AGENDA

REGULAR CITY COUNCIL MEETING
40TH CITY COUNCIL
OAK PARK, MICHIGAN
JANUARY 21, 2025
7:00 PM

---

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

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

A. Regular City Council Meeting Minutes for January 6, 2025

B. Request authorization to bid the 2025 Joint and Crack Sealing Project, M-780.

C. Request authorization to bid the 2025 Catch Basin Line Replacement Project, M-779

D. Approval of Pay Application No. 2 for the 2024 Sewer & Catch Basin Cleaning & TV Inspection Project, M-774 in the amount of $94,463.65

E. Request to approve Payment Applications No. 4 and 5 for the Eight Mile Booster Station Rehabilitation Project, M-732, to CSM Mechanical of Milford, MI in the amount of $62,272.98 and $58,896.90.

F. Public Safety Activity Summary Report for December 2024

G. Request to approve Payment Application No. 1 for the 2024 Block Pruning Project, to Limb Walkers Tree & Snow, LLC of Kenockee, MI in the amount of $4,075.00

H. New and Renewal Licenses for January 21, 2025

6. RECOGNITION OF VISITING ELECTED OFFICIALS

7. SPECIAL RECOGNITION/PRESENTATIONS

A. Mayor Pro Tem Shaun Whitehead - Oath of Office

B. Interstate 696 Project Update

8. ACCOUNTING REPORTS

A. Approval for payment of invoices submitted by Garan, Lucow, Miller, PC for legal services in the amount of $15,388.63

9. CITY MANAGER

A. Discussion of finalists for City Council vacancy.

B. Finance/Assessing

1. Request to approve compensation for the Board of Review and an additional meeting date.

2. Request to approve the 2025 poverty exemption application and income guidelines.

C. City Clerk

1. Request to approve a License Agreement with the Board of County Election Commissioners for Oakland County to use the Oak Park Community Center, 14300 Oak Park Blvd. as an early voting regional site and authorize the City Manager to sign the agreement on behalf of the city.

D. Elevate Oak Park

10. 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.

11. CALL TO THE COUNCIL

12. 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.

MINUTES
REGULAR CITY COUNCIL MEETING
40TH CITY COUNCIL
OAK PARK, MICHIGAN
JANUARY 6, 2025
7:00 PM

1. CALL TO ORDER

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.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

PRESENT: Mayor McClellan, Council Member Edgar, Mayor Pro Tem Burns, Council Member Radner, Council Member Whitehead

ABSENT: None

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

4. APPROVAL OF AGENDA

Motion by Burns, seconded by Edgar, CARRIED, to approve the agenda with the following addition:

1. Item 7B - Tribute to Mayor Pro Tem Burns

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

5. CONSENT AGENDA

Motion by Burns, seconded by Radner, CARRIED, to approve the CONCENT AGENDA consisting of the following items:

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

A. Regular City Council Meeting Minutes for December 16, 2024
CM-01-1-2025

B. Payment of invoices from OHM Advisors for Engineering Consulting Services for the total amount of $5,162.50
CM-01-2-2025

C. Request authorization to bid the 2025 Water Main Replacement Project, M-769
CM-01-3-2025

D. Approval of Pay Application No. 1 for the 2024 Sewer & Catch Basin Cleaning & TV Inspection Project, M-774 in the amount of $72,316.08.
CM-01-4-2025

E. Request authorization to bid the 2025 Northfield Reconstruction Project, M-770
CM-01-5-2025

F. Public Safety Activity Summary Report for November 2024
CM-01-6-2025

G. Request authorization to bid the Eleven Mile Parking Lot Replacement Project, M-694
CM-01-7-2025

H. Resolution to authorize the use of credit cards for city business and adopt the credit card policy.
CM-01-8-2025

I. Payment request from Neumann Smith Architecture for Architectural Services on the Event Hub and Municipal Services Move.
CM-01-9-2025

J. New and Renewal Licenses January 6, 2025
CM-01-10-2025

6. RECOGNITION OF VISITING ELECTED OFFICIALS

There were no elected officials present who wished to speak.

7. SPECIAL RECOGNITION/PRESENTATIONS

A. Special Retirement Recognition for General Foreman Ray Krajewski.

City Manager Tungate presented special retirement recognition to Ray Krajewski who is retiring from the Department of Public Works.

B. Special Recognition for Mayor Pro Tem Carolyn Burns. (Added to the agenda)

Mayor McClellan recognized Mayor Pro Tem Burns who provided a statement whereby she resigned from her position as Council Member/Mayor Pro Tem to be effective at the end of the council meeting.

Mayor McClellan then presented a proclamation honoring Carolyn Burns and thanking her for her service to the City of Oak Park.

8. ORDINANCES

A. Second Reading and adoption of an ordinance to amend Chapter 10, Amusements and Entertainment, of the Code of Ordinances, City of Oak Park, by replacing Article VI, Mechanical Amusement Devices, thereof in its entirety. (The ordinance is being repealed as portions of it are preempted by state law and the remainder is outdated and no longer necessary)
CM-01-11-2025

Motion by Radner, seconded by Edgar, CARRIED, to approve the second reading and adopt an ordinance to amend Chapter 10, Amusements and Entertainment, of the Code of

Ordinances, City of Oak Park, by replacing Article VI, Mechanical Amusement Devices, thereof in its entirety.

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

The ordinance is dated and is no longer needed. Gambling devices are regulated by state statute.

9. CITY MANAGER

A. Administration

City Manager Tungate explained that the City Council is required to take action on the resignation of Mayor Pro Tem Burns.

Motion by Edgar, seconded by Radner, CARRIED, to accept the resignation of Council Member and Mayor Pro Tem Carolyn Burns effective at the conclusion of the January 6, 2025 regular city council meeting. **CM-01-12-2025**

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

City Manager Tungate reviewed the process that has been used previously regarding the appointment of new council member. City Council may appoint a new member within 30 days to fill the remaining term. Mr. Tungate reminded the Council they had previously chosen to seek applications from interested residents then appoint a new member after interviewing selected candidates. The deadline for the applications will be Noon on January 17 and the selected candidates will be interviewed at a special meeting on January 29. The appointment will then be made on or before February 3.

Motion by Edgar, seconded by Radner, CARRIED, to approve the appointment process outlined by City Manager Tungate. **CM-01-13-2025**

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

10. CALL TO THE AUDIENCE

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

11. CALL TO THE COUNCIL

12. CLOSED SESSION

A. Pursuant to Section 8 of the Open Meetings Act to convene a Closed Session to discuss attorney-client privileged communication about pending litigation involving the City.
CM-01-13-2025

Motion by Edgar seconded by Burns, CARRIED, to convene a Closed Session to discuss attorney-client privileged communication about pending litigation involving the City. **CM-01-14-2025**

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

The Closed Session began at 8:20 p.m. and the regular meeting reconvened at 8:37 p.m.

Motion by Radner, seconded by Edgar, CARRIED, to approve the minutes of the January 6, 2025 Closed Session. **CM-01-15-2025**

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

Motion by Edgar, seconded by Radner, CARRIED, to approve the Consent Judgement presented by the City Attorney for the 8 Mile LLC litigation. **CM-01-16-2025**

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

13. ADJOURNMENT

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:40 PM.

T. Edwin Norris, City Clerk

CITY OF OAK PARK, MI
STAFF REPORT

5.B

AGENDA FOR: January 21, 2025

SUBJECT: Request authorization to bid the 2025 Joint and Crack Sealing Project, M-780.

DEPARTMENT: Municipal Services

FROM: Kara Grisamer, City Engineer

SUMMARY: Plans and specifications are nearly complete for the 2025 Joint and Crack Sealing Project, M-780. This project will seal the cracks and joints in the areas shown on the attached map.

FINANCIAL STATEMENT: This project is budgeted in the Local Streets Fund (203-18-479-970).

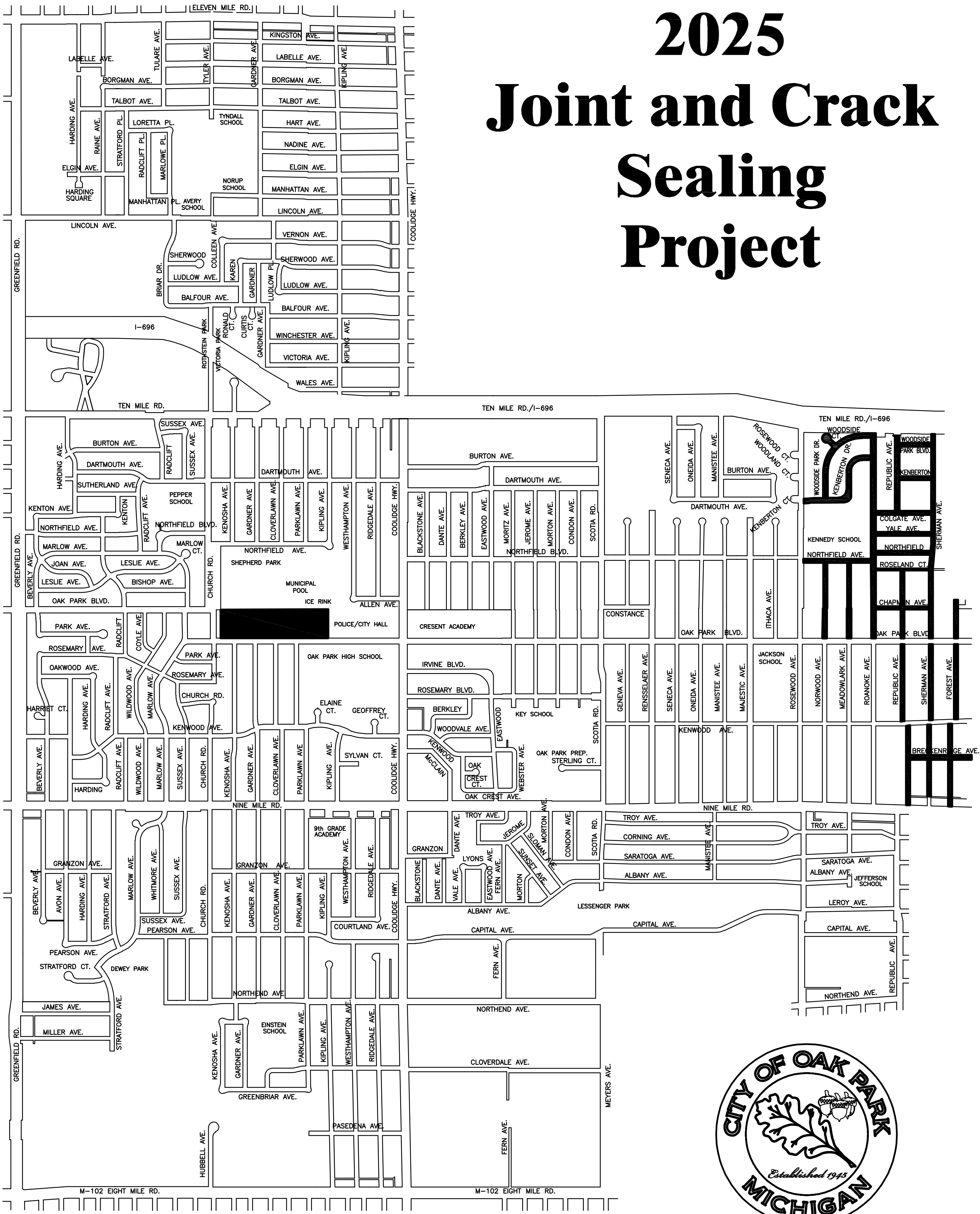
RECOMMENDED ACTION: It is recommended that the request to advertise for bids for the 2025 Joint and Crack Sealing Project, M-780 be approved.

EXHIBITS:

1. M-780 AREA MAP

City of Oak Park

2025 Joint and Crack Sealing Project



CITY OF OAK PARK, MI
STAFF REPORT

5.C

AGENDA FOR: January 21, 2025

SUBJECT: Request authorization to bid the 2025 Catch Basin Line Replacement Project, M-779

DEPARTMENT: Municipal Services

FROM: Kara Grisamer, City Engineer

SUMMARY: Plans and specifications are nearly complete for the 2025 Catch Basin Line Replacement Project M-779. This project will replace separated and crushed storm pipes throughout the city.

FINANCIAL STATEMENT: This project is budgeted in the Water and Sewer Fund (592-18-550-970).

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for the 2025 Catch Basin Line Replacement Project, M-779 be approved.

EXHIBITS:

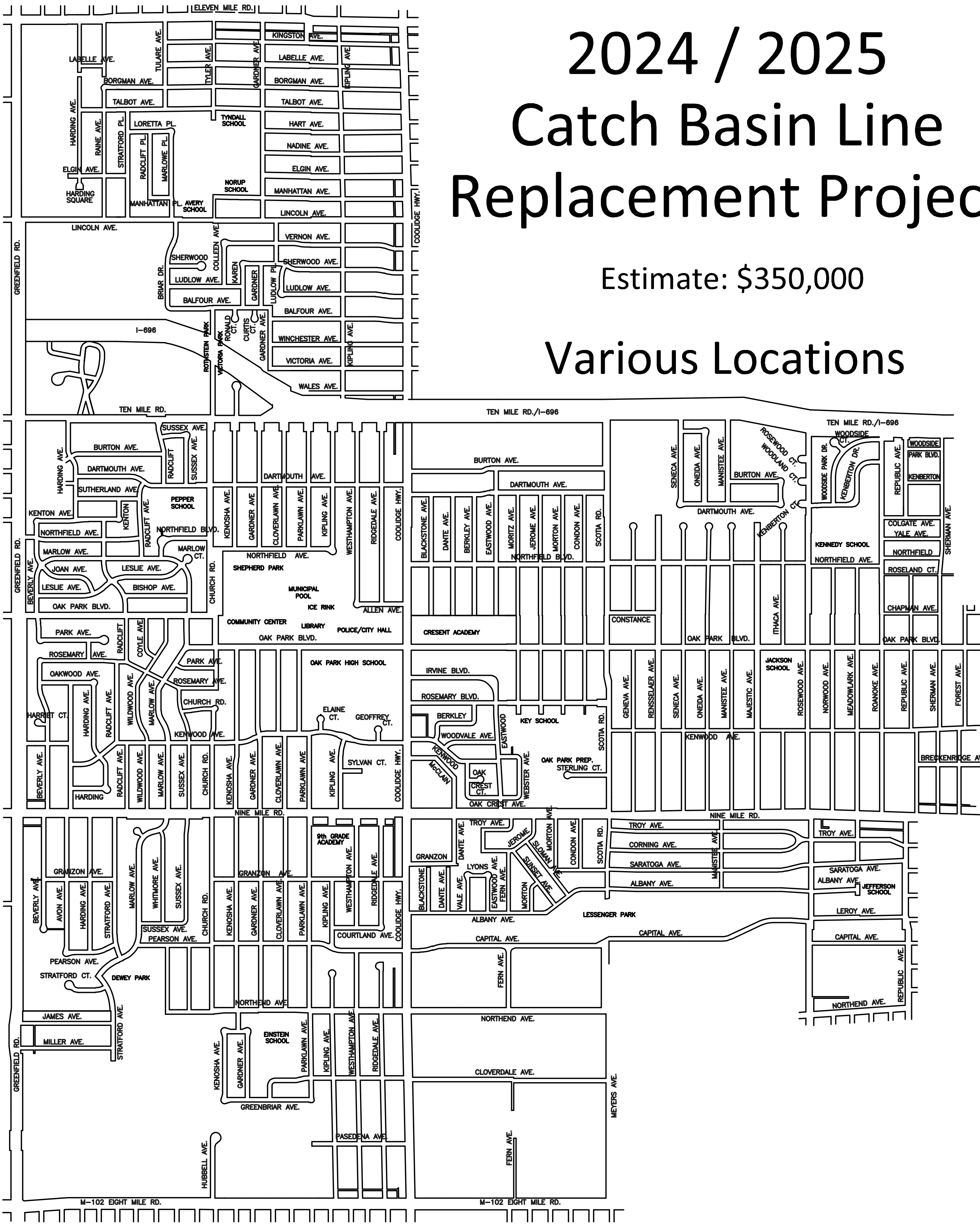
1. M-779 CB Map

City of Oak Park

2024 / 2025 Catch Basin Line Replacement Project

Estimate: $350,000

Various Locations



CITY OF OAK PARK, MI
STAFF REPORT

5.D

AGENDA FOR: January 21, 2025

SUBJECT: Approval of Pay Application No. 2 for the 2024 Sewer & Catch Basin Cleaning & TV Inspection Project, M-774 in the amount of $94,463.65

DEPARTMENT: Municipal Services

FROM: Kara Grisamer, City Engineer

SUMMARY: Attached is proposed Pay Application No. 2 for the 2024 Sewer & Catch Basin Cleaning & TV Inspection Project, M-774 by Taplin Group, LLC of Kalamazoo, MI. This project includes sewer cleaning and video inspections at the locations shown on the attached map. The project is approximately 55% complete.

FINANCIAL STATEMENT:

Original Contract Amount:	$321,240.05
Total Earnings to Date:	$175,557.61
Less Retainage:	$8,777.88
Net Earned:	$166,779.73
Deductions	$0.00
Balance	$166,779.73
Payments To Date	$72,316.08
Amount Due Taplin Group, LLC:	**$94,463.65**

RECOMMENDED ACTION: It is recommended that Pay Application No. 2 for the 2024 Sewer & Catch Basin Cleaning & TV Inspection Project, M-774 to Taplin Group, LLC of Kalamazoo, MI be approved for the amount of $94,463.65. Funding is available in the Water and Sewer Fund (592-18-550-930) for this expenditure.

EXHIBITS:

1. Pay 2_M-774
2. Area Map

PAYMENT APPLICATION

PROJECT:	**2024 SEWER & CATCH BASIN CLEANING & TV INSPECTION PROJECT**	**JOB NUMBER:**	M-774
OWNER:	**CITY OF OAK PARK, MICHIGAN**	**APPLICATION NO.:**	2
CONTRACTOR:	**TAPLIN GROUP, LLC** **5140 W MICHIGAN AVE.** **KALAMAZOO, MI 49006**	**PERIOD ENDING:**	12/27/2024

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY		UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Medium 8" Sewer Cleaning & TV Inspection	200	LFT	$1.87	149	$278.63	149	$278.63
2	Medium 10" Sewer Cleaning & TV Inspection	4,700	LFT	$1.99	2,487	$4,949.13	3,037	$6,043.63
3	Medium 12" Sewer Cleaning & TV Inspection	31,200	LFT	$2.05	7,373	$15,114.65	23,127	$47,410.35
4	Medium 15" Sewer Cleaning & TV Inspection	12,100	LFT	$2.18	4,348	$9,478.64	9,871	$21,518.78
5	Medium 18" Sewer Cleaning & TV Inspection	15,000	LFT	$2.29	5,407	$12,382.03	11,405	$26,117.45
6	Medium 21" Sewer Cleaning & TV Inspection	10,100	LFT	$2.59	515	$1,333.85	5,175	$13,403.25
7	Medium 24" Sewer Cleaning & TV Inspection	5,600	LFT	$2.66	1,272	$3,383.52	2,487	$6,615.42
8	Medium 27" Sewer Cleaning & TV Inspection	4,700	LFT	$2.91	1,866	$5,430.06	2,432	$7,077.12
9	Medium 30" Sewer Cleaning & TV Inspection	1,700	LFT	$3.11	638	$1,984.18	866	$2,693.26
10	Medium 33" Sewer Cleaning & TV Inspection	300	LFT	$3.76	140	$526.40	140	$526.40
11	Medium 36" Sewer Cleaning & TV Inspection	2,700	LFT	$4.20	378	$1,587.60	1,218	$5,115.60
12	Medium 42" Sewer Cleaning & TV Inspection	1,000	LFT	$5.18	0	$0.00	0	$0.00
13	Medium 48" Sewer Cleaning & TV Inspection	1,000	LFT	$6.03	0	$0.00	0	$0.00
14	Medium 54" Sewer Cleaning & TV Inspection	500	LFT	$6.11	0	$0.00	0	$0.00
15	Catch Basin Lead Cleaning & TV Inspection	9,800	LFT	$6.48	3,815	$24,721.20	3,815	$24,721.20
16	Catch Basin Structure Cleaning	400	EA	$88.28	159	$14,036.52	159	$14,036.52
17	Sewer Lateral Protruding Lead Cutting	5	EA	$251.41	0	$0.00	0	$0.00

Period Total Amount: **$95,206.41** **Amount to Date:** **$175,557.61**

Original Contract Amount: **$321,240.05**

Earnings This Period:	$95,206.41
Total Earnings to Date:	$175,557.61
Less Retainage:	$8,777.88
Net Earned:	$166,779.73
Deductions:	$0.00
Balance:	$166,779.73
Payments to Date:	$72,316.08
AMOUNT DUE TAPLIN GROUP, LLC:	**$94,463.65**

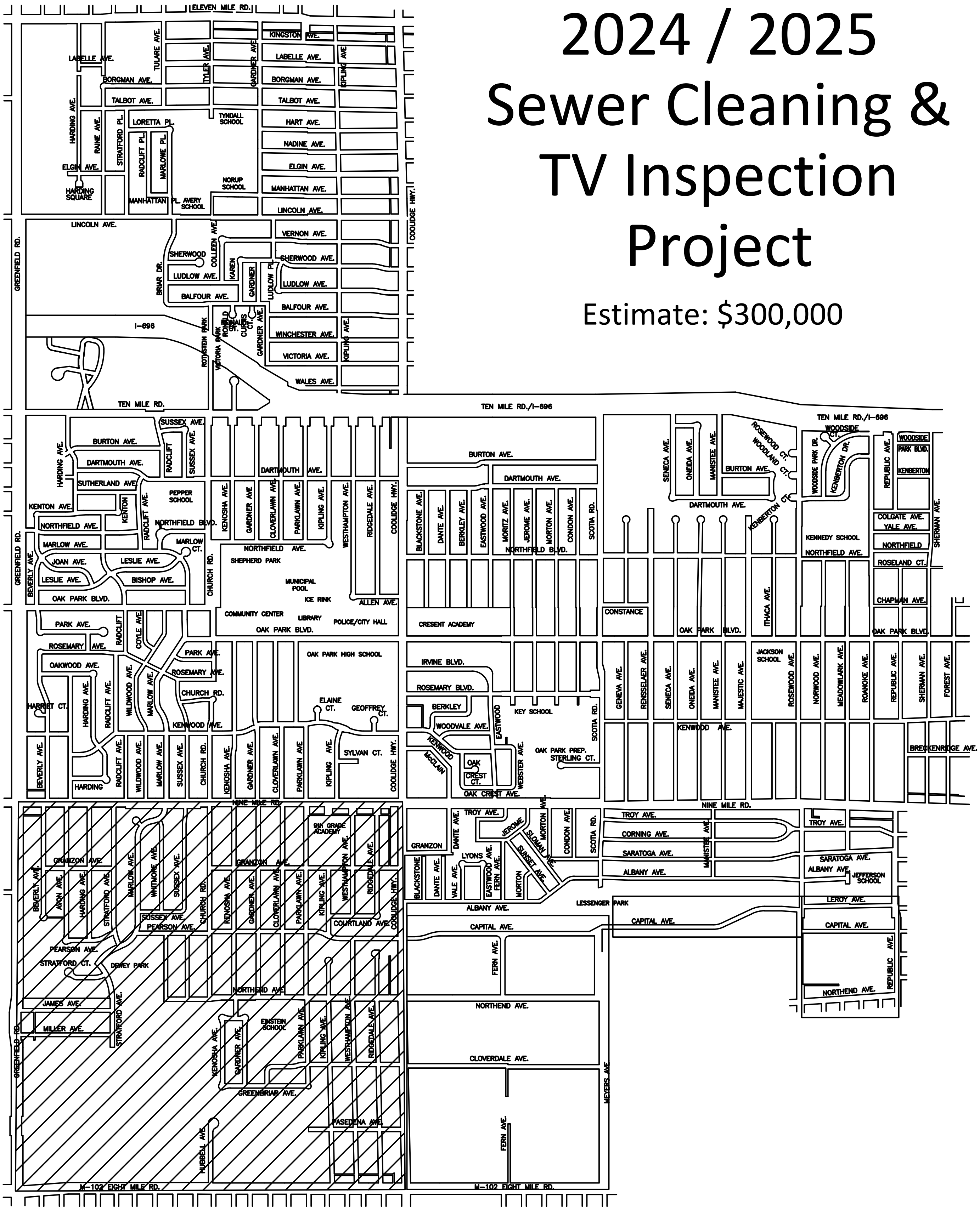
Accepted By: Kristen Gray
Kristen Gray (Jan 14, 2025 16:00 EST)
Taplin Group, LLC
Date: 01/14/2025

Approved By: Kara M. Grisamer
Kara Grisamer, City Engineer
Date: 01/14/2025

City of Oak Park

2024 / 2025 Sewer Cleaning & TV Inspection Project

Estimate: $300,000



CITY OF OAK PARK, MI
STAFF REPORT

5.E

AGENDA FOR: January 21, 2025

SUBJECT: Request to approve Payment Applications No. 4 and 5 for the Eight Mile Booster Station Rehabilitation Project, M-732, to CSM Mechanical of Milford, MI in the amount of $62,272.98 and $58,896.90.

DEPARTMENT: Department of Public Works

FROM: Dave DeCoster, DPW Director

SUMMARY: Payment Applications No. 4 and 5 for the Eight Mile Booster Station Rehabilitation Project, M-732

FINANCIAL STATEMENT: Attached are Payment Applications No. 4 and 5 for the Eight Mile Booster Station Rehabilitation Project, M-732. This contract includes the removal of old pumps, installation of a new pump, as well as a new variable frequency drives (VFD). This work will provide a more reliable and efficient pumping operation as well as better redundancy in our water system.

RECOMMENDED ACTION: It is recommended that Payment Applications No. 4 and 5 for the Eight Mile Booster Station Rehabilitation Project, M-732, to CSM Mechanical of Milford, MI be approved in the amount of $62,272.98 and $58,896.90 respectively. Funding is available in the Water / Sewer (592-18.540-970) fund for this expenditure.

EXHIBITS:

1. Eight Mile_Pay 4
2. Eight Mile_Pay 5

PAYMENT APPLICATION

Project: City of Oak Park - 8 Mile Booster Pump Station Rehabilitation, M-732

Job Number: 0037-22-0030
Number: 4
Period End Date: 9/30/2024
Status: Approved
Contract Start Date: 3/19/2024
Contract End Date: 11/29/2024
Contract Duration: 255
Print Date: 1/13/2025

OWNER: City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48237

CONTRACTOR: CSM Mechanical
1235 Holden Avenue
Milford, MI 48381
(248) 302-2078

SCHEDULE STATUS: On
NOTE:

Original Contract Amount:	$470,805.00	Earnings This Period:	$69,192.20
Change Orders Amount:	$0.00	Earnings To Date:	$227,902.00
Current Contract Amount:	$470,805.00	Previous Retainage Amount:	$15,870.98
		Retainage This Period:	$6,919.22
		Less Total Retained To Date:	$22,790.20
		Net Earned:	$205,111.80
		Previous Earnings:	$142,838.82
Retainage: 10 % of Total Earnings		Amount Due Contractor:	$62,272.98

Approved By
David DeCoster - Deputy City Manager / Director of Public Works - City of Oak Park ______ Date ______

Prepared By
Doug Busko, PE, PMP, Construction Manager Douglas W. Busko
Digitally signed by Douglas W. Busko
DN: C=US, E=doug.busko@ohm-advisors.com, CN=Douglas W. Busko
Reason: I am approving this document
Date: 2025.01.14 14:21:09-05'00'
Date ______

Items

Item	Description	Original Quantity	Quantity Authorized	Unit Price	Quantity This Period	Quantity Held	Amount This Period	Quantity To Date	Amount To Date
Division: A									
1	Pump, Valve, Piping, and Pipe Support demolition and replacements, and all associated bolts and gaskets	1.00 Ls	1.00	$338,805.00	0.04	0.00	$13,552.20	0.40	$135,522.00
2	VFD demolition and replacements, and all other electrical work	1.00 Ls	1.00	$107,000.00	0.52	0.00	$55,640.00	0.84	$89,880.00
3	Facility painting, including surface preparation	0.00 LSUM	0.00	$96,388.00	0.00	0.00	$0.00	0.00	$0.00
4	Bolt Replacement - 20 bolts for 24" Flange	0.00 Ea	0.00	$1,236.00	0.00	0.00	$0.00	0.00	$0.00
5	Bolt Replacement - 20 bolts for 20" Flange	0.00 Ea	0.00	$1,088.00	0.00	0.00	$0.00	0.00	$0.00
6	Bolt Replacement - 20 extended 11" bolts for 20" Flange	0.00 Ea	0.00	$1,798.00	0.00	0.00	$0.00	0.00	$0.00
7	Bolt Replacement - 16 bolts for 18" Flange	0.00 Ea	0.00	$963.75	0.00	0.00	$0.00	0.00	$0.00
10	Allowance #1: UIS	1.00 Ls	1.00	$25,000.00	0.00	0.00	$0.00	0.10	$2,500.00
11	ALTERNATE/OPTION: Prep and paint stairwell and lower-level walls, ceiling, metal stairs, and metal railings. Prep and paint existing concrete pipe supports.	0.00 LSUM	0.00	$16,101.00	0.00	0.00	$0.00	0.00	$0.00
						A Sub-Total:	**$69,192.20**		**$227,902.00**
						Retainage	**$6,919.22**		

PAYMENT APPLICATION

Project: City of Oak Park - 8 Mile Booster Pump Station Rehabilitation, M-732

Job Number: 0037-22-0030
Number: 5
Period End Date: 12/23/2024
Status: Approved

OWNER: City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48237

CONTRACTOR: CSM Mechanical
1235 Holden Avenue
Milford, MI 48381
(248) 302-2078

Contract Start Date: 3/19/2024
Contract End Date: 11/29/2024
Contract Duration: 255
Print Date: 1/14/2025

SCHEDULE STATUS: On
NOTE:

Original Contract Amount:	$470,805.00	Change Order 1:	$149,685.00	Earnings This Period:	$65,441.00
Change Orders Amount:	$149,685.00		$149,685.00	Earnings To Date:	$293,343.00
Current Contract Amount:	$620,490.00			Previous Retainage Amount:	$22,790.20
				Retainage This Period:	$6,544.10
				Less Total Retained To Date:	$29,334.30
				Net Earned:	$264,008.70
				Previous Earnings:	$205,111.80
Retainage: 10 % of Total Earnings				Amount Due Contractor:	$58,896.90

Approved By
David DeCoster - Deputy City Manager / Director of Public Works - City of Oak Park ________ Date ________

Prepared By
Doug Busko, PE, PMP, Construction Manager Douglas W. Busko ________ Date ________

Digitally signed by Douglas W. Busko
DN: C=US, E=doug.busko@ohm-advisors.com, CN=Douglas W. Busko
Reason: I am approving this document
Date: 2025.01.14 14:23:36-05'00'

Items

Item	Description	Original Quantity	Quantity Authorized	Unit Price	Quantity This Period	Quantity Held	Amount This Period	Quantity To Date	Amount To Date
Division: A									
1	Pump, Valve, Piping, and Pipe Support demolition and replacements, and all associated bolts and gaskets	1.00 Ls	1.00	$338,805.00	0.10	0.00	$33,880.50	0.50	$169,402.50
2	VFD demolition and replacements, and all other electrical work	1.00 Ls	1.00	$107,000.00	0.00	0.00	$0.00	0.84	$89,880.00
3	Facility painting, including surface preparation	0.00 LSUM	1.00	$96,388.00	0.00	0.00	$0.00	0.00	$0.00
4	Bolt Replacement - 20 bolts for 24" Flange	0.00 Ea	18.00	$1,236.00	15.00	0.00	$18,540.00	15.00	$18,540.00
5	Bolt Replacement - 20 bolts for 20" Flange	0.00 Ea	5.00	$1,088.00	5.00	0.00	$5,440.00	5.00	$5,440.00
6	Bolt Replacement - 20 extended 11" bolts for 20" Flange	0.00 Ea	1.00	$1,798.00	1.00	0.00	$1,798.00	1.00	$1,798.00
7	Bolt Replacement - 16 bolts for 18" Flange	0.00 Ea	8.00	$963.75	6.00	0.00	$5,782.50	6.00	$5,782.50
10	Allowance #1: UIS	1.00 Ls	1.00	$25,000.00	0.00	0.00	$0.00	0.10	$2,500.00
11	ALTERNATE/OPTION: Prep and paint stairwell and lower-level walls, ceiling, metal stairs, and metal railings. Prep and paint existing concrete pipe supports.	0.00 LSUM	1.00	$16,101.00	0.00	0.00	$0.00	0.00	$0.00
						A Sub-Total:	**$65,441.00**		**$293,343.00**
						Retainage	**$6,544.10**		

OAK PARK PUBLIC SAFETY
December 2024
ACTIVITY SUMMARY

OPERATIONS:

Calls for Service

-2023 Total: 14,864

-2023: December 1,227

-2023 YTD: 14864

-2024: December 1186

-2024 YTD: 15140

-Arrests: 73

-Vacation/Property Checks: 0

-Non-Criminal Fingerprints: 7

-PBT's: 0

-Vehicles Impounded: 35

-Traffic Stops: 736

-Medicals: 289

INVESTIGATIONS:

Cases Assigned: 72

Warrants Obtained: 10

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

Records Bureau:

Animal Licenses: 84

Alarm Permits: 3

Handgun Registrations: 36

FOIA / RFI / Discovery Requests: 146

Calls Received at Dispatch: 3272

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

NON-FIRE INCIDENTS:

(60 includes false fire alarms)

FIRE SAFETY INSPECTIONS: 24

COMMUNITY POLICING

CITATIONS ISSUED: 327 (YTD: 5296)

(December 2023: 342 / 2023 YTD: 3905)

HAZARDOUS	101	31%
NON - HAZARDOUS	140	43%
PARKING	34	10%
ORDINANCE VIOLATION	52	16%

NOTES: ***Training:***

CITY OF OAK PARK, MI
STAFF REPORT

5.G

AGENDA FOR: January 21, 2025

SUBJECT: Request to approve Payment Application No. 1 for the 2024 Block Pruning Project, to Limb Walkers Tree & Snow, LLC of Kenockee, MI in the amount of $4,075.00

DEPARTMENT: Department of Public Works

FROM: Dave DeCoster, DPW Director

SUMMARY: Payment Application No. 1 for the 2024 Block Pruning Project.

FINANCIAL STATEMENT: Attached is Payment Application No. 1 for the 2024 Block Pruning Project. This project includes the trimming, removal, and stumping of select trees around the City of Oak Park. This project is currently 5% complete.

RECOMMENDED ACTION: It is recommended that Payment Application No. 1 for the 2024 Block Pruning Project, to Limb Walkers Tree & Snow, LLC of Kenockee, MI be approved in the amount of $4,075.00 Funding is available in the Major Streets (202-18.479-801) and Local Streets (203-18.479-801) funds for this expenditure.

EXHIBITS:

1. Pay Application No. 1

PAYMENT APPLICATION

PROJECT: 2024 Block Pruning Project
APPLICATION NO.: 1

OWNER: City of Oak Park, MI
PERIOD ENDING: January 17, 2025

CONTRACTOR: Limb Walkers Tree and Snow
10073 Bryce Rd.
Kenockee, MI 48006

ITEM NO.	ITEM DESCRIPTION	UNIT	BID PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Traditional Block Pruning (Raising)	Per Tree	$50.00	0.00	$0.00	0.00	$0.00
2	Crown Cleaning	Per Tree	$125.00	4.00	$500.00	4.00	$500.00
3	Tree Removals, 8" to 19" DBH	Per Tree	$300.00	1.00	$300.00	1.00	$300.00
4	Tree Removals, 20" to 27" DBH	Per Tree	$675.00	3.00	$2,025.00	3.00	$2,025.00
5	Tree Removals, 28" to 35" DBH	Per Tree	$1,250.00	1.00	$1,250.00	1.00	$1,250.00
6	Tree Removals, 36" to 43" DBH	Per Tree	$2,275.00	0.00	$0.00	0.00	$0.00
7	Tree Removals, 44" and over DBH	Per Tree	$3,255.00	0.00	$0.00	0.00	$0.00
8	Stump Removal, 8" to 19" DBH	Per Tree	$100.00	0.00	$0.00	0.00	$0.00
9	Stump Removal, 20" to 27" DBH	Per Tree	$150.00	0.00	$0.00	0.00	$0.00
10	Stump Removals, 28" to 35" DBH	Per Tree	$200.00	0.00	$0.00	0.00	$0.00
11	Stump Removal, 36" to 43" DBH	Per Tree	$310.00	0.00	$0.00	0.00	$0.00
12	Stump Removals, 44" and over DBH	Per Tree	$400.00	0.00	$0.00	0.00	$0.00
				Period Amount:	**$4,075.00**	**Total Amount:**	**$4,075.00**

Original Contract Amount: **$95,000.00**

Earnings This Period:	**$4,075.00**
Total Earnings to Date:	$4,075.00
Deductions:	$0.00
Payments to Date:	$0.00
Amount Due to Limb Walkers:	**$4,075.00**

MERCHANT'S LICENSES - JANUARY 21, 2025

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
PUCK HCKY, LLC	21310 COOLIDGE HWY	$ 150.00	RETAIL

RENEWALS FOR 2025	ADDRESS	FEES	BUSINESS TYPE
PERSONAL UNIFORM SERVICE	10100 CAPITAL AVE	$ 150.00	CLEANERS
MICHIGAN DESSER CORP	10750 CAPITAL AVE	$ 150.00	FOOD
MIDWEST RECYCLING SERVICES, INC	10800 CAPITAL AVE	$ 150.00	RECYCLING
MIDWEST RECYCLING SERVICES, INC	11000 CAPITAL AVE	$ 150.00	RECYCLING
ACI PARTS WAREHOUSE	13202 CLOVERDALE AVE	$ 150.00	RETAIL
SB IMPORT & EXPORT LLC	21000 COOLIDGE HWY	$ 150.00	RETAIL
HONORE HOLDINGS	21400 COOLIDGE HWY	$ 150.00	OFFICE
EXPRESS COLLISION	21470 COOLIDGE HWY	$ 150.00	COLLISION SHOP
GOLD STAR PRODUCTS	21680 COOLIDGE HWY	$ 150.00	RETAIL
SPECIALTIES SHOWROOM	21750 COOLIDGE HWY	$ 150.00	RETAIL
LOVE NAIL AND SPA	22118 COOLIDGE HWY	$ 150.00	NAIL SALON
GOLDEN BOWL INC	22120 COOLIDGE HWY	$ 150.00	RESTAURANT
SALAN ULTIMO	22155 COOLIDGE HWY	$ 150.00	SALON
LITTLE CAESARS	24756 COOLIDGE HWY	$ 150.00	RESTAURANT
LINCOLN RX INC.	25901 COOLIDGE HWY 1	$ 150.00	PHARMACY
STEPPIN OUT ON FAITH LEARNING CENTER	25941 COOLIDGE HWY	$ 150.00	DAYCARE
BERTONI HOLDINGS, INC	13600 W EIGHT MILE RD	$ 150.00	GAS STATION
HAGOPIAN CLEANING SERVICES	14000 W EIGHT MILE RD	$ 150.00	RUG CLEANING
DISCOUNT HYDRO	14370 W EIGHT MILE RD	$ 150.00	RETAIL
MARBLE CAST, INC	14831 W ELEVEN MILE RD	$ 150.00	RETAIL
ROYAL OAK STORAGE	15255 W ELEVEN MILE RD	$ 150.00	STORAGE FACILITY
PM ENVIRONMENTAL, INC	15431 W ELEVEN MILE RD	$ 150.00	ENVIRONMENTAL CONSULTING
CAMBRIDGE CHIROPRACTIC	21580 GREENFIELD RD	$ 150.00	CHIROPRACTOR
TO GO CAFE	21700 GREENFIELD RD # 132	$ 150.00	GROCERY STORE
JOHN & KARON'S HAIR AFFAIR	21700 GREENFIELD RD # 250	$ 150.00	HAIR SALON
ALLWELL PHYSICAL THEARAPY AND REHAB	21700 GREENFIELD RD # 257	$ 150.00	PHYSICAL THEARAPY
SPECTRUM JEWELERS	21700 GREENFIELD RD # 355	$ 150.00	JEWELRY
JKC JEWELRY & REPAIRS	21700 GREENFIELD RD # 357	$ 150.00	JEWERLY
OSKA JEWELERS & REPAIR LLC	21700 GREENFIELD RD # 362	$ 150.00	JEWERLY
SHEAR DIRECTIONS	21700 GREENFIELD RD # LL22	$ 150.00	HAIR SALON
SALON RENU	23300 GREENFIELD RD # 207	$ 150.00	HAIR SALON
NAILS BY SLIIM	23300 GREENFIELD RD # 225	$ 150.00	NAIL SALAON
SUNOCO	25000 GREENFIELD RD	$ 150.00	GAS STATION
PITA CAFE	25282 GREENFIELD RD	$ 150.00	RESTAURANT
AUTO PRO TECHNICAL RECRUITING	25900 GREENFIELD RD # 232	$ 150.00	EMPLOYMENT AGENCY
STREET CORNER MUSIC LTD	26020 GREENFIELD RD	$ 150.00	MUSIC RETAIL
DOLLAR CASTLE	26096 GREENFIELD RD	$ 150.00	RETAIL
RAINBOW	26100 GREENFIELD RD	$ 150.00	CLOTHING RETAIL
1-800-SELF-STORAGE	26660 GREENFIELD RD	$ 150.00	STORAGE FACILITY
RUNCO WASTE INDUSTRIES	21151 MEYERS RD	$ 150.00	GARBAGE COLLECTION
GREAT HANDS MASSAGE	8230 W NINE MILE RD	$ 150.00	MASSAGE PARLOR
OAK-FERN GALLERIA, LLC	8520 W NINE MILE RD	$ 150.00	CAR GALLERY
HAUS OF BEAUTY LLC	8530 W NINE MILE RD C	$ 150.00	HAIR SALON
LASHLYFE SUPPLIES	8530 W NINE MILE RD D	$ 150.00	BEAUTY SALON
BOSS BLINKS	8550 W NINE MILE RD	$ 150.00	BEAUTY RETAIL
IMPACT MEDIA CONSTRUCTION	8558 W NINE MILE RD	$ 150.00	CONSTRUCTION
BASEMENTCUTS BARBERSHOP	8560 W NINE MILE RD	$ 150.00	BARBERSHOP
BEAU'TEES LAB LLC	10616 W NINE MILE RD	$ 150.00	BEAUTY SALON
ACENSION BIBLES & BOOKS	10720 W NINE MILE RD	$ 150.00	BOOK STORE
ELITE NAIL SUPPLY	10740 W NINE MILE RD	$ 150.00	RETAIL
EVOLVE SALON	12712 W NINE MILE RD	$ 150.00	HAIR SALON
DOLLAR GENERAL	12720 W NINE MILE RD	$ 150.00	RETAIL
VALVOLINE INSTANT OIL CHANGE	13300 W NINE MILE RD	$ 150.00	CAR REPAIR
OAK PARK DENTAL CENTER	13730 W NINE MILE RD	$ 150.00	DENTAL
LIBERTY TAX	13740 W NINE MILE RD	$ 150.00	TAX OFFICE
K & F MEAT MARKET	13911 W NINE MILE RD	$ 150.00	GROCERY STORE
CREATED PERFORMANCE	8740 NORTHEND AVE	$ 150.00	AUTO REPAIR
EJ USA, INC.	13001 NORTHEND AVE	$ 150.00	MANUFACTURING
MOTOR WORKS LTD	13350 NORTHEND AVE	$ 150.00	AUTO REPAIR
UNITED LAUNDROMAT LLC	13221 TEN MILE	$ 150.00	LAUNDROMAT

CITY OF OAK PARK, MI
STAFF REPORT

8.A

AGENDA FOR: January 21, 2025

SUBJECT: Approval for payment of invoices submitted by Garan, Lucow, Miller, PC for legal services in the amount of $15,388.63

DEPARTMENT: City Clerk

FROM: Ed Norris, City Clerk

SUMMARY: Payment of invoices for legal services.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: Approve payment of invoices.

EXHIBITS:

1. B_637332_1 1
2. B_637333_1 1
3. B_637334_1 1

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 637332

January 13, 2025

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

Re: In Re: City of Oak Park

Client 7406
Matter 1

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, December 31, 2024

$14,583.33 **Fee Total**

Costs Advanced:

Date	Description	Amount
12/23/24	Reproduction Charges 2 @ 0.15	0.30
	Total Costs Advanced	**$ 0.30**

Total Fees and Disbursements: $14,583.63

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 637333

January 13, 2025

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

Re: City of Oak Park v ATE Mile LLC

Client 7406
Matter 49

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, December 31, 2024

$1,102.00 Fee Total

Total Costs Advanced	**$ 0.00**

Total Fees and Disbursements: $1,102.00

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 637334

January 13, 2025

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

Re: Coolidge Park Ltd. v. City of Oak Park Michigan

Client 7406
Matter 50

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, December 31, 2024

$ 703.00 Fee Total

Total Costs Advanced	**$ 0.00**

Total Fees and Disbursements: $ 703.00

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.

CITY OF OAK PARK, MI
STAFF REPORT

9.B.1

AGENDA FOR: January 21, 2025

SUBJECT: Request to approve compensation for the Board of Review and an additional meeting date.

DEPARTMENT: Finance/Assessing

FROM: Dawn Scheitz, Assessor

SUMMARY: The City Charter (Section 10.6) states that the rate of compensation for the Board of Review shall be established by City Council.

The City Charter (Section 10.7) states that the Board of Review shall meet on the second and fourth Monday in March for the purpose of hearing tax assessment appeals. The Assessing Department is requesting to schedule one additional date with the option to add additional dates if needed.

FINANCIAL STATEMENT: None

RECOMMENDED ACTION: To approve the rate of compensation for the Board of Review at $120.00 for a full day and $60.00 for a half day of service and to approve $60.00 for a half day of service for mandatory State Tax Commission Training per PA 660.

Also to approve holding the 2025 Board of Review meetings at City Hall on the following dates and times:

Monday	March 10, 2025	9:00 am to 1:00 pm & 3:00 pm to 7:00 pm
Tuesday	March 11, 2025	5:00 pm to 8:00 pm
Monday	March 24, 2025	9:00 am to 12:00 pm & 2:00 pm to 5:00 pm

EXHIBITS:

1. 13_Memo_Regarding_BOR_Training_PSD

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

DATE: October 20, 2020

TO: Assessors and Local Unit Officials

FROM: Members of the State Tax Commission

SUBJECT: P.A. 660 of 2018 Board of Review and Support Staff Required Training

P.A. 660 of 2018 requires the State Tax Commission audit to ensure that support staff and Boards of Review are participating in training.

> Sec. 10g. (1) Pursuant to subsection (2), on and after December 31, 2021, the state tax commission shall audit the assessing districts in this state to determine if they do all of the following:
>
> > (f) Ensure that its support staff is sufficiently trained to respond to taxpayer inquiries, require that its assessors maintain their certification levels, and require that its board of review members receive board of review training and updates required and approved by the state tax commission.

In accordance with this requirement, the State Tax Commission is issuing the following requirements:

1. Support staff who are certified will be required to complete their annual continuing education requirements in order to satisfy this audit requirement. Proof of completion and the required form 5730 should be attached to the Assessor's Certification of the Assessment Roll and maintained with local unit records.

2. Beginning in 2022, uncertified support staff will be required to complete training at least once every two years on key updates to assessing in order to meet this audit requirement. This training will be offered in person by the State Tax Commission and online. Proof of completion and the required form 5730 should be attached to the Assessor's Certification of the Assessment Roll and maintained with local unit records.

3. Beginning in 2022, Board of Review members will be required to complete Board of Review training at least once every two years in order to meet this audit requirement. This training will be offered in person by the State Tax Commission, or by outside organizations with State Tax Commission approval and use of State Tax Commission approved materials, and online. Proof of completion and the required form 5731 should be attached to the Board of Review's Certification of the Assessment Roll and maintained with local unit records.

P.O. BOX 30471 • LANSING, MICHIGAN 48909
www.michigan.gov/statetaxcommission • 517-335-3429

CITY OF OAK PARK, MI
STAFF REPORT

9.B.2

AGENDA FOR: January 21, 2025

SUBJECT: Request to approve the 2025 poverty exemption application and income guidelines.

DEPARTMENT: Finance/Assessing

FROM: Dawn Scheitz, Assessor

SUMMARY: The Poverty Exemption Policy states the applicant's income cannot exceed 150% of the Federal Poverty Guidelines set forth by the US Department of Health and Human Services as established by the State Tax Commission and to be updated annually as approved by the City of Oak Park City Council.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: To approve the 2025 poverty exemption application and guidelines.

EXHIBITS:

1. State Tax Commission Bulletin 17 of 2024
2. 2025 Poverty level amount
3. City of oak Park Application for Poverty Exemption 2025

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

Bulletin 17 of 2024
November 19, 2024
Procedural Changes for 2025

TO: Assessing Officers and County Equalization Directors

FROM: Michigan State Tax Commission

SUBJECT: Procedural Changes for the 2025 Assessment Year

The purpose of this Bulletin is to provide information on statutory changes, procedural changes and reminders for the 2025 assessment year. Additional guidance may be issued later if any pending legislation is enacted by the end of the year.

A. Inflation Rate Used in the 2025 Capped Value Formula

The inflation rate, expressed as a multiplier, to be used in the 2025 Capped Value Formula is 1.031.

The 2025 Capped Value Formula is as follows:

2025 CAPPED VALUE = (2024 Taxable Value – LOSSES) X 1.031 + ADDITIONS

The formula above does not include 1.05 because the inflation rate multiplier of 1.031 is lower than 1.05.

B. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2025

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons shall not be set lower than $24,860 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than $24,860. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2025 assessments:

Size of Family Unit	Poverty Guidelines
1	$15,060
2	$20,440
3	$25,820

Size of Family Unit	Poverty Guidelines
4	$31,200
5	$36,580
6	$41,960
7	$47,340
8	$52,720
For each additional person	$5,380

Note: MCL 211.7u states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 22 of 2023 for more information on poverty exemptions.

Note: MCL 211.7u allows an affidavit (Treasury Form 4988) to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This includes the owner of the property who is filing for the exemption.

C. Sales Studies

Equalization study dates are as follows for 2025 equalization:

Two Year Study: April 1, two years prior through March 31, current year
Single Year Study: October 1, preceding year through September 30, current year

For 2024 studies for 2025 equalization the dates are as follows:

Two Year Study: April 1, 2022 through March 31, 2024
Single Year Study: October 1, 2023 through September 30, 2024

Note that the time period revisions apply to all equalization studies, that is: sales ratio studies, land value studies and economic condition factor studies for appraisals. Also note that the revised time period for two-year studies applies to all real property classifications.

D. Property Classification

The State Tax Commission reminds assessors that classification is to be determined annually and is based upon the current use of the property **and not** highest and best use of the property. The Commission is aware that some assessors are still classifying property according to highest and best use and/or are not classifying property on an annual basis. The Commission asks that all assessors take the necessary steps to ensure that all real and personal property is properly classified according to MCL 211.34c.

E. Public Act 660 of 2018 Training Requirements

Required Training: Assessors and Support Staff

PA 660 states that local units must ensure that support staff is sufficiently trained to respond to taxpayer inquiries. PA 660 also states that local units must require that assessors maintain their certification levels. Support staff is all non-certified staff that are involved in the development of the assessment roll, including field work, and any individual that may supply information from the assessment roll to the public. Certified staff members are required to meet annual continuing education requirements.

The State Tax Commission adopted the following requirements for support staff training at the October 20, 2020 meeting:

1. **Certified Support Staff**: Support staff who are certified will be required to complete their annual continuing education requirements to satisfy this audit requirement. Proof of completion and the required Form 5730 should be attached to the Assessor's Certification of the Assessment Roll and maintained with local unit records.

2. **Uncertified Support Staff**: Beginning in 2022, uncertified support staff will be required to complete training at least once every two years on key updates to assessing to meet this audit requirement. Proof of completion and the required Form 5730 should be attached to the Assessor's Certification of the Assessment Roll and maintained with local unit records.

Required Training: Board of Review members

PA 660 states that local units **must require** that its board of review members receive board of review training and updates required and approved by the State Tax Commission. Checking to ensure that board of review members are trained is now required as part of the audit of the local unit starting in 2023.

The State Tax Commission has determined that beginning in 2022, Board of Review members will be required to complete Board of Review training at least once every two years to meet this audit requirement.

This training will be offered by the State Tax Commission, or by outside organizations with State Tax Commission approval and use of State Tax Commission approved materials. Proof of completion and the required Form 5731 should be attached to the Board of Review's Certification of the Assessment Roll and maintained with local unit records. Board of Review members will need to make sure they receive proof of completion and that it is provided to the local unit so it can be properly maintained and provided during the audit.

F. Tax Tribunal Reminders

The Tax Tribunal Rules were updated on September 29, 2023. Summaries of the changes are in the Tribunal's November 3, 2022 and October 10, 2023 newsletters.

Assessors representing their local unit in Tax Tribunal hearings need to submit evidence to support the value of the property under appeal. If the assessor is relying on the property record card as evidence of value, the property record card must be for the year(s) being appealed. The complete property record card, including all calculations should be provided; do not submit a property record card that states "calculations too long" and then fail to include the additional calculations. Also, it is important to submit the studies prepared that support the economic condition factor and land value on the record card. Assessors should also be able to explain at the Tax Tribunal hearing how the value shown on the property record card was calculated.

The Tax Tribunal asks that assessors include copies of the adopted local unit poverty guidelines/resolutions, Economic Condition Factor studies, and land values studies (when applicable) when submitting documents for Small Claims hearings.

Assessors are also reminded that any change in contact information, including a change in email address, must be submitted to the Tax Tribunal to ensure that all case notifications are received.

More information regarding the Michigan Tax Tribunal, including Tribunal Rules, forms and instructions is available at www.michigan.gov/taxtribunal.

G. Disabled Veterans Exemption Changes

Public Acts 150, 151, and 152 of 2023 were signed by the Governor on October 19, 2023. The Acts remove the authority of the Boards of Review to review and approve disabled veterans exemptions. All applications for a disabled veterans exemption are to be reviewed and approved or denied by the assessor. **Assessors should not take 2025 disabled veterans exemption applications to the Board of Review.**

A disabled veteran or an unremarried surviving spouse must file the application to claim the exemption for 2025 after January 1 and before December 31. Assessors should timely review the applications and approve the exemption or issue a written denial.

Under MCL 211.7c, a disabled veterans exemption granted as to taxes levied on or after January 1, 2025 remains in effect, without subsequent reapplication, until rescinded by the disabled veteran or unremarried surviving spouse or denied by the assessor.

See Bulletin 19 of 2023 and the Disabled Veterans Exemption Q&A for more information.

H. Qualified Heavy Equipment Rental Personal Property Exemption

MCL 211.9p provides an exemption for qualified heavy equipment rental personal property beginning December 31, 2022. This exemption is not mandatory and may be claimed at the option of the qualified renter. Once qualified for the QHERPP exemption under MCL 211.9p, qualifying personal property will be exempt from ad valorem taxes and instead pay the specific tax as provided by Public Act 35 of 2022 (MCL 211.1121 - 211.1133).

Qualified heavy equipment rental personal property (QHERPP) is defined in MCL 211.9p(8)(f) as any construction, earthmoving, or industrial equipment that is mobile and rented to customers by a qualified renter, including attachments or other ancillary equipment for that equipment. Qualified heavy equipment rental personal property <u>does not include</u> handheld tools or equipment solely designed for industry-specific uses in oil and gas exploration, mining, or forestry.

The exemption must be claimed annually with the assessor by February 20 (postmark is acceptable) by filing Form 5819 *Qualified Heavy Equipment Rental Personal Property Exemption Claim* and a statement prescribed by the Department of Treasury of all QHERPP located at and/or rented from the qualified renter business location. If the statement is not delivered to the assessor by February 20, a late application can be filed directly with the March Board of Review where the qualified renter business is located.

Assessors are statutorily required to transmit a copy of the claim form, indicating whether the claim was approved or denied, and any other required parcel information to the Department of Treasury no later than April 1 each year. The information must be submitted electronically by emailing to
Treas-QHERPP@michigan.gov

More information is available in Bulletin 18 of 2022.

I. Small Business Taxpayer Personal Property Tax Exemption

Public Act 150 of 2021 was signed by the Governor on December 23, 2021. The Act amended the Small Business Taxpayer Personal Property Tax Exemption (MCL 211.9o) to increase the combined true cash value limit for “eligible personal property” in a local unit from $80,000 to $180,000 beginning in 2023. The exemption is required to be claimed with the local unit (city or township where the property is located) by February 20, 2025 (postmark is acceptable) by submitting the completed Form 5076 *Small Business Property Tax Exemption Claim Under MCL 211.9o.* Late filed forms may be filed directly with the 2024 March Board of Review prior to the closure of the March Board.

Personal Property Valued Less Than $80,000

To claim an exemption for personal property valued less than $80,000, Form 5076 must be filed with the local unit (City or Township) where the personal property is located no later than February 20, 2025 (postmark is acceptable). Late filed forms may be filed directly with the local unit March Board of Review prior to the closure of the March Board of Review. Taxpayers must contact the local unit directly to determine the March Board of Review dates.

Once the exemption is granted for personal property valued at less than $80,000, the taxpayer will continue to receive the exemption until they no longer qualify for the exemption. Once they no longer qualify, the taxpayer is required to file a rescission form and a personal property statement no later than February 20 of the year that the property is no longer eligible. Failure to file the rescission form will result in significant penalty and interest as prescribed in MCL 211.9o.

Personal Property Valued Greater than or Equal to $80,000 but Less than $180,000

To claim an exemption for personal property valued at $80,000 or more but less than $180,000, Form 5076 **along with** Form 632 *Personal Property Statement* must be filed **ANNUALLY** with the local unit (City or Township) where the personal property is located no later than February 20, 2025 (postmark is acceptable). Late filed forms may be filed directly with the local unit March Board of Review prior to the closure of the March Board of Review.

Assessors are statutorily required to transmit the information contained in both Form 5076 and Form 632 *Personal Property Statement* and any other required parcel information to the Department of Treasury no later than April 1 each year.

J. EMPP and ESA Reminders

Beginning in 2024, parcels that received the EMPP exemption in the immediately preceding year carry forward the exemption in each subsequent year until the property becomes ineligible for the exemption. A Combined Document (Form 5278) needs to be filed to claim the EMPP exemption only on those parcels that did not receive the EMPP exemption in the immediately preceding year. Taxpayers will report the addition or removal of exempt property from their parcel on their ESA Statement filed electronically with the Department of Treasury through the Michigan Treasury Online (MTO) system.

Taxpayers may request the removal of the EMPP exemption on a parcel for the current year, by filing Form 5277 with the assessor in which the parcel is reported by February 20, 2025. Assessors should report receipt of any Form 5277 in their CAMA software.

If a parcel is transferred to a new taxpayer, it is necessary for the previous owner to file Form 5277 to rescind the parcel under their FEIN and the new owner to file Form 5278 to claim the EMPP under their FEIN.

At times, taxpayers attempt to add a parcel to their ESA Statement that was not previously reported to the Department of Treasury. In these cases, the ESA Section will reach out to the assessor to ask if a Combined Document (Form 5278) was filed for the parcel and, if it was, request a copy of the Form. ESA Staff will also ask for a letter confirming that the EMPP exemption was claimed properly and that the failure to transmit the information to the Department of Treasury was not the fault of the taxpayer. These letters are not used to incriminate an assessor who made a mistake, but rather to add to Treasury files to document why a parcel was added to an ESA Statement after the statement was generated on May 1.

The ESA Section has received consent judgments entered by the Michigan Tax Tribunal for stipulated agreements between EMPP claimants and the local units in which they have personal property. It is extremely important that any stipulated agreement filed with the Michigan Tax Tribunal indicates that the personal property reported on the parcel meets the definition of "eligible manufacturing personal property," identifies which eligible manufacturing personal property qualifies for the exemption under MCL 211.9m and MCL 211.9n and directs the Department of Treasury to generate an ESA statement so that the taxpayer may pay ESA on the exempt personal property. Assessors are advised to contact the ESA Section for a list of previous dockets that contained the appropriate requirements.

More information is available in the Assessors Guide to EMPP and ESA available online at www.michigan.gov/propertytaxexemptions.

Further information and guidance on the Eligible Manufacturing Personal Property (EMPP) Exemption, Special Acts and the Essential Services Assessment (ESA) is available at www.michigan.gov/ESA. Additional questions should be sent via email to ESAQuestions@michigan.gov.

K. Omitted or Incorrectly Reported Property (MCL 211.154)

Assessors are reminded that when submitting 154 petitions it is necessary to include complete copies of the property record cards for every year a change is being requested on the petition. For example, if a 154 petition requests a change for 2023 and 2024, the property record card for 2023 and the property record card for 2024 should be submitted. In addition, assessors must submit the calculations and documents needed to understand the reasons for the change and the amount of the requested change in the assessment and taxable values.

For 154 petitions involving removal of personal property, staff may request verification that the assessor inspected the personal property location or otherwise confirmed that the personal property was disposed of and was not located in the local unit on the applicable tax day. Additionally, staff may inquire as to the extent of the assessor's communication with the taxpayer to confirm that personal property was reported in the new location.

Questions can be directed to the staff at Treas-154petitions@michigan.gov. Additional information, including Bulletin 2 of 2018 and copies of the approved forms, are available online at www.michigan.gov/154petitions.

L. Authority of July and December Boards of Review

Assessors are reminded that the July and December Boards of Review may only act on matters described in MCL 211.53b or expressly permitted by other statutes. This includes qualified errors listed in MCL 211.53b(6), and appeals related to poverty exemptions, qualified agricultural property exemptions, and qualified forest property exemptions.

In addition, other statutes, such as MCL 211.7ss related to the eligible development property exemption provide authority for the July and December Board of Review to take action.

Assessors should carefully review the Board of Review Q&A and Bulletins 21 of 2023 and 24 of 2023 to ensure their Boards of Review are acting within their statutory authorities.

Assessors should not be requesting that the July or December Boards of Review take action outside of the limited authority provided in MCL 211.53b.

Beginning July 11, 2022, **the July and December Board of Review have no authority to grant a PRE.** Assessors are asked to ensure that the July and December Boards of Review does not take action related to PRE claims.

Beginning October 19, 2023, assessors were granted the authority to grant timely filed Disabled Veterans Exemptions, thus nullifying the need to take Disabled Veteran Exemption applications to the Board of Review. PA 152 of 2023 clarified the definition of "qualified errors" as it relates to the July and December Board of Review authority for granting Disabled Veteran Exemptions as a "qualified error".

M. 2025 State Tax Commission Updates Class

At the August 20, 2024 State Tax Commission meeting, the recommendations of the Education and Certification Committee were approved.

To recertify for 2026 MCAT (Michigan Certified Assessing Technicians) must complete four (4) hours of continuing education (November 1, 2024 – October 31, 2025). To meet the required four (4) hours of continuing education, Technicians have the option to complete the 2025 STC Updates course, any continuing education course approved by the STC, or an STC online continuing education course of their choice (**excluding** the *Learning the HP12C Calculator* course) offered through the STC Online Education Portal. Any individual certified at the MCAT level who wishes to expand their knowledge of assessment may take additional approved assessment administration courses during the same renewal period. However, courses taken beyond the four (4) hours will not be entered into the Commission's online MiSuite System and will not count toward education credit for recertification purposes.

To recertify for 2026, MCAO, MAAO and MMAO assessors must complete the 2025 State Tax Commission Updates Course ***in addition to the 16 hours of continuing education***. The 2025 State Tax Commission Updates Course can be completed in-person or through the STC Online Education Portal.

This class will be available both in-person at various locations across the state and online through the State Tax Commission Online Education Portal at https://coned.mi-stc.org. The dates and locations for the in-person classes will be posted to the State Tax Commission website.

2026 Online Education Portal and MiSUITE Login

STC Online Education Portal

The State Tax Commission offers a variety of online classes, available free of charge, that provide continuing education credit. The online classes can be accessed at https://coned.mi-stc.org. This site is only available to Michigan certified assessors and technicians. If you have an issue with your log in credentials, especially password resets, email Treas-MiSuitehelp@michigan.gov. If you require a password reset, **do not use the Forgotten Your Username or Password link on the page**. Instead, send an email to the State Tax Commission and staff will manually reset your password.

You must complete all requirements of the online course before you will receive your certificate of completion for the course. If a certificate is not emailed to you, then you likely did not complete one or more of the course requirements. The requirements that must be completed are listed at the top of each course and as you complete each one, they will be removed from the list.

Once you have received your certificate, you are responsible for uploading it into the MiSUITE platform to receive the continuing education credit for the course.

MiSUITE

Passwords expire after 90 days. If your password is expired, you will automatically be redirected to an Update Password page upon attempting to log in. Simply create a new password, confirm that password, and click "update."

You can access MiSUITE by going to https://sso.misuite.app

Assessors can check continuing education hours by logging into the MiSUITE system and checking your profile page. Total hours remaining to be completed are listed on the profile page in MiSUITE as well as the completed classes that have been properly logged into the system.

Assessors are responsible for logging their own continuing education hours in MiSUITE. When logging credit, be sure to pick the correct course, date, location, and upload proof of attendance.

If you have any questions, concerns, or need further assistance, please email Treas-MiSUITEHelp@michigan.gov.

Persons in Household	Federal Poverty Guideline	City of Oak Park Adopted Poverty Level
1	$15,060	$22,590
2	$20,440	$30,660
3	$25,820	$38,730
4	$31,200	$46,800
5	$36,580	$54,870
6	$41,960	$62,940
7	$47,340	$71,010
8	$52,720	$79,080
Add the following amount for each additional person over 8.		
	$5,380	$8,070

2025 Federal Poverty Guidelines

City of Oak Park Application for Poverty Exemption

2025 GUIDELINES AND INSTRUCTIONS FOR POVERTY EXEMPTION

- The Poverty exemption is meant to be a temporary form of assistance. If granted an exemption, it is for the *current year only*. If your situation warrants an exemption in years following, a new application must be submitted for review. Beginning in 2024, the Board of Review can only approve an exemption for a prior year IF the prior year did not have an application filed or denied.
- If petitioner meets all requirements, the Board of Review will grant a 50% reduction in the 2025 property taxes.
- Per, MCL 211.7u (3), the application for consideration must be received by the Assessor's Office at least one day prior to the last session of the Board of Review. *Board of Review dates are posted annually and may also be found at www.oakparkmi.gov or by calling (248) 691-7550*. This application can be made by mail, if received one day prior to the last session of the Board of Review. (postmarks not accepted)
- Per MCL 211.7u(7), a person who files a claim for Poverty exemption IS NOT prohibited from also appealing the assessment on the property to the Board of Review in the same year.
- All information submitted is subject to verification by the Board of Review or the Assessor's Office.

PLEASE MAKE COPIES
ANY DOCUMENTS SUBMITTED TO THE BOARD WILL NOT BE RETURNED.

The applicants may attend the Board of Review but is not required. Applications will be reviewed by the City of Oak Park Board of Review without the applicant being present. However, if the Board of Review requires more information regarding the application, applicants may wish to be present as it could result in a denial of the application. All meetings are at City Hall located at 14000 Oak Park Blvd, Oak Park, MI 48237 in the West Conference room.

POVERTY EXEMPTION APPLICATION DEADLINES

Application must be received **before**

March 6, 2025, for the March Board of Review hearings
July 14, 2025, for the July Board of Review
December 1, 2025, for the December Board of Review

If you wish to be present for your application review, you need to make an appointment with the March Board of Review on any of the following dates for the March deadline:

March 10, 2025
March 11, 2025
March 24, 2025

Attendance for the July Board of Review meeting is July 22, 2025 @ 5:30 pm
Attendance for the December Board of Review meeting is December 9, 2025 @ 5:30 pm

Decisions of the March Board of Review may be appealed by petition to the Michigan Tax Tribunal by July 31 of the current year. July or December Board of Review decisions may be appealed to the Michigan Tax Tribunal within 35 days of the decision. Michigan Tax Tribunal contact information:

Michigan Tax Tribunal
PO Box 30232
Lansing, MI 48909

Phone: 517-373-3003
E-mail: taxtrib@michigan.gov
Website: www.michigan.gov/taxtrib

Required Documentation to be submitted with the Poverty Exemption Application

- Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence must be included with the application including any property tax credit returns. The 2024 signed tax returns must be submitted with this application. If any person in the household is not required to file federal or state tax returns, the included affidavit, form 4988, must be completed by each person that does not file taxes.
- Identification– driver license or state ID for all adult occupants and proof of residency for minors (they must be listed on tax return or report card or FIA statement, etc.)
- Proof of current income for all working occupants living at property (pay stubs, unemployment decision, etc.)
- Twelve Months of consecutive statements from bank or credit union accounts, investments, IRAs, CDs, 401Ks, money market, annuities, etc. from 2024. The statements submitted must be complete with no missing pages and submitted for each person residing in the home. This includes PayPal, Venmo or any other mobile payment service. Current statement for each item just prior to submission of poverty exemption application.
- Proof of income/assets (statement letter) from the Social Security Administration, Veterans Administration, Medicare, Medicaid, Bridge Card, and any College/University scholarships for all persons residing in the home.
- The most recent mortgage statement of the primary residence under review, including any reverse mortgages.
- If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.
- A copy of the Deed if it is not registered at the Register of Deeds Office. A copy of a full (valid) land contract if property is being purchased on Land Contract. (Must own and occupy the property and have a valid Principal Residence Exemption filed with the Assessor's Office or Qualified Agricultural Exemption)

Common Reasons for Denial of Poverty Exemption Application

Below are common reasons (but not an exhaustive list) of why a claim for Poverty Exemption is denied:

- If the application is not complete, requested documentation is not included, appears fraudulent or misleading, the Board of Review can deny the exemption. All pages included with this application must be returned when the application is submitted for review.
- Failure to fill out all areas of the application, including "N/A" in areas not applicable to the applicant or signing the application.
- Failure to include State and Federal Income taxes or property tax credit returns for current or one preceding year for all persons residing in the home. ***Please note that the property tax credit returns are required to be filed with this application. Property tax credit returns (such as Michigan 1040CR) can still be filed with the State of Michigan even if the applicant does not file income taxes.***
- Failure to include complete banking/investment account, financial asset accounts, mobile payment service accounts and mortgage statements for all persons residing in the home. All pages must be submitted.
- Any attempt to hide and/or shift income and/or assets to another person, business or corporation shall be grounds for immediate denial.
- Any ownership interest in any real estate other than the primary residence being considered for exemption will be cause for denial.

According to the US Census Bureau, "income" includes:

- Money, wages, and salaries before any deductions
- Net receipts from non-farm self-employment. (These are receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses.)
- Net receipts from farm self-employment. (The same provisions as above for self-employment.)
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments, and public assistance.
- Alimony, child support, and military family allotments.
- Private pensions, governmental pensions, and regular insurance or annuity payments.
- College or university scholarships, grants, fellowships, and assistantships.
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

INCOME GUIDELINES FOR POVERTY EXEMPTION

This amount published annually by the US Dept. of Health and Human Services

Persons in Household	Federal Poverty Guideline	City of Oak Park Adopted Poverty Level
1	$15,060	$22,590
2	$20,440	$30,660
3	$25,820	$38,730
4	$31,200	$46,800
5	$36,580	$54,870
6	$41,960	$62,940
7	$47,340	$71,010
8	$52,720	$79,080
Add the following amount for each additional person over 8.		
	$5,380	$8,070

If your household income is above the City of Oak Park Adopted Poverty Level your application will be denied without any further review.

ASSET LEVEL GUIDELINES FOR POVERTY EXEMPTION

The Asset Level does not include the primary residence for which an exemption is being sought. It does include, but is not limited to:

- A second home, additional land not associated with the primary residence, or other buildings other than the primary residence being sought for exemption.
- Vehicles and other recreational vehicles such as motor homes, campers, ATVs, boats, and motorcycles.
- Jewelry, antiques, artwork, equipment, and other personal property of value.
- Bank accounts, stocks, bonds, and investments. This also includes the money received from the sale of stocks, bonds, investments, cars, and houses unless a person is in the specific business of selling such property.
- Withdrawals of bank accounts and borrowed money.
- Gifts, loans, lump-sum inheritances, and one-time insurance payments.
- Food or housing received in lieu of wages, and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.
- The total interest income in all accounts (checking, savings, CDs, IRAs, 401Ks, money market, annuities, etc.)
- The applicant shall not have ownership interest in any real estate other than the primary residence being considered for exemption any other ownership is automatic denial.

The maximum total allowed liquid assets, specifically amounts in banking/investment accounts may not exceed the amount of projected 2025 taxes PLUS 50% for the entire household. Other assets may not exceed the qualifying amount for poverty exemption. See above for what is considered an asset.

Board of Review
City of Oak Park
Poverty Exemption Claim
WAIVER OF CONFIDENTIALITY

Parcel Number: _________________________________
Property Address: ______________________________

I/we, ____, hereby consent to the examination of my tax returns and related financial documents, including but not limited to those listed below, by the City of Oak Park Assessor and or designate agent and by the members of the City of Oak Park Board of Review:

Federal and Michigan Income Tax Returns
Senior Citizens Homestead Property Tax Form
General Homestead Property Tax Claim Form
Statements from Social Security Administration
Bank Statements, Debit Card and Check Registers

Furthermore, I consent to the discussion of the information contained in my tax returns and related financial documents at a duly convened public meeting of the City of Oak Park Board of Review, and any other government agency such as the Michigan Tax Tribunal. By signing this Waiver of Confidentiality, I understand and acknowledge that I am forever giving up any and all possible claims I may have relative to the disclosure of information contained in said tax returns and related financial documents, which claims may arise pursuant to Internal Revenue Code Section 6103, and/or any other federal, state or local statute or regulation.

I have read this document in its entirety and sign this document of my own free will.

Printed Name: ____

Signature: ____

Date: _________________________

Poverty Exemption Worksheet

Copy Provided to Applicant After Board of Review Meeting

Parcel Number: ______________________________ **Year:** ___________________

Property Address: __________________________ **Applicant's Name:** ______________________________

For Board of Review Use Only - Do Not Write Below This Line

Staff - Initial next to all requirements as it relates to the application/applicant.

Does the applicant appear as taxpayer of record of property in question?	Yes ______	No ______
If not, has documentation proving ownership been provided?	Yes ______	No ______
Are all areas on the application complete with either an answer or "N/A"?	Yes ______	No ______
Are all pages of the guidelines/application included with the applicants submission?	Yes ______	No ______
Does the applicant reside at the property in question?	Yes ______	No ______
Are copies of the Federal and State income tax returns and property tax credits forms for the current of preceding year attached for all persons residing in the household?	Yes ______	No ______
If not, is the affidavit stating the person is not required to file income taxes completed?	Yes ______	No ______
If home was purchased within in past 2 years of date of this application, is closing statements provided?	Yes ______	No ______
Is a copy of the most current mortgage statement, including a reverse mortgage if applicable, attached?	Yes ______	No ______
Are copies of the most recent bank/investment statements for all residing in the household attached with all pages included?	Yes ______	No ______

a.	**Taxable value on roll**	$ ______________	
b.	**Number of people in household**	______________	
c.	**Total household income from information provided**	$ ______________	
d.	**Income limit based on number of people in household as established by guidelines**	$ ______________	
e.	**Total assets of household**	$ ______________	
f.	**Does applicant meet all asset and income guidelines as established?**	☐ YES ☐ NO	If no, reason must be provided by the Board of Review below.
g.	**If yes, multiply line "a" by 50% (0.50)**	$ ______________	

________ Appeal Denied

____ 1. Does not qualify based on guidelines
____ 2. Application not complete, missing information
____ 3. Did not furnish proper documentation
____ 4. Other: ______________________________

____

________ Reduction Granted

Taxable Value

As on Roll $ __________

Revised $ __________

Initials of Board Members:

Date: ______________

Page **5** of **5**

CITY OF OAK PARK, MI
STAFF REPORT

9.C.1

AGENDA FOR: January 21, 2025

SUBJECT: Request to approve a License Agreement with the Board of County Election Commissioners for Oakland County to use the Oak Park Community Center, 14300 Oak Park Blvd. as an early voting regional site and authorize the City Manager to sign the agreement on behalf of the city.

DEPARTMENT: City Clerk

FROM: Ed Norris, City Clerk

SUMMARY: The attached updated Early Voting Facility License Agreement provides for the Board of County Election Commissioners for Oakland County to use the Oak Park Community Center as a regional early voting site for elections the next two years. This agreement is similar to the last license agreement that expired this past December. The early voting site services the municipalities of Oak Park, Huntington Woods, Berkley, and Pleasant Ridge for the 9 days of mandated early voting for all elections.

Early voting days for 2025:
April 26 - May 4 (if necessary)
July 26 - August 3 (if necessary)
October 25 - November 2

Early voting days for 2026:
April 25 - May 3 (if necessary)
July 25 - August 2
October 24 - November 1

FINANCIAL STATEMENT: Early voting costs will be shared by the communities of Oak Park, Berkley, Huntington Woods and Pleasant Ridge.

RECOMMENDED ACTION: Approve the License Agreement with the Board of County Election Commissioners for Oakland County to use the Oak Park Community Center, 14300 Oak Park Blvd. as an early voting regional site and authorize the City Manager to sign the agreement on behalf of the city.

EXHIBITS:

1. Oak Park - License Agreement--Revised 1.13.25

License Agreement

City of Oak Park ("Licensor") hereby grants a license for use of its property as set forth herein to:

Name of Entity or Person ("Licensee"): Board of County Election Commissioners for Oakland County

Address: 1200 N. Telegraph, Pontiac, Michigan 48341

Contact Person: Joseph Rozell, Director of Elections for Oakland County

Telephone Number: 248-452-2276

E-Mail Address: rozellj@oakgov.com

For and in consideration of the issuance of this license, the Parties agree to the following terms and conditions:

1. **Use of Property.** Licensee may only use the property described below for the purposes set forth in this Agreement.

   1.1. **Property.** **Oak Park Community Center, 14300 Oak Park Blvd., Oak Park, MI 48237. ("Property")**

   1.2. **Use.** The Property shall only be used as an Early voting site pursuant to Article II, Section 4(m) of the Michigan Constitution of 1963 and the Michigan Election Law, 1954 Public Act 116, MCL 168.720a *et seq* during the nine days of Early voting at the election dates specified in Michigan Election Law (the "Election Dates") and up to two days before and up to three days after Early voting at the Election Dates to allow for equipment setup and equipment removal. Notwithstanding anything in this Agreement, Licensor shall have reasonable access to the Property for other purposes and/or uses during the term of this Agreement so long as such purposes and/or uses are consistent with and do not interfere with Licensee's use.

   1.3. **Term of Agreement.** This Agreement shall begin on the date this Agreement is fully executed ("**Effective Date**"), and notwithstanding a license generally being terminable at the will of the Licensor, it shall terminate on December 1, 2026 so as to cover more than one election cycle, however, Licensee may only occupy the Property during the nine days of Early voting at the Election Dates and up to two days before and up to three days after Early voting at the Election Dates to allow for equipment setup and equipment removal.

   1.4. **Fee.** Licensee shall pay Licensor $100 for each election in which the Property is used as an Early voting site which shall be governed by the Parties' Agreement for Election Services as applicable.

   1.5. **Condition of Property.** During this Agreement, Licensee shall keep the Property in good order, in a clean and safe condition, and free of trash. Except for normal wear and tear, Licensee's use of the Property shall not cause damage to the Property.

Licensee is responsible for putting all trash and debris into the appropriate indoor receptacles.

1.6. **<u>Condition of Property upon Termination of Agreement.</u>** Except for normal wear and tear, at the expiration or termination of this Agreement, Licensee shall leave or return possession of the Property in the same condition that Licensee found it.

1.7. **<u>Compliance with Law.</u>** Licensee, including its employees, agents, volunteers, and subcontractors shall comply with all applicable federal, state, and local laws, regulations, rules, ordinances, and the provisions of this Agreement.

1.8. **<u>Signs/Advertisement.</u>** Licensor shall permit the placement of political signage on the Property during the period for Early voting, provided that the signage is not placed within 100 feet of the entrance used by voters. The Election Inspectors responsible for the Early voting site shall be responsible for the enforcement of the 100-foot requirement.

1.9. **<u>Alterations, Additions, Changes to Property.</u>** Licensee shall not make any alterations, additions, or changes to the Property, without the prior written approval of Licensor.

1.10. **<u>Property "AS IS".</u>** LICENSEE ACCEPTS THE PROPERTY "AS IS." LICENSEE ACKNOWLEDGES THAT LICENSEE HAD THE OPPORTUNITY TO INSPECT THE PROPERTY AND EITHER INSPECTED THE PROPERTY OR CHOSE NOT TO INSPECT THE PROPERTY.

1.11. **<u>No Smoking.</u>** Smoking is prohibited on the Property.

1.12. **<u>Alcohol Use on Property.</u>** Licensee shall not sell or consume or allow anyone to sell or consume alcoholic beverages on the Property.

2. **<u>Licensee Responsibilities.</u>**

2.1. The Licensee shall coordinate the delivery of the necessary voting equipment and supplies on the Thursday or Friday prior to the start of Early voting.

2.2. The Licensee shall coordinate the removal of the voting equipment and supplies on the Monday or Wednesday after the end of Early voting.

3. **<u>Licensor Responsibilities.</u>**

3.1. The Licensor shall provide access to a clean space for the conduct of Early voting and access to clean restroom facilities to be used by Election Inspectors and voters.

3.2. The fee paid to the Licensor under Section 1.4 includes all costs associated with Licensee's use of the Property and Licensor shall not surcharge Licensee for any additional costs such as electricity or water.

4. **<u>Liability/Assurances.</u>**

4.1. **<u>Damage to Licensor's Property/Facility.</u>** Licensee shall be responsible for any damage to the Property that is caused by Licensee, its employees, agents, volunteers or subcontractors. If such damage occurs, Licensor may make the necessary repairs and/or replacements or cause a third party to make the necessary repairs and/or replacements. Licensee shall reimburse Licensor the costs for repairing and/or replacing such damage to the Property. Licensor shall invoice Licensee for such costs and Licensee shall pay such costs within thirty (30) days of receiving the bill.

4.2. **Damage to Licensee's Property.** Licensee shall be solely and entirely liable and responsible for any loss or damage resulting from fire, theft or other means to its personal property located, kept, or stored on the Property.

4.3. **Liability for Claims.** Licensee shall be solely liable and responsible for any claims asserted by Licensee's employees, agents, volunteers or subcontractors occurring at or on the Property, which arise out of Licensee's use of the Property.

4.4. **Reservation of Rights/Limitation of Liability.** This Agreement does not, and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, or other legal right, privilege, power, obligation, duty, or immunity of the Parties.

4.5. **Survival.** Section 4 and the duties and obligations contained herein shall survive the expiration or termination of this Agreement.

5. **Insurance.** Oakland County is self-insured and will provide a self-insurance certificate for use of the Property.

6. **Termination.**

6.1. This Agreement shall terminate automatically at the end of its term.

7. **No Interest in Property.** Licensee, by virtue of this Agreement, shall not have any title to or interest in the Property or any portion thereof. Licensee has not, does not, and will not claim any such title, interest, or any easement over the Property.

8. **Waiver.** Waiver of any term or condition under this Agreement must be in writing. No written waiver, in one or more instances, shall be deemed or construed as a continuing waiver of any term or condition of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.

9. **Cumulative Remedies.** A Party's exercise of any remedy shall not preclude the exercise of any other remedies, all of which shall be cumulative. A Party shall have the right, in its sole discretion, to determine which remedies are to be exercised and in which order.

10. **Amendments.** This Agreement cannot be modified unless reduced to writing and signed by both Parties.

11. **Severability.** If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms or conditions shall remain in full force and effect.

12. **Governing Law.** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan.

13. **Counterparts.** This Agreement may be executed in one or more counterparts, including facsimile copies, each of which shall be deemed an original, but all of which shall together constitute one instrument.

14. **Entire Agreement.** This Agreement sets forth all covenants, promises, agreements, conditions, and understandings between the Parties concerning the use of the Property and there are no covenants, promises, agreements, conditions or understandings, either oral or written, between the Parties other than are herein set forth, except the Parties' Agreement for Election Services as applicable.

15. **Authorization.** The Parties represent that their respective signatories have the requisite authority to execute and bind them to the duties and responsibilities contained herein.

APPROVED AND AUTHORIZED BY LICENSEE:

NAME: ________________________________

TITLE: ________________________________

DATE: ________________________________

____
SIGNATURE

APPROVED AND AUTHORIZED BY LICENSOR:

NAME: ________________________________

TITLE: ________________________________

DATE: ________________________________

____
SIGNATURE