



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
39th OAK PARK CITY COUNCIL
June 7, 2022
7:00 PM**

MINUTES

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

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

ABSENT: Council Member Burns

OTHERS

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

APPROVAL OF AGENDA:

**CM-06-184-22 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

Motion by Edgar, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the agenda with the following addition:

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-06-185-22 (AGENDA ITEM #5A-K) 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 of May 16, 2022 **CM-06-186-22**
- B. Recycling and Environmental Conservation Commission Meeting Minutes of March 17, 2022 **CM-06-187-22**
- C. Corridor Improvement Authority Board Meeting Minutes of April 21, 2022 **CM-06-188-22**
- D. Beautification Advisory Commission Meeting Minutes of April 19, 2022 **CM-06-189-22**
- E. Payment request for OHM Advisors in the total amount of \$30,998.25 **CM-06-190-22**
- F. Final Payment Application No. 5 for the 2020 Miscellaneous Concrete Project, M-714 **CM-06-191-22**
- G. Payment Application No. 1 for the 2021 Sidewalk Replacement Project, M-713 **CM-06-192-22**
- H. Payment Application No. 2 and Change Order No. 1 for the 2022 Joint and Crack Sealing Project, M-734 **CM-06-193-22**

- I. Payment Application No. 3 for the 2021 Sewer & Catch Basin Cleaning and TV Inspection Project, M-728 **CM-06-194-22**
- J. Payment of invoice from SmithGroup for Parks and Recreation Master Plan Update and Comprehensive Asset Management Contract **CM-06-195-22**
- K. Licenses New and Renewals submitted for June 7, 2022 **CM-06-196-22**

MERCHANT'S LICENSES – June 7, 2022
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
BOSS BLINKS	8550 NINE MILE	\$150.00	HAIR BOUTIQUE
<u>RENEWALS (2022)</u>	<u>ADDRESS</u>	<u>FEE</u>	
APOLLO HEAT TREATING	10400 CAPITAL AVE	\$225.00	METAL HEAT TREATING
BRUTTELL ROOFING	10821 CAPITAL AVE	\$150.00	CONTRACTOR
LIVE TMG LLC	21320 COOLIDGE HWY	\$150.00	MUSIC COWORKING SPACE
DEFINITELY DIFFERENT	22011 COOLIDGE HWY	\$150.00	RETAIL WOMENS CLOTHING
PROFESSIONAL BEAUTY CTR	23150 COOLIDGE HWY	\$150.00	SALON
PENNZOIL OIL CHANGE	13601 W ELEVEN MILE	\$225.00	AUTO - OIL CHANGE
OAK PARK SOCIAL	14691 W ELEVEN MILE	\$225.00	RESTAURANT
SALON TRULY BLESSED	21700 GREENFIELD RD	\$225.00	SALON
GLAMOUR IS LIFE BOUTIQUE	21700 GREENFIELD RD	\$225.00	WOMEN CLOTHING STORE
PAPERDOLLS KOUTURE	21700 GREENFIELD RD	\$225.00	RETAIL WOMENS CLOTHING
KEEPIFLY BRAIDING STUDIO	21900 GREENFIELD RD	\$225.00	HAIR BRAIDING SERVICES
LAVISH AMOR LASHES	23300 GREENFIELD RD	\$225.00	LASHES, WAXING
STREET CORNER MUSIC	26020 GREENFIELD RD	\$187.50	MUSIC ITEMS
BREAD BASKET	26052 GREENFIELD RD	\$225.00	RESTAURANT
GREAT HANDS MASSAGE	8230 W NINE MILE RD	\$150.00	MASSAGE
GATHERING ASSOCIATION	12724 W NINE MILE RD	\$225.00	SENIOR ASSOCIATION
GLENCO SALES CO	21600 WYOMING AVE	\$225.00	MANUFACTURING REP

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Farmer's Market Presentation. Recreation Director Stasiak and Maralee Rosemond presented information about the upcoming Farmer's Market for the Summer of 2022.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-06-197-22 (AGENDA ITEM #10A) SPECIAL EVENT REQUEST – EAST OAK PARK NEIGHBORHOOD ASSOC. – BLOCK PARTY IN BEST PARK – APPROVED

Motion by Radner, seconded by Whitehead, 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 23, 2022 Noon – 4:00 p.m.	Application fee waived

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

MOTION DECLARED ADOPTED

CM-06-198-22 (AGENDA ITEM #10B) SPECIAL EVENT REQUEST – FIRST BAPTIST CHURCH OF OAK PARK – COMMUNITY OUTREACH EVENT – APPROVED

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

Name	Event	Fee
First Baptist Church of Oak Park 24201 Coolidge	Community Outreach Event July 9, 2022 Noon – 3:00 p.m.	Application fee waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-06-199-22 (AGENDA ITEM #11A) 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 Edgar, CARRIED UNANIMOUSLY, to approve payment of invoice #15250 to Shifman Fournier for legal services from July 1, 2022 – September 30, 2022 in the total amount of \$18,000.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-06-200-22 (AGENDA ITEM #13A) FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 82, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 82-311 THEREOF - APPROVED

Motion by Burns seconded by Edgar, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend Chapter 82, Utilities, of the Code of Ordinances of the City of Oak Park, Michigan, by amending Section 82-311 thereof.

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

MOTION DECLARED ADOPTED

CM-06-201-22 (AGENDA ITEM #13B) FIRST READING OF AN ORDINANCE TO AMEND ARTICLE 2, ZONING DISTRICTS AND ARTICLE 2, APPROVAL PROCEDURES OF APPENDIX A, ZONING CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING ARTICLE 2, DIVISION 3; ARTICLE 2, DIVISION 4; ARTICLE 5, DIVISION 3 THEREOF - APPROVED

Motion by Edgar, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend Article 2, Zoning Districts and Article 2, Approval Procedures of Appendix A, Zoning Code of Ordinances of the City of Oak Park by amending Article 2, Division 3; Article 2, Division 4; Article 5, Division 3 thereof

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER:

Administration

CM-06-202-22 (AGENDA ITEM #15A) RESOLUTION IN SUPPORT OF ACCEPTING MICHIGAN DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND GRANT - APPROVED

Motion by Whitehead, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following resolution in support of accepting Michigan Department of Natural Resources Land and Water Conservation Fund Grant:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

RESOLUTION IN SUPPORT OF ACCEPTING MICHIGAN DEPARTMENT OF NATURAL
RESOURCES LAND AND WATER CONSERVATION FUND GRANT

June 7, 2022

BE IT HEREBY RESOLVED, that the City Council of the City of Oak Park, Michigan, does hereby accept the terms of the Agreement for (grant number 26-01844) as received from the Michigan Department of Natural Resources, and that the City Council of the City of Oak park does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide One Hundred Thousand (\$100,000.00) dollars to match the grant authorized by the Department of Natural Resources.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the Department of Natural Resources for auditing at reasonable times.
3. To construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution

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

MOTION DECLARED ADOPTED

**CM-06-203-22 (AGENDA ITEM #15B) RAISE FLAG REQUEST SUBMITTED BY
STATE REPRESENTATIVE REGINA WEISS - APPROVED**

Motion by Edgar, seconded by Radner, CARRIED UNANIMOUSLY, to waive the 30-day request requirement to fly the Pride Flag at City Hall during the Month of June, 2022.

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

MOTION DECLARED ADOPTED

Finance

(AGENDA ITEM #15C) Quarterly Investment Report for period ending 03/31/2022

Finance Director Crawford presented the third quarter investment report.

Third Quarter Fiscal 2021/2022 Investment Report

The State of Michigan Public Act 213 of 2007 requires the City's investment officer to provide a written report quarterly to the governing body concerning the investment of all funds of the City that fall under Public Act 20. Public Act 20 governs how non-pension and non-OPEB funds can be invested. The attached report details the cash and investments (citywide for all funds) held by the City at March 31, 2022. The report includes a description of each investment by type, market and book values, current and yield to maturity interest rates and the number of days to maturity.

The third quarter investment report shows total citywide cash and investments of \$33,417,180 (market value) including cash in the operating account of \$1,134,204 (excluding outstanding checks and other adjustments), short-term investments in the Oakland County Investment Pool of \$19,937,338, money market of \$17,540, commercial paper of \$7,978,744 and long-term investments total \$4,349,354. The City has maximized investment return on short-term cash by utilizing the Oakland County Investment Pool and minimizing the amount maintained in the checking and daily depository accounts. During the past quarter, interest rates rose very quickly and are projected to continue to rise significantly to offset the very high inflation rate. The result of the rate increase is twofold, the interest rates on new investment are up more than 1-2% over the previous quarter helping future returns but the market value of the existing investments dropped substantially. While the existing investments will not realize a true loss as they will be held until maturity, the accounting rules require that the City realize for book purposes that the investments are worth less than they were three months ago. Going forward we will be looking to move the majority of the funds from the County Investment Pool into short-term commercial paper until interest rates and inflation stabilize as any investments with maturities over 2 years are at risk of significant unrealized losses moving forward. Investment

income for the months of January through March 2022 included interest income of \$39,607 and an unrealized loss on investments of \$129,320 for a net loss of \$98,125. As stated previously, this is a paper loss only and the unrealized loss will reverse as each investment gets closer to maturity.

During the third quarter overall investment return started moving forward with the rise in interest rates and the promise by the Feds of numerous additional rate increases over the coming months. The return for the third quarter was a net loss of approximately 1.1% primarily due the unrealized market adjustment. If the Fed's continue to raise rates several times in the near term as they have promised, the City can expect to see increased real rates of returns offset by unrealized losses on current long-term investments until interest rates stabilize.

(AGENDA ITEM #15D) Quarterly Financial Report for period ending 03/31/2022

Finance Director Crawford presented the third quarter financial report.

GENERAL FUND

REVENUES

Total revenues for the through the third quarter total approximately \$20.4 million, representing approximately 86% of the annual amended budget. Overall revenues are on track with budget with the following items of note:

- Property Tax Revenue – City property tax levies are billed July 1 and payable in full without penalty by August 31, 2021. As of the end of the third quarter approximately 96% of the billed taxes had been paid. Any unpaid real property taxes will be purchased from the City by Oakland County in May 2022. Property tax revenue is the primary reason the overall revenues are at 86% to date.
- Intergovernmental Revenue (State Revenue Sharing) – The City receives six bi-monthly payments annually for state-shared revenue. The third quarter report reflects three payments as the August 31, 2021, payment by statute is included as part of the June 30, 2021 revenues. The City will receive the remaining payments on April 30, June 30 and August 31 (2022) related to the current fiscal year. The estimated annual revenue included in the budget totals \$3,744,122.

- Fines and forfeiture revenue received from the 45th District Court is budgeted for a total of \$1,300,000 of which \$832,820 or 64% was received in through the third quarter. Overall court revenue continues to be less than prior year and less than budget due to the slow rebound from COVID-19 and the reduced number of and tickets written. The court has done a good job reducing their costs to offset some of the lost revenue. The revenue received is used to offset a portion of the court's operating costs. Finance will continue to monitor both the court revenue and expenditure budgets and propose amendments as necessary.
- Federal grants revenue represents the balance FEMA federal CARES funds and ARPA federal funds totaling \$1,484,571 passed through the state of Michigan Department of Treasury. 100% of the FY 2022 amended budget has been received as of March 31, 2022.

EXPENDITURES

Total expenditures through the third quarter total approximately \$18.9 million, representing approximately 77% of the annual amended budget. Overall departmental expenditure budgets are on track with the following items of note (departments over 75%):

- DPW Admin Department is at 80% of their amended budgets due to the increased costs of self-insured health insurance. A budget amendment will be presented during the fourth quarter to address the cost increase.
- The K-9 and Public Safety Departments are at 83% and 85%, respectively, of their amended budget primarily due almost 100% of their annual DB pension contribution has been made during the first nine months of the fiscal year.
- The Finance and Admin Services Department is slightly over budget primarily due to approximately 83% of the annual DB pension contribution has been made through the first three quarters of the fiscal year. The overall contribution will be on budget as contributions will be adjusted during the final quarter.
- Non-Departmental is at 93% of the amended budget. The primary reason for the budget overage is health insurance costs for general and public safety retirees are running more than budget. After meetings with the City's healthcare consultant, the hopes are the final actual costs will be near budget or slightly above the budget. Finance will continue to monitor the actual costs and bring forth amendments as needed.

Overall, the General Fund operations are in line with the annual budget. The projected fund balance remains at the targeted level of approximately 20% of annual expenditures

CM-06-204-22 (AGENDA ITEM #15E) BUDGET AMENDMENT #2022-3 FOR PERIOD ENDING MARCH 31, 2022 - APPROVED

Motion by Radner, seconded by Whitehead, CARRIED UNANIMOUSLY, to adopt the following resolution approving Budget Amendment #2022-3 for period ending March 31, 2022 as follows:

RESOLUTION

NOW, THEREFORE BE IT RESOLVED that the following
Budget Amendment #2022-3 is authorized:

GENERAL FUND		INCREASE (DECREASE)
REVENUES		
PROPERTY TAXES	\$	11,314
INTERGOVERNMENTAL		13,385
INTEREST INCOME	\$	242,557
TOTAL REVENUES		<u>267,256</u>
EXPENDITURES		
PUBLIC SAFETY		207,256
PUBLIC WORKS		(295,000)
TRANSFERS OUT		355,000
TOTAL EXPENDITURES		<u>267,256</u>
Net Increase to Fund Balance	\$	<u>-</u>

PARKS AND RECREATION IMPROVEMENT FUND		
REVENUES		
TRANSFER IN	\$	355,000
TOTAL REVENUES		<u>355,000</u>
EXPENDITURES		
CAPITAL OUTLAY		1,350,000
TOTAL EXPENDITURES		<u>1,350,000</u>
Net Increase to Fund Balance	\$	<u>(1,349,000)</u>

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

MOTION DECLARED ADOPTED

Technical & Planning/Engineering

**CM-06-205-22 (AGENDA ITEM #15F) PROPOSED PAYMENT REQUEST AND
CHANGE ORDER FOR ENGINEERING CONSULTING SERVICES
BY OHM ADVISORS IN THE TOTAL AMOUNT OF \$89,975.00
- APPROVED**

Motion by Whitehead, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the proposed payment request and change order for Engineering Consulting Services by OHM Advisors in the total amount of \$89,975.00

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

MOTION DECLARED ADOPTED

**CM-06-206-22 (AGENDA ITEM #15G) RESOLUTION IN SUPPORT OF THE
LOCAL ROAD IMPROVEMENT MATCHING FUND PROGRAM
- APPROVED**

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following resolution in support of the Local Road Improvement Matching Fund Program:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF OAK PARK

**RESOLUTION IN SUPPORT OF THE LOCAL ROAD IMPROVEMENT
MATCHING FUND PROGRAM**

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 \$69,871.00 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 agreed 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.

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

MOTION DECLARED ADOPTED

Department of Public Works

**CM-06-207-22 (AGENDA ITEM #15H) REQUEST TO AUTHORIZE THE PUBLIC
WORKS DEPARTMENT TO PARTICIPATE IN THE STATE OF
MICHIGAN (MIDEAL) AND ROCHESTER HILLS PRE-BID
CONTRACTS FOR THE PURCHASE OF VEHICLES TOTALING
\$556,994.13 AND TO AUTHORIZE MOVING FORWARD THE
BUDGETED AMOUNT OF \$240,000 FROM THE WATER/SEWER**

**FUND IN FY 2023-24 TO FY 2022-23 TO PURCHASE THE 2024
TANDEM AXLE FREIGHTLINER - APPROVED**

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to authorize the Public Works Department to participate in the State of Michigan (MiDeal) and Rochester Hills pre-bid contracts for the purchase of the following vehicles totaling \$556,994.13 and to authorize moving forward the budgeted amount of \$240,000 from the Water/Sewer fund in FY 2023-24 to FY 2022-23 to purchase the 2024 Tandem Axle Freightliner:

Vehicle:	Department:	Amount: (Pre-Bid Contract)	Account:
2024 Freightliner 39,000 GVW Chassis Single Axle Dump Truck	Public Works	\$234,942.20 (Rochester Hills Co-op RFP-RH-20-023)	Major Streets: 202-18.479-970 Local Streets: 203-18.479.970
2024 Freightliner 64,000 GVW Chassis Tandem Axle Dump Truck	Public Works	\$193,982.00 (Rochester Hills Co-op RFP-RH-20-023)	Water/Sewer: 592-18.538-970
John Deere 310SL Backhoe with accessories	Public Works	\$128,069.93 (MiDeal Contract 071B77000090)	Water/Sewer: 592-18.538-970 Major Streets: 202-18.479-970 Local Streets: 203-18.479.970

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

MOTION DECLARED ADOPTED

**CM-06-208-22 (AGENDA ITEM #15I) PROPOSAL FOR PROFESSIONAL
SERVICES TO PROVIDE GPS/GIS SERVICES AS PART OF THE
DRINKING WATER ASSET MANAGEMENT (DWAM) GRANT -
APPROVED**

Motion by Radner, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the proposal for professional services to provide GPS/GIS services as part of the Drinking Water Asset Management (DWAM) Grant.

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

MOTION DECLARED ADOPTED

Economic Development

**CM-06-209-22 (AGENDA ITEM #15J) REQUEST TO APPROVE THE
RECOMMENDATION TO SELECT FPJ INVESTMENT, LLC AS
THE SELECTED BIDDER AS THE DEVELOPER FOR THE 2022
TAX FORECLOSURES - APPROVED**

Motion by Burns, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the recommendation to select FPJ Investment, LLC as the selected bidder as the developer for the 2022 tax foreclosures.

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

MOTION DECLARED ADOPTED

Communications

(AGENDA ITEM #15K) Event and Activity Update

Communications Director Flynn reported upcoming activities and events for the city.

CALL TO THE AUDIENCE:

Dana Braxton, discussed construction on Northend and Zoom meetings.
Ms. Atkins, discussed the need for ordinances to help regulate shrub height.
Ken Sherman discussed garbage pick-up problems regarding GFL.
Gloria Slade, discussed overgrown hedges near 14161 Greenbriar.
Eddie Howard, asked about getting rid of a mattress.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:50 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor