

Oak Park

City Council Agenda

July 17, 2023





AGENDA
REGULAR CITY COUNCIL MEETING
39th CITY COUNCIL
OAK PARK, MICHIGAN
July 17, 2023
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 July 3, 2023

B. Request to approve Payment Application No. 7 for \$18,137.84 and Change Order No. 2 for (\$26,154.75) to DVM Utilities of Sterling Heights, Michigan for the 2021 Sewer & Catch Basin Cleaning and TV Inspection Project, M-728

C. Licenses New and Renewals submitted for July 17, 2023

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS:

A. "Oak Park & Bark" Presentation

B. Strategic Planning Quarterly Update

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES:

A. Request for a Special Event License and waiver of fee submitted by Solomon Radner, 26071 Radclift, for the Radclift Street block party to be held August 20, 2023

11. ACCOUNTING REPORTS:

A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$13,345.34

12. BIDS: None

13. ORDINANCES:

- A. SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND ARTICLE 2, DIVISION 2: RESIDENTIAL DISTRICTS; ARTICLE 2, DIVISION 3: COMMERCIAL/ MIXED-USE/ OFFICE DISTRICTS; ARTICLE 2, DIVISION 4: INDUSTRIAL DISTRICTS; ARTICLE 5, DIVISION 4: SPECIAL LAND USE; OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN (The proposed amendments incorporate clarifications, additions, and/or deletions to specific sections of the Zoning Ordinance to support sustainable growth of the community as well as to be consistent with the State & Federal laws and regulations) **Postponed from July 3, 2023 Council Meeting**
- B. SECOND READING AND ADOPTION 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 RM-2, MULTIL-FAMILY RESIDENTIAL DISTRICT TO R1, SINGLE FAMILY RESIDENTIAL DISTRICT (The amendment changes the zoning from RM-2 Multi-family residential District to R-1 Single Family Residential District for 15110 W. Ten Mile Road) **Postponed from July 3, 2023 Council Meeting**
- C. FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE V, FOOD SERVICE ESTABLISHMENTS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTIONS 22-126, 22-127, 22-128, AND 22-129 THEREOF (The ordinance amends regulations for mobile food vending and mobile food vending units)

14. CITY ATTORNEY:

15. CITY MANAGER:

Economic Development and Planning

- A. Resolution approving purchase of tax foreclosed properties

Department of Public Works

- B. Request to authorize the Public Works Department to participate in the State of Michigan (MiDeal) contract for vehicle purchases totaling \$299,989.00

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
39th OAK PARK CITY COUNCIL
July 3, 2023
7:00 PM**

MINUTES

The meeting was called to order at 7:03 p.m. by Mayor McClellan in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

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

ABSENT: Council Member Radner, Council Member Whitehead

OTHERS

PRESENT: City Manager Tungate, Deputy City Clerk Williams, City Attorney Krause

APPROVAL OF AGENDA:

**CM-07-211-23 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS PRESENTED
– APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-07-212-23 (AGENDA ITEM #5A-G) 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 June 20, 2023 **CM-07-213-23**
- B. Beautification Advisory Commission Meeting Minutes for May 16, 2023 **CM-07-214-23**
- C. Request to declare the listed vehicles/equipment surplus and sold by sealed bid, public auction, or disposal at the lowest expense to the City in accordance with city policy **CM-07-215-23**
- D. Request to approve payment of invoices from OHM Advisors for GIS DWAM Grant and Nine Mile Road CE for the total amount of \$61,850.50 **CM-07-216-23**
- E. Request to approve Payment Application No. 2 for \$37,979.88 and Change Order No. 1 for (\$9,260.36) to Midwest Excavation of Dearborn, MI for the 2023 Catch Basin Line Replacement Project, M-752 **CM-07-217-23**
- F. Request to approve Payment Application No. 2 for \$15,244.55 and Change Order No. 1 for (\$15,997.47) to Michigan Joint Sealing of Farmington Hills, Michigan for the 2023 Joint and Crack Sealing Project, M-751 **CM-07-218-23**
- G. Licenses New and Renewals submitted for July 3, 2023 **CM-07-219-23**

**MERCHANT'S LICENSES – July 3, 2023
(Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
THE BEST DAMN SALAD	13710 NINE MILE	\$150.00	RESTAURANT
<u>RENEWALS (2023)</u>	<u>ADDRESS</u>	<u>FEE</u>	
ADVANCE HEALTH GROUP INC	13001 CAPITAL AVE	\$225.00	TRANSPORTATION DISPATCH
HUNTINGTON CLEANERS	13103 CAPITAL AVE	\$150.00	WAREHOUSE
HUNTINGTON CLEANERS	13105 CAPITAL AVE	\$150.00	WAREHOUSE
MR. BIGGS	22151 COOLIDGE HWY	\$225.00	RETAIL
ANNIEWRAP & FLOWERS	22171 COOLIDGE HWY	\$187.50	FLORIST
CHARTER SCHOOL ADMIN	20820 GREENFIELD RD	\$187.50	EDUCATION SERVICE
ASSOCIATES IN MEDICAL EDUCATION	23300 GREENFIELD # 124	\$225.00	EDUCATIONAL TRAINING
LAVISH AMOR LASHES	23300 GREENFIELD # 215	\$150.00	BEAUTY SALON
FRESS IN	25900 GREENFIELD # 122	\$150.00	RESTAURANT
OLOGY	10350 W NINE MILE RD	\$187.50	TUTORING SERVICES

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

SPECIAL LICENSES:

**CM-07-220-23 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – RENSSELAER
BLOCK CLUB – 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
Rensselaer Block Club	Block Party July 15, 2023 5:00 – 10:00 p.m.	\$100 application fee waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES:

CM-07-221-23 (AGENDA ITEM #13A) SECOND READING OF AN ORDINANCE TO AMEND ARTICLE 2, DIVISION 2: RESIDENTIAL DISTRICTS; ARTICLE 2, DIVISION 3: COMMERCIAL/ MIXED-USE/ OFFICE DISTRICTS; ARTICLE 2, DIVISION 4: INDUSTRIAL DISTRICTS; ARTICLE 5, DIVISION 4: SPECIAL LAND USE; OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN (The proposed amendments incorporate clarifications, additions, and/or deletions to specific sections of the Zoning Ordinance to support sustainable growth of the community as well as to be consistent with the State & Federal laws and regulations) - POSTPONED

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve the second reading of an ordinance to amend Article 2, Division 2: Residential Districts; Article 2, Division 3: Commercial/ Mixed-use/ Office Districts; Article 2, Division 4: Industrial Districts; Article 5, Division 4: Special Land Use; of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan.

After discussion, motion by Edgar, seconded by Burns, to postpone the second reading of the ordinance to the July 17, 2023 City Council Meeting.

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

MOTION DECLARED ADOPTED

CM-07-222-23 (AGENDA ITEM #13B) SECOND 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 RM-2, MULTIL-FAMILY RESIDENTIAL DISTRICT TO R1, SINGLE FAMILY RESIDENTIAL DISTRICT (The amendment changes the zoning from RM-2 Multi-family residential District to R-1 Single Family Residential District for 15110 W. Ten Mile Road) - POSTPONED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the second 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 RM-2, Multi-family Residential District to R1, Single Family Residential District.

After discussion, motion by Edgar, seconded by Burns, to postpone the second reading of the ordinance to the July 17, 2023 City Council Meeting.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER: No Report

CALL TO THE AUDIENCE:

Belinda Davis, 21821 Stratford, discussed the need for a speed bump on her street.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:50 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** July 17, 2023**SUBJECT:** Payment Application No. 7 and Change Order No. 2 for the 2021 Sewer & Catch Basin Cleaning and TV Inspection Project, M-728.**DEPARTMENT:** Municipal Services– Engineering *KMG***SUMMARY:** Attached is Payment Application No. 7 and Change Order No. 2 for the 2021 Sewer & Catch Basin Cleaning and TV Inspection Project, M-728 by DVM Utilities of Sterling Heights, Michigan. This project is cleaning and inspecting the sewers and catch basins in the area shown on the attached map. This project is approximately 100% complete.**FINANCIAL STATEMENT:**

Original Contract Amount:	\$281,247.50
Change Order No. 1	\$ 8,331.97
Proposed Change Order No. 2	<u>\$ -26,154.75</u>
New Contract Amount:	\$263,424.72
Total Completed to Date:	\$263,424.72
Less Retainage:	\$ 0.00
Net Earned:	\$263,424.72
Deductions:	\$ 0.00
Balance:	\$263,424.72
Payments to Date:	<u>\$245,286.88</u>
Amount Due DVM Utilities:	\$ 18,137.84

RECOMMENDED ACTION: It is recommended that Payment Application No. 7 and Change Order No. 2 for the 2021 Sewer & Catch Basin Cleaning and TV Inspection Project to DVM Utilities of Sterling Heights, Michigan be approved for the amount of \$18,137.84 and (\$26,154.75), respectively. Funding is available in the Water and Sewer Fund 592-18-550-930 for this expenditure.**APPROVALS:**City Manager: ET Department Director: KMDirector of Finance: SC Legal: NABudgeted: ☒**EXHIBITS:** Payment Application No. 7, Change Order No. 2, map

PAYMENT APPLICATION

PROJECT: 2021 SEWER & CATCH BASIN CLEANING & TV INSPECTION PROJECT

JOB NUMBER: M-728

OWNER: CITY OF OAK PARK, MICHIGAN

APPLICATION NO.: 7

CONTRACTOR: DVM UTILITIES, INC

PERIOD ENDING: 6/30/2023

6045 SIMS RD, SUITE 2
STERLING HEIGHTS, MI 48313

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY		UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Medium 8" Sewer Cleaning & TV Inspection	1,900	LFT	\$1.65	330	\$544.50	2,234	\$3,686.10
2	Medium 10" Sewer Cleaning & TV Inspection	4,800	LFT	\$1.70	110	\$187.00	4,368	\$7,425.60
3	Medium 12" Sewer Cleaning & TV Inspection	34,100	LFT	\$1.75	132	\$231.00	35,456	\$62,048.00
4	Medium 15" Sewer Cleaning & TV Inspection	23,000	LFT	\$1.80	0	\$0.00	23,765	\$42,777.00
5	Medium 18" Sewer Cleaning & TV Inspection	17,200	LFT	\$1.85	0	\$0.00	17,579	\$32,521.15
6	Medium 21" Sewer Cleaning & TV Inspection	8,300	LFT	\$1.95	0	\$0.00	6,819	\$13,297.05
7	Medium 24" Sewer Cleaning & TV Inspection	12,600	LFT	\$2.00	318	\$636.00	10,760	\$21,520.00
8	Medium 27" Sewer Cleaning & TV Inspection	2,600	LFT	\$2.25	350	\$787.50	2,179	\$4,902.75
9	Medium 30" Sewer Cleaning & TV Inspection	1,600	LFT	\$2.50	0	\$0.00	1,513	\$3,782.50
10	Medium 33" Sewer Cleaning & TV Inspection	250	LFT	\$2.75	0	\$0.00	0	\$0.00
11	Medium 36" Sewer Cleaning & TV Inspection	1,900	LFT	\$2.90	0	\$0.00	1,779	\$5,159.10
12	Medium 42" Sewer Cleaning & TV Inspection	250	LFT	\$3.00	0	\$0.00	0	\$0.00
13	Medium 48" Sewer Cleaning & TV Inspection	1,300	LFT	\$3.25	0	\$0.00	956	\$3,107.00
14	Medium 54" Sewer Cleaning & TV Inspection	0	LFT	\$0.00	0	\$0.00	0	\$0.00
15	Catch Basin Lead Cleaning & TV Inspection	17,000	LFT	\$1.75	632	\$1,106.00	12,398	\$21,696.50
16	Catch Basin Structure Cleaning	700	EA	\$62.00	28	\$1,736.00	535	\$33,170.00
17	Sewer Lateral Protuding Lead Cutting	10	EA	\$150.00	0	\$0.00	0	\$0.00
18	Geneva Emergency Sewer Repair	0	LSUM	\$8,331.97	0	\$0.00	1	\$8,331.97

Period Total Amount: \$5,228.00 Amount to Date: \$263,424.72

Earnings This Period: \$5,228.00

Original Contract Amount: \$281,247.50
Change Order No.1: \$8,331.97
Change Order No.2: (\$26,154.75)
New Contract Amount: \$263,424.72

Total Earnings to Date: \$263,424.72
Less Retainage: \$0.00
Net Earned: \$263,424.72
Deductions: \$0.00
Balance: \$263,424.72
Payments to Date: \$245,286.88

AMOUNT DUE DVM UTILITIES, INC: \$18,137.84

Accepted By:

Karl Q. Bader

DVM Utilities Inc.

Date: Jul 6, 2023

Approved By:

Kara M. Grisamer

Kara Grisamer P.E., City Engineer
City of Oak Park, Michigan

Date: Jul 6, 2023

CHANGE ORDER

PROJECT: 2021 SEWER & CATCH BASIN CLEANING & TV INSPECTION PROJECT

JOB NUMBER:

M-728

OWNER: CITY OF OAK PARK, MICHIGAN

CHANGE ORDER NO.:

2

CONTRACTOR:

DVM UTILITIES, INC.
6045 SIMS SUITE 2
STERLING HEIGHTS, MI 48313

PAGE:

1

TO THE CONTRACTOR:

You are hereby directed to comply with the changes/extras to the contract documents.

This change order reflects work completed or anticipated. Further documentation supporting these changes is on file with the City Engineer.

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE ADDED TO THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	TOTAL Amount
1	Medium 8" Sewer Cleaning & TV Inspection	1,900	LFT	\$1.65	334	2,234	\$551.10
3	Medium 12" Sewer Cleaning & TV Inspection	34,100	LFT	\$1.75	1,356	35,456	\$2,373.00
4	Medium 15" Sewer Cleaning & TV Inspection	23,000	LFT	\$1.80	765	23,765	\$1,377.00
5	Medium 18" Sewer Cleaning & TV Inspection	17,200	LFT	\$1.85	379	17,579	\$701.15
TOTALS							\$5,002.25

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE SUBTRACTED FROM THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Decreased Quantity	Quantity to Date	TOTAL Amount
2	Medium 10" Sewer Cleaning & TV Inspection	4,800	LFT	\$1.70	-432	4,368	-\$734.40
6	Medium 21" Sewer Cleaning & TV Inspection	8,300	LFT	\$1.95	-1,481	6,819	-\$2,887.95
7	Medium 24" Sewer Cleaning & TV Inspection	12,600	LFT	\$2.00	-1,840	10,760	-\$3,680.00
8	Medium 27" Sewer Cleaning & TV Inspection	2,600	LFT	\$2.25	-421	2,179	-\$947.25
9	Medium 30" Sewer Cleaning & TV Inspection	1,600	LFT	\$2.50	-87	1,513	-\$217.50
10	Medium 33" Sewer Cleaning & TV Inspection	250	LFT	\$2.75	-250	0	-\$687.50
11	Medium 36" Sewer Cleaning & TV Inspection	1,900	LFT	\$2.90	-121	1,779	-\$350.90
12	Medium 42" Sewer Cleaning & TV Inspection	250	LFT	\$3.00	-250	0	-\$750.00
13	Medium 48" Sewer Cleaning & TV Inspection	1,300	LFT	\$3.25	-344	956	-\$1,118.00
15	Catch Basin Lead Cleaning & TV Inspection	17,000	LFT	\$1.75	-4,602	12,398	-\$8,053.50
16	Catch Basin Structure Cleaning	700	EA	\$62.00	-165	535	-\$10,230.00
17	Sewer Lateral Protruding Lead Cutting	10	EA	\$150.00	-10	0	-\$1,500.00
TOTALS							-\$31,157.00

SUMMARY

Total Increase \$5,002.25
Total Decrease -\$31,157.00

Total for Change Order No. 2: -\$26,154.75

DVM Utilities, Inc.

Date

Kathy Bates

Jul 6, 2023

Contract Amount

\$281,247.50

Change Order No. 1:

\$8,331.97

Change Order No. 2:

-\$26,154.75

New Contract Amount:

\$263,424.72

Kara M. Grisamer

Kara Grisamer P.E., City Engineer

Jul 6, 2023

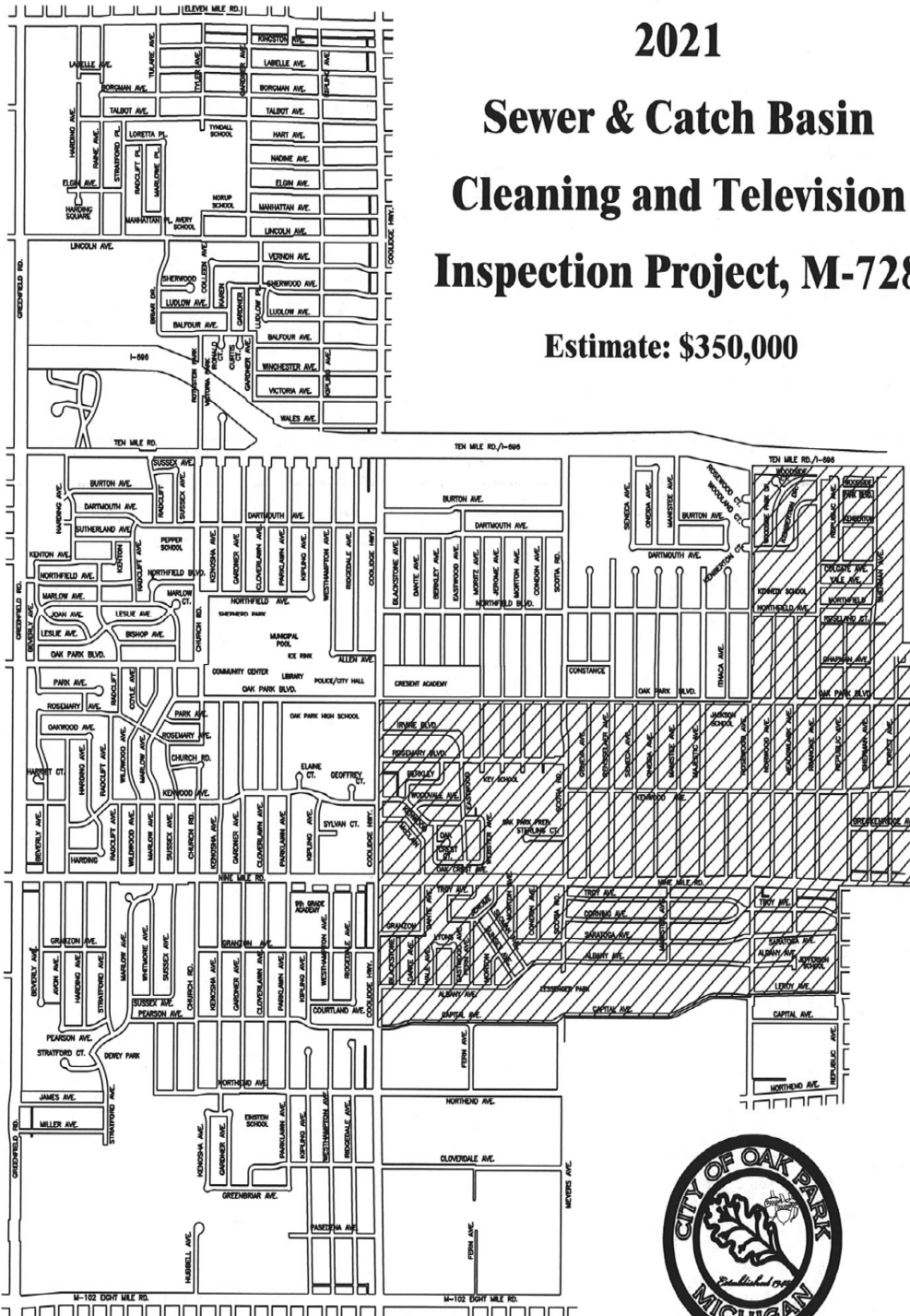
Date

City of Oak Park

2021

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

Estimate: \$350,000



MERCHANT'S LICENSES - JULY 17, 2023

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
RENEWALS FOR 2023	ADDRESS	FEES	BUSINESS TYPE
WALKER PRINTERY, INC	13351 CLOVERDALE AVE	\$150.00	PRINTING COMPANY
\$8 DEMO CUTS	22101 COOLIDGE HWY	\$187.50	BARBERSHOP
BEAUTIFLY HAIR INC	22136 COOLIDGE HWY	\$150.00	RETAIL
NEWTON STYLE ME	25201 COOLIDGE HWY	\$225.00	HAIR SALON
VIBRANT VIZIONZ LLC	12714 W NINE MILE RD	\$150.00	CUSTOM PRINT COMPANY
MAD CRAB SEAFOOD RESTAURANT	13351 TEN MILE	\$225.00	RESTAURANT
SON SUN BEAUTY SUPPLY	13421 TEN MILE	\$225.00	BEAUTY SUPPLY

**CITY OF OAK PARK
MICHIGAN
APPLICATION FOR SPECIAL EVENT LICENSE**

Today's Date: 7-5-2023

Applicant Information

Applicant/Business Name: Solomon M. Rudner

Applicant/Business Address: 26071 Redcliff Pl.

Phone number: 248-372-1749 E-Mail Address: Solomon Rudner@gmail.com

Relation of applicant to business: n/a

Has applicant ever been convicted of a felony? ☐ Yes ☒ No

Owner Information

Owner or manager of site: the whole block Phone: n/a

Names and addresses of partners or officers of corporation:

n/a

Event Information

Proposed date(s) of event: 8-20-2023 Has this event been held previously? ☒ Yes ☐ No

Address or location of event: Redcliff Pl.

Is this a City owned park? no

If this event is to take place in a City owned park, have you received and do you agree to abide by the City's Parks and Recreation rules and regulations? ☐ Yes ☒ No

Nature, purpose, and detailed description of event: block party

Will the event be open to the public? ☒ Yes ☐ No

If yes, please describe how so: the block is on open public block w/ lots of public people there.

Estimated number of people attending event? 100 Hours of Event: 11 Am - 4 pm

Are you requesting to have a parade? ☐ Yes ☒ No **If yes, please attach a map of the parade route**

Where will the parade participants be walking? ☐ Sidewalks ☐ Streets

Will the parade require streets to be blocked off? ☐ Yes ☐ No

If yes, how many streets/intersections will need to be blocked : n/a

Please attach a sign off from the residences located on the affected streets, indicating that they are aware of the event to take place, the date, times and location.

Food Services

Will food or beverages be sold at event? ☒ Yes ☐ No, if yes please list type(s) of food to be sold:

probably just snacks and drinks - maybe hot dogs

Will the food be prepackaged or prepared on site: probably just pre-packaged maybe hot dogs

Please note: *If your application is approved and you plan to prepare food on site, you will need to contact the Oakland County Health Department at 248-424-7000 for inspection. You will also need to provide temporary water services at the site where the food is prepared.*

Mechanical Amusement

Will there be any mechanical rides at event? ☐ Yes ☒ No, if yes, please provide the name and the address of amusement operators: _____

Will the event have a moonwalk? ☒ Yes ☐ No, if yes, please provide the name and address of Company/Entity providing moonwalk: _____

maybe mr. inflation if we go that route

Will the event have video games, etc.? If so, please provide the names and address of company providing the Games: NO!

Please Note: *You must provide proof of insurance for all mechanical rides, moonwalks, circus rides/games, etc. The City of Oak Park must be listed on the insurance certificate as "additionally insured." A copy of the City Ordinance with required liability insurance coverage for these events is attached. Also, certification by the State of Michigan Department of Labor is required for all mechanical amusement devices and rides.*

Technical/Support

Will the event require use of electrical supply source? ☐ Yes ☒ No, if yes, please describe:

Will sanitary facilities be required at event? ☐ Yes ☒ No

Will tent(s) be used at the event? ☐ Yes ☒ No, if yes, please state size(s) of tent:

Will the event have banners displayed? ☐ Yes ☒ No, if so, please provide the number of signs and dimension(s):

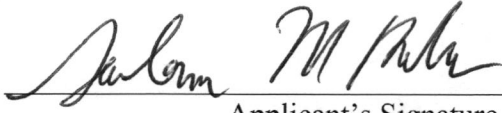
Please Note: *If a temporary generator or electric supply source is provided, you must provide an Electrical permit by a licensed electrical contractor. Also, you will need certification of flame spread rates of all canvas and/or cloth enclosures.*

Other possible Special Event requirements include: additional application, inspection and bond fees, temporary sign permit.

The fee for a Special Event application is \$100: The fee is non-refundable. Once an application is received, the City Clerk's Office will send copies of the application to the following departments: City Manager, Public Safety, Public Works, and Recreation. Each department will review the application and provide a written estimate of services they will need to provide, along with man-hours and costs (if any). The City Clerks' office will contact the applicant to inform them of the additional costs involved. At that time the applicant can decide whether or not to proceed with the event. If so, the event will be placed on the City Council agenda for approval.

Please waive the fee. (SP)

Should any of the above information prove to be inaccurate or untruthful, it will be grounds to deny the applicant's request or revoke any approvals. I hereby certify the above information to be true and accurate to the best of my knowledge.

A handwritten signature in cursive script, appearing to read "J. L. M. P.", is written over a horizontal line.

Applicant's Signature

SPECIAL EVENT LICENSE APPLICATION FEE ESTIMATION

Solomon Radner
Radcliff Block Party

DATE: August 20, 2023 Hours – 11:00 AM – 4 PM

<u>DEPARTMENT</u>	<u>SERVICES</u>	<u>ESTIMATED HOURS</u>	<u>ESTIMATED COST</u>
MUNICIPAL SERVICES <i>Dan Fairless</i>	Moonwalks or any inflatables must be properly anchored to the ground	N/A	N/A
PUBLIC SAFETY <i>Steve Cooper</i>	Public Safety to make periodic checks as part of normal patrol	35 mins	NA
RECREATION <i>Laurie Stasiak</i>	NA	NA	NA
DPW <i>Dave DeCoster</i>	Set up / take down barricades	N/A	N/A
ADDITIONAL <i>Administration</i>			Waiver requested



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

Invoice 611013

July 10, 2023

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 Friday, June 30, 2023

\$13,333.34

Fee Total

Costs Advanced:

Date	Description	Amount
05/05/23	Fee for Oakland County Title Search fee to verify liens filed against units at Laurentian Village relevant to potential exercise of right of first refusal.	12.00
Total Costs Advanced		\$ 12.00

Total Fees and Disbursements: \$13,345.34

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.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

July 3, 2023

AGENDA OF:

SUBJECT:

Second reading of proposed text amendments to the City of Oak Park Zoning Ordinance in the following sections: Article 2, Division 2; Article 2, Division 3; Article 2, Division 4; Article 5, Division 4

DEPARTMENT: Economic Development and Planning

SUMMARY: At the June 12 and June 20, 2023 meetings, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed zoning amendments deal with a variety of improvements to specific sections of the Zoning Ordinance.

The proposed text amendments incorporate clarifications, additions, and/or deletions to specific sections of the Zoning Ordinance to support sustainable growth of the community as well as to be consistent with the State & Federal laws and regulations. The main purpose of this amendment is to include Preschools as part of the Private schools allowed.

At the Planning Commission meeting on June 19 2023 the Planning Commission vote whether to recommend to the City Council adoption of the proposed zoning text amendments.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: The City Council approve the second reading and adopt the proposed text amendments to the City of Oak Park Zoning Ordinance.

APPROVALS:

City Manager: _____ET_____

Department Director: _____KM_____

Director of Finance: _____

Budgeted: ☐

Legal: _____

EXHIBITS: Memo, Resolution

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE 2, DIVISION 2: RESIDENTIAL DISTRICTS; ARTICLE 2, DIVISION 3: COMMERCIAL/ MIXED-USE/ OFFICE DISTRICTS; ARTICLE 2, DIVISION 4: INDUSTRIAL DISTRICTS; ARTICLE 5, DIVISION 4: SPECIAL LAND USE; OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article 2, Division 2: Residential Districts of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as followed:

Article 2, Division 2: Residential Districts

SEC. 211 Residential Uses

Amend the land uses in the Educational Land Uses in Table 211.1 Residential Districts Uses, to read as follows:

Table 211.1 Residential Districts Uses					
Use	R-1	R-2	RM-1	RM-2	Add'l Req'ts
Educational					
Educational Institutions, including Private and Parochial Preschool, Elementary, Middle, and High Schools	SLU	SLU			Sec. 557h
Student dormitories - Private	SLU	SLU			Sec. 557q

SECTION 2. Article 2, Division 3: Commercial / Mixed-Use/ Office Districts of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as followed:

SEC. 221 Commercial Mixed-use Use Table

Amend the land uses in the Educational Land Use section in Table 221.1 Commercial and Mixed-use Districts Uses, to read as follows:

Table 221.1 Commercial and Mixed-Use Districts Uses								
Use	B-1	B-2	O	PTRED	PCD	MX-1	MX-2	Add'l Req'ts
Educational								
Colleges, universities, and other institutions of higher		P	P	P	P			

learning including trade, technical, and vocational schools								
Educational institutions, including private and parochial preschool, elementary, middle, and high schools	SLU	SLU	SLU	SLU				Sec. 557h
Performing and fine arts schools or studios	P	P	P		P	P	P	Sec. 544s
Private Educational tutoring businesses such as computer training establishments, after school tutoring, and similar businesses	P	P	P		P	P	P	
Private technical schools and training institution		P	P	P	P			
Student dormitories - Private				SLU				Sec. 557p

SECTION 3. Article 2, Division 4: Industria Districts of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as followed:

SEC. 231 Industrial Use Table

Label the Table and Amend the land uses in the Educational Use section to read as follows:

Table 231.1 Industrial Districts Uses			
Use	LI	IF	Add'l Req'ts
Educational			
Colleges, universities, and other institutions of higher learning including trade, technical, and vocational schools	P	P	
Performing and fine arts schools or studios	CLU	P	Sec. 544t
Private Educational tutoring businesses such as computer training establishments, after school tutoring, and similar businesses		P	
Private technical schools and training institution	P	P	

SECTION 4. Article 5, Division 4: Special Land Uses of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as followed:

SEC. 557 Special Land Use Specific Requirements

Amend various sub-sections as listed below:

Amend the title of sub-section (h) to read as follows:

h. Educational Institutions, including Private and Parochial Preschool, Elementary, Middle, and High Schools

Amend the title of sub-section (p) to read as follows:

p. Student Dormitories - Private

SECTION 5. 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 6. 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 7. Effective Date

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

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2023.

T. Edwin Norris, City Clerk

I, T. Edwin Norris, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____, 2023.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

AGENDA OF: July 3, 2023

SUBJECT: Second reading of a proposed Zoning Map Amendment for the City of Oak Park to change the zoning from RM-2 Multi-family residential District to R-1 Single Family Residential District for the following address: 15110 W. Ten Mile Road.

DEPARTMENT: Economic Development and Planning

SUMMARY

At the June 12 and June 19, 2023 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Map. The proposed Map Amendment would rezone a parcel on W. Ten Mile from RM-2 Multi-family residential District to R-1 Single Family Residential District, consistent with the goals and policies of the City of Oak Park Master Plan.

Yeshiva Beth Yehuda wishes to construct a new, approximately 78,000 sf single-story preschool. The facility will include relevant site amenities including parking and playgrounds to serve the school. As part of the Special Land Use Review, the applicant requests a rezoning of the property from RM-2, Multi-Family Residential District to R-1, Single-Family residential District to allow the construction and operation of a private educational institution. Private Educational Institutions are not permitted in the current RM-2 Zoning Districts.

The site of 15110 W. Ten Mile Rd. is currently vacant. The proposed use of a private preschool is consistent with the existing land uses within the area and complement the private educational institutions within the area; Yeshiva Bais Yaakov School for Girls and Beth Jacob and High School.

The Master Plan emphasizes the importance of the distribution and intensity of land uses and the flexibility to evaluate the existing land uses and update the future land use map.

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

At the Planning Commission meeting on June 19, 2023 the Planning Commission will vote on whether to approve and recommend to the City Council adoption of the zoning map amendments.

RECOMMENDED ACTION: Second reading of a proposed Zoning Map Amendment for the City of Oak Park to change the zoning from RM-2 Multi-family residential District to R-1 Single Family Residential District for the following address: 15110 W. Ten Mile Road.

APPROVALS

City Manager: _____ET_____

Director: _____KM_____

Finance Director: _____

Budgeted:

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 RM-2, MULTIFAMILY RESIDENTIAL DISTRICT TO R1, SINGLE FAMILY RESIDENTIAL 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 RM-2, Multi-family residential District, according to the City's Official Zoning District Map, Article 2, Division 1, Section 201 to R1, Single Family Residential District.

Address: 15110 W. Ten Mile Road, Parcel #52-25-19-376-012

Current owner: Yeshiva Beth Yehuda

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 R1, Single Family Residential 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 _____, 2023.

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 _____, 2023.

Ed Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

[Proposed 7-17-23]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
AMENDMENTS TO SECTIONS 22-126 through 22-129 OF CHAPTER 22, 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, July 17, 2023 at 7:00 pm.

Present:

Absent:

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

WHEREAS, the City of Oak Park desires to amend sections 22-126 through 22-129 of Chapter 22 of the Code of Ordinances to add criteria for the operation of mobile food vending and mobile food vending units within the City of Oak Park regulating the locations, hours of operating, and requiring all such establishments to hold a Special Transitory Food Unit License from a local health department.

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 amendments to Sections 22-126 through 22-129 are hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
 No,
 Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris, City Clerk

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE V, FOOD SERVICE ESTABLISHMENTS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTIONS 22-126, 22-127, 22-128, AND 22-129 THEREOF

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Chapter 22, Businesses, Article V. Food Service Establishments, Sections 22-126 through 22-129, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Article V. Food Service Establishments

Sec. 22-126. License required.

As used in this article:

Mobile Food Vending shall mean vending, serving, or offering for sale, food, beverages, and/or Related merchandise from a Mobile Food Vending Unit which meets the definition of a food service establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as tee shirts that bears the name of the organization engaged in Mobile Food Vending, or other, similar merchandise.

Mobile Food Vending Unit shall mean any motorized or non-motorized car, cart, stand, trailer, Vehicle, or other device designed to be portable and not permanently attached to the ground from which food, beverages, and/or related merchandise is vended, served, or offered for sale.

Operate shall mean all activities associated with the conduct of business, including set up and take down as well as actual hours where the mobile vending unit is open for business.

Special Event shall mean any event operated on City property or the public rights-of-way, pursuant to an authorizing resolution of the City Council.

No person shall operate a food service establishment, mobile food vending or mobile food vending unit, temporary food service establishment, or food market in the city without first having obtained a license as issued in accordance with article II of this chapter. Such license shall not be issued-unless the applicant has complied with all the requirements of this article. The license shall be posted in full public view in the premises at all times. The operator must prominently post the business name on the exterior of the stand. The vendor shall follow all local, state and federal laws, rules and regulations in their operation of the mobile vending unit. A license obtained under this Article shall not relieve the operator of the responsibility of obtaining any other license or authorization required by other ordinance, statute or administrative rule, including, but not limited to, the Notification of Intent to Operate with Oakland County.

Sec. 22-127. Mobile Food Vending and Mobile Food Vending units.

a) License Categories.

Individual – This license category is for one vendor operating one (1) Mobile Food Vending Unit.

Event/Festival – This license category is for a Special Event that will have multiple Mobile Food Vending Units on site for a designated time frame in association with an approved Special Event in the City of Oak Park.

b) Locations.

1. Appropriate locations for mobile food vending units shall be limited to the areas as stated in a Resolution of Council or private property with a written agreement signed by the property owner. The use of other public areas, including on-street parking, is prohibited without written permission from the City without exception.
2. Mobile food vending units may not be parked and shall not operate within 200 feet (measured to property boundary) of any restaurant when such a restaurant is open to the public for business, unless written permission has been acquired from all restaurants within the radius. This does not apply to mobile food vending units approved through the site plan process.
3. Mobile food vending units are not permitted within 1,000 feet (measured to property boundary) of any fair, festival, special event, or civic event, or other event with City approved special event status unless written permission from the event coordinator is obtained.
4. The issuance of a mobile food vending unit license does not grant or entitle the vendor to the exclusive use of any service route or space.
5. Events, parties, or other activities on private property that require catering or a food truck on site are exempted from this requirement as long as food is not served to the general public and is limited to the event on private property.

c) Hours of Operation.

1. Mobile food vending units shall be permitted to operate on public property between 9:00 a.m. and 9:00 p.m. If additional hours are requested they must be specifically authorized by the City as part of an event or festival. Mobile food vending units may only operate within residential zoned areas between the hours of 9:00 a.m. and 9:00 p.m. and in commercially zoned areas between the hours of 7:00 a.m. and 11:00 p.m.
2. A mobile food vending unit shall not be parked overnight on public property, or left unattended and unsecured at any time food is in the vehicle. Any mobile food vehicle unit found to be unattended shall be considered a public safety hazard and may be ticketed and impounded. Mobile food vending units parked on public property as part of a City approved Special Event or Festival are allowed to park overnight with permission from the Event/Festival organizer.
3. Mobile food vending units shall be licensed to operate on private property during the hours of operation of the primary use business and shall not operate as an accessory use before or after the primary use business is open for business. The private property owner may dictate mobile vending operations less than their business hours

d) Regulations

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1. No person shall operate a mobile unit within the city without first having secured a license from the city clerk that shall be prominently displayed for inspection. The Special Transitory Food Unit (STFU) license shall also be prominently displayed on any vehicle or stand subject to this Article.
 2. No license shall be issued without a Special Transitory Food Unit (STFU) license issued by a local health department. A copy of any special conditions attached to the licensure of a mobile unit, must be carried in the vehicle at all times. Such special conditions may include restrictions pertaining to types of food, food preparation routines, utensil cleaning and sanitizing procedures or any other procedures which are deemed conditional by the appropriate health agency.
 3. Since the commissary is considered to be an essential part of the mobile unit's operation, approval of the commissary is required before a mobile unit will be licensed. All facilities and operations of commissaries must be in compliance with requirements for food service establishments.
 4. If a mobile unit is operating in a manner which demands additional safeguards to protect the public health, the appropriate health agency shall impose reasonable requirements as deemed necessary to fulfill the spirit of this article before license approval.
 5. Waste management. All mobile food business vendors shall offer a waste container for public use, which the vendor shall empty at its own expense. All trash and garbage originating from the operation of mobile food vehicles shall be collected and disposed of off-site by the operators each day. Spills of food or food by-products shall be cleaned up, and no dumping of gray water on the streets is allowed.
 6. No mobile food vending unit shall make or cause to be made any unreasonable or excessive noise. The operation of all mobile food vehicles shall meet the City noise ordinance, including generators. No loud music, other high-decibel sounds, horns, "crying out" or any other audible methods to gain attention are permitted.
 7. Signage is permitted when placed on mobile food units, so long as it does not extend above or beyond the mobile vending unit itself. One free-standing temporary sign of no more than six (6) square feet is permitted but the signage must be located entirely within 20 feet of the mobile vending unit. The vendor will secure permission from property owner prior to displaying sign. The vendor must otherwise follow the City's sign ordinance, including sandwich board signs.
 8. No flashing or blinking lights, or strobe lights, are allowed on mobile food vending units or related signage at any time. All exterior lights with over 60 watts shall contain opaque hood shields to direct the illumination downward.
 9. Awnings for mobile food vehicles shall have a minimum clearance of 7 feet between the ground level and the lowest point of the awning.
 10. Service window location. Food and beverage service shall be conducted from the side of the truck that faces a curb, lawn or sidewalk when parked. No food service shall be provided on the driving-lane side of the truck. No food shall be actively prepared, sold, or displayed outside of a mobile food business.
 11. Dining area. No mobile food business vendor shall provide or allow any dining area within 10 feet of the mobile food business, including but not limited to tables and chairs, booths, stools, benches or stand-up counters or within the public right-of-way, including but not limited to sidewalks.

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12. Any power required for the mobile food vending unit shall be self-contained, and a mobile food vending unit shall not use utilities drawn from the public right-of-way. Mobile food vending units on private property may use electrical power drawn from the property being occupied or an adjacent property, but only if the property owner provides written consent to do so. No power cable or equipment shall be extended at or across any City street, alley, or sidewalk.
 13. The vendor shall not represent the granting of a license under this article to be in any way an endorsement by the City.

Sec. 22-128. Revocation; Complaints; Appeals.

The City Manager, Director of Municipal Services or his/her designee shall revoke the license of any operator who ceases to meet any requirement of this Chapter or violates any other federal, state or local regulation, makes a false statement on their application or conducts activity in a manner that is adverse to the protection of the public health, safety and welfare. Immediately upon such revocation, the City Clerk shall provide written notice to the license holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the license shall become null and void.

If a written complaint is filed with the City Clerk alleging a food operator has violated the provisions of this chapter, the City Clerk shall promptly send a copy of the written complaint to the operator together with a notice that an investigation will be made as to the truth of the complaint. The operator shall be invited to respond to the complaint and present evidence and respond to evidence produced during the investigation. If the City Clerk, after reviewing all relevant material, finds the complaint is supported by a preponderance of the evidence, the City Clerk shall certify the complaint.

If a license is denied or revoked by the City Manager or Department of Municipal Services, the applicant or holder of a license may appeal and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant or licensee and the City Clerk as to whether or not the grounds for denial, revocation or complaint are valid. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of the City Clerk or filing of the complaint shall be sustained. The applicant or licensee may then appeal the City Manager's decision to a court of competent jurisdiction.

Sec. 22-129. Civil Infraction.

An operator who violates this chapter is responsible for a civil infraction and subject to a fine of \$500.00 per day. Provided, however, that the fine for parking violations shall be those as outlined in Chapter 3 of these codified ordinances.

SECTION 2. Severability. No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above section and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park.

SECTION 3. Effective Date.

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

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 17th day of July, 2023.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, **T.EDWIN NORRIS**, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on July 17, 2023.

T. EDWIN NORRIS, City Clerk

ARTICLE V. FOOD SERVICE ESTABLISHMENTS

Sec. 22-126. License required.

As used in this article:

Mobile Food Vending shall mean vending, serving, or offering for sale, food, beverages, and/or Related merchandise from a Mobile Food Vending Unit which meets the definition of a food service establishment under Public Act 92 of 2000, which may include the ancillary sales of branded items consistent with the food, such as tee shirts that bears the name of the organization engaged in Mobile Food Vending, or other, similar merchandise.

Mobile Food Vending Unit shall mean any motorized or non-motorized car, cart, stand, trailer, Vehicle, or other device designed to be portable and not permanently attached to the ground from which food, beverages, and/or related merchandise is vended, served, or offered for sale.

Operate shall mean all activities associated with the conduct of business, including set up and take down as well as actual hours where the mobile vending unit is open for business.

Special Event shall mean any event operated on City property or the public rights-of-way, pursuant to an authorizing resolution of the City Council.

No person shall operate a food service establishment, mobile food vending or mobile food vending unit, temporary food service establishment, or food market in the city without first having obtained a license as issued in accordance with article II of this chapter. Such license shall not be issued without the certification of the health officer that ~~unless~~ the applicant has complied with all the requirements of this article. The license shall be posted in full public view in the premises at all times. The operator must prominently post his ~~the business~~ name, address and phone number on the exterior of the stand. ~~The vendor shall follow all local, state and federal laws, rules and regulations in their operation of the mobile vending unit. A license obtained under this Article shall not relieve the operator of the responsibility of obtaining any other license or authorization required by other ordinance, statute or administrative rule, including, but not limited to, the Notification of Intent to Operate with Oakland County.~~

Sec. 22-127. Mobile Food Vending and Mobile Food Vending units.

a) LicenseLicense Categories.

Individual – This license category is for one vendor operating one (1) Mobile Food Vending Unit.

Event/Festival – This license category is for a Special Event that will have multiple Mobile Food Vending Units on site for a designated time frame in association with an approved Special Event in the City of Oak Park.

b) Locations.

1. Appropriate locations for mobile food vending units shall be limited to the areas as stated in a Resolution of Council or private property with a written agreement signed by the property owner. The use of other public areas, including on-street parking, is prohibited without written permission from the City without exception.
2. Mobile food vending units may not be parked and shall not operate within 200 feet (measured to property boundary) of any restaurant when such a restaurant is open to the public for business, unless written permission has been acquired from all restaurants within the radius. This does not apply to mobile food vending units approved through the site plan process.
3. Mobile food vending units are not permitted within 1,000 feet (measured to property boundary) of any fair, festival, special event, or civic event, or other event with City approved special event status unless written permission from the event coordinator is obtained.
4. The issuance of a mobile food vending unit license does not grant or entitle the vendor to the exclusive use of any service route or space.
5. Events, parties, or other activities on private property that require catering or a food truck on site are exempted from this requirement as long as food is not served to the general public and is limited to the event on private property.

c) Hours of Operation.

1. Mobile food vending units shall be permitted to operate on public property between 9:00 a.m. and 9:00 p.m. If additional hours are requested they must be specifically authorized by the City as part of an event or festival. Mobile food vending units may only operate within residential zoned areas between the hours of 9:00 a.m. and 9:00 p.m. and in commercially zoned areas between the hours of 7:00 a.m. and 11:00 p.m.
2. A mobile food vending unit shall not be parked overnight on public property, or left unattended and unsecured at any time food is in the vehicle. Any mobile food vehicle unit found to be unattended shall be considered a public safety hazard and may be ticketed and impounded. Mobile food vending units parked on public property as part of a City approved Special Event or Festival are allowed to park overnight with permission from the Event/Festival organizer.
3. Mobile food vending units shall be licensed to operate on private property during the hours of operation of the primary use business and shall not operate as an accessory use before or after the primary use business is open for business. The private property owner may dictate mobile vending operations less than their business hours

d) Regulations

1. No person shall operate a mobile unit within the city without first having secured a license from the city clerk that shall be prominently displayed for inspection.. The Special Transitory Food Unit (STFU) license shall also be prominently displayed on any vehicle or stand subject to this Article.

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2. No license shall be issued without a Special Transitory Food Unit (STFU) license issued by a local health department. A copy of any special conditions attached to the licensure of a mobile unit, must be carried in the vehicle at all times. Such special conditions may include restrictions pertaining to types of food, food preparation routines, utensil cleaning and sanitizing procedures or any other procedures which are deemed conditional by the appropriate health agency.
 3. Since the commissary is considered to be an essential part of the mobile unit's operation, approval of the commissary is required before a mobile unit will be licensed. All facilities and operations of commissaries must be in compliance with requirements for food service establishments.
 4. If a mobile unit is operating in a manner which demands additional safeguards to protect the public health, the appropriate health agency shall impose reasonable requirements as deemed necessary to fulfill the spirit of this article before license approval.
 5. Waste management. All mobile food business vendors shall offer a waste container for public use, which the vendor shall empty at its own expense. All trash and garbage originating from the operation of mobile food vehicles shall be collected and disposed of off-site by the operators each day. Spills of food or food by-products shall be cleaned up, and no dumping of gray water on the streets is allowed.
 6. No mobile food vending unit shall make or cause to be made any unreasonable or excessive noise. The operation of all mobile food vehicles shall meet the City noise ordinance, including generators. No loud music, other high-decibel sounds, horns, "crying out" or any other audible methods to gain attention are permitted.
 7. Signage is permitted when placed on mobile food units, so long as it does not extend above or beyond the mobile vending unit itself. One free-standing temporary sign of no more than six (6) square feet is permitted but the signage must be located entirely within 20 feet of the mobile vending unit. The vendor will secure permission from property owner prior to displaying sign. The vendor must otherwise follow the City's sign ordinance, including sandwich board signs.
 8. No flashing or blinking lights, or strobe lights, are allowed on mobile food vending units or related signage at any time. All exterior lights with over 60 watts shall contain opaque hood shields to direct the illumination downward.
 9. Awnings for mobile food vehicles shall have a minimum clearance of 7 feet between the ground level and the lowest point of the awning.
 10. Service window location. Food and beverage service shall be conducted from the side of the truck that faces a curb, lawn or sidewalk when parked. No food service shall be provided on the driving-lane side of the truck. No food shall be actively prepared, sold, or displayed outside of a mobile food business.
 11. Dining area. No mobile food business vendor shall provide or allow any dining area within 10 feet of the mobile food business, including but not limited to tables and chairs, booths, stools, benches or stand-up counters or within the public right-of-way, including but not limited to sidewalks.
 12. Any power required for the mobile food vending unit shall be self-contained, and a mobile food vending unit shall not use utilities drawn from the public right-of-way.

Mobile food vending units on private property may use electrical power drawn from the property being occupied or an adjacent property, but only if the property owner provides written consent to do so. No power cable or equipment shall be extended at or across any City street, alley, or sidewalk.

13. The vendor shall not represent the granting of a license under this article to be in any way an endorsement by the City.

~~Sec. 22-128. Food vendor.~~

~~No person shall engage in the business known as food vendor without first having obtained a license therefor. No such license shall be issued except upon certification of the director of public safety. Every applicant for a food vendor's license shall furnish the city clerk two recent personal identification photographs of passport type and size, one of which shall be retained by the clerk and the other attached to, and made a part of the food vendor's license to the applicant. Food vendors must also comply with all the requirements of a Mobile Unit.~~

~~(Code 1973, § 19-4)~~

Sec. 22-128. Revocation; Complaints; Appeals. The City Manager, Director of Municipal Services or his/her designee shall revoke the license of any operator who ceases to meet any requirement of this Chapter or violates any other federal, state or local regulation, makes a false statement on their application or conducts activity in a manner that is adverse to the protection of the public health, safety and welfare. Immediately upon such revocation, the City Clerk shall provide written notice to the license holder by certified mail to their place of business or residence as indicated on the application. Immediately upon such revocation, the license shall become null and void.

If a written complaint is filed with the City Clerk alleging a food operator has violated the provisions of this chapter, the City Clerk shall promptly send a copy of the written complaint to the operator together with a notice that an investigation will be made as to the truth of the complaint. The operator shall be invited to respond to the complaint and present evidence and respond to evidence produced during the investigation. If the City Clerk, after reviewing all relevant material, finds the complaint is supported by a preponderance of the evidence, the City Clerk shall certify the complaint.

If a license is denied or revoked by the City Manager or Department of Municipal Services, the applicant or holder of a license may appeal and have a hearing before the City Manager. The City Manager shall make a written determination, after presentation by the applicant or licensee and the City Clerk as to whether or not the grounds for denial, revocation or complaint are valid. If the City Manager determines that such grounds are supported by a preponderance of the evidence, the action of the City Clerk or filing of the complaint shall be sustained. The applicant or licensee may then appeal the City Manager's decision to a court of competent jurisdiction.

Sec. 22-129. Civil Infraction.

An operator who violates this chapter is responsible for a civil infraction and subject to a fine of \$500.00 per day. Provided, however, that the fine for parking violations shall be those as outlined in Chapter 3 of these codified ordinances.

Sec. 22-130. Effective dates.

All licenses issued for food establishments shall take effect January 1 and expire the following December 31 of each year. All licenses and vehicle tags issued for mobile units and food vendors shall take effect May 1 and expire April 30 of the next year.

(Code 1973, § 19-6)

Secs. 22-131—22-150. Reserved.

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF: July 17, 2023****SUBJECT:** Resolution Approving Purchase of Tax Foreclosed Property**DEPARTMENT:** Economic Development and Planning

SUMMARY: A list was provided to the Oak Park Finance Department (attached) of all available properties for purchase from Oakland County tax foreclosure process. Attached is a resolution to allow the city of Oak Park to purchase these properties with the intent to sell these properties to a third party to rehabilitate and sell to owner occupants.

Since 2015, City council has approved the purchase of all tax foreclosed properties and also the sale of the tax foreclosed properties to a third party(s). This program has enabled the City to increase property values and decrease the number of rental homes within the community.

FINANCIAL STATEMENT: The third party will pay a \$7,000 admin fee for each property to cover the costs incurred in running this program.

RECOMMENDED ACTION: Approve the Resolution Approving Purchase of Tax Foreclosed Property.

APPROVALS:

City Manager: _____ET_____

Department Director: _____km_____

Director of Finance: _____SC_____

Budgeted: ☐

Legal: _____CK_____

EXHIBITS: Resolution, property list

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

RESOLUTION APPROVING SALE OF TAX FORECLOSED PROPERTIES

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 17th day of July, 2023

Present: _____

Absent: _____

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

WHEREAS, the General Property Tax Act at MCL 211.78M, as amended, (the “Act”) authorizes the City of Oak Park (“City”) to purchase properties located within the City that were tax foreclosed by the Oakland County Circuit Court on February 8, 2017, and by the County Treasurer under Public Act 123 of 1999, as amended, subject to the provisions of the Act; and

WHEREAS, on July 17, 2023, the Oak Park City Council resolved to purchase the foreclosed properties identified on the Attached Addendum “Oak Park Tax Sale 2023”; and

WHEREAS, the Oak Park City Council finds that it is necessary and in the best interest of the public to sell the referenced properties to a company that can rehabilitate, reconstruct and manage the properties for the public purpose of renovating and selling them primarily for owner occupancy in order to maintain and stabilize neighborhoods and commercial properties within the community.

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

1. Pursuant to the Act, the City hereby approves the purchase of the properties identified on the Attached Addendum “Oak Park Tax Sale 2023” for the not to exceed purchase price of \$174,800. The City Manager is hereby authorized to negotiate the sale of the attached properties to FPJ Investments, LLC as identified on the Attached Addendum “Oak Park Tax Sale 2023” for an amount not less than the purchase price plus administrative fee of \$7,000 per parcel and to include all terms stated in the Purchase Agreement.

2. The Mayor and/or City Manager are hereby authorized to sign all necessary documents to complete the transaction.

3. Any and all Resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED

Edwin T. Norris

City Clerk

Dated:

Contact Name	Kimberly Marrone
Contact Email	kmarrone@oakparkmi.gov
Contact Phone number	248-691-7404
Date of Board Meeting	17-Jul-23

CVT	Parcel ID	Property Street	Class	2023 Assessed Value	Want for Market value/appraised value
52	25-31-103-031	22031 Harding Ave	401	87,400	

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** July 17, 2023

SUBJECT: Request authorization for the purchase of one marked patrol vehicle to be assigned to the Public Safety Department and one street sweeper to be assigned to the Public Works Department.

DEPARTMENT: Public Works – *DED*

SUMMARY: The Public Works Department is requesting authorization to purchase the following vehicles from the State of Michigan (MiDeal) contract as part of the FY 2023-24 budget.

Vehicle:	Department:	Amount: (Pre-Bid Contract)	Account:
2023 Chevrolet Tahoe Police Package (Upfitting not included)	Public Safety	Total Cost: \$39,989.00 (State of Michigan - MiDeal)	<u>Motor Pool:</u> 654-18.875.970
2023 Elgin Pelican Street Sweeper	Public Works	Total Cost: \$260,000.00 (State of Michigan - MiDeal)	<u>Solid Waste:</u> 226-18.528-970

FINANCIAL STATEMENT: Funding for these vehicle purchases is available in the Motor Pool and Solid Waste Funds.

RECOMMENDED ACTION: It is recommended that City Council authorize the Public Works Department to participate in the State of Michigan (MiDeal) contract for the vehicle purchases totaling \$299,989.00. Funding is available in the Motor Pool and Solid Waste Funds.

APPROVALS:

City Manager: _____ ET _____

Director of Public Works: _____ *DED* _____

Director of Finance: _____ SC _____

Legal: _____ CK _____

EXHIBITS: None