve the final PUD site plan for the Nine Apartments, Ferlito Group, 8775 Nine Mile Road.

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

MOTION CARRIED

B. NEW BUSINESS

2. Corsaut Business Ventures LLC, 15101 Eleven Mile Road, Final Site Plan review

Vice Chairperson Brown referenced Director Marrone's report dated June 29, 2021:

In March of 2018 the Planning Commission approved a Final Site Plan for Corsaut Business Ventures LLC, to construct an 18,600 square foot office/warehouse building at 15101 Eleven Mile Road. The project was never commenced.

Recently, Corsaut Building Ventures LLC submitted a revised Final Site Plan to construct a similar development at 15101 Eleven Mile Road. The revised Final Site Plan differs from the Site Plan approved in 2018, in the following ways:

- The former Corsaut Well Drilling Company building (in Oak Park since 1894), 6,350 square feet in size, is retained instead of being demolished.*
- The overall number of new office/warehouse units is reduced from eleven to eight.*
- Additional on-site landscaping is increased from 6,717 square feet to 7,543 square feet.*
- Two access drives are now proposed on Raine Street instead of just one.*

The proposed Final Site Plan indicates two groups of new buildings will be constructed housing eight individual business spaces, ranging in size from 1,614 to 1,765. Each tenant space will be comprised of approximately 25% office area. In addition, the existing 6,350 square foot building will be renovated for a larger office/warehouse user.

The property is zoned LI, Light Industrial zoning district and the proposed use as indicated on the Site Plan is permitted by right. The proposed buildings meet all the setback and height requirements of the Zoning Ordinance.

The proposed Site Plan indicates entrances off of Eleven Mile Road as well as two off of Raine Street. The location of the entryways and building layout will allow for good traffic circulation for larger trucks servicing the units in the rear of the building.

Using a hybrid parking calculation of office and warehouse, the applicant indicates the project is required to provide 33 parking spaces. The method used to determine this number is satisfactory and the Site Plan indicates 33 parking spaces will be provided.

Section 408 of the Zoning Ordinance requires an industrial development of this size (19,950 square feet) to provide two bike parking spaces. Inclusion of the required bike parking spaces should be a condition of approval.

A storm water management plan is included with the Site Plan information. An application for a Land Development Permit is required to be submitted to the Engineering Division for review and approval of the on-site storm water management system and design of the entryways onto the site.

A new feature of the recently adopted Zoning Ordinance is Architectural Building Standards (Article 3, Division 2). The design of the new buildings incorporates a combination of brick and metal siding that meet the industrial building design standards (Section 358).

A landscaping plan is included with the Site Plan information. The Site Plan indicates new landscaping around the perimeter of the site and facing both street frontages. The landscaping plans notes interior landscaping of 7,543 square feet, a slight increase over the minimum required by the Zoning Ordinance. The required minimum number of trees and shrubs are indicated on the landscaping plan and the plan notes that the landscaped areas will have an automated irrigation system.

The Site Plan shows two dumpster enclosures on the site, in locations that should allow for easy servicing. The Site Plan includes a construction detail for the dumpster enclosures that meet the requirements of Section 333 of the Zoning Ordinance.

A lighting plan is included with the Site Plan information. Wall mounted luminaires are attached around the perimeter of the building to provide outdoor lighting to the site. The photometric plan shows acceptable levels of light at all property lines.

The building elevations do not specifically indicate whether there will be any new mechanical equipment on the roof or ground. The Zoning Ordinance requires all roof top and ground level equipment to be screened.

The Site Plan does not show any proposed signage for the facility. A separate sign application will have to be submitted and therefore no signage is approved as part of the site plan review.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Site Plan for Corsaut Building Ventures LLC, 15101 Eleven Mile Road, with the following conditions:

- 7) An application for a Land Development Permit is required to be submitted to the Engineering Division for review and approval of the on-site storm water management system and design of the entryways onto the site.*
- 8) All proposed roof top or ground level mechanical equipment must be screened as required by Section 318 of the Zoning Ordinance.*
- 9) Two bicycle parking spaces to be provided as required by Section 408 of the Zoning Ordinance.*
- 10) 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.*

MOTION by Walters-Gill, SECONDED by Burns, to approve the final site plan for Corsaut Business Ventures LLC, 15101 Eleven Mile Road.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, 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 7:21 p.m.

Lisa Vecchio, Deputy City Clerk



OAK PARK PUBLIC SAFETY

May 2021 ACTIVITY SUMMARY



OPERATIONS:

Calls for Service

-2020 Total: **12,792**
 -2020: May **983**
 -2020 YTD: **5,244**
 -2021: May **1,143**
 -2021 YTD: **5,325**

-Arrests: **57**
 -Vacation/Property Checks: **3**
 -Non-Criminal Fingerprints: **14**
 -PBT's: **0**
 -Vehicles Impounded: **32**
 -Traffic Stops: **774**
 -Medicals: **240**

INVESTIGATIONS:

Cases Assigned: **56**
 Warrants Obtained: **12**

See attached report
 "RMS-008"
 for May crime summary

Records Bureau:

Animal Licenses: **98**
 Alarm Permits: **31**
 Handgun Registrations: **84**
 FOIA / RFI / Discovery Requests: **143**
 Calls Received at Dispatch: **3,663**

REPORTED FIRES: **6** (**5** structural,
1 vehicle, **0** other)

NON-FIRE INCIDENTS:

(**63** includes false fire alarms)

FIRE SAFETY INSPECTIONS: **33**



COMMUNITY POLICING

Resolved several Neighbor Complaints.
 Attended one block club meeting on Zoom.
 Attended COVID-19 clinic.

CITATIONS ISSUED: **388** (YTD: **2178**)
 (May 2020: **124** / 2020 YTD: **2193**)

HAZARDOUS	147	38%
NON - HAZARDOUS	63	16%
PARKING	97	25%
ORDINANCE VIOLATION	81	21%

NOTES: Training: Dept Wide Outdoor Pistol / Shotgun training. Ofc's Papas , Lawless, Fire Apparatus Driver's training. M.F.R training, OFC's Papas, Roux, Beauchamp, Lawless.



OAK PARK PUBLIC SAFETY

June 2021

ACTIVITY SUMMARY



OPERATIONS:

Calls for Service

-2020 Total: **12,792**
-2020: June **1,093**
-2020 YTD: **6,637**
-2021: June **1,177**
-2021 YTD: **6,502**
-Arrests: **52**
-Vacation/Property Checks: **2**
-Non-Criminal Fingerprints: **05**
-PBT's: **0**
-Vehicles Impounded: **9**
-Traffic Stops: **683**
-Medicals: **267**

INVESTIGATIONS:

Cases Assigned: **52**
Warrants Obtained: **11**

See attached report
"RMS-008"
for June crime summary

Records Bureau:

Animal Licenses: **80**
Alarm Permits: **15**
Handgun Registrations: **67**
FOIA / RFI / Discovery Requests: **182**
Calls Received at Dispatch: **3,738**

REPORTED FIRES: **5** (**2** structural, **2** vehicle, **1** other)

NON-FIRE INCIDENTS:

(**57** includes false fire alarms)

FIRE SAFETY INSPECTIONS: **44**



COMMUNITY POLICING

Two Block Club meeting.
OPU Training for new officers.
Fifth Grade Graduation at Pepper & Key Elementary.
Ice Cream truck City wide.
Attended Oak Park Farmers Market.

CITATIONS ISSUED: **376** (YTD: **2,554**)

(June 2020: **161** / 2020 YTD: **2354**)

HAZARDOUS	138	37%
NON - HAZARDOUS	44	12%
PARKING	142	38%
ORDINANCE VIOLATION	52	14%

NOTES: Training: Dept Wide Outdoor Rifle training, Ofc Arbenowske SRO training, Radar Operation training, KRAV MAGA recertification training, Ofc's Wickham, Fullerton, Carignan.

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** August 16, 2021**AGENDA #****SUBJECT:** Proposed payment request for Engineering Consulting Services.**DEPARTMENT:** DPW/Technical & Planning – Engineering *KJY***SUMMARY:** Attached is a request for payment for invoices from OHM Advisors for the projects as listed below:

Project	This Period	Prior Billings	To Date	Current Contract	Account Number
Safe Routes to School Construction Eng.	\$27,985.00	\$23,001.75	\$50,986.75	\$82,975.00	202-18-479-970
Oak Park AWIA Risk and Resilience ERP	\$2,626.00	\$1,455.50	\$4,081.50	\$26,500.00	592-18-538-930
Water Reliability Study Update	\$14,786.25	\$4,668.75	\$19,455.00	\$22,700.00	592-18-538-930
Totals	\$45,397.25	\$29,126.00	\$74,523.25	\$132,175.00	

RECOMMENDED ACTION: It is recommended that the invoices from OHM Advisors for the above listed projects be approved for the total amount of \$45,397.25. Funding is available in the above listed account.**APPROVALS:**City Manager: _____ *ET* _____ Department Director: _____ *KJY* _____Finance Director: _____ City Attorney: _____ *N/A* _____Budgeted ☐**EXHIBITS:** Invoices

MERCHANT'S LICENSES - AUGUST 23RD, 2021

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
MI IMPORT	12701 CAPITAL	\$150.00	WHOLESALE SOCKS AND HATS
RUNCO WASTE INDUSTRIES	21151 MEYERS	\$150.00	TRASH COLLECTION
RENEWALS	ADDRESS	FEES	BUSINESS TYPE
REB RESEARCH CONSULTING	12851 CAPITAL	\$150.00	RESEARCH AND CONSULTING
\$8 DEMO CUTS	22101 COOLIDGE	\$150.00	BARBER SHOP
HAIR N THINGS	22105 COOLIDGE	\$150.00	BEAUTY SHOP
CURV BELLA BOUTIQUE	22125 COOLIDGE	\$150.00	WOMENS CLOTHING AND SHOE BOUTIQUE
STUDIO NOVA	22153 COOLIDGE	\$150.00	MEN'S CLOTHING AND SHOES
ARNOLD CLEANERS	22185 COOLIDGE	\$150.00	DRY CLEANERS
SVS VISION	23055 COOLIDGE	\$150.00	OPTICAL RETAIL
DOLLAR TREE	23090 COOLIDGE	\$150.00	RETAIL
CARING DENTISTRY	26021 COOLIDGE	\$150.00	DENTAL OFFICE
MARK A. WOLFSON DDS	26601 COOLIDGE	\$150.00	DENTAL OFFICE
15160 EIGHT MILE VENTURES	15160 EIGHT MILE	\$150.00	SELF STORAGE
UNIVERSAL WHOLESale	14511 ELEVEN MILE	\$150.00	WHOLESALE DISTRIBUTOR
GOLDEN HANDS OF REGINA	21700 GREENFIELD 204	\$150.00	HAIR SALON
AURA DIAMOND AND JEWELRY	21700 GREENFIELD 347	\$150.00	JEWELER
METRO PCS	21830 GREENFIELD 101	\$150.00	CELL PHONES SALES AND PHONE ACCESSORIES
CARE PLUS PHARMACY	25290 GREENFIELD	\$150.00	PHARMACY-PRESCRIPTIONS AND OVER THE COUNTER
MONEY STRATEGIES & ASSOCIATES	25900 GREENFIELD 216	\$150.00	FINANCIAL PLANNING
GLOBAL SOLUTIONS GROUP	25900 GREENFIELD 220	\$150.00	OFFICE
UNITED INS AGENCY	25900 GREENFIELD 246	\$150.00	OFFICE
ADVANCED INSURANCE CONCEPTS	25900 GREENFIELD 361	\$150.00	OFFICE
LUTHERAN CHILD AND FAMILY SERVICES	25900 GREENFIELD 401	\$150.00	NON-PROFIT PROVIDING FOSTER CARE, FAMILY SERVICES, ADOPTION
J ANTHONY SALON	26060 GREENFIELD	\$150.00	FULL SERVICE SALON
LEE BEAUTY SUPPLY	26118 GREENFIELD	\$150.00	BEAUTY ITEM RETAILER
JAX KAR WASH	26641 HARDING	\$150.00	CAR WASH
VINT II	15075 LINCOLN 104	\$150.00	LINCOLN CONVENIENT SHOPPE
7-11 #13486	15350 LINCOLN	\$150.00	CONVENIENCE STORE
TREND EXPRESS MARKET	8580 NINE MILE	\$150.00	RETAIL
SCHEER'S ACE HARDWARE	8601 NINE MILE	\$150.00	RETAIL
TOUCH OF CLASS CATERING	10612 NINE MILE	\$150.00	CATERING
NEW GRACE SPINAL REHABILITATION	12706 NINE MILE	\$150.00	CHIROPRACTIC OFFICE
GOBIND L GARD MD	13801 NINE MILE	\$150.00	INTERNAL MEDICINE
MIGHT MO MUFFLERS	13941 NINE MILE	\$150.00	COMPLETE AUTO REPAIR
CRESCENT PATTERN COMPANY	8720 NORTHEAST	\$150.00	PROTOTYPE PATTERN MAKERS/ R&D
PARKWOOD OPEN IMAGING	13161 TEN MILE	\$150.00	MEDICAL
U WASH DEVELOPMENT	15450 TEN MILE	\$150.00	CAR WASH

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 569181

August 11, 2021

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

*Re: Leonard Cohen & Sara M. Cohen v City of
Oak Park*

*Client 7406
Matter 46*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Saturday, July 31, 2021

\$1,290.00

Fee Total

Total Costs Advanced

\$ 0.00

Total Fees and Disbursements: \$1,290.00

*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.*



GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 569183

August 11, 2021

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

Re: In Re: City of Oak Park

*Client 7406
Matter 1*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Saturday, July 31, 2021

\$12,083.34

Fee Total

Total Costs Advanced

\$ 0.00

Total Fees and Disbursements: \$12,083.34

*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
Tax I.D. 38-1879991

Invoice 569184

August 11, 2021

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 Saturday, July 31, 2021

\$ 750.00

Fee Total

Total Costs Advanced

\$ 0.00

Total Fees and Disbursements: \$ 750.00

*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.*



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 06/25/2021
Invoice #: 335024
Project: 0037-19-0023

Project Name: CE - Safe Routes to School

For Professional Services Rendered through: 6/12/2021

Transportation	0.00
Inspection	13,215.00
Const Admin	2,392.00
Const Eng	6,162.50
Survey	6,215.50
Sunconsultant	0.00
Amount Due This Invoice **	27,985.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 06/25/2021
Invoice #: 335024
Project: 0037-19-0023

Inspection

Fixed Rates Labor

<i>Activity / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
107 - Project Meetings Technician IV	1.00	140.0000	140.00
508 - Elect/Traffic Utility Inspection Technician IV	9.50	140.0000	1,330.00
514 - Paving Inspection Technician IV	10.00	140.0000	1,400.00
516 - Landscaping Inspection Technician IV	1.00	140.0000	140.00
6010 - Project Inspection Graduate Engineer II	78.50	130.0000	10,205.00
Fixed Rates Labor subtotal	100.00		13,215.00
Total Inspection			13,215.00

Const Admin

Fixed Rates Labor

<i>Activity / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
501 - Gen. Contract Administration Associate	0.50	185.0000	92.50
Technician II	16.50	103.0000	1,699.50
Technician III	5.00	120.0000	600.00
Fixed Rates Labor subtotal	22.00		2,392.00
Total Const Admin			2,392.00

Const Eng

Fixed Rates Labor

<i>Activity / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
3900 - Project Meeting Professional Engineer/Architect III	20.50	165.0000	3,382.50
106 - Site Inspection Graduate Engineer II	20.00	130.0000	2,600.00

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
 LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
 F 734.522.6427

OHM-Advisors.com



Const Eng

Fixed Rates Labor

Activity / Employee Name

Hours

Rate

Amount

5010 - Constr. Phase Eng. & Assistance
Technician III

1.50

120.0000

180.00

Fixed Rates Labor subtotal 42.00

6,162.50

Total Const Eng

6,162.50

Survey

Fixed Rates Labor

Activity / Employee Name

Hours

Rate

Amount

302 - Downtime

Surveyor I

3.00

90.0000

270.00

Surveyor II

4.00

110.0000

440.00

Surveyor III

5.50

117.0000

643.50

310 - FIELD WORK

Surveyor II

7.00

110.0000

770.00

325 - Staked Paving

Surveyor I

3.00

90.0000

270.00

Surveyor II

3.00

110.0000

330.00

327 - Staked Public Utilities

Surveyor I

6.00

90.0000

540.00

Surveyor III

6.00

117.0000

702.00

328 - Staking Sidewalk

Surveyor I

3.00

90.0000

270.00

365 - Survey Data Research

Surveyor III

5.00

117.0000

585.00

366 - Survey Crew Supervision

Professional Surveyor III

5.00

162.0000

810.00

Surveyor III

5.00

117.0000

585.00

Fixed Rates Labor subtotal 55.50

6,215.50

Total Survey

6,215.50

Total Project: 0037190023 - CE - Safe Routes to School

27,985.00

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 07/22/2021
Invoice #: 335684
Project: 0037-21-0051

Project Name: Water Reliability Study Update

For Professional Services Rendered through: 7/10/2021

Description	Fee	Prior Billed	Total Available	Current Billing
0037210051 Water Reliability Study Update	22,700.00	10,449.00	12,251.00	9,006.00
Amount Due This Invoice **	22,700.00	10,449.00	0.00	9,006.00

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 07/22/2021
Invoice #: 335684
Project: 0037-21-0051

0037210051 Water Reliability Study Update

Fixed Rates Labor

Classification

	Hours	Rate	Amount
Graduate Engineer I	31.25	123.0000	3,843.75
Graduate Engineer II	11.75	130.0000	1,527.50
Graduate Engineer III	2.25	138.0000	310.50
Professional Engineer/Architect IV	1.00	183.0000	183.00
Sr. Associate	7.00	195.0000	1,365.00
Technician II	13.75	103.0000	1,416.25
Technician III	3.00	120.0000	360.00

Fixed Rates Labor subtotal	70.00		9,006.00
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Total Water Reliability Study Update			9,006.00
--------------------------------------	--	--	----------

Total Project: 0037210051 - Water Reliability Study Update			9,006.00
--	--	--	----------

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 06/17/2021
Invoice #: 334740
Project: 0037-21-0051

Project Name: Water Reliability Study Update

For Professional Services Rendered through: 6/5/2021

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
0037210051 Water Reliability Study Update	22,700.00	4,668.75	18,031.25	5,780.25
Amount Due This Invoice **	22,700.00	4,668.75	0.00	5,780.25

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 06/17/2021
Invoice #: 334740
Project: 0037-21-0051

0037210051 Water Reliability Study Update

Fixed Rates Labor

Classification	Hours	Rate	Amount
Graduate Engineer I	5.25	123.0000	645.75
Graduate Engineer III	9.00	138.0000	1,242.00
Sr. Associate	16.00	195.0000	3,120.00
Technician II	7.50	103.0000	772.50
Fixed Rates Labor subtotal	37.75		5,780.25

Total Water Reliability Study Update **5,780.25**

Total Project: 0037210051 - Water Reliability Study Update **5,780.25**

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 06/17/2021
Invoice #: 334741
Project: 0037-21-0061

Project Name: Oak Park AWIA Risk and Resilience and ERP

For Professional Services Rendered through: 6/5/2021

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
Professional Fees	26,500.00	1,455.50	25,044.50	891.00
Amount Due This Invoice **	26,500.00	1,455.50	25,044.50	891.00

REMIT TO:

OHM Advisors
34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 06/17/2021
Invoice #: 334741
Project: 0037-21-0061

Professional Fees**Fixed Rates Labor****Classification**

	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Graduate Engineer I	5.00	123.0000	615.00
Graduate Engineer III	2.00	138.0000	276.00
Fixed Rates Labor subtotal	7.00		891.00

Total Professional Fees			891.00
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Total Project: 0037210061 - Oak Park AWIA Risk and Resilience and ERP			891.00
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REMIT TO:**OHM Advisors**

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 07/22/2021
Invoice #: 335685
Project: 0037-21-0061

Project Name: Oak Park AWIA Risk and Resilience and ERP

For Professional Services Rendered through: 7/10/2021

Description	Fee	Prior Billed	Total Available	Current Billing
Professional Fees	26,500.00	2,346.50	24,153.50	1,735.00
Amount Due This Invoice **	26,500.00	2,346.50	24,153.50	1,735.00

REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK
Attn: Kevin Yee, City Engineer
10600 Capital Ave.
Oak Park, MI 48237

Invoice Date: 07/22/2021
Invoice #: 335685
Project: 0037-21-0061

Professional Fees

Fixed Rates Labor

Classification

	Hours	Rate	Amount
Associate	1.00	185.0000	185.00
Clerical Aide	0.50	60.0000	30.00
Graduate Engineer II	0.50	130.0000	65.00
Graduate Engineer III	3.25	138.0000	448.50
Professional Engineer/Architect IV	5.50	183.0000	1,006.50

Fixed Rates Labor subtotal	10.75		1,735.00
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Total Professional Fees			1,735.00
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Total Project: 0037210061 - Oak Park AWIA Risk and Resilience and ERP			1,735.00
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REMIT TO:

OHM Advisors

34000 PLYMOUTH RD
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711
F 734.522.6427

OHM-Advisors.com



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: August 16, 2021

AGENDA #

SUBJECT: Report on bids for the 2021 Sewer & Catch Basin Cleaning and Television Inspection Project, M-728.

DEPARTMENT: Public Works – *KJY*

SUMMARY: At the June 21, 2021 regular meeting of the Oak Park City Council, the request to bid the 2021 Sewer & Catch Basin Cleaning and Television Inspection Project, M-728 was approved (CM-06-207-21). The project was advertised and fifteen (15) contractors viewed the documents. On July 29, 2021, four (4) bids were received and opened. The low bidder, DVM Utilities of Sterling Heights, MI, submitted a bid of \$281,247.50. References were checked and all had positive responses.

FINANCIAL STATEMENT: There is \$350,000 available in the Water and Sewer fund for this expenditure in account 592-18-550-930.

RECOMMENDED ACTION: It is recommended City Council award the bid for the 2021 Sewer & Catch Basin Cleaning and Television Inspection Project, M-728 to DVM Utilities of Sterling Heights, MI, for the total amount of \$281,247.50. Funding is available in the Water and Sewer Fund 592-18-550-930 for this project.

APPROVALS:

City Manager: ET Department Director: KJY

Finance Director: SC Legal: _____

Budgeted ☐

EXHIBITS: Bid Tab

BID TABULATION

2021 SEWER & CATCH BASIN CLEANING AND TV INSPECTION PROJECT, M-728		DVM UTILITIES, INC. 6045 SIMS SUITE 2 STERLING HTS, MI 43313		SAFEMWAY TRANSPORT PO BOX 1268 LINCOLN PARK, MI 48146 *(INVALID BID)		PIPETEK INFRASTRUCTURE 12119 LEVAN ROAD LIVONIA, MI 48150		ADVANCED UNDERGROUND 38657 WEBB DR WESTLAND, MI 48185	
BID OPENING DATE: THURSDAY, JULY 29, 2021									
ITEM	DESCRIPTION	QUANT.	U/M	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	Medium 8" Sewer Cleaning & TV Inspection	1,900	LFT	\$1.65	\$3,135.00	\$2.08	\$3,952.00	\$4.50	\$8,550.00
2	Medium 10" Sewer Cleaning & TV Inspection	4,800	LFT	\$1.70	\$8,160.00	\$2.08	\$9,984.00	\$4.50	\$21,600.00
3	Medium 12" Sewer Cleaning & TV Inspection	34,100	LFT	\$1.75	\$59,675.00	\$2.08	\$70,928.00	\$4.75	\$161,975.00
4	Medium 15" Sewer Cleaning & TV Inspection	23,000	LFT	\$1.80	\$41,400.00	\$2.20	\$50,600.00	\$4.95	\$113,850.00
5	Medium 18" Sewer Cleaning & TV Inspection	17,200	LFT	\$1.85	\$31,820.00	\$2.25	\$38,700.00	\$5.15	\$88,580.00
6	Medium 21" Sewer Cleaning & TV Inspection	8,300	LFT	\$1.95	\$16,185.00	\$2.38	\$19,754.00	\$5.75	\$47,725.00
7	Medium 24" Sewer Cleaning & TV Inspection	12,600	LFT	\$2.00	\$25,200.00	\$2.52	\$31,752.00	\$6.00	\$75,600.00
8	Medium 27" Sewer Cleaning & TV Inspection	2,600	LFT	\$2.25	\$5,850.00	\$2.67	\$6,942.00	\$6.00	\$15,600.00
9	Medium 30" Sewer Cleaning & TV Inspection	1,600	LFT	\$2.50	\$4,000.00	\$2.84	\$4,544.00	\$6.50	\$10,400.00
10	Medium 33" Sewer Cleaning & TV Inspection	250	LFT	\$2.75	\$687.50	\$3.02	\$755.00	\$6.50	\$1,625.00
11	Medium 36" Sewer Cleaning & TV Inspection	1,900	LFT	\$3.22	\$6,118.00	\$3.22	\$6,118.00	\$7.25	\$13,775.00
12	Medium 42" Sewer Cleaning & TV Inspection	250	LFT	\$3.00	\$750.00	\$3.44	\$860.00	\$7.50	\$1,875.00
13	Medium 48" Sewer Cleaning & TV Inspection	1,300	LFT	\$3.25	\$4,225.00	\$3.68	\$4,784.00	\$8.00	\$10,400.00
14	Medium 54" Sewer Cleaning & TV Inspection	0	LFT	\$0.00	\$0.00	\$0.00	\$0.00	\$9.50	\$0.00
15	Catch Basin Lead Cleaning & TV Inspection	17,000	LFT	\$1.75	\$29,750.00	\$4.75	\$80,750.00	\$4.00	\$68,000.00
16	Catch Basin Structure Cleaning	700	EA	\$62.00	\$43,400.00	\$140.00	\$98,000.00	\$165.00	\$115,500.00
17	Sewer Lateral Protruding Lead Cutting	10	EA	\$150.00	\$1,500.00	\$50.00	\$500.00	\$85.00	\$850.00
TOTAL COST					\$281,247.50		\$362,423.00		\$755,905.00
							\$454,710.00		

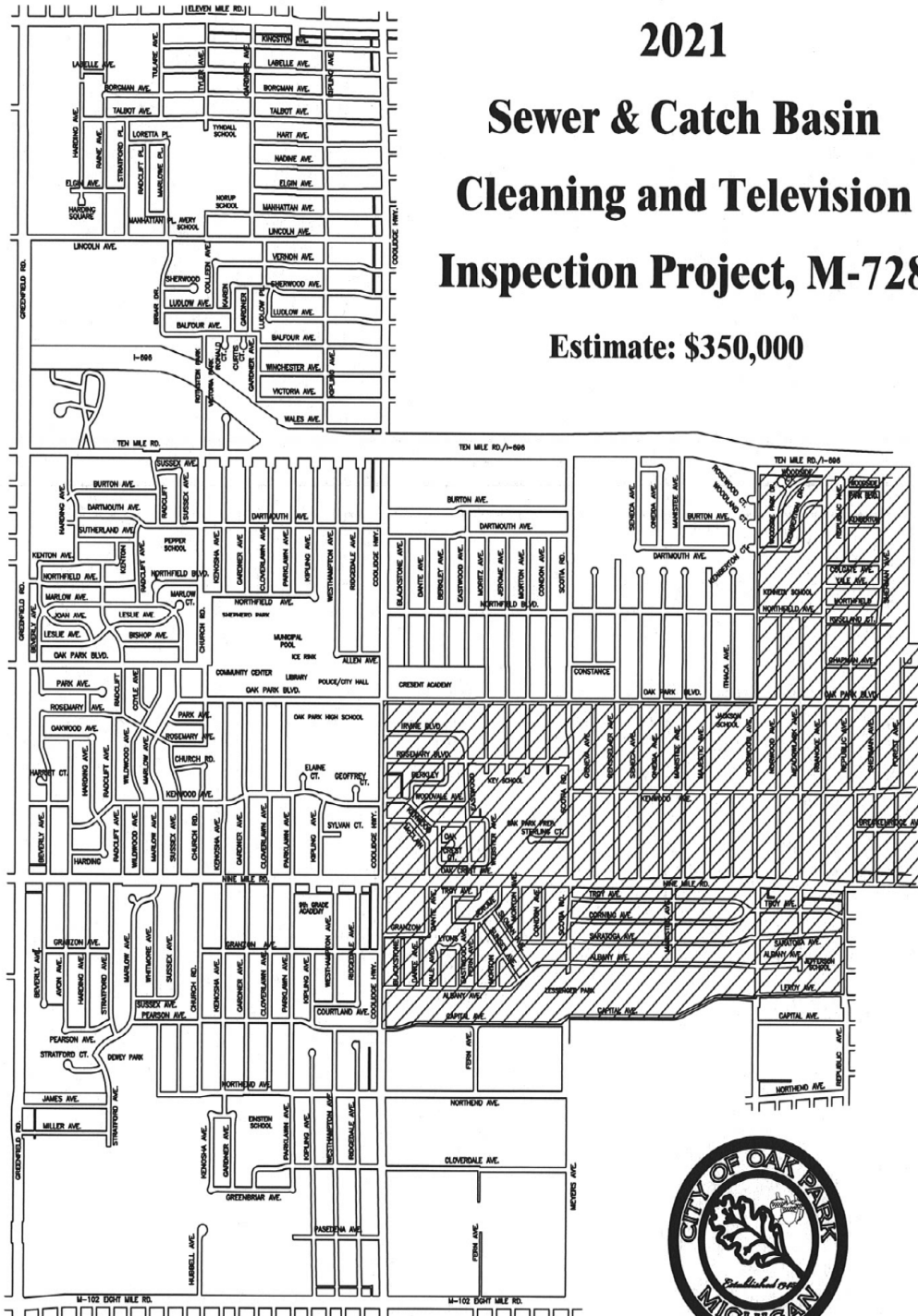
*Corrected by Engineer

City of Oak Park

2021

Sewer & Catch Basin Cleaning and Television Inspection Project, M-728

Estimate: \$350,000



[Proposed 8-16-21]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
AMENDMENT TO SEC. 82-313, CHAPTER 82, ARTICLE V, OF THE CODE OF
ORDINANCES**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Monday, August 16, 2021 at 7:00 pm.

Present:

Absent:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, at a Special City Council Meeting on August 2, 2021, the Oak Park City Council voted to approve a reduction in the minimum water and sewer monthly billing from 2 units to 1 unit. The reduction will be effective on all monthly bills rendered on or after September 21, 2021.

WHEREAS, the proposed amendment will reduce the minimum monthly charge for water (includes water and meter service charge for a 5/8-inch meter service) from \$10.61 (\$4.51 per unit x 2 units + \$1.59 meter service = \$10.61) to \$6.10 (\$4.51 per unit x 1 unit + \$1.59 meter service = \$6.10).

WHEREAS, the proposed amendment will reduce the minimum monthly charge for basic sewage disposal from \$9.72 (\$4.86 per unit x 2 = \$9.72) to \$4.86 (one unit).

WHEREAS, amendment of Sec. 82-313, Chapter 82- Utilities, is necessary to implement the new minimum monthly water charge and basic sewage disposal rate.

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

1. The first reading of the proposed amendment to Section 82-313, Chapter 82- Utilities, is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
 No,
 Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated: August 16, 2021

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. O-82-

**AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF
ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING
SECTION 82-313 THEROF.**

ARTICLE V. –RATES AND CHARGES

Sec. 82-313. - Determination.

(a) *Generally.* The rates and charges to be imposed for the consumption and use of water, sewage disposal, and stormwater runoff services furnished by the city shall be determined by ordinance by the city council from time to time and kept on file in the office of the city clerk.

(b) *Enumeration.* The rates and charges for consumption and use of water, sewage disposal, and stormwater runoff services are as follows:

(1) *Water rates.* Effective on all bills rendered on or after July 1, 2021, the rates to be charged for water service shall be as follows:

a. Four dollars and fifty one cents (\$4.51) per centum cubic feet (CCF)

b. Monthly meter service and maintenance charges, in addition to subsection (b)(1) of this section as follows:

5/8-inch meter\$1.59

3/4-inch meter\$1.68

1-inch meter\$1.81

1½-inch meter\$2.68

2-inch meter\$3.05

3-inch meter\$21.27

4-inch meter\$23.19

6-inch meter\$26.47

c. The minimum monthly (one-month) water charge (includes water and meter service charge for a 5/8-inch meter service) to each premises connected with the water supply system shall be the sum of ~~\$10.61~~ \$6.10 effective on all bills rendered on or after September 21, 2021, provided that if there

were two or more premises using the city water supply and such premises use one meter, the minimum consumption charge herein specified shall apply to each such premises and to the owner or tenant of each such premises, as applicable.

(2) *Sewage disposal rates.* Effective on all bills rendered on or after July 1, 2021 the rates to be charged for sewage disposal shall be as follows:

a. *Basic sewage disposal rate;* Four dollars and eighty six cents (\$4.86) per centum cubic feet (CCF) of water consumed. The minimum monthly sewage disposal charge to each sewage disposal services customer shall be ~~\$9.72~~ \$4.86 effective on all bills rendered on or after September 21, 2021, provided that if there are two or more premises using the city water supply and such premises use one meter, the minimum consumption charge herein specified shall apply to each such premises and to the owner or tenant of each such premises, as applicable.

b. *High-strength surcharge.* Great Lakes Water Authority is responsible for billing this surcharge. Effective with all bills rendered on or after August 1, 2021, for flows beginning on or after July 1, 2021, a high-strength surcharge shall be levied against commercial and industrial customers, other than restaurants, contributing sewage to the sewage disposal system with concentrations of pollutants exceeding the following levels:

1. 275 milligrams per liter (mg/l) of biochemical oxygen demand (BOD);
2. 350 milligrams per liter (mg/l) of total suspended solids (TSS);
3. 12 milligrams per liter (mg/l) of phosphorus (P);
4. 100 milligrams per liter (mg/l) of fats, oils, and grease (fog).

The high strength surcharge will be imposed on the following rates:

Pollutant	Charge per pound of excess pollutant
Biochemical oxygen demand (BOD)	0.347
Total suspended solids (TSS)	0.476
Phosphorus (P)	6.368
Fats, oils and grease	0.111

c. *Industrial waste control charge.* Effective with all bills rendered on or after August 1, 2021, for flows beginning on or after July 1, 2021 an industrial waste control charge shall be levied against non-residential customers in an amount determined by the size of the water meter or meters serving such customers as set forth below:

Water meter size (inches)	Monthly charge
5/8-inch meter	3.54
¾-inch meter	5.31
1-inch meter	8.85
1 ½ -inch meter	19.47
2-inch meter	28.32
3-inch meter	51.33
4-inch meter	70.80
6-inch meter	106.20

No such surcharge shall be levied on the basis of any meter which serves exclusively residential users, including all structures designed for habilitation including, but not limited to, single-family or two-family dwellings, apartment buildings, condominiums, townhouses, and mobile homes, nor shall such surcharge be levied on the basis of any meter used exclusively for fire protection purposes.

(3) *Stormwater runoff rate.* Effective on all bills rendered on or after July 1, 2021, the rate to be charged for stormwater runoff shall be \$601.65 per unit.

(4) *Collection policy.* Charges for water, sewage disposal, stormwater runoff, and garbage collection services furnished by the city to any premises shall be a lien thereon, and on March 1 and on September 1 of each year, the person or agency charged with the management of the systems shall certify any such charges which have been delinquent six months or more, to the city assessor who shall enter the same upon the next available tax roll against the premises to which such services shall have been rendered, together with a penalty of an additional ten percent. The charges shall be collected and the lien shall be enforced in the same manner as provided in the respect to taxes assessed upon such roll; provided, that no such charge shall become a lien when a tenant is responsible for the payment of any such charge against any premises and the city has been so notified by the filing of an affidavit that the lease contains a provision that the landlord shall not be liable for payment of water or sewage system bills accruing subsequent to the filing of the affidavit. The affidavit shall be filed with the official in charge of the water works system and 20 days' notice shall be given by the landlord of any cancellation, change in, or termination of the lease. The affidavit shall contain a notation of the expiration date of the lease. In the event of the

filing of such affidavit, no further service shall be rendered by the systems to such premises until payment to the city of a cash deposit in accordance with [section 82-316](#).

(5) *Services outside the city.* Water service provided outside the corporate limits of the city shall be provided by contract only with approval of the city council, and in no event shall the rates and charges for such service be less than the rates charged to customers residing within the corporate limits of the city.

~~(Code 1973, § 42-117; Ord. No. O-94-322, § 2, 6-20-94; Ord. No. O-95-339, § 1, 6-19-95; Ord. No. O-96-351, § 1, 6-17-96; Ord. No. O-97-369, § 1, 6-16-97; Ord. No. O-98-377, § 1, 6-15-98; Ord. No. O-99-393, § 3, 6-21-99; Ord. No. O-00-421, § 1, 6-19-00; Ord. No. O-01-445, § 1, 6-18-01; Ord. No. O-02-466, § 1, 6-17-02; Ord. No. O-03-484, § 1, 6-16-03; Ord. No. O-04-499, § 1, 6-21-04; Ord. No. O-05-514, § 1, 6-20-05; Ord. No. O-06-526, § 1, 6-19-06; Ord. No. O-07-531, § 1, 6-18-07; Ord. No. O-08-551, § 1, 6-16-08; Ord. No. O-09-560, § 1, 6-15-09; Ord. No. O-10-571, § 1, 6-21-10; Ord. No. O-11-578, § 1, 6-20-11; Ord. No. O-12-591, § 1, 6-18-12; Ord. No. O-13-594, § 1, 6-17-13; Ord. No. O-14-604, § 1, 6-16-14; Ord. No. [O-15-613](#), § 1, 6-15-15; Ord. No. [O-17-636](#), § 1, 6-19-17; Ord. No. [O-18-674](#), § 1, 6-18-18; Ord. No. [O-19-688](#), § 1, 6-17-19; Ord. No. [O-20-693](#), 6-15-20)~~

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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 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 the Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____ 2021, in accordance with the provisions and requirements of the City of Oak Park

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this _____ day of _____, 2021.

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

Charter reference- Utility rates and charges, collection, § 14.3

Sec. 82-313. - Determination.

(a) *Generally.* The rates and charges to be imposed for the consumption and use of water, sewage disposal, and stormwater runoff services furnished by the city shall be determined by ordinance by the city council from time to time and kept on file in the office of the city clerk.

(b) *Enumeration.* The rates and charges for consumption and use of water, sewage disposal, and stormwater runoff services are as follows:

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a. Four dollars and fifty one cents (\$4.51) per centum cubic feet (CCF)

b. Monthly meter service and maintenance charges, in addition to subsection (b)(1) of this section as follows:

5/8-inch meter\$1.59

3/4-inch meter\$1.68

1-inch meter\$1.81

1½-inch meter\$2.68

2-inch meter\$3.05

3-inch meter\$21.27

4-inch meter\$23.19

6-inch meter\$26.47

c. The minimum monthly (one-month) water charge (includes water and meter service charge for a 5/8-inch meter service) to each premises connected with the water supply system shall be the sum of ~~\$10.61~~ \$6.10 effective on all bills rendered on or after September 21, 2021, provided that if there were two or more premises using the city water supply and such premises use one meter, the minimum consumption charge herein specified shall apply to each such premises and to the owner or tenant of each such premises, as applicable.

(2) *Sewage disposal rates.* Effective on all bills rendered on or after July 1, 2021 the rates to be charged for sewage disposal shall be as follows:

a. *Basic sewage disposal rate;* Four dollars and eighty six cents (\$4.86) per centum cubic feet (CCF) of water consumed. The minimum monthly sewage disposal charge to each sewage disposal services customer shall be ~~\$9.72~~ \$4.86 effective on all bills rendered on or after September 21, 2021, provided that if there are two or more premises using the city water supply and such premises use one meter, the minimum consumption charge herein specified shall apply to each such premises and to the owner or tenant of each such premises, as applicable.

b. *High-strength surcharge.* Great Lakes Water Authority is responsible for billing this surcharge. Effective with all bills rendered on or after August 1, 2021, for flows beginning on or after July 1, 2021, a high-strength surcharge shall be levied against commercial and industrial customers, other than restaurants, contributing sewage to the sewage disposal system with concentrations of pollutants exceeding the following levels:

1. 275 milligrams per liter (mg/l) of biochemical oxygen demand (BOD);
2. 350 milligrams per liter (mg/l) of total suspended solids (TSS);
3. 12 milligrams per liter (mg/l) of phosphorus (P);
4. 100 milligrams per liter (mg/l) of fats, oils, and grease (fog).

The high strength surcharge will be imposed on the following rates:

Pollutant	Charge per pound of excess pollutant
Biochemical oxygen demand (BOD)	0.347
Total suspended solids (TSS)	0.476
Phosphorus (P)	6.368
Fats, oils and grease	0.111

c. *Industrial waste control charge.* Effective with all bills rendered on or after August 1, 2021, for flows beginning on or after July 1, 2021 an industrial waste control charge shall be levied against non-residential customers in an amount determined by the size of the water meter or meters serving such customers as set forth below:

Water meter size (inches)	Monthly charge
5/8-inch meter	3.54
3/4-inch meter	5.31
1-inch meter	8.85
1 1/2 -inch meter	19.47
2-inch meter	28.32
3-inch meter	51.33
4-inch meter	70.80
6-inch meter	106.20

No such surcharge shall be levied on the basis of any meter which serves exclusively residential users, including all structures designed for habitation including, but not limited to, single-family or two-family dwellings, apartment buildings, condominiums, townhouses, and mobile homes, nor shall such surcharge be levied on the basis of any meter used exclusively for fire protection purposes.

(3) *Stormwater runoff rate.* Effective on all bills rendered on or after July 1, 2021, the rate to be charged for stormwater runoff shall be \$601.65 per unit.

(4) *Collection policy.* Charges for water, sewage disposal, stormwater runoff, and garbage collection services furnished by the city to any premises shall be a lien thereon, and on March 1 and on September 1 of each year, the person or agency charged with the management of the systems shall certify any such charges which have been delinquent six months or more, to the city assessor who shall enter the same upon the next available tax roll against the premises to which such services shall have been rendered, together with a penalty of an additional ten percent. The charges shall be collected and the lien shall be enforced in the same manner as provided in the respect to taxes assessed upon such roll; provided, that no such charge shall become a lien when a tenant is responsible for the payment of any such charge against any premises and the city has been so notified by the filing of an affidavit that the lease contains a provision that the landlord shall not be liable for payment of water or sewage system bills accruing subsequent to the filing of the affidavit. The affidavit shall be filed with the official in charge of the water works system and 20 days' notice shall be given by the landlord of any cancellation, change in, or termination of the lease. The affidavit shall contain a notation of the expiration date of the lease. In the event of the filing of such affidavit, no further service shall be rendered by the systems to such premises until payment to the city of a cash deposit in accordance with [section 82-316](#).

(5) *Services outside the city.* Water service provided outside the corporate limits of the city shall be provided by contract only with approval of the city council, and in no event shall the rates and charges for such service be less than the rates charged to customers residing within the corporate limits of the city.

(Code 1973, § 42-117; Ord. No. O-94-322, § 2, 6-20-94; Ord. No. O-95-339, § 1, 6-19-95; Ord. No. O-96-351, § 1, 6-17-96; Ord. No. O-97-369, § 1, 6-16-97; Ord. No. O-98-377, § 1, 6-15-98; Ord. No. O-99-393, § 3, 6-21-99; Ord. No. O-00-421, § 1, 6-19-00; Ord. No. O-01-445, § 1, 6-18-01; Ord. No. O-02-466, § 1, 6-17-02; Ord. No. O-03-484, § 1, 6-16-03; Ord. No. O-04-499, § 1, 6-21-04; Ord. No. O-05-514, § 1, 6-20-05; Ord. No. O-06-526, § 1, 6-19-06; Ord. No. O-07-531, § 1, 6-18-07; Ord. No. O-08-551, § 1, 6-16-08; Ord. No. O-09-560, § 1, 6-15-09; Ord. No. O-10-571, § 1, 6-21-10; Ord. No. O-11-578, § 1, 6-20-11; Ord. No. O-12-591, § 1, 6-18-12; Ord. No. O-13-594, § 1, 6-17-13; Ord. No. O-14-604, § 1, 6-16-14; Ord. No. [O-15-613](#), § 1, 6-15-15; Ord. No. [O-17-636](#), § 1, 6-19-17; Ord. No. [O-18-674](#), § 1, 6-18-18; Ord. No. [O-19-688](#), § 1, 6-17-19; Ord. No. [O-20-693](#), 6-15-20)



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: August 16, 2021

AGENDA #

SUBJECT: Request to approve recommendation by Planning Commission to rezone 21200 Greenfield Rd, 15000 Eight Mile Rd. and 15100 Eight Mile Rd. from PUD, Planned Unit Development to LI, Light Industrial

DEPARTMENT: Economic Development and Planning

SUMMARY: Proposed rezoning of 21200 Greenfield Rd., 15100 Eight Mile Rd., and 15000 Eight Mile Rd., from PUD, Planned Unit Development District to LI, Light Industrial District.

At the August 9, 2021 Planning Commission meeting the board unanimously approved to rezone the former Armory properties along with a site plan approval for the remaining vacant parcel. With all properties soon to be fully developed the properties which are zoned PUD, Planned Unit Development no longer needed. Some of council may remember it was rezoned to help attract development while offering flexibility. With no more available vacant land on the site, it is now time to rezone all properties to Light Industrial to reflect the various uses on those sites.

The Planning Commission recommends to City Council to approve the rezoning. The memo presented to the Planning Commission is attached and a Public Hearing was held to hear public comments on the subject. There was no one in attendance from the public.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: It is recommended that City Council approve the proposed rezoning and the resolution be approved.

APPROVALS:

City Manager: _____ *ET* _____

Department Director: _____ *KM* _____

Finance Director: _____ Legal: _____

EXHIBITS: memo, resolution

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE 2 DIVISION 1 SECTION 201 AND THE OFFICIAL ZONING MAP CONTAINED THEREIN, BEING PART OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY CHANGING THE USE DISTRICT OF CERTAIN PARCELS OF LAND CURRENTLY ZONED PUD, PLANNED UNIT DEVELOPMENT TO LI, LIGHT INDUSTRIAL DISTRICT.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. The Code of Ordinances of the City of Oak Park is hereby amended by changing the use district of the following addresses and parcels currently zoned PUD, Planned Unit Development, according to the City's Official Zoning District Map, Article 2, Division 1, Section 201 to LI, Light Industrial Use 2 District.

21200 Greenfield Rd., 15100 Eight Mile Rd., and 15000 Eight Mile Rd. Property ID's # 52-25-31-325-005, 52-25-31-326-010, 52-25-31-326-011. Current owner's: Spirit Realty, L.P., Armory Plaza, LLC. Forgotten Harvest, Inc.

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

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

SECTION 4. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed 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 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance 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 6. Effective Date

This ordinance shall be effective thirty (30) days from the date of adoption 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 _____, 2021.

Ed Norris
City Clerk

Marian McClellan
Mayor

I, Ed 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 _____, 2021.

Ed Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:



CITY OF OAK PARK

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

MEMORANDUM

TO: Planning Commission members
FROM: Kimberly Marrone, AICP, Director
DATE: August 3, 2021
FILE: Planning/Armory
RZmemo

SUBJECT: Proposed rezoning of 21200 Greenfield Rd., 15100 Eight Mile Rd., and 15000 Eight Mile Rd., from PUD, Planned Unit Development District to LI, Light Industrial District.

As was discussed during the last Planning Commission meeting the Armory Properties will soon be completely developed. As you may recall the property was rezoned to PUD, Planned Unit Development to help attract development while offering flexibility. With no more available vacant land on the site, it is now time to rezone all properties to Light Industrial to reflect the various uses on those sites.

A Public Hearing is scheduled for the August meeting to hear public comments on the proposed rezoning of 21200 Greenfield Rd., 15100 Eight Mile Rd., and 15000 Eight Mile Rd., from PUD, Planned Unit Development District to LI, Light Industrial District.

The following considerations were noted during the review of this rezoning:

1. The proposed rezoning is for three parcels: 21200 Greenfield Rd., 15100 Eight Mile Rd., and 15000 Eight Mile Rd.
2. 21200 Greenfield Rd. is the site of FedEx Ground Transportation. 15000 Eight Mile Rd. is the site of the new Forgotten Harvest Headquarters. 15100 Eight Mile Rd. is the site of a new spec industrial use to be built in the near future.
3. Once the final property is developed at 15100 Eight Mile Rd. all uses will be Industrial, eliminating the need for the PUD zoning.
4. The adjacent parcels to the north and west of the subject property are zoned R-1 One Family Dwelling District and LI Light Industrial District. The adjacent parcels to the West of the subject property are zoned LI, Light Industrial District.
5. The proposed zoning change should have no significant impact to the traffic conditions in the area.

6. The proposed zoning change will be consistent and compatible with existing land uses in the area.

Based on the above considerations, the Planning Division recommends rezoning the following parcels: 21200 Greenfield Rd., 15100 Eight Mile Rd., and 15000 Eight Mile Rd., from PUD, Planned Unit Development District to LI, Light Industrial District.

The proposed properties to be rezoned described as:

15000 Eight Mile Rd., Parcel ID 52-25-31-326-011

T1N, R11E, SEC 31 PART OF SW 1/4 BEG AT PT DIST N 03-38-40 W 151.04 FT & S 87-38-26 W 43.01 FT FROM S 1/4 COR, TH S 87-38-26 W 471.97 FT, TH N 03-05-21 W 956.58 FT, TH N 86-21-20 E 462.58 FT, TH S 03-38-40 E 967.12 FT TO BEG 10.32 A 12-9-19 FR 006 SPLIT/COMBINED ON 12/12/2019 FROM 52-25-31-326-006; (6-4-15 FR 003)

15100 Eight Mile Rd., Parcel ID 52-25-31-326-010

T1N, R11E, SEC 31 PART OF SW 1/4 BEG AT PT DIST N 03-38-40 W 151.04 FT & S 87-38-26 W 43.01 FT & S 87-38-26 W 471.97 FT FROM S 1/4 COR, TH S 87-38-26 W 795.93 FT, TH N 03-05-21 W 938.73 FT, TH N 86-21-20 E 795.91 FT, TH S 03-05-21 E 956.58 FT TO BEG 17.31 A 12-9-19 FR 006 SPLIT/COMBINED ON 12/12/2019 FROM 52-25-31-326-006; (6-4-15 FR 003)

21200 Greenfield Rd., Parcel ID 52-25-31-326-005

T1N, R11E SEC 31 PART OF SW 1/4 BEG AT PT DIST N03-38-40 W 151.04 FT & S 87-38-26 W 43.01 FT & N 03-38-40 W 967.12 FT FROM S 1/4 COR, TH S 86-21-20 W 1258.49 FT, TH N 03-05-21 W 225.34 FT, TH S 87-31-35 W 667.76 FT, TH N 02-48-12 W 191.53 FT, TH S 87-30-24 W 494.85 FT, TH S 55-44-13 W 91.18 FT, TH N 02-31-21 W 93.01 FT, TH S 84-32-22 E 54.80 FT, TH N 87-30-24 E 509.35 FT, TH N 02-34-55 W 435.80 FT, TH N 87-25-59 E 671.34 FT, TH N 03-10-00 W 623.29 FT, TH N 87-16-39 E 1244.81 FT, TH S 03-38-40 E 1494.41 FT TO BEG. 54 A. (6-4-15 FR 003 & 351-038)

[Proposed 8-16-21]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
ADDITION OF SECTIONS 18-185 TO 18-190 TO CHAPTER 18, ARTICLE IV,
DIVISION 4, OF THE CODE OF ORDINANCES**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Monday, August 16, 2021 at 7:00 pm.

Present:

Absent:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the City of Oak Park, as with many metropolitan cities around the nation, is experiencing an affordable housing crisis; and

WHEREAS, subsidized housing vouchers are vital in providing low income households with stable, affordable housing and expand access to a wide range of neighborhoods;

WHEREAS, the Department of Housing and Urban Development Department (“HUD”) published a study which found that a large percentage of landlords in major cities decline to accept housing subsidy vouchers and this practice discriminates against low-income renters that are providing a lawful source of rental income, having the net effect of segregating many voucher recipients to low-income or high-poverty areas which traditionally offer more affordable rents; and

WHEREAS, the Amendment to Chapter 18 to add sections 18-185 through 18-190, Division 4- Housing, is necessary to ensure that individuals that rely upon housing vouchers have access to housing in a wide array of neighborhoods where traditionally affordable housing may not otherwise be found, including those with access to jobs, good schools and other amenities that further the health and well-being of families; and

WHEREAS, several states, including Utah, Oklahoma, and the District of Columbia, as well as Michigan cities, including Ann Arbor, East Lansing, Lansing, Holland, Kentwood and Royal Oak have adopted ordinances prohibiting discrimination based on source of income; and

WHEREAS, according to the Housing Law Bulletin, state court rulings have upheld local laws that prohibit discrimination based on a person’s lawful source of income and protect the federal and state subsidy’s programs, finding that the protections under the laws can be invaluable in maximizing the utility of vouchers and other forms of housing assistance.

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

1. The first reading of the proposed amendment to Chapter 18 to add Division 4, Sections 18-185 to 18-190 is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
 No,
 Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated: August 16, 2021

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

ORDINANCE NO. O-

**AN ORDINANCE TO ADD SECTIONS 18-185 TO 18-190, DIVISION 4,
CHAPTER 18, ARTICLE IV, FAIR HOUSING, OF THE CODE OF
ORDINANCES, CITY OF OAK PARK.**

ARTICLE IV.- HOUSING

Division 4. – Fair Housing

Sec. 18-185. – Definitions.

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

Discriminate. To make a decision, offer to make a decision or refrain from making a decision based in whole or in part on person's or his or her relatives' or associates' source of income. Discrimination includes the use of facially neutral practices that have an adverse impact based on source of income.

Housing facility. Any dwelling unit or facility in which it is intended persons regularly will sleep and keep personal belongings including, but not limited to, a house, apartment, rooming house, housing cooperative, homeless shelter, hotel, motel, tourist home, retirement home or nursing home.

Person. "Person" includes one or more persons, corporations, partnerships, limited liability companies, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under title 11, receivers, and fiduciaries.

Source of Income. As used in this chapter, source of income refers to any lawful source of money paid directly to person or family or indirectly on behalf of person or family, including, but not limited to (a) money derived from any lawful profession or occupation; (b) money derived from any contract, agreement, loan, or settlement; from any court order, such as court-ordered child support or alimony; from any gift or bequest; or from any annuity or life insurance policy; and (c) money derived from any benefit or subsidy program, including, but not limited to, any housing assistance, such as Housing Choice Vouchers, Veterans Affairs Supportive Housing (VASH) Vouchers, or any other form of housing assistance payment or credit whether or not paid or attributed directly to a landlord; public assistance; emergency rental assistance; veterans benefit; Social Security or other retirement program; supplemental security income; VA and FHA loans, and any other program administered by any federal, state, or local agency or nonprofit entity.

Sec. 18-186. Discriminatory housing practices.

No person shall discriminate based on source of income in the following:

- (1). Leasing, selling or otherwise making available any housing facility.
- (2). The terms, conditions, maintenance, or repair in providing any housing facility.
- (3). Make, print, or publish, or cause to be made, printed, or published any written or oral notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on source of income or expressing any intent to make any such preference, limitation, or discrimination.
- (4). Refusing to lend money for the purchase or repair of any real property or insure any real property solely because the location in the City of such real property.
- (5). Promoting real estate transactions by representing that changes are occurring or will occur in any area with respect to any protected classification.
- (6). Coerce, threaten, or retaliate against a person or making a complaint or assisting in the investigation regarding a violation or alleged violation of this division, nor require, conspire with, assist or coerce another person to retaliate against a person for making a complaint or assisting in an investigation.

Sec. 18-187. – Exceptions

Notwithstanding anything contained in this division, the following practices shall not be violations of this chapter.

- (1). Nothing in this part, other than the prohibitions against discriminatory advertising, applies to:
 - (a) The sale or rental of any single family house by an owner, provided the following conditions are met:
 - (i) The owner does not own or have any interest in more than three single family houses at any one time.
 - (ii) The house is sold or rented without the use of a real estate broker, agent or salesperson or the facilities of any person in the business of selling or renting dwellings. If the owner selling the house does not reside in it at the time of the sale or was not the most recent resident of the house prior to such sale, the exemption in this paragraph (a)(1) of this section applies to only one such sale in any 24-month period.
 - (b) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence.
- (2). For a religious organization or institution to restrict any of its facilities of housing or accommodations which are operated as a direct part of religious activities to persons and clergy of the denomination involved.
- (3). To refuse to enter a contract with a minor that is not emancipated.

- (4). To provide discounts on products or service to students, minors, veterans, and senior citizens.
- (5). To discriminate in any arrangement for the sharing of a dwelling unit by person who is sharing the unit.
- (6). Nothing herein contained shall be construed to prohibit any affirmative action laws passed by any level of government.

Sec. 18-188. – Penalties

- (1) A violation of any provision of this division is a civil infraction punishable by a fine of not more than \$500.00, plus all costs of the action. The court may issue and enforce any judgment, writ, or order necessary to enforce this chapter.
- (2) Nothing contained in this chapter shall be construed to limit in any way the remedies, legal or equitable, which are available to the City or any other person for the prevention or correction of discrimination.

Sec. 18-189. – Private actions for damages or injunctive relief

- (1) To the extent allowed by law, person who is the victim of discriminatory action in violation of this chapter may bring a civil action for appropriate injunctive relief or damages or both against the person(s) who acted in violation of this chapter.
- (2) As used in subsection (1), "damages" means damages for injury or loss caused by each violation of this chapter, including reasonable attorney fees.
- (3) Private actions and remedies under this section shall be in addition to any actions for violations which the City may take.

Sec. 18-190. - Effective dates.

Sections 18-188 and 18-189 shall go into effect two years after the enactment of this Division. The remaining sections of this Division shall go into effect upon enactment.

(a) EFFECTIVE DATE

This Ordinance shall take effect on the _____ day of _____ 2021, in accordance with the provisions and requirements of the City of Oak Park

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this _____ day of _____, 2021.

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

Chapter 18- Buildings and Building Regulations

Division IV. – HOUSING

...

DIVISION 4. – FAIR HOUSING

Sec. 18-185. – Definitions.

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

Discriminate. To make a decision, offer to make a decision or refrain from making a decision based in whole or in part on person's or his or her relatives' or associates' source of income. Discrimination includes the use of facially neutral practices that have an adverse impact based on source of income.

Housing facility. Any dwelling unit or facility in which it is intended persons regularly will sleep and keep personal belongings including, but not limited to, a house, apartment, rooming house, housing cooperative, homeless shelter, hotel, motel, tourist home, retirement home or nursing home.

Person. "Person" includes one or more persons, corporations, partnerships, limited liability companies, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in cases under title 11, receivers, and fiduciaries.

Source of Income. As used in this chapter, source of income refers to any lawful source of money paid directly to person or family or indirectly on behalf of person or family, including, but not limited to (a) money derived from any lawful profession or occupation; (b) money derived from any contract, agreement, loan, or settlement; from any court order, such as court-ordered child support or alimony; from any gift or bequest; or from any annuity or life insurance policy; and (c) money derived from any benefit or subsidy program, including, but not limited to, any housing assistance, such as Housing Choice Vouchers, Veterans Affairs Supportive Housing (VASH) Vouchers, or any other form of housing assistance payment or credit whether or not paid or attributed directly to a landlord; public assistance; emergency rental assistance; veterans benefit; Social Security or other retirement program; supplemental security income; VA and FHA loans, and any other program administered by any federal, state, or local agency or nonprofit entity.

Sec. 18-186. Discriminatory housing practices.

No person shall discriminate based on source of income in the following:

- (1). Leasing, selling or otherwise making available any housing facility.

- (2). The terms, conditions, maintenance, or repair in providing any housing facility.
- (3). Make, print, or publish, or cause to be made, printed, or published any written or oral notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on source of income or expressing any intent to make any such preference, limitation, or discrimination.
- (4). Refusing to lend money for the purchase or repair of any real property or insure any real property solely because the location in the City of such real property.
- (5). Promoting real estate transactions by representing that changes are occurring or will occur in any area with respect to any protected classification.
- (6). Coerce, threaten, or retaliate against a person or making a complaint or assisting in the investigation regarding a violation or alleged violation of this division, nor require, conspire with, assist or coerce another person to retaliate against a person for making a complaint or assisting in an investigation.

Sec. 18-187. – Exceptions

Notwithstanding anything contained in this division, the following practices shall not be violations of this chapter.

- (1). Nothing in this part, other than the prohibitions against discriminatory advertising, applies to:
 - (a) The sale or rental of any single family house by an owner, provided the following conditions are met:
 - (i) The owner does not own or have any interest in more than three single family houses at any one time.
 - (ii) The house is sold or rented without the use of a real estate broker, agent or salesperson or the facilities of any person in the business of selling or renting dwellings. If the owner selling the house does not reside in it at the time of the sale or was not the most recent resident of the house prior to such sale, the exemption in this paragraph (a)(1) of this section applies to only one such sale in any 24-month period.
 - (b) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his or her residence.
- (2). For a religious organization or institution to restrict any of its facilities of housing or accommodations which are operated as a direct part of religious activities to persons and clergy of the denomination involved.

- (3). To refuse to enter a contract with a minor that is not emancipated.
- (4). To provide discounts on products or service to students, minors, veterans, and senior citizens.
- (5). To discriminate in any arrangement for the sharing of a dwelling unit by person who is sharing the unit.
- (6). Nothing herein contained shall be construed to prohibit any affirmative action laws passed by any level of government.

Sec. 18-188. – Penalties

- (1) A violation of any provision of this division is a civil infraction punishable by a fine of not more than \$500.00, plus all costs of the action. The court may issue and enforce any judgment, writ, or order necessary to enforce this chapter.
- (2) Nothing contained in this chapter shall be construed to limit in any way the remedies, legal or equitable, which are available to the City or any other person for the prevention or correction of discrimination.

Sec. 18-189. – Private actions for damages or injunctive relief

- (1) To the extent allowed by law, person who is the victim of discriminatory action in violation of this chapter may bring a civil action for appropriate injunctive relief or damages or both against the person(s) who acted in violation of this chapter.
- (2) As used in subsection (1), "damages" means damages for injury or loss caused by each violation of this chapter, including reasonable attorney fees.
- (3) Private actions and remedies under this section shall be in addition to any actions for violations which the City/Township/Village may take.

Sec. 18-190. - Effective dates.

Sections 18-188 and 18-189 shall go into effect two years after the enactment of this Division. The remaining sections of this Division shall go into effect upon enactment.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: August 16, 2021

AGENDA #

SUBJECT: Request to approve the resolution in support of River Rouge Brewing Company, LLC for a Social District Application

DEPARTMENT: Economic Development and Planning

SUMMARY: The City of Oak Park created a Social District along Eleven Mile Road as well as two applications thus far for Social District Permits. River Rouge Brewing Company, LLC, DBA Unexpected Craft at 14401 11 Mile Rd. has submitted their application for a Social District Permit. MLCC requires the local government approve each applicant to take part in the Social District before granting a license to do so. Attached is a resolution in support of this application.

FINANCIAL STATEMENT: N/A

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

APPROVALS:

City Manager: _____ *ET* _____
 Department Director: KM _____

Finance Director: _____ Legal: _____

EXHIBITS: resolution, application

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

RESOLUTION APPROVING LICENSEES FOR SOCIAL DISTRICT

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on the 16th day of August , 2021, at 7:00 p.m.

Present: _____

Absent: _____

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, At the June 7, 2021, meeting, the city council adopted a resolution establishing a social district within the city of Oak Park to allow for the regulated sale of alcohol for outdoor consumption. Per Michigan Liquor Control Commission (MLCC) regulations, each licensee must gain local approval before submitting their application to the MLCC to receive their social district permit.

WHEREAS, the city of Oak Park has received one application from the following licensee:

1. River Rouge Brewing Company, LLC, 14401 11 Mile Rd., Oak Park, MI 48237

WHEREAS, the licensee has signed a social district operating agreement, submitted a logo to be affixed to the social district cups

NOW, THEREFORE, the City Council of the City of Oak Park, Oakland County, Michigan resolves as follows:

Be it resolved, the city council grants local approval to the above licensees and recommends these licensees for consideration and approval by the Michigan Liquor License Commission; and

Be it further resolved, the city council authorizes the mayor and city clerk to execute the social district local government unit approval for Social District permit with each licensee on behalf of the city.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated: _____



Social District Permit Information



Local Governmental Approval Required Before You Apply

The city, township, or village where your business is located must have first designated a Social District before you may apply. Your licensed business must be contiguous to the commons area inside the Social District to qualify. Check with your local governmental unit to see if you qualify.

Your licensed business must also be approved individually by the city, township, or village before you apply for a Social District Permit. A local governmental unit approval form is attached to this application.

The governing body of a local governmental unit may designate a Social District within its jurisdiction that contains a commons area in which the patrons of qualified licensees may consume alcoholic liquor (beer, wine, mixed spirit drink, spirits, or mixed drinks/cocktails) in the commons area.

At least two (2) qualified licensees must have their licensed premises contiguous to a commons area for the area to qualify to be part of a social district.

The local governmental unit must define and clearly mark the commons area with signs. The local governmental unit must establish a management plan, including the hours of operation, for the commons area. These plans must be submitted to the Commission.

A qualified licensee may apply to the Commission for a Social District Permit using the attached application. The licensee must first obtain approval from the governing body of the local governmental unit before applying for the permit.

A licensee that has been issued a Social District Permit may sell alcoholic liquor for on-premises consumption on its licensed premises only, but then customers may remove the alcoholic liquor from the premises to be consumed in the commons area. A licensee must not sell alcoholic liquor in the commons area.

The commons area is not considered part of any licensee's licensed premises. Nevertheless, a licensee that has been issued a Social District Permit must make every effort to ensure that it does not sell alcoholic liquor to a minor or intoxicated person.

Any alcoholic liquor sold to customers for consumption in the commons area by a licensee with a Social District Permit must comply with all of the following:

- The serving container must prominently display the licensee's trade name or logo or some other mark that is unique to the licensee that sold the alcohol.
- The serving container must prominently display a logo or some other mark that is unique to the commons area.
- The serving container is not made of glass.
- The serving container does not have a liquid capacity over 16 ounces.

A customer that purchases alcoholic liquor to be consumed in a commons area must not transport that alcoholic liquor onto the licensed premises of another licensee contiguous to the commons area from which the customer did not purchase the alcoholic liquor. A licensee shall not allow alcoholic liquor purchased from another licensee to be brought onto its licensed premises.

A customer that purchases alcoholic liquor to be consumed in a commons area must not transport that alcoholic liquor outside of the commons area.

Qualified licensees for Social District Permits are:

- A retailer licensee that is licensed to sell alcoholic liquor for consumption on the premises, such as a Class C, Tavern, A-Hotel, B-Hotel, Club, G-1, or G-2. A Special License issued to a nonprofit organization is not a qualified licensee.
- A manufacturer with an On-Premises Tasting Room Permit.
- A manufacturer with an Off-Premises Tasting Room License or a Joint Off-Premises Tasting Room License. For Joint Off-Premises Tasting Room Licenses, all licensees that have licenses at that same location must be approved for and issued a Social District Permit.



Social District Permit Application

Part 1 - Licensee Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it appears on your Articles of Incorporation / Organization.

Licensee name: River Rouge Brewing Company LLC		
Address: 14401 W. Eleven Mile Road		
City: Oak Park	State: MI	Zip Code: 48237
Contact Name: Edward Stencel	Phone: 310 498 7809	Email: edward@riverrougebrew.com

Part 2 - Required Documents & Fees

☐ Local Governmental Unit Approval <i>Approval from the local governmental unit (city council, township board, village council) is required to be submitted with this application (See page 2 for approval form)</i>	
☐ \$70.00 Inspection Fee (MLCC Fee Code 4036) ☐ \$250.00 Social District Permit Fee (MLCC Fee Code 4081)	TOTAL DUE: Make checks payable to State of Michigan

Leave Blank - MLCC Use Only

Part 3 - Signature of Licensee

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this permit for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

Edward Stencel - Co Owner

Print Name of Licensee & Title

Signature of Licensee

Date

Please return this completed form and fees to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries: Constitution Hall - 525 W. Allegan Street, Lansing, MI 48933
Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906
Fax with Credit Card Authorization to: 517-284-8557



Local Governmental Unit Approval For Social District Permit

Instructions for Governing Body of Local Governmental Unit:

A qualified licensee that wishes to apply for a Social District Permit must first obtain approval from the governing body of the local governmental unit where the licensee is located and for which the local governmental unit has designated a social district with a commons area that is clearly marked and shared by and contiguous to the licensed premises of at least two (2) qualified licensees, pursuant to MCL 436.1551. Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (name of city, township, or village)

called to order by _____ on _____ at _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____

that the application from _____
(name of licensee - if a corporation or limited liability company, please state the company name)

for a **Social District Permit** is _____ by this body for consideration for approval by the
(recommended/not recommended)

Michigan Liquor Control Commission.

If not recommended, state the reason: _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
council/board at a _____ meeting held on _____
(regular or special) (date) (name of city, township, or village)

I further certify that the licensed premises of the aforementioned licensee are contiguous to the commons area designated by the council/board as part of a social district pursuant to MCL 436.1551.

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Michigan Department of Licensing and Regulatory Affairs
Finance and Administrative Services
Revenue Services

LARA Revenue Services **is not** a part of
the Michigan Liquor Control
Commission (see note below).

Credit Card Authorization Form

**** FAX COMPLETED FORM TO SECURE FAX LINE: 517-284-8557 ****

**** DO NOT EMAIL OR MAIL THIS FORM ****

Requests with credit card payments that are not faxed to the above secure fax line will be destroyed along with the credit card authorization in order to ensure the security of applicants' personal credit card numbers.

****IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED****

Name on Card: _____

Payment Amount: _____

Billing Address: _____

Card Number: _____

City: _____ State: _____ Zip Code: _____

Check One:

Phone: _____

☐ MasterCard

☐ Visa

☐ Discover

Email: _____

Security Code/CVV Code: _____

Applicant/Licensee Name: _____ Request or Business ID #: _____

Expiration Date: _____

Payment is for: _____

Signature _____

IF YOU ARE NOT SUBMITTING AN APPLICATION FORM WITH THIS CREDIT CARD AUTHORIZATION, YOU MUST PROVIDE AN ITEMIZATION OF THE FEES FOR WHICH YOU ARE SUBMITTING PAYMENT OR YOUR PAYMENT WILL NOT BE PROCESSED.

Credit Card Payment Itemization:

Fee Type	Fee Amount	MLCC Fee Code
☐ Inspection Fee(s):	_____	4036
☐ Social District Permit Fee:	_____	4081

LARA Revenue Services **is not** a part of the Michigan Liquor Control Commission (MLCC). Receipt of payment and application forms by LARA Revenue Services does not constitute receipt of an application by the MLCC. **Applications submitted through LARA Revenue Services may take up to two (2) additional business days to be received by the MLCC after receipt by LARA Revenue Services.**

For requests that require a timely receipt of an application by the MLCC to be processed, such as Special Licenses and temporary requests, please ensure that your application will be received in adequate time to be processed by the MLCC after the payment is received and processed by LARA Revenue Services.