



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL
April 20, 2020
7:00 p.m.**

MINUTES

The virtual meeting was called to order at 7:00 p.m. by Mayor McClellan. Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

PRESENT: Mayor McClellan, Council Member Weiss, Council Member Edgar,
Council Member Radner

ABSENT: Mayor ProTem Burns

OTHERS

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

APPROVAL OF AGENDA:

**CM-04-099-20 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-04-100-20 (AGENDA ITEM #5A-B) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes of April 6, 2020 **CM-04-101-20**
- B. Request to approve a one-year lease extension for 13650 Oak Park Blvd., Suite A to Hatzalah of Michigan **CM-04-102-20**

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS:

(AGENDA ITEM #7A) Public Hearing to receive public comment on the request by Dog and Pony Show Brewing, Kyle Gierada, 14661 W. 11 Mile, for the issuance of a License Permitting the Consumption of Alcoholic Liquor on the Premises of a Restaurant Operation or a Microbrewery.

Mayor McClellan opened the public hearing at 7:05 p.m. There were no comments from the public and the public hearing was closed at 7:10 p.m. Mr. Gierada owner of Dog and Pony Show, LLC provided commentary about his establishment and stated that a target date to open would now be in September due to the COVID-19 pandemic.

CM-04-103-20 (AGENDA ITEM #7B) RESOLUTIONS APPROVING ISSUANCE OF A MICROBREWING LICENSE TO DOG AND PONY SHOW BREWING AT 14661 W. 11 MILE, OAK PARK MICHIGAN 48237 - APPROVED

Motion by Radner, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the following resolutions approving issuance of a Microbrewing License to Dog and Pony Show Brewing at 14661 W. 11 Mile, Oak Park Michigan 48237:

**A RESOLUTION OF THE OAK PARK, MICHIGAN CITY COUNCIL
APPROVING THE REQUEST OF DOG AND PONY SHOW BREWING, LLC
(KYLE GIERADA) FOR A MICROBREWERY LICENSE**

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

WHEREAS, Dog and Pony Show Brewing, LCC (Kyle Gierada) (hereinafter referred to as Dog and Pony Show Brewing) located at 14661 W. 11 Mile has applied for a Microbrewery License from both the Michigan Liquor Control Commission and the City of Oak Park.

NOW, THEREFORE, BE IT RESOLVED, that Dog and Pony Show Brewing's application for a Microbrewery License is hereby approved subject to the following conditions:

1. The Michigan Liquor Control Commission issuing a Microbrewery License to Dog and Pony Show Brewing at 14661 W. 11 Mile, Oak Park, Michigan 48237.
2. Upon issuance of the Microbrewery License by the Michigan Liquor Control Commission, Dog and Pony Show Brewing shall provide the City Clerk's Office with copies of the License along with a Certificate of Liquor Insurance for the subject business.
3. Dog and Pony Show Brewing executes a Contract for a Microbrewery License with the City of Oak Park, Michigan.

BE IT FURTHER RESOLVED, that subject to the conditions described in the immediately preceding paragraph and all departmental authorizations, upon approval of a Microbrewery License by the Michigan Liquor Control Commission for Dog and Pony Show Brewing located at 14661 W. 11 Mile, Oak Park, Michigan 48237, the City Clerk is hereby authorized to issue a Microbrewery License with an expiration date of April 30, 2021 to Dog and Pony Show Brewing; and

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

LOCAL GOVERNMENT APPROVAL RESOLUTION

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

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

CM-04-104-20 (AGENDA ITEM #10A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$15,487.05 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve payment of invoices #535561 and #535562 by Garan, Lucow, Miller P.C., for legal services rendered through March 31, 2020 in the total amount of \$15,487.05.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

Public Safety

CM-04-105-20 (AGENDA ITEM #14A) REQUEST TO FLY THE “THIN BLUE LINE” FLAG AT CITY HALL ON BEHALF OF THE OAK PARK POLICE OFFICERS ASSOCIATION OF MICHIGAN FROM SUNDAY, MAY 10, 2020 THROUGH SATURDAY, MAY 16, 2020 – APPROVED

Motion by Weiss, Seconded by Edgar, CARRIED UNANIMOUSLY, to approve the flying of the “Thin Blue Line” flag at City Hall on behalf of the Oak Park Police Officers Association of Michigan from Sunday, May 10, 2020 through Saturday, May 16, 2020.

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

MOTION DECLARED ADOPTED

Administration

(AGENDA ITEM #14B) Coronavirus Update.

City Manager Tungate provided updates on matters related to the coronavirus outbreak and the City of Oak Park.

(AGENDA ITEM #14C) Extension and revision of City directives.

CM-04-106-20 MOTION TO APPROVE THE FOLLOWING DIRECTIVES WITH THE UNDERSTANDING THAT THE TIME FRAMES SHALL BE EXTENDED TO ALIGN WITH THE GOVERNOR’S “STAY HOME, STAY SAFE” ORDER SHOULD IT BE EXTENDED BEYOND APRIL 30, 2020 - APPROVED

Motion by Edgar, Seconded by Weiss, CARRIED UNANIMOUSLY, to approve the following directives with the understanding that the time frames shall be extended to align with the Governor’s “Stay Home, Stay Safe” order should it be extended beyond April 30, 2020:

1. All public buildings (except Public safety) shall remain closed to the public through at least April 30, 2020
2. City to offset (through an account credit) online vendor fees through at least April 30
3. Late fees and penalties shall be suspended through April 30, 2020
4. No water shutoffs shall occur through April 30, 2020
5. Boards and Commissions may conduct meetings remotely through at least May 12

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

MOTION DECLARED ADOPTED

CM-04-107-20 (AGENDA ITEM #14D) RESOLUTION APPROVING LANGUAGE FOR PROPOSALS TO BE INCLUDED ON THE BALLOT FOR THE AUGUST 4, 2020 PRIMARY ELECTION - APPROVED

Motion by Edgar, Seconded by Weiss, CARRIED UNANIMOUSLY, to adopt the following resolution approving language for proposals to be included on the ballot for the August 4, 2020 Primary Election:

RESOLUTION APPROVING LANGUAGE FOR MILLAGE RENEWALS

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

BE IT RESOLVED by the City Council of the City of Oak Park, Michigan, that:

1. At the August 4, 2020 Primary Election, in addition to any other matters which may appear on the ballot, the following proposal shall be submitted to the qualified electors of the City of Oak Park:

BALLOT PROPOSAL No. 20-01

**RENEWAL OF PARTIAL HEADLEE OVERRIDE MILLAGE
FOR PUBLIC SAFETY PURPOSES**

This ballot proposition, if approved, will authorize the renewal of a levy of 0.9599 of the City of Oak Park Charter-authorized millage, which has been reduced by operation of Section 31 of Article IX of the State Constitution of 1963, the so-called Headlee amendment, by restoring 0.9599 for a period of ten (10) years, from 2021 through 2030, inclusive. Revenues from this millage renewal will be available only for the purpose of funding personnel, equipment and operations of the department of public safety, including but not limited to paying the costs of employing public safety officers and purchasing police cars and police and fire equipment.

Shall the City of Oak Park, Oakland County, Michigan, be authorized to renew its tax levy by 0.9599 mill on each dollar (\$0.9599 per \$1,000) of the taxable value of all property in the City, for a period of ten (10) years, from 2021 through 2030, inclusive, thereby increasing the Charter-authorized millage in excess of the limit to which it has been reduced by Section 31 of Article IX of the State Constitution of 1963, all of which tax revenues will be disbursed to the City of Oak Park and used for the purpose of funding personnel, equipment and operations of the Department of Public Safety, including but not limited to paying the costs of employing public safety

officers and purchasing police cars and police and fire equipment, and paying any and all other costs associated with or related to such purposes? The 0.9599 mill renewal will raise the sum of approximately \$500,000 in 2021.

Yes
No

2. At the August 4, 2020 Primary Election, in addition to any other matters which may appear on the ballot, the following proposal shall be submitted to the qualified electors of the City of Oak Park:

BALLOT PROPOSAL No. 20-02

RENEWAL OF LIBRARY MILLAGE

This ballot proposition, if approved, will authorize the renewal of a levy of an additional 0.4799 mill by the City of Oak Park, pursuant to Act 164 of the Public Acts of Michigan, 1877, as amended, for a period of ten (10) years, from 2021 through 2030, inclusive. Revenues from this millage renewal will be available only for the purpose of providing funds for the public library in the City of Oak Park, including all library purposes authorized by law.

Shall the constitutional limitation on the total amount of taxes which may be levied against the real and tangible personal property within the City of Oak Park, Oakland County, Michigan, be increased by 0.4799 mill on each dollar (\$0.4799 per \$1,000) of the taxable value of all property in the City, for an additional period of ten (10) years, from 2021 through 2030, inclusive, to continue to provide funds for the operation of the public library in the City of Oak Park in accordance with Section 10a of 1877 PA 164 and for all other library purposes authorized by law, all of which tax revenues will be disbursed, as required by Act 164, into a library fund that is under the exclusive control of an independent public library board? The 0.4799 mill renewal, if approved and levied, will raise the sum of approximately \$250,000 in 2021.

Yes
No

3. At the August 4, 2020 Primary Election, in addition to any other matters which may appear on the ballot, the following proposal shall be submitted to the qualified electors of the City of Oak Park:

BALLOT PROPOSAL No. 20-03

RENEWAL OF PARTIAL HEADLEE OVERRIDE MILLAGE
FOR RECREATION PURPOSES

This ballot proposition, if approved, will authorize the renewal of the levy of an additional 0.4799 mill of the City of Oak Park Charter-authorized millage, which has been reduced by operation of Section 31 of Article IX of the State Constitution of 1963, the so-called Headlee amendment, by restoring 0.4799 mill for a period of ten (10) years, from 2021 through 2030, inclusive. Revenues from this millage increase will be available only for the purpose of funding personnel, equipment and operations of the department of recreation, including but not limited to paying the costs of youth and adult sports activities, instructional activities, drop-in senior activities, and special events.

Shall the City of Oak Park, Oakland County, Michigan, be authorized to increase its tax levy by 0.4799 mill on each dollar (\$0.4799 per \$1,000) of the taxable value of all property in the City, for an additional period of ten (10) years, from 2021 through 2030, inclusive, thereby increasing the Charter-authorized millage in excess of the limit to which it has been reduced by Section 31 of Article IX of the State Constitution of 1963, all of which tax revenues will be disbursed to the City of Oak Park and used for the purpose of funding personnel, equipment and operations of the Department of Recreation, including but not limited to paying the costs of youth and adult sports activities, instructional activities, drop-in senior activities, and special events, and paying any and all other costs associated with or related to such purposes? The 0.4799 mill renewal will raise the sum of approximately \$250,000 in 2021.

Yes

No

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

5. This Resolution shall become effective immediately upon its passage and adoption.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Jamie Horowitz, 26419 York Road, Huntington Woods, announced that he will be a 45th District Court Judge Candidate.

Ken Sherman, 23840 Jerome, asked about the next Library Board meeting.

City Clerk Norris reported there were no comments submitted via e-mail.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:07 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor