



**MINUTES
REGULAR CITY COUNCIL MEETING
40TH CITY COUNCIL
OAK PARK, MICHIGAN
MAY 6, 2024
7:00 PM**

1. CALL TO ORDER

The meeting was called to order at 7:01 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, Council Member Radner, Council Member Whitehead

ABSENT: Mayor Pro Tem Burns

OTHERS

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

4. APPROVAL OF AGENDA

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

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

5. CONSENT AGENDA

Motion by Edgar, seconded by Radner, CARRIED, to approve the CONSENT AGENDA as presented.

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

- A. Regular City Council Meeting Minutes for April 15, 2024
CM-05-139-2024
- B. Special City Council Meeting Minutes for April 15, 2024
CM-05-140-2024
- C. Special City Council Meeting Minutes for April 19, 2024
CM-05-141-2024

- D. Request to Schedule a Public Hearing on the FY 2024-2025 Annual Budget for Monday, May 20, 2024 at 7:00 PM
CM-05-142-2024
- E. Payment of invoices from OHM Advisors for GIS DWAM Grant and the West Nine Mile Road Design for the total amount of \$33,028.75
CM-05-143-2024
- F. Approval of Pay Application No. 1 for the 2024 Catch Basin Line Replacement Project, M-761 to JB Contractors, Inc of Detroit, MI in the amount of \$69,935.44.
CM-05-144-2024
- G. Approval of Pay Application No. 4 for the 2023-2024 Miscellaneous Concrete Project, M-754 to Mattioli Cement Company of Fenton, MI, in the amount of \$135,330.06
CM-05-145-2024
- H. Business License Renewals
CM-05-146-2024

6. RECOGNITION OF VISITING ELECTED OFFICIALS

There were no visiting elected officials who wished to speak at the meeting.

7. SPECIAL RECOGNITION/PRESENTATIONS

- A. Special Retirement Recognition for Lieutenant Troy Taylor
- B. 2024 Sidewalk Program Presentation

Deputy City Manager DeCoster presented information about the 2024 Sidewalk Program. A copy of the presentation is on file with the City Clerk.

8. SPECIAL LICENSES

- A. Request for a Special Event License and waiver of fee submitted by East Oak Park Neighborhood Association for their annual picnic to be held in Best Park on July 20, 2024, from 10:00 a.m. - 6:00 p.m.
CM-05-147-2024

Motion by Edgar, seconded by Radner, CARRIED, to approve the following special event request subject to all departmental approvals:

NAME	EVENT	FEE
East Oak Park Neighborhood Assoc.	Annual Picnic in Best Park July 20, 2024 10:00 am - 6:00 pm	Application Fee Waived

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

- B. Request for a Special Event License submitted by Dog & Pony Show Brewing for their anniversary celebration to be held on June 1, 2024, from 12:00 p.m. - 5:00 p.m.
CM-05-148-2024

Motion by Edgar, seconded by Whitehead, CARRIED, to approve the following special event request subject to all departmental approvals:

NAME	EVENT	FEE
Dog and Pony Show Brew. 14661 W 11 Mile Rd. #200	Anniversary Celebration June 1, 2024 Noon - 5:00 pm	\$100 Fee Paid

Voice Vote: YES: McClellan, Edgar, Radner, Whitehead
 NO: None
 ABSENT: Burns

9. BIDS

- A. Request to award the bid for the 2023 Program Year Yard Services Contract, M-772 to Luxury Lawn and Snow of Farmington Hills, MI.
CM-05-149-2024

Motion by Edgar, seconded by Whitehead, CARRIED, to award the bid for the 2023 Program Year Yard Services Contract, M-772 to Luxury Lawn and Snow of Farmington Hills, MI.

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

Deputy City Manager DeCoster stated the request to bid the 2023 Program Year Yard Services Contract, M-772 was approved at the April 1, 2024 regular meeting of the Oak Park City Council. On April 26, 2024, three proposals were received and the low bidder, Luxury Lawn and Snow of Farmington Hills, MI submitted a bid totaling \$296.00 per service. The total amount of services requested will not exceed \$26,000. This price is lower than last year's bid of \$525.00 per service. Community Development Block Grant (CDBG) allocations toward this program have also decreased from \$36,500 in program year 2022 to \$26,000 in program year 2023. There was a general agreement from the Council to increase the budget by \$10,000 to support the Yard Services Program.

10. CITY ATTORNEY

- A. Resolution to approve request from AT&T for extension of Metro Act Right of Way Permit
CM-05-150-2024

Motion by Radner, seconded by Whitehead, CARRIED, to approve the following resolution extending the AT&T Metro Act Right of Way Permit:

CITY OF OAK PARK
RESOLUTION TO APPROVE REQUEST FROM
MICHIGAN BELL TELEPHONE COMPANY d/b/a AT&T MICHIGAN
FOR EXTENSION OF METRO ACT RIGHT OF WAY PERMIT
WHEREAS, on August 16, 2004, the City of Oak Park issued a METRO Act Right-of-Way Telecommunications Permit to Michigan Bell Telephone d/b/a AT&T Michigan ("AT&T"); and

WHEREAS, the term of the Permit was five years and expired on August 16, 2009; and
WHEREAS, on July 20, 2009, the City of Oak Park approved a renewal of the Permit for five years, expiring on August 30, 2011; and
WHEREAS, on August 30, 2011, the City of Oak Park approved a renewal of the Permit for five years, expiring on August 30, 2014; and
WHEREAS, on May 19, 2014, the City of Oak Park approved a renewal of the Permit for five years, expiring on August 30, 2019; and
WHEREAS, on August 19, 2019, the City of Oak Park approved a renewal of the Permit for five years, expiring on August 31, 2024; and
WHEREAS, AT&T has submitted a request to extend the Permit for an additional five year term to end on August 31, 2029; and
WHEREAS, the City is aware of no reason to deny the request to extend the Permit for an additional five years.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oak Park, Oakland County, Michigan, that:

1. The request by AT&T for an extension of their METRO Act Permit through August 31, 2029 is hereby approved.
2. The City Manager is authorized and directed to execute the METRO Act Right of Way Permit Extension, in substantially the form attached hereto.
3. All resolutions inconsistent with this Resolution be and hereby are rescinded to the extent of such inconsistency.

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

- B. Request for approval of Transfer of Control over [123.Net](#) Metro Act Right of Way Permit
CM-05-151-2024

Motion by Radner, seconded by Whitehead, CARRIED, to approve the transfer of control from [123.Net](#) to [123.Net](#) Holdings, LLC regarding their Metro Act Right of Way Permit.

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

11. CITY MANAGER

A. Administration

1. Appointment to Oak Park Youth Assistance Board
CM-05-152-2024

Motion by Edgar, seconded by Radner, CARRIED, to appoint Human Resources Generalist Emily Clark to the Oak Park Youth Assistance Board.

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

The Oakland County Youth Assistance Program is administered through the Oakland County Circuit Court/Family Division, and consists of local Youth Assistance offices in Oakland County communities through tri-sponsorship agreements between the Circuit Court, local municipalities and local school districts. The Oak Park Youth Assistance Program was created in 1983 by the Oakland County Circuit Court and includes the following sponsors: The City of Oak Park, the Oak Park School District, and the Charter Township of Royal Oak. Membership eligibility includes civic leaders, organizational and governmental persons, professional people and individuals interested in serving youth in the area covered by the City of Oak Park and Oak Park School District. After new members are approved by the Oak Park Youth Assistance Board, they must be presented to the local sponsors for approval. Upon acceptance by the local sponsors, they must be sent to the Oakland County Circuit Court Judges for approval and formal appointment to the Board. The Oak Park Youth Assistance has appointed Emily Clark, the City of Oak Park's Human Resources Generalist, and is asking the local sponsors for approval.

B. Finance/Assessing

1. Request to receive and approve exception recommendations regarding Special Assessment Districts

CM-05-153-2024

Motion by Radner, seconded by Whitehead, CARRIED, to receive and approve the following exception recommendations regarding Special Assessment Districts:

It is recommended that the unpaid invoice(s) belonging to the following parcel(s) be restored to the Special Assessment District No. 712 along with the original 10% penalty:

52-25-30-427-010	23534 Parklawn
52-25-32-132-001	21940 Morton
52-25-32-251-033	10241 Albany
52-25-29-303-012	13331 Irvine
52-25-31-426-014	21340 Parklawn

And the following parcel(s) will be restored to the Special Assessment District No. 714 along with the original 10% penalty:

52-25-32-251-033	10241 Albany
52-25-32-129-012	22120 Condon

And the following parcel(s) be restored to the Special Assessment District No. 715 along with the original 10% penalty:

52-25-30-427-010	23534 Parklawn
52-25-31-403-013	21120 Gardner

It is also recommended that the invoice(s) belonging to the following parcel(s) be removed from Special Assessment District No. 712 along with the original 10% penalty:

52-25-32-229-037	10040 Albany
52-25-32-129-012	22120 Condon
52-25-30-332-014	23470 Radcliff
52-25-29-404-012	23510 Scotia
52-25-30-328-002	23740 Wildwood
52-25-19-279-028	26235 Coolidge

It is also recommended that the invoice(s) belonging to the following parcel(s) be removed from Special Assessment District No. 713 along with the original 10% penalty:

52-25-29-101-063 13151 W. Ten Mile

It is also recommended that the invoice(s) belonging to the following parcel(s) be removed from Special Assessment District No. 714 along with the original 10% penalty:

52-25-30-101-021 24211 Beverly

It is also recommended that the invoice(s) belonging to the following parcel(s) be removed from Special Assessment District No. 715 along with the original 10% penalty:

52-25-28-307-026 23535 Roanoke

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

At the council meeting of April 1, 2024, City Council adopted Special Assessment Resolution No. 9 to confirm the roll with the exceptions that were removed temporarily for further review. City Council also adopted Special Assessment Resolution No. 10, setting the due date of May 21, 2024, together with the penalty of ten percent (10%) for Special Assessment District No. 712 Delinquent Utilities, Special Assessment District No. 713 Unpaid False Alarms, Special Assessment District No. 714 Unpaid Property Blight and Special Assessment District No. 715 Unpaid Miscellaneous Concrete.

2. Resolution to authorize Budget Amendment #2024-4 for period ending March 31, 2024
CM-05-154-2024

Motion by Edgar, seconded by Whitehead, CARRIED, to adopt the resolution authorizing Budget Amendment #2024-4 for the period ending March 31, 2024.

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

C. Public Safety

1. Request to approve a new Oakland County Tactical Consortium Agreement (OAK TAC) and authorize the mayor to sign the agreement on behalf of the city.
CM-05-155-2024

Motion by Radner, seconded by Whitehead, CARRIED, to approve a new Oakland County Tactical Consortium Agreement (OAK TAC) and authorize the mayor to sign the agreement on behalf of the city.

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

Director Cooper stated that OAK TAC was established to coordinate a countywide training initiative to prepare Oakland County in the event of a major incident requiring mutual aid response. Attached is the updated Oakland County Tactical Consortium (OAK TAC) Agreement that amends and replaces the Interlocal Agreement that was established in 2012 (under the Urban Cooperation Act of 1967). The new agreement cleans up existing language in the documents and adds three Trustee positions to the board, and allows the board to appoint a fiduciary, which will be Oakland County Emergency Management. Each law enforcement agency in Oakland County wishing to remain a part of OAK TAC will have to have their governing body approve the agreement.

2. Request to approve Traffic Control Order 160 Sec 1.34 prohibiting parking on the west side of Sherman from Breckenridge south to the alley just prior to Nine Mile Rd/Pocket Park.
CM-05-156-2024

Motion by Whitehead, seconded by Radner, CARRIED, to approve Traffic Control Order 160 Sec 1.34 prohibiting parking on the west side of Sherman from Breckenridge south to the alley just prior to Nine Mile Rd/Pocket Park.

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

Public Safety Director Cooper discussed the narrow width of Sherman Street, from Breckenridge south to the alleyway just before you reach Nine Mile Road. With vehicles parked on both sides of the street, the concern becomes the turning radius off Breckenridge, with large vehicles being able to negotiate the turn when accessing Sherman. Engineer Grisamer contacted the Traffic Improvement Association (TIA) who conducted a study and determined the street measures 25 feet in width and currently allows parking on both sides of the street, which takes up to 8 feet of the width on both sides. This leaves only 9 feet of width for larger vehicles, including emergency response vehicles. The typical width for emergency response and fire trucks is 15 feet. With the current parking situation as it currently stands, the width is not sufficient to provide unencumbered access to this street for large vehicles.

D. Department of Public Works

1. Payment request and Change Order No. 1 from Neumann Smith Architecture for Architectural Services on the Event Hub and Municipal Services Move.
CM-05-157-2024

Motion by Radner, seconded by Whitehead, CARRIED, to approve payment of an invoice from Neumann Smith Architecture for the Event Hub and Municipal Services for the total amount of \$35,225.73 and to approve Change Order No. 1 for \$2,500.00.

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

Deputy City Manager DeCoster summarized the invoice and Change Order No. 1 from Neumann Smith Architecture for the Event Hub and Municipal Services Move. He indicated that the city is currently wrapping up the schematic design phase on both of these projects. This Change Order amount was part of the original contract with Neumann Smith, however it was not included in the award of the project. Funding is available in the Parks and Recreation Improvement and General Funds.

E. Recreation

1. Swimming Pool Use Agreement between the City of Oak Park and the City of Southfield
CM-05-158-2024

Motion by Edgar, seconded by Whitehead, CARRIED, to approve the Swimming Pool Use Agreement between the City of Oak Park and the City of Southfield.

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

Recreation Director Stasiak indicated the City of Southfield closed their outdoor municipal swimming pool permanently a couple of years ago and this agreement would be the third year of allowing Southfield residents to use The City of Oak Park's Pool at the resident rate with proof of Southfield residency. The Oak Park's pool staff will create a tabulation for their swimmers to maintain an accurate count for each of our swim sessions. The City of Southfield will provide payment to the City of Oak Park for the difference per swimmer between the resident rate and the non – resident rate.

F. City Clerk

1. Request to appoint Sophy Wujcik to the Corridor Improvement Authority for a term ending August 31, 2027.
CM-05-159-2024

Motion by Julie Edgar, seconded by Shawn Whitehead, CARRIED, to appoint Sophy Wujcik to the Corridor Improvement Authority for a term ending August 31, 2027.

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

2. Request to appoint John Stuyvenberg to the Parks and Recreation Commission for a term ending August 31, 2027
CM-05-160-2024

Motion by Shawn Whitehead, seconded by Solomon Radner, CARRIED, to appoint John Stuyvenberg to the Parks and Recreation Commission for a term ending August 31, 2027.

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

G. Municipal Services

1. Change Order No. 1 and budget amendment from Blue Star Demolition, of Warren, MI for environmental testing and abatement services at 21950 Eastwood in the amount of \$6,307.

CM-05-161-2024

Motion by Radner, seconded by Whitehead, CARRIED, to approve Change Order No. 1 and the budget amendment from Blue Star Demolition, of Warren, MI for environmental testing and abatement services at 21950 Eastwood for the amount of \$6,307.00.

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

Mr. DeCoster summarized Change Order No. 1 for the environmental testing and abatement services with regard the demolition of 21950 Eastwood. At the April 15, 2024 City Council meeting, the demolition contract was awarded to Blue Star Demolition, of Warren, MI in the amount of \$16,200. Since then, it has been determined that environmental testing and abatement would be required. The environmental testing is an additional charge of \$1,650 and the abatement charge is an additional \$4,657 for a total of \$6,307. This brings the total contract to Blue Star Demolition to \$22,507. Due to the increased cost, a budget amendment will be needed in the amount of the \$6,307.

12. CALL TO THE AUDIENCE

Pamela (Pea Gee) Gerald, Southfield, MI, presented Council with a contribution for the Juneteenth Jubilee and requested additional information about the celebration.

Sherry Curry, 15240 Oakwood Dr, expressed concerns about her neighbor's property upkeep.

Ken Sherman, 23840 Jerome St. expressed his concern with the water bill mailer wanting to see information printed on both sides and also the timing of the MDOT meeting that was scheduled during passover.

13. CALL TO THE COUNCIL

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 08:12 PM.

T. Edwin Norris, City Clerk