



**CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
38th OAK PARK CITY COUNCIL
March 15, 2021
7:00 PM**

MINUTES

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

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

ABSENT: Council Member Radner

OTHERS

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

APPROVAL OF AGENDA:

**CM-03-073-21 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-03-074-21 (AGENDA ITEM #4A-H) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes of March 1, 2021 **CM-03-075-21**
- B. Special City Council Meeting Minutes of March 1, 2021 **CM-03-076-21**
Resolution approving an On-Premises Tasting Room Permit to River Rouge Brewing Company, LLC located at 14401 W. Eleven Mile Road **CM-03-077-21**
- D. Request to approve an agreement with Berkley School District to collect their 2021 SummerTax Levy **CM-03-078-21**
- E. Request to declare specific vehicles as surplus and sold by sealed bid, public auction, or disposal at the lowest expense to the City in accordance with city policy **CM-03-079-21**
- F. Request to approve an 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 **CM-03-080-21**
- G. Request to advertise for bids for the CIA streetscape enhancements and the Nine Mile Linear and Connector Park projects **CM-03-081-21**

H. Licenses New and Renewals submitted for March 1, 2021 **CM-03-082-21**

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

County Commissioner Charlie Cavell provided an update regarding Oakland County.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #6A) Dr. Jamii Hitchcock, Superintendent of Oak Park Schools presented information regarding the Oak Park Schools bond proposal that will be on the May 4, 2021 Special Election ballot.

(AGENDA ITEM #6B) Director of Technical and Planning Robert Barrett provided information regarding the 2021 Sidewalk Replacement Program.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

CM-03-083-21	(AGENDA ITEM #10A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$13,992.07 - APPROVED
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Motion by Burns seconded by Edgar, CARRIED UNANIMOUSLY, to approve payment of invoices #557370 and #557371 by Garan, Lucow, Miller P.C., for legal services rendered through February 28, 2021 in the total amount of \$13,992.07.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-03-084-21	(AGENDA ITEM #12A) FIRST READING OF AN ORDINANCE TO AMEND SECTION 2-608 OF CHAPTER 2, ARTICLE V, DIVISION 1, RECYCLING AND ENVIRONMENTAL CONSERVATION COMMISSION, OF THE CODE OF ORDINANCES, CITY OF OAK PARK - APPROVED
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Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend Section 2-608 of Chapter 2, Article V, Division 1, Recycling and Environmental Conservation Commission, of the Code of Ordinances, City of Oak Park.

CITY ATTORNEY: No Report

CITY MANAGER:

Administration

CM-03-085-21 (AGENDA ITEM #14A) RESOLUTION DECLARING A LOCAL STATE OF EMERGENCY FOR THE PURPOSES OF PERMITTING THE CITY COUNCIL AND OTHER PUBLIC BODIES OF THE CITY OF OAK PARK TO MEET BY ELECTRONIC AND TELEPHONIC MEANS - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following resolution declaring a local state of emergency for the purposes of permitting the City Council and other public bodies of the City of Oak Park to meet by electronic and telephonic means:

RESOLUTION DECLARING A LOCAL STATE OF EMERGENCY FOR THE PURPOSE OF PERMITTING THE CITY COUNCIL AND OTHER PUBLIC BODIES OF THE CITY OF OAK PARK TO MEET BY ELECTRONIC AND TELEPHONIC MEANS

WHEREAS, as recently as March 2, 2021 the Director of the Michigan Department of Health and Human Services (MDHHS) made the following findings:

“The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. COVID-19 spreads through close human contact, even from individuals who may be asymptomatic.

On March 10, 2020, MDHHS identified the first two presumptive-positive cases of COVID-19 in Michigan. As of March 1, 2021, Michigan had seen 589,150 confirmed cases and 15,534 confirmed deaths attributable to COVID-19. Michigan was one of the States most heavily impacted by COVID-19 early in the pandemic, with new cases peaking at nearly 2,000 per day in late March. Strict preventative measures and the cooperation of Michiganders drove daily case numbers dramatically down to fewer than 200 confirmed cases per day in mid-June, greatly reducing the loss of life. Beginning in October, Michigan again experienced an exponential growth in cases. New cases peaked at nearly 10,000 cases per day in mid-November, followed by increases in COVID-19 hospitalizations and deaths.

On November 15, 2020, MDHHS issued an order enacting protections to slow the high and rapidly increasing rate of spread of COVID-19. Cases, hospitalizations, and deaths remained high through early December, threatening hospital and public health capacity. On December 7, 2020, December 18, 2020, and January 13, 2021, MDHHS issued orders sustaining those protections. These orders played a crucial role in slowing the spread in Michigan and have brought new cases down to about 1,500 per day. These lower rates prevented Michigan’s healthcare system from being overwhelmed with a holiday surge.

As of February 27, the State of Michigan had a seven-day average of 91.2 cases per million people, nearly 88% lower than the case rate in mid-November. While that case rate is similar to the rate in early October, it has plateaued over the past week and remains three times the rate of the summer low point.

Test positivity was 3.7% as of February 27, and has started to plateau as well. While metrics have decreased from all-time highs, further progress has tapered off and there is growing concern of another spike with the presence of more infectious variants in Michigan and the United States as a whole.

Even where COVID-19 does not result in death, and where Michigan's emergency and hospital systems are not heavily burdened, the disease can cause great harm. Recent estimates suggest that one in ten persons who suffer from COVID-19 will experience long-term symptoms, referred to as "long COVID." These symptoms, including fatigue, shortness of breath, joint pain, depression, and headache, can be disabling. They can last for months, and in some cases, arise unexpectedly in patients with few or no symptoms of COVID-19 at the time of diagnosis. COVID-19 has also been shown to damage the heart and kidneys. Furthermore, minority groups in Michigan have experienced a higher proportion of "long COVID."

The best way to prevent these complications is to prevent transmission of COVID-19.

Since December 11, 2020, the Food and Drug Administration has granted emergency use authorization to three vaccines to prevent COVID-19, providing a path to end the pandemic. Michigan is now partaking in the largest mass vaccination effort in modern history and is presently working toward vaccinating at least 70% of Michigan residents 16 years of age and older as quickly as possible.

New and unexpected challenges continue to arise: in early December 2020, a variant of COVID-19 known as B.1.1.7 was detected in the United Kingdom. This variant is roughly 50 to 70 percent more infectious than the more common strain. On January 16, 2021, this variant was detected in Michigan. It is anticipated that the variant, if it becomes widespread in the state, will significantly increase the rate of new cases. Currently, Michigan is second in the nation with respect to the number of B.1.1.7 variants detected. To date, there are over 400 cases, and this is one fifth of all cases identified in the United States. CDC modeling predicts B.1.1.7 could become the predominant variant by the end of March. At present, however, it appears that cases have plateaued."

WHEREAS, the Director of the MDHHS has concluded that the COVID-19 pandemic continues to constitute an epidemic in Michigan and that control of the epidemic requires restrictions on public gatherings, and;

WHEREAS, the City Council desires to conduct the public business of the City in a manner so as not to place at risk members of the public, City staff, or members serving on public bodies of the City;

NOW, THEREFORE, IT IS RESOLVED, THAT pursuant to the authority contained at § 3 of the Home Rule Cities Act, MCL 117.3 (j) authorizing cities to provide for the public health and safety of persons; §3 of the Open Meetings Act, MCL 15.263 (2) permitting a public body to meet by electronic or telephonic means upon declaration of a local state of emergency or state of disaster if meeting in person would place at risk the personal health or safety of members of the public or members of the public body; and §10 (b) of the Emergency Management Act permitting the Mayor to declare a local state of emergency;

I, Marian McClellan, Mayor of the City of Oak Park based on the findings made by the Michigan Department of Health and Human Services regarding the public health threat posed by the COVID-19 novel coronavirus and its variant strains declare a local state of emergency to permit the City Council and all other public bodies of the City of Oak Park to continue to meet by electronic and telephonic means after March 30, 2021 and respectfully request the City Council affirm this action through May 31, 2021.

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

MOTION DECLARED ADOPTED

Public Safety Department

CM-03-086-21 (AGENDA ITEM #14B) REQUEST 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 9, 2021 THROUGH SATURDAY, MAY 15, 2021 - APPROVED

Motion by Burns, seconded by Whitehead, 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 9, 2021 through Saturday, May 15, 2021.

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

MOTION DECLARED ADOPTED

Public Safety Director Cooper explained the “Thin Blue Line” flag represents the honorable sacrifices made daily by the Law Enforcement Officers across this great nation.

Department of Public Works

CM-03-087-21 (AGENDA ITEM #14C) REQUEST TO APPROVE THE CONTRACT EXTENSION OFFER FROM COMMERCIAL GROUNDS SERVICES FOR THE 2021 LANDSCAPE MAINTENANCE PROJECT, M-720 FOR A TOTAL AMOUNT OF \$66,640.00 - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the contract extension offer from Commercial Grounds Services for the 2021 Landscape Maintenance Project, M-720 for a total amount of \$66,640.00.

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

MOTION DECLARED ADOPTED

Mr. Yee summarized the request from Commercial Grounds Services, the contractor for the 2020 Landscape Maintenance Project, M-708, to perform the 2021 Landscape Maintenance Project, M-720. Commercial Grounds Services has indicated that they would extend their unit prices to perform this year’s project. The total project cost utilizing 2020 bid prices is \$66,640.00. This includes proposed costs maintain Nine Mile Road from the Trail Head to the easterly city limits. This portion of Nine Mile is new to the contract this year. The previous contractual obligations for Nine Mile have expired and we are recommending to add it to this project.

Finance

CM-03-088-21 (AGENDA ITEM #14D) RESOLUTION AUTHORIZING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLLS, ASSESSING UNPAID CHARGES TOGETHER WITH A 10% PENALTY ON PRIVATE PROPERTY FOR DELINQUENT UTILITIES - \$632,917.40; FALSE ALARMS - \$1,870.00, MISCELLANEOUS CONCRETE REPLACEMENT - \$28,182.13; PROPERTY BLIGHT - \$76,390.02; AND SIDEWALK REPLACEMENT - \$3,319.57 - APPROVED

Motion by Burns, seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City Assessor to prepare Special Assessment Rolls, assessing unpaid charges together with a 10% penalty on private property Delinquent Utilities - \$632,917.40; False Alarms - \$1,870.00, Miscellaneous Concrete Replacement - \$28,182.13; Property Blight - \$76,390.02; and Sidewalk Replacement - \$3,319.571

**PROPOSAL FOR
SPECIAL ASSESSMENT DISTRICTS**

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, in accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make Special Assessment Rolls for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment Districts therefore according to the benefits derived in the sum of \$742,679.12:

Delinquent Utilities	\$632,917.40
Miscellaneous Concrete Replacement	\$28,182.13
Property Blight	\$76,390.02
Sidewalk Replacement	\$3,319.57
False Alarms	\$1,870.00 , and

THAT, Said Special Assessment Rolls shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

THAT, The Assessor, when s/he shall have completed the said assessment rolls, shall report the same to the Council in the manner provided by the City Charter.

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

MOTION DECLARED ADOPTED

CM-03-089-21

(AGENDA ITEM #14E) RESOLUTION RECEIVING SPECIAL ASSESSMENT ROLLS ESTABLISHING APRIL 5, 2021 AS THE DATE FOR THE PUBLIC HEARING ON THE ROLLS FOR UNPAID CHARGES FOR CITY EXPENSES INCURRED ON PRIVATE PREMISES FOR DELINQUENT UTILITIES #690, FALSE ALARMS #691, MISCELLANEOUS CONCRETE REPLACEMENT #692, PROPERTY BLIGHT #693, AND SIDEWALK REPLACEMENT #694 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolution receiving Special Assessment Rolls establishing April 5, 2021 as the date for the Public Hearing on the rolls for unpaid charges for city expenses incurred on private premises for Delinquent Utilities #690, False Alarms #691, Miscellaneous Concrete Replacement #692, Property Blight #693, and Sidewalk Replacement #694:

SPECIAL ASSESSMENT RESOLUTION

DISTRICT NO. 690, 691, 692, 693, and 694

Meeting of the City Council held March 15, 2021, at 7:00 P.M.

The Assessor reported Special Assessment Rolls No. 690, 691, 692, 693 and 694 to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

BE IT RESOLVED, that Special Assessment Rolls No. 690, 691, 692, 693 and 694 this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the 5th day of April 5, 2021 at 7:00 P.M. Eastern Standard Time, for the purpose of reviewing the assessment contained in said Special Assessment Rolls.

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby ordered to cause notice of said review and of the filing of said Special Assessment Rolls to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.

BE IT STILL FURTHER RESOLVED that the City Clerk be and is hereby instructed to serve notice of said Special Assessment Hearing to each owner of, or party in interest in, property to be assessed, whose name appears upon the last general tax assessment records by mailing the notice first class mail, addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of said hearing.

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

MOTION DECLARED ADOPTED

Information Technology

CM-03-090-21 (AGENDA ITEM #14F) REQUEST TO APPROVE THE PROFESSIONAL SERVICES PROPOSAL FROM METRO SIGNS & LIGHTING OF WARREN, MI TO INSTALL NEW LED SIGNBOARDS ON THE CITY COMPLEX MONUMENT SIGN AT COOLIDGE AND OAK PARK BLVD. FOR THE TOTAL AMOUNT OF \$24,850.00 - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the professional services proposal from Metro Signs & Lighting of Warren, MI to install new LED signboards on the city complex monument sign at Coolidge and Oak Park Blvd. for the total amount of \$24,850.00.

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

MOTION DECLARED ADOPTED

IT Director Singson indicated that due to the inoperable status of the existing LED signboard at the city complex monument sign, a request for repair/replacement was made to four vendors. Two vendor responded with competitive quotes. Upon review, Metro Signs & Lighting is the preferred vendor of both the administrative staff as well as the local area representative for Daktronics, the manufacturer of the sign. The total price for this project is \$24,850.00

Communications

(AGENDA ITEM #14G) Event and Activity Update

Communications Director Davis reported upcoming activities and events.

CALL TO THE AUDIENCE:

Mr. Studemeyer expressed concerns regarding sidewalk/concrete inspections.

Sharon Landau Levine, discussed concerns about the city haul away days.

Cheryl Weiss expressed concerns about the upcoming sidewalk program and the burden it would cause for residents during the pandemic.

D'Shaundra Payne, expressed concerns about a high water bill.

Gloria, discussed issues with her sidewalk and the replacement program.

Crystal Baily discussed issues with her sidewalk and the replacement program.

Steven Laurain asked about the city's plan to help residents with their lateral water connections.

Stephanie Arellano asked about making sure that the city follows up with residents regarding the questions that are raised and to share the answers with everyone.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:32 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor