Oak Park

City Council Agenda

May 1, 2017

AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
May 1, 2017
7:00 PM

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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 Council Meeting Minutes of April 19, 2017
   B. Special Council Meeting Minutes of April 19, 2017
   C. Special Council Meeting Minutes of April 25, 2017
   D. Planning Commission Meeting Minutes of March 13, 2017
   E. Beautification Advisory Commission Meeting Minutes of February 21, 2017
   F. Retirement Board Meeting Minutes of January 23, 2017, February 27, 2017 and March 27, 2017
   G. Agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield
   H. Resolution designating Kevin J. Yee as the agent for the City of Oak Park with regard to the Oakland County West Nile Virus Reimbursement Program
   I. Licenses - New and Renewals as submitted for May 1, 2017

6. **RECOGNITION OF VISITING ELECTED OFFICIALS**

7. **SPECIAL RECOGNITION/PRESENTATIONS:**

   A. City Manager Employee Recognition – Dawnetta Boyde-Hale
   B. Master Plan Committee Special Recognition

8. **PUBLIC HEARINGS:**

   A. Public Hearing to receive public comment on the reprogramming of the 2015 Community Development Block Grant Funds
   B. Resolution approving the reprogramming of the 2015 Community Development Block Grant Funds

9. **COMMUNICATIONS:** None

10. **SPECIAL LICENSES:** None

11. **ACCOUNTING REPORTS:**

    A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of $17,498.45

12. **BIDS:**

A. Request to award the bid for the 2017 Fire Hydrant Blasting and Repainting Project, M-646 to Cross Renovation, Inc. of Livonia, MI for the total contract amount not to exceed $45,000.00

13. **ORDINANCES:** None

14. **CITY ATTORNEY**

15. **CITY MANAGER:**

Administration

A. Request to Schedule a Public Hearing on the FY 2017-2018 Annual Budget for Monday, May 15, 2017 at 7:00 PM

B. Resolution approving a legal services agreement for attorney services between Garan, Lucow, Miller, P.C. and the City of Oak Park

Community and Economic Development, Planning Division

C. Request to accept the recommendation of the Planning Commission for approval of the Special Land Use (Convalescent Home) and Site Plan for Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard, subject to conditions

D. Request to accept the recommendation of the Planning Commission for approval of the Special Land Use (Restaurant that serves alcoholic liquor) and Site Plan for Sweet Soul Bistro, 13400 Eight Mile, subject to conditions

E. Request to accept the recommendation of the Planning Commission and adopt a six month moratorium on the review and approval of any new self-storage facilities in the City of Oak Park

F. Request to approve a façade improvement grant to Stanley Upholstering, 25651 Coolidge, for 50% of the project costs not to exceed $2,500.00

Recreation

G. Request to increase the Summer Day Camp and Latchkey participant fees for weeks starting June 19, 2017 and June 26, 2017

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. **CLOSED SESSION**

Pursuant to Section 8 of the Open Meetings Act to convene into a Closed Session to discuss Attorney Client Privileged Communication and Pending Litigation regarding City of Huntington Woods, City of Pleasant Ridge vs. City of Oak Park, 45th District Court.

19. **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
36th OAK PARK CITY COUNCIL
April 19, 2017
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 Pro Tem Burns, Council Member Rich, Council Member Speech, Council Member Radner

ABSENT: None

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

APPROVAL OF AGENDA:

CM-04-141-17 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS PRESENTED – APPROVED

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

Voice Vote:	Yes:	McClellan, Burns, Rich, Speech, Radner
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-04-142-17 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED

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

A. Regular Council Meeting Minutes of March 27, 2017 **CM-04-143-17**
B. Regular Council Meeting Minutes of April 3, 2017 **CM-04-144-17**
C. Request to cancel the regularly scheduled Zoning Board of Appeals meeting of April 25, 2017 **CM-04-145-17**
D. Request to advertise for bids for the Program Year 2016 Yard Services Program, M-669 **CM-04-146-17**
E. Request to schedule a public hearing on May 1, 2017 to receive comments on the possible reprogramming of Community Development Block Grant (CDBG) funds for the Program Years of 2015 and 2016 **CM-04-147-17**
F. Licenses - New and Renewals as submitted for April 19, 2017 **CM-04-148-17**

MERCHANT'S LICENSES – April 19, 2017
(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
To Go Café	21700 Greenfield	$150	Restaurant

RENEWALS	ADDRESS	FEE	BUSINESS TYPE
Slot Speedway USA Inc	10200 Capital	$150	Gas Station
Kings Welding Works Inc	10311 Capital	$150	Welding Fabricators
LaDuke Corporation	10311 Capital	$187.50	Roofing and Sheet Metal
Michigan Dessert Corp	10750 Capital	$150	Food Preparation
Plumbing Techs Pipecon	12700 Capital	$225	Plumbing Contractor
Huntington Cleaners	13103 Capital	$150	Laundry Service
Live Smart	13305 Capital 600	$150	
Partlan-Labadie Sheet Metal	12901 Cloverdale	$150	Sheet Metal
Deezers LLC	13201 Cloverdale	$225	Hookah
Car Stop Automotive Inc	21006 Coolidge	$150	Automotive
Tobacco Import USA	21060 Coolidge	$225	Tobacco
Trinity Physical Therapy	21675 Coolidge 1B	$225	Physical Therapy
Glory Wireless 9B	22150 Coolidge	$225	Wireless
Studio Nova	22153 Coolidge	$225	Men's Clothing
Ashley-Bleu Diamond Inc	22211 Coolidge	$150	Jeweler
Danny's Fine Wine	23063 Coolidge	$150	Liquor
Tradefirst.com	23200 Coolidge	$150	Banking
Oak Park Urgent Care	24661 Coolidge	$150	Medical
Freedom Cleaners	24681 Coolidge	$150	Laundry
Hungry Howie's Pizza	24691 Coolidge	$150	Restaurant
Zalman's Treasurers	26001 Coolidge	$150	Jeweler
Bombshell Lyfe Studio	26011 Coolidge	$225	Studio
Weathergard Window Factory	14350 Eight Mile	$150	Home Improvement
Marblecast Inc	14831 Eleven Mile	$150	Home Improvement
Hartwell Cement Company	21650 Fern	$150	Concrete Company
John & Karon's Hair Affair	21700 Greenfield 250	$150	Salon
Forgotten Harvest	21800 Greenfield	$150	Food pantry
Foxxiladi Boutique	23300 Greenfield 114	$225	Salon
Salon Renu	23300 Greenfield 300	$150	Salon
Sukhothai Restaurant	25226 Greenfield	$225	Restaurant
Summit Disability PLLC	25900 Greenfield 111	$225	
THD at Home Service	25900 Greenfield 318	$225	Home Improvement
Four Sisters Fashion	26068 Greenfield	$150	Clothing Store
The Suit Depot	26158 Greenfield	$225	Clothing Store
McDonalds	26160 Greenfield	$225	Restaurant
20700 Hubbell LLC	20700 Hubbell	$150	Storaged
Paper Goods Plus	15310 Lincoln	$225	Party Supplier
7-11 Food Stores #13486	15350 Lincoln	$150	Convenience Store
Bricco Excavating Company	21201 Meyers	$150	Excavators
MBush LLC	8100 Nine Mile	$150	
One-Stop Cash Advance	8530 Nine Mile A	$225	Banking
Wireless U Now	8980 Nine Mile	$150	Wireless
Primos Pizza #1	10100 Nine Mile	$187.50	Restaurant

Manistee Clinic	10300 Nine Mile	$150	Medical
Ascension Bibles & Books	10720 Nine Mile	$150	Book Store
Walgreens #5425	13550 Nine Mile	$150	Drug Store
Oak Park Medical Center	15300 Nine Mile	$150	Medical
Discount Office & Equipment	12780 Northend	$225	Office Supplies
Positive Home Doctors Inc	12800 Northend	$150	Medical
EJ USA Inc	13001 Northend	$150	
Brilar LLC	13200 Northend	$150	Landscaping
Alfa Medical Equipment Sup.	13181 Ten Mile	$150	Medical Supplier
H & R Block	13241 Ten Mile	$150	Tax Service
Oak Park Beauty	13421 Ten Mile	$187.50	Salon

Voice Vote: Yes: McClellan, Burns, Rich, Speech, Radner
No: None
Absent: None

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS:

CM-04-149-17 **(AGENDA ITEM #8A) RESOLUTION NO. 9 AND RESOLUTION NO. 10 CONFIRMING THE ROLLS AND SETTING THE DUE DATE AND PENALTY FOR SPECIAL ASSESSMENT DISTRICTS – ADOPTED**

Motion by, Speech, seconded by Burns, CARRIED UNANIMOUSLY, to adopt the following Special Assessment Resolution (No. 9) confirming the Rolls, and Special Assessment Resolution (No. 10), setting the due date of May 31, 2017, together with a penalty of ten percent (10%) for Special Assessment District No. 660 – Unpaid Utility Invoices; Special Assessment District No. 661 – Unpaid False Alarm Invoices; Special Assessment District No. 662 – Unpaid Special Property Blight Invoices; and Special Assessment District No. 663 – Unpaid Sidewalk Repair Invoices; and withholding the temporary exceptions pending further review by the City Manager to report back to the City Council as to whether they will be kept on the Roll; added on at a later date or removed permanently:

CITY OF OAK PARK
MICHIGAN

SPECIAL ASSESSMENT RESOLUTION NO. 9

DISTRICT NO. 660
DISTRICT NO. 661
DISTRICT NO. 662
DISTRICT NO. 663

The Mayor announced that this was the time set to review the Special Assessment Roll as prepared and revised by the City Assessor for unpaid expenses incurred on private premises, assessed in Special Assessment Roll No. 660, 661, 662, 663

The Clerk read into the record the objections that were received.

There were objections received as follows:

SAD	Address	Parcel ID #
660 Unpaid Utility Invoices		
660	14000 Balfour	#25-19-408-045
660	14461 Northfield	#25-30-180-001
660	8785 Woodside Drive	#25-28-102-012
661 Unpaid False Alarm Invoices		
661	23741 Beverly	#25-30-301-001
662 Unpaid Property Blight Invoices		
662	10355 Capital	#25-32-276-069
661	23030 Marlow	#25-30-378-014
662	26090 Marlowe Place	#25-19-180-036
662	23028 Norwood	#25-28-352-034
662	24611 Radclift	#25-30-127-044
663 Unpaid Sidewalk Repair Invoices		
663	10100 Capital	#25-32-251-074
663	13751 Courtland	#25-31-276-023
663	10241 Dartmouth	#25-29-202-034

BE IT RESOLVED That Special Assessment Roll No. 660, 661, 662 and 663 as prepared and revised by the City Assessor, are hereby confirmed.

CITY OF OAK PARK
MICHIGAN

SPECIAL ASSESSMENT RESOLUTION NO. 10

DISTRICT NO. 660
DISTRICT NO. 661
DISTRICT NO. 662
DISTRICT NO. 663

At a Regular Meeting of the City Council of the City of Oak Park, held the 19th day of April, 2017 at 7:00 P.M., at the City Hall, 14000 Oak Park Boulevard, in said City.

WHEREAS, by resolution adopted April 19, 2017, Special Assessment Rolls No. 660, 661, 662 and 663 were confirmed by the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT: Said Special Assessment Rolls shall be due in one (1) installment payable on May 31, 2017, in full, together with a penalty of ten percent (10%).

Roll Call Vote:	Yes:	McClellan, Burns, Speech, Radner, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-04-150-17 **(AGENDA ITEM #10A) SPECIAL EVENT REQUEST – FIRST BAPTIST CHURCH OF OAK PARK – APPROVED**

Motion by Speech, seconded by Burns, 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, Outreach Event June 3, 2017 (11:00 a.m. – 4:00 p.m.)	App fee waived

Roll Call Vote: Yes: McClellan, Burns, Rich, Radner, Speech
No: None
Absent: None

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-04-151-17 **(AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF AN INVOICE SUBMITTED BY SECREST, WARDLE, LYNCH, HAMPTON, TRUEX & MORLEY, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF $2,652.00 - APPROVED**

Motion by Speech, seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of Invoice #1305910 as submitted by Secrest, Wardle, Lynch, Hampton, Truex & Morley, P.C. for legal services in the total amount of $2,652.00.

Roll Call Vote: Yes: McClellan, Burns, Radner, Rich, Speech
No: None
Absent: None

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-04-152-17 **(AGENDA ITEM #13A) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND ARTICLE IV, HOUSING, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING DIVISION 3, INSPECTIONS, THEREOF, THEREBY PERMITTING ADVERTISING OF RENTAL UNITS CERTIFIED WITHIN LAST SIX MONTHS - APPROVED**

Motion by Burns, seconded by Speech, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance:

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE IV, HOUSING, CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK BY AMENDING DIVISION 3, INSPECTIONS, THEREOF, THEREBY PERMITTING ADVERTISING OF RENTAL UNITS CERTIFIED WITHIN LAST SIX MONTHS.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Division 3, Inspections, of Article IV, Housing, of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 18-181. - To determine compliance with applicable codes; certificates of compliance and occupancy.

No owner of any rental unit governed by this article, and no agent of such owner, shall hereafter offer to let or hire, any one-family dwelling or any unit in a two-family dwelling, unless such unit has been inspected and a certificate of compliance has been issued by the department of technical and planning services. The department of technical and planning services shall cause such inspection to be had, and such certificate of

occupancy to be issued, if the unit meets the minimum requirements of all applicable state and city housing and building codes, within a reasonable time after application therefor and payment of any inspection fee. The certificate of occupancy shall certify that the dwelling unit complies with all applicable provisions of such building and housing codes. An inspection is also required upon each vacancy and re-occupancy of the rental unit. If the rental unit has been issued a certificate of compliance within six months of the vacancy, the Owner is permitted to advertise the unit as long as the Owner has reported the vacancy and requested a re-occupancy inspection by the Rental Inspector.

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 become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

Roll Call Vote:	Yes:	McClellan, Burns, Speech, Rich
	No:	None
	Absent:	Radner

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER:

City Clerk

CM-04-153-17 **(AGENDA ITEM #15A) MOTION TO REJECT THE LOCAL OFFICERS' COMPENSATION COMMISSION'S SALARY DETERMINATION FOR LOCAL ELECTED OFFICIALS - FAILED**

Motion by Rich, seconded by Radner, FAILED, to reject the Local Officers' Compensation Commission's salary determination for local elected officials. (2/3 vote required for adoption)

Roll Call Vote:	Yes:	McClellan, Radner, Rich
	No:	Burns, Speech
	Absent:	None

MOTION FAILED

City Clerk Norris reported that Section 2-314 of the City Code requires the Local Officer's Compensation Commission to meet every odd-numbered year to determine the salaries of all elected officials of the city, which determination shall be the salaries unless the city council by a two-thirds vote of the members elected and serving on the city council shall reject them. In case of rejection, the existing salary shall prevail (Section 2-313). At the April 6, 2017 meeting of the LOCC, the commission voted to increase the annual salaries of the Mayor, Mayor Pro Tem and Council Members by 3% which are reflected as follows: New annual salaries, Mayor - $6,283; Mayor Pro Tem – $5,237; Council Member – $4,888.

CM-04-154-17 **(AGENDA ITEM #15B) RESOLUTION AUTHORIZING ACCEPTANCE OF THE HELP AMERICA VOTE ACT (HAVA) GRANT AGREEMENT - APPROVED**

Motion by Speech, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution authorizing acceptance of the Help America Vote Act (HAVA) Grant Agreement:

CITY OF OAK PARK
COUNTY OF OAKLAND

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE
HELP AMERICA VOTE ACT (HAVA) GRANT AGREEMENT

WHEREAS, the Grant Agreement is the mechanism by which Counties, Cities and Townships apply to the State of Michigan to receive Federal HAVA and State-appropriated funded voting systems, including optical scan tabulators, accessible voting devices and Election Management System (EMS) software, pursuant to the Federal Help America Vote Act (HAVA) of 2002; and

WHEREAS, the Grant Agreement process applies to voting system purchases occurring between March 1, 2017 and April 30, 2017; and

WHEREAS, The Grant Agreement is to establish a grant program to use State-appropriated and Federal HAVA funds to acquire and implement replacement voting systems throughout the state; and

WHEREAS, The Michigan Department of Technology, Management and Budget has entered into a Master Contract with each Contractor selected to provide voting systems; and

WHEREAS, State-appropriated and Federal HAVA funding provided via the Grant Agreement covers the purchase of the voting system, the software license fee for the EMS software for the full 10-year contract term, and the initial service and maintenance period for all components (which covers the acquisition year, plus 4 additional years); and

WHEREAS, the Master Contract includes an extended service and maintenance period beyond the initial service and maintenance period for an additional five-year period the costs of which along with any other additional expenses, if any, are the sole responsibility of each individual county/local jurisdiction; and

WHEREAS, the Municipality shall obtain this Grant by entering into the Help America Vote Act (HAVA) Grant Agreement Voting System Hardware, Firmware and Software.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk, a position currently held by T. Edwin Norris, is designated as the Grant Manager for the City of Oak Park, Michigan and is authorized to administer the Grant in accordance with its terms.

2. The City Clerk, T. Edwin Norris is authorized to sign and enter into the Grant Agreement.

3. The proposed form of the Help America Vote Act (HAVA) Grant Agreement between the Municipality and the State of Michigan/Michigan Department of State is hereby approved subject to review by the City Attorney and the Authorized Representative, City Clerk, T. Edwin Norris is authorized and directed to execute the Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

4. The Authorized Representative, City Clerk, T. Edwin Norris is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the State of Michigan/Michigan Department of State in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the State of Michigan/Michigan Department of State or as may otherwise be necessary to effect the approval and delivery of the Grant.

5. The Municipality acknowledges that the Grant Agreement is a contract between the Municipality and the State of Michigan/Michigan Department of State.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

7. This Resolution is given immediate effect.

Roll Call Vote:	Yes:	McClellan, Burns, Speech, Rich, Radner
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

Mr. Norris indicated this grant agreement is the mechanism by which the City applies to the State of Michigan to receive a Federal HAVA and State-appropriated funded voting system, including optical scan tabulators, accessible voting devices and Election Management System (EMS) software, pursuant to the Federal Help America Vote Act (HAVA) of 2002. The Grant Agreement requires that the City designate someone to serve as the Grant Manager for the municipality as well as specify who has authority to execute the document on behalf of the City and the Resolution designates the City Clerk to sign and enter into the Agreement and to serve as the Grant Manager.

Finance

CM-04-155-17 (AGENDA ITEM #15C) AGREEMENT WITH THE BERKLEY SCHOOL DISTRICT TO COLLECT THEIR 2017 PROPERTY TAX LEVY AND TRANSFER THE COLLECTED FUNDS AS REQUIRED BY STATE STATUTE - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve an agreement with the Berkley School District to collect their 2017 property tax levy and transfer the collected funds as required by State Statute.

Roll Call Vote:	Yes:	McClellan, Burns, Speech, Rich, Radner
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

City Manager Tungate reported that the City of Oak Park annually enters into an agreement with the Berkley School District to collect their property taxes. A 1% fee is collected for this service.

Economic Development and Communications

CM-04-156-17 (AGENDA ITEM #15C) RESOLUTION AUTHORIZING THE CITY OF OAK PARK TO PARTICIPATE IN THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) REDEVELOPMENT READY COMMUNITIES PROGRAM - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City of Oak Park to participate in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program:

City of Oak Park, Michigan

Resolution Authorizing the City of Oak Park to Participate in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program

Whereas, the Michigan Economic Development Corporation (MEDC) has established the statewide Redevelopment Ready Communities (RRC) Program to empower communities to shape their future and maximize economic potential; and

Whereas, RRC is a program that provides technical assistance to and certifies Michigan communities who actively engage stakeholders and plan deliberate, fair and consistent processes; and

Whereas, the City of Oak Park recognizes the value of the RRC Program and seeks to improve its redevelopment readiness via a detailed review of existing development processes; and

Whereas, the RRC program includes evaluating and strengthening the development-related partnerships between the City Council and stakeholder organizations such as: the MEDC, Oak Park Corridor Improvement Authority (CIA), Oak Park Planning Commission (PC), and Oakland County; and

Whereas, the City of Oak Park has adopted a new Master Plan in 2017 which will guide future development and redevelopment of the City and has incorporated the RRC best practices; and

Whereas, opportunities for the redevelopment of existing parcels and buildings will be a significant source of future growth and investment in the City given the limited opportunities for greenfield development within the city limits; and

Now, Therefore, it is Resolved as follows:

1. The Oak Park City Council is willing to participate in the MEDC Redevelopment Ready Communities Program, including increased interaction and partnership with the MEDC, CIA, PC, Oakland County, and other stakeholders in the development review process.
2. It is the intention of the City of Oak Park to utilize the RRC Best Practices and evaluation process to improve our processes and communication with stakeholders.
3. City Administration is hereby authorized to proceed toward implementation of the recommendations necessary to receive RRC Certification from the MEDC.

This resolution shall become effective April 19, 2017.

Roll Call Vote:	Yes:	McClellan, Burns, Speech, Rich, Radner
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

Community and Economic Development Director Marrone reported that the Community & Economic Development Department has completed the first step in the RRC Engagement process by completing the RRC Best Practice Evaluation. The next step in the engagement process is the passing of a resolution in support of the RRC process and the steps necessary to become a certified RRD Community. There are many benefits in becoming certified such as, access to grants, media exposure to our redevelopment sites, and improved processes to attract development.

CALL TO THE AUDIENCE:

Misty Patterson from the Oak Park School Board thanked Oak Park staff for their participation with reading month. She also reminded everyone about upcoming events including the Youth Assistance Dinner on April 26th, Battle of the Bands on April 29th and the annual golf outing on July 17th.

Idella Atkins, 21140 Westhampton, voiced concerns about a parking issue taking place in front of her home and expressed a desire to change a city ordinance to address her concern.

CALL TO THE COUNCIL:

Mayor McClellan shared a report on municipal financing that was presented at a Michigan Municipal League (MML) conference

Mayor Pro Tem Burns wished everyone a good evening.

Council member Radner wished everyone a good evening.

Council Member Speech reminded everyone about World Dance Day April 29th and also the free garage sale dates of April 27-30.

Council Member Rich wished everyone a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:45 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
April 19, 2017
5:00 P.M.

MINUTES

This Special Meeting of the 36th Oak Park City Council was held in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

Notice of this Special Meeting was given in compliance with the provisions of Act 267 of the Public Acts of Michigan, 1976, as amended, the "Open Meetings Act".

The Special Meeting was called to order by Mayor McClellan at 5:00 P.M.

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Radner, Council Member Rich (Arrived at 5:15 PM), Council Member Speech (Arrived at 5:07 PM)

ABSENT: None

ALSO PRESENT: City Manager Tungate, City Clerk Norris, City Attorney Duff, Finance Director Crawford, Assistant to the City Manager McLain, Deputy Finance Director Grondin, Assistant City Manager Yee

SPECIAL BUSINESS:

(AGENDA ITEM #3A) Consideration of rescinding prior council action (SCM-03-128-17) regarding the reduction of members on the Planning Commission.

SCM-04-157-17 MOTION TO RESCIND PRIOR COUNCIL ACTION (SCM-03-128-17) REGARDING THE REDUCTION OF MEMBERS ON THE PLANNING COMMISSION – APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to rescind prior council action (SCM-03-128-17) regarding the reduction of members on the Planning Commission.

Voice Vote:	Yes:	McClellan, Burns, Radner
	No:	None
	Absent:	Rich, Speech

MOTION DECLARED ADOPTED

Prior action by Council on March 27, 2017 (SCM-03-128-17) authorized the reduction of members on the Planning Commission from 9 members to 7 members.

(AGENDA ITEM #3B) To discuss FY 2017-18, FY 2018-19 and FY 2019-20 departmental budgets.

City Manager Tungate provided an overview of the budget process and council discussed the following departmental budgets:

Human Resources
Information Technology
Library
Public Safety

Due to time constraints, the planned City Clerk and City Council/City Manager budget discussions were moved to the next budget session scheduled for April 25, 2017.

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

ADJOURNMENT:

The Special Meeting adjourned at 6:45 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE 36th OAK PARK CITY COUNCIL
April 25, 2017
5:00 P.M.

MINUTES

This Special Meeting of the 36th Oak Park City Council was held in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237.

Notice of this Special Meeting was given in compliance with the provisions of Act 267 of the Public Acts of Michigan, 1976, as amended, the "Open Meetings Act".

The Special Meeting was called to order by Mayor McClellan at 5:00 P.M.

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Radner (Arrived at 5:10 PM), Council Member Rich

ABSENT: Council Member Speech

ALSO PRESENT: City Manager Tungate, City Clerk Norris, City Attorney Duff, Finance Director Crawford, Assistant to the City Manager McLain, Deputy Finance Director Grondin, Assistant City Manager Yee, Deputy Finance Director Winters

SPECIAL BUSINESS:

(AGENDA ITEM #3A) To discuss FY 2017-18, FY 2018-19 and FY 2019-20 departmental budgets.

City Council discussed the following departmental budgets:

City Clerk
City Council/City Manager
Public Works
Water & Sewer
Technical & Planning
Finance
Recreation

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

ADJOURNMENT:

The Special Meeting adjourned at 6:23 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

CITY OF OAK PARK PLANNING COMMISSION
March 13, 2017
MINUTES

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

PRESENT:	Vice Chairperson Brown Commissioner Burns Commissioner Eizelman Commissioner McClellan Commissioner Tungate Commissioner Seligson Commissioner Walters-Gill
ABSENT:	Chairperson Torgow Commissioner Tkatch
OTHERS PRESENT:	City Planner, Kevin Rulkowski Community & Economic Development Director, Kimberly Marrone City Clerk, Ed Norris

APPROVAL OF AGENDA OF MARCH 13, 2017

MOTION by Burns, SECONDED by Walters-Gill, to **approve** the agenda for March 13, 2017, as amended to add Item 8B.3) Request to schedule Special Land Use Public Hearing for Sweet Soul Bistro, 13400 Eight Mile Road.

VOTE: Yes: All
No: None
MOTION CARRIED

APPROVAL OF MINUTES OF DECEMBER 12, 2016 - APPROVED

MOTION by McClellan, SECONDED by Walters-Gill, to **approve** the minutes of December 12, 2016, as submitted.

VOTE: Yes: All
No: None
MOTION CARRIED

COMMUNICATIONS/CORRESPONDENCE: None

PUBLIC HEARING:

A. Public Hearing to receive public comments on a Proposed Master Plan for the City of Oak Park.

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated March 8, 2017:

At the March 13th Planning Commission meeting a Public Hearing is scheduled to hear public comments on the Proposed Master Plan for the City of Oak Park. After receiving the public comments, the Planning Commission will have to decide whether to adopt the Proposed Master Plan as presented or seek further modification. The preparation and approval of a Master Plan for a community is considered the single most important duty of the Planning Commission. As such, the Michigan Planning Enabling Act of 2008 requires an affirmative vote of a super majority (2/3rds) of the members of the Planning Commission for approval.

125.3843. Sec. 43.

(2) The approval of the proposed master plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of a city or village planning commission...

For this reason, each Planning Commissioner's attendance at the meeting is very important.

Last week a bound Draft Master Plan was delivered to each Planning Commissioner for review. The Draft Master Plan represents months of information gathering, public input, and ongoing consultation between City staff and the Planning Commission. No fewer than five City staff members worked directly on the Draft Master Plan, in addition to many other City staff that contributed in a number of ways.

As required by the Municipal Planning Act, a copy of the Draft Master Plan was mailed to all the communities surrounding Oak Park and the Oakland County Coordinating Zoning Committee. At this point in time we have received comments from the City of Southfield, Royal Oak Township and Oakland County planning staff indicating that Oak Park's Draft Master Plan is not inconsistent with their Master Plans. On March 7th the Oakland County Coordinating Zoning Committee met and voted to ratify the finding of the Oakland County planning staff indicating that Oak Park's Draft Master Plan is not inconsistent with the Master Plans of the communities surrounding Oak Park.

In the memorandum that accompanied the bound Draft Master Plan from last week, it was noted that there were a few last minute amendments that were not incorporated in the bound document. These included changes to the Goals and Implementation section (pages 67-78) as well as a clarification to the Zoning Plan (page 79) as recommended by the Oakland County planning staff. As the Draft Master Plan is a "work in progress" we have made a few additional modifications to the information you received last week. These changes are as follows:

- *An updated Public Transportation Map from SMART on page 61.*
- *A corrected Parks Map on page 40.*
- *Revision of the listings of recreation facilities located in the various parks on pages 41 through 51.*

- *Typographical corrections throughout the document.*

So that there is complete clarity as to the Final Draft Master Plan that is being reviewed for approval, the version included in this packet is the one City staff is recommending for consideration.

It is with great pleasure that the Department of Community and Economic Development recommends adoption of the presented Master Plan for the City of Oak Park.

Vice Chairperson Brown opened the Public Hearing at 7:08 p.m.

There were no members of the public present.

Vice Chairperson Brown closed the Public Hearing at 7:08 p.m.

Mayor Pro Tem Burns expressed concern that the snow storm and power outages in the City might have discouraged the pubic from attending the public hearing. Mr. Rulkowski noted other opportunities provided for public input, including a well-attended open house in January.

City Planner Rulkowski explained the copy of the Plan distributed to Planning Commission members in the meeting packet is the final version incorporating all changes and corrections made to date.

City Manager Tungate commended Economic Development and Communications Director Kim Marrone and City Planner Rulkowski, Assistant to the City Manager Crystal McLain, and all other staff members who assisted in creating the Master Plan. In response to City Manager Tungate's query on the value of scheduling another public meeting, City Planner Rulkowski felt an additional meeting would be unproductive. He cited the many notices and meetings directed toward the public to solicit input during the statutory 60 day comment period.

Commissioner Eizelman commented on the great job done by City staff on the Plan.

Vice Chairperson Brown asked about a suggestion from Oakland County that responsibility for action items could be assigned in the Plan. City Planner Rulkowski explained the final version includes a goals and implementation section detailing the entities responsible and a time frame for the action items contained in the Plan.

CONSENT AGENDA: No Items Eligible This Month

OLD BUSINESS: None

NEW BUSINESS:

1) Consideration of Adoption of Proposed Master Plan for the City of Oak Park.

MOTION by Burns, SECONDED by Eizelman, to **approve** adoption of the Master Plan for the City of Oak Park as presented.

VOTE: Yes: Commissioners Burns, Eizelman, McClellan, Tungate, Seligson, Walters-Gill, Vice Chairperson Brown
No: None
MOTION CARRIED

2) City of Southfield *Northland Sub Area Master Plan Amendment.*

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated March 1, 2017:

> *The City of Southfield is requesting comment on the draft Northland Sub Area Master Plan Amendment. This request is in accordance with the provisions of the Michigan Planning Enabling Act (Public Act 33 of 2008). A letter from the City of Southfield with information on how to view the draft Northland Sub Area Master Plan Amendment is attached.*
>
> *After reviewing the information in the draft Northland Sub Area Master Plan Amendment I do not find the proposed plan would be inconsistent with the current City of Oak Park Master Plan or the draft City of Oak Park Master Plan.*
>
> *As the draft Northland Sub Area Master Plan Amendment for the City of Southfield is not inconsistent with the Master Plan of the City of Oak Park, I am recommending the Planning Commission authorize sending the attached letter to the City of Southfield Planning Commission and a copy to the Oakland County Coordinating Zoning Committee.*

MOTION by Eizelman, SECONDED by Burns, based on the information presented in the Planning Division Report, to authorize City Planner Rulkowski to send the following letter to the City of Southfield Planning Commission and a copy to the Oakland County Coordinating Zoning Committee:

> *March 14, 2017*
>
> *City of Southfield Planning Commission*
> *Attn: Terry Croad, AICP, ASLA, Director of Planning*
> *26000 Evergreen Road*
> *Southfield, MI 48076*
>
> *Dear Mr. Croad:*
>
> *Thank you for the opportunity to review the draft Northland Sub Area Master Plan Amendment. The draft Northland Sub Area Master Plan Amendment was reviewed by members of the City of Oak Park Planning Commission without any concerns. The Planning Commission determined the Northland Sub Area Master Plan Amendment was not inconsistent with the City of Oak Park Master Plan. The Planning Commission did not make any suggestions or recommendations regarding the Northland Sub Area Master Plan Amendment.*
>
> *Sincerely,*
>
> *Kevin Rulkowski, AICP*
> *City Planner*

cc: Kristen Kapelanski, Economic Development & Community Affairs, Oakland County

VOTE: Yes: All
No: None
MOTION CARRIED

3) Request to schedule Special Land Use Public Hearing, Sweet Soul Bistro, 13400 Eight Mile Road

Vice Chairperson Brown referenced City Planner Rulkowski's report, dated March 13, 2017:

The Planning Division has received an application from Sweet Soul Bistro, 13400 Eight Mile Road, for Special Land Use approval for a Restaurant that serves Alcohol. In addition to the General Standards outlined in Section 1900 of the Zoning Ordinance, the following specific standards must be met:

Sec. 1930. - Restaurants serving alcoholic liquor.

Restaurants serving alcoholic liquor may be permitted in certain districts specified in this section if the establishment is continually operated according to the following:

A. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.

B. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisleways. Public restroom facilities shall not be considered in this determination.

C. The proposed restaurant is not located within 500 feet of a church or school building. The distance between the church or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the church or school building nearest to the contemplated location and from the part of the contemplated location nearest to the church or school building. Notwithstanding the stated distance requirements, no proposed restaurant will be permitted to serve alcoholic liquor if the restaurant is located on a parcel of land adjacent to a parcel of land with a church or school building. This provision may be waived by the city council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the city council determines that the restaurant will not adversely affect the operation of the school or place of worship.

D. The layout of the site of the proposed restaurant serving alcoholic liquor and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed restaurant serving alcoholic liquor, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.

E. *The proposed restaurant serving alcoholic liquor will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.*

F. *The proposed restaurant serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.*

G. *The proposed restaurant serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.*

H. *The proposed restaurant serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.*

The proposed location of the restaurant does not meet the spacing requirements of Section 1930, C, and is located within 500 feet of a place of worship. The applicant has indicated they will be seeking a waiver from the Jehovah Witness Church 13300 Eight Mile Road.

As part of the Special Land Use review process, a Public Hearing is required to be scheduled. It is the recommendation of the Planning Division that the Planning Commission schedule a Public Hearing for the April 10, 2017, regular meeting.

MOTION by Burns, SECONDED by Seligson, to **approve** the scheduling of a Public Hearing for the April 10, 2017, regular Planning Commission meeting, on the application for a Special Land Use Permit from Sweet Soul Bistro, 13400 Eight Mile Road.

VOTE: Yes: All
No: None
MOTION CARRIED

<u>PLANNING COMMISSION MATTERS FOR DISCUSSION</u> – from members only.

Director Marrone, in response to a question from Vice Chairperson Brown, indicated the petitioner for a restaurant at the former radio station location on Eight Mile Road is expected to be before the Planning Commission in May with a Site Plan application.

Director Marrone reported the Lincoln Center property is getting closer to having a tenant.

Vice Chairperson Brown and City Manager Tungate commented on continuing infrastructure issues on MDOT's I-696 overpass in the Victoria Park location.

<u>PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING</u>: None.

<u>ADJOURNMENT</u>
There being no further business, Vice Chairperson Brown adjourned the meeting at 7:40 p.m.

____
T. Edwin Norris, Recording Secretary

CITY OF OAK PARK BEAUTIFICATION ADVISORY COMMISSION

FEBRUARY 21, 2017

MINUTES

Meeting was called to order at 7:00 p.m. in the City of Oak Park Community Center, 14300 Oak Park Boulevard, Oak Park, Michigan, by Chairperson Reatha Richmond.

PRESENT: Chairperson Reatha Richmond, Vice Chairperson Lonnie Tabb-Upshaw, Commissioners Brenda Moseley, Deborah Williamson, Idella Bailey, Joyce Schulman, Karen Davis-Harris, Lonnie Tabb-Upshaw, Santhia Guinn, Non-Voting Representative Kevin Yee

ABSENT: Commissioners Andrea Stawis, Angela Mitchell, Carrie Dodds, Danielle Fracassa, Judy Simmons, Larry Wilson, Mattie Boykin, Councilmember Kiesha Speech

GUEST: Michella Perry

APPROVAL OF MINUTES; SEPTEMBER 20, 2016

MOTION by Guinn, SECONDED by Tabb-Upshaw, to approve the Beautification Advisory Commission meeting minutes of September 20, 2016 as submitted.

VOTE: Yes: All
No: None
MOTION CARRIED

OLD BUSINESS

BCSEM Quarterly Meeting – Commission members agree that overall, co-hosting the December 2016 BCSEM quarterly meeting with the city of Huntington Woods went very well. The participants felt comfortable and the presentation went well, and the food was delicious, but mentioned that there were issues with the involvement of the setup of the event. Also there were issues with the speakers that should have been worked out on the agenda. Lonnie mentioned that there were funds from a raffle that Oak Park had not received yet, and asked the city to contact Huntington Woods' officials so the funds could be released. Kevin stated that he would reach out to Claire from Huntington Woods. The commissioners agree that in the event of hosting another quarterly meeting that they will not consider to co-host with another community.

NEW BUSINESS

Election Voting Chairperson and Vice Chairperson –

Motion by: Joyce Schulman

Seconded by: ______________

To nominate Lonnie Tabb-Upshaw for Chairperson

All in Favor: YES: 4 NO:

Motion by: Brenda Moseley

Seconded by: ______________

To nominate Reatha Richmond for Chairperson

All in Favor: YES: 2 NO:

No nominations for Vice chairperson; Reatha Richmond stated that she would act as Vice Chairperson until next election to vote for Vice Chairperson.

Flower Sale – Commissioners who will participate in the Flower Sale are to be at the Community Center at 8:00 a.m. The flower sale hours are from 10:00 a.m. – 5:00 p.m. Lonnie Tabb-Upshaw stated that she will get contact information from Reatha to confirm Walt as the vendor for the flower sale. Lonnie was asked to provide a list of what will be sold at the flower sale so a price list can be printed out. Members asked for t-shirts for the commissioners to wear during their events (Flower Sale, Fourth of July Parade, etc ;). Kevin stated that the city is looking into purchasing t-shirts for the boards and commissions, and will provide an update at the next meeting.

General Discussion – Commissioners mentioned that the flower pots placed at various areas in the city were beautiful. New city projects that were mentioned were the branding over the 696 bridge at Coolidge, painting of the water tank and the Granzon road project from Church to Coolidge, 9 & Harding water main projects, and DTE led light installation.

Meeting adjourned at 7:45 pm, next meeting April 18, 2017

CITY OF OAK PARK, MICHIGAN
EMPLOYEES' RETIREMENT SYSTEM AND
PUBLIC SAFETY RETIREMENT SYSTEM BOARD OF TRUSTEES
CONCURRENT MEETING

January 23, 2017
4:30 PM

MINUTES

Chairperson Tungate called the meeting to order at 4:30 PM and asked the City Clerk to call roll.

EMPLOYEES' RETIREMENT SYSTEM:

TRUSTEES PRESENT:	Trustee McClellan, Trustee Tungate, Trustee, Trustee Eickmeier, Waxenberg
TRUSTEES ABSENT:	Trustee Mlynczyk
ALSO PRESENT:	City Clerk Norris, City Attorney Duff, Deputy Finance Director Crawford

PUBLIC SAFETY RETIREMENT SYSTEM:

TRUSTEES PRESENT:	Trustee Tungate, Trustee McClellan, Trustee Tetler, Trustee Rich (Arrived at 4:38 PM), Trustee Batora
TRUSTEES ABSENT:	None
ALSO PRESENT:	City Clerk Norris, City Attorney Duff, Deputy Finance Director Crawford

(Agenda Item #3) Election of Officers

ERS-01-001-17 **MOTION TO HAVE TRUSTEE TUNGATE SERVE AS CHAIRPERSON OF THE ERS BOARD OF TRUSTEES – APPROVED**

Motion by McClellan, seconded by Waxenberg, CARRIED UNANIMOUSLY, to appoint Trustee Tungate as Chairperson for the Employees' Retirement System Board of Trustees.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-01-001-17 MOTION TO HAVE TRUSTEE TUNGATE SERVE AS CHAIRPERSON OF THE PSRS BOARD OF TRUSTEES – APPROVED

Motion by McClellan, seconded by Tetler, CARRIED UNANIMOUSLY, to appoint Trustee Tungate as Chairperson for the Public Safety Retirement System Board of Trustees.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

ERS-01-002-17 MOTION TO HAVE TRUSTEE MCCLELLAN SERVE AS VICE-CHAIRPERSON OF THE ERS BOARD OF TRUSTEES – APPROVED

Motion by Mlynczyk, seconded by Tungate, CARRIED UNANIMOUSLY, to appoint Trustee McClellan as Vice-Chairperson for the Employees' Retirement System Board of Trustees.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-01-002-17 MOTION TO HAVE TRUSTEE MCCLELLAN SERVE AS VICE-CHAIRPERSON OF THE PSRS BOARD OF TRUSTEES – APPROVED

Motion by Batora, seconded by Tetler, CARRIED UNANIMOUSLY, to appoint Trustee McClellan as Vice-Chairperson for the Public Safety Retirement System Board of Trustees.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

(Agenda Item #4) 2017 Meeting Dates

ERS-01-003-17 RESOLUTION SCHEDULING THE 2017 ERS REGULAR MEETING DATES – APPROVED

Motion by Eickmeier, seconded by Waxenberg, CARRIED UNANIMOUSLY, to approve the following resolution scheduling the 2017 Regular Meeting dates:

Resolution of the Employees' Retirement System
Board of Trustees

Schedule of Regular Meetings

WHEREAS, the Board is required to schedule regular quarterly meetings;

BE IT RESOLVED, that the following 2017 Schedule of Regular Meetings is approved:

January 23, 2017
April 24, 2017
July 24, 2017
October 23, 2017

Meetings will be held in the Executive Conference Room of City Hall, 14000 Oak Park Blvd., Oak Park, MI 48237 at 4:30 PM unless otherwise posted.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-01-003-16 RESOLUTION SCHEDULING THE 2016 PSRS REGULAR MEETING DATES – APPROVED

Motion by McClellan, seconded by Batora, CARRIED UNANIMOUSLY, to approve the following resolution scheduling the 2016 Regular Meeting dates:

Resolution of the Public Safety Retirement System
Board of Trustees

Schedule of Regular Meetings

WHEREAS, the Board is required to schedule monthly meetings;

BE IT RESOLVED, that the following 2017 Schedule of Regular Meetings is approved:

January 23, 2017
February 27, 2017

March 27, 2017
April 24, 2017
May 22, 2017
June 26, 2017
July 24, 2017
August 28, 2017
September 25, 2017
October 23, 2017
November 27, 2017
December 27, 2017* (Wednesday)

Meetings will be held in the Executive Conference Room of City Hall, 14000 Oak Park Blvd., Oak Park, MI 48237 at 4:30 PM unless otherwise posted.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

(Agenda Item #5) Approval of Minutes

ERS-01-004-17 **MINUTES FROM THE OCTOBER 10, 2016 ERS/PSRS CONCURRENT MEETING – APPROVED**

Motion by McClellan, seconded by Eickmeier, CARRIED UNANIMOUSLY, to approve the Minutes from the October 26, 2015 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-01-004-17 **MINUTES FROM THE OCTOBER 10, 2016 ERS/PSRS CONCURRENT MEETING – APPROVED**

Motion by Batora, seconded by Tetler, CARRIED UNANIMOUSLY, to approve the Minutes from the October 26, 2015 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

ERS-01-005-17 MINUTES FROM THE NOVEMBER 10, 2016 ERS/PSRS SPECIAL CONCURRENT MEETING – APPROVED

Motion by Waxenberg, seconded by Eickmeier, CARRIED UNANIMOUSLY, to approve the Minutes from the November 10, 2016 ERS/PSRS Special Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-01-005-17 MINUTES FROM THE NOVEMBER 10, 2017 ERS/PSRS SPECIAL CONCURRENT MEETING – APPROVED

Motion by Tetler, seconded by Batora, CARRIED UNANIMOUSLY, to approve the Minutes from the November 10, 2016 ERS/PSRS Special Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

PSRS-01-006-17 MINUTES FROM THE DECEMBER 12, 2016 SPECIAL PSRS MEETING – APPROVED

Motion by McClellan, seconded by Batora, CARRIED UNANIMOUSLY, to approve the Minutes from the December 12, 2016 Special PSRS Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

(Agenda Item #6A) SEI Presentation and Funding Discussion

Glenn Harris from SEI presented a 2016 Fourth Quarter Investment Review dated January 23, 2017. A complete report is on file in the City Clerk's Office. Mr. Harris reported fourth quarter returns for the plans and summarized plan highlights on page 5 of the report. The Employees' Retirement System assets as of December 31, 2016 were $18,681,097 and the Public Safety

Retirement System assets were $37,115,035. Both plans returned .9% for the quarter vs. 0.8% for the Policy Index. Both plans outpaced the broad policy index of 60% US Stocks / 40% US Bonds. Mr. Harris commented on specific aspects of the portfolio and the market outlook.

Mr. Harris also provided an analysis of the Retirement Systems' funded status relative to alternative actuarial assumptions and contributions. Charts were reviewed on pages 22-29 of the report.

Mr. Harris concluded his presentation by reviewing an analysis of moving the portfolio to a more passive model that would help to reduce fees and possibly add value. The portfolio A model on Page 31 of the report whereby equity asset classes were moved to index classes was discussed but no recommendation was made or considered.

(Agenda Item #6B) Annual Determination of Interest Rate for Buy Back Calculations

ERS-01-006-17 **MOTION TO SET THE RATE FOR BUY BACK CALCULATIONS FOR THE EMPLOYEES RETIREMENT SYSTEM AT 3.164 % – APPROVED**

Motion by Eickmeier, seconded by McClellan, CARRIED UNANIMOUSLY, to set the rate for Buy Back Calculations for the Employees' Retirement System at 3.164 %.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-01-007-17 **MOTION TO SET THE RATE FOR BUY BACK CALCULATIONS FOR THE PUBLIC SAFETY RETIREMENT SYSTEM AT 2.984 % – APPROVED**

Motion by McClellan, seconded by Batora, CARRIED, to set the rate for Buy Back Calculations for the Public Safety Retirement System at 2.984 %.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora
	No:	None
	Abstain:	Rich
	Absent:	None

MOTION DECLARED ADOPTED

(Agenda Item #7A-J) Financial Reports (ERS)

ERS-01-007-17 RECEIVE AND APPROVE ERS FINANCIAL REPORTS (OCTOBER - DECEMBER 2016) – APPROVED

Motion by Waxenberg, seconded by McClellan, CARRIED UNANIMOUSLY, to receive and approve the following reports for the period October 1, - December 31, 2016:

A. SEI Investment Management Report
B. Fiduciary Net Assets Statement – Fund 731
C. SEI Private Trust Financial Report
D. Disbursements made by Retirement System

DATE	CHECK#	PAYEE/DESCRIPTION	AMOUNT
11/03/16		SEI Private Trust Co.	$ 13,739.09
Investment Counseling Fees for 07/01/16 – 09/30/16.			
01/05/17	140723	GRS Health and Welfare	$ 1,250.00
Actuarial Attestation of Medicare Part D Subsidy plan year 2017			
TOTAL QUARTERLY DISBURSEMENTS:		$14,989.09	

E. Fiduciary Net Assets Statement – Fund 680
F. Retirees Actuarial Statements

NAME	DEPARTMENT	DATE	STATUS
Jon Maly	DPW	10/30/16	Final
Gary Shermantaro	DPW	09/30/16	Final
Brain Wehner	DPW	10/07/16	Final

G. Municipal and Military Buy-Back Calculations - None
H. Correspondence of Retirement Submission - None
I. Necrology Report

DATE	NAME
10/18/16	Patricia Lebtich
12/09/16	Regina McNulty
10/11/16	Lillian Pilon

J. Miscellaneous Information - None

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

(Agenda Item #5A-J) Financial Reports (PSRS)

PSRS-01-008-17 RECEIVE AND APPROVE PSRS FINANCIAL REPORTS (OCTOBER - DECEMBER 2016) – APPROVED

Motion by Rich, seconded by Tetler, CARRIED UNANIMOUSLY, to receive and approve the following reports for the period October 1, - December 31, 2016:

A SEI Investment Management Reports
B Fiduciary Net Assets Statement – Fund 733
C. SEI Private Trust Financial Report
D. Disbursements made by Retirement System

DATE	CHECK#	PAYEE/DESCRIPTION	AMOUNT
10/13/16	139306	Roznowski, M	$ 4,135.01
Refund of accumulated contributions.			
11/03/16		SEI Private Trust Co.	$ 27,129.97
Investment Counseling Fees for 07/01/16 – 09/30/16.			
01/05/17	140723	GRS Health and Welfare	$ 1,250.00
Actuarial Attestation of Medicare Part D Subsidy plan year 2017			
TOTAL QUARTERLY DISBURSEMENTS:		$32,514.98	

E. Fiduciary Net Assets Statement – Fund 680
F. Retirees Actuarial Statements

NAME	DEPARTMENT	DATE	STATUS
Baumgartner, K	Public Safety	10/14/16	Final

G. Municipal and Military Buy-Back Calculations - None
H. Correspondence of Retirement Submission – None
I. Necrology Report - None
J. Miscellaneous Information - None

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

PUBLIC COMMENTS:

There were no members of the public present wishing to speak.

ADJOURNMENT:

The meeting adjourned at 5:58 PM.

T. Edwin Norris, City Clerk

CITY OF OAK PARK, MICHIGAN
EMPLOYEES' RETIREMENT SYSTEM AND
PUBLIC SAFETY RETIREMENT SYSTEM BOARD OF TRUSTEES
SPECIAL CONCURRENT MEETING

February 27, 2017
4:30 PM

MINUTES

Chairperson Tungate called the meeting to order at 4:34 PM and asked the City Clerk to call roll.

EMPLOYEES' RETIREMENT SYSTEM:

TRUSTEES PRESENT: Trustee McClellan, Trustee Tungate, Trustee Mlynczyk, Trustee Waxenberg, Trustee Eickmeier

TRUSTEES ABSENT: None

ALSO PRESENT: City Clerk Norris and Deputy Finance Director Crawford

PUBLIC SAFETY RETIREMENT SYSTEM:

TRUSTEES PRESENT: Trustee Tungate, Trustee McClellan, Trustee Tetler, Trustee Rich, Trustee Batora (Left meeting at 5:00 p.m.)

TRUSTEES ABSENT: None

ALSO PRESENT: City Clerk Norris and Deputy Finance Director Crawford

(Agenda Item #3A) Presentation of Request for Proposals for Actuarial and Custodial and Benefit Payment Services for the Oak Park Retirement Systems by Fund Evaluation Group, LLC

Investment Advisor Dave Wetzel from Fund Evaluation Group (FEG), presented a report dated February 27, 2017 that reviewed the history of the process by which specific vendors were hired for the retirement systems and outlined options for new potential candidates for actuarial, custodial, benefit payment and investment manager services. The report included the vendor responses for actuarial services and custodial and benefit payment services. The complete report is on file in the City Clerk's Office.

Mr. Wetzel reviewed and the board discussed three actuarial firms that provided responses to the RFP. These included Gabriel Roeder Smith and Company (GRS), The Benefit Advantage, and Watkins Ross (WR). He also reviewed and board members discussed specific candidates who responded to the RFP for custodial and benefit payment services. PNC was a favorable candidate.

(Agenda Item #3B) Consideration of Actuarial and Custodial and Benefit Payment Services for the Oak Park Retirement Systems

There was consensus among the boards to review additional information regarding actuarial costs related to the DROP program and the number of calculation scenarios included in the proposals. Mr. Wetzel will plan to prepare a specific cost analysis/comparison for these services as well as investment management, custodial and benefit payment services for SEI and PNC at the next meeting planned for March 27, 2017. He will also include the pricing model used by Fund Evaluation Group for consulting fees.

PUBLIC COMMENTS:

There were no members of the public present wishing to speak.

ADJOURNMENT:

The meeting adjourned at 5:35 PM.

____
T. Edwin Norris, City Clerk

CITY OF OAK PARK, MICHIGAN
EMPLOYEES' RETIREMENT SYSTEM AND PUBLIC SAFETY RETIREMENT SYSTEM BOARD OF TRUSTEES SPECIAL CONCURRENT MEETING

March 27, 2017
4:30 PM

MINUTES

Chairperson Tungate called the meeting to order at 4:31 PM and asked the City Clerk to call roll.

EMPLOYEES' RETIREMENT SYSTEM:

TRUSTEES PRESENT:	Trustee McClellan, Trustee Tungate, Trustee Waxenberg, Trustee Eickmeier
TRUSTEES ABSENT:	Trustee Mlynczyk
ALSO PRESENT:	City Clerk Norris, Finance Director Crawford, Deputy Finance Director Grondin, City Attorney Duff

PUBLIC SAFETY RETIREMENT SYSTEM:

TRUSTEES PRESENT:	Trustee Tungate, Trustee McClellan, Trustee Tetler, Trustee Rich, Trustee Batora
TRUSTEES ABSENT:	None
ALSO PRESENT:	City Clerk Norris, Finance Director Crawford, Deputy Finance Director Grondin, City Attorney Duff

ERS-03-008-17 MINUTES FROM THE FEBRUARY 27, 2017 ERS/PSRS SPECIAL CONCURRENT MEETING – APPROVED

Motion by McClellan, seconded by Waxenberg, CARRIED UNANIMOUSLY, to approve the Minutes from the February 27, 2017 ERS/PSRS Special Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Eickmeier, Waxenberg
	No:	None
	Absent:	Mlynczyk

MOTION DECLARED ADOPTED

PSRS-03-009-17 MINUTES FROM THE FEBRUARY 27, 2017 ERS/PSRS SPECIAL CONCURRENT MEETING – APPROVED

Motion by Batora, seconded by Tetler, CARRIED UNANIMOUSLY, to approve the Minutes from the February 27, 2017 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, McClellan, Tetler, Batora, Rich
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

(Agenda Item #3A) Consideration of Actuarial, Investment Management, Custodial and Benefit Payment Services for the Retirement Systems

Investment Advisor Dave Wetzel from Fund Evaluation Group (FEG) presented a summary of fees associated with the management of assets for the retirement systems. The report illustrated comparison figures for actual SEI charges and anticipated PNC charges used for the same asset allocation.

Mr. Wetzel also reviewed the consulting fees associated with an ongoing relationship with FEG. There was consensus among trustees to have the city manager and finance staff negotiate a specific agreement with FEG to provide ongoing consulting for the retirement systems.

Mr. Wetzel continued with a cost analysis comparison for actuarial services. The report compared fees for Watkins Ross, The Benefit Advantage and SAVITZ.

Mr. Tungate reviewed contract termination language found in the contracts from our current vendors and trustees discussed the need for another special meeting.

There was consensus among trustees to schedule a Special Meeting on May 8, 2017 at 4:30 PM to interview potential candidates for actuarial services. The next regular ERS/PSRS meeting is scheduled for April 24, 2017 at 4:30 PM when both representatives from SEI and CBIZ Savitz will be present.

PUBLIC COMMENTS:

There were no members of the public present wishing to speak.

ADJOURNMENT:

The meeting adjourned at 5:12 PM.

T. Edwin Norris, City Clerk

5G

CITY OF OAK PARK MICHIGAN Established 1945

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Maintenance agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield.

DEPARTMENT: Department of Public Works - *KJY*

SUMMARY: The Road Commission for Oakland County has offered to compensate the City of Oak Park $16,591.65 this season for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield. We would be required to sweep these roads three times per year and perform litter picking and lawn mowing services five times per year.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: It is recommended that the City Council approve the attached agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield.

APPROVALS:

City Manager: ______________

Finance Director: ______________

Department Director: ______________

EXHIBITS: Agreement

2017 SUMMER MAINTENANCE AGREEMENT
CITY OF OAK PARK

Under 1951 PA 51, As Amended

This Summer Maintenance Agreement ("Agreement") is made this ____day of__________, 2017, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, (hereinafter variously referred to as the "Board and as the "Road Commission for Oakland County") and the **City of Oak Park,** Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the "City."

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual convenants set forth herein as provided, it is hereby agreed as follows:

I

The City hereby agrees to be responsible for performing Summer Maintenance of certain roads under the terms of this Agreement, and the Board agrees to participate in the cost thereof as provided in Section III of this Agreement. "Summer Maintenance," herein required to be performed by City, shall mean the work and services specified in Exhibit B hereto and this Agreement. All maintenance work and services performed by the City shall be in accordance with the Board's minimum maintenance standards and this Agreement.

II

The Board has determined and specified the equipment and personnel necessary to provide the Summer Maintenance and the City has acquired the necessary equipment and personnel so specified. The City shall keep accurate and uniform records of all Summer Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the Summer Maintenance by the City, the Board hereby agrees to pay to the City the sum of **$16,591.65**, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Summer Maintenance. Payments are to be made by the Board to the City as follows:

65% on September 15, 2017
35% upon completion of the last Summer Maintenance activity

The making of said payments shall constitute the Board's entire obligation in reference to Summer Maintenance.

IV

It is specifically understood and agreed by the City and the Board that by undertaking to perform Summer Maintenance of certain county primary roads, the City does not assume the Board's legal duty to keep said roads in such condition as to be in accordance with MCLA 224.21, reasonably safe and convenient for public travel, other than as may relate to the work and service to be performed as listed in Section I above, and the City hereby agrees to hold harmless, represent, defend with counsel acceptable to the Board, and indemnify the Board; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and any and all applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; any and all local units(s) of government within which the roads subject to this Agreement are located, and the respective officers, agents and employees of all of the foregoing, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons, or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Summer Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Summer Maintenance under Section I, the City agrees to notify the Board within 30 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Summer Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation, employer's liability, automobile and comprehensive general liability insurance coverages, and such other insurance coverages, as described in Exhibit C attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement, and these coverages shall be obtained and maintained in accordance with the requirements set forth in Exhibit C attached hereto and made a part hereof and shall be primary and non-contributory.

VI

The City further agrees to comply with all applicable laws and regulations, including laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 PA 453, as amended, and 1976 PA 220, as amended, the City covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a disability that is unrelated to the individual's ability to perform the duties of the particular job or position, and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

City shall utilize the provisions of the Federal E-Verify Program to verify the work authorization status of all newly hired employees; and the Road Commission for Oakland County may terminate the contract for failure of City to so comply with the Federal E-Verify Program.

IX

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Summer Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective as of April 1, 2017, and shall continue in full force and effect until a subsequent Summer Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Summer Maintenance agreement has not been executed by the parties hereto on or before October 1, 2017, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of ________________________________, and by the City by authority of a resolution of its governing body, adopted ___________________________, (copy attached as Exhibit D).

Witnesses:

CITY OF OAK PARK
A Municipal Corporation

______________________________ By: ______________________________

Its: ______________________________

______________________________ By: ______________________________

Its: ______________________________

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,
A Public Body Corporate

______________________________ By: ______________________________

Its: ______________________________

______________________________ By: ______________________________

Its: ______________________________

EXHIBIT A

2017 SUMMER MAINTENANCE AGREEMENT

CITY OF OAK PARK

	Sweeping
Greenfield Road, from Eight Mile Road to Ten Mile Road. (Inside and outside in both directions)	6.74 Curb Miles
Ten Mile Road, from Greenfield Road to Maplefield. (Inside and outside and turnarounds in both directions)	8.72 Curb Miles
Total	15.46 Curb Miles

Sweeping: 15.46 Curb Miles x $155.00 = $2,396.30 x 3 Sweepings =	$ 7,188.90
Mowing: 5 mowings @ $1,323.39 per mowing =	$ 6,616.95
Litter Pickup: 5 litter pickups @ $557.16 =	$ 2,785.80
Total Contract	$16,591.65

EXHIBIT B

2017 SUMMER MAINTENANCE AGREEMENT

CITY OF OAK PARK

WORK TO BE PERFORMED:

1. Sweep all roads listed in Exhibit A, in both directions of travel and around islands, as provided in this Agreement, three (3) times (once between April 15th and May 15th; once between July 15th and August 15th and once between September 15th and October 15th).

2. Cut weeds and sweep all islands located along all roads listed in Exhibit A, where applicable.

3. Pick up litter, mow grass and cut weeds within the right-of-way along all roads listed in Exhibit A.

4. The City may at its own expense sweep, cut weeds and pick up litter more frequently, subject to the other terms and conditions of this Agreement, including, without limitation, the indemnification and insurance provisions.

EXHIBIT C

2017 SUMMER MAINTENANCE AGREEMENT

CITY OF OAK PARK

SPECIAL PROVISION
FOR
INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE

SPECIAL PROVISION
FOR
INDEMNIFICATION, DAMAGE LIABILITY AND INSURANCE

Indemnification and Damage Liability
See provisions of the maintenance agreement to which this Exhibit C is attached.

Insurance Coverage:
The City, prior to execution of the maintenance agreement, shall file with the Board of County Road Commissioners of the County of Oakland ("Board"), copies of completed certificates of insurance as evidence that it carries adequate insurance satisfactory to the Board; and, without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. The City shall immediately notify the Board and cease operations upon the occurrence of any cancellation, reduction, modification or termination of insurance required hereunder, and shall not resume operations under this Agreement until all insurance as required by this Agreement is in full force and effect. The City shall provide in a form and substance acceptable to the Board an underwriter's endorsement to its comprehensive general liability insurance and auto liability insurance, including any excess umbrella insurance, in the amounts set forth on Exhibit C, naming the Board and the Office of the Oakland County Water Resources Commissioner as an additional named insureds. The City shall obtain and deliver to the Board a notices of cancellation and non-renewal endorsement, acceptable to the Board, for the general liability, auto liability, and worker's compensation and employer's liability policies. Prior to commencing the work, the City shall provide to the Board evidence satisfactory to the Board of payment of the current premium for the required insurance and endorsements and shall also obtain certificates of insurance for each policy, providing for thirty (30) days actual (not "endeavor to") prior, written notice to the Board by the insurance carrier of any cancellation, termination reduction or material change of the policy. The City shall make sure that each of its subcontractors, if any, providing any of the work and services under this contract, shall obtain and maintain insurance as set forth in this Agreement.

The City shall provide the following insurance coverages which shall be primary and non-contributory:

a. Workmen's Compensation Insurance: The insurance shall provide protection for the City's employees, to the statutory limits of the State of Michigan and $500,000 employer's liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

b. Bodily Injury and Property Damage Other than Automobile: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.

Bodily Injury Liability Each Person: $1,000,000 Each Occurrence: $1,000,000 Aggregate: $2,000,000 -and- Property Damage Liability: Each Occurrence: $250,000 Aggregate: $250,000	Or: Single Limit: Bodily injury and Property Damage Each Occurrence: $1,000,000 Aggregate: $2,000,000

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors' coverages.

c. Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability) The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury Liability Each Person: $500,000 Each Occurrence: $ 1,000,000 -and- Property Damage Liability: Each Occurrence: $1,000,000	Or: Single Limit: Bodily Injury and Property Damage Each Occurrence: $2,000,000

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

d. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.

e. The City shall provide for and in behalf of the Board and all agencies specified by the Board, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's Public Liability Insurance.

Reports – The City or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.

See provisions of the maintenance agreement to which this Exhibit C is attached.

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Request authorization to enter into the West Nile Virus Fund Expense Reimbursement Program available from Oakland County.

DEPARTMENT: Public Works

SUMMARY: The Public Works Department requests that Director Kevin J. Yee be designated as agent for the Oakland County West Nile Virus Reimbursement Program.

FINANCIAL STATEMENT: The reimbursement program proposes to reimburse Oak Park $3,765.88 for our expenses on combating the West Nile Virus.

RECOMMENDED ACTION: It is recommended that City Council approve the attached resolution designating Kevin J. Yee as the agent for the City of Oak Park in regards to the Oakland County West Nile Virus Reimbursement Program.

APPROVALS:

City Manager: ____________________

Department Director: ____________________

EXHIBITS: Resolution

RESOLUTION

REQUEST AUTHORIZATION TO ENTER INTO THE WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT PROGRAM AVAILABLE FROM OAKLAND COUNTY

Motion by, ____________seconded by, _____________CARRIED UNANIMOUSLY: To adopt the following resolution:

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages and townships in addressing mosquito control activities; and

WHEREAS, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages and townships to apply for reimbursement for eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larvaciding or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS, the City of Oak Park, Oakland County, Michigan has incurred expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program.

NOW, THEREFORE, BE IT RESOLVED that this council authorizes and directs the Director of DPW, as agent for the city of Oak Park, in the manner and to the extent provided under Oakland County Board of Commissioner Miscellaneous Resolution, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

Roll Call Vote: Yes,
No,
Absent,

I, T. Edwin Norris, duly certified City Clerk of the City of Oak Park, Michigan, do hereby certify that the above resolution is a true copy of a resolution adopted by the Oak Park City Council, at a Regular Meeting, held on May 1, 2017.

____
T. Edwin Norris, City Clerk

MERCHANT'S LICENSES – MAY 1, 2017

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
Do-Re-Mi	10820 W. Nine Mile	$150	Retail

RENEWALS	ADDRESS	FEE	BUSINESS TYPE
Bacarbo LLC	13040 Capital	$150	Holding Company
Walker Printiery Inc	13351 Cloverdale	$225	Printer
Complete Parking Lot Maint	20800 Coolidge	$225	Automotive
Machine R E Sales Inc	21020 Coolidge	$225	
Nik Necessities Emporium	22041 Coolidge	$225	Retail
Dollar Express Store	22100 Coolidge	$150	Retail
Dollar Express – Tobacco	22100 Coolidge	$150	Retail
Joyful Tots Childcare & Learning Center	22141 Coolidge	$187.50	Childcare
Orthopedic Medical Building	12990 Eight Mile	$225	Medical
Fars Fill Up Inc	13500 Eight Mile	$150	Automotive
Zeune Michigan Storage Centers	15300 Eight Mile	$150	Storage facility
Custom Concept Collision	14051 Eleven Mile	$150	Automotive
ARKK Engineering	14251 Eleven Mile	$187.50	Engineering
Intra State Mort Services	14691 Eleven Mile	$225	Mortgage Services
Shear Directions	21700 Greenfield 104	$187.50	Salon
Metropolitan Rehab Clinics	21700 Greenfield 130	$150	Medical
Caring Nurses of Michigan Inc	23300 Greenfield 213	$225	Medical
Oak Park Donuts	25170 Greenfield	$150	Restaurant
Like Skills Village PLLC	25900 Greenfield 100	$225	Medical
Bling Bling Lee Inc	26122 Greenfield	$225	Retail
Oak Park Marathon Gas Station	26700 Greenfield	$150	Automotive
Hansen's Auto Service Center	8210 Nine Mile	$225	Automotive
Pest Arrest	8560 Nine Mile	$225	Pest Control
The Stellar Realty Group Inc	10140 Nine Mile	$225	Real Estate
Quick Cash and More LLC	13710 Nine Mile	$150	Banking
Domino's Pizza	13735 Nine Mile	$225	Restaurant
Dollar Village Discount Inc	13201 Ten Mile	$225	Retail
Sahni's Inc	13251 Ten Mile	$225	
Check N Go	13320 Ten Mile	$225	Banking
Oak Park Dialysis	13481 Ten Mile	$225	Medical

RESOLUTION APPROVING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS PY 2015

WHEREAS, the City of Oak Park is a participating local unit of government in the Oakland County Community Development Block Grant Program; and

WHEREAS, the City of Oak Park has duly advertised and conducted a public hearing on May 1, 2017 for the purpose of receiving comments regarding the proposed reprogramming of Program Year 2015 Community Development Block Grant funds; and

WHEREAS, the public hearing conformed to the guidelines of the Oakland County Community Development Division; and

WHEREAS, the City of Oak Park found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need and should be reprogrammed as follows:

<u>FROM 2015 PY</u>
Yard Services $15,000

<u>TO 2015 PY</u>
Code Enforcement $15,000

NOW THEREFORE, BE IT RESOLVED, that the City of Oak Park CDBG funds for Program Year 2015 be reprogrammed as outlined above and submitted to Oakland County.

GARAN
LUCOW
MILLER P.C.
GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 474822

April 17, 2017

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, March 31, 2017

$11,667.00 **Fee Total**

Total Costs Advanced **$0.00**

Total Fees and Disbursements: $11,667.00

Invoices for legal services are due upon receipt. To ensure proper application of your payment, Please indicate our invoice number and client/matter number on your remittance.

GARAN
LUCOW
MILLER P.C.
GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 474823

April 17, 2017

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

Re: Tina Polk and Richard Newton v City of Oak Park, County of Oakland, et al.

Client 7406
Matter 24

Statement for City Attorney Legal Services

For Legal Services Rendered Through Friday, March 31, 2017

$1,781.00 Fee Total

Costs Advanced:

Date	Description	Amount
03/03/17	Fee to Novitex Enterprise Solutions, Inc. for DVD Duplication x3 scan to disc	63.60
03/21/17	Reproduction Charges 19 @ 0.15	2.85
03/23/17	Fee to U. S. Legal Support, Inc. for the deposition transcript of Kevin Yee	496.35
	Total Costs Advanced	**$562.80**

Total Fees and Disbursements: $2,343.80

Invoices for legal services are due upon receipt. To ensure proper application of your payment, Please indicate our invoice number and client/matter number on your remittance.

GARAN
LUCOW
MILLER P.C.
GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 474824

April 17, 2017

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

Re: Judy Kish and Joyce Bannon, et al v City of Oak Park

Client 7406
Matter 31

Statement for City Attorney Legal Services

For Legal Services Rendered Through Friday, March 31, 2017

$3,482.50 **Fee Total**

Costs Advanced:

Date	Description	Amount
02/27/17	Fee for electronic filing in Oakland County - Defendant's Requested Voir Dire	5.15
	Total Costs Advanced	**$5.15**

Total Fees and Disbursements: $3,487.65

Invoices for legal services are due upon receipt. To ensure proper application of your payment, Please indicate our invoice number and client/matter number on your remittance.

CITY OF OAK PARK Established 1945 MICHIGAN

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Report on bids for the 2017 Fire Hydrant Blasting and Repainting Project, M-646.

DEPARTMENT: DPW/Technical & Planning – Engineering *KJY*

SUMMARY: At the February 20, 2017 regular meeting of the Oak Park City Council, the request to bid the 2017 Fire Hydrant Blasting and Repainting Project, M-646 was approved (CM-02-070-17). The project was advertised and 9 contractors viewed the documents. On April 18, 2017, two (2) bids were received and opened. The low bidder, Cross Renovation, Inc. of Livonia, MI, submitted a bid of $59,750.00. Cross Renovation, Inc. performed this work for the City last year to the satisfaction of City Personnel.

The bids came in above the budgeted amount, therefore we are recommending reducing the number of hydrants painted to meet the budgeted amount and adding those that are not done to a future project.

FINANCIAL STATEMENT: There is $45,000 budgeted in the FY 2016-17 Water & Sewer Fund budget this project.

RECOMMENDED ACTION: It is recommended City Council award the bid for the 2017 Fire Hydrant Blasting and Repainting Project, M-646 to Cross Renovation, Inc. of Livonia, MI for the total contract amount not to exceed $45,000.00. Funding is available in the Water & Sewer Fund for this project.

APPROVALS:

City Manager: ________ Department Director: ________

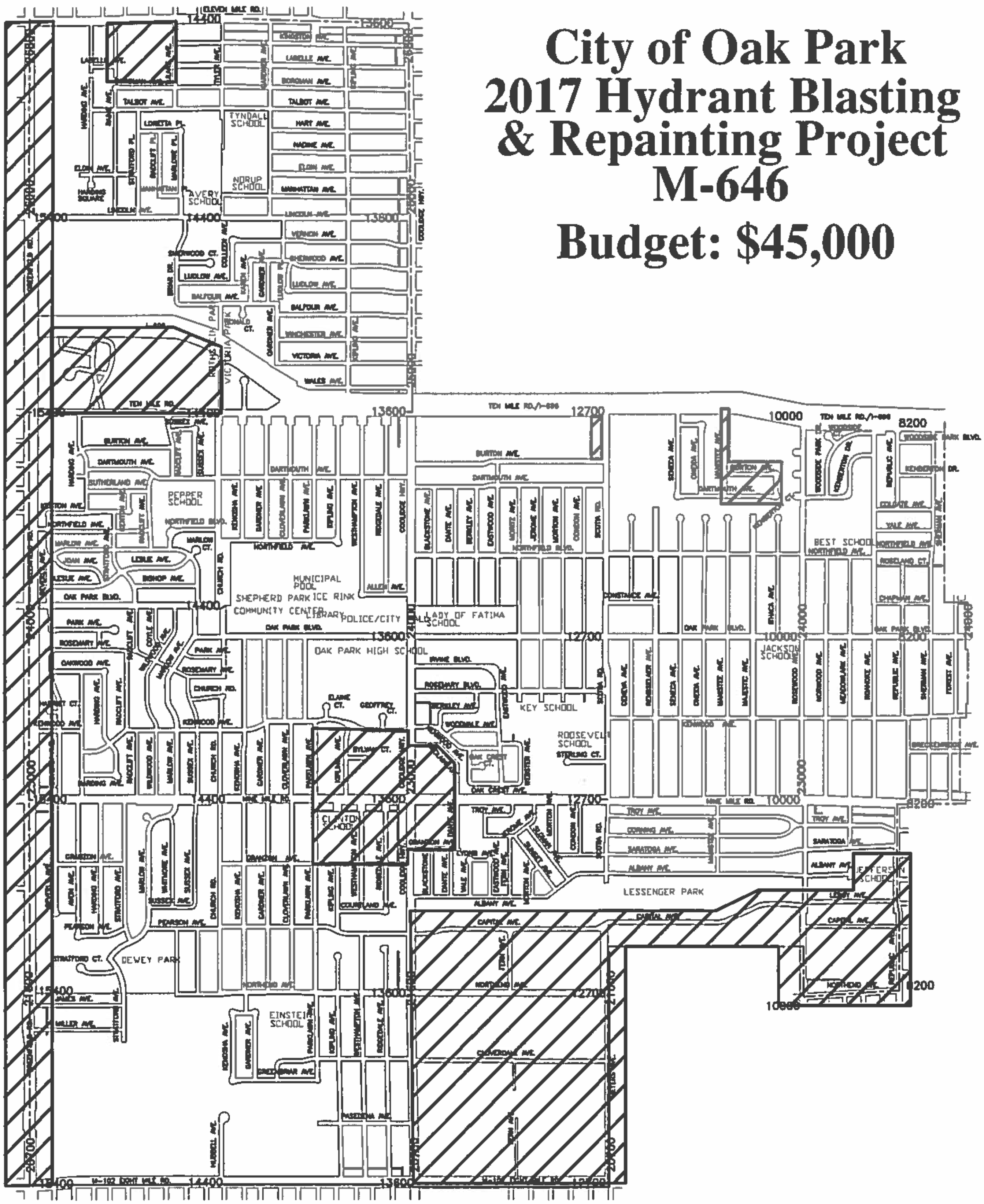
Finance Director: ________

EXHIBITS: Bid tabulation, map

BID TABULATION

				CROSS RENOVATION INC. 34133 SCHOOLCRAFT RD LIVONIA, MI 48150		TSP ENVIRONMENTAL 2500 CAPITOL REDFORD, MI	
2017 FIRE HYDRANT BLASTING & REPAINTING PROJECT M-646 BID OPENING DATE: TUESDAY, APRIL 18, 2017							
ITEM	DESCRIPTION	QUANT.	U/M	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	BLAST & REPAINT FIRE HYDRANT	115	EA	$450.00	$51,750.00	$763.23	$87,771.45
2	INSPECTION CREW DAYS	$320.00	DAY	25.00	$8,000.00	38.00	$12,160.00
				TOTAL COST	$59,750.00		$99,931.45

City of Oak Park
2017 Hydrant Blasting & Repainting Project
M-646
Budget: $45,000



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAK PARK, MICHIGAN AUTHORIZING THE ADMINISTRATION TO ENTER INTO A LEGAL SERVICES AGREEMENT FOR CITY ATTORNEY SERVICES WITH THE LAW FIRM OF GARAN LUCOW MILLER P.C.

WHEREAS, under the authority of the Home Rule Charter for the City of Oak Park, Michigan, Chapter 4 captioned Organization of Government, Section 4.6 entitled Administrative service, the City Attorney shall be appointed by the Council; and

WHEREAS, in accordance with Section 4.14 captioned Attorney- Functions and duties, the City Attorney shall be responsible solely to the council; and

WHEREAS, pursuant to Section 4.15 entitled Compensation of attorney and special counsel, the City Attorney shall have their compensation set by the council; and

WHEREAS, the City Council had previously selected and appointed the Law Firm of Garan Lucow Miller, P.C. and its Firm members John J. Gillooly and Ebony L. Duff as the City Attorneys; and

WHEREAS, the City Council has determined that it is in the best interest of the City to reappoint the Law Firm of Garan Lucow Miller, P.C. and its Firm members John J. Gillooly and Ebony L. Duff as the City Attorneys.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby reappoints the Law Firm of Garan Lucow Miller, P.C. and its Firm members John J. Gillooly and Ebony L. Duff as the City Attorneys; and

BE IT FURTHER RESOLVED that the Oak Park City Council authorizes the Administration to enter into a Legal Services Agreement for City Attorneys Services including Exhibits "A" and "B" with the Law Firm of Garan Lucow Miller, P.C.; and

BE IT FURTHER RESOLVED, that on behalf of the City of Oak Park, Michigan, the Mayor and City Manager, are authorized to sign the Legal Services Agreement for City Attorneys Services including Exhibits "A" and "B" with the Law Firm of Garan Lucow Miller, P.C.; and

BE IT FURTHER RESOLVED, that to the extent any portion of this Resolution is declared invalid, unenforceable or non-binding, that shall not affect the remaining portions of this Resolution; and

BE IT FURTHER RESOLVED, all resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

I hereby certify that the forgoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Oak Park, County of Oakland, State of Michigan, at a regular meeting held on May 1, 2017 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

T. Edwin Norris, City Clerk

LEGAL SERVICES AGREEMENT FOR
CITY ATTORNEY SERVICES
CITY OF OAK PARK, MICHIGAN

This LEGAL SERVICES AGREEMENT FOR CITY ATTORNEY SERVICES (the "Agreement") is effective the ____ day of ____________, 2017, by and between the law firm of GARAN LUCOW MILLER, P.C. ("GLM, P.C."), and the CITY OF OAK PARK, MICHIGAN, a municipal corporation ("City"). The term "City" shall also include all boards, commissions, financing authorities, and other bodies of City.

1. APPOINTMENT

City Council hereby appoints John J. Gillooly and Ebony L. Duff as the City Attorneys, and retains GLM, P.C. as its City Attorney, to render such legal services as are customarily rendered by such officials and as further specified herein, including attending meetings of the City Council, and other boards and bodies of City, as directed by the City Council.

GLM, P.C. represents it employs and will employ at its own expense, all personnel required for the satisfactory performance of any and all tasks and services set forth herein. GLM, P.C. shall not replace the designated City Attorneys (or any successors to them) without the City Council's prior approval.

2. SCOPE OF WORK AND DUTIES

A. GLM, P.C. shall perform any and all work necessary for the performance of City Attorney services to City, including, without limitation, the following:

(i) Attendance at City Council, and all other directed meetings, unless excused by the City Manager or his/her designee; and

(ii) Provide legal advice, written legal opinions, and consultation on all matters affecting the City to the City Council, and when directed by Council to the City Manager, boards, commissions, committees, officers, and employees of City and as requested by the City Council, the City Manager, or his/her designee, in accordance with such policies and procedures as may be established by City Council from time to time; and

(iii) Be available for personal and telephone consultation with City staff, as needed on legal matters and maintain office hours at City Hall as requested by the City Manager at times mutually agreed to by the City Manager and designated City Attorney; and

(iv) Prepare or review necessary legal documents such as: ordinances and resolutions; all agreements of any nature; all real property instruments of any nature including purchase agreements and escrows, leases, covenants, deeds, easements and licenses; public works construction documents including bid specifications, contracts, bonds, insurance, liens and related documents; memorandums of understanding; franchise agreements; and all similar documents, all as requested by City; and

(v) Represent and advise City on pending and potential litigation as requested by City; notwithstanding the foregoing, it is expressly understood that GLM, P.C. shall not be responsible for any pending litigation matter(s) handled by attorneys previously or otherwise employed by the City until all files have been transferred to GLM, P.C. and GLM, P.C. has specifically appeared in the matter(s) as attorneys of record on behalf of City; and

(vi) Monitor pending and current legislation and case law as appropriate; and

(vii) Supervise outside legal services, if any.

B. GLM, P.C., as a full-service law firm, is prepared to, and will upon request of City, provide representation to City in all of its legal affairs, including, but not limited to, municipal law, land use, environmental, toxics, water, tort defense, personnel, labor representation, code enforcement, redevelopment, housing, cable television, finance, franchising, contracts, water, waste water, electricity, waste management, transportation, enterprise and other matters, except where conflicts exist or where the City Council may otherwise direct. The City Attorney shall represent City in all of the foregoing legal matters, and in initiating and defending all litigation unless otherwise directed by the City Council.

C. The City Attorney will keep City Council informed as to the progress and status of all pending matters in accordance with such procedures as the City may establish from time to time. The City Attorney is expected to manage, control and oversee the delivery of legal services in a competent, professional, and cost-effective manner. All legal services shall be properly supervised and all personnel shall be qualified to handle the work assigned. If outside special counsel is retained, unless otherwise directed by the City Council, such special counsel shall be supervised by the City Attorney.

3. COMPENSATION

A. Compensation shall be as set forth in Exhibit A.

B. Payment of Compensation shall be as set forth in Exhibit B.

4. COSTS AND OTHER CHARGES

GLM, P.C. may incur various costs and expenses in rendering the legal services required by this Agreement which, if customary and necessary for the performance of legal services hereunder, shall be reimbursable by City. All clerical services, ordinary travel costs (*e.g.*, from the GLM, P.C. offices to court or City Hall), and miscellaneous expenses (*e.g.*, telephone and facsimile charges) are included within the rates set forth above, and there shall be no additional charges for such expenses. City agrees to reimburse GLM, P.C. for expenses such as experts or consultant fees, or litigation expenses such as court reporters, which shall be passed through to the City at the actual costs thereof. Reimbursable costs shall not include any overhead or administrative charge by GLM, P.C. or GLM, P.C.'s cost of equipment or supplies except as provided herein.

GLM, P.C. may determine it necessary or appropriate to use one or more outside investigators, consultants, or experts in rendering the legal services required (particularly if a matter goes into litigation). City will be responsible for paying such fees and charges. GLM, P.C. will not, however, retain the services of any outside investigators, consultants, or experts without the prior agreement of City. GLM, P.C. will select any investigators, consultants, or experts to be hired only after consultation with City.

5. STATEMENTS

GLM, P.C. shall render to City a statement for fees, costs, and expenses incurred on a periodic basis (generally monthly). Such statement(s) shall indicate the basis of the fees, including the hours worked, the hourly rate(s), and a brief description of the work performed. Separate billing categories can be established to track costs associated with City funding categories or to track project costs, or such other basis as the City may direct. Reimbursable costs shall be separately itemized.

Payments shall be made by City within thirty (30) days of receipt of the statement, except for those specific items on an invoice which are contested or questioned and are returned by City with a written explanation of the question or contest, within thirty (30) days of receipt of the invoice. Payments made more than thirty (30) days after the due date shall draw interest at the legal rate.

6. INDEPENDENT CONTRACTOR

GLM, P.C. shall perform all legal services required under this Agreement as an independent contractor of City, and shall remain, at all times as to City, a wholly independent contractor with only such obligations as are required under this Agreement. Neither City, nor any of its employees, shall have any control over the manner, mode, or means by which GLM, P.C., its agents, or employees, render the legal services required under this Agreement, except as otherwise set forth. City shall have no voice in the selection, discharge, supervision or control of GLM, P.C. employees, servants, representatives, or agents, or in fixing their number, compensation, or hours of service.

7. INSURANCE

GLM, P.C. shall procure and maintain appropriate legal malpractice insurance, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement, including any extension thereof.

8. NOTICES

Notices required pursuant to this Agreement shall be given by personal service upon the party to be notified, or by delivery of same into the custody of the United States Postal Service, or its lawful successor; postage prepaid and addressed as follows:

CITY:	City of Oak Park 14000 Oak Park Boulevard Oak Park, MI 48237 Attention: City Manager
ATTORNEY:	Garan Lucow Miller, P.C. 1155 Brewery Park, Suite 200 Detroit, MI 48207 (313) 446-5501 (office) (313) 259-0450 (fax) Attention: John J. Gillooly, Esq.

Service of a notice by personal service shall be deemed to have been given as of the date of such personal service. Notice given by deposit with the United States Postal Service shall be deemed to have been given two (2) consecutive business days following the deposit of the same in the custody of said Postal Service. Either party hereof may, from time to time, by written notice to the other, designate a different address or person which shall be substituted for that specified above.

9. NON-DISCRIMINATION

In connection with the execution of this Agreement, GLM, P.C. shall not discriminate against any employee or applicant for employment because of race, religion, marital status, color, sex, handicap, sexual persuasion, or national origin. GLM, P.C. shall take affirmative action to ensure that applicants are employed, and that employees are treated fairly during their employment, without regard to their race, religion, color, sex, marital status, handicap, sexual persuasion, or national origin. Such actions shall include, but not be limited to the following: employment, promotion, demotion, transfer, duties assignment; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection of training, including apprenticeship.

10. TERM, DISCHARGE AND WITHDRAWAL

This Agreement shall commence on April 1, 2017, and shall remain in full force and effect until terminated by either party hereto. City may discharge GLM, P.C. at any time. The City Attorney shall have no right to hearing or notice, and may be discharged with or without notice. GLM, P.C. may withdraw from City's representation at any time, to the extent permitted by law, and the Rules of Professional Conduct, upon at least sixty (60) days' notice to City.

In the event of such discharge or withdrawal, City will pay GLM, P.C. professional fees and costs, in accordance with this Agreement, for all work done (and costs incurred) through the date of cessation of legal representation, including without limitation, proration of the monthly retainer amount to the date of such cessation. City agrees to execute, upon request, a stipulation in such form as to permit GLM, P.C. to withdraw as City's attorneys of record in any legal action then pending. GLM, P.C. shall deliver all documents and records of City to City, or to counsel designated by City, and assist to the fullest extent possible in the orderly transition of all pending matters to City's new counsel.

11. CONFLICTS

GLM, P.C. has no present or contemplated employment which is adverse to the City. GLM, P.C. agrees that it shall not represent clients in matters either litigation or non-litigation against the City. However, GLM, P.C. may have past and present clients or may have future clients, which, from time to time, may have interests adverse to City, and GLM, P.C. reserves the right to represent such clients in matters not connected with its representation to the City.

If a potential conflict of interest arises in GLM, P.C.'s representation of two clients, if such conflict is only speculative or minor, GLM, P.C. shall seek waivers from each client with regards to such representation. However, if real conflicts exist, GLM, P.C. would withdraw from representing either client in the matter, and assist them in obtaining outside special counsel.

12. INTERPRETATION OF AGREEMENT

This Agreement shall be construed and interpreted both as to validity and performance of the parties in accordance with the laws of the State of Michigan.

13. INTEGRATED AGREEMENT: AMENDMENT

This Agreement contains all of the agreements of the parties and cannot be amended or modified except by written agreement. No prior oral or written understanding shall be of any force or effect with respect to those matters covered in this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

14. CORPORATE AUTHORITY

The persons executing this Agreement on behalf of the parties hereto warrant that they are duly authorized to execute this Agreement on behalf of said parties and that in so executing this Agreement the parties hereto are formally bound to the provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date of execution by the City.

Dated: ____________________

"CITY"
CITY OF OAK PARK,
a municipal corporation

By: ____________________________

Its: ____________________________
Mayor

By: ____________________________

Its: ____________________________
City Manager

ATTEST:

____
City Clerk

Dated: ____________________

GARAN LUCOW MILLER, P.C.

By: ____________________________
JOHN J. GILLOOLY

EXHIBIT "A"
BILLING RATES

City agrees to pay GLM, P.C. an annual retainer for the non-litigation legal services described in this Agreement for the City's fiscal year as set forth in this Exhibit A which will be payable in monthly installments of billed on a monthly basis. It is expressly understood that in addition to those legal services described above in Article 2 which fall within the scope of this retainer, the annual retainer is also intended to include any and all work performed in the Michigan Tax Tribunal.

Notwithstanding the annual retainer, the City will pay GLM, P.C. an hourly rate as set forth in this Exhibit A for all litigated matters that fall outside the scope of work and as agreed upon on a case-by-case basis between the parties. The parties hereby acknowledge that GLM, P.C. will handle the trial of up to 12 district court cases related to the prosecution of City building code violations per fiscal year at the hourly rate(s) set forth herein.

Fiscal Year 2017-2018:

Retainer:	$145,000
Monthly Payment:	$12,083.34
Hourly Rate:	$140.00 per hour

Fiscal Year 2018-2019:

Retainer:	$145,000
Monthly Payment:	$12,083.34
Hourly Rate:	$140.00 per hour

Fiscal Year 2019-2020:

Retainer:	$150,000
Monthly Payment:	$12,500.00
Hourly Rate:	$150.00 per hour

EXHIBIT "B"
BILLING STATEMENT AND PAYMENT

The Firm's fees on litigated matters are charged on an hourly basis for all time actually expended and are generally billed monthly with payment due within thirty (30) days after the date of the bill. The current hourly design rate for the attorneys and staff working on this matter will be set forth in the billing statement.

The Firm will incur various costs and expenses in performing legal services. These costs and expenses are separately billed to the client and include fees fixed by law or assessed by public agencies, litigation costs including deposition, reporter fees, and transcript fees, long distance telephone calls, messenger and other delivery fees, postage, photocopying (charge of twenty cents ($.20) per page) and other reproduction costs and staff overtime when necessitated and authorized by the client, all based on the actual and reasonable cost (mileage, reproduction and other costs are periodically adjusted in accordance with the Firm's actual costs).

Travel costs including mileage (current IRS rate), parking, airfare, lodging, meals and incidentals are charged in connection with administrative or judicial proceedings, or when traveling outside of the Greater Detroit Metropolitan area. Travel time may also be charged in connection with such proceedings. In addition, the client will be responsible for paying the fees of consultants and other outside experts who are retained after consultation with the client.

It is understood that Firm will generally not charge for mileage between our office and City facilities, nor for local telephone calls or calls made to the City. In exchange, Firm shall not be charged for calls made or received at the City, whether local or long-distance, or for copying charges since copying on-site will reduce the charge to the client.

The monthly billing statements for fees and costs shall indicate the basis of the fees, including a detailed and auditable breakdown of the hours worked, the billable rates charged and description of the work performed. All bills are expected to be paid within thirty (30) days of the date of the billing statement. In the event any statement remains unpaid for more than thirty (30) days after the date of the statement, interest thereon at the rate of ten percent (10%) per annum shall be due and payable thereafter on the unpaid balance.

Registration fees for attorneys attending conferences and seminars are paid by the Firm and are never charged to the City (unless expressly requested by the City).

15C

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Recommendation of Planning Commission for Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard, Special Land Use (Convalescent Home).

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the April 24, 2017 meeting, the Planning Commission conducted a Public Hearing on a Special Land use request for Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard, to construct a 64 bed skilled nursing facility, 41,660 square feet in size. The Planning Commission voted to recommend to the City Council approval of the Special Land Use and Final Site Plan with conditions.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Special Land Use (Convalescent Home) and Site Plan for Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard, subject to the following conditions:

1) Approval by the Engineering Division of an acceptable storm water management plan.
2) Approval by the Engineering Division of the final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Department for final approval.
3) Approval by the Engineering Division and Public Safety Department of the locations of the fire hydrants and fire suppression building connections.
4) Restoration of the landscape area identified as "existing vegetation to remain" and removal of a concrete planter box near the sidewalk.
5) Screen fence detail to be submitted which meets the Zoning Ordinance requirements. Proposed screen fence be extended on the east property line to match the front building line of the adjacent home (approximately 30 feet from the southern property line).
6) All ground and rooftop equipment screened as required by the Zoning Ordinance.
7) Dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
8) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

APPROVALS:

City Manager: ________________

Director: Keri Marrone

Finance Director: ______________

EXHIBITS: Memorandum, Site Plan.

CITY OF OAK PARK

DEPARTMENT OF COMMUNITY &
ECONOMIC DEVELOPMENT

MEMORANDUM

TO:	Planning Commission members	DATE:	April 19, 2017
FROM:	Kevin Rulkowski, AICP, City Planner	FILE:	Planning/Pioneer Health SLURPT1704
SUBJECT:	Special Land Use Public Hearing, Oakridge Manor Nursing and Rehabilitation Center, 13200 Oak Park Boulevard		

A Public Hearing has been scheduled for the April meeting to review the request of Pioneer Health Care Management, 13200 Oak Park Boulevard, to construct a 64 bed skilled nursing facility, 41,660 square feet in size. The proposed use as a skilled nursing facility (Convalescent Home) is a Special Land Use that requires a Public Hearing and a Site Plan.

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use to meet a number of general standards (Section 1900) as well as use specific standards for educational institutions (Section 1910).

Section 1900 General Standards:

A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.
C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating

therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.
F. The proposed use is necessary for the public convenience at the proposed location.
G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the eight general standards identified in Section 1900 Special Land Uses in the Zoning Ordinance.

Section 1907 Convalescent or Rest Home

A convalescent or rest home, orphanage, or home for the elderly may be permitted, in certain districts as specified in this ordinance, subject to the following:

A. All vehicular ingress and egress shall be directly onto a major or secondary thoroughfare as designated on the city's adopted master plan.
B. The minimum site size shall be two acres.
C. All buildings shall be set back at least 50 feet from all property lines.
D. There shall be a minimum of 25 square feet of outdoor recreation space per resident cared for, in such areas as garden's, patios, decks, and the like. Recreation space must be fully accessible and barrier-free.

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the standards identified in Section 1907 Convalescent or Rest Home of the Special Land Uses section in the Zoning Ordinance.

Site Plan Review

A Site Plan is required as part of the Special Land Use process. The Site Plan has been reviewed to ensure that the proposed use would function properly on the site. The proposal calls for the construction of a one-story, 64 bed skilled nursing facility, which is 41,660 square feet in size. As the application describes the building will include a central kitchen, resident dining room, activity rooms, physical/occupational therapy rooms, and a salon.

The property was rezoned RM-1, Low-Rise Multi-Family Residential District in October of 2016 and skilled nursing facilities (convalescent homes) are permitted as Special Land Uses. The proposed use meets the minimum setback requirements of the Zoning Ordinance as well as the maximum building height requirement.

The one-story building has a residential appearance that is attractive and will blend well into the adjacent single family residential area as seen on the exterior elevations page. The 4.35 acre site provides more than the minimum requirement for outdoor recreation space including a building perimeter walkway, outdoor dining area and large lawn areas.

The Site Plan shows an 82 space wraparound parking lot on the western side of the property. The parking lot location has been selected to minimize the negative vehicle impacts to the adjacent single family homes. The number of parking spaces provided exceeds the minimum number of parking spaces required for this type of use. In addition, there is a drop-off drive driveway in front of the building that includes a porte cochere to shelter people entering the building. A new break in the median on Oak Park Boulevard is identified on the Site Plan across from the drop-off driveway to facilitate traffic entering the site. The Engineering Division and Public Safety Department have reviewed this modification and have no issues with its general location. Final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Division for final approval.

A large fenced storm water detention basin is shown on the Site Plan in the northeast corner of the property. At this time a storm water management plan has yet to be submitted to the Engineering Division for final review and approval.

The landscaping plan for the project shows a combination of new and existing trees and shrubs. The proposed landscaping plan satisfactorily meets the minimum Zoning Ordinance requirement for landscaping. The landscaping plan notes that and underground automatic irrigation system will be provided. The Planning Division is recommending an improvement to the area identified as "existing vegetation to remain" in the southeast corner of the property. This "existing vegetation area" needs significant attention as well as the removal of a concrete planter box near the sidewalk.

A six-foot high vinyl screen fence is identified on the Site Plan along the north and east property lines to shield the facility from the adjacent residential properties. No screen fence detail is provided. The proposed screen fence ends approximately 90 feet from the southern property line. This proposed ending point will not adequately shield the adjacent home to the east. The Planning Division is recommending the screen fence be extended to match the front building line of the adjacent home (approximately 30 feet from the southern property line).

A dumpster enclosure area is indicated on the Site Plan surrounded by landscaping. A dumpster enclosure detail will need to be submitted as part of the building plans that meets the Zoning Ordinance requirements.

The application materials include a photometric Site Plan that indicates no nuisance lighting will pass into adjacent residential properties as required by the Zoning Ordinance.

The identified ground equipment (generator and transformer) is screened as required by the Zoning Ordinance. Any additional ground or rooftop equipment will also need to be screened as required by the Zoning Ordinance.

A monument style sign is indicated on the Site Plan. A separate sign permit application must be submitted for this proposed sign.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Special Land Use and Site Plan for the proposed educational institution with the following conditions:

1) Approval by the Engineering Division of an acceptable storm water management plan.
2) Approval by the Engineering Division of the final construction design of the entryways onto the site and the median modification need to be submitted to the Engineering Department for final approval.
3) Approval by the Engineering Division and Public Safety Department of the locations of the fire hydrants and fire suppression building connections.
4) Restoration of the landscape area identified as "existing vegetation to remain" and removal of a concrete planter box near the sidewalk.
5) Screen fence detail to be submitted which meets the Zoning Ordinance requirements. Proposed screen fence be extended on the east property line to match the front building line of the adjacent home (approximately 30 feet from the southern property line).
6) All ground and rooftop equipment screened as required by the Zoning Ordinance.
7) Dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
8) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Recommendation of Planning Commission for Sweet Soul Bistro, 13400 Eight Mile, Special Land Use (Restaurant that serves alcoholic liquor).

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the April 24, 2017 meeting, the Planning Commission conducted a Public Hearing on a Special Land use request for Sweet Soul Bistro, 13400 Eight Mile, for a restaurant that serves alcoholic liquor. At the meeting the applicant presented correspondence from the adjacent 8 Mile Congregation of Jehovah's Witnesses place of worship. The Planning Commission voted to recommend to the City Council approval of the Special Land Use and Final Site Plan with conditions.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission for approval of the Special Land Use (Restaurant that serves alcoholic liquor) and Site Plan for Sweet Soul Bistro, 13400 Eight Mile, subject to the following conditions:

1) The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
2) The repair or the replacement of the parking lot and storm water catch basins as necessary as determined by the Building Inspector..
3) Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.
4) A detailed landscaping plan meeting the minimum Zoning Ordinance standards to be developed and approved by the Planning Division.
5) All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
6) A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
7) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.
8) Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.
9) The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
10) During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of beer and wine (and alcoholic liquor). Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of beer and wine (and alcoholic liquor) for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for

consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine (and alcoholic liquor).

11) Restaurants, serving beer or wine (and alcoholic liquor) are required to stop serving alcoholic beverages no later than 12:00 a.m. (midnight), and otherwise operate consistent with the hours established by the Liquor Control Commission for such establishments.

APPROVALS:

City Manager: ______________

Director: Kri Manone

Finance Director: ______________

EXHIBITS: Memorandum, Site Plan.

CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO:	Planning Commission members	DATE:	April 19, 2017
FROM:	Kevin Rulkowski, AICP, City Planner	FILE:	Planning/Sweet Soul BistroRestSLURPT1704
SUBJECT:	Special Land Use Public Hearing, Sweet Soul Bistro, 13400 Eight Mile		

A Public Hearing has been scheduled for the April 24th meeting to review the request of Sweet Soul Bistro, 13400 Eight Mile, for approval of a restaurant that serves alcoholic liquor.

Special Land Use Standards

The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use for a Restaurant that serves Alcoholic Liquor to meet a number of general standards (Section 1900) as well as use specific standards for Restaurants Serving Alcoholic Liquor (Section 1930).

Section 1900 General Standards:

A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.

B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.

C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.

D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.

F. The proposed use is necessary for the public convenience at the proposed location.

G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.

H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

The Planning Division finds that the information contained in the application package and on the Site Plan satisfactorily meets the eight general standards identified in Section 1900 Special Land Uses in the Zoning Ordinance.

Section 1930 Restaurants Serving Alcoholic Liquor

Restaurants serving alcoholic liquor may be permitted in certain districts specified in this section if the establishment is continually operated according to the following:

A. There shall at all times be maintained and provided culinary facilities to cook and prepare food, and tables and seating areas to accommodate dining on the premises by not fewer than 20 patrons at any time.

B. Not more than 50 percent of the gross floor area open to the general public shall be used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisleways. Public restroom facilities shall not be considered in this determination.

C. The proposed restaurant is not located within 500 feet of a church or school building. The distance between the church or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the church or school building nearest to the contemplated location and from the part of the contemplated location nearest to the church or school building. Notwithstanding the stated distance requirements, no proposed restaurant will be permitted to serve alcoholic liquor if the restaurant is located on a parcel of land adjacent to a parcel of land with a church or school building. This provision may be waived by the city council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the city council determines that the restaurant will not adversely affect the operation of the school or place of worship.

D. The layout of the site of the proposed restaurant serving alcoholic liquor and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed restaurant serving alcoholic liquor, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.

E. The proposed restaurant serving alcoholic liquor will be compatible with adjacent uses of land, considering the proximity of residential dwellings, churches, schools, public structures, and other places of public gatherings.

F. The proposed restaurant serving alcoholic liquor will not be contrary to the public interest or injurious to nearby properties.

G. The proposed restaurant serving alcoholic liquor will not have the possible effect of downgrading and blighting the surrounding neighborhood.

H. The proposed restaurant serving alcoholic liquor will not reasonably be expected to diminish the value of properties in the immediate area.

Specific standards findings:

1. The location of the Sweet Soul Bistro restaurant does not meet the specific spacing requirements of Section 1930 C and is located within 500 feet of a school, park, or place of worship. The applicant has received a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor. City Council has the authority to waive this requirement.
2. The interior layout of the Sweet Soul Bistro restaurant accommodates over 20 patrons as indicated on the submitted floor plan.
3. Not more than 50 percent of the gross floor area open to the general public is used for purposes other than seating for diners, consisting of tables, chairs, booths, and necessary aisle ways.

The Planning Division finds the submitted information demonstrates the Sweet Soul Bistro restaurant, that is proposing to serve alcoholic liquor, satisfactorily meets the specific standards for Restaurants serving Alcoholic Liquor (Section 1930) with the following condition:

1. Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.

Site Plan Review

A Site Plan is required as part of the Special Land Use process. The Site Plan has been reviewed to ensure that the proposed use would function properly on the site. The proposal calls for the renovation of the former Sami's Restaurant into a bistro/restaurant that serves alcohol. The 6,240 square foot restaurant will be open for breakfast, lunch and dinner. Two days a week the restaurant will have live music (Rhythm & Blues & Jazz). The applicant anticipates seating for about 120 persons. The applicant is proposing an outdoor dining area at the front of the building.

The property is zoned B-1, Neighborhood Business District and Restaurants serving Alcoholic Liquor are permitted as Special Land Uses. The existing building meets the minimum setback requirements of the Zoning Ordinance as well as the maximum building height requirement. The existing one-story building is in need of renovation.

The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.

The Site Plan shows an existing parking lot with 63 parking spaces. The parking lot is in serious need of repair or replacement. In addition the existing storm water catch basins should be tested to verify they are working properly. A condition of approval should be the repair or the replacement of the parking lot and storm water catch basins as necessary.

The existing landscaping identified on the Site Plan is insufficient to meet the minimal requirements of the Zoning Ordinance. A more detailed landscaping plan meeting the minimum Zoning Ordinance standards should be required as a condition of approval.

There are a number of existing parking lot lighting that appear to be non-functional or in non-compliance with current Zoning Ordinance standards. Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.

A dumpster enclosure area is indicated on the Site Plan. A dumpster enclosure detail will need to be submitted that meets the minimum Zoning Ordinance requirements.

There is a ground level condenser unit at the rear of the building this unit will need to be screened as required by the Zoning Ordinance. All ground or rooftop equipment will need to be screened as required by the Zoning Ordinance.

A separate sign permit application must be submitted if the existing sign is to be refurbished.

Staff Recommendation

It is the recommendation of the Planning Division to approve the Special Land Use and Site Plan for Sweet Soul Bistro restaurant, 13400 Eight Mile, as a restaurant serving alcoholic liquor with the following conditions:

1) The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
2) The repair or the replacement of the parking lot and storm water catch basins as necessary as determined by the Building Inspector..
3) Parking lot lighting to be repaired or replaced with lighting that is downward casting and meets minimum Zoning Ordinance standards.
4) A detailed landscaping plan meeting the minimum Zoning Ordinance standards to be developed and approved by the Planning Division.
5) All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
6) A dumpster enclosure detail which meets the Zoning Ordinance requirements to be submitted.
7) No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.
8) Applicant must submit a letter from the adjacent Jehovah Witness Church stating they do not object to Sweet Soul Bistro restaurant serving alcoholic liquor.
9) The proprietor shall make available a varied menu of food items consisting of not less than ten such food items cooked or prepared on the premises.
10) During any 90-day period, no more than 50 percent of the gross revenues of the establishment shall be derived from the sale of alcoholic liquor. Admission charges or cover charges which exceed ten percent of the establishment's gross revenues shall be considered as derived from the sale of beer and wine for purposes of determining the percentage of sales of beer and wine. Sales of food or beer and wine to hotel or motel guests for consumption within their private rooms shall not be considered in determining the percentage ratio of sales of beer and wine.

04/24/17

RE: 13400 W 8 MILE RD
OAK PARK, MI 48237

To Whom It May Concern:

Please accept this letter as authorization from Nazhat Abouna, Owner of above listed property, to Toya Green, Owner of Sweet Soul Bistro, to obtain a liquor license from the State of Michigan. She has my permission to apply for the license and to complete any paperwork necessary from the City of Oak Park.

If you have any questions regarding this matter, please feel free to contact me anytime at 313-999-3979.

Sincerely,

Nazhat Abouna

4-24-17

4/24/17

8 MILE ROAD CONGREGATION OF JEHOVAHS WITNESSES

13300 W. EIGHT MILE ROAD–OAK PARK, MI-48235

Re: Letter of Objection/Approval for Sweet Soul Bistro

Jehovah's Witnesses remain politically neutral for religious reasons, based on what the Bible teaches. We do not lobby, vote for political parties or candidates, run for government office, promote the professional aspirations of others or participate in any action to change governments. We believe that the Bible gives solid reasons for following this course.

We follow the example of Jesus, who refused to accept political office. (John 6:15) He taught his disciples to be "no part of the world" and made it clear that they should not take sides in political issues.—John 17:14, 16.

Although we do not take part in politics, we respect the authority of the governments under which we live. This is in harmony with the Bible's command: "Let every person be in subjection to the superior authorities." (Romans 13:1) We obey the law, pay taxes, and cooperate with efforts of the government to provide for the welfare of its citizens. Rather than participate in any attempt to subvert the government, we follow the Bible's counsel to pray for "kings and all those who are in positions of authority," especially when they are making decisions that could affect freedom of worship.

We also respect the rights of others to make their own decisions in professional and political matters. With that in mind, with regard to any objections or approval of the liquor license for "Sweet Soul Bistro", we remain completely neutral and without opinion. While we intend Ms. Green absolutely no "ill will" or hindrance in her endeavors, and also appreciate your effort to consider our "rights" in your decision, we steadfastly take no stand in the matter.

SINCERELY,

TIMOTHY GREENE
OPERATING
COMMITTEE

JEROME CHILDS
COORDINATOR

MICHAEL BILLINGTON
SECRETARY

15E

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Recommendation of the Planning Commission for a six month moratorium on the review and approval of any new self-storage facilities in the City.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the April 24, 2017 meeting, City staff discussed with the Planning Commission the large number of new self-storage that have been reviewed and approved in recent years. The approvals range from brand new buildings to renovation of existing office and warehouse buildings. The number of self-storage units in Oak Park most likely number now in the thousands. Because of this, City staff recommended reviewing the City's regulatory options and possibly developing new standards and regulations for these uses. The Planning Commission voted to recommend to the City Council the adoption of a six month moratorium on the review and approval of any new self-storage facilities in the City.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and adopt a six month moratorium on the review and approval of any new self-storage facilities in the City.

APPROVALS:

City Manager: ______________

Director: ______________

Finance Director: ______________

EXHIBITS: Memorandum.

CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO:	Planning Commission members	DATE:	April 18, 2017
FROM:	Kevin Rulkowski, AICP, City Planner	FILE:	Planning/Self Storage Moratorium 1704

SUBJECT: Self-Storage Facilities – moratorium.

Over the last few years the Planning Commission has reviewed a number of new self-storage facilities throughout the City. The approvals range from brand new buildings to renovation of existing office and warehouse buildings. The number of self-storage units in Oak Park most likely number now in the thousands. Although these uses may be profitable for the owners, the overall benefit to the City is fairly low. Available industrial property is currently very low and it is questionable that these types of land uses may not be in the overall best interests of the community in the long run.

It is the belief of City staff that it may be wise to take a careful review of this type of land use and determine whether new regulations may need to be adopted. For this reason City staff is advising a six month moratorium on the review and approval of proposed self-storage facilities be instituted.

The recommendation of the Department of Community and Economic Development is to have the Planning Commission request the City Council adopt a six month moratorium on the review and approval of any new self-storage facilities in the City.

15F

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Façade Grant Approval

DEPARTMENT: Community & Economic Development

SUMMARY: The Community & Economic Development Department has received an application for a Façade Improvement Grant from Stanley Upholstering for the building located at 25651 Coolidge. The project specifications have met city guidelines for the program. The project consists of replacing brick on front and side of building. Estimated total cost of the project is approximately $5,000. The property owner/contractor will pull all required permits. Attached are pictures of the brick today which is literally falling off the building

FINANCIAL STATEMENT: Money is available in the faced improvement budget, 704-00.000.277.109

RECOMMENDED ACTION: Request that city council to approve the façade grant for 50% of the project costs in an amount not to exceed $2,500.

APPROVALS:

City Manager: ______________

Director: ______________

Finance Director: ______________

EXHIBITS: application, estimates, renderings

CITY OF OAK PARK SMALL BUSINESS FAÇADE IMPROVEMENT PROGRAM

APPLICANT INFORMATION

Name of Applicant: STANLEY SOMBERG
Address: 3095 Point of the woods
City: W. BloomField | State: MI | ZIP Code: 48228
Phone: | Email:

FOR TENANTS

Name of Building Owner:
Address of Building Owner:
City: | State: | Zip Code:
Phone: | Email:

PROPERTY TO BE IMPROVED

Name of Business: STANLEY UPHOLSTERING, INC
Address: 25651 Coolidge Rd | Phone: 248-547-2288
City: OAK PARK | State: MI | ZIP Code: 48237
Type of Business: UPHOLSTERING | Tax ID #: 38-3062378
Proposed start of construction: | Anticipated completion: 3-DAY
Short description of proposed work:
REMOVE All Brick in UPPER AREA & REPLACE

ACKNOWLEDGEMENTS

By signing this Application, I affirm that I am the property owner of the above Property or as the tenant, have received permission from the property owner via the accompanying notarized letter to perform the proposed improvements. I further affirm that all the statements made on this application are true, and I understand that any falsification or willful omission will be sufficient cause to void my Application and any reimbursement awarded. In such a case that any reimbursement awarded by the city is voided due to any falsification or willful omission, I agree to repay the reimbursement amount to the DCED within sixty (60) days, plus all of the costs and attorney fees incurred by the DCED to collect the reimbursement proceeds if I fail to repay the DCED within the sixty (60) days. I have read and understand and agree to comply with all requirements of the DCED Façade Improvement Program (hereinafter the "Program"). I hereby acknowledge that I may be required to submit additional documentation or information that was not required on this application if requested by the DCED. I further hereby acknowledge that the DCED reserves the right to reject any or all applications received pursuant to the Program

Also, I understand, acknowledge and agree to the following:

1. It is expressly understood that the Applicant shall be solely responsible for all safety conditions and compliance with all safety regulations, building costs, ordinances and other applicable regulations.

2. It is expressly understood that the Applicant will not seek to hold the City of Oak Park and or any of its employees, officers/directors liable for any property damage and/or personal injury, or other loss related in any way to the Small Business Façade Improvement Program

3. The Applicant shall be responsible for maintaining sufficient insurance coverage for property damage and personal injury liability relating to the Small Business Façade Improvement Program. Applicant should ask for contractor's proof of liability insurance.

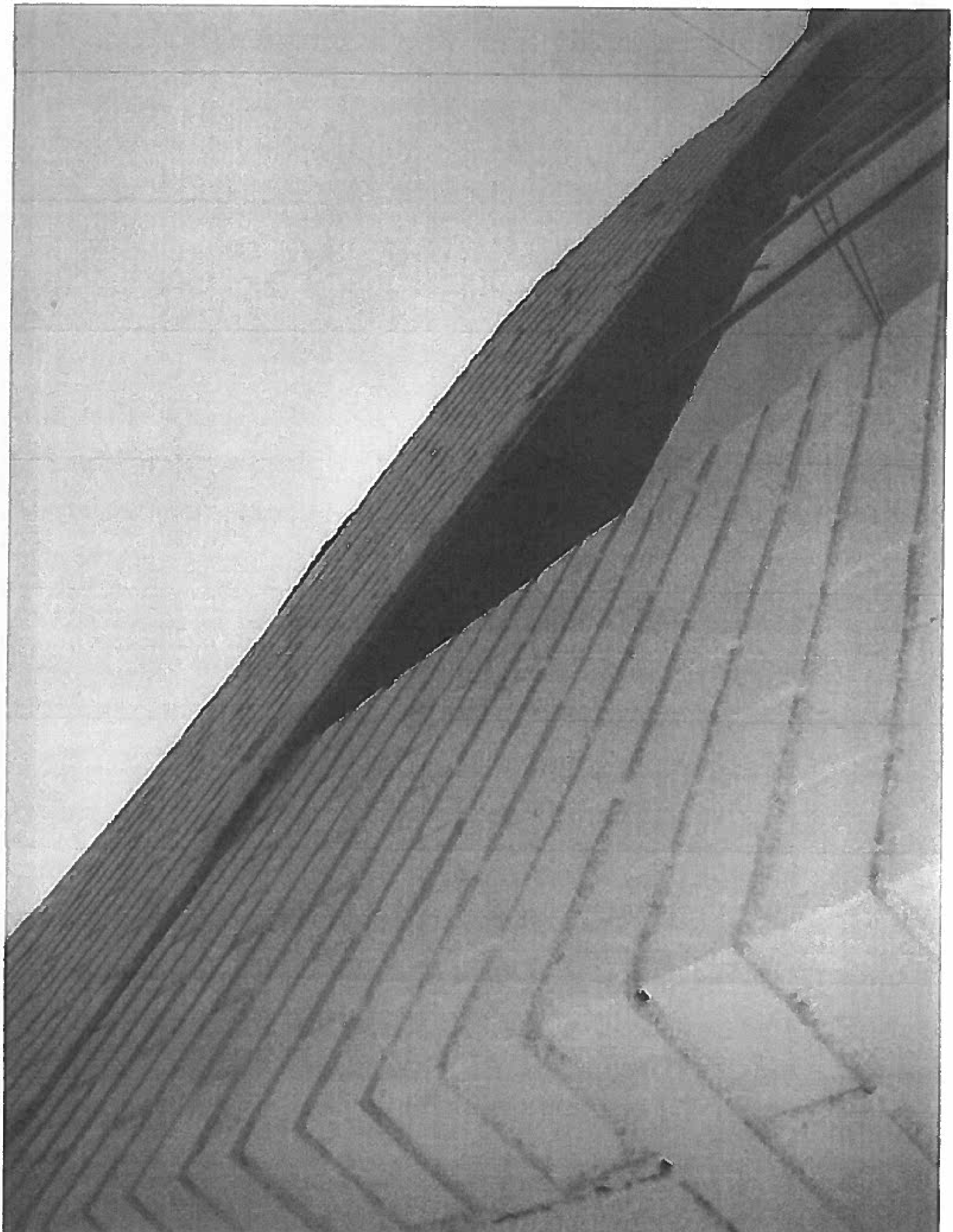
4. Applicant will review and abide by the Oak Park Design Guidelines

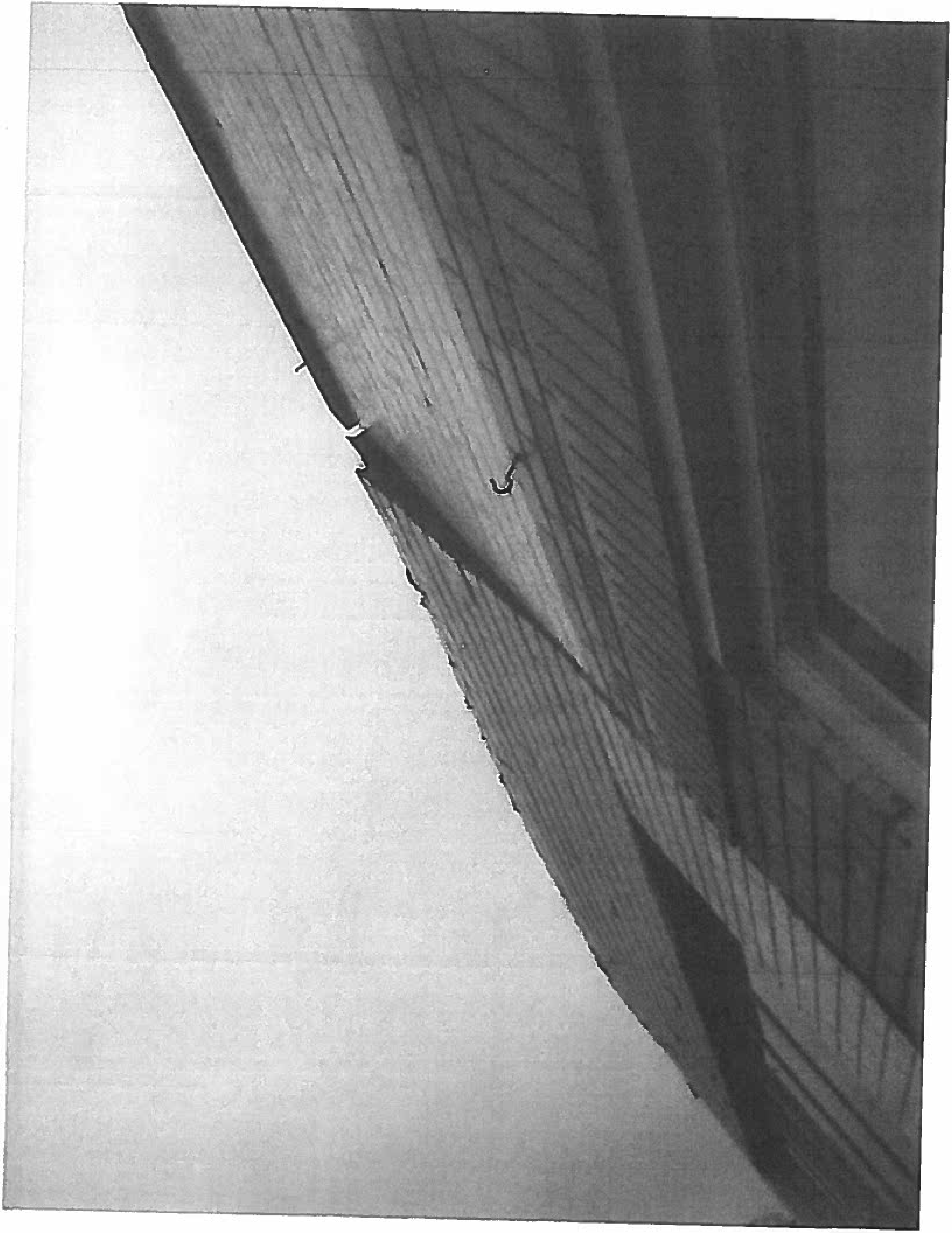
5. Applicant will pull permits if required.

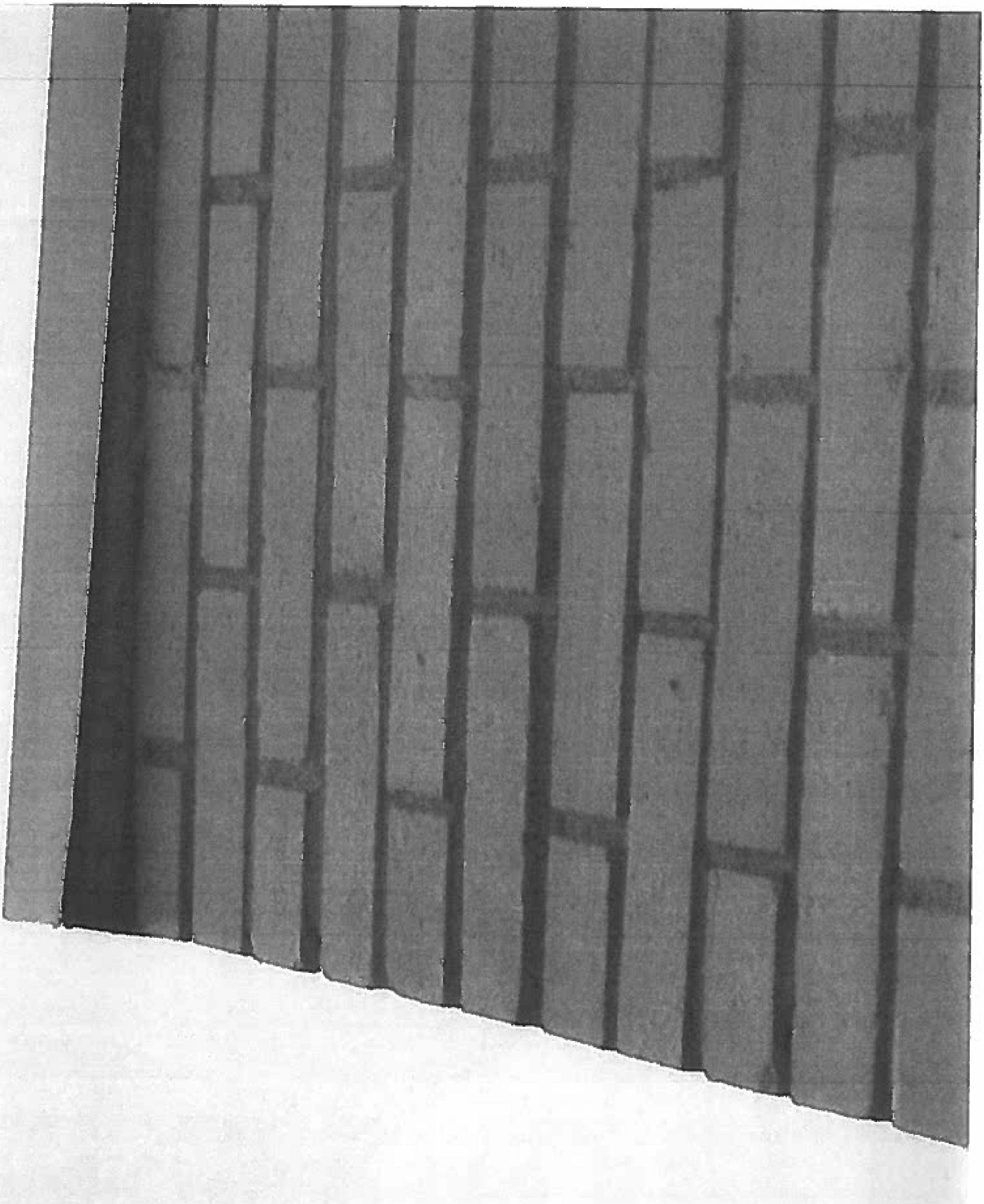
6. Applicant will maintain the improvements made to the property.

8. If Applicant chooses to alter the scope of work after DCED has approved it, Applicant may be ineligible for a portion or the entire reimbursement amount agreed upon from the original scope of work.

9. Applicant agrees to allow the DCED to promote the program including but not limited to displaying signage at the construction site and using photographs in promotional materials and press releases.







PREMIERE QUALITY MASONRY

2384 DEVONDALE RD.
ROCHESTER HILLS, MI. 48309

Estimate

Date	Estimate #
3/5/2017	5

Name / Address
STANLEY UPHOLSTERY 25651 Coolidge Hwy. Oak Park, Mi.

Project
EST #2

Description	Qty	U/M	Rate	Total
Rental Equipment- Scaffolding	1	ea	401.50	401.50
Masonry saw with diamond blade	1	ea	145.00	145.00
Demolition hammer/elec.	1	ea	75.00	75.00
Safety fencing and barricades	1	ea	185.00	185.00
4x8 sheets plywood	8	ea	24.20	193.60
Rubber flashing	3	ea	82.50	247.50
Caulk	4	ea	9.075	36.30
Wall anchors	80	ea	0.902	72.16
Dump Charges	2	hr	60.00	120.00
Labor- Demo top part of wall and temporarily seal area from weather until further building restoration plans are decided upon.	28	hr	65.00	1,820.00

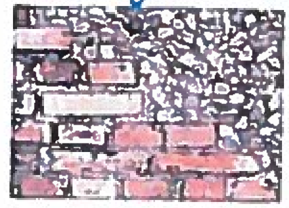
Total $3,296.06

4/18/2017

Estimate: STANLEY [redacted] Upholstering, Inc

ESTIMATE

MVM CONSTRUCTION CO., INC
MACOMB MI 48042
United States



Upholstering, Inc
STANLEY [redacted]
25651 COOLIDGE HIGHWAY
OAK PARK MI 48237

Estimate #:	0000015
Date:	April 18, 2017
Estimate Total (USD):	$5,000.00

Item	Description	Unit Cost ($)	Quantity	Price ($)
	DEMOLISH AND REBUILD BRICK WALL ABOVE FRONT WINDOW	0.00	0	0.00
	LABOR AND MATERIAL	5,000.00	1	5,000.00
	INCLUDES CLEANING OF ALL DEBRIS	0.00	0	0.00
			Subtotal:	5,000.00
			Estimate Total (USD):	$5,000.00

This estimate was sent using FreshBooks

RECEIVED
APR 19 2017
BY:

EYE FOR DETAIL

(248) 242-6669

EFD Masonry Restoration LLC

April 12, 2017

25651 Coolidge Highway
Oak Park, MI 48237
stanleyupholstering@comcast.net

RE: Stanley Upholstery

EFD Masonry Restoration will furnish all labor, material, equipment, supervision, and insurance to complete the following scope of work.

SCOPE OF WORK

Restore the building at the above address as follows:

- Mobilize the area with scaffolding
- Shore up the roof area as necessary
- Remove all masonry above steel lintel that is above the storefront windows including the brick veneer and backup CMU wall
- Remove the rusted lintel and replace
- Install flashing at the lintel
- Build the 8" CMU backup wall with reinforcement
- Waterproof the backup wall
- Build the brick veneer anchored into the backup wall
- Install flashing at the top of the wall
- Install new precast coping stones on top of the flashing
- Install backer-rod and high strength joint sealant in between each coping stone
- Wash all new masonry
- Paint the entire brick facade
- Remove all construction debris from the site

EFD Masonry Restoration will complete the above scope of work for $15,885 (fifteen thousand, eight hundred and eight five)

Sincerely,
Brandon Poe

Acceptance Signature

Date

EFDMasonry@Gmail.com

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 1, 2017 **AGENDA #**

SUBJECT: Request to amend the fee schedule for Summer Day Camp effective for weeks starting June 19 and June 26, 2017.

DEPARTMENT: Recreation Department

SUMMARY: Oak Park Recreation Department is requesting to amend the fee schedule for Summer Day Camp and AM and PM latchkey to be consistent with the fee schedule proposed for the budget year of 2017/18. Increasing participant's fees from $95 to $120 for Residents and $130 for Non-residents, AM Latchkey from $20 to $30 and PM Latchkey from $25 - $35 per week. This will cover the cost of staff, supplies and field trips.

RECOMMENDED ACTION: It is recommended that the City Council increase the Summer Day Camp and AM and PM latchkey to be consistent with the fee schedule proposed for the budget year of 2017/18. Increasing participant's fees from $95 to $120 for Residents and $130 for Non-residents, AM Latchkey from $20 to $30 and PM Latchkey from $25 - $35 per week. This will cover the cost of staff, supplies and field trips.

APPROVALS:

City Manager: ______________

Director: ______________

Finance Director: ______________

EXHIBITS: Fee Schedule Memo

CITY OF OAK PARK

Recreation Department

MEMO

Date: April 26, 2017

To: Erik Tungate, Oak Park City Manager

From: Laurie Stasiak, Recreation Director

Re: Increase in fee schedule for Summer Day Camp and Latchkey for June 2017

I am proposing a fee increase for our Summer Day Camp for 2017/18.

	2016/17	Proposed Increases 2017/18
Day Camp		
One week of Day Camp – Residents/Non-residents	$95.00	**$120/$130**
(4th of July week) 4 –days in 2016 3 Days -2017	$78.00	**$72.00/$78**
One week of AM latchkey	$20.00	**$30.00**
One week of PM latchkey	$25.00	**$35.00**
(4th of July week) 4-days in 2016 AM latchkey 3 Days -2017	$16.00	**$18.00**
(4th of July week) 4- days in 2016 PM latchkey 3 Days - 2017	$20.00	**$21.00**
Day Camp late fee	$20.00	No Change
Discount per additional child	$5.00	**$0**

Since our camp sessions start the week of June 19, there would be two weeks that we would be charging at the current fee schedule. My recommendation is to increase the current fee schedule to the proposed increases for the budget year 2017/18 to be consistent throughout the summer.