



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
39th OAK PARK CITY COUNCIL
June 20, 2023
7:00 PM**

MINUTES

The meeting was called to order at 7:00 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 Radner, Council Member Burns, Council Member Whitehead

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

**CM-06-189-23 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED
– APPROVED**

Motion by Edgar, seconded by Radner, CARRIED UNANIMOUSLY, to approve the agenda with the following changes:

- Omit Item #15E
- Add CLOSED SESSION to discuss pending litigation regarding Laurentian Village.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-06-190-23 (AGENDA ITEM #5A-E) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes for June 5, 2023 **CM-06-191-23**
- B. Payment Application No. 2 for the 2022 Sewer and Catch Basin Cleaning & TV Inspection Project, M-747 to Doetsch Environmental of Warren, MI for \$96,252.01 **CM-06-192-23**
- C. Payment Application No. 1 in the amount of \$369,973.24 and Change Order No. 1 in the amount of (17,190.56) for the 2023 Sewer Lining Project to Insituform Technologies of Chesterfield, MO **(Removed from the Consent Agenda by Mayor McClellan)**
- D. Payment Application No. 2 in the amount of \$5,000.00 to Insituform Technologies of Chesterfield, MO for the 2022 Sewer Lining Project **CM-06-193-23**
- E. Licenses New and Renewals submitted for June 20, 2023 **CM-06-194-23**

**MERCHANT'S LICENSES – June 20, 2023
(Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
CRICKET WIRELESS	25250 GREENFIELD	\$150.00	RETAILER
<u>RENEWALS (2023)</u>	<u>ADDRESS</u>	<u>FEE</u>	
FRENCH KIDZ LLC	24721 COOLIDGE	\$225.00	RETAIL
DANIEL S. LAZAR, D.P.M.	26106 GREENFIELD A	\$225.00	MEDICAL OFFICE
OAK PARK MAX CARE PHYSICAL THERAPY	12702 NINE MILE	\$225.00	MEDICAL OFFICE
REVOLUTION CHAMPIONSHIP MARTIAL ARTS LLC	21020 COOLIDGE	\$225.00	KARATE

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

MOTION DECLARED ADOPTED

CM-06-195-23 (AGENDA ITEM #5C) Removed from the Consent Agenda by Mayor McClellan. PAYMENT APPLICATION NO. 1 IN THE AMOUNT OF \$369,973.24 AND CHANGE ORDER NO. 1 IN THE AMOUNT OF (17,190.56) FOR THE 2023 SEWER LINING PROJECT TO INSITUFORM TECHNOLOGIES OF CHESTERFIELD, MO - APPROVED

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve Payment Application No. 1 in the amount of \$369,973.24 and Change Order No. 1 in the amount of (17,190.56) for the 2023 Sewer Lining Project to Insituform Technologies of Chesterfield, MO.

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

(AGENDA ITEM #6A) Senator Mallory McMorrow was present and provided an update on State legislation.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) City Manager Tungate recognized Robert Barrett for his 27 years of service to the City of Oak Park.

PUBLIC HEARINGS: None

SPECIAL LICENSES:

CM-06-196-23 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – EAST OAK PARK NEIGHBORHOOD ASSOC. – BLOCK PARTY IN BEST PARK – APPROVED

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

Name	Event	Fee
East Oak Park Neighborhood Assoc.	Block Party – Best Park July 22, 2023 Noon – 4:00 p.m.	\$100 application fee waived

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

MOTION DECLARED ADOPTED

CM-06-197-23 (AGENDA ITEM #10B) SPECIAL EVENT REQUEST – OAK PARK LIBRARY – “TOUCH A TRUCK” COMMUNITY EVENT – APPROVED

Motion by Edgar, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following special event request subject to all departmental approvals:

Name	Event	Fee
Oak Park Library	Summer Reading Wrap-up Party August 6, 2023 1:00 p.m. – 4:00 p.m.	\$100 application fee waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-06-198-23 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$13,333.49 - APPROVED

Motion by Radner, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve payment of invoice #609923 to Garan, Lucow, Miller P.C., for legal services rendered through April 30, 2023 in the total amount of \$13,333.49.

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

MOTION DECLARED ADOPTED

CM-06-199-23 (AGENDA ITEM #11B) PAYMENT OF AN INVOICE SUBMITTED BY THE LAW OFFICES OF SHIFMAN FOURNIER FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$18,000.00 - APPROVED

Motion by Radner, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve payment of invoice #16000 to Shifman Fournier for legal services from July 1, 2023 – September 30, 2023 in the total amount of \$18,000.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-06-200-23 (AGENDA ITEM #13A) FIRST 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) - APPROVED

Motion by Burns seconded by Edgar, CARRIED UNANIMOUSLY, to approve the first 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.

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

MOTION DECLARED ADOPTED

CM-06-201-23 (AGENDA ITEM #13B) 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 RM-2, MULTIFAMILY 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) - APPROVED

Motion by Edgar, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the 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 RM-2, Multifamily Residential District to R!, Single Family Residential District.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER:

Economic Development and Planning

CM-06-202-23 (AGENDA ITEM #15A) RESOLUTION AUTHORIZING THE CITY OF OAK PARK TO APPLY FOR A SUBGRANT WITH MAIN STREET OAKLAND COUNTY TO THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) REVITALIZATION AND PLACEMAKING GRANT 2.0 FOR THE WATER TOWER SOCIAL DISTRICT PROJECT - APPROVED

Motion by Edgar seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City of Oak Park to apply for a subgrant with Main Street Oakland a County to the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant 2.0 for the Water Tower Social District Project:

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

**SUPPORT FOR THE CITY OF OAK PARK APPLICATION
AUTHORIZING THE CITY OF OAK PARK TO APPLY FOR A SUBGRANT WITH MAIN STREET OAKLAND COUNTY TO THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) REVITALIZATION AND PLACEMAKING GRANT 2.0 FOR THE WATER TOWER SOCIAL DISTRICT PROJECT, OAK PARK, MICHIGAN**

WHEREAS, the City of Oak Park has conducted public engagement for the design of the Water Tower Social District; and

WHEREAS, this grant addresses the negative economic impacts of the pandemic by investing in projects that promote population and tax revenue growth through the revitalization and repurposing of vacant, underutilized, blighted or historic buildings and investment in place-based infrastructure, and

WHEREAS, this grant deploys federal American Rescue Plan funding to support investments that will create the environment necessary to attract and retain talent, add new housing options, enable business creation and attraction and provide resources for Michigan citizens and communities, and

WHEREAS, this grant will help local governments avoid budget crises, retain current residents and enhance downtown vitality; and

WHEREAS, this project is within the Corridor Improvement Authority and will assist restaurants, breweries and other businesses within the project area as well as attract new investment and jobs into the mixed-use district; and

WHEREAS, the grant is to assist in improving the Water Tower Social District by creating new public spaces and amenities, adding a mural, improve parking infrastructure, add green infrastructure to reduce stormwater runoff and add electric car charging stations; and

WHEREAS, the City will apply for the Public Space Place-based Infrastructure sub grant award; and

BE IT HEREBY RESOLVED, by the Oak Park City Council, that this Resolution authorizes the City of Oak Park to apply to MEDC for a Revitalization and Placemaking Grant for the Water Tower Social District, Oak Park, Michigan.

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

MOTION DECLARED ADOPTED

Municipal Services/Engineering

CM-06-203-23 (AGENDA ITEM #15B) RESOLUTION SUPPORTING THE LOCAL ROAD IMPROVEMENT MATCHING FUND PROGRAM FOR THE NINE MILE ROAD PROJECT - APPROVED

Motion by Edgar, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following resolution supporting the Local Road Improvement Matching Fund Program for the Nine Mile Road Project:

STATE OF MICHIGAN COUNTY OF OAKLAND CITY OF OAK PARK

RESOLUTION SUPPORTING THE LOCALROAD IMPROVEMENT MATCHING FUND PROGRAMFOR THE NINE MILE ROAD PROJECT

WHEREAS, the Oakland County Board of Commissioners established the Local Road Improvement Matching Fund Program (LRIP), and

WHEREAS, the City of Oak Park has applied for LRIP funding, and

WHEREAS, the City of Oak Park was awarded \$73,538.00 in LRIP reimbursement funds to be used on the Nine Mile Road Improvement Project, M-740, and

WHEREAS, the City of Oak Park agrees to fund administrative, coordination, permit fees, preliminary engineering, right-of-way acquisition and construction engineering services related to the implementation of the Nine Mile Road Improvement Project, and

WHEREAS, the City of Oak Park acknowledges and agrees that the City shall assume any and all responsibilities and liabilities arising out of the administration of the project; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Oak Park will utilize LRIP funds to improve economic development as part of the Nine Mile Road Improvement Project, M-740.

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

MOTION DECLARED ADOPTED

CM-06-204-23 (AGENDA ITEM #15C) REQUEST TO APPROVE PAYMENT APPLICATION NO. 3 IN THE AMOUNT OF \$5,656.26 AND CHANGE ORDER NO. 2 IN THE AMOUNT OF \$656.26 TO GIORGI CONCRETE OF DETROIT, MICHIGAN, FOR THE 2021 SIDEWALK REPLACEMENT PROJECT, M-713 - APPROVED

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve Payment Application No. 3 in the amount of \$5,656.26 and Change Order No. 2 in the amount of \$656.26 to Giorgi Concrete of Detroit, Michigan, for the 2021 Sidewalk Replacement Project, M-713.

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

MOTION DECLARED ADOPTED

CM-06-205-23 (AGENDA ITEM #15D) REQUEST TO APPROVE CHANGE ORDER NO. 2 FOR THE 2023 WATER MAIN AND ROAD REPLACEMENT PROJECT, M-750 TO INNER CITY CONTRACTING OF DETROIT, MICHIGAN FOR \$49,640.00 - APPROVED

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve Change Order No. 2 for the 2023 Water Main and Road Replacement Project, M-750 to Inner City Contracting of Detroit, Michigan for \$49,640.00.

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

MOTION DECLARED ADOPTED

Finance

(AGENDA ITEM #15E) Request to approve a proposal to extend the existing auditing services contract with Rehmann Robson, LLC (**Removed from the agenda**)

CM-06-206-23 (AGENDA ITEM #15F) BUDGET AMENDMENT #2023-4 FOR PERIOD ENDING JUNE 30, 2023 - APPROVED

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to adopt a resolution approving Budget Amendment #2023-4 for period ending June 30, 2023 as follows:

RESOLUTION

NOW, THEREFORE BE IT RESOLVED that the following
Budget Amendment #2023-4 is authorized:

INCREASE
(DECREASE)

GENERAL FUND		
REVENUES		
INTERGOVERNMENTAL	\$	85,800
OTHER REVENUE		2,400
INTEREST INCOME	\$	300
TOTAL REVENUES		88,500
EXPENDITURES		
CITY COUNCIL		(8,000)
CITY MANAGER		21,000
HUMAN RESOURCES		(29,700)
COMMUNITY & ECONOMIC DEVELOPMENT		17,500
CITY CLERK - ELECTIONS		4,000
CITY CLERK		5,000
FINANCE		22,000
INSPECTIONS		47,000
TECHNICAL AND PLANNING		(135,000)
PUBLIC SAFETY		40,000
PUBLIC SAFETY K9		9,000
RECREATION ADMINISTRATION		3,700
PUBLIC WORKS		(115,000)
PUBLIC INFORMATION		(18,000)
NON-DEPARTMENTAL		(22,885)
PUBLIC INFORMATION		(18,000)
TRANSFER OUT		225,00
TOTAL EXPENDITURES		88,500
Net Increase to Fund Balance	\$	-

PA 302 JUSTICE TRAINING FUND		
REVENUES		
INTERGOVERNMENTAL	\$	6,100
TOTAL REVENUES		6,100
EXPENDITURES		
PROFESSIONAL SERVICES		6,400
TOTAL EXPENDITURES		6,400

Net Increase (Decrease) to Fund Balance \$ (300)

CASEFLOW ASSISTANCE FUND

REVENUES

INTERGOVERNMENTAL	2,000
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TOTAL REVENUES	<u>2,000</u>
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EXPENDITURES

PROFESSIONAL SERVICES	21,300
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TOTAL EXPENDITURES	<u>21,300</u>
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Net Increase (Decrease) to Fund Balance \$ (19,300)

VETERANS TREATMENT COURT GRANT FUND
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REVENUES

INTERGOVERNMENTAL	5,000
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TOTAL REVENUES	<u>5,000</u>
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EXPENDITURES

PROFESSIONAL SERVICES	5,000
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TOTAL EXPENDITURES	<u>5,000</u>
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Net Increase (Decrease) to Fund Balance \$ -

DISTRICT COURT FUND

REVENUES

INTERGOVERNMENTAL	\$ (225,000)
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TRANSFER IN FROM OTHER FUNDS	225,000
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TOTAL REVENUES	<u>-</u>
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Net Increase (Decrease) to Fund Balance \$ -

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

MOTION DECLARED ADOPTED

Recreation

CM-06-207-23	(AGENDA ITEM #15G) RESOLUTION SUPPORTING THE CITY'S APPLICATION FOR THE MICHIGAN SPARK GRANT TO HELP FUND AMENITIES IDENTIFIED IN THE RECREATION MASTER PLAN - APPROVED
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Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following resolution supporting the City's application for the Michigan Spark Grant to help fund amenities identified in the Recreation Master Plan:

CITY OF OAK PARK

**SUPPORT FOR THE CITY OF OAK PARK APPLICATION
FOR THE MICHIGAN SPARK GRANT**

WHEREAS, the City of Oak Park supports the submission of an application titled, "Oak Park Community Event Hub and Farmers Market" to the Spark grant program for the Oak Park Event Hub Project to be located in the vacant green space between City Hall and the Library; and,

WHEREAS, the City of Oak Park is hereby making a financial commitment to the project in the amount of \$3 million in matching funds; and,

WHEREAS, the City of Oak Park's Recreation Master Plan lists "address the need for facilities to better relate to the needs and interests of Oak Park's diverse community, and secure assets for the future" as a goal; and

WHEREAS, the City of Oak Park's Strategic Plan lists "celebrate Oak Park's diversity through events and programs that attract people throughout the region", and "identify the best uses for City property to ensure equitable access to quality public spaces" as objectives under the goal of "deepen sense of place and community identity;" and

WHEREAS, the creation of the Oak Park Event Hub will contribute significantly to meeting these goals; and

BE IT HEREBY RESOLVED, the Oak Park City Council supports the submission of the Spark Grant application for \$1 million, and further resolves to make available its financial obligation for \$3 million.

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

MOTION DECLARED ADOPTED

**CM-06-208-23 (AGENDA ITEM #15H) REQUEST TO APPROVE PROPOSED
MEMBERSHIP FEES FOR THE NEW DOG PARK - APPROVED**

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following membership fees for the new Dog Park:

- Residents: \$40
- Non – residents: \$65.00 (after the first year)
- Tag and replacement tag - \$10.00 (one per dog)
- Replacement Fob: \$20.00 (one per household)

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Edward Howard, 21630 Kipling, discussed the own-going problem with deer in the community.

Crystal Bailey, 8646 Kenberton, indicated that she was running for City Council in November.

CLOSED SESSION (Added to the Agenda)

**CM-06-209-23 MOTION TO CONVENE A CLOSED SESSION FOR PURPOSES OF
CONDUCTING ATTORNEY-CLIENT PRIVILEGED DISCUSSIONS
ABOUT PENDING LITIGATION REGARDING LAURENTIAN
VILLAGE ASSOCIATION - APPROVED**

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to convene a Closed Session for purposes of conducting attorney-client privileged discussions about pending litigation regarding Laurentian Village Association.

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

MOTION DECLARED ADOPTED

**CM-06-210-23 MOTION TO APPROVE THE MINUTES FROM THE 6-20-23
CLOSED SESSION - APPROVED**

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the minutes from the 6-20-23 Closed Session

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:40 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor