

Oak Park City Council Agenda

March 5, 2018





AGENDA
REGULAR CITY COUNCIL MEETING
37th CITY COUNCIL
OAK PARK, MICHIGAN
March 5, 2018
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 Council Meeting Minutes of February 19, 2018
- B. Special Council Meeting Minutes of February 19, 2018
- C. Beautification Advisory Commission Meeting Minutes of December 19, 2017
- D. Recycling and Environmental Conservation Commission Meeting Minutes of December 21, 2017
- E. Request to advertise for bids for 2018 Landscape Maintenance Project, M-679
- F. Payment Application No. 3 (FINAL) for the 2016 Catch Basin Line Replacement & Sewer Lateral Repair Project, M-648 to Troelsen Excavating Company of Troy, MI. for the total amount of \$1,000.00
- G. Licenses - New and Renewals as submitted for March 5, 2018

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS:

- A. Superintendent of Ferndale Public Schools – Dania H. Bazzi, PhD
- B. Oath of Office for newly appointed Board & Commission members

8. PUBLIC HEARINGS: None

9. COMMUNICATIONS: None

10. SPECIAL LICENSES: None

11. ACCOUNTING REPORTS:

- A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$1,946.30

12. BIDS:

- A. Request to reject all bids for the 2018 Lawn Maintenance Contract, M-678 and allow the Public Works Department to scale back the project for rebidding

13. ORDINANCES:

- A. Second reading and adoption of an ordinance to amend Article III, Zoning Districts & Map, Article XV Reserved, Article XVI, Schedule of Regulations, Article XVIII, Signs, Sections 1803 & 1805, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan
- B. Second reading and adoption of an ordinance to amend Appendix A-Zoning, Article III, and the Official Zoning Map contained therein, being part of the Code of Ordinances of the City of Oak Park, Michigan, by changing the Use District of certain parcels of land in Section 19 and currently Zoned LI, Light Industrial District to MX-1, Mixed-Use District
- C. First reading of an ordinance to amend Section 1-24(4) of Chapter 1, General Provisions, of the Code of Ordinances, City Of Oak Park
- D. First reading of an ordinance to amend Section 18-282 of Chapter 18, Buildings and Building Regulations, of the Code of Ordinances, City of Oak Park
- E. First reading of an ordinance to amend Sections 3-3(1), 3-4, and 3-5, of Chapter 3, Municipal Civil Infractions, of the Code of Ordinances, City of Oak Park
- F. First reading of an ordinance to amend Section 22-505 of Chapter 22, Businesses, of the Code of Ordinances, City of Oak Park
- G. First reading of an ordinance to amend Section 71-22(a) of Chapter 71, Telecommunication Services, of the Code of Ordinances, City of Oak Park
- H. First reading of an ordinance to amend Sections 14-1, 14-4, and 14-29, of Chapter 14, Animals, of the Code of Ordinances, City of Oak Park
- I. First reading of an ordinance to amend Section 78-82 of Chapter 78, Trees, of the Code of Ordinances, City of Oak Park

14. CITY ATTORNEY:

15. CITY MANAGER:

Administration

- A. State of the City Address – March 14, 2018

Finance

- B. 2018-19 Three Year Budget Schedule
- C. Request to reschedule the Wednesday, May 23, 2018 Council Meeting to Wednesday, May 16, 2018

16. CALL TO THE AUDIENCE

Each speaker's remarks are a matter of public record; the speaker, alone, is responsible for his or her comments and the City of Oak Park does not, by permitting such remarks, support, endorse or accept the content, thereof, as being true or accurate. "Any person while being heard at a City Council Meeting may be called to order by the Chair, or any Council Member for failure to be germane to the business of the City, vulgarity, or personal attacks on persons or institutions." There is a three minute time limit per speaker.

17. CALL TO THE COUNCIL

18. 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
37th OAK PARK CITY COUNCIL
February 19, 2018
7:00 PM**

MINUTES

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

PRESENT: Mayor McClellan, Mayor Pro Tem Radner, Council Member Burns, Council Member Rich, Council Member Weiss

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

CM-02-054-18 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED – APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve the agenda with the following change:

- Omit Item 15A - Request to authorize a letter of support for a bike share Transportation Alternatives Program (TAP) grant

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-02-055-18 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of February 5, 2018 **CM-02-056-18**
- B. ~~(Removed from the Consent Agenda by Mayor McClellan)~~ **CM-02-057-18**
- C. Request to cancel the regularly scheduled Zoning Board of Appeals meeting of February 27, 2018 **CM-02-058-18**
- D. Payment Application No. 1 for the 2017 Sewer & Catch Basin Cleaning & TV Inspection Project, M-673 to Taplin Group, LLC of Kalamazoo, MI. for the total amount of \$57,882.68 **CM-02-059-18**

- E Payment of invoices from Orchard, Hiltz & McCliment (OHM) for, the Water System Asset Management Plan, SAW Grant Support and the Nine Mile TAP Grant Design in the total amount of \$51,155.50 CM-02-060-18
- F. Licenses - New and Renewals as submitted for February 5, 2018 CM-02-061-18

MERCHANT'S LICENSES – February 5, 2018
(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Spectrum Autoworks	14799 Eleven Mile	\$825	Automotive
<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Auto Metal Craft	10230 Capital	\$150	Sheet Metal Fabricators
Auto Metal Craft	10240 Capital	\$150	Sheet Metal Fabricators
Ernie's Market	8500 Capital	\$150	Restaurant
ANA Woodwork Studio	8575 Capital	\$187.50	Custom Cabinetry
Talk A Lot Warehouse	21150 Coolidge	\$150	Cellular
Select Restaurant Equipment	21380 Coolidge A	\$225	Restaurant Equipment
Mopec	21750 Coolidge	\$150	Equipment Supplier
Citi Trends	22106 Coolidge	\$187.50	Retail
Mercury Drugs	22150 Coolidge	\$150	Pharmacy
Walk in the Park Coin Laundry	23170 Coolidge	\$150	Laundry
H O Trerice Co	12950 Eight Mile	\$150	Temperature Control Devices
Impressive Tile	12992 Eight Mile	\$150	Tile
Hull Brothers Rental	12992 Eight Mile B	\$150	Equipment Rental
C D Nails	13710 Eight Mile	\$150	Salon
Florals 4 U, LLC	14500 Eight Mile 202A	\$150	Florist
Barton Malow Company	21090 Fern	\$150	Construction Management
T M Leasing / Monaghan's Tow	21680 Fern	\$150	Automotive
Monalocks Hair LLC	23020 Geneva	\$150	Salon
McDonald's	21000 Greenfield	\$150	Restaurant
The Wellness Plan Medical Ctr	21040 Greenfield	\$150	Medical
Another Level Unisex Salon	21700 Greenfield LL17	\$150	Salon
Metropolitan Rehab Clinic	21700 Greenfield 130	\$150	Rehabilitation
Golden Hands of Regina	21700 Greenfield 204	\$150	Salon
Diamond Star Fine Jewelry	21700 Greenfield 322	\$150	Jeweler
Sam's Diamond/Best Jewelers	21700 Greenfield 323	\$150	Jeweler
Herman's Creation	21700 Greenfield 324	\$150	Jeweler
Renaissance Jewelers	21700 Greenfield 325	\$150	Jeweler
Steve's Creation Jeweler	21700 Greenfield 329	\$150	Jeweler
Dtown Grillz	21700 Greenfield 348	\$150	Jeweler
K & S Design Jewelry	21700 Greenfield 477	\$150	Jeweler
Findings Outlet	21990 Greenfield 100	\$150	Jeweler supplies
Gary S Ellenson, Attorney	23300 Greenfield 106	\$150	Attorney
My Dream Clozet	25250 Greenfield	\$187.50	Salon
Berkley's Gourmet Cupcakes	25294 Greenfield	\$150	Bakery
Crown Snack Shop	25900 Greenfield 116	\$187.50	
Quality Health Care Training	25900 Greenfield 138	\$187.50	Educational
Bread Basket Deli Inc	26052 Greenfield	\$187.50	Restaurant
1-800-Mini Storage	26660 Greenfield	\$150	Storage
Sandler Chiropractic	15400 Lincoln 3	\$150	Medical
Silvia's European Hair Design	10132 Nine Mile	\$150	Salon
Occupational Rehabilitation	10350 Nine Mile	\$150	Rehabilitation
Community Family Dentistry	10470 Nine Mile	\$150	Dentist

Fallou's African Hair Braiding	12716 Nine Mile	\$187.50	Salon
Quick Cash and More LLC	13710 Nine Mile	\$150	Financial
CSL Plasma	13770 Nine Mile	\$150	Medical
Peteets Famous Cheesecakes	13835 Nine Mile	\$187.50	Bakery
LM Studio	8104 Nine Mile	\$150	Art Studio
Great Hands Massage	8230 Nine Mile	\$150	Massage
Trend Express Market	8580 Nine Mile	\$150	Retail
Pairs Food Store	9000 Nine Mile	\$150	Retail
Ringside Creative LLC	13320 Northend 3000	\$150	Media Studio
Moonlink Studios LLC	13320 Northend 3000	\$150	Media Studio
Unique Furniture	21820 Wyoming Pl	\$150	Custom Furniture

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

MOTION DECLARED ADOPTED

CM-02-062-18 (AGENDA ITEM #5B – Removed from the Consent Agenda by Mayor McClellan) Board of Review Organizational Meeting Minutes of February 8, 2018 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the Board of Review Organizational Meeting Minutes of February 8, 2018.

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

MOTION DECLARED ADOPTED

Mayor McClellan explained the anticipated increase in assessed home values in Oak Park and compared them to potential increases in property taxes.

RECOGNITION OF VISITING ELECTED OFFICIALS:

County Commissioner Helaine Zack presented information regarding activities related to Oakland County.

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7A) Special Recognition. Mr. Brian Ede, owner of Michigan Insurance and Financial Services, was recognized for his gift of a K-9 First Aid Kit to the Oak Park Public Safety Department.

(AGENDA ITEM #7B) City Manager Employee Recognition. City Manager Tungate presented an Employee Recognition Award to Dave DeCoster from the Department of Public Works.

(AGENDA ITEM #7B) Special Presentation. Mike Chambers from Utility Service Partners, Inc., presented information on a service line warranty program.

PUBLIC HEARINGS:

(AGENDA ITEM #8A) Mayor McClellan opened the public hearing at 7:57 PM to hear comments on the City of Oak Park Parks and Recreation Master Plan (2018-2022). Alexander Simpson spoke in favor of the plan and thanked the Parks and Recreation Commission for their contribution to the plan. The public hearing was closed at 8:01 PM.

CM-02-063-18

(AGENDA ITEM #8A) RESOLUTION ADOPTING THE CITY OF OAK PARK PARKS AND RECREATION MASTER PLAN (2018-2022) - APPROVED

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to approve the following resolution adopting the City of Oak Park Parks and Recreation Master Plan (2018-2022):

**A RESOLUTION OF THE OAK PARK, MICHIGAN CITY COUNCIL ADOPTING
A PARKS AND RECREATION MASTER PLAN (2018-2022)**

WHEREAS, the City of Oak Park, Michigan has undertaken a planning process to determine the recreation and conservation needs and desires of its residents during a five (5) year period covering the years 2018 through 2022; and

WHEREAS, the City of Oak Park, Michigan began the process of developing a community recreation and natural resource conservation plan in accordance with the most recent guidelines developed by the Michigan Department of Natural Resources and made available to local communities; and

WHEREAS, residents of the City of Oak Park, Michigan were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan; and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least thirty (30) days; and

WHEREAS, at its meeting held on February 19, 2018, the City Council held a Public Hearing providing all residents of the planning area an opportunity to express opinions, ask questions, and discuss all aspects of the Parks and Recreation Master Plan (2018-2022); and

WHEREAS, the City of Oak Park, Michigan has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the City of Oak Park, Michigan; and

WHEREAS, after the public hearing, the Oak Park, Michigan City Council voted to adopt said Parks and Recreation Master Plan (2018-2022).

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Oak Park, Michigan hereby adopts the Parks and Recreation Master Plan (2018-2022).

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

MOTION DECLARED ADOPTED

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

**CM-02-064-18 (AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF AN
INVOICE SUBMITTED BY SECREST, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, P.C. FOR LEGAL SERVICES
IN THE TOTAL AMOUNT OF \$161.20 - APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of invoice #1327541 by Secrest, Wardle, Lynch, Hampton, Truex & Morley, P.C. for legal services in the total amount of \$161.20

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

MOTION DECLARED ADOPTED

**CM-02-065-18 (AGENDA ITEM #11B) APPROVAL FOR PAYMENT OF
INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C.
FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$32,903.34
- APPROVED**

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoices #488488, #488487, #488486, 488484, 488485, 489902, 489904, 489906, 489903 and 489905 by Garan, Lucow, Miller P.C., for legal services rendered through January 31, 2018 in the total amount of \$32,903.34.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES:

CM-02-066-18

(AGENDA ITEM #13A) FIRST READING OF AN ORDINANCE TO AMEND ARTICLE III, ZONING DISTRICTS & MAP, ARTICLE XV RESERVED, ARTICLE XVI, SCHEDULE OF REGULATIONS, ARTICLE XVIII, SIGNS, SECTIONS 1803 & 1805, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve the first reading of the following ordinance to amend Article III, Zoning Districts & Map, Article XV Reserved, Article XVI, Schedule of Regulations, Article XVIII, Signs, Sections 1803 & 1805, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, Michigan:

AN ORDINANCE TO AMEND ARTICLE III, ZONING DISTRICTS & MAP, ARTICLE XV RESERVED, ARTICLE XVI, SCHEDULE OF REGULATIONS, ARTICLE XVIII, SIGNS, SECTIONS 1803 & 1805, ARTICLE XIX SPECIAL LAND USES, 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 III, Zoning Districts, Section 300, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following:

Sec. 300. – Establishment of zoning districts.

PUD Planned Unit Development district

MX - 1 Mixed Use district

SECTION 2. Article XV, Reserved for Future Land Use, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, and is hereby amended by the addition of a new Article XV, MX-1 Mixed Use Districts, which shall read as follows:

ARTICLE XV. – MX-1 MIXED USE DISTRICTS

Sec. 1500. - Intent.

The MX-1 mixed use district is intended to blend two or more residential, commercial, or industrial uses in a compact area. This type of zoning is designed to accommodate mixed-use buildings that have business uses on the first floor and residential uses on the above floor(s). This arrangement will encourage pedestrian-friendly developments and specialty food and retail shops, which will in turn promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

Sec. 1501. - Permitted uses.

In all mixed use districts, no building or part thereof shall be erected, used or structurally altered, not land or premises used, in whole or in part, except for one or more of the following permitted uses or structures:

A. Specialty retail limited to the following categories: gifts, flowers, apparel, jewelry, novelties, housewares, home accessories, sporting goods and photographic equipment.

- B. Restaurants, sit down. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- C. Bakeries & confectionaries.
- D. Coffee shops and tea rooms. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- E. Art facilities (art gallery and/or studios, music recording and/or dance studios).
- F. Health, fitness and exercise centers of 2,000 square feet or less.
- G. Showroom and workshop of a carpenter, plumber, electrician, painter, decorator or similar trade.
- H. Assembly of electronic devices, musical instruments, toys, novelties, sporting goods, and photographic equipment.
- I. Offices of an engineering, drafting, architectural, electrical, plumbing, industrial design firms and construction contractors
- J. Printing, copying and document services.
- K. Electronic data processing and computer centers.
- L. Research, experimental, film or testing laboratories.
- M. Indoor cold storage and warehouse uses but excluding self-storage facilities.
- N. Uses which, in the opinion of the planning commission based on findings of fact, are similar to the above permitted uses.
- O. Accessory uses customarily incidental to the above permitted uses, only when conducted within a completely enclosed building
- P. Residential dwelling units above the ground floor subject to the following provisions:
 - a. The site plan shall include a floor plan of the proposed residential development for use in determining the adequacy of provided residential parking and the available parking in the area
 - b. The layout of the site of the proposed residential development and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed residential development, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district
 - c. The site plan shall include non-motorized amenities bike racks, bike lanes, pathways and sidewalks.

Sec. 1502. - Special land uses.

The following uses may be permitted by the planning commission upon submission of a site plan and such additional information as may be necessary to document the scope and intensity of the proposed use. Said uses may be permitted upon a finding by the planning commission that the use will comply with any specific requirements contained herein, and that the proposed location of the use will be desirable to the public convenience or welfare and in harmony with the various elements and objectives of the master plan of the City of Oak Park, as from time to time amended:

- A. Brew pubs, restaurants with breweries and distilleries subject to provisions in Section 1930. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- B. Restaurants, serving alcoholic liquor, subject to the provisions in Section 1930. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- C. Vehicle service centers subject to the provisions in section 1903.
- D. Nurseries and greenhouse subject to the provisions in Sections 1914 and 1925.
- E. Auto wash facilities subject to Section 1927.

Sec. 1503. - Required conditions.

- A. Except as otherwise provided in this article, all uses shall be conducted wholly within a completely enclosed building, except for off-street parking or loading.

- B. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
- C. No uses with drive-thru or vehicle pick-up windows are permitted.

Sec. 1504. - Additional site development standards.

All permitted and special land uses shall comply with all applicable provisions of the zoning ordinance including those listed below as a reference guide.

- A. Article II: Definitions.
- B. Article XVI: Schedule of district regulations (minimum lot width and area, setbacks, maximum height, etc.).
- C. Article XVII: General provisions for: visibility at intersections and corner clearance; visibility—walls, fences, hedges; accessory buildings and structures; swimming pools; erection of more than one principle structure on a lot; radio, television and satellite dish antenna; right-of-way-streets, alleys and railroad; access required: dwelling in other than main structures; building grades; performance standards for all land uses; screening and landscaping; fences, walls, and other barriers; moved buildings or structures; recreational and commercial vehicles; site plan review; off-street parking and loading.
- D. Article XVIII: Signs.
- E. Article XIX: Special land uses.
- F. Article XX: Nonconforming lots, uses and structures.
- G. Article XXI: General exceptions for: essential services; height limits; projections into yards.

SECTION 3. Article XIX, Section 1600, Height, bulk, density, area, setback and lot coverage by district, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended by the addition of regulations applicable to MX – 1 Mixed Use Districts as follows:

Use District: MX – 1 Mixed Use Districts

Lot Area in Acres or Square Feet: SPA

Lot Width in Feet: SPA

Maximum Height of Structures

In Stories: 3

In Feet: 45

Minimum Yard Setbacks:

Front: none required

Side Least One: none required

Total of 2: none required

Rear: none required

Minimum Floor Area Per Unit: see footnote (E)

Maximum Percentage of Lot Area: Dependent upon standards for parking, setbacks, open space and landscaping and site plan approval.

SECTION 4. Article XVIII, Zoning Districts, Section 1803, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following district:

MX – 1 Mixed Use district.

SECTION 5. Article XVIII, Zoning Districts, Section 1805, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following district:

MX – 1 Mixed Use district.

SECTION 6. 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 7. 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 8. 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.

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

MOTION DECLARED ADOPTED

CM-02-067-18 (AGENDA ITEM #13B) FIRST READING OF AN ORDINANCE TO AMEND APPENDIX A-ZONING, ARTICLE III, AND THE OFFICIAL ZONING MAP CONTAINED THEREIN, BEING PART OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY CHANGING THE USE DISTRICT OF CERTAIN PARCELS OF LAND IN SECTION 19 AND CURRENTLY ZONED LI, LIGHT INDUSTRIAL DISTRICT TO MX-1, MIXED-USE DISTRICT - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the first reading of the following ordinance to amend Appendix A-Zoning, Article III, and the Official Zoning Map contained therein, being part of the Code of Ordinances of the City of Oak Park, Michigan, by changing the Use District of certain parcels of land in Section 19 and currently Zoned LI, Light Industrial District to MX-1, Mixed-Use District:

AN ORDINANCE TO AMEND APPENDIX A-ZONING, ARTICLE III, AND THE OFFICIAL ZONING MAP CONTAINED THEREIN, BEING PART OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY CHANGING THE USE DISTRICT OF CERTAIN PARCELS OF LAND IN SECTION 19 AND CURRENTLY ZONED LI, LIGHT INDUSTRIAL DISTRICT TO MX-1, MIXED-USE DISTRICT.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. The Code of Ordinances of the City of Oak Park is hereby amended by changing the use district of the following described parcels of land in Section 19 and currently zoned LI, Light Industrial District, according to the City's Official Zoning District Map, Appendix-A Zoning, Article III, to MX-1, Mixed Use District:

Address / Property Identification #

Vacant #52-25-19-128-001

14721 W Eleven Mile Rd #52-25-19-128-002

14701 W Eleven Mile Rd #52-25-19-128-003

14691 W Eleven Mile Rd #52-25-19-128-004

14669 W Eleven Mile Rd #52-25-19-128-005

14661 W Eleven Mile Rd #52-25-19-128-006

14611 W Eleven Mile Rd #52-25-19-128-007

14611 W Eleven Mile Rd #52-25-19-128-008

14511 W Eleven Mile Rd #52-25-19-201-022

14471 W Eleven Mile Rd #52-25-19-201-025

14441 W Eleven Mile Rd #52-25-19-201-026

14421 W Eleven Mile Rd #52-25-19-201-027

14401 W Eleven Mile Rd #52-25-19-201-014

Vacant #52-25-19-201-024

14283 W Eleven Mile Rd #52-25-19-202-001

Vacant #52-25-19-202-002

14251-14253 W Eleven Mile Rd #52-25-19-202-003

14241 W Eleven Mile Rd #52-25-19-202-010

14233 W Eleven Mile Rd #52-25-19-202-011

14231 W Eleven Mile Rd #52-25-19-202-006

14211 W Eleven Mile Rd #52-25-19-202-007

SECTION 2. It is hereby ordered that the Official Zoning District Map of the City of Oak Park, as herein amended, be incorporated with this ordinance and be considered a part hereof and be published in connection herewith.

SECTION 3. It is further ordered that from and after the effective date of this ordinance, the above described parcel of land shall be in the MX-1, Mixed-Use District, and be subject to the regulations pertaining to such a district.

SECTION 4. 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 5. 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 6. Effective Date

This ordinance shall be effective thirty (30) days from the date of adoption and shall be published as required by the Charter of the City of Oak Park.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: None

CITY MANAGER:

Community and Economic Development

(AGENDA ITEM #15A) Request to authorize a letter of support for a bike share Transportation Alternatives Program (TAP) grant. (Removed from the Agenda)

Department of Public Works

CM-02-068-18 (AGENDA ITEM #15B) AGREEMENT BETWEEN THE ALLIANCE FOR ROUGE COMMUNITIES AND THE CITY OF OAK PARK FOR A RESTORING COMMUNITY TREES GRANT - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve a proposed agreement between the Alliance for Rouge Communities and the City of Oak Park for a Restoring Community Trees Grant.

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

MOTION DECLARED ADOPTED

Deputy Director of DPW DeCoster summarized the proposed agreement between the Alliance for Rouge Communities and the City of Oak Park for a tree grant that will provide approximately 41 trees to Oak Park for a total grant amount of \$5,125. Mr. DeCoster explained the trees will be planted in various locations throughout the City.

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

CALL TO THE COUNCIL:

Mayor McClellan discussed how it is wise for cities to provide conduit for fiber optics when replacing infrastructure.

Mayor Pro Tem Radner wished everyone a good night.

Council Member Burns thanked everyone for coming out and wished everyone a pleasant evening.

Council Member Weiss thanked the Recreation Commission for their assistance with the Parks and Recreation Master Plan and commended the Department on the plan and recently sponsored events. She also reminded everyone that the State of the City Address will be on March 14, 2018.

Council Member Rich wished everyone a good night.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:16 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL
February 19, 2018
5:30 PM**

MINUTES

The meeting was called to order at 5:30 PM by Mayor McClellan in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Mayor Pro Tem Radner, Council Member Burns, Council Member Rich and Council Member Weiss

ABSENT: None

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris, Deputy City Clerk Vecchio, City Attorney Krause

SPECIAL BUSINESS:

(AGENDA ITEM #3A) Interview candidates for appointments to City Board and Commissions.

Members of Council interviewed the following individuals for positions with various boards and commissions:

Steven Chudnow
Andrew Cissell
Clarence Johns
Patrick North

(AGENDA ITEM #3B) Reappointments to City Boards and Commissions

Deputy City Clerk Vecchio presented information regarding members of boards and commissions whose terms expire on February 28, 2018. Council discussed the candidates for reappointment.

**SCM-02-051-18 (AGENDA ITEM #3B) REAPPONTMENTS AND LETTERS OF APPRECIATION TO MEMBERS OF BOARDS AND COMMISSIONS
- APPROVED**

Motion by Weiss, seconded by Rich, CARRIED UNANIMOUSLY, to authorize the following reappointments of members to boards and commissions and letters of appreciation for service to be sent to members not being reappointed:

Reappointments to City Boards and Commissions:

APPOINTEE	BOARD	TERM TO EXPIRE
Sudha Chandra Sekhar	Arts & Cultural Diversity Commission	February 2021
Michelle Stevenson	Arts & Cultural Diversity Commission	February 2021
Mattie Boykin	Beautification Advisory Commission	February 2021
Danielle Fracassa	Beautification Advisory Commission	February 2021
Santhia Guinn	Beautification Advisory Commission	February 2021
Reatha Richmond	Beautification Advisory Commission	February 2021
Ben Waxenburg	Board of Trustees - Employees Ret. System	February 2021
Cameron Cummings	Building Board of Appeals	February 2020
Richard Readus	Building Board of Appeals	February 2020
Dwight Thomas	Building Board of Appeals	February 2020
Taleesa Anderson	Building Board of Appeals	February 2020
Lana Sherman	Election Commission	January 2019

Letters of appreciation for past service to members not being reappointed:

Carrie Dodds	Beautification Advisory Commission
--------------	------------------------------------

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #3C) Review attendance of current board and commission members

Council reviewed the attendance of commission members whose terms were not expiring in February 2018 and considered the attendance policy for board members outlined in the City Charter.

SCM-02-052-18 (AGENDA ITEM #3C) MOTION TO REMOVE MEMBERS FROM THEIR RESPECTIVE BOARDS AND COMMISSIONS AND AUTHORIZE THE SENDING OF LETTERS OF APPRECIATION FOR THEIR PAST SERVICE – APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to remove the following members from their respective boards and commissions and authorize the sending of letters of appreciation for their past service:

Nathaniel Cobb	Parks & Recreation Commission
Mara Staller Starr	Parks & Recreation Commission
Angela Mitchell	Recycling and Environmental Conservation Commission

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

MOTION DECLARED ADOPTED

SCM-02-053-18 (AGENDA ITEM #3D) APPONTMENTS TO CITY BOARDS AND COMMISSIONS – APPROVED

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

Appointments to City Boards and Commissions:

APPOINTEE	BOARD	TERM TO EXPIRE
Clarence Johns	Brownfield Redevelopment/Econ. Dev. Corp.	February 2021
Steven Chudnow	Election Commission	January 2019
Patrick North	Parks and Recreation Commission	August 2021
Steven Gold	Recycling & Environmental Conserve. Com.	August 2021
Roselyn McKay	Recycling & Environmental Conserve. Com.	August 2021

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE: None

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 6:10 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

**BEAUTIFICATION ADVISORY COMMISSION
CITY OF OAK PARK
MINUTES
DECEMBER 19, 2017**

PRESENT: Commissioners Brenda Moseley, Danielle Fracassa, Deborah Williamson, Idella Bailey, Karen Davis-Harris, Lonnie Tabb-Upshaw, Santhia Guinn, Non-Voting City Representative Kevin Yee, Councilmember Carolyn Burns

ABSENT: Angela Mitchell, Carrie Dodds, Joyce Schulman, Judy Simmons, Larry Wilson, Mattie Boykin, Michella Perry,

GUEST: None

Meeting started at 7:02 pm

APPROVAL OF MINUTES; SEPTEMBER 19, 2017

MOTION by Fracassa, SECONDED by Upshaw, to approve the Beautification Advisory Commission Meeting minutes of September 19, 2017 as submitted.

VOTE: Yes: All
No: None

MOTION CARRIED

CITY COUNCIL/CITY LIAISON COMMUNICATION

City Liaison communication highlights

Councilmember Carolyn Burns

- **City Council Meetings** – Councilmember Carolyn Burns encouraged members to attend the council meetings, or view them on OPTV.
- **Code Ordinance** – City has made changes to an ordinance that would change the code enforcement ticketing process giving code officers more flexibility, and a better system for code enforcements.
- **Fed Ex** – The area outside of the Fed Ex facility has been sold and will serve as a shopping mall in the community.
- **City Hall Holiday Hours** – City will be closed on Monday and Tuesday due to the holiday, and also city offices are also closed every other Friday.
- **5 Year Recreation Master Plan** – Engage residents to contribute their input as a tax payer in what goes on in the community.

City Liaison communication highlights (cont'd.)

Non-voting City Representative Assistant City Manager Kevin Yee

- **9 Mile Road Project** – The city has received a grant that will pay for 70% of the new 9 mile project. The road diet will consist of installation of pocket parks and will begin in 2018. Pocket parks would be placed at Sherman and Seneca following council approval. As part of the 9 mile road diet, signage, artwork and amenities will be installed to enhance the area helping to make it a beautification effort.

BAC MEMBER PARTICIPATION

Chairperson Lonnie Tabb-Upshaw encouraged commissioners to participate in other boards' events to represent the Beautification Advisory Commission. She also made the suggestion that the commission use the city facilities when hosting future events. Vice Chair Fracassa suggested that the commission have a mini booth w/ mini fairy gardens at other events. Asst. City Manager Kevin Yee mentioned that he would like the commission view the city calendar event list, and vote on the event that they would like to attend and gather expense information to submit over to the Public Works department to be placed into the budget.

FLOWER EXCHANGE

The commission will start to plan for its First Flower Exchange Event that will be held on April 21, 2018 in the Community Center parking lot.

GENERAL DISCUSSION

Members of the commission made comments regarding the Boards and Commissions dinner, and agreed that it was a nice event and allowed them to fellowship with members of other boards and commissions. Commissioner Brenda Moseley provided water for the BAC ceremony in October 2017.

Meeting adjourned at 7:39 pm, Next meeting February 20, 2018

**CITY OF OAK PARK, MICHIGAN
RECYCLING AND ENVIRONMENTAL COMMISSION
December 21, 2017
MEETING MINUTES**

The meeting was called to order at 7:00pm by Chairperson Lewis in the Meeting Room Two of the Oak Park Community Center located at 14300 Oak Park Blvd. Oak Park MI, 48237.

Roll call was made.

PRESENT: Chairperson Al Lewis, Co-Chair Carolyn Davis, Board Members: Denise Trombly, Richard Readus, Paul Bannon, Nynier Brown, Edna Rubin, Andrew Cissell, Joyce Bannon, and Raymond Krajewski from DPW

ABSENT: Mayor Pro Tem Solomon Radner, Board Member: Clarissa Clemons, Angela Mitchell

1. READING AND APPROVAL OF MINUTES:

A change is needed to November 17, 2017 minutes, Nynier Brown's name was spelled wrong.

Moved by Co-Chair Carolyn Davis, seconded by Paul Bannon to approve the minutes of November 17, 2017.

Vote: Yes All
No None

MOTION DECLARED ADOPTED

2. CONSIDERATION OF NEW BUSINESS

- A. SOCRRA update was giving by Ray Krajewski about the MERF
- B. Update was given that Oak Park is up 51% from the same time last year.
- C. Discussion about getting recycling carts for City events.
- D. A list of residents that refused new bins.
- E. The need to discuss Heathy Lawn seminar
- F. Andrew Cissell talked about solar panels on city builds

3. ADJOURMENT

Moved by Chairperson Lewis, seconded by Co-chairperson Davis to adjourn the meeting.

Vote: Yes: All
No: None

Chairperson Lewis adjourned the meeting at 7:51 p.m.

Minutes recorded by: Raymond Krajewski



5E

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: March 5, 2018

AGENDA #

SUBJECT: Request authorization to bid the City's landscape maintenance.

DEPARTMENT: DPW – KJY

SUMMARY: Bid documents are being prepared for the 2018 Landscape Maintenance Project, M-679.

FINANCIAL STATEMENT: There is funding available in the Major Streets Fund and Public Works Shepherd Park Fund budgets for this expenditure.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for 2018 Landscape Maintenance Project, M-679 be approved. Funding is available in the Major and Local Street Funds, Water and Sewer Fund, and Public Works budget.

APPROVALS:

City Manager: _____

Department Director: _____

Finance Director: _____

☒ Budgeted

EXHIBITS: none

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 5, 2018**AGENDA#**

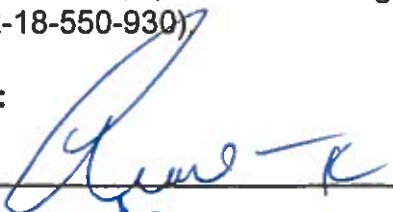
SUBJECT: Payment Application No. 3 (FINAL) for the 2016 Catch Basin Line Replacement & Sewer Lateral Repair Project, M-648.

DEPARTMENT: DPW/Technical & Planning – Engineering GWS

SUMMARY: Attached is Payment Application No. 3 (FINAL) for the 2016 Catch Basin Line Replacement & Sewer Lateral Repair Project, M-648. This project replaced pipes to catch basins and repaired lateral sewers in the areas shown on the attached map. This project is now complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$202,301.50
	Change Order No. 1:	<u>(\$21,076.01)</u>
	Current Contract Amount:	\$181,225.49
	Total Completed to Date:	\$181,225.49
	Less Retainage:	\$ 0.00
	Net Earned:	\$181,225.49
	Deductions:	\$ 0.00
	Balance:	\$181,225.49
	Payments to Date:	<u>\$180,225.49</u>
	Amount Due Troelsen Excavating Company:	\$ 1,000.00

RECOMMENDED ACTION: It is recommended that Payment Application No. 3 (FINAL) for the 2016 Catch Basin Line Replacement & Sewer Lateral Repair Project, M-648 be approved to Troelsen Excavating Company of Troy, MI. for the total amount of \$1,000.00. Funding is available in the Water and Sewer Fund (No. 592-18-550-930).

APPROVALS:City Manager: Department Director: Director of Finance: Budgeted: ☒

EXHIBITS: Payment Application No. 3 (FINAL), map of project area

PAYMENT APPLICATION

PROJECT: 2016 CATCH BASIN LINE REPLACEMENT & SEWER LATERAL REPAIR PROJECT

JOB NUMBER: M-848

OWNER: CITY OF OAK PARK

APPLICATION NO.: PAY 3 (FINAL)

CONTRACTOR: TROELSEN EXCAVATING COMPANY
1395 ROCHESTER ROAD
TROY, MICHIGAN 48063

PERIOD ENDING: 2/21/2018

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY		UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	REMOVE CONCRETE PAVEMENT MODIFIED	620	SYD	\$15.00	0.00	\$0.00	448.52	\$6,727.80
2	CONCRETE PAVEMENT W/INT CURB AND GUTTER 8" CONC. MODIFIED	470	SYD	\$65.00	0.00	\$0.00	433.82	\$28,198.30
3	SIDEWALK CONC. NON-REINFORCED 6" SIDEWALK/DRIVE APP MODIFIED	50	SFT	\$13.25	0.00	\$0.00	132.15	\$1,750.89
4	ADJUSTING DRAINAGE STRUCTURES	10	EA	\$400.00	0.00	\$0.00	3.00	\$1,200.00
5	24" CURB AND GUTTER SECTION 7" CONCRETE NON REINFORCED	15	LFT	\$35.00	0.00	\$0.00	0.00	\$0.00
6	SEWER REMOVE LESS THAN 12"	237	LFT	\$12.00	0.00	\$0.00	282.50	\$3,150.00
7	SEWER 10" SCHEDULE 40 PVC PIPE TRENCH DETAIL B	237	LFT	\$180.00	0.00	\$0.00	282.50	\$42,000.00
8	SEWER 12" SCHEDULE 40 PVC PIPE TRENCH DETAIL B	0	LFT	\$165.00	0.00	\$0.00	0.00	\$0.00
9	SEWER LATERAL POINT REPAIR MODIFIED	12	EA	\$4,700.00	0.00	\$0.00	13.00	\$61,100.00
10	AGGREGATE BASE UNDER 9" CONCRETE (6" 21AA CR. LIMESTONE)	510	SYD	\$20.00	0.00	\$0.00	433.82	\$8,676.40
11	DRAINAGE STRUCTURE REMOVING MODIFIED	1	EA	\$500.00	0.00	\$0.00	0.00	\$0.00
12	DRAINAGE STRUCTURE, 24" INLET MODIFIED	1	EA	\$2,900.00	0.00	\$0.00	0.00	\$0.00
13	DRAINAGE STRUCTURE, 48" DIAMETER MODIFIED	1	EA	\$3,300.00	0.00	\$0.00	0.00	\$0.00
14	DRAINAGE STRUCTURE COVER	760	LBS	\$2.00	0.00	\$0.00	0.00	\$0.00
15	SEWER TRAP 12" MODIFIED	7	EA	\$500.00	0.00	\$0.00	6.00	\$3,000.00
16	SEWER TAP, 12 AND UNDER	5	EA	\$1,000.00	0.00	\$0.00	0.00	\$0.00
17	4" OR 6" PVC PIPE WITH BACKFILL	20	LFT	\$100.00	0.00	\$0.00	11.83	\$1,183.00
18	TUCK POINT DRAINAGE STRUCTURE	5	EA	\$400.00	0.00	\$0.00	0.00	\$0.00
19	CLASS A SODDING	120	SYD	\$6.50	0.00	\$0.00	246.00	\$1,599.00
20	MINOR TRAFFIC DEVICES, 5% MAX	1	LSUM	\$7,000.00	0.00	\$0.00	1.00	\$7,000.00
21	PROJECT CLEAN UP, 5% MAX	1	LSUM	\$15,000.00	0.00	\$0.00	1.00	\$15,000.00
22	INSPECTION CREW DAYS	20	DAY	\$320.00	0.00	\$0.00	2.00	\$640.00
Period Total Amount:						\$0.00	Amount to Date:	\$181,225.49

Earnings This Period: \$0.00

Original Contract Amount: \$202,301.50
Change Order No. 1: -\$21,076.01
New Contract Amount: \$181,225.49

Total Earnings to Date: \$181,225.49

Less Retainage: \$0.00
Net Earned: \$181,225.49
Deductions: \$0.00
Balance: \$181,225.49
Payments to Date: \$180,225.49

AMOUNT DUE TO TROELSEN EXCAVATING: \$1,000.00

Accepted By:


Troelsen Excavating Company

Date: 2/23/2018

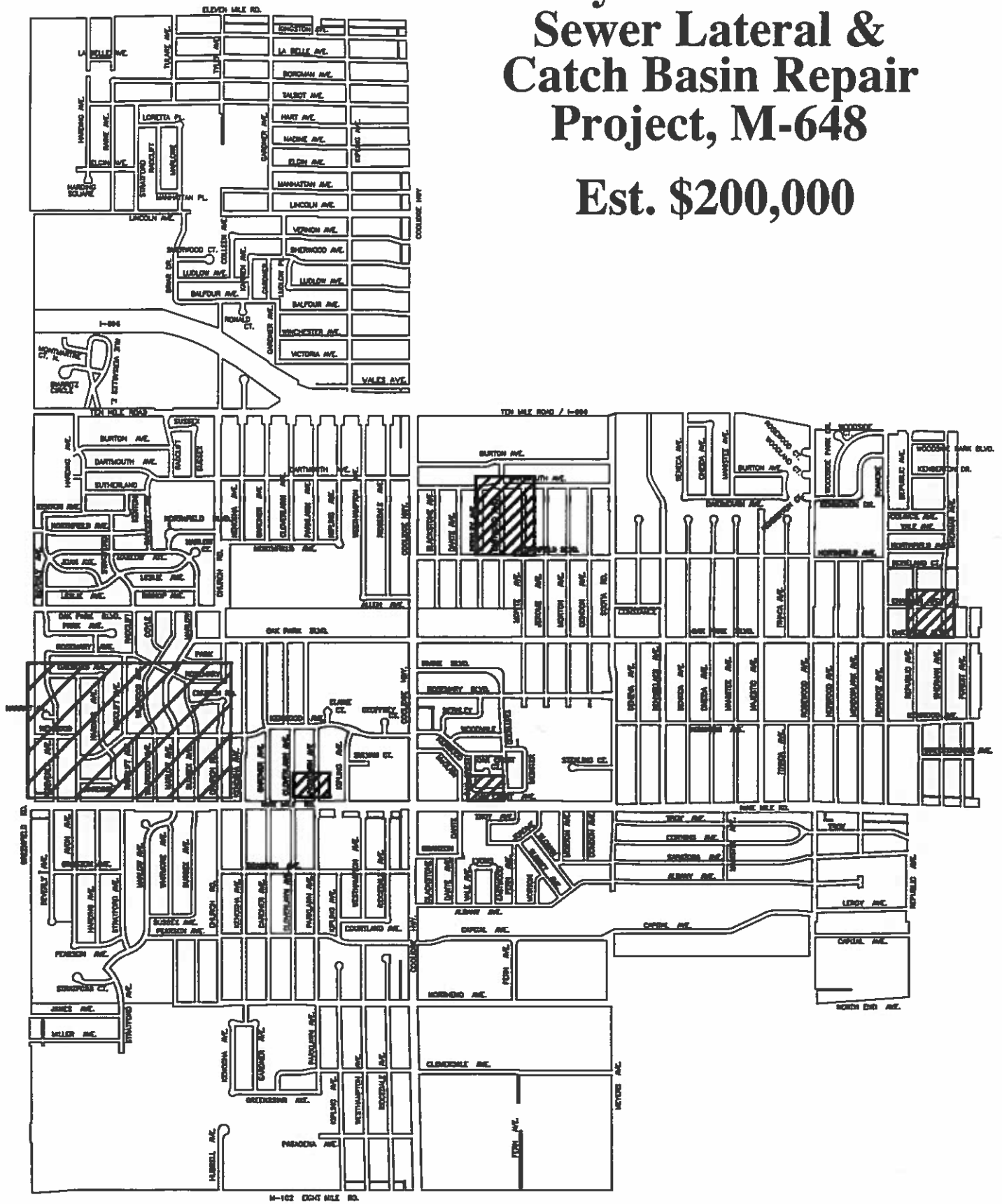
Approved By:


Gerrah Surles, Assistant City Engineer
City of Oak Park, Michigan

Date: 2/23/2018

City of Oak Park Sewer Lateral & Catch Basin Repair Project, M-648

Est. \$200,000



MERCHANT'S LICENSES – MARCH 5, 2018

(Subject to All Departmental Approvals)

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Benston D. Harris Inc	13040 Capital	\$150	HVAC
Strawberry Locs	21700 Greenfield 109	\$150	Salon
Nee How Sushi LLC	10116 Nine Mile	\$150	Restaurant
Suds of Michigan	10840 Nine Mile B	\$150	Laundry
She's Got It Fitness	8521 Nine Mile	\$150	Fitness
J. A. Gaging Associates LLC	13250 Northend	\$150	Office

<u>RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
Hersch's Inc	21100 Coolidge	\$150	Landscape
Express Collision	21470 Coolidge	\$150	Automotive
E-Zee Set Wood Products	21650 Coolidge	\$150	Home Improvement
Love Nail & Spa	22118 Coolidge	\$150	Salon
Advance America #1 328	22140 Coolidge	\$150	Financial
Little Caesars	24756 Coolidge	\$150	Restaurant
Moulden Agency LLC	26013 Coolidge	\$225	Insurance
Weathergard Windows Factory	14350 Eight Mile	\$150	Home Remodeling
Fed-Ex Distribution #383	21200 Greenfield	\$150	Mailing
B-Unique Hair Boutique	21700 Greenfield 412	\$187.50	Salon
Legit Ink	21700 Greenfield 489	\$187.50	Tattoo Parlor
Top's Fashion and Braiding	21910 Greenfield 105	\$187.50	Retail
Pinewood Dental	21950 Greenfield	\$150	Dental
Grape Leaves Restaurant	24700 Greenfield	\$150	Restaurant
Motor City Soul Food #2	24790 Greenfield	\$150	Restaurant
Eddie's Gourmet	25920 Greenfield	\$150	Restaurant
Top That LLC	25950 Greenfield	\$150	Retail
7-11 Food Stores #13486	15350 Lincoln	\$150	Retail
Dr. Benay Dabny	10300 Nine Mile	\$150	Medical
Salon Saga Studios	10450 Nine Mile A	\$187.50	Salon
Happy's Pizza #7	13700 Nine Mile	\$150	Restaurant
Motown Body Oils	13807 Nine Mile	\$225	Retail
Papa's Pizza	15400 Nine Mile	\$150	Restaurant
Mane Event	15405 Nine Mile	\$225	Salon
Attisha LLC – Food Mart	15450 Nine Mile	\$150	Retail
Tai Fai Restaurant	8505 Nine Mile	\$225	Restaurant
Oak Park Beauty	13421 Ten Mile	\$225	Retail

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 491001**February 27, 2018**

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

Re: In Re: Prosecution Matters

*Client 7406
Matter 39*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, October 31, 2017

\$210.00**Fee Total****Total Costs Advanced****\$0.00****Total Fees and Disbursements: \$210.00**

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

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 485230

November 9, 2017

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

Re: Hanover Insurance Group v. City Of Oak Park

*Client 7406
Matter 40*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, October 31, 2017

\$840.00

Fee Total

Costs Advanced:

Date	Description	Amount
10/09/17	Reproduction Charges 40 @.15 1 @ 0.15	0.15
	Total Costs Advanced	\$0.15

Total Fees and Disbursements: \$840.15

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

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

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

Invoice 487825

December 19, 2017

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

Re: Hanover Insurance Group v. City Of Oak Park

*Client 7406
Matter 40*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Thursday, November 30, 2017

\$896.00

Fee Total

Costs Advanced:

Date	Description	Amount
11/07/17	Reproduction Charges 1 @ 0.15	0.15
	Total Costs Advanced	\$0.15

Total Fees and Disbursements: \$896.15

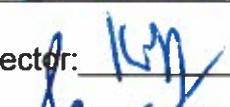
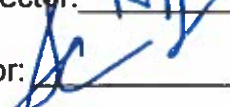
*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** March 5, 2018**AGENDA #****SUBJECT:** Report on bids for the 2018 Lawn Maintenance Contract, M-678.**DEPARTMENT:** DPW/Technical & Planning – Engineering KJY

SUMMARY: At the November 6, 2017 regular meeting of the Oak Park City Council, the request to bid the 2018 Lawn Maintenance Contract, M-678 was approved (CM-11-450-17). The project was advertised and 26 contractors viewed the documents. On February 27, 2018, three (3) bids were received and opened. The low bidder, Xpert Lawn and Snow of Warren, MI, submitted a bid of \$161,932.00. This amount exceeds the budgeted amount.

FINANCIAL STATEMENT: Funding is available in the Major Street Fund, Water and Sewer Fund, and Public Works Other Parks budget for these expenditures.

RECOMMENDED ACTION: It is recommended City Council reject all bids the 2018 Lawn Maintenance Contract, M-678 and allow the Public Works Department to scale back the project by removing some large park areas that our crews and equipment can more efficiently maintain and to encourage more bids.

APPROVALS:City Manager: Department Director: Finance Director: **EXHIBITS:** bid tabulation

BID TABULATION
 2018 Loan Maintenance Contract, 16478
 Bid Opening Date: February 27, 2018 @ 10:00am
 Page 1 of 1

					Bidder: LORNG LORNG LLC 27000 10th Ave SE Everett, WA 98203 (206) 771-0700	Project: LORNG LORNG LLC 27000 10th Ave SE Everett, WA 98203 (206) 771-0700	LORNG LORNG LLC 27000 10th Ave SE Everett, WA 98203 (206) 771-0700
Bid Group	Item #	Item Description	Quantity	Unit	Amount	Amount	Amount
A	1	Asphalt - Street work - New base (Street parking)	8.00	Ac/In	\$147.00	\$145.00	\$210.00
	2	Handing 1/2" Lvs (Street end of Handing)	10.00	Ac/In	\$20.00	\$35.00	\$35.00
	3	Tree Work (removed to Street) (Street)	10.00	Ac/In	\$280.00	\$250.00	\$400.00
	4	Concrete Work (4" concrete) (to Chicago Hwy)	1.00	Ac/In	\$60.00	\$75.00	\$90.00
	5	Asphalt - 1/2" base (Street)	10.00	Ac/In	\$700.00	\$750.00	\$1,000.00
	6	1" Lvs, 1/2" Lvs (Street) - Handing to Streetwork	10.00	Ac/In	\$315.00	\$315.00	\$450.00
	7	1/2" Lvs (Street) (to Chicago Hwy)	10.00	Ac/In	\$45.00	\$75.00	\$60.00
	8	Handing (green base) (Street) (to Chicago Hwy)	4.00	Ac/In	\$133.00	\$160.00	\$180.00
	9	Tree Work (Street) (to Chicago Hwy)	4.00	Ac/In	\$105.00	\$125.00	\$180.00
	10	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$1,150.00	\$950.00	\$1,700.00
	11	New base (Street) (to Chicago Hwy)	3.00	Ac/In	\$100.00	\$120.00	\$180.00
	12	1/2" Lvs (Street) (to Chicago Hwy)	10.00	Ac/In	\$234.00	\$280.00	\$335.00
	13	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$125.00	\$140.00	\$215.00
	14	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$20.00	\$75.00	\$35.00
	15	Handing (Street) (to Chicago Hwy)	4.00	Ac/In	\$168.00	\$185.00	\$240.00
	16	1/2" Lvs (Street) (to Chicago Hwy)	10.00	Ac/In	\$136.00	\$165.00	\$195.00
	17	1/2" Lvs (Street) (to Chicago Hwy)	10.00	Ac/In	\$105.00	\$135.00	\$180.00
	18	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$161.00	\$180.00	\$230.00
	19	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$20.00	\$75.00	\$35.00
	20	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$20.00	\$75.00	\$35.00
	21	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$30.00	\$75.00	\$45.00
	22	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$129.00	\$145.00	\$220.00
	23	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$192.00	\$210.00	\$275.00
	24	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$45.00	\$75.00	\$90.00
	25	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$25.00	\$75.00	\$35.00
	26	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$115.00	\$135.00	\$190.00
	27	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$353.00	\$350.00	\$505.00
	28	Handing (Street) (to Chicago Hwy)	10.00	Ac/In	\$20.00	\$75.00	\$35.00
	29	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$80.00	\$99.00	\$135.00
	30	Handing (Street) (to Chicago Hwy)	1.00	Ac/In	\$195.00	\$65.00	\$90.00
TOTAL BID AMOUNT PER WEEK (A) (Items 1-30)					\$5,298.00	\$5,817.00	\$7,595.00
B	31	Handing (Street) (to Chicago Hwy)	17.75	Ac/In	\$600.00	\$650.00	\$850.00
TOTAL BID AMOUNT PER WEEK (B) (Item 31)					\$600.00	\$650.00	\$850.00
C	32	Handing (Street) (to Chicago Hwy)	17.75	Ac/In	\$300.00	\$600.00	\$850.00
TOTAL BID AMOUNT PER WEEK (C) (Item 32)					\$300.00	\$600.00	\$850.00
TOTAL GROUP A (ITEMS 1-30) x 28 WEEKS					\$147,532.00	\$157,276.00	\$212,744.00
TOTAL GROUP B (ITEM 31) x 12 WEEKS					\$7,200.00	\$10,200.00	\$10,656.00
TOTAL GROUP C (ITEM 32) x 24 WEEKS					\$7,200.00	\$14,400.00	\$21,312.00
GRAND TOTAL:					\$161,932.00	\$181,876.00	\$244,712.00

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE III, ZONING DISTRICTS & MAP, ARTICLE XV RESERVED, ARTICLE XVI, SCHEDULE OF REGULATIONS, ARTICLE XVIII, SIGNS, SECTIONS 1803 & 1805, 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 III, Zoning Districts, Section 300, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following:

Sec. 300. – Establishment of zoning districts.

PUD Planned Unit Development district

MX - 1 Mixed Use district

SECTION 2. Article XV, Reserved for Future Land Use, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, and is hereby amended by the addition of a new Article XV, MX-1 Mixed Use Districts, which shall read as follows:

ARTICLE XV. – MX-1 MIXED USE DISTRICTS

Sec. 1500. - Intent.

The MX-1 mixed use district is intended to blend two or more residential, commercial, or industrial uses in a compact area. This type of zoning is designed to accommodate mixed-use buildings that have business uses on the first floor and residential uses on the above floor(s). This arrangement will encourage pedestrian-friendly developments and specialty food and retail shops, which will in turn promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

Sec. 1501. - Permitted uses.

In all mixed use districts, no building or part thereof shall be erected, used or structurally altered, not land or premises used, in whole or in part, except for one or more of the following permitted uses or structures:

- A. Specialty retail limited to the following categories: gifts, flowers, apparel, jewelry, novelties, housewares, home accessories, sporting goods and photographic equipment.
- B. Restaurants, sit down. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- C. Bakeries & confectionaries.

- D. Coffee shops and tea rooms. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- E. Art facilities (art gallery and/or studios, music recording and/or dance studios).
- F. Health, fitness and exercise centers of 2,000 square feet or less.
- G. Showroom and workshop of a carpenter, plumber, electrician, painter, decorator or similar trade.
- H. Assembly of electronic devices, musical instruments, toys, novelties, sporting goods, and photographic equipment.
- I. Offices of an engineering, drafting, architectural, electrical, plumbing, industrial design firms and construction contractors
- J. Printing, copying and document services.
- K. Electronic data processing and computer centers.
- L. Research, experimental, film or testing laboratories.
- M. Indoor cold storage and warehouse uses but excluding self-storage facilities.
- N. Uses which, in the opinion of the planning commission based on findings of fact, are similar to the above permitted uses.
- O. Accessory uses customarily incidental to the above permitted uses, only when conducted within a completely enclosed building
- A. Residential dwelling units above the ground floor subject to the following provisions:
 - a. The site plan shall include a floor plan of the proposed residential development for use in determining the adequacy of provided residential parking and the available parking in the area.
 - b. The layout of the site of the proposed residential development and its relationship to streets providing access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed residential development, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district
 - c. The site plan shall include non-motorized amenities bike racks, bike lanes, pathways and sidewalks.

Sec. 1502. - Special land uses.

The following uses may be permitted by the planning commission upon submission of a site plan and such additional information as may be necessary to document the scope and intensity of the proposed use. Said uses may be permitted upon a finding by the planning commission that the use will comply with any specific requirements contained herein, and that the proposed location of the use will be desirable to the public convenience or welfare and in harmony with the various elements and objectives of the master plan of the City of Oak Park, as from time to time amended:

- A. Brew pubs, restaurants with breweries and distilleries subject to provisions in Section 1930. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- B. Restaurants, serving alcoholic liquor, subject to the provisions in Section 1930. Outdoor dining as an accessory area and subject to the provisions in Section 1709.
- C. Vehicle service centers subject to the provisions in section 1903.
- D. Nurseries and greenhouse subject to the provisions in Sections 1914 and 1925.
- E. Auto wash facilities subject to Section 1927.

Sec. 1503. - Required conditions.

- A. Except as otherwise provided in this article, all uses shall be conducted wholly within a completely enclosed building, except for off-street parking or loading.
- B. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
- C. No uses with drive-thru or vehicle pick-up windows are permitted.

Sec. 1504. - Additional site development standards.

All permitted and special land uses shall comply with all applicable provisions of the zoning ordinance including those listed below as a reference guide.

- A. Article II: Definitions.
- B. Article XVI: Schedule of district regulations (minimum lot width and area, setbacks, maximum height, etc.).
- C. Article XVII: General provisions for: visibility at intersections and corner clearance; visibility—walls, fences, hedges; accessory buildings and structures; swimming pools; erection of more than one principle structure on a lot; radio, television and satellite dish antenna; right-of-way-streets, alleys and railroad; access required: dwelling in other than main structures; building grades; performance standards for all land uses; screening and landscaping; fences, walls, and other barriers; moved buildings or structures; recreational and commercial vehicles; site plan review; off-street parking and loading.
- D. Article XVIII: Signs.
- E. Article XIX: Special land uses.
- F. Article XX: Nonconforming lots, uses and structures.
- G. Article XXI: General exceptions for: essential services; height limits; projections into yards.

SECTION 3. Article XIX, Section 1600, Height, bulk, density, area, setback and lot coverage by district, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended by the addition of regulations applicable to MX – 1 Mixed Use Districts as follows:

Use District: MX – 1 Mixed Use Districts

Lot Area in Acres or Square Feet: SPA

Lot Width in Feet: SPA

Maximum Height of Structures

In Stories: 3

In Feet: 45

Minimum Yard Setbacks:

Front: none required

Side Least One: none required

Total of 2: none required

Rear: none required

Minimum Floor Area Per Unit: see footnote (E)

Maximum Percentage of Lot Area: Dependent upon standards for parking, setbacks, open space and landscaping and site plan approval.

SECTION 4. Article XVIII, Zoning Districts, Section 1803, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following district:

MX – 1 Mixed Use district.

SECTION 5. Article XVIII, Zoning Districts, Section 1805, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following district:

MX – 1 Mixed Use district.

SECTION 6. 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 7. 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 8. 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 _____, 2018.

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 _____, 2018.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:

CITY OF OAK PARK, MICHIGAN

ORDINANCE NO.

AN ORDINANCE TO AMEND APPENDIX A-ZONING, ARTICLE III, AND THE OFFICIAL ZONING MAP CONTAINED THEREIN, BEING PART OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN, BY CHANGING THE USE DISTRICT OF CERTAIN PARCELS OF LAND IN SECTION 19 AND CURRENTLY ZONED LI, LIGHT INDUSTRIAL DISTRICT TO MX-1, MIXED-USE DISTRICT.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. The Code of Ordinances of the City of Oak Park is hereby amended by changing the use district of the following described parcels of land in Section 19 and currently zoned LI, Light Industrial District, according to the City's Official Zoning District Map, Appendix-A Zoning, Article III, to MX-1, Mixed Use District:

Address / Property Identification #

Vacant #52-25-19-128-001

14721 W Eleven Mile Rd #52-25-19-128-002

14701 W Eleven Mile Rd #52-25-19-128-003

14691 W Eleven Mile Rd #52-25-19-128-004

14669 W Eleven Mile Rd #52-25-19-128-005

14661 W Eleven Mile Rd #52-25-19-128-006

14611 W Eleven Mile Rd #52-25-19-128-007

14611 W Eleven Mile Rd #52-25-19-128-008

14511 W Eleven Mile Rd #52-25-19-201-022

14471 W Eleven Mile Rd #52-25-19-201-025

14441 W Eleven Mile Rd #52-25-19-201-026

14421 W Eleven Mile Rd #52-25-19-201-027

14401 W Eleven Mile Rd #52-25-19-201-014

Vacant #52-25-19-201-024

14283 W Eleven Mile Rd #52-25-19-202-001

Vacant #52-25-19-202-002

14251-14253 W Eleven Mile Rd #52-25-19-202-003

14241 W Eleven Mile Rd #52-25-19-202-010

14233 W Eleven Mile Rd #52-25-19-202-011

14231 W Eleven Mile Rd #52-25-19-202-006

14211 W Eleven Mile Rd #52-25-19-202-007

SECTION 2. It is hereby ordered that the Official Zoning District Map of the City of Oak Park, as herein amended, be incorporated with this ordinance and be considered a part hereof and be published in connection herewith.

SECTION 3. It is further ordered that from and after the effective date of this ordinance, the above described parcel of land shall be in the MX-1, Mixed-Use District, and be subject to the regulations pertaining to such a district.

SECTION 4. 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 5. 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 6. Effective Date

This ordinance shall be effective thirty (30) days from the date of adoption and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2018.

Ed Norris
City Clerk

Marian McClellan
Mayor

I, Ed 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 _____, 2018.

Ed Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:



CITY OF OAK PARK

Robert Barrett, Director
Department of Technical & Planning Services

Council Members
Carolyn Burns
Regina Weiss
Ken Rich
City Manager
Erik Tungate

To: Erik Tungate, City Manager
From: Robert Barrett, Director of Technical and Planning
Date: February 27, 2018
RE: Grass and noxious weeds notice

The Technical & Planning Department has undertaken a review of the city's grass and noxious weeds notice requirements. The current grass and noxious weeds notice ordinance requires that the city advertise for five days during the month of March in a local newspaper. For reference, last year the advertisement costs the city \$971.70.

In my opinion, this notification requirement is expensive and antiquated. To continue to comply with state law MCL 247.64a, I recommend that we change the notification ordinance to advertise for one day in a local newspaper. In addition, I recommend that we voluntarily place the notice on the City's website during the month of March. I believe that this process will more effectively communicate the requirement to our residents and will also save the city valuable general fund dollars.

For your review, below are the recommended changes to the referenced ordinances. The amended language is highlighted or crossed out-red text.

Sec. 1-24. - Notice.

Notice regarding sidewalk repairs, sewer or water connections, dangerous structures, abating nuisances or any other act, the expense of which if performed by the city may be assessed against the premises under the provisions of this Code, shall be served:

- (1) By delivering the notice to the owner personally or by leaving the notice at his residence, office or place of business with some person of suitable age and discretion; or*
- (2) By mailing the notice by certified or registered mail to such owner at his last known address; or*
- (3) If the owner is unknown, by posting the notice in some conspicuous place on the premises at least five days before the act or action concerning which the notice is given is to take place. No person shall interfere with, obstruct, mutilate, conceal or tear down any official notice or placard posted by any city officer, unless permission is given by the officer.*

(4) In the case of grass and noxious weeds, notice shall be given by advertising ~~five days~~ **one day** in a newspaper of general circulation in the county during the month of March that weeds not cut by May 1 of that year may be cut by the city and the owner of the property charged with the costs under the provisions of Section 18-283. ~~in a newspaper with city circulation and designated by the city council as the official, legal advertising media for the city.~~

Sec. 18-282. - Duty of occupant or owner.

It shall be the duty of the occupant or owner of every premises or property within the city, whether improved or unimproved, to cut and remove or destroy by lawful means, all weeds, grass, or rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of this article. ~~and at least once in every three weeks between May 1 and October 15 of each year.~~

(Code 1973, § 29-31; Ord. No. O-95-342, § 1, 7-3-95)

NOXIOUS WEEDS (EXCERPT)

Act 359 of 1941

247.64 Destruction of noxious weeds; duty of owner, commissioner, agent, and department of natural resources and environment; notice; ordinance; resolution; expenses; lien; penalty; exceptions; action in court of claims.

Sec. 4. (1) The owner of land on which noxious weeds are found growing shall destroy the weeds before they reach a seed bearing stage and prevent their regrowth, or shall prevent them from becoming a detriment to public health. The commissioner shall notify by certified mail with return receipt requested the owner, agent, or occupant of land on which noxious weeds are found growing. The notice shall describe methods of treating and eradicating the noxious weeds and a summary of the provisions of this section. Failure of the commissioner to give the notice does not, however, constitute a defense to an action to enforce the payment of a fine provided for or debt created under this act. If the owner, agent, or occupant refuses to destroy the noxious weeds, the commissioner shall enter upon the land and destroy the noxious weeds. Expenses incurred in the destruction shall be paid by the owner of the land, and the township, city, or village of which the commissioner is an officer shall have a lien against the land for the amount of the expense. The lien shall be enforced in the manner provided by law for the enforcement of construction liens.

(2) A village, city, or township may, whether or not provided in its charter, provide by ordinance enacted for the purpose of controlling and eradicating noxious weeds in subdivided land that if the owner, agent, or occupant of subdivided land in a subdivision in which buildings have been erected on 60% of the lots, or the owner, agent, or occupant of a lot along an improved street in common usage, has failed, after 10 days' notice as provided in this section, to destroy the weeds, for a depth of 10 rods or the depth of the lot, whichever is less, then an agent authorized by the governing body of the township, village, or city may enter upon the lot and destroy noxious weeds by cutting. Mechanical equipment that will not damage the property or the adjacent sidewalk, may be used to cut the noxious weeds. Expenses incurred in the destruction shall be paid by the owner of the lot. The township, village, or city shall have a lien upon the lot for the amount of the expense. The lien shall be enforced in the manner prescribed by charter, by the laws of this state providing for the enforcement of tax liens, or by ordinance passed by the governing body of the township, village, or city.

(3) An owner who refuses to destroy noxious weeds as provided in this section is subject to a fine of not more than \$100.00. When collected, the fine shall become a part of the "noxious weed control fund" of the township, village, or city. By ordinance, the township, city, or village may designate the refusal to destroy noxious weeds as provided in this section as a municipal civil infraction, in which case the fine shall be a civil fine. If the city establishes an administrative hearings bureau pursuant to statute to adjudicate and impose sanctions for blight violations, the city by ordinance may designate the refusal to destroy noxious weeds as provided in this section as a blight violation and any fine imposed shall be a civil fine.

(4) This act does not apply to weeds in fields devoted to growing any small grain crop such as wheat, oats, barley, or rye. In the case of an easement, property such as an abandoned subdivision, strip mine, or gravel pit, public property such as a forest preserve, and all other land as to which definite ownership is not known to the commissioner and cannot be established, the county board of commissioners shall cause the destruction of noxious weeds in accordance with this act.

(5) If the county board of commissioners of a county passes a resolution to participate under this act, the commissioner of noxious weeds shall notify the department of natural resources and environment, which shall determine whether there is land in the county belonging to this state under the jurisdiction of the department. The department of natural resources and environment shall cut noxious weeds growing on that land within 10 rods of any privately owned improved property, upon receipt of the notification. If the department of natural resources and environment fails to cut the weeds, the commissioner of noxious weeds shall enter upon the land and destroy the weeds. The expense shall be a charge against the department of natural resources and environment and may be recovered in an action in the court of claims.

History: 1941, Act 359, Eff. Jan. 10, 1942;—Am. 1947, Act 114, Eff. Oct. 11, 1947;—CL 1948, 247.64;—Am. 1956, Act 81, Eff. Aug. 11, 1956;—Am. 1962, Act 29, Eff. Mar. 28, 1963;—Am. 1984, Act 58, Imd. Eff. Apr. 12, 1984;—Am. 1994, Act 26, Eff. May 1, 1994;—Am. 2003, Act 321, Imd. Eff. Jan. 12, 2004;—Am. 2010, Act 118, Imd. Eff. July 13, 2010.

Compiler's note: For transfer of powers and duties of department of natural resources to department of natural resources and environment, and abolishment of department of natural resources, see E.R.O. No. 2009-31, compiled at MCL 324.99919.

For transfer of powers and duties of department of natural resources and environment to department of natural resources, see E.R.O. No. 2011-1, compiled at MCL 324.99921.

Rendered Thursday, February 15, 2018 Page 1 Michigan Compiled Laws Complete Through PA 15 of 2018

© Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov

NOXIOUS WEEDS (EXCERPT)

Act 359 of 1941

247.64a Cutting of weeds by township, city, or village; publication of notice; charging cost to owner; provisions inapplicable to railroads.

Sec. 4a. (1) Instead of the notice required by section 4, the township, city, or village may publish a notice in a newspaper of general circulation in the county during the month of March that weeds not cut by May 1 of that year may be cut by the township, village, or city and the owner of the property charged with the cost under the provisions of section 4. The publication shall also contain all other information required of the notice provided for in section 4. The township, city, or village may cut weeds as many times as is necessary and charge the cost to the property owner.

(2) The provisions of this act relative to entering on property for the cutting of weeds shall not apply to railroads which shall continue to be subject to the provisions of section 11.

History: Add. 1969, Act 172, Eff. Mar. 20, 1970;—Am. 1987, Act 210, Imd. Eff. Dec. 22, 1987.

Rendered

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

ORDINANCE NO. O-18-

**AN ORDINANCE TO AMEND SECTION 1-24(4) OF CHAPTER 1,
GENERAL PROVISIONS, OF THE CODE OF ORDINANCES, CITY OF
OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance - Section 1-24(4), Notice, of Chapter 1, General Provisions, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 1-24. - Notice.

(4) In the case of grass and noxious weeds, notice shall be given by advertising one day in a newspaper of general circulation in the county during the month of March that weeds not cut by May 1 of that year may be cut by the city and the owner of the property charged with the cost under the provisions of section 18-283.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date - This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, T.EDWIN NORRIS, 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

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

ORDINANCE NO. O-18-

**AN ORDINANCE TO AMEND SECTION 18-282 OF CHAPTER 18,
BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF
ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance - Section 18-282, Duty of Occupant or Owner, of Article VIII, Grass and Noxious Weeds, Chapter 18, Buildings and Building Regulations, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 18-282. – Duty of occupant or owner.

It shall be the duty of the occupant or owner of every premises or property within the city, whether improved or unimproved, to cut and remove or destroy by lawful means, all weeds, grass, or rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of this article.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date - This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, T.EDWIN NORRIS, 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

**CITY OF OAK PARK
OAKLAND COUNTY MICHIGAN**

ORDINANCE NO. O-18-

**AN ORDINANCE TO AMEND SECTIONS 3-3(1), 3-4, and 3-5, of
CHAPTER 3, MUNICIPAL CIVIL INFRACTIONS, OF THE CODE OF
ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance – Sections 3-3(1) – Authorized city official, 3-4 - Penalties for municipal civil infractions, and 3-5 – Designation of civil infractions, of Chapter 3 – Municipal Civil Infractions of the Code of Ordinances, City of Oak Park, are hereby amended to read as follows:

Sec. 3-3. – Authorized city official.

- (1) The building official, electrical inspector, plumbing and mechanical inspectors, code enforcement officer and public safety officers are hereby designated as the authorized city officials to issue municipal civil infraction citations directing alleged violators to appear in court as provided by this Code.

Sec. 3-4. - Penalties for municipal civil infractions.

- (a) The following civil fines shall apply in the event of a determination of responsibility for a municipal civil infraction, unless a different fine is specified in connection with a particular Code provision. Any fees listed in the fee schedule adopted by the City of Oak Park and posted at the 45th District Court shall be added to civil infraction fines set forth herein:
 - (1) The first offense, \$150.00, plus any cost to abate.
 - (2) The second offense, \$250.00, plus any cost to abate.
 - (3) A person who is determined to be responsible for a third or any subsequent repeat offense, is guilty of a misdemeanor punishable by a fine of not more than \$500.00 and costs of prosecution, plus any cost to abate, if applicable or by imprisonment for not more than 90 days, or by both such fine, costs and imprisonment in the discretion of the court in accordance with Sec. 1-25. - General penalty. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense.
- (b) The following shall be exceptions to the civil fine schedule:
 - (1) A violation of any provision of Chapter 71 – Telecommunications Services:
 - i. The first offense, \$500.00.
 - ii. The second offense, \$1,000.00.
 - iii. A person who is determined to be responsible for a third or any subsequent repeat offense, is guilty of a misdemeanor punishable by imprisonment for not more than 93

days or a fine of not more than \$2,000.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution, plus any cost to abate, if applicable.

- (c) A copy of the civil infraction fine schedule, including any fees, as amended from time to time, shall be posted at the 45th District Court.

Sec. 3-5. - Designation of civil infractions.

A violation of the following chapters, provisions, or sections of this Code or any rule, regulation, or order adopted or issued in pursuance thereof shall be deemed to be a municipal civil infraction which shall subject the violator to the civil fines and penalties as provided in this chapter unless specifically stated otherwise therein:

Chapter 14 - Animals;

Chapter 18 – Buildings and Building Regulations;

Chapter 22 – Businesses;

Chapter 38 – Environment;

Chapter 53 – Parking Lots;

Chapter 62 – Solid Waste;

Chapter 66 – Streets, Sidewalks and Other Public Places;

Chapter 71 – Telecommunications;

Chapter 78 – Trees;

Appendix A - Zoning; and

Any other chapter or section of this Code which specifically provides that a violation thereof is a municipal civil infraction.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date – This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. Edwin Norris
City Clerk

Marian McClellan
Mayor

I, T. Edwin Norris, 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 _____

T. Edwin Norris, City Clerk

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

ORDINANCE NO. O-18-

**AN ORDINANCE TO AMEND SECTION 22-505 OF CHAPTER 22,
BUSINESSES, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance - Section 22-505, Violations; penalty, of Article XII, Commercial Solicitations, Chapter 22, Businesses, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 22-505. – Violations; penalty.

Any violation of this article shall be punishable as a civil infraction as prescribed in Section 3-4.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date - This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, T. EDWIN NORRIS, 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

T. EDWIN NORRIS, City Clerk

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

ORDINANCE NO. O-18-

AN ORDINANCE TO AMEND SECTION 71-22(a) OF CHAPTER 71, TELECOMMUNICATION SERVICES, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance - Section 71-22(a), Enforcement, of Article I, General Provisions, Chapter 71, Telecommunication Services, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 71-22. – Enforcement.

(a) Any person who knowingly violates any prohibition in section 71-6 shall be guilty of a civil infraction as prescribed in section 3-4.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date - This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, T.EDWIN NORRIS, 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

**CITY OF OAK PARK
OAKLAND COUNTY MICHIGAN**

ORDINANCE NO. O-18-

**AN ORDINANCE TO AMEND SECTIONS 14-1, 14-4, and 14-29, of
CHAPTER 14, ANIMALS, OF THE CODE OF ORDINANCES, CITY OF
OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance – Sections 14-1 – Cruelty to Animals, 14-4 – Hunting and trapping, and 14-29 – Dangerous and rabid dogs and cats; confinement for observation; report of biting; destruction, of Chapter 14 – Animals, of the Code of Ordinances, City of Oak Park, are hereby amended to read as follows:

Sec. 14-1. – Cruelty to Animals.

(c) A person who violates section 14-1 is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution.

Sec. 14-4. - Hunting and trapping.

A person who violates section 14-4 is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution.

Sec. 14-29. - Dangerous and rabid dogs and cats; confinement for observation; report of biting; destruction.

A person who violates section 14-29 is guilty of a misdemeanor punishable by a fine of not more than \$500.00 and costs of prosecution, plus any cost to abate, if applicable or by imprisonment for not more than 90 days, or by both such fine, costs and imprisonment in the discretion of the court in accordance of Section 1-25.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date – This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. Edwin Norris
City Clerk

Marian McClellan
Mayor

I, T. Edwin Norris, 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 _____

T. Edwin Norris, City Clerk

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

ORDINANCE NO. O-18-

**AN ORDINANCE TO AMEND SECTION 78-82 OF CHAPTER 78, TREES,
OF THE CODE OF ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. Ordinance - Section 78-82, Penalty for violation, of Article III, Dead, Dying, Damaged or Diseased Trees, Chapter 78, Trees, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 78-82. – Penalty for violation.

Any person who shall violate any provisions of this article, or any lawful order issued in pursuance of the provisions hereof, shall be guilty of a civil infraction as prescribed in section 3-4.

SECTION 2. Savings Clause - All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. 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 sections, and in the event that 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 the Code of Ordinances, City of Oak Park.

SECTION 4. Effective Date - This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 5th day of March, 2018.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, T.EDWIN NORRIS, 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

T. EDWIN NORRIS, City Clerk

**City of Oak Park
Budget Calendar
Fiscal Year 2018-19**

<u>Internal</u>	<u>Date</u>
Finance compiles departmental salary and fringe benefits summaries	2/15-3/15/18
Finance enters initial three year budget estimates in BSA	2/15-3/15/18
Department summary capital needs due to finance	3/15/2018
Departmental three year budget projects available in BSA for review	3/21/2018
Department meetings with finance and City Manager	3/23-4/3/18
Draft City Manager budget complete	4/9/2018
 <u>Public</u>	
City Manager gives Council budget update	4/16/2018
City Council budget review session	4/16/2018
City Council budget review session	4/25/2018
City Council budget review session	4/30/2018
City Council budget review session (if needed) / public hearing request	5/7/2018
Budget public hearing noticed published	5/9/2018
Presentation of capital plan to planning commission	5/14/2018
Budget public hearing	5/16/2018
Final budget, fee schedule and millage rate adoption	5/16/2018
First reading of Utilities and Solid Waste ordinance amendments	6/4/2018
Second reading and adoption of Utilities and Solid Waste ordinance amendments	6/18/2018