AGENDA
REGULAR CITY COUNCIL MEETING
36th CITY COUNCIL
OAK PARK, MICHIGAN
January 3, 2017
7:00 PM

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1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **APPROVAL OF AGENDA**

5. **CONSENT AGENDA**

The following routine items are presented for City Council approval without discussion, as a single agenda item. Should any Council Member wish to discuss or disapprove any item it must be dropped from the blanket motion of approval and considered as a separate item.

A. Regular Council Meeting Minutes of December 19, 2016
B. Request to cancel the regularly scheduled Zoning Board of Appeals Meeting of January 27, 2017
C. Request to cancel the regularly scheduled Planning Commission Meeting of January 9, 2017
D. Planning Commission Meeting Minutes of October 10, 2016 and November 14, 2016
E. Recycling and Environmental Commission Meeting Minutes of October 20, 2016
F. Corridor Improvement Authority Board Meeting of October 20, 2016
G. Proposed change order No. 1 in the amount of ($28,029.11) and payment application No. 4 in the amount of $226,197.59 to Mattioli Cement Co., LLC for the 2016 Sidewalk Replacement Project, M-627
H. Proposed change order No. 1 in the amount of ($87,688.50) and payment application No. 3 in the amount of $12,128.41 to Pro-Line Paving Corp. for the Scotia Resurfacing Project, M-642
I. Request to schedule a public hearing for February 6, 2017 to consider the adoption of revisions to the Corridor Improvement Authority Development and Tax Increment plans
J. Licenses - New and Renewals as submitted for January 3, 2017

6. **RECOGNITION OF VISITING ELECTED OFFICIALS**

7. **SPECIAL RECOGNITION/PRESENTATIONS:** None

8. **PUBLIC HEARINGS:** None

9. **COMMUNICATIONS:** None

10. **SPECIAL LICENSES:** None

11. **ACCOUNTING REPORTS:**

A. Approval for payment of an invoice submitted by Secrest, Wardle, Lynch, Hampton, Truex & Morley for legal services in the amount of $10,962.34

12. **BIDS:** None

13. **ORDINANCES:**

A. First reading of an ordinance to amend the Jefferson Oaks Payment in Lieu of Taxes (PILOT) ordinance.

14. CITY ATTORNEY

15. CITY MANAGER:

Community and Economic Development, Planning Division

A. Request to accept the recommendation of the Planning Commission and approve distribution of the Draft Master Plan

Recreation

B. Request to increase the participant fees for Total Body Workout from $1 per class to $2 per class and Basic Hatha Yoga from $2 per class to $4 per class to be effective January 2017

16. CALL TO THE AUDIENCE

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

17. CALL TO THE COUNCIL

18. ADJOURNMENT

The City of Oak Park will comply with the spirit and intent of the American with Disabilities Act. We will provide support and make reasonable accommodations to assist people with disabilities to access and participate in our programs, facilities and services. Accommodations to participate at a Council Meeting will be made with 7-day prior notice.

CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
36th OAK PARK CITY COUNCIL
December 19, 2016
7:00 PM

MINUTES

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

PRESENT: Council Member Speech, Council Member Radner, Council Member Rich

ABSENT: Mayor McClellan, Mayor Pro Tem Burns

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

APPROVAL OF AGENDA:

CM-12-413-16 **(AGENDA ITEM #4) ADOPTION OF THE AGENDA AS SUBMITTED – APPROVED**

Motion by Rich, seconded by Radner, CARRIED UNANIMOUSLY, to approve the agenda as submitted.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-12-414-16 **(AGENDA ITEM #5A-D) CONSENT AGENDA - APPROVED**

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

A. Regular Council Meeting Minutes of December 5, 2016 **CM-12-415-16**
B. Planning Commission Meeting Minutes of September 12, 2016 **CM-12-416-16**
C. Public Safety Activity Summary Report for October 2016 **CM-12-417-16**
D. Licenses - New and Renewals as submitted for December 19, 2016 **CM-12-418-16**

MERCHANT'S LICENSES – December 19, 2016
(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
Chiropratic Works	21790 Coolidge	$150	Chiropractic Office
Oakwood Recycling Inc	10851 Capital	$150	Recycling
Oak-Fern Galleria LLC	8520 Nine Mile	$150	Automobile Memorabilia Boutique
LeCom Inc.	13270 Capital	$150	Utility Contractor

RENEWALS	ADDRESS	FEE	BUSINESS TYPE
Apollo Heat Treating & Processing	10221 Capital	$150	Corporation
Car Stop Automotive	21000 Coolidge	$150	Automotive
Wolfson Dental	26601 Coolidge	$150	Dental Office
Bertoni Holdings Inc	13600 Eight Mile	$150	Service Station / Conv Store
Quality Car Wash II Inc	14421 Eleven Mile	$150	Car Wash
Mr. M's Vacuum Repair	23300 Greenfield #101	$150	Vacuum Repair
Hutch's Jewelry Inc	23400 Greenfield	$150	Jewelry Store
Antonio Inc.	25298 Greenfield	$150	Corporation
Hanna Fruit Market	13745 Nine Mile	$150	Market
Krome Jewelers	21700 Greenfield #302	$150	Jewelry Store
Diamond Fashion Jewelers	21700 Greenfield #337	$150	Jewelry Store
Gold Fashion Jewelry Inc	21700 Greenfield #333	$150	Jewelry Store
Maro Jewelers	21700 Greenfield #365	$150	Jewelry Store
Prince's Pastry Inc	24711 Coolidge	$150	Bakery

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

CM-12-419-16 **(AGENDA ITEM #11A) APPROVAL FOR PAYMENT OF INVOICES AS SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF $16,270.39 - APPROVED**

Motion by Radner, seconded by Rich, CARRIED UNANIMOUSLY, to approve payment of invoices #468645, #468646, #466956, and #468647 as submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of $16,270.39.

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

MOTION DECLARED ADOPTED

CM-12-420-16 **(AGENDA ITEM #11B) PAYMENT OF INVOICE AS SUBMITTED BY THE LAW OFFICES OF HOWARD L. SHIFMAN, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF $15,000.00 - APPROVED**

Motion by Rich, Seconded by Radner, CARRIED UNANIMOUSLY, to approve payment of invoice #12836 to Howard L. Shifman, P.C. for legal services from January 1, 2017 through March 31, 2017 in the total amount of $15,000.00.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY:

An update on *Judy Kish and Joyce Bannon, et al v City of Oak Park* was presented.

CITY MANAGER:

Administration

(AGENDA ITEM #15B) City Hall Holiday Hours. City Manager Tungate indicated that City Hall will be closed the following dates: December 22, 23, 26 and 30; January 2

CALL TO THE AUDIENCE:

Betzion Schechter, from HATZALAH, indicated that the first class of 29 volunteers have passed testing for the program that will assist the Oak Park Public Safety Department with responses to 911 calls.

CALL TO THE COUNCIL:

Council Member Radner wished everyone a wonderful evening.

Council Member Rich wished everyone a good night.

Council Member Speech thanked everyone for coming and encouraged them to be safe.

ADJOURNMENT:

There being no further business to come before the City Council, Council Member Speech adjourned the meeting at 7:15 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Request to cancel the January 27, 2017 Zoning Board of Appeals meeting.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: The Chairperson of the Zoning Board of Appeals is requesting the January 27, 2017 Zoning Board of Appeals meeting be cancelled. There is no business scheduled before the Zoning Board of Appeals.

RECOMMENDED ACTION: The City Council consider accepting the request of the Chairperson of the Zoning Board of Appeals and cancel the January 27, 2017, regularly scheduled meeting.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS:

5C

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Request to cancel the January 9, 2017 Planning Commission meeting.

DEPARTMENT: Community and Economic Development, Planning Division

SUMMARY: The Chairperson of the Planning Commission is requesting the January 9, 2017 Planning Commission meeting be cancelled. There is no scheduled business before the Planning Commission.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: The City Council consider accepting the request of the Chairperson of the Planning Commission and cancel the January 9, 2017 regularly scheduled meeting.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: None.

CITY OF OAK PARK PLANNING COMMISSION
October 10, 2016
MINUTES

Meeting was called to order at 7:30 p.m., in the City Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, Michigan, by Vice Chairperson Brown and roll call was made.

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

APPROVAL OF AGENDA OF OCTOBER 10, 2016

MOTION by Walters-Gill, SECONDED by Burns, to **approve** the agenda as submitted.

VOTE:	Yes:	All
	No:	None

MOTION CARRIED

APPROVAL OF MINUTES OF SEPTEMBER 12, 2016 - APPROVED

MOTION by Seligson, SECONDED by Walters-Gill, to **approve** the Planning Commission meeting minutes of September 12, 2016 as submitted.

VOTE:	Yes:	All
	No:	None

MOTION CARRIED

COMMUNICATIONS/CORRESPONDENCE:

A. Memorandum on Administrative Approval of Hutch Jewelry, 23400 Greenfield, Site Plan – no action required by Planning Commission.

TO:	*Planning Commission members*	*DATE:*	*September 28, 2016*
FROM:	*Kevin Rulkowski, AICP, City Planner*	*FILE:*	*C:PLANADM/Hutch JewelersAA201609*
SUBJECT:	*Hutch Jewelry, 23400 Greenfield Road – Administrative Approval*		

Hutch Jewelry submitted a Site Plan to construct a 600 square foot storage room addition on the rear of the Hutch Jewelry building, 23400 Greenfield Road. The building addition does not change any site features of the existing property. The inclusion of the building addition will not require any additional parking due to an existing surplus of parking spaces on site. Hutch Jewelry is a relatively new business to Oak Park having relocated from Northland Mall when it closed.

Because the Site Plan describes improvements that do not exceed 2,000 square feet, Planning Commission and City Council approval is not required. I have approved the Site Plan as presented. Please contact me at (248) 691-7450, if you have any questions or concerns.

PUBLIC HEARING:

A. Public Hearing to consider a request from Pioneer Health Care Management for the proposed rezoning of 13200 Oak Park Boulevard, from R-1, One Family Dwelling District to RM-1, Low-Rise Multi-Family Residential District; *and*

C. Public Hearing to receive comments on proposed text amendments to the R-1, One Family Dwelling District, R-2, Two Family Dwelling District, and the RM-1 & RM-2, Multi-Family Residential District.

Vice Chairperson Brown opened the public hearing at 7:45 p.m.

Fahim Uddin and Odessa Uddin, Pioneer Health Care Management, provided a broad overview of the project.

Sharon Campbell, 24001 Eastwood, voiced concerns that the facility will negatively affect property values and that the parking structure, which is proposed to be located directly behind her home, will create security and traffic issues. Ms. Campbell also expressed concerned that the facility will become a long-term care facility as licensed rather than the short-term rehab facility presented.

Nynier Hall Brown, 13151 Oak Park Blvd., was opposed to the rezoning, based on concerns with a 24-hour facility changing the demographic of the neighborhood from residential owners, the negative effect the facility could have on property values, and the increased noise the facility would cause.

Barbara Mahaffey, 24021 Dante, echoed concerns about traffic, noise and negative effect on property values.

Donna Phillips 24041 Eastwood, opposed the proposed location in a residential area.

Cherrise Brown, 24036 Berkley, expressed concerns with safety and increased traffic.

Ms. Uddin addressed concerns raised by residents, noting:

- A license for a skilled nursing facility includes both long- and short-term care. Pioneer Health Care Management intends to operate a short-term rehab facility.
- The facility will be home to its residents, who also want a safe, quiet neighborhood.

- State regulations require this type of facility be designed as a home.
- The industry is highly regulated in terms of traffic impact, noise and other issues which concern residents.

Mr. Uddin stated Pioneer Health Care Management desires to be a good neighbor and to add value to the community. He commented on the financial investment he is making in the City and the jobs he is bringing to Oak Park. Mr. Uddin indicated 10-12 months' time frame for occupancy once approval of the site plan is received from the City.

Vice Chairperson Brown closed the public hearing at 8:30 p.m.

B. Planning Commission action regarding the request from Pioneer Health Care Management for the proposed rezoning of 13200 Oak Park Boulevard, from R-1, One Family Dwelling District to RM-1, Low-Rise Multi-Family Residential District.

City Planner Rulkowsi presented the report of the Planning Division, dated October 5, 2016:

The Planning Division has received a request from Pioneer Health Care Management, to rezone the property at13200 Oak Park Boulevard, from R-1, One Family Dwelling District to RM-1, Low-Rise Multi-Family Residential District.

A Public Hearing was scheduled for the October meeting to hear public comments on the rezoning request by Pioneer Health Care Management for 13200 Oak Park Boulevard, from R-1, One-Family Dwelling District to RM-1, Multi-Family Residential District. The proposed rezoning is the property identified as Property Identification # 25-29-301-015 on the attached map. The property is currently owned by the Chaldean Catholic Church of USA. The Pioneer Health Care Management proposal would demolish an existing building on the site and replace it with a one story, 66 bed Skilled Nursing and Rehabilitation Center. Enclosed is a preliminary site plan to illustrate the proposal. This preliminary site plan is not included as part of a formal Site Plan Review process and only the rezoning request is being considered at this time.

The following considerations were noted during the review of this rezoning request:

1. *The Zoning Ordinance, Section 600, Intent, of the RM-1, Multi-Family Residential District states "The RM-1 low-rise multi-family residential districts and the RM-2 mid-rise multi-family districts are intended to provide areas for multiple family dwellings and related uses, which will generally serve as zones of transition from lower density residential districts to more intense use districts, while providing appropriate housing alternatives in a properly planned setting." Currently there are no skilled nursing facilities in Oak Park providing specialized care in a residential setting.*
2. *The City's Master Plan states "As the population ages, new housing opportunities are needed to keep long-term residents in Oak Park after retirement".*
3. *The City's Strategic Economic Development Plan (2014) states "a diverse housing stock will increase the attractiveness of Oak Park to a broader range of prospective residents, especially a greater mix of multi-family options that*

appeal to the two largest demographic groups in the country: Millennials and the aging Baby Boomers. It also encourages long-term investment in the city by providing the opportunity to transition into housing that matches their life-stage without having to leave the community".

4. *The proposed rezoning is for property 4.5 acres in size.*
5. *All the adjacent parcels surrounding the subject parcel are zoned for single family residential use. The subject property and the property to the west have been used as Places of Worship for many years. At the nearby intersection of Coolidge Highway and Oak Park Boulevard are the City of Oak Park municipal campus and the Oak Park High School.*
6. *The RM-1, Multi-Family Residential District permits, as a Special Land Use, "convalescent or rest homes".*
7. *The setback requirements for the RM-1, Multi-Family Residential District and R-1, One-Family Dwelling District are very similar in their requirements. Both districts have 25 foot setbacks from the front property lines.*
8. *The proposed zoning change should have no significant impact to the traffic conditions in the area.*
9. *The City of Oak Park Master Plan identifies this area as a quasi-public land use. A skilled nursing care facility is consistent with this classification.*
10. *Currently there is a partially reconstructed community meeting facility on the property that never was never operational.*
11. *The proposed zoning change would be consistent with the intent of the Master Plan to create more diversification in its housing inventory.*
12. *The proposed zoning change would be consistent and compatible with existing land uses in the area.*

The proposed zoning district change is appropriate for this location and is consistent and compatible with existing land uses in the area. Both the Oak Park Master Plan and the Strategic Economic Development Plan identify the need for greater housing diversification which would include residential-type uses such as skilled nursing facilities.

The proposed zoning change would be consistent with the intent of the Master Plan by creating new housing opportunities and greater diversification of the available housing stock. Based on the above considerations, the Planning Division recommends rezoning the subject property, 13200 Oak Park Boulevard (Property Identification # 25-29-301-015), from R-1, One-Family Dwelling District to RM-1, Multi-Family Residential District.

MOTION by Walters-Gill, SECONDED by McClellan, based on the information presented in the Planning Division Report, and additional findings of fact discussed during the public hearing, to **approve** the rezoning the subject property, 13200 Oak Park Boulevard (Property Identification # 25-29-301-015), from R-1, One-Family Dwelling District to RM-1, Multi-Family Residential District.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Walters-Gill
No: None

MOTION CARRIED

D. Planning Commission action on proposed text amendments to R-1, One Family Dwelling District, R-2, Two Family Dwelling District, and the RM-1 & RM-2, Multi-Family Residential District.

City Planner Rulkowski presented the report of the Planning Division, dated October 5, 2016:

The Department of Community & Economic Development proposed at the September meeting to make some changes to the residential provisions and a few definitions to strengthen our code enforcement efforts. The Planning Commission at that time scheduled a Public Hearing for the October meeting to hear public comment on the proposed changes.

There are four specific areas the proposed Zoning Ordinance text amendments address:

Boarding Houses and Bed and Breakfasts.

The Zoning Ordinance provisions currently allow for both Boarding Houses and Bed and Breakfasts in single family residential areas. The Boarding House is a fairly antiquated concept while Bed and Breakfast uses seem to be more suitable for high tourist areas. Unfortunately, the Technical and Planning Department has recently uncovered a number of unlicensed (through the State of Michigan) adult foster care facilities that are claiming to be either Boarding Houses or Bed and Breakfasts. We believe the simplest and most effective way to deal with this new situation is to eliminate these unnecessary permitted uses.

ARTICLE IV. - R-1 ONE-FAMILY DWELLING DISTRICT

Sec. 401. - Permitted uses.

B. Accessory uses, buildings or structures customarily incidental to the aforesaid use as hereinafter stated and/or under the conditions hereinafter specified:

5. The operation of a boarding house, as defined in Article II, provided that no more than two rooms may be used for boarders or roomers. One non-illuminated sign, not over one square foot in area, indicating such use may be displayed on the premises. DELETE

7. The operation of a bed and breakfast as defined in Article II, subject to all of the following criteria:

a. Has ten or fewer sleeping rooms, including sleeping rooms occupied by the owner or occupant, one or more of which are available to rent to transient tenants;

b. Serves meals at no extra cost to its transient tenants; and

c. Has a smoke detector in proper working order in each sleeping room and a fire extinguisher in proper working order on each floor. DELETE

Related definitions:

Boarding house. The term boarding house, rooming house, and lodging house are used synonymously in this ordinance. A one-family residential dwelling occupied in such a manner that certain rooms in excess of those used by members of the immediate family and occupied

as a home or family unit are leased or rented to persons outside of the family, without any attempt to provide therein or therewith, cooking or kitchen accommodations for individuals leasing or renting rooms. DELETE

Bed and breakfast. An owner-occupied, one-family residential structure where the owner or operator provides overnight accommodations to guests in return for payment. DELETE

Parking Vehicles in Open Areas of Residential Rear Yards

It was recently determined that the current Zoning Ordinance language did not clearly state that "operable" machinery, equipment, vehicles, or other materials could not be stored in the open in residential rear yards. By removing the words regarding "discards or items in need of repair" the language would prevent the accumulation of machinery, equipment, vehicles in residential rear yards.

ARTICLE IV. - R-1 ONE-FAMILY DWELLING DISTRICTS
ARTICLE V. - R-2 TWO-FAMILY DWELLING DISTRICTS
ARTICLE VI. - RM-1 AND RM-2 MULTI-FAMILY RESIDENTIAL DISTRICTS

Sec. 403, 503, 603. - Required conditions.

A. No front yard space ~~in any R-1 district~~ shall be used for the storage or parking of vehicles or any other materials or equipment; provided vehicles which are currently licensed and in normal driving condition may be parked in a service driveway or garage.

B. Prohibited use for open areas: No machinery, equipment, vehicles, or other materials, ~~either discards or showing evidence of need for repair or maintenance~~ shall be stored or parked, or permitted to stand in any open area that is clearly visible from the street, public place or adjoining residential property.

Paving Your Entire Residential Yards

A resident recently inquired about the possibility of paving his entire rear yard. This action would potentially create a number of issues, not the least a problem with storm water runoff onto neighboring properties. The Zoning Ordinance currently has no specific provision that prevents complete paving of your yard. A method some communities have incorporated is a maximum percentage of allowable impervious surfaces. The Zoning Ordinance currently has a definition for Impervious Surface but no regulations accompanying it.

> *"Impervious surface. Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surface shall include a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes surfaces such as compacted sand, limerock, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures."*

After careful analysis, which included input from the Engineering and Building Divisions and reviewing other community's regulations, we believe it would be reasonable to limit impervious surfaces to 70% of the lot area.

ARTICLE IV. - R-1 ONE-FAMILY DWELLING DISTRICTS
ARTICLE V. - R-2 TWO-FAMILY DWELLING DISTRICTS

C. The total area of all impervious surfaces shall not exceed 70% of the lot area.

Buildings vs. Structures

To more distinctly define the difference between Buildings and Structures, we propose to make a small but important change to the definition of a Building.

Building. Any ***permanent*** *structure, ~~either temporary or permanent,~~ having a roof supported by columns, or walls, and intended for the shelter, or enclosure of persons, animals, or property of any kind.*

The current definition for Structure will remain unchanged.

Structure. Any constructed or erected material, the use of which requires locations on the ground or attachment to something having location on the ground, including, but not limited to, buildings, towers, sheds, and signs, but excepting walks, drives, pavements, fences, and similar access or circulation facilities.

If the proposed Zoning Ordinance text amendments are acceptable to the Planning Commission the Department of Community & Economic Development recommends approving the attached proposed ordinance.

MOTION by McClellan, SECONDED by Walters-Gill, based on the information presented in the Planning Division Report, and additional findings of fact discussed during the public hearing, to recommend to City Council **approval** of the proposed text amendments to R-1, One Family Dwelling District, R-2, Two Family Dwelling District, and the RM-1 & RM-2, Multi-Family Residential District as submitted.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Walters-Gill
No: None

MOTION CARRIED

CONSENT AGENDA: No Items Eligible This Month

OLD BUSINESS: None

NEW BUSINESS: None

PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only. None.

PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING: None.

ADJOURNMENT
There being no further business, Vice Chairperson Brown adjourned the meeting at 8:36 p.m.

_____
T. Edwin Norris, Recording Secretary

CITY OF OAK PARK PLANNING COMMISSION
November 14, 2016
MINUTES

Meeting was called to order at 7:30 p.m., in the City Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI, by Vice Chairperson Brown and roll call was made.

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

APPROVAL OF AGENDA OF NOVEMBER 14, 2016
The agenda was approved by consensus.

APPROVAL OF MINUTES OF SEPTEMBER 12, 2016 - DEFERRED
Minutes of the September 12, 2016 meeting will be presented for approval at the December meeting.

COMMUNICATIONS/CORRESPONDENCE: None

PUBLIC HEARING: None

CONSENT AGENDA: No Items Eligible This Month

OLD BUSINESS: None

NEW BUSINESS:

1) **Best Friends Child Care Center, 8430 Nine Mile Road – Final Site Plan Review.**
Staff Report from Kevin Rulkowski, AICP, City Planner, dated November 9, 2016:

Best Friends Child Care, 8430 Nine Mile Road, is requesting Final Site Plan approval for the renovation of a small office complex (three buildings) with a total 3,705 square feet, into a day care center. The property is zoned B-1, Neighborhood Business and child care facilities are a permitted use.

The proposed use has eight parking spaces located off of an alley at the rear of the building. This is adequate parking for a use of this type.

The Department of Licensing and Regulatory Affairs (LARA), Child Care Licensing Division, has authority over the internal layout and operation of the child care center. Based on an analysis of the useable square footage of the child care center, LARA will determine how many children can be accommodated by the facility. The applicant is anticipating approximately 30-40 children will be served by the facility.

LARA requires child care centers to provide opportunities for outdoor play. The site plan shows that a large asphalt area will be removed and a 1,200 square foot play area with wood chips put in its place. This area will be enclosed by a four foot high chain link fence.

The Site Plan indicates a screened refuse area will be constructed at the rear of the building off of the alley. The Site Plan includes a construction detail for an eight foot wall section. It is not clear whether this is for the required screen wall on the north side of the alley or for the refuse enclosure. In either case, the screen wall is only required to be six feet. A screen wall is required on the north side of the alley adjacent to a residential property.

The Site Plan does not indicate any existing or proposed exterior lighting. All exterior lighting should be shielded and downward casting to eliminate the possibility of nuisance to the adjoining properties.

The Site Plan does not indicate any new rooftop or ground level equipment. If new rooftop or ground level equipment is planned it will need to be screened as required by the Zoning Ordinance.

The Site Plan does not indicate any new signs for the business. A separate application will need to be submitted for any proposed signs.

Tori Webster, owner of Best Friends Child Care, responded to concerns expressed by Mayor McClellan by stating the paved area will be resurfaced by the general contractor and outside lighting will be added if needed for the safety of her clients. Mr. Rulkowski noted that neither item is an ordinance requirement.

It was noted that removal of the existing guardrail will be discussed with the engineer.

MOTION by Walters-Gill, SECONDED by Eizelman, based on the information presented in the Planning Division Report, and additional consideration by the Commission, to **approve** the Final Site Plan for Best Friends Child Care, 8430 Nine Mile Road, with the following conditions:

1) A six foot high screen wall is required on the north side of the alley adjacent to a residential property. The screen wall and screened refuse area construction detail to be submitted at the time of submission for building permit.
2) Proposed or existing lighting should be shielded and downward casting to eliminate the possibility of nuisance.
3) All proposed roof top or ground level equipment must be screened as required by the Zoning Ordinance.

4) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Tkatch, Tungate, Walters-Gill
No: None

MOTION CARRIED

2) Vehicle Dealer Licenses – proposed moratorium.
Staff Report from Kevin Rulkowski, AICP, City Planner, dated November 9, 2016:

In Michigan there are eight different Vehicle Dealer Licenses that address New and Used Vehicle Dealers as well as Parts, Brokers and Wholesalers. For New and Used Vehicle Dealers the Planning Division practice has been to require Site Plan Review. As for the licensing of Brokers and Wholesalers the approval process has not been as stringent. All Vehicle Dealer Licenses require the local municipality to sign-off on the license to ensure it meets the City's zoning requirements.

Over the last few years the frequency and variety of licenses requested have increased dramatically. Because of this increased activity it seems prudent to step back and review the City's regulatory options and possibly develop new standards and regulations. At this point I believe a six month moratorium on the approval and issuance of any Vehicle Licenses in the City would be appropriate.

MOTION by McClellan, SECONDED by Walters-Gill, based on the information presented in the Planning Division Report, and additional consideration by the Commission, to request the City Council to adopt a six month moratorium on the approval and issuance of any Vehicle Licenses in the City.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Tkatch, Tungate, Walters-Gill
No: None

MOTION CARRIED

3) Master Plan – schedule Public Hearing.
Staff Report from Kevin Rulkowski, AICP, City Planner, dated November 9, 2016:

As part of the process to revise the Master Plan, the staff will be providing a Draft Master Plan at the meeting for you to review and discuss at the December meeting.

In addition, as part of the process required by statute, the Planning Commission must hold a Public Hearing on the proposed Master Plan.

Vice Chair Brown asked that all copies of the draft Master Plan produced prior to adoption of the Plan be clearly marked "Draft".

MOTION by Eizelman, SECONDED by Burns, based on the information presented in the Planning Division Report, to schedule a Public Hearing on the proposed Master Plan for the December 12th meeting, after which the Planning Commission will have an opportunity to discuss with staff any modifications to the Draft Master Plan.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Tkatch, Tungate, Walters-Gill
No: None

MOTION CARRIED

4) Proposed Bylaw Amendment – proposed meeting time change to 7:00 p.m.
Staff Report from Kevin Rulkowski, AICP, City Planner, dated November 9, 2016:

At recent meetings the Planning Commission discussed a By-Laws amendment to change the start time of the Planning Commission meetings from 7:30 pm to 7:00 pm.

The procedure to amend the By-laws states:

"These By-Laws and Rules of Procedure may be amended by the Commission by a concurring vote pursuant to subsection 3.6 during any regular meeting, provided that all members have received an advance copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered."

As required by the above provision each Planning Commissioner was delivered the proposed By-Law amendment.

The following By-Law amendment is to be considered:

Current By-Laws provision:

3.11 Beginning and Ending Times

a. All Commission meetings shall begin promptly at 7:30 pm

Proposed By-Laws amendment:

3.11 Beginning and Ending Times

a. All Commission meetings shall begin promptly at 7:00 pm

MOTION by Eizelman, SECONDED by Walters-Gill, to **APPROVE** the By-Law amendment to 3.11 Beginning and Ending Times, to state "a. All Commission meetings shall begin promptly at 7:00 pm.", effective with the December 2016 meeting.

VOTE: Yes: Brown, Burns, Eizelman, McClellan, Tkatch, Tungate, Walters-Gill
No: None

MOTION CARRIED

PLANNING COMMISSION MATTERS FOR DISCUSSION – from members only.
Mr. Rulkowski provided an update on medical marijuana legislation.

Community & Economic Development Director Marrone provided a status report on the Lincoln Center, Armory and Fed Ex sites.

City Manager Tungate indicated Church St. is slated to open within the next few weeks.

PUBLIC COMMENTS ON ITEMS NOT SCHEDULED FOR PUBLIC HEARING:
City Manager Tungate agreed to follow-up on Commissioner Walter-Gills' request for welcome packets for new city residents to be supplied to her neighborhood association.

ADJOURNMENT
There being no further business, Vice Chairperson Brown adjourned the meeting at 8:10 p.m.

_____
Cherilynn Brown, Recording Secretary

CITY OF OAK PARK, MICHIGAN
RECYCLING and ENVIRONMENTAL COMMISSION
October, 20, 2016
MEETING MINUTES

The meeting was called to order at 7:05 p.m. by Chairperson Al Lewis in the #1 room of the Oak Park Community Center located at 14300 Oak Park Boulevard, Oak Park, MI 48237 and Roll Call was made.

PRESENT: Chairperson Al Lewis, Board Members Paul Bannon, Carolyn Davis, Denise Trombly, Richard Readus.

Ex-officio members: Deputy Director of Public Works Rocco B. Fortura, Doris Applebaum, Joyce Bannon, Asst. City Clerk Cherilynn Brown, Denise DeSantis Communications Director

ABSENT: Mayor Pro-Tem Carolyn Burns, Karen Bever, Jes Caswell, Clarissa Clemons

4. READING AND APPROVAL OF MINUTES
Moved by *Lewis*, seconded by *Readus*, to approve the minutes of *October, 20th,2016* as submitted/as amended to correct add Doris Applebaum present.

Vote: Yes: All
No: None
MOTION DECLARED ADOPTED

5. CONSIDERATION OF OLD BUSINESS

6. CONSIDERATION OF NEW BUSINESS
a. Cherilynn Brown gave a presentation on the proper rules on conducting a meeting. She stated that this Commission needs 5 present for a quorum. She went on to say that attendance needs to be at 25% in a fiscal year per member. We need at least 18 hours of public notice to change a meeting and to post a special meeting.
b. Denise Trombly mentioned that the meeting was not in the Oak Park calenda

7. ADJOURNMENT
Moved by *Lewis*, seconded by *Readus*, to adjourn the meeting.

Vote: Yes: All
No: None
MOTION DECLARED ADOPTED

Chairman Lewis adjourned the meeting at 8:25 p.m.

Rocco B. Fortura, Recreation Advisory Board Secretary

CITY OF OAK PARK

Corridor Improvement Authority

Carolyn Burns
Council Members
Solomon Radner
Ken Rich
Keisha Speech
City Manager
Erik Tungate

CITY OF OAK PARK CORRIDOR IMPROVEMENT AUTHORITY BOARD MEETING
OCTOBER 20, 2016
MINUTES

Meeting was called to order at 12:05 p.m., in the Executive Conference Room at Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, Michigan, by Chairperson Colbert and roll call was made.

PRESENT:	Chairperson Colbert Board Member Attisha Board Member Berger Mayor McClellan
ABSENT:	Vice Chairperson Blumenkopf Board Member Moulden Board Member Peteet
OTHERS PRESENT:	Community & Economic Development Director Kimberly Marrone

3. APPROVAL OF AGENDA OF OCTOBER 20, 2016

MOTION by McClellan SECONDED by Berger, to approve the agenda for October 20, 2016 as submitted.

VOTE: Yes: All
No: None
MOTION CARRIED

4. APPROVAL OF MINUTES OF AUGUST 18, 2016

MOTION by Berger, SECONDED by Attisha, to approve the minutes of the August 18, 2016 meeting as submitted.

VOTE: Yes: All
No: None
MOTION CARRIED

5. PUBLIC COMMENT

There were no members of the public in attendance.

6. UNFINISHED BUSINESS

A. Personal Property Tax Update

The following letter from Deputy County Executive Matthew Gibb, dated August 15, 2016, is included for reference:

Re: Oak Park Corridor Improvement Authority
Proposed Contract for County Participation

Ms. Marrone,

Thank you for your continued effort and diligence regarding Oakland County's interest to participate in the newly formed Corridor Improvement Authority in Oak Park. As we have discussed, the County generally participates in local tax increment financing (TIF) through a negotiated contract, the terms of which set forth the amount and manner in which County taxes will be captured and applied. The process includes our opting out of the capture district until the parties approve such a contract, which is our status currently. Despite the current opt out position, it is our intent that an appropriate contract is approved to allow for County participation.

Through several recent meetings and communications it has been determined that Oakland County will require capture of both real and personal property taxes as part of the agreement. This is a standard provision in all of our TIF contracts and is now part of the policy adopted by the County Board of Commissioners. We recognize that this determination requires Oak Park to re-approve the plan. We encourage your community to seek this approval in the most cost effective manner possible.

A question has arisen as to whether the County may have additional reservations beyond the element of real and personal property tax. I write to assure you that the balance of your plan, including the scope and nature of the proposed district, has been internally reviewed and, subject to the revision discussed herein, will be recommended to the Board of Commissioners for approval. If I can be of assistance in presenting this matter to any Council or Board in Oak Park, I am happy to do so.

Ms. Marrone reported that a change in state law, which would override the County's insistence on including personal property tax in the capture, has not been implemented as hoped. She therefore recommended the Board move forward with revising the Development Plan as requested by Oakland County. She outlined the process:

- The City will compile the personal property tax amounts for properties in the District.
- The Board will approve the revised Development Plan.
- Public Hearing on the revised Plan is noticed and held.
- City Council is asked to approve the revision.
- The Board negotiates a contract with Oakland County for County participation in tax capture.

It was noted that the Board had hoped a change in law would provide for County participation without the need to revise the Plan, because a revision requires a public hearing process which may cost $10,000.

MOTION by McClellan, SECONDED by Attisha, to move forward with a revision of the Development Plan to include personal property taxes.

VOTE: Yes: Attisha, Berger, McClellan, Colbert
No: None
MOTION CARRIED

B. Banners

Ms. Marrone reported:

- Only existing poles which can accommodate banners are in the Nine Mile & Coolidge area.
- She is pursuing approval from DTE to utilize their poles.
- Estimated cost for 3 seasonal banners on the 84 existing poles, including a one-time expense for hardware, is $15,120.
- The lifespan of a banner is 3 years.

Ms. Marrone recommended planning for placing a banner on every third pole, beginning in the spring when a $30,000 increase to the fund balance is expected.

The Board was in general consensus to begin development of the design now.

Regarding flower baskets, Ms. Marrone estimated a cost of $120/bracket and $25/flower basket. She suggested alternating banners and flower baskets. Ms. Marrone indicated the City's Department of Public Works could possibly maintain the baskets initially.

7. NEW BUSINESS - none

8. FINANCIAL REPORT

Ms. Marrone reported the current tax capture is $2,086.10.

The Board will be borrowing funds from the City to pay expenses for amending the Plan to add personal property tax.

9. BOARD MEMBER COMMENT

Ms. Attisha questioned how other municipalities fund beautification. Ms. Marrone responded the majority use a Downtown Development Authority or other type of Authority.

Mr. Berger questioned the County's capture limit of $500,000. Ms. Marrone explained the County caps the amount of tax capture as part of the negotiated contract. There is no cap on City tax capture. The County's percentage of the overall tax capture is roughly 8.8%.

The Board discussed ideas for an article in the new City magazine and a letter, with graphics, to be sent to retailers in the District detailing the work of the Authority along with an invitation to an open house or other avenue for additional information.

10. ADJOURNMENT

There being no objection, Chairperson Colbert adjourned the meeting at 12:47 p.m.

_____

Cherilynn Brown, Deputy Clerk/Director of Elections

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Proposed Change Order no. 1 and Payment Application no. 4 for the 2016 Sidewalk Replacement Project, M-627.

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

SUMMARY: Attached are Proposed Change Order no. 1 and Payment Application no. 4 for the 2016 Sidewalk Replacement Project, M-627. To date, the project is approximately 99% complete.

FINANCIAL STATEMENT:

Original Contract Amount:	$659,102.50
Proposed Change Order no. 1:	($ 28,029.11)
New Contract Amount:	$631,073.39
Total Completed to Date:	$631,073.39
Less Retainage:	$ 5,000.00
Net Earned:	$626,073.39
Deductions:	$ 0.00
Balance:	$626,073.39
Payments to Date:	$399,875.80
Amount Due Mattioli Cement Co., LLC:	$226,197.59

RECOMMENDED ACTION: It is recommended that Proposed Change Order no. 1 to Mattioli Cement Co., LLC for the 2016 Sidewalk Replacement Project, M-627 be approved for the amount of ($28,029.11). It is further recommended that Payment Application no. 4 for the same be approved for the amount of $226,197.59. Funding is available in the Sidewalk Program Fund for this expenditure.

APPROVALS:
City Manager: _____ Department Director: _____

Finance Director: _____

EXHIBITS: Proposed Change Order no. 1, Payment Application no. 4, map of project area

CHANGE ORDER

PROJECT:	2016 Sidewalk Replacement Project	***JOB NUMBER:***	M-627
OWNER:	City of Oak Park, Michigan	***CHANGE ORDER NO.:***	1
CONTRACTOR:	Mattioli Cement Co 6241 Mcguire Road Fenton, MI 48430	***PAGE:***	1

TO THE CONTRACTOR:

You are hereby directed to comply with the changes/extras to the contract documents.

This change order reflects work completed or anticipated. Documentation supporting these changes is on file with the City Engineer.

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE SUBTRACTED FROM THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Decreased Quantity	Quantity to Date	TOTAL Amount
1	Remove Concrete Pavment. (Modified SP)	18,450	SYD	$9.00	-312.90	18,137.10	($2,816.10)
4	Sidewalk Conc. Non Reinf. 4" Sidewalk	127,000	SFT	$2.55	-4,289.25	122,710.75	($10,937.59)
5	Cast in Place Detectable/Tactile Warning Surface	1,240	SFT	$16.50	-360.00	880.00	($5,940.00)
9	Inspection Crew Days	35	EA	$320.00	-39.00	4.00	($12,480.00)
						TOTALS	**($32,173.69)**

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE ADDDED TO THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	TOTAL Amount
2	Sidewalk Conc. Non Reinf. 8" Sidewalk/Drive Approach	1,100	SFT	$5.00	125.00	1,225.00	$625.00
3	Sidewalk Conc. Non Reinf. 6" Sidewalk/Drive Approach	37,950	SFT	$3.15	881.77	38,831.77	$2,777.58
6	24" Curb & Gutter Section, Non-Reinf. 7" Conc.	100	LFT	$35.00	21.20	121.20	$742.00
						TOTALS	**$4,144.58**

SUMMARY

Total Decrease	$	(32,173.69)
Total Increase	$	4,144.58
Total for Change Order No. 1:	**$**	**(28,029.11)**

Mattioli Cement Co., LLC — Date: 12-21-16

Contract Amount	$	659,102.50
Change Order No. 1:	$	(28,029.11)
New Contract Amount:	**$**	**631,073.39**

Robert Barrett - City of Oak Park — Date

PAYMENT APPLICATION

2016 SIDEWALK REPLACEMENT PROJECT

CITY OF OAK PARK, MICHIGAN

CONTRACTOR: **MATTIOLI CEMENT CO. LLC**
6241 MCGUIRE ROAD
FENTON, MI 48430

JOB NUMBER: M-627

APPLICATION NO.: 4

PERIOD ENDING: 11/21/2017

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY		UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Remove Concrete Pavment. (Modified SP)	18,450	SYD	$9.00	5,605.11	$50,445.99	18,137.10	$163,233.90
2	Sidewalk Conc. Non Reinf. 8" Sidewalk/Drive Approach	1,100	SFT	$5.00	1,185.00	$5,925.00	1,225.00	$6,125.00
3	Sidewalk Conc. Non Reinf. 6" Sidewalk/Drive Approach	37,950	SFT	$3.15	14,828.64	$46,710.22	38,831.77	$122,320.08
4	Sidewalk Conc. Non Reinf. 4" Sidewalk	127,000	SFT	$2.55	34,620.10	$88,281.26	122,710.75	$312,912.41
5	Cast in Place Detectable/Tactile Warning Surface	1240	SFT	$16.50	176.00	$2,904.00	880.00	$14,520.00
6	24" Curb & Gutter Section, Non-Reinf. 7" Conc.	100.00	LFT	$35.00	21.60	$756.00	121.20	$4,242.00
7	Minor Traffic Device	1.00	LSUM	$4,500.00	0.00	$0.00	1.00	$4,500.00
8	Project Clean up	1.00	LSUM	$4,500.00	1.00	$4,500.00	1.00	$4,500.00
9	Inspection Crew Days	$320.00	EA	35.00	-4.00	($1,280.00)	-4.00	($1,280.00)
					Period Total Amount:	**$198,242.47**	**Amount to Date:**	**$631,073.39**

Original Contract Amount	**$ 659,102.50**
Proposed Change Order #1	**$ (28,029.11)**
Current Contract	**$ 631,073.39**

Earnings This Period:	$198,242.47
Total Earnings to Date:	$631,073.39
Less Retainage:	$5,000.00
Net Earned:	$626,073.39
Deductions:	$0.00
Balance:	$626,073.39
Payments to Date:	$399,875.80
AMOUNT DUE	**$226,197.59**

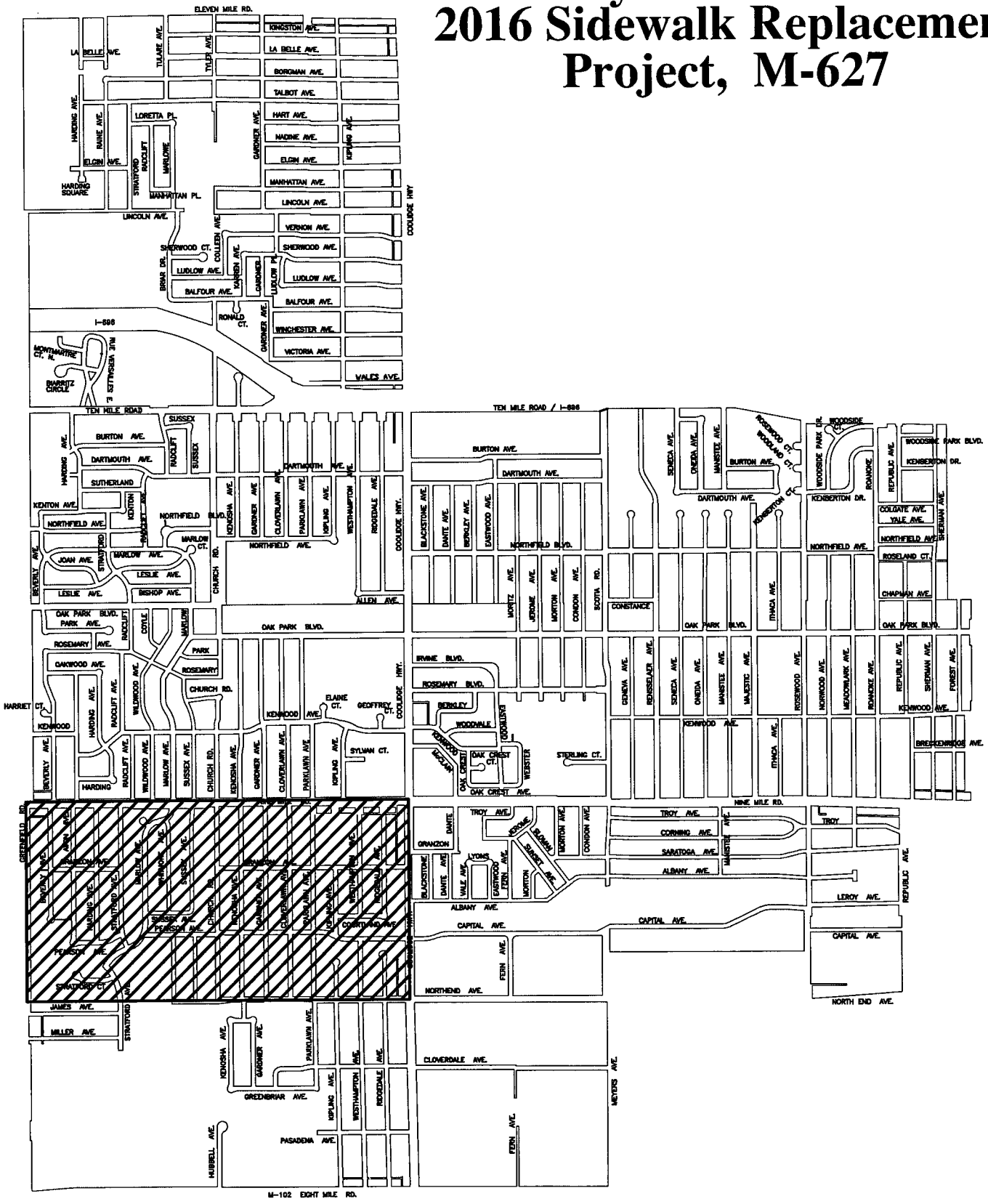
Accepted By: _____
Mattioli Cement Co. LLC

Date: 12-21-16

Approved By: _____
Robert Barrett, Director of Technical & Planning Services
City of Oak Park, Michigan

Date: _____

City of Oak Park
2016 Sidewalk Replacement Project, M-627



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Proposed Change Order no. 1 and Payment Application no. 3 for the Scotia Resurfacing Project, M-642.

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

SUMMARY: Attached are Proposed Change Order no. 1 and Payment Application no. 3 for the Scotia Resurfacing Project, M-642. To date, the project is approximately 99% complete.

FINANCIAL STATEMENT:

Original Contract Amount:	$538,293.05
Proposed Change Order no. 1:	($ 87,688.50)
New Contract Amount:	$450,607.55
Total Completed to Date:	$450,607.55
Less Retainage:	$ 5,000.00
Net Earned:	$445,607.55
Deductions:	$ 0.00
Balance:	$445,607.55
Payments to Date:	$433,479.14
Amount Due Pro-Line Asphalt Paving Corp:	$ 12,128.41

RECOMMENDED ACTION: It is recommended that Proposed Change Order no. 1 to Pro-Line Paving Corp. for the Scotia Resurfacing Project, M-642 be approved for the amount of ($87,688.50). It is further recommended that Payment Application no. 3 for the same be approved for the amount of $12,128.41. Funding is available in the Major Street Fund for this project.

APPROVALS:
City Manager: _____ Department Director: _____

Finance Director: _____

EXHIBITS: Proposed Change Order no. 1, Payment Application no. 3, map of project area

CHANGE ORDER

PROJECT:	Scotia Road Resurfacing Project	***JOB NUMBER:***	M-642
OWNER:	City of Oak Park, Michigan	***CHANGE ORDER NO.:***	1
CONTRACTOR:	Pro-Line Asphalt Paving Corp. 11797 29 Mile Rd. Washington, MI 48095	***PAGE:***	1 OF 2

TO THE CONTRACTOR:

You are hereby directed to comply with the changes/extras to the contract documents.

This change order reflects work completed or anticipated. Documentation supporting these changes is on file with the City Engineer.

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE SUBTRACTED FROM THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Decreased Quantity	Quantity to Date	Decreased Amount
2	Pavement Removal, Modified SP	3,050	SYD	$20.60	-544.64	2,505.36	-$11,219.58
3	Drainage Structure Removing, Modified SP	6	EACH	$1,130.00	-6.00	0.00	-$6,780.00
4	Subgrade Undercutting, Modified SP	15	CYD	$65.00	-15.00	0.00	-$975.00
7	Erosion Control Inlet Filter, Fabric Drop, Modified SP	31	EACH	$82.00	-25.00	6.00	-$2,050.00
8	Cold Milling HMA Surface, Modified SP	8,640	SYD	$2.50	-1,183.00	7,457.00	-$2,957.50
11	Pavement Joint and Crack Repair Detail 8	500	LFT	$6.00	-500.00	0.00	-$3,000.00
13	Drainage Structure 24" Inlet, Modified SP	2	EACH	$2,400.00	-2.00	0.00	-$4,800.00
14	Drainage Structure 48" Diameter, Modified SP	1	EACH	$4,000.00	-1.00	0.00	-$4,000.00
15	Drainage Structure Cover	760	LBS	$2.83	-760.00	0.00	-$2,150.80
17	Underdrain Subgrade, Open Graded 6", Modified SP	60	LFT	$32.00	-60.00	0.00	-$1,920.00
18	Hot Mix Asphalt, 3C 2 inch leveling Modified SP	1,015	TON	$71.00	-1,015.00	0.00	-$72,065.00
20	Hand Patching	30	TON	$150.00	-18.09	11.91	-$2,713.50
22	24" Curb and Gutter Section, Non-Reinf., Modified SP	4,300	LFT	$15.75	-46.29	4,253.71	-$729.06
23	Sidewalk Conc. Non-Reinf. Modified SP, 8" Conc. Sidewalk/Drive App.	1,450	SFT	$5.50	-697.98	752.02	-$3,838.89
24	Sidewalk Conc. Non-Reinf. Modified SP, 6" Conc. Sidewalk/Drive App.	12,800	SFT	$4.50	-4,928.29	7,871.71	-$22,177.31
29	Salvage Sign, Modified SP	25	EACH	$150.00	-25.00	0.00	-$3,750.00
31	Inspection Crew Days, Modified SP	$320	DAY	50.00	-23.50	26.50	-$7,520.00
						Totals:	**($152,646.64)**

CHANGE ORDER

PROJECT:	Scotia Road Resurfacing Project	***JOB NUMBER:***	M-642
OWNER:	City of Oak Park, Michigan	***CHANGE ORDER NO.:***	1
CONTRACTOR:	Pro-Line Asphalt Paving Corp. 11797 29 Mile Rd. Washington, MI 48095	***PAGE:***	2 OF 2

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE ADDED TO THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	Increased Amount
5	Machine Grading, Shepherd Park West Lot, Modified SP	1	STA	$4,000.00	0.40	1.40	$1,600.00
6	Earth Excavation - Shepherd Park Path, Modified SP	60	CYD	$62.00	25.00	85.00	$1,550.00
10	Joint and Crack Cleanout	15,500	LFT	$2.00	120.00	15,620.00	$240.00
16	Adjusting Drainage Structure Cover Case 1, Modified SP	5	EACH	$625.00	2.00	7.00	$1,250.00
19	Hot Mix Asphalt, 13A 2 Inch Wearing	1,015	TON	$71.25	569.58	1,584.58	$40,582.58
21	Conc. Pavement with Integral Curb and Gutter, Non.Reinf 7 Inch, Modified SP	100	SYD	$49.50	8.76	108.76	$433.62
25	Sidewalk Concrete Non. Reinf, Modified SP 4" Concrete Sidewalk	1,750	SFT	$5.00	1,124.13	2,874.13	$5,620.65
26	Cast In Place Detectable/Tactile Warning Surface	128	SFT	$27.50	36.00	164.00	$990.00
27	Class A Sodding, Modified SP	1,800	SYD	$7.05	310.00	2,110.00	$2,185.50
32	Aggregate Base Under Curb and Gutter Section	0	SYD	$9.00	1,167.31	1,167.31	$10,505.79
						Totals:	**$64,958.14**

SUMMARY

Total Increase	$64,958.14
Total Decrease	($152,646.64)
Total Amount for Change Order No. 1:	($87,688.50)

Pro-Line Asphalt Paving Corp. Date

Original Contract Amount:	$538,296.05
Change Order No. 1:	($87,688.50)
New Contract Amount	$450,607.55

Robert Barrett, Director of Technical & Planning Services Date

PAYMENT APPLICATION

PROJECT: SCOTIA ROAD RESURFACING PROJECT

JOB NUMBER: M-642

OWNER: CITY OF OAK PARK

APPLICATION NO.: PAY 3

CONTRACTOR: PRO-LINE ASPHALT PAVING CORP.
11797 29 MILE RD.
WASHINGTON, MI 48095

PERIOD ENDING: 12/7/2016

Original Contract Amount:	$538,296.05
Proposed Change Order No.1:	($87,688.50)
New Contract Amount:	$450,607.55

Earnings This Period:	$12,128.41
Total Earnings to Date:	$450,607.55
Less Retainage:	$5,000.00
Net Earned:	$445,607.55
Deductions:	$0.00
Balance:	$445,607.55
Payments to Date:	$433,479.14

AMOUNT DUE TO PRO-LINE ASPHALT PAVING CORP.: $12,128.41

Accepted By: _____ Date: _____
Pro-Line Asphalt Paving Corp.

Approved By: _____ Date: _____
Robert Barrett, Director Technical & Planning Services
City of Oak Park, Michigan

PAYMENT APPLICATION

PROJECT: SCOTIA ROAD RESURFACING PROJECT

JOB NUMBER: M-642

OWNER: CITY OF OAK PARK

APPLICATION NO.: PAY 3

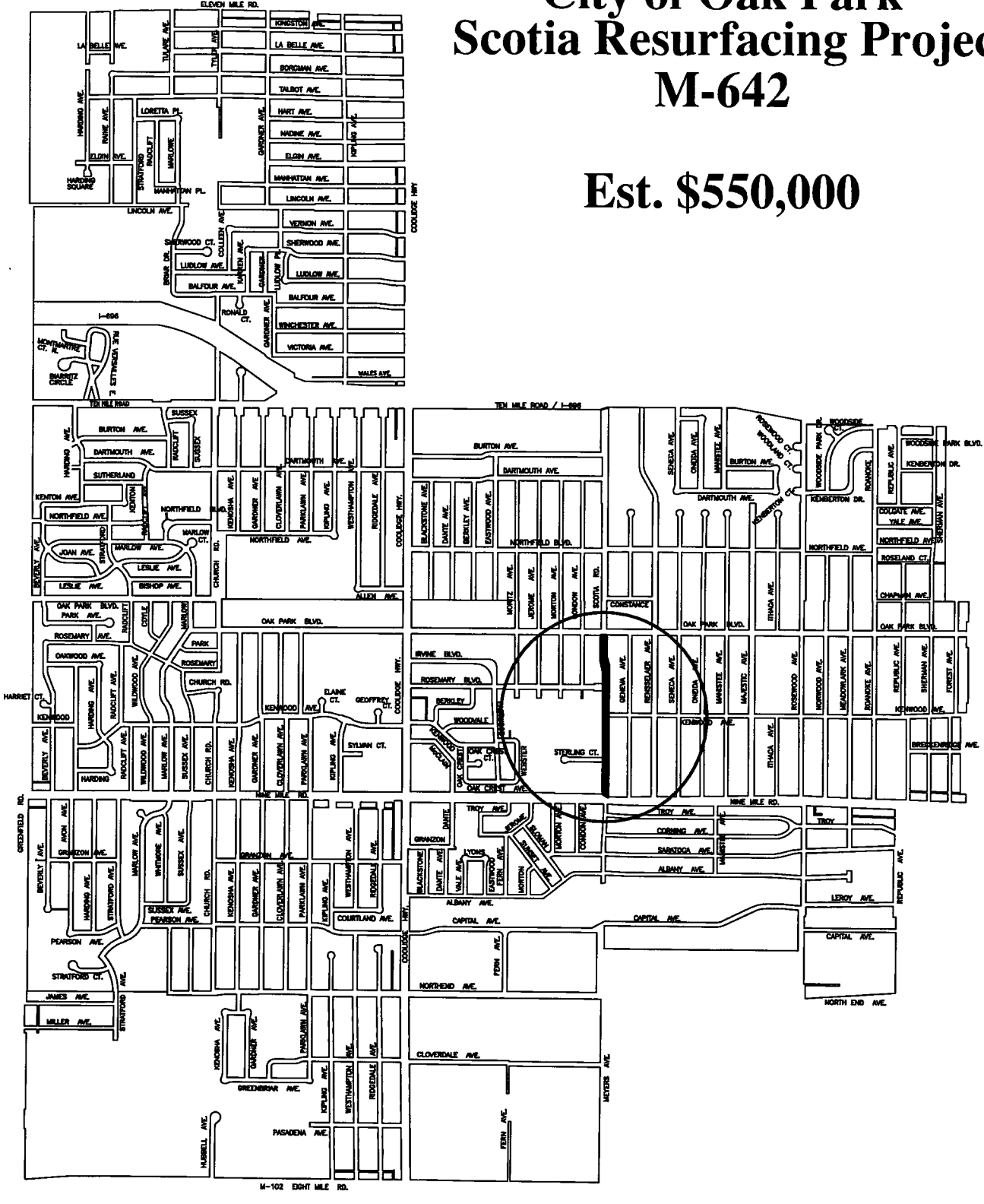
CONTRACTOR: PRO-LINE ASPHALT PAVING CORP.
11797 29 MILE RD.
WASHINGTON, MI 48095

PERIOD ENDING: 12/7/2016

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY		UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	MOBILIZATION	1	LSUM	$26,500.00	0.00	$0.00	1.00	$26,500.00
2	PAVEMENT REMOVAL, MODIFIED SP	3,050	SYD	$20.60	57.28	$1,179.97	2,505.36	$51,610.42
3	DRAINAGE STRUCTURE REMOVING MODIFIED SP	6	EACH	$1,130.00	0.00	$0.00	0.00	$0.00
4	SUBGRADE UNDERCUTTING, MODIFIED SP	15	CYD	$65.00	0.00	$0.00	0.00	$0.00
5	MACHINE GRADING, SHEPHERD PARK WEST LOT,MODIFIED SP	1.00	STA	$4,000.00	0.00	$0.00	1.40	$5,600.00
6	EARTH EXCAVATION - SHEPHERD PARK PATH, MODIFIED SP	60	CYD	$62.00	0.00	$0.00	85.00	$5,270.00
7	EROSION CONTROL INLET FILTER, FABRIC DROP, MODIFIED SP	31	EACH	$82.00	6.00	$492.00	6.00	$492.00
8	COLD MILLING HMA SURFACE, MODIFIED SP	8,640	SYD	$2.50	95.37	$238.42	7,457.00	$18,642.50
9	PAVEMENT CLEANING	1	LSUM	$2,100.00	0.00	$0.00	1.00	$2,100.00
10	JOINT AND CRACK CLEANOUT	15,500	LFT	$2.00	0.00	$0.00	15,620.00	$31,240.00
11	PAVEMENT JOINT AND CRACK REPAIR DETAIL 8	500	LFT	$6.00	0.00	$0.00	0.00	$0.00
12	AGGREGATE BASE UNDER CONCRETE (6" 21AA CRUSH LIMESTONE)	605	SYD	$13.90	14.29	$198.63	605.00	$8,409.50
13	DRAINAGE STRUCTURE 24" INLET, MODIFIED SP	2	EACH	$2,400.00	0.00	$0.00	0.00	$0.00
14	DRAINAGE STRUCTURE 48" DIAMETER, MODIFIED SP	1	EACH	$4,000.00	0.00	$0.00	0.00	$0.00
15	DRAINAGE STURCTURE COVER	760	LBS	$2.83	0.00	$0.00	0.00	$0.00
16	ADJUSTING DRAINAGE STRUCTURE COVER CASE 1, MODIFIED SP	5	EACH	$625.00	0.00	$0.00	7.00	$4,375.00
17	UNDERDRAIN SUBGRADE, OPEN GRADED 6", MODIFED SP	60	LFT	$32.00	0.00	$0.00	0.00	$0.00
18	HOT MIX ASPHALT, 3C 2 INCH SP BASE	1,015	TON	$71.00	0.00	$0.00	0.00	$0.00
19	HOT MIX ASPHALT, 13A 2 INCH SP WEARING	1,015	TON	$71.25	0.00	$0.00	1,584.58	$112,901.33
20	HAND PATCHING	30	TON	$150.00	5.00	$750.00	11.91	$1,786.50
21	CONC. PAVEMENT WITH INTEGRAL CURB, NON-REINF. 7 INCH, MODIFIED SP	100	SYD	$49.50	0.00	$0.00	108.76	$5,383.62
22	24" CURB AND GUTTER SECITON, NON-REINF., MODIFIED SP	4,300	LFT	$15.75	0.00	$0.00	4,253.71	$66,995.93
23	SIDEWALK CONCRETE NON-REINF., MODFIED SP 8" CONCRETE SIDEWALK/ DRIVE APP.	1,450	SFT	$5.50	0.00	$0.00	752.02	$4,136.11
24	SIDEWALK CONCRETE NON-REINF., MODFIED SP 6" CONCRETE SIDEWALK/ DRIVE APP.	12,800	SFT	$4.50	204.00	$918.00	7,871.71	$35,422.70
25	SIDEWALK CONCRETE NON-REINF., MODFIED SP 4" CONCRETE SIDEWALK	1,750	SFT	$5.00	0.00	$0.00	2,874.13	$14,370.65
26	CAST IN PLACE DETECTABLE/TACTIL WARNING SURFACE	128	SFT	$27.50	0.00	$0.00	164.00	$4,510.00
27	CLASS A SODDING, MODIFIED SP	1,800	SYD	$7.05	0.00	$0.00	2,110.00	$14,875.50
28	MINOR TRAFFIC DEVICE, MODIFIED SP, 5% MAX	1	LSUM	$16,000.00	0.00	$0.00	1.00	$16,000.00
29	SALVAGE SIGN, MODIFIED SP	25	EACH	$150.00	0.00	$0.00	0.00	$0.00
30	PROJECT CLEAN UP, 5% MAX	1	LSUM	$1,000.00	0.00	$0.00	1.00	$1,000.00
31	INSPECTION CREW DAYS	$320	DAY	50.00	26.50	$8,480.00	26.50	$8,480.00
32	AGGREGATE UNDER CURB AND GUTTER SECTION	0	SYD	$9.00	-14.29	($128.61)	1,167.31	$10,505.79
				Period Total Amount:		$12,128.41	**Amount to Date:**	$450,607.55

City of Oak Park
Scotia Resurfacing Project
M-642

Est. $550,000



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Schedule a public hearing for a first reading to adopt the Corridor Improvement Authority Development and TIF Plan revisions

SUMMARY: Oakland County has requested that the Corridor Improvement Authority Development and TIF Plans be amended to include Personal Property Taxes in order to enter into an agreement to capture a portion of Oakland County taxing jurisdictions. The plans have been amended to include personal property taxes. City council is asked to set a public hearing for the first reading of the amended CIA for the February

RECOMMENDED ACTION: The city council schedule the Corridor Improvement Authority public hearing for February 6, 2017 and conduct the first reading.

APPROVALS:

City Manager: _____

Director: Kevin Marron

Finance Director: _____

EXHIBITS: Public Notice

CITY OF OAK PARK, MICHIGAN

RESOLUTION TO HOLD A PUBLIC HEARING ON THE AMENDED DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN FOR THE DEVELOPMENT AREA OF THE CORRIDOR IMPROVEMENT AUTHORITY

This Resolution was made and adopted at a meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at the City Offices on the 3rd of January, 2017.

Members Present:

Members Absent:

The following preamble and resolution was made by Member _____ and seconded by Member _____.

RECITALS:

At a City Council regular meeting, the City Council (the "Council") of the City of Oak Park (the "City") resolved to adopt a resolution to create and provide for the operation of a Corridor Improvement Authority (CIA) for the City pursuant to and in accordance with the provisions of Act 280 of the Public Acts of the State of Michigan of 2005 (Act 280).

Subsequent to the appointment of a Board, Directors have conducted meetings to amend the previously adopted development plan and tax increment financing plan for the CIA development area.

Act 280 requires in relevant part that "[t]he governing body, before adoption of an ordinance approving a development plan or tax increment financing plan, shall hold a public hearing... (MCL 125.2892(1)). At the time set for hearing, the governing body shall provide an opportunity for interested persons to speak and shall receive and consider communications in writing. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for consideration of documentary evidence pertinent to the development plan." (MCL 125.2892(3)).

Act 280 further requires that a notice of the public hearing conforming to the requirements of MCL 125.2892(2) be published, posted within the District, and mailed to affected property taxpayers and taxing jurisdictions.

THEREFORE, BE IT RESOLVED THAT:

1. A public hearing shall be held before the Council on February 6, 2017 at 7:00 p.m. at the City Offices located at 14000 Oak Park Boulevard, Oak Park, Michigan, on the amended Development Plan and Tax Increment Financing Plan for the development area of the Corridor Improvement Authority.

2. The City Clerk of the City of Oak Park shall give notice to the public, in the form attached as Exhibit A, of the public hearing by causing notice:

(a) To be published in the Daily Tribune Newspaper, a weekly newspaper of general circulation in the City of Oak Park, on January 13 and January 20, 2017.

(b) To be mailed to the property taxpayers of record in the development area and the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the amended tax increment financing plan is approved on or before February 6, 2017.

(c) To be posted in not less than twenty conspicuous and public places in the development area on or before ~~February 6, 2017~~ **January 17, 2017**.

AYES:

NAYES:

ABSTAINED:

RESOLUTION DECLARED _____.

STATE OF MICHIGAN)

COUNTY OF Oakland) SS.

I, the undersigned, the duly qualified and acting City Clerk of the City of Oak Park, County of Oakland, State of Michigan, do certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Oak Park at a regular meeting held on the ____ day of _____, 2017, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have set my official signature, this _____ day of _____, 2017.

Ed Norris
Oak Park, CITY CLERK

CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING ON THE AMENDED DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN FOR THE DEVELOPMENT AREA OF THE CORRIDOR IMPROVEMENT AUTHORITY

The City Commission of the city of Oak Park, Oakland County, Michigan, will hold a Public Hearing on:

Monday, February 6, 2017, at 7:00 p.m.

At the Oak Park City Hall Building at 14000 Oak Park Blvd., Oak Park, MI 48237, to consider the amendment of the Oak Park Corridor Improvement Authority Tax Increment Financing and Development Plans in accordance with Public Act 280 of 2005, as amended.

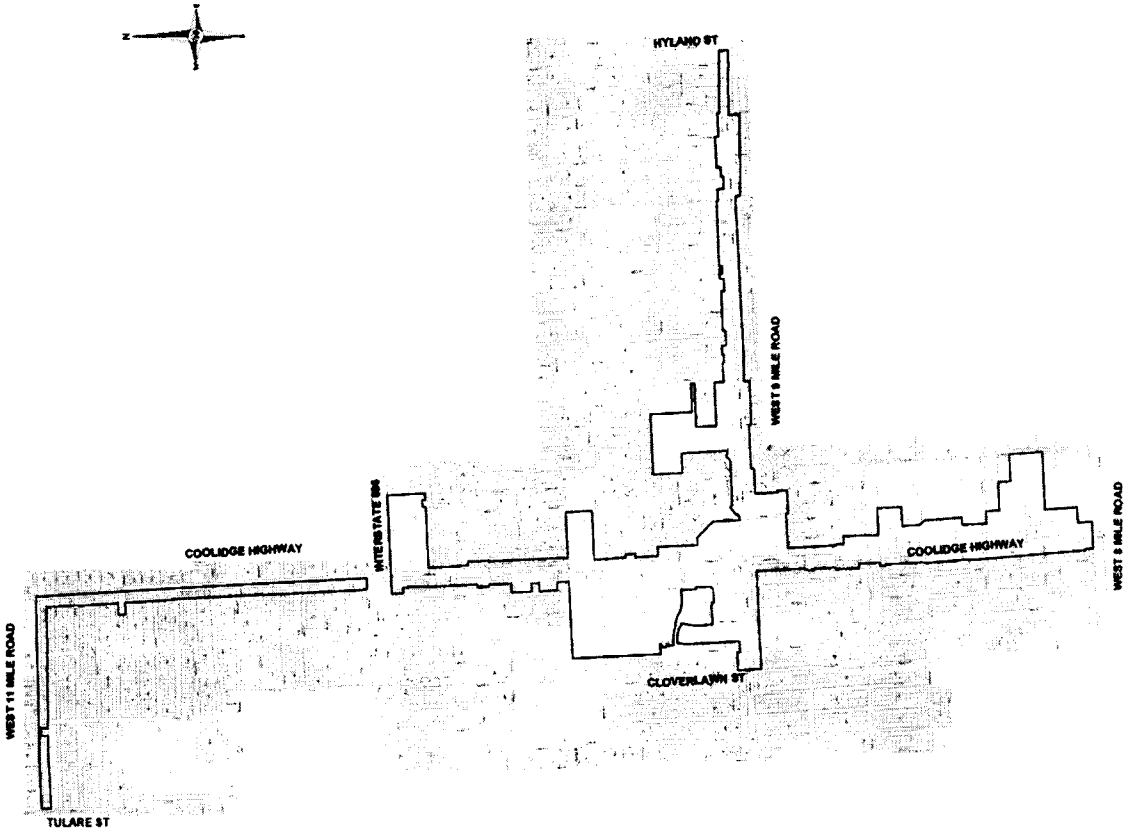
PLEASE TAKE FURTHER NOTICE that a description of the development area in relation to highways, streets, streams and other improvements and natural features is presented below.

PLEASE TAKE FURTHER NOTICE that a map, plats, and a description of the amended Development Plan, are available for public inspection at the Office of the City Clerk at the address stated above. The amended Development Plan does not include any proposal resulting in the displacement or requiring the relocation of families or individuals from the development area.

PLEASE TAKE FURTHER NOTICE that all aspects of the amended Development Plan and Tax Increment Financing Plan will be open for discussion at the public hearing and interested persons shall be provided an opportunity to speak and deliver written communications.

OAK PARK CITY CLERK

The proposed boundaries of the Corridor Improvement Authority Development area are depicted below:


HYLAND ST
WEST 9 MILE ROAD
INTERSTATE 696
COOLIDGE HIGHWAY
COOLIDGE HIGHWAY
WEST 9 MILE ROAD
WEST 11 MILE ROAD
CLOVERLAWN ST
TULARE ST

OAKLAND®
COUNTY MICHIGAN

L. BROOKS PATTERSON, OAKLAND COUNTY EXECUTIVE

Matthew Gibb
Deputy County Executive

August 15, 2016

Ms. Kimberly Marrone
Community & Economic Development Manager
City of Oak Park
14300 Oak Park Blvd.
Oak Park, MI 48237

Re: Oak Park Corridor Improvement Authority
Proposed Contract for County Participation

Ms. Marrone,

Thank you for your continued effort and diligence regarding Oakland County's interest to participate in the newly formed Corridor Improvement Authority in Oak Park. As we have discussed, the County generally participates in local tax increment financing (TIF) through a negotiated contract, the terms of which set forth the amount and manner in which County taxes will be captured and applied. The process includes our opting out of the capture district until the parties approve such a contract, which is our status currently. Despite the current opt out position, it is our intent that an appropriate contract is approved to allow for County participation.

Through several recent meetings and communications it has been determined that Oakland County will require capture of both real and personal property taxes as part of the agreement. This is a standard provision in all of our TIF contracts and is now part of the policy adopted by the County Board of Commissioners. We recognize that this determination requires Oak Park to re-approve the plan. We encourage your community to seek this approval in the most cost effective manner possible.

A question has arisen as to whether the County may have additional reservations beyond the element of real and personal property tax. I write to assure you that the balance of your plan, including the scope and nature of the proposed district, has been internally reviewed and, subject to the revision discussed herein, will be recommended to the Board of Commissioners for approval. If I can be of assistance in presenting this matter to any Council or Board in Oak Park, I am happy to do so.

Regards,

Matthew A. Gibb

EXECUTIVE OFFICE BUILDING 41 WEST • 2100 PONTIAC LAKE RD DEPT 409 • WATERFORD, MI 48328-0409 • (248) 975-9636 • FAX (248) 452-9215
EMAIL: gibbm@oakgov.com

MERCHANT'S LICENSES – JANUARY 3, 2017

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
None			

RENEWALS	ADDRESS	FEE	BUSINESS TYPE
Midland Equipment	12771 Capital	$150	Tool Repair
Four Seasons Garden Center	14471 Eleven Mile	$150	Landscape
Elie Khoury, MD	24611 Coolidge	$150	Medical
Salwan Francis, DDS	24611 Coolidge	$150	Medical / Dental
E Z Petroleum 4 Inc	13551 Nine Mile	$150	Gas Station
McDonald's/Martinique Mgmt	21000 Greenfield	$150	Fast Food Restaurant

TAXI CAB/MOTOR VEHICLE FOR HIRE – RENEWALS 2017

NAME	COMPANY	ADDRESS
Inder Singh Khera	Yellow Cab of Southfield	47451 Iroquois Ct.

PAWN BROKER – RENEWAL 2017

NAME	ADDRESS	FEE
Pay Benny, Inc. *Surety Bond Approval	21380 Greenfield	$400

SECREST
SW
WARDLE

SECREST, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS # 38-1863919

City of Oak Park
Erik Tungate
13600 Oak Park Blvd
Oak Park, MI 48237

December 8, 2016
Invoice # 1299569
Client No. M1409
Matter No. 100314

RE: Oak Park, City of (Building Fund)

INTERIM

Services Rendered:

CURRENT BILLING SUMMARY THROUGH NOVEMBER 30, 2016

Fees for Professional Services	$10,864.00
Expenses Advanced	$98.34
CURRENT BILL DUE	**$10,962.34**

PLEASE REMIT TO: SECREST, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Payment In Lieu of Taxes (PILOT) Amendment – Jefferson Oaks

DEPARTMENT: Community & Economic Development

SUMMARY: The Community & Economic Development Department recommends to city council to conduct the first reading to consider an amendment for the Jefferson Oaks PILOT.

The PILOT was approved in August 2015. Community Housing Network is the developer and the project is the renovation of Jefferson School into 20 apartment units and the construction of 40 new townhomes. Financing has been secured and the project is set to begin this winter.

The amendment is necessary as a requirement of MSHDA. The amendment has been reviewed by our city attorney and recommended to be approved.

FINANCIAL STATEMENT: **N/A**

RECOMMENDED ACTION: City Council conduct the first reading of an ordinance to amend the Jefferson Oaks Payment in Lieu of Taxes (PILOT) ordinance.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: revised ordinance

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND SECTION 72-61, TAX EXEMPTION ORDINANCE-JEFFERSON OAKS PILOT, OF ARTICLE III, TAX EXEMPTION ORDINANCE-JEFFERSON OAKS PILOT, OF CHAPTER 72, TAXATION, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK ORDAINS:

SECTION 1.
Section 72-61, Tax Exemption Ordinance- Jefferson Oaks Pilot, of Article III, Tax Exemption Ordinance- Jefferson Oaks Pilot, of Chapter 72, Taxation, of the Code of Ordinances of the City of Oak Park is hereby amended to read as follows:

Sec. 72-61. - Tax exemption ordinance- Jefferson Oaks Pilot.

(a) This ordinance shall be known and cited as the City of Oak Park Tax Exemption Ordinance- Jefferson Oaks.

(b) *Preamble.* It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The city is authorized by this Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this ordinance for tax exemption and the service charge in lieu of all ad valorem taxes during the period contemplated in this ordinance are essential to the determination of economic feasibility of the housing projects that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The city acknowledges that the sponsor, **CHN Jefferson Limited Dividend Housing Association Limited Partnership,** (as defined below) has ~~offered~~ **committed**, subject to receipt of ~~a mortgage loan from the Michigan State Housing Development Authority, to acquire and~~ **an allocation of Tax Credits (as defined below) to** rehabilitate, own and

operate a housing ~~project~~ **development** identified as Jefferson Oaks on certain property located at 22001 Republic in the city**, which is legally described in Section 4.G. of this ordinance,** to serve low income persons and families, and that the sponsor has offered to pay **and will pay** the city on account of this housing ~~project~~ **development** an annual service charge for public services in lieu of all ad valorem property taxes.

(c) ***Purpose.*** **This ordinance authorizes and approves an annual service charge in lieu of all ad valorem property taxes for residential housing developments that: (a) serve low income or moderate income persons (as defined in the Act and this ordinance); (b) are financed or assisted by a federally-aided mortgage in accordance with the Act; (c) are located within the city of; and (d) comply with this ordinance.**

(~~c~~**d**) *Definitions.* [The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Annual shelter rents **means the total actual collections during each calendar year from all occupants of a housing development representing rents or occupancy charges, which rental amounts shall be exclusive of charges for gas, electricity, heat, or other utilities furnished to the occupants.**

Authority means the Michigan State Housing Development Authority.

~~*Annual shelter rent* means the total collections during an agreed annual period from or paid on behalf of all occupants of a housing project representing rent or occupancy charges, exclusive of utilities.~~

Federally-aided mortgage **means any of the following:**

- **(i) A below market interest rate mortgage insured, purchased, or held by the Secretary of the Department of Housing and Urban Development ("HUD");**
- **(ii) A market interest rate mortgage insured by HUD and augmented by a program of rent supplements;**
- **(iii) A mortgage receiving interest reduction payments provided by the HUD;**
- **(iv) A mortgage on a Housing Development to which the Authority allocates low income housing tax credits under Section 22b of the Act; or**
- **(v) A mortgage receiving special benefits under other federal law designated specifically to develop low and moderate-income housing, consistent with the Act.**

Housing development means a development which contains a significant element of housing for persons of low income and such elements of other housing, commercial, recreational, industrial, communal, and educational facilities as the Authority determines to improve the quality of the development as it relates to housing for persons of low income. For the purposes of this ordinance, "Housing Development" means Jefferson Oaks Apartments located on the property legally described as:

A parcel of land located in part of the N.W. ¼ of Section 33, T. 1 N., R. 11 E., Royal Oak Township, Oakland County, Michigan, being more particularly described as:

Beginning at a point on a line 25 feet West of the East line of Republic Avenue, said point being S. 87°45'09" E. 1279.87 feet along the North line of said Section 33 and S. 00°54'09" E. 613.16 feet along said line from the N.W. corner of said Section 33; thence S. 00°54'09" E. 664.60 feet; thence along the North line of Leroy Street (width varies) S. 88°01'31" W. 609.90 feet; thence along the East line of "Ferndale-Wyoming Subdivision" as recorded in Liber 86 of Plats, Page 17, Oakland County Records, N.00°56'00" W. 364.78 feet; thence N. 88°02'31" E. 380.10 feet; thence N. 00°54'09" W. 300.00 feet; thence along the South line of Saratoga Street (60 feet wide) N. 88°02'31" E. 230.00 feet to the point of beginning.

~~*Low income persons and families* means persons and families eligible to move into a housing project.~~

Low income or moderate income persons means persons and families eligible to reside in the Housing Development as defined in the Act, as amended.

~~*Mortgage loan* means a loan or grant made or to be made by the authority to the sponsor for the construction, rehabilitation, acquisition and/or permanent financing of the housing project, and secured by a mortgage on the housing project.~~

~~*Sponsor* means Community Housing Network, Inc. ("CHN") and any entity that receives or assumes a mortgage loan.~~

Sponsor means person(s) or entities which have applied to the Authority for the Tax Credits to finance a Housing Development. For the purposes of this Ordinance, the Sponsor is CHN Jefferson Limited Dividend Housing Association Limited Partnership.

Tax credits means the low income housing tax credits made available by the Authority to the sponsor for rehabilitation of the housing development by the sponsor in accordance with the Low Income Housing Tax Credit Program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.

Utilities means ~~charges for~~ **fuel**, gas, electric, water, sanitary sewer and other utilities furnished to the occupants ~~that~~ **and which** are paid by the housing ~~project~~ **development**.

(~~d~~**e**) *Class of housing ~~projects~~ development.* It is determined that the class of housing ~~projects~~ **development** to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be housing ~~projects~~ **development** for low income persons and families that are financed with a ~~mortgage loan by the authority~~ **federally aided mortgage**. It is further determined that Jefferson Oaks is of this class.

(**ef**) *Establishment of annual service charge.* The housing ~~project~~ **development** identified as Jefferson Oaks and the property on which it will be located shall be exempt from all ad valorem property taxes from and after the commencement of construction or rehabilitation. The city acknowledges that the sponsor and the authority have established the economic feasibility of the housing ~~project~~ **development** in reliance upon the enactment and continuing effect of this ordinance, and the qualification of the housing ~~project~~ **development** for exemption from all ad valorem property taxes and a payment in lieu of taxes as established in this ordinance. Therefore, in consideration of the sponsor's offer to rehabilitate, construct and operate the housing ~~project~~ **development**, the city agrees to accept payment of an annual service charge for public services in lieu of all ad valorem property taxes. Subject to receipt of a **federally-aided** mortgage ~~loan~~, the annual service charge shall be equal to ten percent of the annual shelter rents actually collected by the housing ~~project~~ **development** during each operating year, however it is expressly understood and agreed that in any event, the minimum annual service charge to be paid for years one through 18 will be equal to the projections submitted by sponsor in support of its request for the pilot as approved by city council on August 3, 2015.

(~~f~~**g**) *Contractual effect of ordinance.* Notwithstanding the provisions of Section 15(a)(5) of the Act to the contrary, **this ordinance constitutes** a contract between the city and the sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption **from ad valorem property taxes** and accept payments **of an annual service charge** in lieu of taxes, as previously described, is effectuated by enactment of this ordinance.

(~~g~~**h**) *Limitation on the payment of annual service charge.* Notwithstanding **any other** subsection ~~(e)~~, the service charge to be paid each year in lieu of taxes for the part of the housing ~~project~~ **development** that is tax exempt but which is occupied by other than low **or moderate** income persons or families shall be equal to the full amount of the taxes which

would be paid on that portion of the housing ~~project~~ **development** if the housing ~~project~~ **development** were not tax exempt.

(~~hi~~) *Payment of service charge.* The annual service charge in lieu of taxes as determined under this ordinance shall be payable in the same manner as general property taxes are payable to the city/township and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. The annual payment for each operating year shall be paid on or before ~~August~~ **May** 1 of the following year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1 et seq.).

(~~ij~~) *Duration.* This ordinance shall remain in effect ~~for a period of 18 years commencing from the date the mortgage loan is executed.~~ **and shall not terminate for so long as the housing development remains subject to a federally-aided mortgage and so long as the housing development submits the required annual notification of exemption pursuant to MCL 125.1415a(1), as amended.**

(k) Filing of Annual Audit. The sponsor, or its successor, shall file a copy of any and all annual audits required to be provided to the federal government, the State of Michigan, and/or the Authority simultaneously with the city. The audit shall include detail with respect to occupancy of the housing development, annual shelter rents received from the housing development and the cost for utilities during the audit period.

SECTION 2. Severability.

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this ordinance, except as to the above section and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park.

SECTION 3. Effective Date.

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

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park, on this ___ day of _____, 2017.

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 Counsel of the City of oak park at its regular meeting held on _____, 2017.

_____
T. Edwin Norris, City Clerk

314760

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Request of the Planning Commission for approval to distribute the Draft City of Oak Park Master Plan.

DEPARTMENT: Community & Economic Development, Planning Division

SUMMARY: At the December 12, 2016 meeting, the Planning Commission reviewed the presented draft Master Plan and was generally satisfied with the document. A copy of the Draft Master Plan was included in the Planning Commission packet previously distributed to City Council. The Planning Commission voted to present to City Council the Draft Master Plan and request approval to distribute the Master Plan.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and approve distribution of the Draft Master Plan.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: Memorandums.

CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO:	Planning Commission members	DATE:	December 6, 2016
FROM:	Kevin Rulkowski, AICP, City Planner	FILE:	Planning/ MP draft
SUBJECT:	Draft Master Plan & Public Hearing		

At last month's meeting the Planning Commission scheduled a Public Hearing for the December meeting to hear public comment on the Draft Master Plan. After further review of the statutory Master Plan approval process, the Public Hearing is actually conducted at the end of the required 95 day review period.

Included in the meeting packet is a revised Draft Master Plan for your review. If at the meeting the Planning Commission is satisfied with the document, it is the recommendation of staff to forward the Draft to City Council for approval to distribute the Master Plan. If City Council approves the distribution of the plan, the Draft Master Plan is then distributed to all neighboring municipalities (65 days to review and submit comments) and Oakland County (95 days to review and submit comments).

On the back of this memo is a tentative Master Plan approval process timeline should the Planning Commission decide to move forward.

CITY OF OAK PARK

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO:	Kim Marrone, Director, Community & Economic Development	DATE:	December 13, 2016
FROM:	Kevin Rulkowski, AICP, City Planner	FILE:	Planning/ MP Process Schedule REV

SUBJECT: Master Plan Process Schedule

Tentative schedule for the Master Plan Approval process:

December 7, 2016	Proposed Master Plan delivered to Planning Commission & City Council.
December 12, 2016	Proposed Master Plan reviewed by Planning Commission. Planning Commission is satisfied with proposed Master Plan. Planning Commission votes to submit to City Council for review and recommends City Council authorizes distribution of proposed Master Plan.
January 3, 2017	Proposed Master Plan reviewed by City Council. If City Council is satisfied with proposed Master Plan, authorizes distribution of proposed Master Plan.
January 4, 2017	Proposed Master Plan distributed to all neighboring municipalities (65 days to review and submit comments) and Oakland County (95 days to review and submit comments).
January 31, 2017	Master Plan Open House to informally receive comments from public regarding the Proposed Master Plan.
April 8, 2017	Statutory 95 days comment period ends.
April 10, 2017	Planning Commission conducts Public Hearing on Proposed Master Plan. After Public Hearing the Planning Commission may adopt the Proposed Master Plan. After adoption of Master Plan, the Master Plan is submitted to City Council.
April 17, 2017	City Council receives the adopted Master Plan.

BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: January 3, 2017 **AGENDA #**

SUBJECT: Request to amend the fee schedule for Total Body Workout and Basic Hatha Yoga classes effective January 2017.

DEPARTMENT: Recreation Department

SUMMARY: Oak Park Recreation Department is requesting to amend the fees charged for two fitness classes. Increasing participant's fees for Total Body Workout from $1 to $2 per class and Basic Hatha Yoga from $2 per class to $4 per class will cover the cost of the instructor and administrative fees.

RECOMMENDED ACTION: Request to increase the participant fees for Total Body Workout from $1 per class to $2 per class and Basic Hatha Yoga from $2 per class to $4 per class to be effective January 2017.

APPROVALS:

City Manager: _____

Director: _____

Finance Director: _____

EXHIBITS: Program Budget Memo

CITY OF OAK PARK

Recreation Department

Mayor
Marian McClellan
Mayor Pro Tem
Carolyn Burns
Council Members
Kiesha Speech
Solomon Radner
Ken Rich
City Manager
Erik Tungate

MEMO

Date: December 20, 2016

To: Erik Tungate, Oak Park City Manager

From: Laurie Stasiak, Recreation Director

Re: Increase in class fees for Total Body Workout and Basic Hatha Yoga for 2017

Total Body Workout is scheduled on Monday and Wednesdays from 10:30 – 11:30 am.
Hatha Yoga is scheduled on Thursdays from 10:30 – 11:30 am.

Currently two daytime fitness classes Total Body Workout and Basic Hatha Yoga have a substantial shortfall in program revenue. Both instructors are under contract and being paid $32 per hour through the end of this year. They have been instructors with the Recreation Department for several years.
Total Body Workout participants have been paying for a punch card at $1.00 per punch/per class and able to use that punch card when they attend throughout the year. Each punch card has 20 punches. Basic Hatha Yoga participants have been paying for a punch card at $2 a punch/per class and able to use that card when they attend their class.

The following lists the revenues and expenses for the Total Body Workout for the last 2 years:

	2014	2015	2016
Revenues:	N/A	$1,440	$1,555.00
Expenses:	$3,520	$2,720	$3,198.00
Program loss:	N/A	$1,280	$1,643.00

The following lists the revenues and expenses for the Basic Hatha Yoga for the last 3 years:

	2014	2015	2016
Revenues:	N/A	$700	$1,275
Expenses:	$1,120	$1,376	$1,443
Total loss:	N/A	$676	$168

Effective with the new session in January, my recommendation is to schedule the classes in 8 week sessions as we have gone to for all our contracted recreation classes. Increase Total Body Workout from $1.00/per class to a rate of $2.00 per class and Basic Hatha Yoga from $2.00 per/class to a rate of $4 per class, eliminating the punch card system. This increase will allow us to continue to pay the instructor at $32 per hour while making a small profit. We will reevaluate these two classes with the next Budget and Fee Schedule for 2016/17.

Total Body Workout:
Revenue: $2 per class x 8 classes = $16 per 8 week session x 18 students (average number of students) = $288 revenue
Expense: Instructor Fee $32 per class x 8 classes = $256
Profit of $32 per session

Basic Hatha Yoga:
Revenue: $4 per class x 8 classes = $32 per 8 week session x 10 students (average number of students) = $320 revenue
Expense: Instructor Fee $32 per class x 8 classes = $256
Profit of $64 per session

Our next session starts the week of January 9th.