CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL
July 19, 2021
7:00 PM

MINUTES

Mayor McClellan called the meeting to order at 7:01 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-07-244-21 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS PRESENTED – APPROVED

Motion by Burns, seconded by Edgar, 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-07-245-21 (AGENDA ITEM #4A-F) 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 6, 2021 **CM-07-246-21**
B. Special City Council Meeting Minutes of July 6, 2021 **CM-07-247-21**
C. Arts and Cultural Diversity Commission Minutes of May 13, 2021 **CM-07-248-21**
D. Special Planning Commission Meeting Minutes of June 29, 2021 **CM-07-249-21**
E. Proposed Payment Application No. 1 for the 2021 Water Main Replacement Project, M-718 **CM-07-250-21**
I. Licenses New and Renewals submitted for July 19, 2021 **CM-07-251-21**

MERCHANT'S LICENSES – July 19, 2021
(Subject to All Departmental Approvals)

2021 RENEWALS	**ADDRESS**	**FEE**	**BUSINESS TYPE**
EXCELL SNOW & TURF	11000 CAPITAL	$150.00	LANDSCAPING
CLOVERDALE EQUIPMENT CO.	13133 CLOVERDALE	$150.00	CONSTRUCTION EQUIPMENT
GRACE CENTERS OF HOPE	23119 COOLIDGE	$150.00	NON PROFIT THRIFT STORE
RAMSAY F. DASS MD	24601 COOLIDGE	$150.00	MEDICAL OFFICE
LINCOLN LIQUOR	25901 COOLIDGE	$150.00	LIQUOR STORE
SHELL CLEANERS & TAILOR	25905 COOLIDGE	$150.00	DRY CLEANER
COOLIDGE CYCLE	25909 COOLIDGE	$150.00	BICYCLE SALES AND REPAIR
VALHALLA KRAV MAGA	26039 COOLIDGE	$150.00	FITNESS CENTER
SMART WAY RECYCLING	13000 EIGHT MILE	$150.00	RECYCLING
VALUE WHOLESALE	15188 EIGHT MILE	$150.00	GROCERY DISTRIBUTION
OAK PARK SOCIAL	14691 ELEVEN MILE	$150.00	RESTAURANT/SIT DOWN
DEPENDABLE GAGE & TOOL	15321 ELEVEN MILE	$150.00	TOOL MANUFACTURING
HARTWELL CEMENT COMPANY	21650 FERN	$150.00	CONCRETE CONSTRUCTION
DALE PRENTICE COMPANY	26511 HARDING	$150.00	
FELLERS	26659 HARDING	$150.00	WRAP/SIGNAGE SUPPLIES
K & M LEASING	20900 HUBBELL	$150.00	LEASE OFFICE EQUIPMENT
BRICCO EXCAVATING CO	21201 MEYERS	$150.00	EXCAVATING
NERD OUT	8106 NINE MILE	$150.00	COLLECTIBLE TOYS
NEXT LEVEL HAIR COMPANY	13645 NINE MILE	$150.00	SALON/SELLING HAIR
MURRAYS WORLDWIDE	21741 WYOMING	$150.00	HAIR CARE PRODUCTS

LIQUOR LICENSE RENEWALS - MAY 19, 2021

OAK PARK SOCIAL, LLC	CLASS C LIQUOR LICENSE	$250.00

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

City Manager Tungate presented Special Recognition Awards to individuals and organizations for assistance provided during the COVID-19 pandemic:

- Andrew Attisha, Shell Gas Station
- Matthew and Brian Louissa, Value Wholesale
- Janay Scott, Henry Ford Health System
- Tyler Prentiss, Henry Ford Health System
- John Zervos, Henry Ford Health System
- Henry Ford Health System
- Craig Tungate, Advanced Chemical Concepts
- Oak Park School District
- Forgotten Harvest

PUBLIC HEARINGS:

(AGENDA ITEM #7A) Public Hearing for the Tavern License Application for Berkley Coffee, LLC, 14661 W. 11 Mile, Suite 500

Mayor McClellan opened the public hearing at 7:30 p.m. and Mr. Ken Showler, owner of Berkley Coffee provided an update on his proposed business. Steve Gold, Ken Sherman and Dawn Corkren also spoke in favor of the application. The public hearing was closed at 7:50 p.m.

CM-07-252-21 (AGENDA ITEM #7B) REQUEST TO APPROVE THE TAVERN LICENSE APPLICATION FOR BERKLEY COFFEE, LLC, 14661 W. 11 MILE, SUITE 500 - APPROVED

Motion by Radner seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolutions approving the Tavern License Application for Berkley Coffee, LLC, 14661 W. 11 Mile, Suite 500:

A RESOLUTION OF THE OAK PARK, MICHIGAN CITY COUNCIL
APPROVING THE REQUEST OF BERKLEY COFFEE, LLC
(KENNETH BLAIR SHOWLER) FOR A TAVERN LICENSE

WHEREAS, pursuant to state law and the Code of Ordinances, City of Oak Park, Michigan it is unlawful for any person to sell, or possess for sale, any alcoholic beverage unless licensed to do so and all licenses required are in full force and effect; and

WHEREAS, Berkley Coffee, LCC (Kenneth Blair Showler) (hereinafter referred to as Berkley Coffee) located at 14661 W. 11 Mile, Suite 500, has applied for a Tavern License from both the Michigan Liquor Control Commission and the City of Oak Park.

NOW, THEREFORE, BE IT RESOLVED, that Berkley Coffee’s application for a Tavern License is hereby approved subject to the following conditions:

1. The Michigan Liquor Control Commission issuing a Tavern License to Berkley Coffee, LLC at 14661 W. 11 Mile, Suite 500, Oak Park, Michigan 48237.

2. Upon issuance of the Tavern License by the Michigan Liquor Control Commission, Berkley Coffee shall provide the City Clerk’s Office with copies of the License along with a Certificate of Liquor Insurance for the subject business.

3. Berkley Coffee executes a Contract for a Tavern License with the City of Oak Park, Michigan.

BE IT FURTHER RESOLVED, that subject to the conditions described in the immediately preceding paragraph and all departmental authorizations, upon approval of a Tavern License by the Michigan Liquor Control Commission for Berkley Coffee located at 1466lv1 W. 11 Mile, Suite 500, Oak Park, Michigan 48237, the City Clerk is hereby authorized to issue a Tavern License with an expiration date of April 30, 2022 to Berkley Coffee; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective upon its approval by the City Council.

LOCAL GOVERNMENT APPROVAL RESOLUTION

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

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-07-253-21 (AGENDA ITEM #9A) SPECIAL EVENT REQUEST – ALBANY BLOCK PARTY – APPROVED

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

Name	Event	Fee
Shantal Hanna 10450 Albany	Albany Block Party August 14, 2021 1:00 PM – 10:00 PM	Application fee waived

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

MOTION DECLARED ADOPTED

CM-07-254-21 (AGENDA ITEM #9B) SPECIAL EVENT REQUEST – DOG AND PONY SHOW – CORNHOLE TOURNAMENT FUNDRAISER – APPROVED

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

Name	Event	Fee
Dog and Pony Show 14661 W 11 Mile Rd #200	Cornhole Tournament Fundraiser August 15, 2021 Noon – 5:00 PM	Application fee Paid

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-07-255-21 (AGENDA ITEM #10A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF $12,245.79 - APPROVED

Motion by Burns seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of invoices #566592, #566593 and #566594 by Garan, Lucow, Miller P.C., for legal services rendered through June 30, 2021 in the total amount of $12,245.79.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY:

CM-07-255-21 (AGENDA ITEM #11A) RESOLUTION APPROVING A METRO ACT PERMIT APPLICATION SUBMITTED BY LEVEL 3 COMMUNICATIONS, LLC - APPROVED

Motion by Radner seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following resolution approving a Metro Act Permit application submitted by Level 3 Communications, LLC:

CITY OF OAK PARK
RESOLUTION APPROVING LEVEL 3 COMMUNICATIONS, LLC
APPLICATION FOR METRO ACT PERMIT

WHEREAS, the City of Oak Park has received a request from Level 3 Communications, LLC for a METRO Act Right-of-Way Telecommunications Permit for a term of five years; and

WHEREAS, Level 3 Communications, LLC has submitted an Application for the permit, which complies with the requirements of the Act; and

WHEREAS, the City is aware of no reason to deny the permit.

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

1. The request by Level 3 Communications, LLC for the City to grant a five year METRO Act Permit is hereby approved for a term of five (5) years pending final review and approval by the Department of Technical and Planning.

2. Upon approval of the METRO Act Permit, Level 3 Communications must provide proof of the required Insurance Coverage and apply for a right of way permit with the City of Oak Park and with the Road Commission for Oakland County.

3. The Mayor, City Manager, and City Clerk are authorized and directed to execute the METRO Act Right-of-Way Permit for a term of five (5) years, in substantially the form attached hereto.

4. All resolutions inconsistent with this Resolution be and hereby are rescinded to the extent of such inconsistency.

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

MOTION DECLARED ADOPTED

CITY MANAGER:

Technical & Planning/Public Works

CM-07-257-21 (AGENDA ITEM #14A) PROPOSED CHANGE ORDER NO. 3 AND PAYMENT APPLICATION NO. 5 (FINAL) FOR THE 2018 POCKET PARKS CONSTRUCTION PROJECT, M-689 - APPROVED

Motion by Radner seconded by Burns, CARRIED UNANIMOUSLY, to approve proposed Change Order No. 3 in the amount of $3,217.20 and Payment Application No. 5 (Final) in the amount of $13,217.20 to Warren Contractors and Development Inc. of Shelby Township, MI for the 2018 Pocket Parks Construction Project, M-689.

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

MOTION DECLARED ADOPTED

Technical and Planning Director Rob Barrett indicated the change order is for additional wiring for a separate circuit to the street lights for the pocket parks at the intersections of both Seneca and Sherman at Nine Mile Road. This project is 100% complete.

CALL TO THE AUDIENCE:

Steve Gold, 15000 Leslie, thanked Oak Park founded Forgotten Harvest for their contribution to the community, requested that special meetings be broadcast to the public and encouraged the City to update the ACH procedure for making payments.

Don Jones encouraged participation in a new Friends of Shepherd Park Facebook group.

Dana Hammer, 24600 Ridgedale, reported that several accidents have been occurring on her street corner and reported that garbage has not been picked up at her husband’s business, 10332 Nine Mile.

Oak Park resident expressed concerns about neighboring trees and shrubs growing through her fence.

Marci Cole, 2350 Condon, expressed concerns about speeding and loud vehicles on her street, tree trimming services and her water bill payment plan.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:22 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor