

Oak Park

City Council Agenda

March 7, 2022





AGENDA
REGULAR CITY COUNCIL MEETING
39th CITY COUNCIL
OAK PARK, MICHIGAN
March 7, 2022
7:00 PM

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 City Council Meeting Minutes of February 21, 2022
- B. Special City Council Meeting Minutes of February 21, 2022
- C. Beautification Advisory Commission Meeting Minutes of September 21, 2021
- D. Parks and Recreation Commission Meeting Minutes of January 19, 2022
- E. Traffic Safety Board Meeting Minutes of December 15, 2021
- F. Public Safety Activity Summary Reports for December 2021 and January 2022
- G. Request to advertise for bids for Program Year 2021 Yard Services Program, M-744
- H. Request to advertise for bids for 2021 Eight Mile Pump Station Pump Replacement Project, M-732
- I. Request to change to the Traffic Safety Board meeting time from 7:00 PM to 6:00 PM and continue to meet on the third Wednesday of each month
- J. Request to approve a resolution of support for the 2022 Tri-Party Program and authorize the submission of funding for repairs to Greenfield Road
- K. Request to have the Transportation Improvement Authority (TIA) conduct pedestrian studies at 10 Mile and Coolidge and Lincoln and Coolidge
- L. Licenses New and Renewals submitted for March 7, 2022

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS:

- A. Sidewalk Improvement Program Presentation

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES: None

11. ACCOUNTING REPORTS:

- A. Approval for payment of an invoice submitted by Shifman Fournier for legal services retainer for April 1, 2022 – June 30, 2022 in the total amount of \$18,000.00

12. BIDS:

- A. Request to award the bid for the 2022 Joint and Crack Sealing Project, M-734 to Michigan Joint Sealing Inc. of Farmington Hills, MI for the total amount of \$100,179.60
- B. Request to award the bid for the 2021 Greenfield Road Fence Replacement Project, M-735 to Michigan Fence Outlet of Macomb, MI for the total amount of \$278,300.00 and to award the alternate bid for the Lessenger Park Dog Park to Michigan Fence Outlet of Macomb, MI for the total amount of \$68,700.00. Funding for the dog park construction is requested to be appropriated from the General Fund Balance

13. ORDINANCES:

- A. Second reading and adoption of proposed text amendments to the City of Oak Park Zoning Ordinance in the following sections: Article 1, Division 2; Article 2, Division 2; Article 2, Division 3; Article 3, Division 1; Article 3, Division 2; Article 4, Division 1; and Article 4, Division 3; Article 4, Division 4; Article 5, Division 3; Article 5, Division 4; Article 6, Division 1; Article 6, Division 2 (The proposed zoning amendments pertain to a variety of improvements that incorporate clarifications, additions, and/or deletions to specific sections of the ordinance)

14. CITY ATTORNEY:

15. CITY MANAGER:

Department of Public Works

- A. Request to approve the contract extension offer from Commercial Grounds Services for the 2022 Landscape Maintenance Project, M-742 for a total amount of \$66,640.00
- B. Request to approve the contract extension offer from Xpert Lawn and Snow, LLC for the 2022 Lawn Maintenance Contract, M-743 for a total amount of \$112,488.00

Communications and Public Information

- C. Event and Activity Update

16. CITY COUNCIL

- A. Resolution changing Council Member appointments to City Boards and Commissions

17. 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.

18. CALL TO THE COUNCIL

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
39th OAK PARK CITY COUNCIL
February 21, 2022
7:00 PM**

MINUTES

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

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

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

**CM-02-049-22 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-02-050-22 (AGENDA ITEM #5A-G) CONSENT AGENDA - APPROVED

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

- A. Regular City Council Meeting Minutes of February 7, 2022 **CM-02-051-22**
- B. Special City Council Meeting Minutes of February 7, 2022 **CM-02-052-22**
- C. Request to approve an agreement with Berkley School District to collect their 2022 Summer Tax Levy **CM-02-053-22**
- D. Planning Commission Meeting Minutes of January 10, 2022 **CM-02-054-22**
- E. Request to approve proposed change order No. 1 in the amount of (\$3,844.00) and payment application No. 1 (final) in the amount of \$26,207.00 to Transformer Inspection Retrofill for the Transformer Replacement Project, M-723 **CM-02-055-22**
- F. Library Board Meeting Minutes of January 12, 2022 **CM-02-056-22**
- G. Licenses New and Renewals submitted for February 21, 2022 **CM-02-057-22**

MERCHANT'S LICENSES – February 21, 2022
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
None			
<u>RENEWALS (2022)</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
FISHER AUTO PARTS	13380 CAPITAL	\$150.00	AUTO PARTS/ACCESSORIES
ERNIE'S MARKERT	8500 CAPITAL AVE	\$150.00	RESTAURANT
DISTINCTIVE CUSTOM FURNITURE	8575 CAPITAL AVE	\$150.00	MANUFACTURE
PERSONAL UNIFORM SERVICE	10100 CAPITAL AVE	\$150.00	UNIFORM SERVICE
GREAT LAKES LANDSCAPE	10631 CAPITAL AVE	\$150.00	LANDSCAPING
MICHIGAN DESSERT CORP	10750 CAPITAL AVE	\$150.00	
MIDLAND EQUIPMENT CO. OF MICHIGAN	12900 CAPITAL AVE	\$150.00	CONSTRUCTION EQUIPMENT
BIBA INTERNATIONAL	13220 CLOVERDALE A	\$150.00	WHOLESALE
DOLLAR GENERAL	22100 COOLIDGE	\$150.00	RETAIL
CITI TRENDS #580	22106 COOLIDGE	\$150.00	RETAIL FAMILY CLOTHING
VALUE WORLD	22130 COOLIDGE	\$150.00	THRIFT STORE
KAMILLION BEAUTY	25595 COOLIDGE	\$150.00	HAIR SALON BOUTIQUE
HAGOPIAN CLEANING	14000 EIGHT MILE	\$150.00	RUG CLEANING
BERKLEY COFFEE	14661 ELEVEN MILE 500	\$150.00	COFFEE
BOLLINGER MOTORS	14925 ELEVEN MILE	\$150.00	OFFICE
GEM CORPORATION	21600 GREENFIELD # 106	\$150.00	FINE JEWELRY
CONSULTANTS IN OPHTHALMOLOGY	25900 GREENFIELD # 239	\$150.00	MEDICAL OFFICE
CHIC SWEETS BOUTIQUE	25900 GREENFIELD # 241	\$150.00	OFFICE
AYZERTECH INC	25900 GREENFIELD # 276	\$150.00	
SUNOCO	25000 GREENFIELD RD	\$150.00	GAS STATION
WHITE CASTLE	26500 GREENFIELD RD	\$150.00	RESTAURANT
PAPER GOODS PLUS	15310 LINCOLN	\$187.50	RETAIL
WOODSHED STUDIOS	8130 NINE MILE	\$187.50	
SALIENT SIGN STUDIO	8720 NINE MILE	\$150.00	SIGNS AND GRAPHICS
JAMES TAILORING	8236 W NINE MILE RD	\$150.00	TAILORING AND ALTERATIONS
KNIGHT LIGHT CANDLE	10332 W NINE MILE RD	\$150.00	RETAIL CANDLE STORE
COMMUNITY FAMILY DENTISTRY	10470 W NINE MILE RD	\$150.00	DENTIST
CSL PLASMA	13770 W NINE MILE RD	\$150.00	BLOOD PLASMA
STATE FARM INSURANCE	10841 TEN MILE	\$150.00	INSURANCE

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

11th District Congresswoman Haley Stevens addressed the audience.

SPECIAL RECOGNITION/PRESENTATIONS:

(Agenda Item #7A) 2021 Employee of the Year - Kevin Yee

City Manager Tungate recognized Kevin Yee as the 2021 Employee of the Year.

(Agenda Item #7B) Dog Park Presentation

Recreation Director Laurie Stasiak and Dog Park Committee Chairperson Andrew Cissell discussed plans for a “Dog Park” that will be constructed on the site of Lessenger Park.

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

**CM-02-58-22 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES
SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL
SERVICES IN THE TOTAL AMOUNT OF \$12,103.84
- APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of invoice #581695 by Garan, Lucow, Miller P.C., for legal services rendered through January 31, 2022 in the total amount of \$12,103.84.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

**CM-02-059-22 (AGENDA ITEM #13A) SECOND READING AND ADOPTION OF
AN ORDINANCE TO AMEND CHAPTER 14, ANIMALS, ARTICLE
I, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK,
MICHIGAN, BY AMENDING SECTION 14-7 THEREOF. (The
amendment removes reference to the one-year pilot program and allows
the keeping of domestic chickens) - APPROVED**

Motion by Radner seconded by Whitehead, CARRIED, to approve the second reading and adopt the ordinance to amend Chapter 14, Animals, Article I, of the Code of Ordinances of the City of Oak Park, Michigan, by eliminating Sec. 14-7 (h) thereof.

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

MOTION DECLARED ADOPTED

CM-02-060-22

(AGENDA ITEM #13B) SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 38, ENVIRONMENT, ARTICLE III, DIVISION 2, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 38-72 THEREOF. (The amendment allows for the use of the Ringelmann Smoke Chart as published by the United States Geological Survey for smoke measurement to ensure consistency with provisions of the zoning ordinance) - APPROVED

Motion by Edgar seconded by Radner, CARRIED UNANIMOUSLY, to approve the second reading and adopt the following ordinance to amend Chapter 38, Environment, Article III, Division 2, of the Code of Ordinances of the City of Oak Park, Michigan, by amending Section 38-72 thereof:

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

AN ORDINANCE TO AMEND CHAPTER 38, ENVIRONMENT, ARTICLE III, DIVISION 2, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY AMENDING SECTION 38-72 THEREOF

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Chapter 38, Environment, Article III, Division 2, Section 38-72, smoke measurement, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 38-72- Smoke measurement.

For the purpose of testing and grading the density of smoke, the Ringelmann Smoke Chart as published and used by the United States Geological Survey shall be the standard of observation and comparison, and smoke shall be considered and hereby is deemed to be "dense" when it is of a degree of density of No. 3 of said chart or greater, for more than six minutes in any one hour, from any smoke stack, chimney or other structure for the purpose of emitting smoke, whether such period of time is consecutive or not. A copy of such chart shall be kept at all times in the office of the City Clerk and shall be open to public inspection at reasonable hours.

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 take effect 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, Edgar, Radner, Whitehead
	No:	None
	Absent:	None

MOTION DECLARED ADOPTED

CM-02-061-22 (AGENDA ITEM #13C) FIRST READING OF PROPOSED TEXT AMENDMENTS TO THE CITY OF OAK PARK ZONING ORDINANCE IN THE FOLLOWING SECTIONS: ARTICLE 1, DIVISION 2; ARTICLE 2, DIVISION 2; ARTICLE 2, DIVISION 3; ARTICLE 3, DIVISION 1; ARTICLE 3, DIVISION 2; ARTICLE 4, DIVISION 1; AND ARTICLE 4, DIVISION 3; ARTICLE 4, DIVISION 4; ARTICLE 5, DIVISION 3; ARTICLE 5, DIVISION 4; ARTICLE 6, DIVISION 1; ARTICLE 6, DIVISION 2. (The proposed zoning amendments pertain to a variety of improvements that incorporate clarifications, additions, and/or deletions to specific sections of the ordinance) - APPROVED

Motion by Burns seconded by Radner, CARRIED UNANIMOUSLY, to approve the first reading of proposed text amendments to the City of Oak Park Zoning Ordinance in the following sections: Article 1, Division 2; Article 2, Division 2; Article 2, Division 3; Article 3, Division 1; Article 3, Division 2; Article 4, Division 1; and Article 4, Division 3; Article 4, Division 4; Article 5, Division 3; Article 5, Division 4; Article 6, Division 1; Article 6, Division 2.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: No Report

CITY MANAGER:

Administration

(AGENDA ITEM #15A) COVID-19 Update.

CM-02-062-22 (AGENDA ITEM #15A) MOTION TO ADOPT THE STATE OF MICHIGAN'S NEW COVID-19 POLICY REGARDING MASK WEARING EFFECTIVE IMMEDIATELY - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to adopt the State of Michigan's new COVID-19 policy regarding mask wearing effective immediately.

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

MOTION DECLARED ADOPTED

CM-02-063-22 (AGENDA ITEM #15B) MOTION TO APPROVE THE FISCAL YEAR 2022-23 BUDGET CALENDAR - APPROVED

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following Fiscal Year 2022-23 Budget Calendar:

City of Oak Park
Budget Calendar
Fiscal Year 2022-23

<u>Internal</u>	<u>Date</u>
Finance compiles departmental salary and fringe benefits summaries	2/14 - 3/11/22
Finance enters initial three year budget estimates in BSA	2/14 - 3/11/22
Department summary capital needs due to Finance	3/11/2022
Departmental three year budget projects available in BSA for review	3/18/2022
Department meetings with Finance and City Manager	3/22 - 3/31/22
Presentation of capital plan to Planning commission	4/11/2022
Draft City Manager budget complete	4/14/2022

<u>Public</u>	
City Manager gives Council budget update	4/18 - 4/21/22
City Council budget review session	4/18 - 4/21/22
City Council budget review session	4/26 - 4/29/22
City Council budget review session	4/26 - 4/29/22
City Council budget review session (if needed) / public hearing request	5/2/2022
Budget public hearing noticed published	5/4/2022
Budget public hearing	5/16/2022
Final budget, fee schedule and millage rate adoption	5/16/2022
First reading of Utilities and Solid Waste ordinance amendments	6/7/2022
Second reading and adoption of Utilities and Solid Waste ordinance amendments	6/21/2022

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #15C) End of Year Strategic Plan Report.

Deputy City Manager VanVleck presented the 2021 End of Year Strategic Plan Report. A copy is on file with the City Clerk.

CM-02-064-22 (AGENDA ITEM #15D) REQUEST TO APPROVE A SHARED MICROMOBILITY (E-SCOOTER) PILOT PROGRAM REQUEST FOR PROPOSALS - APPROVED

Motion by Whitehead, seconded by Radner, CARRIED, to approve a Shared Micromobility (E-Scooter) Pilot Program Request for Proposals.

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

MOTION DECLARED ADOPTED

Deputy City Manager VanVleck indicated that one of City Council's objectives in the Strategic Plan is to "Offer affordable mobility options," and staff has been exploring ways to expand mobility options within the community. Shared e-scooters are a popular form of "micromobility" in other communities, and may be an option for expanding affordable mobility options in ours. After researching how other communities have approached shared e-scooter programs, and considering what has worked and what has not, we believe a shared e-scooter pilot program is the best way to determine whether they are a good fit for Oak Park. We are recommending a pilot program of 12-18 months so that we may evaluate the impact of e-scooters in the community throughout the year. Further, we are recommending a request for proposals inviting e-scooter companies to submit proposals to participate in the City's pilot program. Throughout this process we will consistently engage residents. Public outreach will begin with a survey that will be available to the community when we release the RFP, and we will host an informational Open House in early April, so that we may gather public concerns and feedback to guide the terms of the pilot program agreement. During the pilot program the City will continue to engage the public to evaluate the impact of e-scooters on the community. City attorneys have reviewed and approved the Request for Proposals. They will also be bringing forth ordinance changes to reflect the use of e-scooters in the community (these will apply to the use of both private and shared scooters).

Recreation

CM-02-065-22 (AGENDA ITEM #15D) REQUEST TO APPROVE A CONTRACT WITH SKERBECK FAMILY CARNIVAL INC. FOR RIDING DEVICES, MIDWAY SHOWS, AND FOOD AND GAME CONCESSIONS AT THE SUMMERBLAST EVENT ON JUNE 17 THRU JUNE 19, 2022 - APPROVED

Motion by Whitehead, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following contract with Skerbeck Family Carnival Inc. for riding devices, midway shows, and food and game concessions at the SummerBlast Event on June 17 thru June 19, 2022:

AGREEMENT

This agreement is made this January 24, 2022 by and between SKERBECK FAMILY CARNIVAL, INC. of Escanaba, Michigan hereinafter called the AMUSEMENT COMPANY and the City of Oak Park hereinafter called the COMMITTEE.

PURPOSE OF AGREEMENT

The AMUSEMENT COMPANY desires to operate its carnival show in Oak Park, Michigan at the June Carnival for the dates herein stated and the COMMITTEE desires to sponsor the carnival show.

COVENANTS & AGREEMENTS

It is agreed by and between the parties as follows:

1. The COMMITTEE agrees to sponsor no other carnival show and grants the AMUSEMENT COMPANY the exclusive rights to operate all riding devices, midway shows and food and at the June Carnival. The AMUSEMENT COMPANY agrees to operate its carnival show at the aforesaid event on the dates of June 17th, 18th, & 19th 2022.
2. The COMMITTEE will furnish the AMUSEMENT COMPANY with a suitable location, police protection, city license, water and sanitation facilities and garbage pickup.
3. The AMUSEMENT COMPANY will pay the COMMITTEE as follows:

- A. 20% of the first \$50,000.00 of the ride gross and 25% thereafter
 - B. \$500.00 for concession space.
- 4. The AMUSEMENT COMPANY shall carry proper liability insurance in the amount of \$1,000,000.00 fully protecting and indemnifying against any and every possible claim for accidents or other liabilities to employees and all other persons which might arise in connection with the preparation, operation and removal of the carnival show, and shall name the City of Oak Park as an additional insured on the liability insurance policy.
 - 5. The COMMITTEE shall lend its cooperation and support to and work with the AMUSEMENT COMPANY for making the carnival show successful.
 - 6. Should performance by the AMUSEMENT COMPANY be impossible because of the occurrence of unforeseen circumstances such as fire, flood, wind storms, police action or any other condition beyond the control of the AMUSEMENT COMPANY, this agreement shall be unenforceable during the period in which such condition exists.
 - 7. In the event of a Covid-19 related cancellation, no financial payments or penalties will be paid and the contract will remain for 2023.

The parties hereto have set their hands on the day and year first written above.

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

MOTION DECLARED ADOPTED

Recreation Director Stasiak indicated the Recreation Department is seeking approval of a contract with Skerbeck Family Carnival Inc. to operate riding devices, midway shows, and food and game concessions at our SummerBlast event on June 17 thru 19, 2022.

CALL TO THE AUDIENCE:

There were no members of the audience who wished to speak.

ADJOURNMENT:

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

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
39th OAK PARK CITY COUNCIL
February 21, 2022
6:00 PM**

MINUTES

Mayor McClellan called the special meeting to order at 6:00 p.m. in the Executive Conference Room of Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

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

ABSENT: None

OTHERS

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

SPECIAL BUSINESS:

SCM-02-047-21 REAPPOINTMENTS OF MEMBERS TO BOARDS AND COMMISSIONS – APPROVED

Motion by Burns, seconded by Whitehead, CARRIED UNANIMOUSLY, to authorize the following reappointments of members to city boards and commissions:

APPOINTEE	BOARD	CURRENT TERM EXPIRES	NEW TERM EXPIRES
Steven Chudnow	Election Commission	January 2022	January 2023
Sarah Sherman	Election Commission	January 2022	January 2023
Michella Perry	Beautification Advisory Commission	February 2022	February 2025
Joe Brown	Brownfield Redevelopment Authority	February 2022	February 2028
Aaron Schwartz	Brownfield Redevelopment Authority	February 2022	February 2028

And to not reappoint the following members:

NAME	BOARD	CURRENT TERM EXPIRES
Joyce Shulman	Beautification Advisory Commission	February 2022

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

MOTION DECLARED ADOPTED

(AGENDA ITEM B) Interview candidates for City Boards and Commissions

Council conducted interviews with the following candidates to fill vacancies on city boards and commissions:

Donald Jones
Wyndy Shamily
Chrystal Wagner

(AGENDA ITEM C) Consider new appointments to City Boards and Commissions

**SCM-02-048-22 NEW APPOINTMENTS TO CITY BOARDS AND COMMISSIONS
– APPROVED**

Motion by Whitehead, seconded by Burns, CARRIED UNANIMOUSLY, to authorize the following appointments of candidates to city boards and commissions:

Appointments to City Boards and Commissions:

APPOINTEE	BOARD	NEW TERM TO EXPIRE
Steven Gold	Board of Review	February 2025
Chrystal Wagner	Beautification Advisory Commission	February 2025
Donald Jones (resident)	Corridor Improvement Authority	February 2026
Wyndy Shamily (business)	Corridor Improvement Authority	February 2026

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Ken Sherman, asked about the attendance of commission members.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the special meeting at 6:50 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**BEAUTIFICATION ADVISORY COMMISSION
MEETING MINUTES
SEPTEMBER 21, 2021**

PRESENT: Commissioners Lonnie Tabb-Upshaw, Santhia Guinn, Joyce Schulman, Karen Davis-Harris, Pamela McKean, Mattie Boykin, Deborah Williamson, City Liaison Assistant City Manager Kevin Yee, City Administrative Clerk II Tiffany Brown

ABSENT: Commissioners Reatha Richmond, Michella Perry, Idella Bailey, City Council Member Carolyn Burns

GUEST: None

Meeting called to order 7:02 pm

Approval of April 20, 2021 meeting minutes

Motion by Guinn, seconded by McKean to approve the meeting minutes of April 20, 2021.

YES: ALL

NO: NONE

Motion carried

CITY LIAISON COMMUNICATION

Non-voting City Representative Kevin Yee

- Business District on 11-mile road
- One brewery open, and another one will be opening up on 11-mile road
- Linear Park with play structures for kids will be placed on 9-mile road
- Flowers will be planted around the city
- Connector Park on 9-mile road between Rosewood and Scotia
- Fencing installed along 9-mile and McLain
- Water main project on Oak Park Boulevard

Awards Ceremony

The awards ceremony will take place virtually this year. The mayor will be asked to announce names and homes will be shown on a power point presentation.

Flower Exchange

The Flower Exchange will be held June 26th.

Election Vice Chairperson

Motion made to nominate Lonnie Tabb-Upshaw for Chairperson

General Discussion

None

Meeting adjourned 7:41 pm, next meeting December

CITY OF OAK PARK

Department of Recreation

Mayor
Marian McClellan
Mayor Pro Tem
Carolyn Burns
Council Members
Solomon Radner
Julie Edgar

5D

CITY OF OAK PARK

PARKS AND RECREATION COMMISSION

REGULAR MEETING: January 19, 2022

- I. Meeting called to order by at: 7:02 pm By: Patrick North, Chair
- II. Members Present: Andrew Cissell, Patrick North, Mickey Alderman, Theresa Lorick- Henderson, Juanita Bell, Dwight Thomas

Members Absent: Beverly Wiggins, Diane Spiller, Alexander Simpson

City Council Members Present: Julie Edgar, Mayor Pro Tem

Staff Members Present: Laurie Stasiak, Recreation Director

Guests Present: None
- III. Approval of Agenda for January 19, 2022.

Motion: Theresa Lorick – Henderson Seconded: _Mickey Alderman
Agenda: Approved
- IV. Approval of Minutes of Parks and Recreation Commission Meeting of November 19, 2021.

Motioned by: Juanita Bell Seconded by: Dwight Thomas Minutes: Approved
- V. Council Comments – Mayor Pro Tem, Julie Edgars
Neighborhood Enterprise/Tax breaks to Developers
Project- 9 Mile Apartment for transient oriented individuals. The apartment will have about 30 units (small apartment building)

VI. Recreation Updates:

Winterfest 2022:

Winterfest 2022 was a pleasant surprise. Many families came out to celebrate the season. The day consisted of our 4 fire pits for S'mores, the hot chocolate station with donuts, MSUE and the Girls Scouts both had a craft table for the children. Oakland County Parks did a fabulous job with 5 different stations for kids to get make and take projects, the nature table and snow painting. The horse and carriage had a line from 2pm – 5pm. The owners made sure everyone received a ride! The reindeer pen was a fan favorite as well with a continuous crowd for all three hours. People were amazed by the skill of the ice caver, many were overheard to be saying "how does she do that? How does she "see "that in the block of ice? The ice rink was steady with skaters.

We actually ran out of S'more supplies (175 ct) as well as craft bags (150 ct Girl Scout and MSUE) and donuts (50 ct). **A big thank you goes out to Theresa, Alexander, Dwight and Julie for coming out to help! ☺**

Daddy Daughter Dance postponed:

Due to the Covid numbers rising in the past few weeks, we moved the daddy Daughter Dance from February 20th to May 1st. More updates to come.

Senior Focus Group:

The first of several Senior Focus groups will take place on Tuesday January 25 in Activity Room B from 10 am – 11:30 am.

The seniors will be informed of the 5 Year Recreation Master Plan as well as the Receptions Needs assessment that will be taking place. We will start to explore what the seniors would like to see added or improved in our current parks and facilities that will allow them to have quality recreational and leisure pursuits as they age in place here in Oak Park.

Light refreshments will be served.

Farmers Market enters new partnership:

The Farmers Market will be entering into a partnership with Oakland University for the "Prescription for Health "program. This is a grant that will enable 50 families/individuals the opportunity to receive a \$40 food voucher to be spent at the market each month.

See the program overview below:

Overview- Prescription for a Healthy Oakland- SE expansion

Prescription for a Healthy Oakland follows a social prescribing model where healthcare or social service providers "prescribe" individuals into the program to meet food needs, and is currently offered in a virtual format due to the COVID-19 pandemic (self-referrals also welcome). Criteria for participation include experiencing food insecurity and difficulty accessing fresh fruits and vegetables, being at-risk for developing chronic disease, and expressing an interest in participating. Within the County's southeast area we aim to enroll 50 adults (over 18) into a six-month program where they will receive monthly vouchers to be spent at participating vendor locations for fresh fruits and vegetables, health education sessions, and optional physical

activity opportunities. Participants will experience improved food security while establishing healthy behaviors, and program staff will work to build capacity within southeast Oakland County, and work towards providing evidence for sustainable models of funding within the county and beyond.

Our website

<https://www.rxforhealthyoakland.org/index.html>

David Pitts, Recreation Coordinator, David has received a new position with Oakland University Recreation. His last day with Oak Park Recreation will be January 28.

Youth Basketball - In an effort to combat the spread of COVID-19 we have decided to cancel our youth basketball programs as well as the upcoming Pistons trips.

Archery - We have received the targets and proper signage; however, we are still waiting for the remainder of the archery equipment. We are also working with USA archery and other local municipalities to find a new instructor. David Pitts was certified, but he took another position so we need someone soon.

Pet Contest - The pet photo contest is this Friday and we will be working with our communications department on posting an ask for community members to send images of their pets! The photo with the most "likes" receives a prize! The prizes are sponsored by Canine to Five and Premiere Pet Supply.

Teen Programs: We are back in the High School this week for the Hip Hop Dance Class (Wednesday) and Esports (Thursday). We hope to continue these two programs throughout the remainder of the school year! It has been a great way for the teens to become active while staying safe.

Scooters in the Park- Possible providers for E scooters mobile station - people can rent scooters, they go around 15 miles per hour

Question: Why would a city like OP need E scooters? Can they be on the sidewalks?? Does R.O or Ferndale have scooters?

It will be a pilot program - we are just getting a feel of the scooters

Motioned by: Patrick North

Seconded by: Mickey Alderman

Commission voted against the E- scooters Passed by 6 opposing E scooters

The Parks and Recreation 5 Year Master Plan and the Comprehensive Recreation Asset Survey

will be getting started shortly. The Smith Group, the firm that the City Council approved to work on this extensive project, will start next month. This will be an in depth, community driven project. Many community meetings, town halls, surveys for input as to what the residents would like to see in the city to enhance and improve our Recreation Facilities, parks, greenway and trails for the next 10 years and beyond.

VII. Old Business – Commission

- a. Dog Park - Didn't meet. Not much has happening physically at the park in winter.
- b. Fence portion is going out for bids
- c. Entrance /Security is also going out for bids

d. Nominations for New Chair Vice Chair and Secretary

Nominations: Patrick North - Chair, Andrew Cissel - Vice Chair Theresa Lorick – Henderson Secretary

All three accepted the positions

Motion passed to accept their nominations

VIII New Business – Commission

Pool Questions:

Last summer deep-end was not open at times due to staffing issues. Some pools in the area closed or hours were cut - due to this same issue.

Question: Can we improve the deep end section / test criteria so deep end can be used?

2020 – COVID closed the pool causing staffing issues for the summer 2020. All areas of Recreation and Park Oversight were experiencing staff shortages.

IX Announcements: none

X Meeting adjourned at: 8:07 p.m.

Motioned by: Patrick North

Seconded by: Juanita Bell

Motion passed

Respectfully submitted,

Theresa Lorick-Henderson
Recording Secretary

City of Oak Park Traffic Safety Board Meeting 12/15/2021

In attendance:

Aaron Tobin (Associate Chair), John Klein (Chair), Nour Almahameed, Nadine Coleman, Shaun Whitehead (City Council Member), Mike Pinkerton (DPS), Kara Gisamer (City Engineer), and Director Robert Barrett.

Absent with Notice: none

Call to Order: 7:03pm

The Minutes from 11/17/21 were approved item 4 motioned by Tobin seconded by Coleman approved unanimously.

The following agenda items were discussed:

1. Nadine provided minutes template and we need a recording secretary.
2. Item 5. New City Engineer Kara Grisamer. Engineer for over 20 years. Spoke on experience in public and private sector. Wants to be here for a while. Tobin spoke about what commission does and goals. Klein also mentioned traffic incidents which generated interest of the utility of the input from citizens.
3. Item 6. Letter to CVS drafted by Coleman and edited by Klein.
Strip mall at 9 Mile and west side of Coolidge

Sample Letter to CVS: [letter](#)

Letter sent out to CVS on the commissions concern for traffic safety. Might need to find the mall owner. Klein spoke to store manager but needs to escalate up to bring to attention of his/her manager for corporate to be notified. Klein will follow up also by phone. Coleman noticed they have put caution stripes that were not there before. Tobin mentioned we still may want them to add a stop sign. Coleman said she will take a picture before next meeting to see what they have done.

4. Item 7- 4 traffic locations to discuss

a) Greenbriar and Parklawn suggestion of slow curve ahead, stop sign or yield sign. Discussion of mirrors on the curves as well. Director Barrett mentioned mirrors and other possible remedies may not be such a good option because it's an isolated area with slow traffic. Could try to up enforcement and put a radar there. Painting yellow lines was another suggestion by Tobin for example like Briar and Balfour. Coleman suggested slow down signs. Coleman also discussed that is was a heavy traffic area. Officer Pinkerton said that in his experience it is a very low traffic area mostly neighborhood traffic but would work on getting data collection from radars.

b) 11 mile and Tyler- increased traffic due to new business. Director Barrett said could send TIA to do traffic study but dual jurisdiction because it is combined with Berkley.

c) Church and Balfour- Tobin proposed stop sign because of schools and churches in the area and the incoming traffic from Greenfield. Would also like no parking on corner as well. Stop sign and no parking 15-25 ft for sightline increased and school has 1/3 more attendance was also mentioned.

d) Kenwood and Greenfield- Facebook and Coleman brought to our attention. Concern over island but not in Oak Park jurisdiction. Director Barrett suggested may be able to look at Oakland County looking into it. City Engineer Grisamer stated she could bring it to Oakland County's attention. Can share link as well for road commission Oakland website.

5.) Item 8- Sightline issues- Tobin mentioned winter is coming concerns over cross walks.

6) Adjournment 8:00pm unanimous.

Minutes prepared by: Shaun Whitehead , 2/16/22



OAK PARK PUBLIC SAFETY

December 2021

ACTIVITY SUMMARY



OPERATIONS:

Calls for Service

-2020 Total: **13,603**
 -2020: December **1,025**
 -2020 YTD: **12,792**
 -2021: December **1,096**
 -2021 YTD: **13,748**

-Arrests: **57**
 -Vacation/Property Checks: **3**
 -Non-Criminal Fingerprints: **9**
 -PBT's: **0**
 -Vehicles Impounded: **12**
 -Traffic Stops: **658**
 -Medicals: **275**

INVESTIGATIONS:

Cases Assigned: **56**
 Warrants Obtained: **11**

See attached report
 "RMS-008"
 for December crime summary

Records Bureau:

Animal Licenses: **94**
 Alarm Permits: **32**
 Handgun Registrations: **60**
 FOIA / RFI / Discovery Requests: **172**
 Calls Received at Dispatch: **3,508**

REPORTED FIRES: **2** (**1** structural,
0 vehicle, **1** other)

NON-FIRE INCIDENTS:
 (**52** includes false fire alarms)

FIRE SAFETY INSPECTIONS: **19**



COMMUNITY POLICING

O.P.U training for new Officer.
 Resolved several neighbor complaints.
 Shop with a Cop with Oak Park Schools.
 Visted all Schools in Oak Park during the Month.

CITATIONS ISSUED: **311** (YTD: **5,464**)
 (December 2020: **388** / 2020 YTD: **4309**)

HAZARDOUS	97	31%
NON - HAZARDOUS	27	9%
PARKING	106	34%
ORDINANCE VIOLATION	81	26%

NOTES: Training: Dept Wide Pistol Qualification.



OAK PARK PUBLIC SAFETY January 2022 ACTIVITY SUMMARY



OPERATIONS:

Calls for Service

-2021 Total: **13,748**
-2021: January **971**
-2021 YTD: **971**
-2022: January **1,036**
-2022 YTD: **1,036**
-Arrests: **67**
-Vacation/Property Checks: **1**
-Non-Criminal Fingerprints: **13**
-PBT's: **0**
-Vehicles Impounded: **23**
-Traffic Stops: **846**
-Medicals: **244**

INVESTIGATIONS:

Cases Assigned: **49**
Warrants Obtained: **8**

See attached report
"RMS-008"
for January crime summary

Records Bureau:

Animal Licenses: **65**
Alarm Permits: **19**
Handgun Registrations: **80**
FOIA / RFI / Discovery Requests: **170**
Calls Received at Dispatch: **3,276**

REPORTED FIRES: **6** (**5** structural,
1 vehicle, **0** other)

NON-FIRE INCIDENTS:

(**69** includes false fire alarms)

FIRE SAFETY INSPECTIONS: **29**



COMMUNITY POLICING

Resolved several neighbor complaints.
Attended Winter Fest.
Visited all Schools in Oak Park during the month.

CITATIONS ISSUED: **567** (YTD: **567**)
(January 2021: **502** / 2021 YTD: **502**)

HAZARDOUS	171	30%
NON - HAZARDOUS	126	22%
PARKING	151	27%
ORDINANCE VIOLATION	119	21%

NOTES: Training: Dept Wide MFR training, Supervision Management of F.T.O Program.



**BUSINESS OF THE CITY COUNCIL, OAK PARK,
MICHIGAN**

AGENDA OF: March 7, 2022

AGENDA #

SUBJECT: The Department of Technical and Planning is requesting authorization to advertise for bids for CDBG Program Year 2021 Senior Yard Services, M-744.

DEPARTMENT: Technical & Planning – RMB

SUMMARY: To provide grass cutting and snow removal for pre-qualified resident senior applicants.

FINANCIAL STATEMENT: The Senior Yard Service Program is funded through the Community Development Block Grant, CDBG. \$30,000 has been allocated for program year 2021, with \$3,500 being paid to OLHSA for Applicant Pre-Qualification. Therefore \$26,500 is allocated for lawn mowing and snow removal contracting.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for Program Year 2021 Yard Services, M-744, be approved. Funding is available in the CDBG fund for this expenditure.

APPROVALS:

Department Director: _____RB_____

Director of Finance: _____SC_____

Budgeted: ☐

Legal: _____ED_____

EXHIBITS: none



5H

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: March 7, 2022

AGENDA #

SUBJECT: Request authorization to bid the 2021 Eight Mile Pump Station Pump Replacement Project, M-732.

DEPARTMENT: Public Works – *DED*

SUMMARY: Bid documents are being prepared for the City's the 2021 Eight Mile Pump Station Pump Replacement Project, M-732. This contract includes the removal of old pumps, installation of a new pump, as well as a new variable frequency drives (VFD). This work will provide a more reliable and efficient pumping operation and better redundancy in our water system.

FINANCIAL STATEMENT: There is a total of \$250,000 available in the Water and Sewer, Pump Operations, Capital Outlay fund (592-18.540-970) for this project.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for 2021 Eight Mile Pump Station Pump Replacement Project, M-732 be approved. Funding is available in the Water and Sewer, Pump Operations, Capital Outlay fund (592-18.540-970) for this project.

APPROVALS:

City Manager: ET

Department Director: DED

Finance Director: SC

Legal: ED

Budgeted: ☐

EXHIBITS: none

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 7, 2022**AGENDA #****SUBJECT:** Changing the meeting time of the Traffic Safety Board.**DEPARTMENT:** Technical and Planning - *KMG***SUMMARY:** The Traffic Safety Board has requested a change to their meeting time from 7:00 PM to 6:00 PM. They will continue to meet on the third Wednesday of each month.**FINANCIAL STATEMENT:** This item has no financial impact to the City.**RECOMMENDED ACTION:** It is recommended that City Council approve the proposed the meeting time change.**APPROVALS:**

City Manager: _____

Director of T&P: _____ RB

Legal: _____

Director of Finance: _____

Budgeted: ☐**EXHIBITS:** None

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 7, 2022**AGENDA #**

SUBJECT: Resolution in support of the Road Commission for Oakland County's 2022 Tri-party program.

DEPARTMENT: Technical & Planning – Engineering *KMG*

SUMMARY: The Oakland County Board of Commissioners has approved a FY 2022 budget of \$2,000,000 to create a \$6,000,000 Tri-Party Program. The City of Oak Park's share in the 2022 Tri-Party Program is \$14,781.33.

FINANCIAL STATEMENT: This expenditure of \$14,781.33 for the Tri-Party Program will not be collected by the County until the funds are to be used for a project.

RECOMMENDED ACTION: It is recommended that the City Council approve the attached resolution of support in the 2022 Tri-Party Program and authorize the submission of funding for repairs to Greenfield Road.

APPROVALS:

City Manager: _____ET_____

Finance Director: _____SC_____

Department Director: _____RB_____

EXHIBITS: Resolution

**CITY OF OAK PARK
MICHIGAN**

**RESOLUTION IN SUPPORT OF THE ROAD COMMISSION FOR
OAKLAND COUNTY'S 2022 TRI-PARTY PROGRAM**

- WHEREAS, Past participation in the Tri-Party Program has been beneficial to the City of Oak Park and its residents;
- WHEREAS, The Oakland County Board of Commissioners approved a FY 2022 budget of \$2,000,000 to create a \$6,000,000 Tri-Party Program;
- WHEREAS, \$3,000,000 of those funds will be designated for townships and \$3,000,000 for cities and villages;
- WHEREAS, Based on population, road miles and accidents the City of Oak Park's share in the program is \$44,344 this year with a cost of \$14,781.33 to the City of Oak Park;
- WHEREAS, Projects which improve road safety take precedence over congestion, aesthetics, drainage, or maintenance projects; and
- WHEREAS, The City Engineer has determined that the submission of funding for repairs to Greenfield Road are needed for safety reasons.
- NOW, THEREFOR, BE IT RESOLVED that the City Council for the City of Oak Park, Michigan, hereby submits the funding for repairs to Greenfield Road as the project for the 2022 Tri-Party Program Project commitment; and
- BE IT FURTHER RESOLVED that copies of this resolution be submitted to the Oakland County Board of Commissioners and to the Oakland County Executive.

Roll Call Vote: Yes,
 No,
 Absent,

I, T. Edwin Norris, duly authorized City Clerk of the City of Oak Park, Michigan, do hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Oak Park City Council at the regular Council Meeting held on March 7, 2022.

T. Edwin Norris, City Clerk



5K

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: March 7, 2022

AGENDA #

SUBJECT: Accepting Motions #1 and #2 of the Traffic Safety Board from the meeting in October 2021.

DEPARTMENT: Technical and Planning - KMG

SUMMARY: The Traffic Safety Board has been working advising the City about the need to study intersections with high pedestrian traffic. Two motions were passed at the October 2021 meeting recommending that the City requests TIA to do pedestrian studies at 10 Mile and Coolidge (Motion #1) and Lincoln and Coolidge (Motion #2). The City has taken the motions under advisement and has decided to act on these recommendations. We contacted TIA and they will do pedestrian studies of these intersections in the spring of 2022.

FINANCIAL STATEMENT: This item has no financial impact to the City.

RECOMMENDED ACTION: It is recommended that City Council approve the proposed these recommended pedestrian studies.

APPROVALS:

City Manager: _____

Budgeted: ☐

Director of T&P: _____ RB

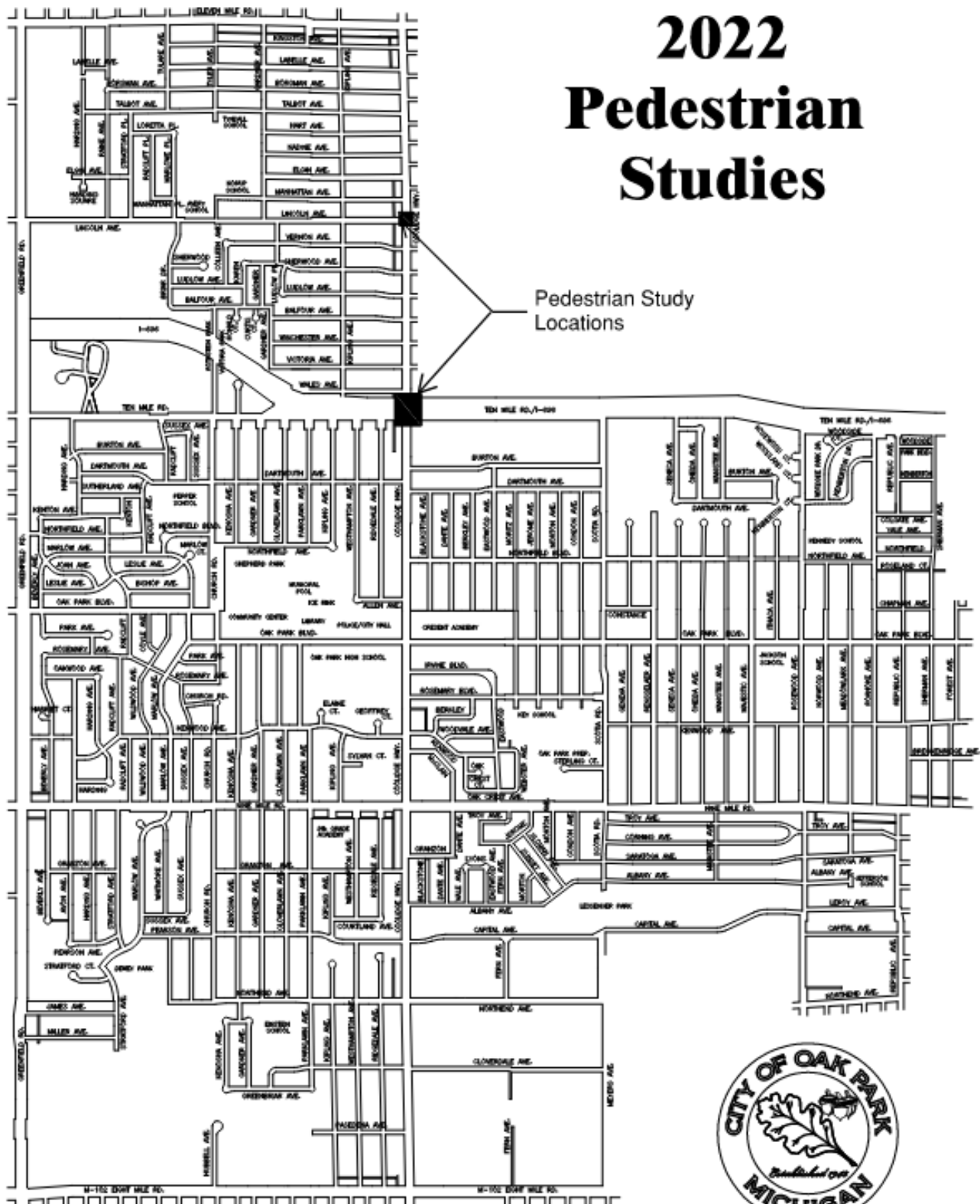
Legal: _____

Director of Finance: _____

EXHIBITS: Map

City of Oak Park

2022 Pedestrian Studies



MERCHANT'S LICENSES - MARCH 7TH, 2022

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
MAIN STREET BROW & LASH	24687 COOLIDGE	\$150.00	PERMANENT MAKEUP PEIRCINGS

RENEWALS FOR 2022	ADDRESS	FEES	BUSINESS TYPE
B & G WHOLESALE	8625 CAPITAL AVE	\$225.00	
IGOR'S AUTO REPAIR	13350 CAPITAL AVE	\$150.00	AUTO SERVICE REPAIR
VALLEY CITY LINEN	13165 CLOVERDALE	\$225.00	LINEN SUPPLY
PARTS PLUS	13202 CLOVERDALE	\$150.00	WAREHOUSE AUTO PART SALES
SB IMPORT & EXPORT	21000 COOLIDGE	\$150.00	TOBACCO WAREHOUSE
ARNOLD CLEANERS	22185 COOLIDGE	\$225.00	DRY CLEANERS
TWITTY'S INVESTMENTS	21751 COOLIDGE HWY	\$150.00	OFFICE BUILDING
GUARDIAN & ASSOCIATES	21751 COOLIDGE HWY	\$150.00	GUARDIANSHIP AGENCY
MERCURY DRUGS	22150 COOLIDGE HWY	\$150.00	PHARMACY
GLORY SUPER MARKET	22150 COOLIDGE HWY	\$150.00	GROCERY STORE
ZEUNE MICHIGAN STORAGE CENTER	15300 EIGHT MILE	\$150.00	STORAGE
NORTHLAND CHRYSLER DODGE JEEP	14100 W EIGHT MILE RD	\$150.00	AUTO DEALERSHIP
UNEXPECTED CRAFT BREWING CO	14401 W ELEVEN MILE RD	\$150.00	MICRO BREWERY
BARTON MALOW COMPANY	21090 FERN AVE	\$150.00	CONSTRUCTION MANAGEMENT
BARTON MALOW COMPANY	21101 FERN AVE	\$150.00	CONSTRUCTION MANAGEMENT
LUXOR JEWELRY CO	21700 GREENFIELD # 301	\$187.50	JEWELRY REPAIR
RENAISSANCE JEWELERS	21700 GREENFIELD # 325	\$150.00	JEWELER
SHEAR DIRECTIONS	21700 GREENFIELD # LL22	\$150.00	HAIR SALON
CREATIVE STROKES ART CO	21700 GREENFIELD # LL6	\$150.00	ART AND DRAWING STUDIO
BOBBI'S PLACE	23300 GREENFIELD # 117-119	\$150.00	HAIR SALON
TULIPS WAXING	23300 GREENFIELD # 222	\$187.50	FULL BODY WAXING
NAILS BY SLIIM	23300 GREENFIELD # 225	\$187.50	MANICURIST/NAIL TECH
STARBUCKS	24840 GREENFIELD	\$150.00	COFFEE SHOP RESTAURANT
BORENSTEINS	25242 GREENFIELD	\$150.00	
PRIMROSE FAMILY CHIROPRACTIC	25900 GREENFIELD # 252	\$150.00	MEDICAL OFFICE/CHIROPRACTIC
ADVANCE AMERICA #1398	26038 GREENFIELD	\$150.00	CHECK CASHING
DOLLAR CASTLE	26096 GREENFIELD	\$150.00	RETAIL
THE WELLNESS PLAN MEDICAL CENTER	21040 GREENFIELD RD	\$150.00	HEALTH CARE FACILITY, PCP, PHARMACY, PEDIATRICS, OBGYN, ADULT MEDICINE
RITE AID DISCOUNT #4352	24850 GREENFIELD RD	\$150.00	PHARMACY/RETAIL DRUG/ VARIETY STORE
1-800-SELF-STORAGE.COM	26660 GREENFIELD RD	\$150.00	SELF STORAGE 100% CLIMATE CONTROLLED
HERSCH'S LAWN SPRAY	26650 HARDING AVE	\$150.00	LAWN CARE OPERATION
THE LOOK-A-SALON	8531 NINE MILE	\$225.00	HAIR SALON
CLASSIC EXPRESSIONS	10820 NINE MILE	\$225.00	CLOTHING ALTERATIONS AND DRESSMAKING; FABRIC SALES
NEXT LEVEL BARBERSHOP	13641 NINE MILE # 13645	\$150.00	BARBERSHOP
FALLOU'S AFRICAN HAIR BRAIDING	13721 NINE MILE	\$225.00	HAIR BRAIDING
OAK PARK DENTAL CENTER	13730 NINE MILE	\$150.00	DENTIST OFFICE
SPEEDY GREASY	10200 W NINE MILE RD	\$150.00	AUTO SERVICE REPAIR
L N S TOBACCO	10700 W NINE MILE RD	\$150.00	TOBACCO SHOP
BSD MANAGEMENT	12750 NORTHEND # 12780	\$150.00	WAREHOUSE
SADIA ENTERPRISES	13000 NORTHEND	\$225.00	OFFICE BUILDING
CREATED PERFORMANCE	8740 NORTHEND AVE	\$225.00	AUTO SERVICE/REPAIR
OAKLAND CABINET COATINGS	8800 NORTHEND AVE	\$225.00	CABINET REFINISHING
ATLAS CUT STONE	12920 NORTHEND AVE	\$150.00	LIMESTONE & STONE SUPPLIES
HATZALAH OF MICHIGAN	13650 OAK PARK APT A	\$150.00	VOLUNTEER EMS
C & J GENERAL CONTRACTORS INC.	22610 ROSEWOOD AVE	\$150.00	GENERAL CONTRACTOR
SAMARITAN HOMES	22610 ROSEWOOD AVE	\$150.00	
PLANET FITNESS	13151 TEN MILE	\$150.00	HEALTH CLUB
SHOE RACK OUTLET	13291 TEN MILE	\$225.00	RETAIL
SON SUN BEAUTY SUPPLY	13421 TEN MILE	\$225.00	BEAUTY SUPPLY STORE
MURRAY'S WORLDWIDE	21841 WYOMING AVE	\$150.00	MANUFACTURE OF HAIR CARE PRODUCTS

RENEWALS FOR 2021	ADDRESS	FEES	BUSINESS TYPE
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DISCOVERED OPERATING WITH ADDRESS	FEES	BUSINESS TYPE
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Howard L. Shifman, P.C.
31600 Telegraph Road, Suite 100
Bingham Farms, MI 48025

Invoice Submitted to:

Erik Tungate, City Manager
City of Oak Park
14000 Oak Park Boulevard
Oak Park, MI 48237

In Reference To: City of Oak Park/General Labor

Invoice # 15150

Professional Services

3/01/22	Services per Retainer Agreement For April 1, 2022 thru June 30, 2022	\$ 18,000.00 _____
	TOTAL	\$ 18,000.00
	BALANCE DUE	\$ 18,000.00 =====

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 7, 2022**AGENDA #****SUBJECT:** Report on bids for the 2022 Joint and Crack Sealing Project, M-730.**DEPARTMENT:** Technical & Planning – KMG

SUMMARY: At the January 18, 2022 regular meeting of the Oak Park City Council, the request to bid the 2022 Joint and Crack Sealing Project, M-734 was approved. The project was advertised and eighteen (18) contractors viewed the documents. On February 21, 2022, two (2) bids were received and opened. The low bidder, Michigan Joint Sealing Inc. of Farmington Hills, MI, submitted a bid of \$100,179.60.

FINANCIAL STATEMENT: There is \$150,000 available in the Local Streets Fund 203-18-479-970 for this expenditure.

RECOMMENDED ACTION: It is recommended City Council award the regular bid for the 2022 Joint and Crack Sealing Project, M-734 to Michigan Joint Sealing Inc. of Farmington Hills, MI, for the total amount of \$100,179.60. Funding is available in the Local Streets Fund 203-18-479-970 for this project.

APPROVALS:City Manager: _____ Department Director: RB

Finance Director: _____ Legal: _____

Budgeted ☐**EXHIBITS:** Bid Tab, map of project area

BID TABULATION

2022 JOINT AND CRACK SEALING PROJECT, M-734		BID OPENING DATE MONDAY FEBRUARY 21, 2022 2:00 PM		MICHIGAN JOINT SEALING, INC. 28830 WEST EIGHT MILE RD. FARMINGTON HILLS, MI 48336 248-476-4120		SCODELLER CONSTRUCTION 51722 GRAND RIVER AVE. WIXOM, MI 48393 248-374-1102	
ITEM	DESCRIPTION	QUANT.	U/M	LFT	\$	UNIT PRICE	AMOUNT
1	ROUT AND SEAL JOINTS AND CRACKS MODIFIED SP	123,555			\$	0.63	\$ 77,839.65
2	JOINT SEALING COMPOUND MODIFIED SP	35,301.50	LBS		\$	0.63	\$ 22,239.95
3	MINOR TRAFFIC DEVICES MODIFIED SP	1	LSUM		\$	100.00	\$ 100.00

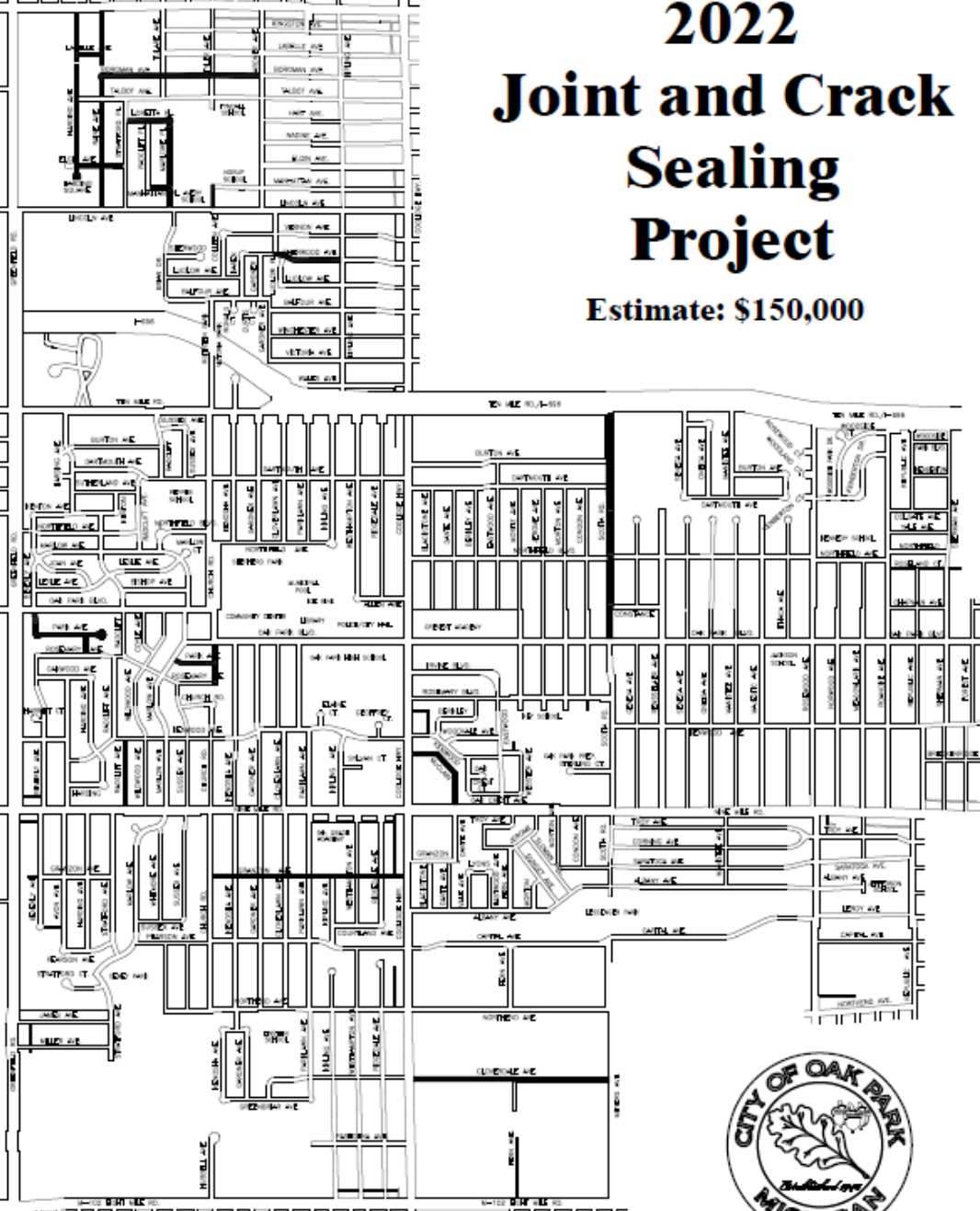
\$ 100,179.60

\$ 118,230.33

2022 Joint and Crack Sealing Project

2022 Joint and Crack Sealing Project

Estimate: \$150,000



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 7, 2022**AGENDA #****SUBJECT:** Report on bids for the 2021 Greenfield Road Fence Replacement Project, M-735.**DEPARTMENT:** Technical & Planning – Engineering *KMG*

SUMMARY: At the June 7, 2021 regular meeting of the Oak Park City Council, the request to bid the 2021 Greenfield Road Fence Replacement Project, M-735 (CM-06-182-21). The project was advertised and nineteen (19) contractors viewed the documents. On February 28, 2022, four (4) bids were received and opened. The low bidder, Michigan Fence Outlet of Macomb, MI submitted a bid of \$347,000.00 for both the regular and alternate bids.

FINANCIAL STATEMENT: The regular bid for the Greenfield Fence is an unbudgeted expenditure. There is \$150,000 available for the alternate bid in the Other Parks Forestry fund.

RECOMMENDED ACTION: It is recommended City Council award the regular bid for the 2021 Greenfield Road Fence Replacement Project, M-735 to Michigan Fence Outlet of Macomb, MI for the total amount of \$278,300.00. This is the portion of the project along Greenfield Road. It is also recommended City Council award the alternate bid for the Lessenger Park Dog Park to Michigan Fence Outlet of Macomb, MI for the total amount of \$68,700.00. This will fund the construction of the dog park. We recommend that the funding be appropriated from the General Fund Balance to account 101-18-444-970 to fund this project.

APPROVALS:

City Manager: _____ET_____

Department Director: _____RB_____

Finance Director: _____SC_____

City Attorney: _____N/A_____

Budgeted: ☐**EXHIBITS:** Bid Tab, Map of project area

PROJECT TECHNICIAN: J WILSON
DATE: 2/28/2022

PROJECT INFORMATION

Project Name: GREENFIELD FENCE PROJECT

Project M#: M-735

Budget Year: 2021-2022

Budget Amount: 278,300.00 PRIMARY

Bid Amount: 68,700.00 ALTERNATE

Apparent Low Bidder: MICHIGAN FENCE OUTLET

Total Project Views: 19

Total Bids Submitted: 4

References Checked: yes

Expected Start of Const. April 2022, as soon as weather permits

Expected Comp. Date May-22

Additional Information: Kara is talking to them about the dog park access gate. Other bidders were quite higher on this item.

BID TABULATION

GREENFIELD FENCE PROJECT, M-735 BID OPENING DATE DAY, FEBRUARY 28, 2022, 10:00 AM				MICHIGAN FENCE OUTLET 46705 ERB DRIVE MACOMB, MI 48042 586-468-2531		RMD HOLDINGS DBA NATIONWIDE CONSTRUCTION GROUP 69951 LOWE PLANK RD RICHMOND, MI 48062 586-749-6900		AMERICAN FENCE & SUPPLY 21200 SCHOENHERR WARREN, MI 48089 248-545-7070	
PRIMARY BID				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
ITEM	DESCRIPTION	QUANT.	U/M						
1	Mobilization, Max 5%	1	LSUM	\$ 13,900.00	\$ 13,900.00	\$ 15,527.00	\$ 15,527.00	\$ 11,924.25	\$ 11,924.25
2	Remove Existing Fence	3,360	LFT	\$ 6.00	\$ 20,160.00	\$ 8.71	\$ 29,265.60	\$ 15.27	\$ 51,307.20
3	Furnish and Install New 6' High Privacy Fence, Clay Color. Manufacture by Bufftech or Approved Equal	3,360	LFT	\$ 72.00	\$ 241,920.00	\$ 68.22	\$ 229,219.20	\$ 68.85	\$ 231,336.00
4	Project Clean Up	1	LSUM	\$ 2,320.00	\$ 2,320.00	\$ 8,449.00	\$ 8,449.00	\$ 8,000.00	\$ 8,000.00

PRIMARY BID: \$ 278,300.00 \$ 282,460.80 \$ 302,567.45

ALTERNATE BID				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
ITEM	DESCRIPTION	QUANT.	U/M						
9	Remove Existing Fence	281	LFT	\$ 10.00	\$ 2,810.00	\$ 13.90	\$ 3,905.90	\$ 8.00	\$ 2,248.00
10	6' Chain Link Pedestrian Gate with Hardware	4	EACH	\$ -	\$ -	\$ 1,056.00	\$ 4,224.00	\$ 2,318.80	\$ 9,275.20
11	6' Chain Link Fence w/Footings, 8 Gauge, 1" Mesh	20	LFT	\$ 62.00	\$ 1,240.00	\$ 99.26	\$ 1,985.20	\$ 189.15	\$ 3,783.00
12	6' Chain Link Fence w/footings, 8 Gauge, 2" Mesh	1,180	LFT	\$ 50.00	\$ 59,000.00	\$ 38.85	\$ 45,843.00	\$ 60.20	\$ 71,036.00
13	Dog Park, 6'-0" High x 5'0" Wide Gate, 2" Mesh	3	EACH	\$ 760.00	\$ 2,280.00	\$ 1,056.00	\$ 3,168.00	\$ 2,318.80	\$ 6,956.40
14	Dog Park, 6'-0" High x 5'0" Wide Gate w/electrical access control, 1" mesh	1	EACH	\$ 1,520.00	\$ 1,520.00	\$ 12,473.00	\$ 12,473.00	\$ 6,443.00	\$ 6,443.00
15	Project Clean Up	1	LSUM	\$ 1,850.00	\$ 1,850.00	\$ 3,270.00	\$ 3,270.00	\$ 2,500.00	\$ 2,500.00

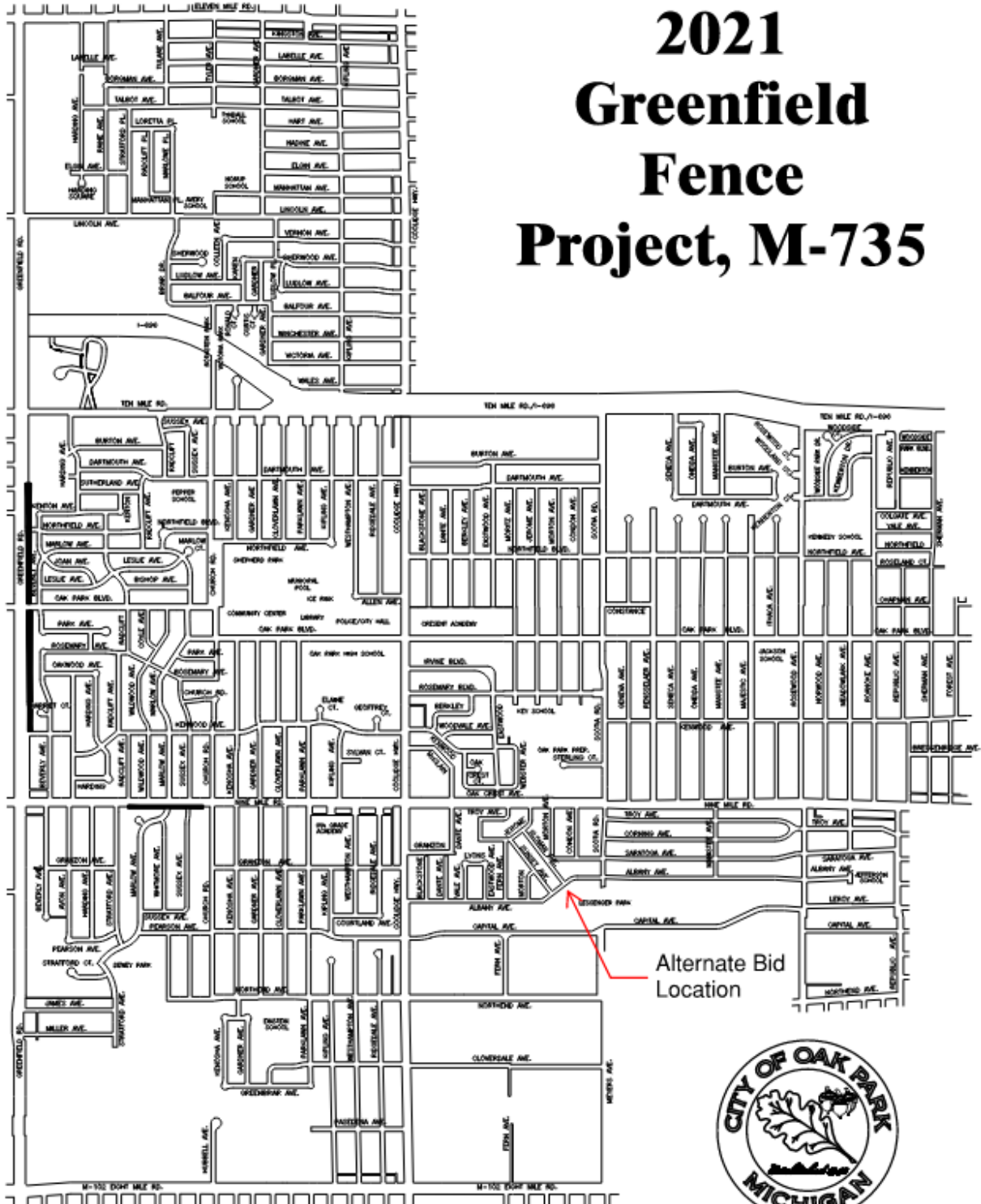
ALTERNATE BID: \$ 68,700.00 \$ 74,869.10 \$ 102,241.60 *

TOTAL PROJECT COST: \$ 347,000.00 \$ 357,329.90 \$ 404,809.05 *

OTHER BIDDERS:	PRIMARY	ALTERNATE	TOTAL COST
FUTURE FENCE COMPANY:	\$377,570.00	63,473.00	441,043.00

City of Oak Park

2021 Greenfield Fence Project, M-735





BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: March 7, 2022 **AGENDA #**

SUBJECT: Secondt reading of proposed text amendments to the City of Oak Park Zoning Ordinance in the following sections: Article 1, Division 2; Article 2, Division 2; Article 2, Division 3; Article 3, Division 1; Article 3, Division 2; Article 4, Division 1; and Article 4, Division 3; Article 4, Division 4; Article 5, Division 3; Article 5, Division 4; Article 6, Division 1; Article 6, Division 2.

DEPARTMENT: Economic Development and Planning

SUMMARY: At the February 14, 2022 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed zoning amendments deal with a variety of improvements that incorporate clarifications, additions, and/or deletions to specific sections of the Zoning Ordinance.

The Economic Development and Planning Division started to implement the new zoning ordinances that were adopted last May. Through implementation of the new zoning ordinance there have been simple numbering, spelling, formatting errors corrected; a few minor adjustments to better assist code enforcement in their efforts; and add clarifications with new definitions. The Economic Development and Planning Division plan to continue reviewing the zoning ordinance on a quarterly basis and bringing any changes needed in a timely fashion.

At the Planning Commission meeting on February 14, 2022 the Planning Commission voted to approve and recommend to the City Council adoption of the proposed zoning text amendments.

RECOMMENDED ACTION: The City Council conduct the second reading and adopt the proposed text amendments to the City of Oak Park Zoning Ordinance in the following sections: Article 1, Division 2; Article 2, Division 2; Article 2, Division 3; Article 3, Division 1; Article 3, Division 2; Article 4, Division 1; and Article 4, Division 3; Article 4, Division 4; Article 5, Division 3; Article 5, Division 4; Article 6, Division 1; Article 6, Division 2.

ATTACHMENT: The Zoning Ordinance Text Amendment Resolution

APPROVALS

City Manager: _____ET_____

Director: _____KM_____

Finance Director: _____SC_____

Budgeted:

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE 1, DIVISION 2: DEFINITIONS; ARTICLE 2, DIVISION 2: RESIDENTIAL DISTRICTS; ARTICLE 2, DIVISION 3: COMMERCIAL/ MIXED-USE/ OFFICE DISTRICTS; ARTICLE 3, DIVISION 1: GENERAL PROVISION; ARTICLE 3, DIVISION 2: ARCHITECTURAL BUILDING STANDARDS; ARTICLE 4, DIVISION 1: OFF-STREET PARKING; ARTICLE 4, DIVISION 3: LANDSCAPE STANDARDS AND TREE REPLACEMENT; ARTICLE 4, DIVISION 4: SIGNS; ARTICLE 5, DIVISION 3: CONDITIONAL LAND USE; ARTICLE 5, DIVISION 4: SPECIAL LAND USE; ARTICLE 6, DIVISION 1: NON-CONFORMING USES, STRUCTURES, AND LOTS; ARTICLE 6, DIVISION 2: ADMINISTRATION AND ENFORCEMENT OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article 1, Division 2, Definitions of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended and re-alphabetized the remaining listed definitions, as followed:

SEC. 109 Definitions A-B

Add the following:

Animal, Farm animals or livestock. Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm. Wild, vicious or exotic animals shall not be considered livestock.

Delete the following:

Building Face: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

SEC. 110 Definitions C-D

Amend the definition of “Deck” to read the following:

Deck: A platform, commonly constructed of wood, which may or may not be attached to a house and which used for outdoor leisure activities.

SEC. 112 Definitions G-H

Amend “Home Occupation” provision (b) to read the following:

Home Occupation:

- b. The use shall be conducted entirely within a dwelling and shall be carried on by no more than two employees who are family members and/or occupants of the dwelling, and no others.

SEC. 114 Definitions K-L

Delete the following:

Livestock: Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm. Wild, vicious or exotic animals shall not be considered livestock.

SEC. 116 Definitions O-P

Add the following:

Portable Structures: Trailers, moving pods, or similar type of structures designated and used for hauling and/or storing inventory, merchandise or equipment and not designated to be a permanent structure. Other portable structures are used for temporary or seasonal all-weather shelters, such as canopies or tents (under 400 Sq. Ft.), auto carports or garages, Sukkot (Succah, Sukkah) used during religious holidays, or any similar type of structures able to be easily carried or moved and not designated to be permanent structures.

SEC.117 Definitions Q-R

Add the following

Regulated uses. Any establishment, other than adult entertainment regulated uses, that are declared to be potentially detrimental and to have the possible effect of downgrading and blighting the surrounding neighborhood, particularly when concentrated in one area. For the purpose of this Ordinance, the types of regulated uses are the following:

- a. Pawnbrokers or pawnshops.
- b. Establishments with SDD and SDM licenses from the Michigan Liquor Control Commission.

SEC. 118 Definitions S-T

Add the following:

Studio or Music Recording Studio: Any use of a studio for a motion picture, television, video, sound, computer, and other communications or media production. The operation of a motion picture, television or recording studio must account for a majority of gross revenues. These facilities include the following types.

- a. Indoor support facilities. Administrative and technical production support facilities, including administrative and production offices, post-production facilities (editing and sound recording studios, foley stages, etc.), optical and special effects units, film processing laboratories, etc.
- b. Soundstages. Warehouse-type facilities providing space for the construction and use of indoor sets.

SECTION 2. Article 2, Division 2: Residential Districts of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as followed:

SEC. 214 Schedule of Regulations

Amend the table to read the following:

	Height				Setbacks (feet)				Lot		
	Min.		Max.		Front	Sides (min.)		Rear	Area	Width	Coverage
	stories	Ft.	stories	Ft.	Min.	Least 1	Total 2	Min.	Sq. Ft. (min.)	Ft (min.)	Max. %
R-1	-	-	2	27	25	4 (b)	14	30	6,000	50 (a)	35
R-2	-	-	2	27	25	4 (b)	14	30	4,000	60	35
RM-1	-	-	4	45	10	10	20	40	3,000 per d.u.	-	35
RM-2	4	40	15	150	Equal to height of building				1,500 per d.u. (c)	-	20

- a. Does not apply to lots platted and of record prior to the passage of Ordinance No. 54, adopted March 3, 1952.
- b. If the building is located on a corner lot, the side yard setback on the street side shall be 15 feet.
- c. In RM-2 districts, any building five stories or higher, the minimum lot area per dwelling unit may be reduced by 50 square feet per unit for every story above the fourth level; however, in no case shall the minimum lot area per dwelling unit be less than 1000 square feet per dwelling unit.

SECTION 3. Article 2, Division 3: Commercial / Mixed-Use/ Office Districts of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 224 Building Design Standards

Amend Drive-through building type to read the following:

Commercial/Mixed-Use Building Types	B-1	B-2	O	PTRED	PCD	MX-1	MX-2	See Section
Drive-through		x						356 357.D

SECTION 4. Article 3, Division 1: General Provision of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended and re-order the remaining provisions, as the following:

SEC. 300 Accessory Buildings, Structures and Uses

Amend Table 3.1, the rear yard setback of standard (b) to read the following:

- b. Locations for Detached Accessory Buildings

Table 3.1 Accessory Building Locations and Setbacks	
Locations Permitted	Minimum Setback from Lot Line
Rear Yard	6 feet from rear lot line

	<u>2</u> feet from side lot line 6 feet from alley
--	---

Amend standard (c) to read the following:

- c. Rear Yard Lot Coverage Limit. A total of the combined buildings accessory to a residential building shall not exceed the ground floor area of the principal building. The total area of all structures on the lot shall not exceed the lot coverage limits of the district, found in Article 2 and shall not exceed 35% of the required rear yard.

Add the following standards and re-order the remaining provisions:

- d. Number of Accessory Structures. In the R-1 and R-2 districts a maximum of one accessory structure or building, not including detached garages, are permitted subject to the size, setback, and additional criteria in this article. Detached garages cannot exceed 600 square feet.

Amend standard (h) to read the following:

- i. Carports and garages in non-single-family developments shall have a maximum height of thirteen (13) feet, measured from the grade to the midpoint of the roof. Carports shall be enclosed or obscured at least twenty-five percent (25%) along sides visible from public streets, residential districts or vehicular drives within the site. All details must be provided on the site plan and reviewed and approved by the Planning Commission.

SEC. 308 Fences, Walls, and Other Protective Barriers

Amend standard (e.2) to read the following:

2. Where a public alley separates the nonresidential use from the residential use, the planning commission and/or the City Planner; in the case of Administrative Approval review procedure, shall determine the location of the wall so as to best protect the residential district.

SEC. 313 Home Occupations

Amend standards (a. 2) and (a.10) to read the following:

2. The use of the dwelling for the home occupation shall be clearly accessory, incidental, and subordinate to its use for residential purposes, and not more than twenty-five percent (25%) of the gross floor area of the dwelling shall be used for the conduct of the home occupation.
10. The home occupation shall be conducted entirely within the confines of the dwelling.

SEC. 314 Intersection Visibility

Amend to read the following:

- a. No fence, wall, sign, hedge, screen, or any planting shall be erected or maintained to obstruct vision between a height of thirty (30) inches and eight feet within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two (2) points which are located on those intersecting right-of-way lines twenty (20) feet from the point of intersection of the right-of-way lines. If the road is an access drive, these dimensions shall be measured from the pavement edge.
- b. The thirty (30) inches and eight (8) foot height limit shall be measured from the lowest elevation of the segment of the intersecting roads centerline which lies between the point of the intersection of the other centerline and the extension of the line drawn through the points twenty (20) feet from the intersection of the right-of-way lines.

SEC. 315 Keeping Animals

Amend to read the following:

- a. The keeping of household pets, including dogs, cats, rabbits, fish, birds, hamsters, certain reptiles, and other animals generally regarded as household pets is permitted as an accessory use in any Residential District. The keeping of animals not normally considered domesticated including, but not limited to, pigs, horses, sheep, cattle and wild, vicious and exotic animals, is prohibited in all zoning districts except the temporary keeping of live poultry by any lawfully established live poultry market incidental to the normal course of business, or as permitted by Sec. 14-7 of the Code of Ordinances. However, no more than three (3) dogs or cats, or any combination thereof of six (6) months of age or over without first obtaining a kennel license. No person shall in any combination (not including domestic chicken), have a total of more than three (3) animals, to be kept or housed in or at one (1) dwelling unit.
- b. The keeping of more than three (3) dogs on one premises shall be deemed to be a kennel and must follow the regulations set forth in Article 5, Division 4 Special Land Uses.
- c. Domestic Chicken. Any person residing in a single-family detached dwelling on residential zoned one family dwelling district property (R-1), after obtaining an annual permit from the city, may keep, per household, not more than three hen (female) chickens for personal use only and not for any business or commercial use. Chickens may be kept as family pets or to lay eggs for personal consumption only, as permitted by Sec. 14-7 of the Code of Ordinances. Slaughtering of any chickens on the property is prohibited.

SEC. 318 Mechanical Equipment and utilities

Amend standard (b) to read the following:

- b. Mechanical equipment shall be placed no closer than three (3) feet to any lot line in the commercial and industrial districts.

SEC. 319 Outdoor Dining

Amend standard (a.2) to read the following:

- 2. Outdoor dining areas proposed to be added to an existing restaurant with no other building or significant site modifications, shall submit a site development plan to the department of Economic Development and Planning for review and administrative approval.
 - a. The following information is required on the site development plan:
 - i. A completed application.
 - ii. A detailed plan showing the design, relevant details and location of all permanent and temporary structures such as decks, awnings, planters, landscaping, railings, tables, chairs, umbrellas, electrical outlets or appliances, hydrants, all ingress and egress, lighting and other equipment. The site development plan shall be submitted on a sheet no smaller than 11 inches x 17 inches at a scale showing detail sufficient for proper review.
 - iii. The applicant's entire property and adjacent properties on a location map with streets for a distance of at least 25 feet.

SEC. 320 Performance Standards

Delete the table of standard (c) and amend to read the following:

- c. Noise. At no point on the lot line shall the sound pressure level of any operation on the lot exceed seventy (70) dB(A). Operations or activities which exceed the maximum sound intensity level shall be prohibited. A sound level meter and an octave band analyzer shall be used to measure the intensity and frequency of the sound or noise levels. Sounds with very short duration, which cannot be accurately measured with a sound level meter, shall be measured by an impact noise analyzer. The following sources of noise are exempt:
 - a) Occasionally used safety signals, warning devices and emergency pressure-relief valves.
 - b) Temporary construction activity between 7:00 a.m. and 7:00 p.m. Monday through Saturday
 - c) Warning or alarm devices that have the purpose of signaling unsafe or dangerous situations or calling for police.
 - d) Noises resulting from authorized public activities such as parades, fireworks display, sports events, musical productions, and other activities that have the approval of the City Council or its designee.

SEC. 323 Recreational Equipment and Vehicle Parking and Storing

Amend standards (a) and (f) to read the following:

- a. The purpose of these standards is to regulate and control the parking and storage of recreational vehicles and equipment on private property in the R-1 and R-2 Districts to promote the public health, safety, and welfare and to preserve property values.
- f. Occupation of Stored Recreational Vehicles. At no time, except in conformance with Section 323(g) below, shall any stored, parked, or placed recreational vehicles and/or recreational equipment be occupied or used for living purposes. At no time shall any such recreational vehicle and/or equipment have fixed connections to water, gas, or a sanitary sewer. At no time shall any such recreational vehicles and/or equipment be stored, parked, or occupied or used for living purposes other than those granted a temporary use permit in conformance with Section 323(g) below.

SEC. 327 Solar Panel Energy System

Amend standard (9) to read the following:

- 9. Electrical and construction permits are required.

SEC. 331 Temporary Buildings, Structures, and Uses

Amend to read the following:

Temporary or portable buildings, structures, and uses may be permitted, subject to the following conditions:

- 1. Construction sites:
 - a. Temporary construction, buildings, and structures/office, which are necessary to facilitate construction on any site, shall be permitted and conform with all applicable provisions of this ordinance. Temporary buildings and construction structures may only be used for the storage of construction materials, tools, supplies and equipment, for construction management and supervision offices, and for temporary on-site sanitation, solid waste, or fuel facilities, related to construction activity on the same lot.
 - b. Temporary construction buildings and structures shall be removed from the lot within fifteen (15) days after an occupancy permit is issued by the Building Official or Zoning Administrator for the permanent structure on such lot, or within fifteen (15) days after the expiration of a building permit issued for construction on such lot.
 - c. The placement of temporary construction buildings and structures shall be in conformance with the requirements of Article 5, Division 1: Site Plan Review and any necessary permits required for the completion of the project.

2. Commercial and industrial zoning districts:
 - a. Portable storage containers or moving pods used for a seasonal or temporary use are allowed in the B-2, General Business and Industrial Zoning districts for up to thirty (30) days, once per year. A Zoning Permit is required with a sketch plan detailing the loading/unloading area and the dedicated parking space to ensure safe vehicular circulation is provided within the site. Extensions can be granted by the Zoning Administrator upon submitting a written extension request provided a good cause is shown and demonstrated. Extensions may be permitted up to two times, not to exceed thirty (30) days for each time. Portable storage containers or moving pods are permitted with a permit including extensions for a maximum of ninety (90) days per year. The storing or parking of storage containers or moving pods shall be on a paved surface, in the rear or non-required side yards, not visible from a public street; unless otherwise approved by the Zoning Administrator.
 - b. Portable storage containers used for long-term, on-site outdoor storage shall be permitted in the B-2, General Business and Industrial zoning districts in conformance with the requirements of Article 5, Division 4: Special Land Use review procedure and any necessary permits required for erection of the project.
 - c. Sukkots shall be permitted in the B-2, General Business and O, Office Zoning Districts for up to thirty (30) consecutive days in the observance of religious festivals and holidays. A Zoning Permit is required as described above in subsection 331.2. (a).
 - d. No temporary or portable building or structure shall be used for dwelling purposes.
3. Residential zoning districts:
 - a. Moving pods are allowed without a permit for up to thirty (30) days.-Moving pods must be placed upon a hard surface such as a driveway. Moving pods are prohibited in the right-of-way.
 - b. Portable or temporary auto carports or garages are prohibited including portable weather-resistance auto structures made of aluminum structure and canvas covering or any similar materials.
 - c. Portable tents or canopies (under 400 Sq. Ft.) are permitted, without a permit, in the rear yards and non-required side yards for a period not to exceed seven (7) consecutive days. Sukkots (also Known as a Sukkah or Succah) are permitted for thirty (30) consecutive days in observance of religious festivals or holidays.
 - d. Outdoor patio gazebos made of durable weather-resistance materials are permitted, without a permit, in the rear yards and non-required side yard.

Table 331.a Types of Temporary or Portable Buildings or Structures			
Use	Zoning District	Example of Illustrations	Notes
Temporary Construction, Buildings, and Structure/Office	All Zoning Districts		Permitted with a Site Plan Review approval and any necessary permits required for the construction of the project
Moving Pods for Temporary Use	Residential Zoning Districts		Permitted for 30 days. No permit is required
Outdoor Storage Containers; short-term, seasonal, temporary use	B-2 and Industrial Zoning Districts		Permitted for 30 days. A Zoning Permit is required. Extensions may be granted up to two times for 30 days each
Outdoor Storage Containers; on-site, long-term	B-2 and industrial zoning districts		Permitted with Special Land Use approval and any necessary permits required for the erection of the project
Seasonal and Temporary Auto Carports or Garages	Residential Districts		Not permitted
Tents or Canopies; under 400 Sq. Ft.	Residential Districts		Permitted in the rear yard and non-required side yard for up to seven (7) consecutive days. No permit is required
Sukkot; during religious festivals and holidays	Residential, B-2, and O, Zoning Districts		Permitted for thirty (30) consecutive days. Zoning Permit is required in the B-2 and O districts. No permit is required in the residential zoning districts.

Table 331.a Types of Temporary or Portable Buildings or Structures			
Use	Zoning District	Example of Illustrations	Notes
Patio Gazebos	Residential Zoning Districts		Permitted in the rear yards or non-required side yards. No permit is required

SEC. 333 Waste Receptacles and Enclosure

Amend standard (e) to read the following:

- e. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear and side lot lines, or non-required side yard, unless otherwise approved by the Planning Commission and/or the City Planner; in the case of Administration Approval review procedure, and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one side of the enclosure; the wall shall be of non-combustible material, meet the fire code, and not located on a neighboring property.

SECTION 5. Article 3, Division 2: Architectural Building Standards of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 351 Applicability

Amend the drive-through building type of Table 351.2 Applicable Building Types by District as the following:

Table 351.2 Applicable Building Types by District													
	R-1	R-2	RM-1	RM-2	B-1	B-2	O	PTR ED	MX-1	MX-2	LI	IF	See Section
Commercial/Mixed-Use Building Types (Sec.357)													
Drive-through						X							356 357.D

SEC. 353 General Architectural Standards

Amend standard (d. 4.c) to read the following:

- c) Glass Block (not to exceed 25% of façade)

Amend standard (d.5) to read the following:

5. In commercial and industrial districts, primary exterior building materials shall be of subtle, neutral, or earth tone colors.

SEC. 354 Residential Architectural Standards

Amend the “Allowed building material - Secondary Façade and up to 50% of Primary Façade” and “Garage/carports” items in Table 354.1 to read the following:

Table 354.1 residential General Building Standards		
Allowed Building Material	Secondary Façade and up to 50% of Primary Façade	Architectural Metal Panel (insulated, composite) Decorative cast concrete screens Glass block (not to exceed 25% of façade)
Garage/Carports		Attached garages or carports may only occupy a maximum of 40% of the front façade. Temporary carports are not permitted. See also Sec. 300 Accessory Structures Garages or carports shall not extend further into the front yard than the rest of the front façade.

SEC. 356 Commercial and Mixed-use Architectural Standards

Amend “fenestration” item in Table 356.1 to read the following:

Table 356.1. Commercial and Mixed-use Buildings General Standards	
Fenestration	The Primary Façade shall have a minimum of 35% comprised of windows and doorways with no less than 40% of the ground floor windows and doorways.

SECTION 6. Article 4, Division 1: Off-Street Parking and Loading Standards of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 401 General Requirements

Amend standards (a.1) & (a. 2) to read the following:

1. Single-family residential off-street parking spaces shall consist of a parking strip, driveway, carport, garage, or combination thereof, and shall be located on the premises they are intended to serve.
2. No parking shall be permitted in yards on lawns or other unpaved areas on residential lots.

SEC. 404 Barrier-Free Parking Requirements

Amend to read the following:

Each parking lot that serves a building or use, with the exception of single and two-family dwelling units, shall provide barrier free spaces in compliance with the State Building Code and the 2010 ADA Standards for Accessible Design.

Compliance is mandatory whenever a business, state or local government restripes parking spaces in a parking lot or parking structure. The required number of accessible parking spaces must be calculated separately for each parking facility, not calculated based on the total number of parking spaces provided on a site. One of six (or fraction of six) accessible parking spaces, but always at least one, must be van accessible. (See 2010 Standards 208.2).

SEC. 407 Off-Street Loading and Unloading Requirements

Amend standard (a) to read the following:

- a. General Applicability. On-premises space for standing, loading and unloading vehicles shall be provided for each use involving the receipt or distribution of goods by commercially licensed vehicles. Compliance with the loading space regulations set forth herein shall be required in order to avoid interference with the public use of streets, alleys, parking areas, driveways, sidewalks, and other public areas.

Amend standard (c.1) to read the following:

1. Loading/unloading areas and docks shall be prohibited in the front yard or on any building side facing and directly visible from a public street. Unless otherwise approved by the Planning Commission and/or the City Planner; in the case of Administrative Approval review procedure.

Amend standard (d) to read the following:

- d. Size. The size of all required loading/unloading spaces shall be at least ten (10) feet by fifty (50). Unless otherwise approved by the Planning Commission or the City Planner; in the case of Administrative Approval review procedure.

SECTION 7. Article 4, Division 3: Landscape Standards and Tree Replacement of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 445 Design Standards

Amend standard (a) to read the following:

- a. Greenbelts. The greenbelt is intended to provide a transition between the roadway and an existing or proposed land use. Greenbelts shall be provided in accordance with the following requirements:
 1. The width of the greenbelt shall be ten (10) feet.
 2. Greenbelts shall include only living materials and planting beds, except for approved sidewalks, bike paths, signs, driveways, and essential services.
 3. Where sidewalks are located within the greenbelt, plant material shall be provided on each side of the pathway to provide visual and physical separation between the vehicular and pedestrian circulation.
 4. The greenbelt shall contain a minimum of one (1) canopy tree and six (6) upright shrubs per thirty (30) linear feet, or fraction thereof, of street frontage including any openings for driveways,

pathways, or easements. The Planning Commission may approve the substitution of evergreen trees for up to fifty percent (50%) of the required canopy trees when appropriate in consideration of the land use and existing character of adjacent uses.

5. Ornamental trees may be used to diversify greenbelt planting requirements, provided two (2) ornamental trees shall be provided for each one (1) required canopy tree.
6. Greenbelts shall be designed to ensure adequate sight visibility for motorists, adequate clearance for pedestrians and vehicles, clearance from overhead utility lines, adequate separation from underground utilities, and accessibility to fire hydrants. Where such conditions prohibit full compliance, the Planning Commission may adjust the location of the required materials so as long as the design intent is met.
7. Greenbelts are not required in the B1 and MX1 Districts.
8. In the commercial and industrial districts, in cases where existing conditions do not permit the provision of a ten (10)-foot wide greenbelt, the City Manager may permit the greenbelt requirements to be met through the provision of street trees and shrubs within the public right-of-way curblin in compliance with Chapter 78 of the City's Code of Ordinance,

Amend standard (d) to read the following:

- d. Interior Site Landscaping. For any development that requires a building permit from the City, except in R-1 and R-2 residential districts, interior landscaping areas shall be provided, equal to at least at least ten percent of the total lot area (inclusive of the greenbelt and parking lot landscaping). These landscaped areas may be grouped near building entrances, building foundations, pedestrian walkways, service areas or adjacent to fences, walls, or rights-of-way. All interior landscaping shall be designed to the following general design standards, subject to planning commission approval:
 1. One two-inch caliper deciduous tree, or one five-foot high evergreen tree, for every 400 square feet of required interior landscaping area.
 2. Two eighteen-inch high or wide shrubs shall be required for every 400 square feet of required interior landscaping area.
 3. The interior landscaping area shall be covered with grass, ground cover, wood chips, mulch, or any combination of the above.

Delete standard (f):

- f. Right-of-Way Landscaping. Public rights-of-way shall be planted with grass or other suitable living plant material and maintained by the owner or occupant of the property. Trees and shrubs may be planted within the right-of-way with

permission from the appropriate authority with jurisdiction over the street.

SEC. 446 Specifications for Screen walls, Berms, and Landscape Improvements.

Amend to read the following:

This section is intended to define the various types of screening and landscaping required in specific instances by this ordinance. These standards are applicable wherever they are specifically required in this ordinance.

- a. Required minimum screening and landscaping. The following table specifies the minimum required screening and landscaping between a subject parcel and adjacent properties.

	Zoning of Adjacent Parcel									
Zoning or Use of Subject Parcel	R-1	R-2	RM-1 RM-2	B-1, MX-1 MX-2	B-2	LI, IF	O	PTRED	PCD	Adjacent Road Right-of-Way*
Single Family Res.	None	None	None	None	None	None	None	None	None	None
Two Family Res.	None	None	None	None	None	None	None	None	None	None
Multiple Family Residential	A, B, or C	A, B, or C	D	B or D	B or D	B or D	D	D	B or D	D
Neighborhood Business Mixed Use Districts	A, B, or C	A, B, or C	A, B, or C	None	None	None	None	None	None	D
General Business	A, B, or C	A, B, or C	A, B, or C	None	None	None	None	None	None	D
Light Industrial, Industrial Flex	A or C	A or C	A or C	C	C	None	None	None	C	D
Office	A, B, or C	A, B, or C	A, B, or C	D	D	D	D	D	D	D
Technical, Research, Public Buildings Educational Inst.	A, B, or C	A, B, or C	A, B, or C	D	D	D	D	D	D	D
Planned Corridor	A, B, or C	A, B, or C	A, B, or C	None	None	B or D	None	None	None	
Outdoor Storage	See Section 557m									
Parking Lots	A, B, or C	A, B, or C	A, B, or C	D 5 feet wide	D 5 feet wide	None	None	None	D 5 feet wide	D

- A) Landscaped berm (See section 446.c)
- B) Landscaped buffer (See section 446.d)
- C) Screen wall or fence (See section 446.b)
- D) Greenbelt (See subsection 445.a)

b. Screen walls. Wherever a nonresidential use adjoins a residential district, and wherever a parking lot of eight or more spaces adjoins a single-family residential district, a screen wall shall be provided by the nonresidential use. (For purposes of this section, a parking lot of eight or more spaces shall be considered a nonresidential use).

1. All required screen walls shall be six feet in height, unless otherwise specified, and shall be placed along the lot line of the nonresidential use.

2. Where a public alley separates the nonresidential use from the residential use, the planning commission and/or City Planner shall determine the location of the wall so as to best protect the residential district.
 3. Required screen walls shall not be extended into a required front setback area to ensure proper visibility of pedestrians and vehicles by drivers exiting the nonresidential site.
 4. Required screen walls shall be of masonry construction, decorative in nature, of either face brick, poured concrete with a brick pattern, or cement block with a facing of decorative brick.
 5. The planning commission may:
 - a. Approve a partial or complete substitution of the wall(s) using existing or proposed topography, dense vegetation, or other natural or man-made features that would produce substantially equivalent results of screening and durability;
 - b. Approve reduction or increase in wall height where a greater or lesser height is found appropriate based on consideration of topography, sight lines, and distances;
 - c. Approve variations in design standards for reasons of topography or characteristics peculiar to the site, its usage and environs contingent upon reasonable proof from the applicant that compliance with the ordinance is otherwise not feasible.
 - d. In taking such actions, the planning commission shall take into account the principal purpose of the wall(s) is to screen nonresidential activities, including parking, loading and noise, from nearby residential districts.
 - e. In such cases where the planning commission finds that there would be no substantial need for a screen wall, the requirements may be reduced or substituted in accordance with the table in subsection 446.1 above. The basis for such decision shall be recorded in the minutes of the planning commission.
 6. Walls shall be continuous except for openings for pedestrian connections as approved by the Planning Commission.
- c. Berm Standards. A landscaped berm is any combination of a raised earthen berm and plantings which forms a visual barrier that is a minimum five feet above the surrounding grade. All landform buffers shall also conform with the following:
- a) The berm shall be comprised of soil and shall be a minimum of two feet in height and a minimum of 12 feet in width.
 - b) The berm shall be a minimum 12 feet wide with a maximum side slope of 3:1.
 - c) The berm shall be covered with grass or other living or natural cover.
 - d) Plantings shall be a mixture of evergreen and deciduous trees, shrubs and groundcover.

- d. Buffer Standards. A landscaped buffer is a landscaped area of trees, shrubs and groundcover forming a visual barrier of a minimum five feet in height. All buffer strips shall conform with the following:
 - 1.The landscaped buffer shall be a minimum of fifteen feet wide.
 - 2.The landscaped buffer shall be covered with grass, living or natural groundcover, wood chips, natural mulch, or any combination of the above.
 - 3.Plantings shall be a mixture of evergreen and deciduous trees, shrubs and groundcover.
- e. Plant Material. All plant material shall be hardy to the City of Oak Park, be free of disease and insects and conform to the American Standard for Nursery Stock of the American Nurserymen. Landscaped areas shall include only living plant materials and planting beds.
- f. Minimum Sizes and Spacing. The minimum plant sizes and spacing shall be provided in accordance with the following:

Minimum Sizes and Spacing		
Type of Plant Material	Minimum Plant Sizes	Spacing Requirements
Deciduous canopy trees	2½ in. caliper	25 ft. on-center
Ornamental trees	2 in. caliper 6 ft. height (clump form)	15 ft. on-center
Evergreen trees	8 ft. height	15 ft. on-center
Narrow evergreen trees	4 ft. height	12 ft. on-center
Deciduous shrubs	3 ft. height	4 ft.-6 ft. on-center
Upright evergreen shrubs	3 ft. height	3 ft.-4 ft. on-center
Spreading evergreen shrubs	18 in.-24 in. spread	6 ft. on-center

- 1.Wherever screening is required, screening shall consist of closely spaced evergreen plantings which can be reasonably expected to form a complete visual barrier. Deciduous plant material may be used for variety to supplement evergreen plantings.
- 2.Mixing of Species. The overall landscape plan shall not contain more than thirty-three percent (33%) of any one plant species. The use of native species and mixture of trees from the same species association is strongly encouraged.
- 3.Trees Not Permitted. The following trees are not permitted as they split easily, their wood is brittle, their roots clog drains and sewers, and they are unusually susceptible to disease or insects. The Planning Commission may however allow trees from this list when associated with an appropriate ecosystem. Trees not permitted are as follows: Box Elder, Elms, Tree of Heaven, Willows, Soft Maples (silver), Poplars, Horse Chestnut (nut bearing), Ash, Ginkgo (female), Cottonwood, Mulberry, Black Locust, Honey Locust (with thorns).
- 4.Topsoil. Top soil shall consist of a 4" base for lawn areas and an 8"-12" base within planting beds.

5. Proximity to Utilities. Plant material shall not be located in a manner that will interfere with or cause damage to underground utility lines, public roads or other public facilities.
 6. Lawn Grasses. Lawn grasses shall be planted in species normally grown as permanent lawns in Oakland County. Grasses may be plugged, sprigged, seeded or sodded except that rolled sod, erosion reducing net or suitable mulch shall be used in swales or other areas susceptible to erosion and shall be staked where necessary for stabilization. When complete sodding or seeding is not used, nurse grass seed shall be sown and mulched for immediate protection until permanent coverage is achieved. Grass sod and seed shall be free of weeds and noxious pests or disease.
- g. Modification of screening and landscape requirements. Recognizing that a wide variety of land uses and the relationship between them can exist, and that varying circumstances can mitigate the need for screening and landscaping, the planning commission may reduce or waive the screening and landscaping requirements of this section and approve an alternative screening plan upon finding that compliance with this section would not otherwise be feasible. The Planning commission shall find that the following standards have been met whenever it modifies any screening or landscaping requirements:
1. The screening and landscaping plan shall protect the character of new and existing residential neighborhoods against negative impacts such as noise, glare, light, air pollution, trash and debris, and hazardous activities.
 2. The alternate width and type of buffer zone and screening provided therein will ensure compatibility with surrounding and nearby land uses because:
 - a) The development is compatible with and sensitive to the immediate environment of the site and neighborhood relative to architectural design, scale, bulk, building height, identified historical character, disposition and orientation of buildings on the lot and visual integrity.
 - b) The site has natural existing vegetation and/or topography, natural bodies of water or wetland areas or other existing conditions which offer screening consistent with the standards set forth in this article [Article 3, Division 3]. The planning commission shall require the preservation of these natural features as a condition of site plan approval.
 - c) The arrangement, design and orientation of buildings on the site maximize privacy and isolate adjacent and nearby land uses from any potential negative impacts of the project.

SEC. 448 Standards for Compliance for Existing Sites

Amend to read the following:

In any case where the building and/or parking area is being increased by at least twenty-five percent (25%) over the originally approved site

plan or is being changed to a more intense use as determined by the Planning Commission, the site shall be brought into full compliance with the landscape standards herein. In instances where the increase in building and/or parking area is less than twenty-five percent (25%) over the original site plan, the extent of new landscaping shall be equal to four percent (4%) of compliance for every one percent (1%) of increase in building or parking footprint. For example, a building or parking area increase of ten percent (10%) requires forty percent (40%) compliance with the landscape standards. In cases where no increase in building and/or parking area is proposed, the City Planner may require new or revised landscaping to bring the site into greater conformity with the landscape standards.

SECTION 8. Article 4, Division 4: Signs of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 471 General Standards for permitted Signs

Amend standard (a.1) to read the following:

1. All signs, unless otherwise provided for in this article, shall be set back a minimum of five feet from any public or private street right-of-way line, access drive, or sidewalks in all zoning districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way, access drive, or sidewalk.

SEC. 472 Specific Sign Standards

Amend standard (b.2.a)

a. Temporary signs shall not be attached to any utility pole, tree, fence, or be located within any public right-of-way or on City-owned property.

SEC. 473 Additional Sign Standards

Amend standard (f) to read the following:

f. Sandwich board signs. Sandwich board or portable A-frame signs are permitted, after issuance of an annual permit, in the B-1, B-2, PCD and MX-1 Districts at the customer building entrances to businesses subject to the following requirements:

1. One sign per customer entrance shall be permitted regardless of the number of tenants on the premises.
2. The sign is permitted only during operating business hours and must be stored inside when the establishment is not open to the general public.
3. Each sign shall not exceed an overall height of 42 inches and an overall width of 24 inches.
4. The sign must be located adjacent to the building; no more than ten feet from the customer entrance to the business, be a minimum of

two feet from the edge of the curb, and be located so that at least a five foot wide sidewalk is maintained.

5. No sign shall be located in such a manner as to interfere with vehicular or pedestrian traffic flow or visibility.
6. All signs must be constructed or weather-proof, durable material and kept in good repair.
7. The sign shall not be illuminated in any manner.
8. Sandwich board signs within the public right-of-way and/or placed on City owned property may be moved/removed by the city.

SEC 474 Prohibited Signs

Amend standard (a) to add the following provision:

19. Any sign placed on City owned property, unless placed by the City itself.

SEC. 476 Dangerous, Unsafe, abandoned, and Illegally Erected Signs

Amend standard (c) to read as the following

- c. Obsolete or abandoned signs. Permanent signs applicable to a business suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least 30 consecutive days. An abandoned sign shall be removed by the owner or lessee of the premises within ten days after written notice from the city building official.

SEC. 477 License and Insurance

Amend to read as the following and create Section 478 for Administration, Enforcement, Violation, and Penalties; and re-order the remaining sections:

Every person who engages in the business of erecting, altering or dismantling signs in the city shall first submit a liability insurance policy that indemnifies the city and its prior, present and future officials, representatives and employees from all damage suits or actions of every nature brought or claimed against the erector for injuries or damages to persons or property sustained by any person or persons through any act of omission or negligence of said erector, his servants, agents or employees. Said policy shall contain a clause whereby it cannot be canceled or changed until after written notice has been filed with the city building department at least 30 days prior to the date of cancellation. The building official shall issue a permit for the sign upon determining that the proposed sign meets the provisions, standards and regulations of this article and any other applicable city ordinance and after payment of the prescribed fees and deposit.

SEC. 478 Administration, Enforcement, Violations, and Penalties

- a. Generally. The regulations of this article shall be administered and enforced by the building official.
- b. Violations. It shall be unlawful for any person to erect, construct, maintain, use, display, enlarge, alter, convert, repair, or move, any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions, standards and regulations of this article. Each act of

violation, and on each day upon which any such violation shall occur, shall constitute separate offense.

- c. Public nuisance per se. Any sign erected, constructed, maintained, used, displayed, enlarged, altered, converted, repaired, or moved in violation of any of the provisions, standards, and regulations of this article, including the failure to remove a sign when directed under the authority of this article, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction,
- d. Municipal civil infraction. Any person, firm or corporation determined to have violated or been in violation of the provisions, standards or regulations of this article shall be responsible for a municipal civil infraction and subject to the penalties and provisions contained in this Code.
- e. Other relief.
 - 1. In addition to the remedies otherwise provided for, the city may remove and dispose of an unlawful sign on public property.
 - 2. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin violation of this article.
 - 3. In addition to any remedies provided for by this Code, any equitable or other remedies available may be sought and granted.

SECTION 9. Article 5, Division 3: Conditional Land Use of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 540 Purpose

Amend to read the following:

The intent of this Article is to provide standards for conditional land uses, which are uses with specific conditions that if met, make the use permitted by right. These conditions are intended to minimize potential negative impacts to other surrounding land uses that could arise due to operations of the particular use. This Article provides standards for the City Planner or Planning Commission, depending upon the site plan review requirements, to review and determine if the conditions have been met.

SEC. 541 Standards for Approval

Amend standard (a) to read the following:

- a. Prior to approving a conditional land use, the City Planner shall require that the proposed use meets all requirements and standards. If all requirements and standards are met, a conditional use permit is granted.

SEC. 542 Requirements and Standards of Approval

Amend standard (b) to read the following:

- b. The Department of Technical and Planning Services Division of Building Inspector and/or Zoning Official shall make periodic investigations of the conditional land use to ensure continued compliance with all requirements and standards imposed by this Article. Noncompliance with the requirements for the conditional land use shall constitute grounds for the Department of Technical and Planning Services Division of Building Inspector and/or Zoning Official to terminate the approval.

SEC. 543 Validity of Conditional Land Use Approval

Amend standard (b) to read the following:

- b. Upon written application filed prior to the termination of the eighteen (18) month period, the City Planner may authorize a single extension of the time limit for a further period of not more than 12 months. Such extension shall only be granted based on evidence from the applicant that the development has a reasonable likelihood of commencing construction within the 12-month extension.

SEC. 544 Conditional land Use Specific Requirements

Subsection c. Automobile Washes, Automatic or Self-service

Amend standard (2) to read the following:

2. Where adjoining residentially zoned or used property, a decorative masonry wall six (6) feet in height shall be erected along any common lot line. Such wall shall be continuously maintained in good condition. In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:
 - a. One three-inch caliper deciduous tree per 30 feet of wall length.
 - b. Four 24-inch to 30-inch high or wide evergreen or deciduous shrubs per 30 feet of wall length.
 - c. Groundcover shall be either grass, woodchips, or decorative stone. Weedmat shall be installed under stone or woodchips.A three-foot high landscaped berm within a greenbelt of at least 20 feet in width may be substituted for the required masonry wall.

Subsection d. Automobile or vehicle Dealership

Amend standards (1.a.9) and (1.a.10) to read the following:

- 9) A six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall. The plan shall detail the location, height and type of wall-proposed, shall be located on all property lines which abut any residential district.
- 10) Where the storage yard abuts residentially zoned property there shall be a ten-foot-wide landscaped greenbelt, between the property line and the wall. Said greenbelt shall be planted in accordance with Article 4, Division 3 Landscaping, Section 445.

Subsection q. Manufacturing, packaging, Assembly, fabrication of Products

Amend standard (3) to read the following:

3. Where the outdoor placement of an aboveground storage tank is necessary, the storage tank must be completely screened from public view. The screening shall consist of a masonry wall of brick, stone or poured concrete with a decorative pattern. The design and material of the screening to be approved by the planning commission and city council.

SECTION 10. Article 5, Division 4: Special Land Use of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 556 Special Land Use Amendments and Expansions

Amend provision (a) to read the following:

- a. Amendments. Any person or agency who has been granted a special land use approval shall notify the City Planner of any proposed amendment to the approved site plan of the special land use. The City Planner shall determine whether the proposed amendment constitutes a minor or major amendment based on the determination standards for all site plans in accordance with the requirements of Article 5, Division 1, Section 511, Deviations from Approved Site Plan. A major amendment to a special land use approval shall comply with the application and review procedures contained in this Article.

SEC. 557 Special Use Specific requirements

Subsection m. Outdoor Storage

Amend standard (8) to read as the following:

8. The storage yard shall be screened on all sides by a six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high treated-wood or vinyl obscuring fence. In industrial districts, a fence shall be permitted up to eight (8) feet as permitted in Sec. 308 of this ordinance. The plan shall detail the location, height and type of wall/fence proposed. The Planning Commission may approve a partial or complete substitution of the screening requirement using existing or proposed topography, dense vegetation, or other natural or manmade features that would produce substantially equivalent results of screening and durability.

SECTION 11. Article 6, Division 1: Non-Conforming Uses, Structures, and Lots of Appendix A – Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

SEC. 600 Non-conforming Uses, Structures, and Lots, In General

Amend standard (e) to read the following:

- e. To avoid undue hardship, nothing in this Division shall be deemed to require a change in the plans, construction or designated use of any structure on which actual construction was lawfully begun prior to the effective date of adoption or

amendment of this Division, and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner except that where demolition or removal of an existing structure has been substantially begun in preparation for rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the structure involved.

SEC. 601 Non-conforming Lots

Amend standard (a) to read the following:

- a. Use of Nonconforming Lots. Any lot of record existing at the effective date of the ordinance codified in this chapter that now fails to meet the requirements for area or width, or both, that are generally applicable in the district shall be considered a nonconforming lot. A principal building and customary accessory buildings for a permitted use may be erected on any nonconforming lot of record, provided all other standards of this title are met, including setbacks, minimum floor area, maximum height and access requirements.

SEC. 602 Non-conforming Uses

Amend standard (c.2) to read the following:

2. The property, buildings, or grounds have fallen into disrepair and/or are declared a public nuisance. (See Chapter 18, Article V: Dangerous Buildings and Article VI: Property Maintenance Code)

SEC. 604 Non-conforming Structures

Amend standard (e) to read as the following:

- e. Should such structure be destroyed by any means to an extent greater than fifty percent (50%) of the square footage of the floor area of the structure, it shall not be reconstructed except in conformity with the provisions of this chapter.

SEC. 605 Expansion of a Non-conforming Residential Building

Amend to delete standard (a) and re-order the remaining provisions to read the following:

A non-conforming residential building may be expanded into a side or rear yard in a manner that does not comply with the setback standards with approval from the Zoning Board of Appeals. The Zoning Board of Appeals shall utilize the following standards:

- a. The expansion does not extend closer to the lot line than any existing, non-conforming part of the structure.

- b. The addition does not extend beyond the predominant existing building line along the same block.
- c. The addition retains compliance with all other setback, lot coverage, and height requirements.
- d. The addition will meet all minimum building code requirements.
- e. The resultant addition, in terms of dimensions and design, would be compatible with the established character of the neighborhood.
- f. The design of the addition must be compatible with the existing structure and not detract from the appearance of the site.
- g. The expansion of a residential building with a non-conforming yard, not meeting the requirements above, shall be prohibited unless a variance is granted by the Zoning Board of Appeals (ZBA).

SEC. 606 Continuance of Non-conforming Uses of Structures and Land

Amend standard (e) to read the following:

- e. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or ceases for six (6) consecutive months or for eighteen (18) months during any three-year period, the structure, or structure and premises in combination, shall not thereafter be used, except in conformance with the regulations of the zoning district in which it is located; structures occupied by seasonal uses shall be excepted from this provision. These provisions may be waived, as determined by the City Manager, upon substantiation that there is intent to continue the nonconformity.

SECTION 12. Article 6, Division 2: Administration and Enforcement of Appendix A - Zoning of the Code of Ordinances of the City of Oak Park, Michigan is hereby amended as the following:

Amend Section 620 to read the following:

SEC. 620 Enforcement Authority

Except where herein otherwise stated, the provisions of this section shall be administered by the Department of Technical and Planning Services, Division of Building Inspector. The Division of Building Inspector shall have the power to:

- a. Make inspections of buildings and premises necessary to carry out the duties of administration and enforcement of this Ordinance.
- b. Issue and serve appearance tickets on any person with respect to any violation of this Ordinance where there is reasonable cause to believe that the person has committed such an offense.
- c. Issue a certificate of compliance when the requirements of this Ordinance have been met.
- d. Perform such other functions necessary and proper to enforce and administer the provisions of this Ordinance.

SEC. 621 Planning Commission

Amend standard (L.7) to read the following:

7. Review and make recommendations to City Council regarding proposed public works projects, including the removal, location, widening, narrowing, vacating, abandonment, change of use, or extension of streets, alleys, grounds, open spaces, building, public utilities and terminals;

Amend standard (o) Procedures to read the following:

o. Procedures.

1. Applicants shall appear at hearing(s) regarding their case, either personally or by designated representatives who are authorized by the applicant in writing to act on their behalf for purposes of the application. The Planning Commission may conduct the required hearing and reach a decision on all applications without the applicant being present unless the applicant, for good cause, requests a continuance in writing prior to the hearing.
2. The Planning Commission shall make no decision except in a specific case and after requiring a public hearing, if applicable.
3. The secretary of the Planning Commission shall prepare and maintain minutes of all Planning Commission proceedings. The minutes shall be the final authority on proceedings and shall be the responsibility of the secretary of the Planning Commission. The Commission shall approve all minutes prior to their designation and use as the official record of proceedings. Where a written record is required or requested, the approved minutes, along with any plans or other information submitted with the application shall constitute the written decision.
4. The official records of the Planning Commission shall be maintained by the city clerk.
5. The Planning Commission may adopt by-laws for the conduct of its meetings and hearings.

SEC. 622 Performance Guarantees

Amend the provision to read the following:

To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Department of Technical and Planning may require a financial guarantee of sufficient sum to assure the installation of those features or components of the approved activity or construction which are considered necessary to protect the health, safety and welfare of the public and of users or inhabitants of the proposed development and in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. Such features or components, hereafter referred to as "improvements," may include, but shall not be limited to, roadways, curbs, landscaping, fences, walls, screens, lighting, drainage facilities, sidewalks, driveways, parking areas, utilities, and similar items.

- a. Performance guarantees shall be processed in the following manner:
1. Prior to the issuance of a certificate of occupancy, the applicant shall submit an itemized estimate of the cost of the uncompleted required improvements, which shall then be reviewed by the Department of Technical and Planning Services. The amount of the performance guarantee shall be no greater than one hundred percent (100%) of the cost of installing the uncompleted improvements.
 2. The required performance guarantee may be in the form of a cash deposit, certified check, performance bond, or irrevocable bank letter of credit acceptable to the City. If the applicant posts a letter of credit, the credit shall require only that the City present the creditor with a sight draft and an affidavit signed by an authorized representative of the City attesting to the City's right to draw funds under the letter of credit. If the applicant posts a cash escrow, the escrow instructions shall provide that the escrow agent shall have a legal duty to deliver the funds to the City whenever an authorized representative of the City presents an affidavit to the agent attesting to the City's right to receive funds whether or not the applicant protests that right. If the applicant posts a performance bond and the improvements are not complete by the time a certificate of occupancy is requested in the case of a building project, or by the time a building permit is requested on a lot in a new subdivision or condominium, then the performance bond shall be replaced by a bank letter of credit or cash escrow prior to the issuance of said certificate of occupancy or building permit.
 3. Upon receipt of the required performance guarantee, the Department of Technical and Planning Services, Division of Building Inspector may issue a temporary certificate of occupancy for the subject development or activity, provided it is in compliance with all other applicable provisions of this ordinance.
 4. When all of the required improvements have been completed, the applicant shall send written notice to the Department of Technical and Planning Services, Division of Building Inspector of completion of such improvements. Thereupon, the Department of Technical and Planning Services, Division of Building Inspector shall inspect all of the improvements and shall recommend to the Planning Commission either approval or rejection of the improvements with a statement of the reasons for any rejections.
 5. The Planning Commission shall then either approve or reject the improvements. The Planning Commission shall notify the applicant in writing of the action within thirty (30) days after receipt of the notice from the obligor of the completion of the improvements.
 6. The Department of Technical and Planning Services, Division of Building Inspector, upon completion of all required

improvements, shall issue a certificate of compliance and forward it to the Building Official.

7. Upon receipt of the certificate of compliance and request of the applicant, the Department of Technical and Planning Services, Division of Building Inspector shall rebate the performance guarantee, if applicable, upon determination that the improvements for which the rebate has been requested have been satisfactorily completed.
8. Performance guarantees shall not be returned until all debts or obligations to the City are resolved.
9. A record of authorized performance guarantees shall be maintained by the Department of Technical and Planning Services, Division of Building Inspector.

Add a new Section and re-order the remaining sections

SEC. 624 PERMIT REQUIRED – ZONING; BUILDING

- A. It shall be unlawful to commence or conduct any of the following until the administrative official has issued a zoning compliance permit and a building permit has been issued for such work or change:
 1. The excavation, construction, reconstruction, repair, moving, or alteration of:
 - (a) Any building or structure for which a building permit is required by the building code, or
 - (b) Any parking lot, sign (see definition), tower, bridge, or any structure having a cost or value of more than five hundred dollars (\$500.00).
 2. A change in the use or occupancy of any building or land to a type of use or occupancy which is not expressly permitted by the district's regulations specified in this ordinance.
- B. The zoning compliance permit shall include a certificate by the Department of Technical and Planning that plans, specifications, and description of such use(s) and structure(s) do in all respects conform to the provisions of this ordinance.
- C. The application shall be made in writing to the Department of Technical and Planning on forms provided for that purpose. A record of all such applications shall be kept on file by the Department of Technical and Planning. When the Department of Technical and Planning receives an application for a zoning compliance permit which requires special land use approval, or other approval, the Department of Technical and Planning shall so inform the applicant.

SECTION 13. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 14. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, 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, Michigan.

SECTION 15. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2022.

T. Edwin Norris, City Clerk

I, T. Edwin Norris, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on _____, 2022.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:



CITY OF OAK PARK
DEPARTMENT OF ECONOMIC
DEVELOPMENT AND
PLANNING

MEMORANDUM

TO: Planning Commission Members DATE: February 10, 2022
FROM: Kimberly Marrone, AICP, Economic FILE: G/.../aplncom/ORD
Development and Planning Director 2022-01 Zoning
Salam Habhab, Economic Development Amendments – PC
and Planning Specialist Memo

SUBJECT: Proposed Text Amendments to Appendix A - Zoning Ordinance of the
Code of Ordinances of the City of Oak Park, MI

Mayor McClellan, Mayor Pro Tem, City Council members, Planning Commission members, and City Manager Tungate:

In an effort to enhance the City's ability to move forward toward achieving its goals, the Planning Division started to implement the new zoning ordinances that were adopted last May. Economic Development and Planning has identified the following additional zoning ordinance changes necessary to improve the newly adopted Zoning Ordinance.

Through implementation of the new zoning ordinance there have been simple numbering, spelling, formatting errors corrected; a few minor adjustments to better assist code enforcement in their efforts; and add clarifications with new definitions. We do plan to continue reviewing the zoning ordinance on a quarterly basis and bringing any changes needed in a timely fashion.

As you are aware, a Public Hearing was scheduled for the January Planning Commission meeting to hear public comments on the proposed text amendments of the Zoning Ordinance. The discussion was tabled to the regularly scheduled February Planning Commission meeting.

The proposed text amendments deal with a variety of improvements that incorporate clarifications, additions, and/or deletions to specific sections of the Zoning Ordinance, as described below. Please note simple grammatical errors, incorrect references, document format changes, or minor typos are not outlined below.

Article 1, Division 2: Definitions

SEC. 109 Definitions A-B

Add the following:

Animal, Farm animals or livestock. Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm. Wild, vicious or exotic animals shall not be considered livestock.

Delete the following:

~~**Building Face:** The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.~~

SEC. 110 Definitions C-D

Amend to read the following:

Deck: A platform, commonly constructed of wood, which ~~is typically~~ may or may not be attached to a house and which used for outdoor leisure activities.

SEC. 112 Definitions G-H

Amend home occupation provision (b) to read the following:

Home Occupation:

- b. The use shall be conducted entirely within a dwelling ~~or permitted accessory building~~ and shall be carried on by no more than two employees who are family members and/or occupants of the dwelling, and no others.

SEC. 114 Definitions K-L

Delete the following:

~~**Livestock:** Horses, cattle, sheep, goats, and other domestic animals normally kept or raised on a farm. Wild, vicious or exotic animals shall not be considered livestock.~~

SEC. 116 Definitions O-P

Add the following:

Portable Structures: Trailers, moving pods, or similar type of structures designated and used for hauling and/or storing inventory, merchandise or equipment and not designated to be a permanent structure. Other portable structures are used for temporary or seasonal all-weather shelters, such as canopies or tents (under 400 Sq. Ft.), auto carports or garages, Sukkots (Succah, Sukkah) used during religious holidays, or any similar type of structures able to be easily carried or moved and not designated to be permanent structures.

SEC.117 Definitions Q-R

Add the following

Regulated uses. Any establishment, other than adult entertainment regulated uses, that are declared to be potentially detrimental and to have the possible effect of downgrading and blighting the surrounding neighborhood, particularly when concentrated in one area. For the purpose of this Ordinance, the types of regulated uses are the following:

- a. Pawnbrokers or pawnshops.
- b. Establishments with SDD and SDM licenses from the Michigan Liquor Control Commission.

SEC. 118 Definitions S-T

Add the following:

Studio or Music Recording Studio: Any use of a studio for a motion picture, television, video, sound, computer, and other communications or media production. The operation of a motion picture, television or recording studio must account for a majority of gross revenues. These facilities include the following types.

- a. Indoor support facilities. Administrative and technical production support facilities, including administrative and production offices, post-production facilities (editing and sound recording studios, foley stages, etc.), optical and special effects units, film processing laboratories, etc.
- b. Soundstages. Warehouse-type facilities providing space for the construction and use of indoor sets.

Article 2, Division 2: Residential Districts

SEC. 214 Schedule of Regulations

Delete the “exterior” column from the table because it conflicts with “b” footnotes below:

	Height					Setbacks (feet)				Lot		
	Min.		Max.		Front	Sides (min.)			Rear	Area	Width	Coverage
	stories	Ft.	stories	Ft.	Min.	Least 1	Total 2	Exterior	Min.	Sq. Ft. (min.)	Ft (min.)	Max. %
R-1	-	-	2	27	25	4 (b) (B)	14	20	30	6,000	50 (a) (A)	35
R-2	-	-	2	27	25	4 (b) (B)	14	20	30	4,000	60	35
RM-1	-	-	4	45	10	10	20	20	40	3,000 per d.u.	-	35
RM-2	4	40	15	15	Equal to height of building					1,500 per d.u. (c) (C)	-	20

- a. Does not apply to lots platted and of record prior to the passage of Ordinance No. 54, adopted March 3, 1952.
- b. If the building is located on a corner lot, the side yard setback on the street side shall be 15 feet.

- c. In RM-2 districts, any building five stories or higher, the minimum lot area per dwelling unit may be reduced by 50 square feet per unit for every story above the fourth level; however, in no case shall the minimum lot area per dwelling unit be less than 1000 square feet per dwelling unit.

Article 2, Division 3: Commercial / Mixed-Use/ Office Districts

SEC. 224 Building Design Standards

Drive-through facilities are not permitted within the B-1, Neighborhood Business District, remove the Drive-through building types from the B-1 District:

Commercial/Mixed-Use Building Types	B-1	B-2	O	PTRED	PCD	MX-1	MX-2	See Section
Drive-through	✖	x						356 357.D

Article 3, Division 1: General Provision

SEC. 300 Accessory Buildings, Structure and Uses

Amend the rear yard setback of standard (b) to two (2) feet from lot line, rather than six (6) feet. The majority of the existing accessory structures are located two (2) feet from the side lot line, by amending the rear yard back to two (2) feet, we reduce the probability of creating non-conforming sites.

b. Location for Detached Accessory Buildings

Table 3.1 Accessory Building Locations and Setbacks	
Locations Permitted	Minimum Setback from Lot Line
Rear Yard	6 feet from rear lot line 6 2 feet from side lot line 6 feet feet from alley

Amend standard (c) to read the following:

- c. Rear Yard Lot Coverage Limit. A total of the combined buildings accessory to a residential building shall not exceed the ground floor area of the principal building. The total area of all structures on the lot shall not exceed the lot coverage limits of the district, found in Article 2- and shall not exceed 35% of the required rear yard.

Add the following provision and re-order the remaining provisions:

- d. Number of Accessory Structures. In the R-1 and R-2 districts a maximum of one accessory structure or building, not including detached garages, are permitted subject to the size, setback, and additional criteria in this article. Detached garages cannot exceed 600 square feet.

Amend standard (h) to read the following:

- i. Carports and garages in non-single-family developments shall have a maximum height of ~~fourteen~~ thirteen (13) feet, measured from the grade to the ~~peak of the structure~~ midpoint of the roof. Carports shall be enclosed or obscured at least twenty-five percent (25%) along sides visible from public streets, residential districts or vehicular drives within the site. All details must be provided on the site plan and reviewed and approved by the Planning

SEC. 308 Fences, Walls, and Other Protective Barriers

Amend standard (e.2) to read the following:

2. Where a public alley separates the nonresidential use from the residential use, the Planning Commission and/or the City Planner; in the case of Administrative Approval review procedure, shall determine the location of the wall so as to best protect the residential district.

SEC. 313 Home Occupations

Amend standard (a. 2) and (a.10) to read the following:

2. The use of the dwelling for the home occupation shall be clearly accessory, incidental, and subordinate to its use for residential purposes, and not more than twenty~~-five~~ percent (25%) of the gross floor area of the dwelling, ~~including accessory structures~~, shall be used for the conduct of the home occupation.
10. The home occupation shall be conducted entirely within the confines of the dwelling ~~or accessory structure~~.

SEC. 314 Intersection Visibility

Amend to read the following:

- a. No fence, wall, sign, hedge, screen, or any planting shall be erected or maintained to obstruct vision between a height of thirty (30) inches and eight feet within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two (2) points which are located on those intersecting right-of-way lines twenty (20) feet from the point of intersection of the right-of-way lines. If the road is an access drive, these dimensions shall be measured from the pavement edge.
- b. The ~~three (3) foot~~ thirty (30) inches and eight (8) foot height limit shall be measured from the lowest elevation of the segment of the intersecting roads centerline which lies between the point of the intersection of the other centerline and the extension of the line drawn through the points twenty (20) feet from the intersection of the right-of-way lines.

SEC. 315 Keeping of Animals

Amend to read the following:

- a. The keeping of household pets, including dogs, cats, rabbits, fish, birds, hamsters, certain reptiles, and other animals generally regarded as household pets is permitted as an accessory use in any Residential District. The keeping of animals not normally considered domesticated including, but not limited to, pigs, horses, sheep, cattle and wild, vicious and exotic animals, is prohibited in all zoning districts except the temporary keeping of live poultry by any lawfully established live poultry market incidental to the normal course of business, or as permitted by Sec. 14-7 of the Code of Ordinances. However, no more than three (3) dogs or cats, or any combination thereof six (6) months of age or over without first obtaining a kennel license. No person shall in any combination (not including domestic chicken), have a total of more than three (3) animals, to be kept or housed in or at one (1) dwelling unit.
- b. The keeping of more than three (3) dogs on one premises shall be deemed to be a kennel and must follow the regulations set forth in Article 5, Division 4 Special Land Uses.
- c. Domestic Chicken. Any person residing in a single-family detached dwelling on residential zoned one family dwelling district property (R-1), after obtaining an annual permit from the city, may keep, per household, not more than three hen (female) chickens for personal use only and not for any business or commercial use. Chickens may be kept as family pets or to lay eggs for personal consumption only, as permitted by Sec. 14-7 of the Code of Ordinances. Slaughtering of any chickens on the property is prohibited.

SEC. 318 Mechanical Equipment and Utilities

Amend standard (b) to read the following:

- b. Mechanical equipment shall be placed no closer than three (3) feet to any lot line in the commercial and industrial districts.

SEC. 319 Outdoor Dining

Amend standard (a.2) to read the following:

2. Outdoor dining areas proposed to be added to an existing restaurant with no other building or significant site modifications, shall submit a site development plan to the department of community and economic development and planning for review and administrative approval.

SEC. 320 Performance Standards

Delete the table of standard (c) and amend to read the following:

- c. Noise. At no point on the lot line shall the sound pressure level of any operation on the lot exceed **seventy (70) dB(A)** ~~the decibel limits as designated in the chart below~~. Operations or activities which exceed the maximum sound intensity levels ~~defined below~~ shall be prohibited. A sound level meter and an octave band analyzer shall be used to measure the intensity and frequency of the sound or noise levels. Sounds with very short duration, which cannot be accurately measured with a sound level meter, shall be measured by an impact noise analyzer; ~~and the maximum levels indicated in the following table may be exceeded by no more than five (5) decibels.~~

Maximum permitted Sound Intensity Levels		
Center Frequency (Cycles per second)	Sound Pressure level in Decibels (0.0002 dyne/cm ²)	
	Residential Districts	Non-Residential Districts
31.5	72	77
63	71	76
125	65	70
250	57	62
500	51	56
1,000	45	50
2,000	39	44
4,000	34	39
8,000	32	37
Source: American National Standards Institute		

~~1.~~ The following sources of noise are exempt:

- a) Occasionally used safety signals, warning devices and emergency pressure-relief valves.
- b) Temporary construction activity between 7:00 a.m. and 7:00 p.m. Monday through Saturday
- c) Warning or alarm devices that have the purpose of signaling unsafe or dangerous situations or calling for police.
- d) Noises resulting from authorized public activities such as parades, fireworks display, sports events, musical productions, and other activities that have the approval of the City Council or its designee.

SEC. 323 Recreational Equipment and Vehicle Parking and Storing

Amend standards (a) and (f) to read the following:

- a. The purpose of these standards is to regulate and control the parking and storage of recreational vehicles and equipment on private property **in the R-1 and R-2 Districts** to promote the public health, safety, and welfare and to preserve property values.
- f. Occupation of Stored Recreational Vehicles. At no time, except in conformance with Section ~~328(g)~~ **323(g)** below, shall any stored, parked, or placed recreational vehicles and/or recreational equipment be occupied or used

for living purposes. At no time shall any such recreational vehicle and/or equipment have fixed connections to water, gas, or a sanitary sewer. At no time shall any such recreational vehicles and/or equipment **be stored, parked, or occupied or used for living purposes** other than those granted a temporary use permit in conformance with Section ~~328(g)~~ **323(g)** below.

- g. Permanent Special Exceptions. A recreational vehicle and/or recreational equipment which is officially licensed as a vehicle for a disabled person in accordance with State law and which is used as the regular means of transportation by or for a disabled person may be parked within the required setback area. Appropriate landscaping must be provided to screen the recreational vehicle from adjacent residential structures.

SEC. 327 Solar Panel Energy System

Amend standard (9) to read the following:

9. ~~Zoning~~ **Electrical** and construction permits are required.

SEC. 331 Temporary Buildings, Structures, and Uses

Amend to read the following:

Temporary or portable ~~principal or accessory~~ buildings, structures, and uses may be permitted, subject to the following conditions:

1. Construction sites:

- a. Temporary construction, buildings, and structures/office, which are necessary to facilitate construction on any site, shall be permitted and conform with all applicable provisions of this ordinance. ~~With the exception of portable structures,~~ Temporary buildings and construction structures may only be used for the storage of construction materials, tools, supplies and equipment, for construction management and supervision offices, and for temporary on-site sanitation, solid waste, or fuel facilities, related to construction activity on the same lot.
- b. Temporary **construction** buildings and structures shall be removed from the lot within fifteen (15) days after an occupancy permit is issued by the **Building Official or** Zoning Administrator for the permanent structure on such lot, or within fifteen (15) days after the expiration of a building permit issued for construction on such lot.
- c. The placement of temporary **construction** buildings and structures shall be in conformance with the requirements of Article 5, Division 1: Site Plan Review. ~~A building permit for such building or structure shall be issued by the Building Official prior to installation.~~ **and any necessary permits required for the completion of the project.**

2. Commercial and industrial zoning districts:
 - a. Portable storage containers or moving pods used for a seasonal or temporary use are allowed in the B-2, General Business and Industrial Zoning districts for up to thirty (30) days, once per year. A Zoning Permit is required with a sketch plan detailing the loading/unloading area and the dedicated parking space to ensure safe vehicular circulation is provided within the site. Extensions can be granted by the Zoning Administrator upon submitting a written extension request provided a good cause is shown and demonstrated. Extensions may be permitted up to two times, not to exceed thirty (30) days for each time. Portable storage containers or moving pods are permitted with a permit including extensions for a maximum of ninety (90) days per year. The storing or parking of storage containers or moving pods shall be on a paved surface, in the rear or non-required side yards, not visible from a public street; unless otherwise approved by the Zoning Administrator.
 - b. Portable storage containers used for long-term, on-site outdoor storage shall be permitted in the B-2, General Business and Industrial zoning districts in conformance with the requirements of Article 5, Division 4: Special Land Use review procedure and any necessary permits required for erection of the project.
 - c. Sukkots shall be permitted in the B-2, General Business and O, Office Zoning Districts for up to thirty (30) consecutive days in the observance of religious festivals and holidays. A Zoning Permit is required as described above in subsection 331.2. (a).
 - d. No temporary or portable building or structure shall be used for dwelling purposes.
3. Residential zoning districts:
 - a. Moving pods are allowed without a permit for up to ~~seven (7)~~ thirty (30) days, ~~no more than twice during a calendar year and~~. Moving pods must be placed upon a hard surface such as a driveway. Moving pods are prohibited in the right-of-way.
 - b. Portable or temporary auto carports or garages are prohibited including portable weather-resistance auto structures made of aluminum structure and canvas covering or any similar materials.
 - c. Portable tents or canopies (under 400 Sq. Ft.) are permitted, without a permit, in the rear yards and non-required side yards for a period not to exceed seven (7) consecutive days. Sukkots (also Known as a Sukkah or Succah) are permitted for thirty (30) consecutive days in observance of religious festivals or holidays.
 - d. Outdoor patio gazebos made of durable weather-resistance materials are permitted, without a permit, in the rear yards and non-required side yard.

Table 331.a Types of Temporary or Portable Buildings or Structures			
Use	Zoning District	Example of Illustrations	Notes
Temporary Construction, Buildings, and Structure/Office	All Zoning Districts		Permitted with a Site Plan Review approval and any necessary permits required for the construction of the project
Moving Pods for Temporary Use	Residential Zoning Districts		Permitted for 30 days. No permit is required
Outdoor Storage Containers; short-term, seasonal, temporary use	B-2 and Industrial Zoning Districts		Permitted for 30 days. A Zoning Permit is required. Extensions may be granted up to two times for 30 days each
Outdoor Storage Containers; on-site, long-term	B-2 and industrial zoning districts		Permitted with Special Land Use approval and any necessary permits required for the erection of the project
Seasonal and Temporary Auto Carports or Garages	Residential Districts		Not permitted
Tents or Canopies; under 400 Sq. Ft.	Residential Districts		Permitted in the rear yard and non-required side yard for up to seven (7) consecutive days. No permit is required
Sukkots; during religious festivals and holidays	Residential, B-2, and O, Zoning Districts		Permitted for thirty (30) consecutive days. Zoning Permit is required in the B-2 and O districts. No permit is required in the residential zoning districts.

Table 331.a Types of Temporary or Portable Buildings or Structures			
Use	Zoning District	Example of Illustrations	Notes
Patio Gazebos	Residential Zoning Districts		Permitted in the rear yards or non-required side yards. No permit is required

SEC. 333 Waste Receptacles and Enclosure

Amend standard (e) to read the following:

- e. Waste receptacles and enclosures shall be located in the rear yard, not closer than three (3) feet from the rear and side lot lines, or non-required side yard, unless otherwise approved by the Planning Commission and/or the City Planner; in the case of Administration Approval review procedure, and shall be as far as practical, but in no case be less than twenty (20) feet, from any residential district. If practical, the back side of the waste receptacle enclosure should be placed against the building. In this circumstance the wall may act as one side of the enclosure; the wall shall be of non-combustible material, meet the fire code, and not located on a neighboring property.

Article 3, Division 2: Architectural Building Standards

SEC. 351 Applicability

Amend the drive-through building type of Table 351.2 Applicable Building Types by District as the following:

Table 351.2 Applicable Building Types by District													
	R-1	R-2	RM-1	RM-2	B-1	B-2	O	PTR ED	MX -1	MX -2	LI	IF	See Section
Commercial/Mixed-Use Building Types (Sec.357)													
Drive-through					X	X							356 357.D

SEC. 353 General Architectural Standards

Amend standard (d. 4.c) to read the following:

- c) Glass Block (not to exceed 25% of façade)

Amend standard (d.5) to read the following:

5. In commercial and industrial districts, ~~P~~primary exterior building materials shall be of subtle, neutral, or earth tone colors.

SEC. 354 Residential Architectural Standards

Amend the Allowed Building material (Secondary Façade and up to 50% of Primary Façade) and Garage/carports as the following:

Table 354.1 residential General Building Standards		
Allowed building material	Secondary Façade and up to 50% of primary Façade	Stucco (traditional cementitious) Architectural Metal Panel (insulated, composite) Decorative cast concrete screens Glass block (not to exceed 25% of façade)
Garage/Carports		Attached G garages or carports may only occupy a maximum of 40% of the front façade. Temporary carports are not permitted. See also Sec. 300 Accessory Structures Garages or carports shall not extend further into the front yard than the rest of the front façade.

SEC. 356 Commercial and Mixed-use Architectural Standards

Amend the fenestration to read the following:

Table 356.1. Commercial and Mixed-use Buildings General Standards	
Fenestration	Facades The primary façade shall have a minimum of 35% comprised of windows and doorways with no less than 40% of the ground floor windows and doorways.

Article 4, Division 1: Off-Street Parking

SEC. 401 General Requirements

Amend provisions (1 & 2) to read the following:

1. Single-family residential off-street parking spaces shall consist of a parking strip, driveway, ~~carport~~, garage, or combination thereof, and shall be located on the premises they are intended to serve.
2. No parking shall be permitted in ~~required~~ yards on lawns or other unpaved areas on residential lots.

SEC. 404 Barrier Free Parking Requirements

Amend to read the following:

Each parking lot that serves a building or use, with the exception of single and two-family dwelling units, shall provide barrier free spaces in compliance with the State Building Code and the 2010 ADA Standards for Accessible Design. Compliance is mandatory whenever a business, state or local government restripes parking spaces in a parking lot or parking structure. The required number of accessible parking spaces

must be calculated separately for each parking facility, not calculated based on the total number of parking spaces provided on a site. One of six (or fraction of six) accessible parking spaces, but always at least one, must be van accessible. (See 2010 Standards 208.2).

SEC. 407 Off-Street Loading and Unloading Requirements

Amend standard (a) to read the following:

- a. General Applicability. On-premises space for standing, loading and unloading vehicles shall be provided for each use involving the receipt or distribution of goods by commercially licensed vehicles. Compliance with the loading space regulations set forth herein shall be required in order to avoid interference with the public use of streets, alleys, parking areas, driveways, sidewalks, and other public areas.

Amend standard (c.1) to read the following:

1. Loading/unloading areas and docks shall be prohibited in the front yard or on any building side facing and directly visible from a public street. Unless otherwise approved by the Planning Commission and/or the City Planner; in the case of Administrative Approval review procedure.

Amend standard (d) to read the following:

- e. Size. The size of all required loading/unloading spaces shall be at least ten (10) feet by fifty (50). Unless otherwise approved by the Planning Commission or the City Planner; in the case of Administrative Approval review procedure.

Article 4, Division 2: Landscape Standards and Tree Replacement

SEC. 445 Design Standards

Amend standard (a) to read the following:

- a. Greenbelts. ~~A greenbelt shall be planted or preserved along public rights-of-way, private road easements, and designated frontage roads and access drives.~~ The greenbelt is intended to provide a transition between the roadway and an existing or proposed land use. Greenbelts shall be provided in accordance with the following requirements:

Amend standard (a) to add the following:

8. In the commercial and industrial districts, in cases where existing conditions do not permit the provision of a ten (10)-foot wide greenbelt, the City Manager may permit the greenbelt requirements to be met through the provision of street trees and shrubs within the public right-of-way curblane in compliance with Chapter 78 of the City's Code of Ordinance,

Amend standard (a) to read the following:

- d. Interior Site Landscaping. For any development that requires a building permit from the City, except in R-1 and R-2 residential districts, interior landscaping areas shall be provided, equal to at least at least ten percent of the total lot area (inclusive of the greenbelt and parking lot landscaping). These landscaped areas may be grouped near building entrances, building foundations, pedestrian walkways, service areas or adjacent to fences, walls, or rights-of-way. All interior landscaping shall be designed to the following general design standards, subject to planning commission approval:

Delete provision (f) because it conflicts with Chapter 78 of the Code of Ordinances:

- ~~f. Right-of-Way Landscaping. Public rights-of-way shall be planted with grass or other suitable living plant material and maintained by the owner or occupant of the property. Trees and shrubs may be planted within the right-of-way with permission from the appropriate authority with jurisdiction over the street.~~

SEC. 446 Specifications for Screen walls, Berms, and Landscape Improvements.

Amend to read the following:

- ~~a. Screen walls. Wherever a nonresidential use adjoins a residential district, and wherever a parking lot of eight or more spaces adjoins a single-family residential district, a screen wall shall be provided by the nonresidential use. (For purposes of this section, a parking lot of eight or more spaces shall be considered a nonresidential use).~~

This section is intended to define the various types of screening and landscaping required in specific instances by this ordinance. These standards are applicable wherever they are specifically required in this ordinance.

- 1.a. Required minimum screening and landscaping. The following table specifies the minimum required screening and landscaping between a subject parcel and adjacent properties.

	Zoning of Adjacent Parcel									
Zoning or Use of Subject Parcel	R-1	R-2	RM-1 RM-2	B-1, MX-1 MX-2	B-2	LI, IF	O	PTRED	PCD	Adjacent Road Right-of-Way*
Single Family Res.	None	None	None	None	None	None	None	None	None	None
Two Family Res.	None	None	None	None	None	None	None	None	None	None
Multiple Family Residential	A, B, or C	A, B, or C	D	B or D	B or D	B or D	D	D	B or D	D
Neighborhood Business Mixed Use Districts	A, B, or C	A, B, or C	A, B, or C	None	None	None	None	None	None	D
General Business	A, B, or C	A, B, or C	A, B, or C	None	None	None	None	None	None	D
Light Industrial, Industrial Flex	A or C	A or C	A or C	C	C	None	None	None	C	D
Office	A, B, or C	A, B, or C	A, B, or C	D	D	D	D	D	D	D
Technical, Research, Public Buildings Educational Inst.	A, B, or C	A, B, or C	A, B, or C	D	D	D	D	D	D	D
Planned Corridor	A, B, or C	A, B, or C	A, B, or C	None	None	B or D	None	None	None	
Outdoor Storage	See Section 557m									
Parking Lots	A, B, or C	A, B, or C	A, B, or C	D 5 feet wide	D 5 feet wide	None	None	None	D 5 feet wide	D

- [A\) Landscaped berm \(See section 446.c\)](#)
[B\) Landscaped buffer \(See section 446.d\)](#)
[C\) Screen wall or fence \(See section 446.b\)](#)
[D\) Greenbelt \(See subsection 445.a\)](#)

1. All required screen walls shall be six feet in height, unless otherwise specified, and shall be placed along the lot line of the nonresidential use.
2. Where a public alley separates the nonresidential use from the residential use, the planning commission **and/or City Planner** shall determine the location of the wall so as to best protect the residential district.

3. Required screen walls shall not be extended into a required front setback area to ensure proper visibility of pedestrians and vehicles by drivers exiting the nonresidential site.
 4. Required screen walls shall be of masonry construction, decorative in nature, of either face brick, poured concrete with a brick pattern, or cement block with a facing of decorative brick. ~~If the homeowner in the adjacent residential district prefers a vinyl fence it may be allowed.~~
 5. The planning commission may:
 - a. Approve a partial or complete substitution of the wall(s) using existing or proposed topography, dense vegetation, or other natural or man-made features that would produce substantially equivalent results of screening and durability;
 - b. Approve reduction or increase in wall height where a greater or lesser height is found appropriate based on consideration of topography, sight lines, and distances;
 - c. Approve variations in design standards for reasons of topography or characteristics peculiar to the site, its usage and environs contingent upon reasonable proof from the applicant that compliance with the ordinance is otherwise not feasible.
 - d. In taking such actions, the planning commission shall take into account the principal purpose of the wall(s) is to screen nonresidential activities, including parking, loading and noise, from nearby residential districts.
 - e. ~~If preferred by the adjacent homeowner, a vinyl fence may be allowed.~~
 - f. In such cases where the planning commission finds that there would be no substantial need for a screen wall, the requirements may be reduced or substituted in accordance with the table in subsection 446a.1 above. The basis for such decision shall be recorded in the minutes of the planning commission.
 6. Walls shall be continuous except for openings for pedestrian connections as approved by the Planning Commission.
- b. Berm Standards. ~~This subsection is intended to define the various types of screening and landscaping required in specific instances by this ordinance. These standards are applicable wherever they are specifically required in this ordinance.~~ A landscaped berm is any combination of a raised earthen berm and plantings which forms a visual barrier that is a minimum five feet above the surrounding grade. All landform buffers shall also conform with the following:
- a) The berm shall be comprised of soil and shall be a minimum of two feet in height and a minimum of 12 feet in width.
 - b) The berm shall be a minimum 12 feet wide with a maximum side slope of 3:1.
 - c) The berm shall be covered with grass or other living or natural cover.
 - d) Plantings shall be a mixture of evergreen and deciduous trees, shrubs and groundcover.

d. Buffer Standards. A landscaped buffer is a landscaped area of trees, shrubs and groundcover forming a visual barrier of a minimum five feet in height. All buffer strips shall conform with the following:

1. The landscaped buffer shall be a minimum of fifteen feet wide.
2. The landscaped buffer shall be covered with grass, living or natural groundcover, wood chips, natural mulch, or any combination of the above.
3. Plantings shall be a mixture of evergreen and deciduous trees, shrubs and groundcover.

e. Plant Material. All plant material shall be hardy to the City of Oak Park, be free of disease and insects and conform to the American Standard for Nursery Stock of the American Nurserymen. Landscaped areas shall include only living plant materials and planting beds.

f. Minimum Sizes and Spacing. The Minimum plant and spacing shall be provided in accordance with the following:

- ~~1. Wherever screening is required, screening shall consist of closely spaced evergreen plantings which can be reasonably expected to form a complete visual barrier. Deciduous plant material may be used for variety to supplement evergreen plantings.~~

Minimum Sizes and Spacing		
Type of Plant Material	Minimum Plant Sizes	Spacing Requirements
Deciduous canopy trees	Deciduous canopy trees , 2½ in. caliper	25 ft. on-center
Ornamental trees	2 in. caliper 6 ft. height (clump form)	15 ft. on-center
Evergreen trees	8 ft. height	15 ft. on-center
Narrow evergreen trees	4 ft. height	12 ft. on-center
Deciduous shrubs	3 ft. height	4 ft.-6 ft. on-center
Upright evergreen shrubs	3 ft. height	3 ft.-4 ft. on-center
Spreading evergreen shrubs	18 in.-24 in. spread	6 ft. on-center

1. Wherever screening is required, screening shall consist of closely spaced evergreen plantings which can be reasonably expected to form a complete visual barrier. Deciduous plant material may be used for variety to supplement evergreen plantings.

2. Mixing of Species. The overall landscape plan shall not contain more than thirty-three percent (33%) of any one plant species. The use of native species and mixture of trees from the same species association is strongly encouraged.
3. Trees Not Permitted. The following trees are not permitted as they split easily, their wood is brittle, their roots clog drains and sewers, and they are unusually susceptible to disease or insects. The Planning Commission may however allow trees from this list when associated

with an appropriate ecosystem. Trees not permitted are as follows: Box Elder, Elms, Tree of Heaven, Willows, Soft Maples (silver), Poplars, Horse Chestnut (nut bearing), Ash, Ginkgo (female), Cottonwood, Mulberry, Black Locust, Honey Locust (with thorns).

4. Topsoil. Top soil shall consist of a 4" base for lawn areas and an 8"-12" base within planting beds.
 5. Proximity to Utilities. Plant material shall not be located in a manner that will interfere with or cause damage to underground utility lines, public roads or other public facilities.
 6. Lawn Grasses. Lawn grasses shall be planted in species normally grown as permanent lawns in Oakland County. Grasses may be plugged, sprigged, seeded or sodded except that rolled sod, erosion reducing net or suitable mulch shall be used in swales or other areas susceptible to erosion and shall be staked where necessary for stabilization. When complete sodding or seeding is not used, nurse grass seed shall be sown and mulched for immediate protection until permanent coverage is achieved. Grass sod and seed shall be free of weeds and noxious pests or disease.
- g. Modification of screening and landscape requirements. Recognizing that a wide variety of land uses and the relationship between them can exist, and that varying circumstances can mitigate the need for screening and landscaping, the planning commission may reduce or waive the screening and landscaping requirements of this section and approve an alternative screening plan upon finding that compliance with this section would not otherwise be feasible. The Planning commission shall find that the following standards have been met whenever it modifies any screening or landscaping requirements:
1. The screening and landscaping plan shall protect the character of new and existing residential neighborhoods against negative impacts such as noise, glare, light, air pollution, trash and debris, and hazardous activities.
 2. The alternate width and type of buffer zone and screening provided therein will ensure compatibility with surrounding and nearby land uses because:
 - a) The development is compatible with and sensitive to the immediate environment of the site and neighborhood relative to architectural design, scale, bulk, building height, identified historical character, disposition and orientation of buildings on the lot and visual integrity.
 - b) The site has natural existing vegetation and/or topography, natural bodies of water or wetland areas or other existing conditions which offer screening consistent with the standards set forth in this article ~~12[XVII]~~ [Article 3, Division 3]. The planning commission shall require the preservation of these natural features as a condition of site plan approval.

- c) The arrangement, design and orientation of buildings on the site maximize privacy and isolate adjacent and nearby land uses from any potential negative impacts of the project.

SEC. 448 Standards for Compliance for Existing Sites

Amend to read the following:

In any case where the building and/or parking area is being increased by at least twenty-five percent (25%) over the originally approved site plan or is being changed to a more intense use as determined by the Planning Commission, the site shall be brought into full compliance with the landscape standards herein. In instances where the increase in building and/or parking area is less than twenty-five percent (25%) over the original site plan, the extent of new landscaping shall be equal to four percent (4%) of compliance for every one percent (1%) of increase in building or parking footprint. For example, a building or parking area increase of ten percent (10%) requires forty percent (40%) compliance with the landscape standards. In cases where no increase in building and/or parking area is proposed, the City Planner may require new or revised landscaping to bring the site into greater conformity with the landscape standards.

Article 4, Division 4: Signs

SEC. 471 General Standards for permitted Signs

Amend provision (a.1) to read the following:

All signs, unless otherwise provided for in this article, shall be set back a minimum of five feet from any public or private street right-of-way line, access drive, or sidewalks in all zoning districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way, access drive, or sidewalk.

SEC. 472 Specific Sign Standards

Amend provision (b.2.a)

- a. Temporary signs shall not be attached to any utility pole, tree, fence, or be located within any public right-of-way or on City-owned property.

SEC. 473 Additional Sign Standards

Amend provision (f) to read the following:

- f. Sandwich board signs. Sandwich board or portable A-frame signs are permitted, after issuance of an annual permit, in the B-1, B-2, PCD and MX-1 Districts at the customer building entrances to businesses subject to the following requirements:

Amend provision (f.8) to read the following:

8. Sandwich board signs within the public right-of-way and/or placed on City owned property may be moved/removed by the city. ~~for municipal purposes (i.e. code enforcement, snow removal, traffic issues, maintenance, etc.)~~

SEC 474 Prohibited Signs

Amend provision (a) to add the following provision:

19. Any sign placed on City owned property, unless placed by the City itself.

SEC. 476 Dangerous, Unsafe, abandoned, and Illegally Erected Signs

Amend provision (c) to read as the following

- c. ~~Obsolete or~~ A abandoned signs. Permanent signs applicable to a business suspended by a change in ownership or management shall not be deemed abandoned unless the structure remains vacant for at least ~~six months~~ 30 consecutive days. An abandoned sign shall be removed by the owner or lessee of the premises within ten days after written notice from the city building official.

SEC. 477 License and Insurance

Amend to read as the following and create Section 478 for Administration, Enforcement, Violation, and Penalties; and re-order the remaining sections:

Every person who engages in the business of erecting, altering or dismantling signs in the city shall first submit ~~proof of appropriate licenses and~~ a liability insurance policy that indemnifies the city and its prior, present and future officials, representatives and employees from all damage suits or actions of every nature brought or claimed against the erector for injuries or damages to persons or property sustained by any person or persons through any act of omission or negligence of said erector, his servants, agents or employees. Said policy shall contain a clause whereby it cannot be canceled or changed until after written notice has been filed with the city building department at least 30 days ~~six months~~ prior to the date of cancellation. The building official shall issue a permit for the sign upon determining that the proposed sign meets the provisions, standards and regulations of this article and any other applicable city ordinance and after payment of the prescribed fees and deposit. ~~Sec.478 Administration, enforcement, violations, and penalties~~

SEC. 478 Administration, Enforcement, Violations, and Penalties

- a. Generally. The regulations of this article shall be administered and enforced by the building official.
- b. Violations. It shall be unlawful for any person to erect, construct, maintain, use, display, enlarge, alter, convert, repair, or move, any sign in the city, or cause or permit the same to be done, contrary to or in violation of any of the provisions, standards and regulations of this article. Each act of violation, and on each day upon which any such violation shall occur, shall constitute a separate offense.

- c. Public nuisance per se. Any sign erected, constructed, maintained, used, displayed, enlarged, altered, converted, repaired, or moved in violation of any of the provisions, standards, and regulations of this article, including the failure to remove a sign when directed under the authority of this article, is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction,
- d. Municipal civil infraction. Any person, firm or corporation determined to have violated or been in violation of the provisions, standards or regulations of this article shall be responsible for a municipal civil infraction and subject to the penalties and provisions contained in this Code.
- e. Other relief.
 - 1. In addition to the remedies otherwise provided for, the city may remove and dispose of an unlawful sign on public property.
 - 2. In addition to ordering the defendant determined to be responsible for a municipal civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin violation of this article.
 - 3. In addition to any remedies provided for by this Code, any equitable or other remedies available may be sought and granted.

Article 5, Division 3: Conditional land Use

SEC. 540 Purpose

Amend to read the following:

The intent of this Article is to provide standards for conditional land uses, which are uses with specific conditions that if met, make the use permitted by right. These conditions are intended to minimize potential negative impacts to other surrounding land uses that could arise due to operations of the particular use. This Article provides standards for the ~~Zoning Administrator~~ **City Planner** or Planning Commission, depending upon the site plan review requirements, to review and determine if the conditions have been met.

SEC. 541 Standards for Approval

Amend provision (a) to read the following:

- a. Prior to approving a conditional land use, ~~the City Planner~~ **Zoning Administrator** shall require that the proposed use meets all requirements and standards. If all requirements and standards are met, a conditional use permit is granted.

SEC. 541 Requirements and Standards of Approval

Amend provision (b) to read the following:

- b. The Department of Technical and Planning Services Division of Building Inspector and/or Zoning Official shall make periodic investigations of the conditional land use to ensure continued compliance with all requirements and standards imposed by this Article. Noncompliance with the requirements for the conditional land use shall constitute grounds for the Department of Technical and Planning Services Division of Building Inspector and/or Zoning Official ~~Administrator~~ to terminate the approval.

SEC. 543 Validity of Conditional Land Use Approval

Amend provision (b) to read the following:

- b. Upon written application filed prior to the termination of the eighteen (18) month period, the City Planner ~~Zoning Administrator~~ may authorize a single extension of the time limit for a further period of not more than 12 months. Such extension shall only be granted based on evidence from the applicant that the development has a reasonable likelihood of commencing construction within the 12-month extension.

SEC. 544 Conditional land Use Specific Requirements

Subsection C. Automobile Washes, Automatic or Self-service

Amend provision (2) to read the following:

2. Where adjoining residentially zoned or used property, a decorative masonry wall six (6) feet in height shall be erected along any common lot line. Such wall shall be continuously maintained in good condition. ~~The Zoning Official or Planning Commission may approve a fence, landscaped berm, or landscaping as an alternative.~~ In addition, a five-foot wide greenbelt shall be installed adjacent to the required wall. This greenbelt shall be planted in accordance with the following:

Subsection d. Automobile or vehicle Dealership

Amend provision (1.a.9) and (1.a.10) to read the following:

- 9) A six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, ~~or a six-foot-high pressure-treated wood or vinyl obscuring fence.~~ The plan shall detail the location, height and type of wall/~~fence~~ proposed, shall be located on all property lines which abut any residential district.
- 10) Where the storage yard abuts residentially zoned property there shall be a ten-foot-wide landscaped greenbelt, between the property line and the ~~fence~~/wall. Said greenbelt shall be planted in accordance with Article 4, Division 3 Landscaping, Section 445.

Subsection q. Manufacturing, packaging, Assembly, fabrication of Products

Amend provision (3) to read the following:

3. Where the outdoor placement of an aboveground storage tank is necessary, the storage tank must be completely screened from public view. The screening shall consist of a masonry wall of brick, stone or poured concrete with a decorative pattern ~~or a treated wood obscured fence.~~ The design and material of the screening to be approved by the planning commission and city council.

Article 5, Division 4: Special land Use

SEC. 556 Special land Use Amendments and Expansions

Amend provision (a) to read the following:

- a. Amendments. Any person or agency who has been granted a special land use approval shall notify the ~~Zoning Administrator~~ City Planner of any proposed amendment to the approved site plan of the special land use. The City Planner ~~Zoning Administrator~~ shall determine whether the proposed amendment constitutes a minor or major amendment based on the determination standards for all site plans in accordance with the requirements of Article 5, Division 1, Section 511, Deviations from Approved Site Plan. A major amendment to a special land use approval shall comply with the application and review procedures contained in this Article.

SEC. 557 Special Use Specific requirements

Amend provision (m.8) to read as the following:

8. The storage yard shall be screened on all sides by a six-foot-high masonry wall of face brick, six-foot-high simulated brick pattern poured concrete wall, or a six-foot-high treated-wood or vinyl obscuring fence. In industrial districts, a fence shall be permitted up to eight (8) feet as permitted in Sec. 308 of this ordinance. The plan shall detail the location, height and type of wall/fence proposed. The Planning Commission may approve a partial or complete substitution of the screening requirement using existing or proposed topography, dense vegetation, or other natural or manmade features that would produce substantially equivalent results of screening and durability.

Article 6, Division 1: None-Conforming Uses, Structures, and lots

SEC. 600 Non-conforming Uses, Structures, and Lots, In General

Amend provision (e) to read the following:

- e. To avoid undue hardship, nothing in this Division shall be deemed to require a change in the plans, construction or designated use of any structure on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Division, and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner except that where demolition or removal of an existing structure has been substantially begun ~~preparatory to~~ in

preparation for rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the structure involved.

SEC. 601 Non-conforming Lots

Amend provision (a) to read the following:

- a. Use of Nonconforming Lots. Any lot of record existing at the effective date of the ordinance codified in this chapter that now fails to meet the requirements for area or width, or both, that are generally applicable in the district shall be considered a nonconforming lot. A principal building and customary accessory buildings for a permitted use may be erected on any nonconforming lot of record, provided all other standards of this title are met, including ~~such as~~ setbacks, minimum floor area, maximum height and access requirements.

SEC. 602 Non-conforming Uses

Amend provision (c.2) to read the following:

2. The property, buildings, or grounds have fallen into disrepair and/or are declared a public nuisance. (See Chapter 18, Article V: Dangerous Buildings and Article VI: Property Maintenance Code)

SEC. 604 Non-conforming Structures

Amend provision (e) to read as the following:

- e. Should such structure be destroyed by any means to an extent greater than fifty percent (50%) of its replacement cost at time of destruction of the square footage of the floor area of the structure, it shall not be reconstructed except in conformity with the provisions of this chapter.

SEC. 605 Expansion of a Non-conforming Residential Building

Amend to delete standard (a) and re-order the provisions to read as the following:

A non-conforming residential building may be expanded into a side or rear yard in a manner that does not comply with the setback standards with approval from the Zoning Board of Appeals Administrator. The Zoning Board of Appeals Administrator shall utilize the following standards:

- ~~a. The expansion does not involve an additional story to the residential building.~~
- a. ~~b.~~ The expansion does not extend closer to the lot line than any existing, non-conforming part of the structure.
- b. ~~e.~~ The addition does not extend beyond the predominant existing building line along the same block.
- c. ~~d.~~ The addition retains compliance with all other setback, lot coverage, and height requirements.

- d. ~~e.~~ The addition will meet all minimum building code requirements.
- e. ~~f.~~ The resultant addition, in terms of dimensions and design, would be compatible with the established character of the neighborhood.
- f. ~~g.~~ The design of the addition must be compatible with the existing structure and not detract from the appearance of the site.
- g. ~~h.~~ The expansion of a residential building with a non-conforming yard, not meeting the requirements above, shall be prohibited unless a variance is granted by the Zoning Board of Appeals (ZBA).

SEC. 606 Continuance of Non-conforming Uses of Structures and Land

Amend provision (e) to read the following:

- e. When a non-conforming use of a structure, or structure and premises in combination, is discontinued or ceases for six (6) consecutive months or for eighteen (18) months during any three-year period, the structure, or structure and premises in combination, shall not thereafter be used, except in conformance with the regulations of the zoning district in which it is located; structures occupied by seasonal uses shall be excepted from this provision. These provisions may be waived, as determined by the City Manager, upon substantiation that there is intent to continue the nonconformity.

Article 6, Division 2: Administration and Enforcement

Amend Section 620 to read the following:

SEC. 620 Enforcement Authority ~~or Zoning Administrator~~

Except where herein otherwise stated, the provisions of this section shall be administered by the ~~Zoning Administrator, or such other official or officials as may be designated by the City Council~~ Department of Technical and Planning Services, Division of Building Inspector. The ~~Zoning Administrator~~ Division of Building Inspector shall have the power to:

- a. ~~The Zoning Administrator or designated City official shall m-~~ Make inspections of buildings and premises necessary to carry out the duties of administration and enforcement of this Ordinance.
- b. ~~The Zoning Administrator or designated City official shall i-~~ Issue and serve appearance tickets on any person with respect to any violation of this Ordinance where there is reasonable cause to believe that the person has committed such an offense.
- c. ~~The Zoning Administrator or designated City official shall i-~~ Issue a certificate of zoning compliance when the requirements of this Ordinance have been met.
- d. ~~The Zoning Administrator or designated City official shall p-~~ Perform such other functions necessary and proper to enforce and administer the provisions of this Ordinance.

SEC. 621 Planning Commission

Amend Provision (L.7) to read the following:

7. Review and ~~approval~~ make recommendations to City Council regarding proposed public works projects, including the removal, location, widening, narrowing, vacating, abandonment, change of use, or extension of streets, alleys, grounds, open spaces, building, public utilities and terminals;

Amend provision (O) Procedures to read the following:

O. Procedures.

1. Applicants shall appear at hearing(s) regarding their case, either personally or by designated representatives who are authorized by the applicant in writing to act on their behalf for purposes of the application. The Planning Commission may conduct the required hearing and reach a decision on all applications without the applicant being present unless the applicant, for good cause, requests a continuance in writing prior to the hearing.
2. The Planning Commission shall make no decision except in a specific case and after requiring a public hearing, if applicable.
3. The ~~administrative official~~ secretary of the Planning Commission shall prepare and maintain minutes of all Planning Commission proceedings. The minutes shall be the final authority on proceedings and shall be the responsibility of the secretary of the Planning Commission. The Commission shall approve all minutes prior to their designation and use as the official record of proceedings. Where a written record is required or requested, the approved minutes, along with any plans or other information submitted with the application shall constitute the written decision.
4. The official records of the Planning Commission shall be maintained by the ~~City Clerk. and/or the administrative official so designated.~~
5. The Planning Commission may adopt by-laws for the conduct of its meetings and hearings.

SEC. 622 Performance Guarantees

Amend the provisions to read the following:

~~a. As a condition of approval of a site plan, special land use or planned unit development~~ To insure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the ~~Zoning Administrator~~ Department of Technical and Planning may require a financial guarantee of sufficient sum to assure the installation of those features or components of the approved activity or construction which are considered necessary to protect the health, safety and welfare of the public and of users or inhabitants of the proposed development and in accordance with Section 505 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. Such features or components, hereafter referred to as "improvements," may include, but shall not be limited to, roadways, curbs, landscaping, fences, walls, screens, lighting, drainage facilities, sidewalks, driveways, parking areas, utilities, and similar items. ~~Financial guarantees~~

~~are generally required for items that cannot be completed due to weather or related delays, yet a temporary certificate of occupancy is sought.~~

- ~~b.~~ a. Performance guarantees shall be processed in the following manner:
1. Prior to the issuance of a certificate of occupancy, the applicant shall submit an itemized estimate of the cost of the uncompleted required improvements, which shall then be reviewed by the Department of Technical and Planning Services Zoning Administrator. The amount of the performance guarantee shall be no greater than one hundred percent (100%) of the cost of installing the uncompleted improvements, ~~plus the cost of necessary consultants and a reasonable amount for contingencies.~~
 2. The required performance guarantee may be in the form of a cash deposit, certified check, performance bond, or irrevocable bank letter of credit acceptable to the City. If the applicant posts a letter of credit, the credit shall require only that the City present the creditor with a sight draft and an affidavit signed by an authorized representative of the City attesting to the City's right to draw funds under the letter of credit. If the applicant posts a cash escrow, the escrow instructions shall provide that the escrow agent shall have a legal duty to deliver the funds to the City whenever an authorized representative of the City presents an affidavit to the agent attesting to the City's right to receive funds whether or not the applicant protests that right. If the applicant posts a performance bond and the improvements are not complete by the time a certificate of occupancy is requested in the case of a building project, or by the time a building permit is requested on a lot in a new subdivision or condominium, then the performance bond shall be replaced by a bank letter of credit or cash escrow prior to the issuance of said certificate of occupancy or building permit.
 3. Upon receipt of the required performance guarantee, the ~~Zoning Administrator~~ Department of Technical and Planning Services, Division of Building Inspector may issue a temporary certificate of occupancy for the subject development or activity, provided it is in compliance with all other applicable provisions of this ordinance.
 4. When all of the required improvements have been completed, the ~~applicant obligor~~ shall send written notice to the Department of Technical and Planning Services, Division of Building Inspector Zoning Administrator of completion of such improvements. Thereupon, the Department of Technical and Planning Services, Division of Building Inspector Zoning Administrator shall inspect all of the improvements and shall recommend to the Zoning Administrator Planning Commission either approval or rejection of the improvements with a statement of the reasons for any rejections.
 5. The Planning Commission Zoning Administrator shall then either approve or reject the improvements. The Planning Commission Zoning Administrator shall notify the ~~obligor~~ applicant in writing of the action

within thirty (30) days after receipt of the notice from the obligor of the completion of the improvements.

6. The Department of Technical and Planning Services, Division of Building Inspector ~~Zoning Administrator~~, upon completion of all required improvements, shall issue a certificate of ~~zoning~~ compliance and forward it to the Building Official.
7. Upon receipt of the certificate of ~~zoning~~ compliance and request of the ~~obligor applicant~~, the ~~Zoning Administrator~~ Department of Technical and Planning Services, Division of Building Inspector shall rebate the performance guarantee, if applicable, upon determination that the improvements for which the rebate has been requested have been satisfactorily completed.
8. Performance guarantees shall not be returned until all debts or obligations to the City are resolved.
9. A record of authorized performance guarantees shall be maintained by the ~~Zoning Administrator~~ Department of Technical and Planning Services, Division of Building Inspector.

Add a new Section and re-order the remaining sections

SEC. 624 PERMIT REQUIRED – ZONING; BUILDING

- A. It shall be unlawful to commence or conduct any of the following until the administrative official has issued a zoning compliance permit and a building permit has been issued for such work or change:
 1. The excavation, construction, reconstruction, repair, moving, or alteration of:
 - (a) Any building or structure for which a building permit is required by the building code, or
 - (b) Any parking lot, sign (see definition), tower, bridge, or any structure having a cost or value of more than five hundred dollars (\$500.00).
 2. A change in the use or occupancy of any building or land to a type of use or occupancy which is not expressly permitted by the district's regulations specified in this ordinance.
- B. The zoning compliance permit shall include a certificate by the Department of Technical and Planning that plans, specifications, and description of such use(s) and structure(s) do in all respects conform to the provisions of this ordinance.
- C. The application shall be made in writing to the Department of Technical and Planning on forms provided for that purpose. A record of all such applications shall be kept on file by the Department of Technical and Planning. When the Department of Technical and Planning receives an application for a zoning compliance permit which requires special land use approval, or other approval, the Department of Technical and Planning shall so inform the applicant.

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 7, 2022**AGENDA #**

SUBJECT: Request from Commercial Grounds Services for a contract extension of the 2021 Landscape Maintenance Project, M-720.

DEPARTMENT: Public Works – *DED*

SUMMARY: Attached is a request from Commercial Grounds Services for a contract extension of the 2021 Landscape Maintenance Contract, M-720. Commercial Grounds Services has indicated that they would like to execute a one (1) year extension of their unit prices from this project to perform the 2022 Landscape Maintenance Contract, M-742. The original 2020 contract documents allow for up to two (2) one-year extensions. This will be the final extension. This project includes the landscape maintenance of the city complex, Nine Mile and Coolidge Intersection, Nine Mile corridor, as well as the city welcome signage.

FINANCIAL STATEMENT: There is a total of \$70,000 available in the Major Street Fund and General Fund budget for these expenditures.

RECOMMENDED ACTION: It is recommended City Council approve the offer for the contract extension from Commercial Grounds Services for the 2022 Landscape Maintenance Project, M-742 for a total amount of \$66,640.00. Funding is available in the Major Street Fund and General Fund budget for these expenditures.

APPROVALS:

City Manager: _____

Department Director: _____

Finance Director: _____

Legal: _____

Budgeted: ☐

EXHIBITS: Extension letter from Commercial Grounds Services

COMMERCIAL GROUNDS SERVICES

P.O. Box 39854
Redford, Mi 48239

Dave De Coster
Director of Facilities/Deputy Director of Public Works
City of Oak Park
10600 Capital
Oak Park, Mi 48237

March 1, 2022

Re: Landscape Maintenance Services contract – option year

Dear Dave,

Commercial Grounds Services would like to exercise the option year and extend the contract through 2022 with the same contract pricing and conditions as 2021.

Please advise if Oak Park agrees to the extension as we look forward to working together in 2022.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Levesque", followed by a long horizontal flourish.

Linda Levesque
Owner/Operator

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 7, 2022**AGENDA #**

SUBJECT: Request from Xpert Lawn and Snow, LLC for a contract extension of the 2021 Lawn Maintenance Contract, M-721.

DEPARTMENT: Public Works – *DED*

SUMMARY: Attached is a request from Xpert Lawn and Snow, LLC for a contract extension of the 2021 Lawn Maintenance Contract, M-721. Xpert has indicated that they would like to execute a one (1) year extension of their unit prices from this project to perform the 2022 Lawn Maintenance Contract, M-743. The contract allows for up to two (2) one-year extensions. This project will mow and litter pick the lawns in the City's parks, grounds, and rights of way.

FINANCIAL STATEMENT: There is a total of \$138,000 available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works Other Parks budget for these expenditures.

RECOMMENDED ACTION: It is recommended City Council approve the offer for the contract extension from Xpert Lawn and Snow, LLC for the 2022 Lawn Maintenance Contract, M-743 for a total amount of \$112,488.00. Funding is available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works budget.

APPROVALS:

City Manager: _____

Department Director: KJY

Finance Director: _____

Legal: _____

Budgeted ☐

EXHIBITS: Extension letter from Xpert Lawn and Snow



21083 MOUND RD.
WARREN, MI 48091

248.721.0794

**XPRTLAWNANDSNOW.COM WEBSITE
XPRTLANDSCAPING@YAHOO.COM EMAIL**

March 1, 2022

Xpert Lawn and Snow, INC.
21083 Mound Road
Warren, MI 48091

RE: CONTINUANCE OF THE 2021 LAWN MAINTENANCE CONTRACT, M-721

DAVE DECOSTER:

This letter is being submitted to tell you that we intend to continue this contract. The current agreement lapses on December 1, 2021. The city of Oak Park would like to exercise a renewal option for the period of April 1, 2022 through November 30, 2022. We accept the renewal of this contract. I have attached our updated insurance certificate.

Sincerely,

Corey Bambrough,
President



CITY OF OAK PARK

COMMUNICATIONS AND PUBLIC INFORMATION

Courtney Flynn, Director

Mayor
Marian McClellan
Mayor Pro Tem
Julie Edgar
Council Members
Solomon Radner
Carolyn Burns
Shaun Whitehead
City Manager
Erik Tungate

Meeting of the Oak Park City Council City Manager's Report March 7, 2022

15C

COMMUNITY ANNOUNCEMENTS

Recreation Department:

- **Doll Making 102:** March 23, 10 am-1pm. This class will cover the basics of fiber art doll making as each participant creates their own "Sweet Water Mermaid" in anticipation of the summer months. This class is designed for adults. Cost is \$45/resident
- **Doll Making 101:** March 26, 10 am-1 pm. This class is designed for an adult and any young person (ages 8 and up) that they want to spend special time with as they create a Faery Wrap Doll. Cost is \$45/resident.
- **Theatre Trips:** Summer: The Donna Sumer Musical and Ladies in Lavender are both sold out theater trips.

Library:

- **Friends of the Oak Park Public Library:** "Bag-of-Books" sale March 7 through March 20; One-on-One Technology Assistance: Offered through the Library on a continuous basis by appointment. All technology-related questions are welcome!
- **Kuungana West African Drum and Dance Company:** To perform at the Library after school on Tuesday, April 19 at 4 pm. This presentation is aimed at a teen audience, but everyone is welcome to come and learn all about West African culture, especially as it relates to drumming and dance. This event is being funded by the Michigan Humanities Council, an affiliate of the National Endowment for the Humanities.
- **After School Tutoring:** The library is offering this free programs to students on Mondays, Wednesdays and Thursday through a partnership with Eton Academy. For more information please call Eton Academy at 248-642-1150 x131.

**CITY OF OAK PARK
MICHIGAN**

Resolution CM-03-XXX-22

**RESOLUTION CHANGING COUNCIL MEMBER APPOINTMENTS
TO BOARDS AND COMMISSIONS**

BE IT RESOLVED, that the City Council of the City of Oak Park, hereby authorizes the following Council Member appointment changes to City Boards and Commissions:

- Shaun Whitehead removed from the Traffic Safety Board.
- Julie Edgar removed from the Recycling Commission and added to the Traffic Safety Board.
- Solomon Radner added to the Recycling Commission.

MOTION DECLARED ADOPTED

I, T. Edwin Norris, duly authorized City Clerk of the City of Oak Park, Michigan, do hereby certify that the above resolution is a true and correct copy of a resolution adopted by the Oak Park City Council at a Regular Meeting held on March 7, 2022.

T. Edwin Norris, City Clerk