CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
40th OAK PARK CITY COUNCIL
February 19, 2024
7:00 PM

MINUTES

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

PRESENT: Mayor McClellan, Council Member Edgar, Council Member Whitehead

ABSENT: Council Member Radner, Mayor Pro Tem Burns

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

APPROVAL OF AGENDA:

CM-02-038-24 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED – APPROVED

Motion by Whitehead, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the agenda with the following change:

- Add Item #11F - Consideration of Letters of Understanding regarding collective bargaining Units.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-02-039-24 (AGENDA ITEM #5A-I) CONSENT AGENDA - APPROVED

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

A. City Council Meeting Minutes for 2-5-24 **CM-02-040-24**
B. Special City Council Meeting Minutes for 2-5-24 **CM-02-041-24**
C. Municipal Services Fee Schedule Additions **CM-02-042-24**
D. Request to approve Final Payment Application No. 4 for the 2021-2022 Miscellaneous Concrete Project, M-727 to Mattioli Cement Company of Fenton, MI for $5,000.00 **CM-02-043-24**
E. Request to approve Final Payment Application No. 4 for the 2022-2023 Miscellaneous Concrete Project, M-745 to Mattioli Cement Company of Fenton, MI for $5,000.00 **CM-02-044-24**

F. Request to approve Payment Application No. 3 and Change Order No. 1 for the Nine Mile Connector Park Project, M-746 to DMC Consultants Inc. of Detroit, MI for $185,184.45 and $1,650.00, respectively. **(Removed from the Consent Agenda by Mayor McClellan)**
G. Resolution in Support of Oak Park joining the Clinton River Watershed Council's WaterTowns Initiative **CM-02-045-24**
H. Arts and Cultural Diversity Commission Meeting Minutes for September 14, 2023, November 9, 2023, December 14, 2023, and January 11, 2024 **CM-02-046-24**
I. Licenses New and Renewals submitted for February 19, 2024 **CM-02-047-24**

MERCHANT'S LICENSES – February 19, 2024
(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
APEX TAX TITANS	13730 W EIGHT MILE RD	$150.00	TAX SERVICES
INES AND MARIE EVENTS LLC	10400 W NINE MILE RD	$150.00	EVENT PLANNING

RENEWALS (/2024)	ADDRESS	FEE	
MURRAYS WORLDWIDE INC	8750 CAPITAL AVE	$150.00	MANUFACTURER
M. BESHARA INC	10020 CAPITAL AVE	$150.00	PRINTING COMPANY
SECURITY CENTRAL PROTECT	12821 CAPITAL AVE	$150.00	PROFESSIONAL SERVICES
SFT FOODS LLC	12930 CAPITAL AVE	$150.00	MANUFACTURER
IGORS AUTO REPAIR LLC	13350 CAPITAL AVE	$150.00	AUTOMOTIVE
PARTS PLUS	13202 CLOVERDALE AVE	$150.00	AUTOMOTIVE
WURTH BAER SUPPLY CO	13390 CLOVERDALE AVE	$150.00	DISTRIBUTOR
US PRINTING AND PACKAGING LLC	21350 COOLIDGE HWY	$150.00	RETAIL
HONOROE HOLDINGS LLC	21400 COOLIDGE HWY	$150.00	OFFICE
UNIQUE GIFTS BY ANGELLETTIA	22101 COOLIDGE	$150.00	RETAIL
MOTOR CITY TAX PROFESSIONALS	22128 COOLIDGE HWY	$150.00	OFFICE
VALUE WORLD INC	22130 COOLIDGE HWY	$150.00	RETAIL
LITTLE CAESARS	24756 COOLIDGE	$150.00	RESTAURANT
TODAYS SMILE	25101 COOLIDGE HWY	$150.00	MEDICAL OFFICE
COOLIDGE CYCLE	25909 COOLIDGE HWY	$150.00	RETAIL
7-ELEVEN #13458	26641 COOLIDGE HWY	$187.50	RETAIL
FARS FILL UP INC	13500 W EIGHT MILE RD	$150.00	GAS STATION
FORGOTTEN HARVEST INC	15000 W EIGHT MILE RD	$150.00	CHARITY
PENNZOIL 10 MINUTE OIL	13601 W ELEVEN MILE	$150.00	AUTOMOTIVE
THE BLOUSE HOUSE	21700 GREENFIELD # 112	$150.00	RETAIL
CREATIVE STROKES ART CO	21700 GREENFIELD # LL6	$150.00	ART STUDIO
STARBUCKS COFFEE #11879	24840 GREENFIELD RD	$150.00	RESTAURANT
COMERICA BANK INC	25192 GREENFIELD RD	$150.00	FINANCIAL INSTITUTION
BORENSTEINS	25242 GREENFIELD RD	$150.00	RETAIL
CONSULTANTS IN OPHTHALMOLOGY	25900 GREENFIELD 239	$150.00	MEDICAL OFFICE
A-LIST HEALTHCARE TRAINING ACADEMY	25900 GREENFIELD # 380	$150.00	MEDICAL OFFICE
JEWISH FAMILY SERVICE	25900 GREENFIELD # 405	$150.00	OFFICE
EDDIES GOURMET	25920 GREENFIELD RD	$150.00	RESTAURANT
DOLLAR CASTLE	26096 GREENFIELD RD	$150.00	RETAIL
ALDI #88	26300 GREENFIELD RD	$150.00	GROCERY
ENTERPRISE RENT-A-CAR	26520 GREENFIELD RD	$150.00	RENTAL CARS
PIE SCI	8150 W NINE MILE RD	$150.00	PIZZERIA
THE WORK PLACE	10450 NINE MILE RD B	$150.00	OFFICE
LISAS LITTLE ANGELS CHRISTIAN CHILD	10460 NINE MILE RD	$150.00	DAYCARE

DOLLAR GENERAL #9565	12720 W NINE MILE RD	$150.00	RETAIL
VALVOLINE INSTANT OIL	13300 W NINE MILE RD	$150.00	AUTOMOTIVE
WALGREENS #5425	13550 W NINE MILE RD	$150.00	PHARMACY
FALLOU'S AFRICAN HAIR BRAIDING	13721 W NINE MILE RD	$150.00	HAIR SALON
PETEETS FAMOUS CHEESECAKES	13835 W NINE MILE RD	$150.00	BAKERY
CRESCENT PATTERN CO.	8720 NORTHEND	$150.00	R&D
SHOE RACK OUTLET	13291 TEN MILE	$150.00	RETAIL
UNIQUE FURNITURE	21820 WYOMING PL	$150.00	RETAIL

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

MOTION DECLARED ADOPTED

CM-02-048-24 (AGENDA ITEM #5.F) REQUEST TO APPROVE PAYMENT APPLICATION NO. 3 AND CHANGE ORDER NO. 1 FOR THE NINE MILE CONNECTOR PARK PROJECT, M-746 TO DMC CONSULTANTS INC. OF DETROIT, MI FOR $185,184.45 AND $1,650.00, RESPECTIVELY - APPROVED

Motion by Whitehead, seconded by Edgar, CARRIED UNANIMOUSLY, to approve Payment Application No. 3 and Change Order No. 1 for the Nine Mile Connector Park Project, M-746 to DMC Consultants Inc. of Detroit, MI for $185,184.45 and $1,650.00, respectively.

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

SPECIAL RECOGNITION/PRESENTATIONS:

(AGENDA ITEM #7.A.1&2) Annual Audit Presentation.

Finance Consultant Johnson from the City of Oak Park and Daniel Clark from Rehmann Robson presented the City of Oak Park financial audit. A complete copy is on file with the City Clerk.

(AGENDA ITEM #7.B) Oakland County Presentation on Shepherd Park Improvements.

Donna Folland from Oakland County Parks presented a “Healthy Communities Park and Outdoor Recreation Investment Plan” regarding improvements the County is making in Shepherd Park.

COMMUNICATIONS:

(AGENDA ITEM #8.A) Mayor McClellan read a communication from the Oakland County Treasurer regarding foreclosure prevention.

PUBLIC HEARINGS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS:

CM-02-049-24 (AGENDA ITEM #9.A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF $18,051.33 - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve payment of invoices #621050, 621051, 621052, and 621053 to Garan, Lucow, Miller P.C., for legal services rendered through January 30, 2024, in the total amount of $18,051.33.

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

MOTION DECLARED ADOPTED

BIDS: None

ORDINANCES: None

CITY ATTORNEY:

CM-02-050-24 (AGENDA ITEM #10.A) RESOLUTION TO APPROVE REQUEST FROM CROWN CASTLE FIBER FOR EXTENSION OF METRO ACT RIGHT OF WAY PERMIT – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following resolution to approve request from Crown Castle Fiber for extension of Metro Act Right of Way Permit:

CITY OF OAK PARK
RESOLUTION TO APPROVE REQUEST FROM
CROWN CASTLE FIBER, LLC (PREVIOUSLY KNOWN AS FIBER TECHNOLOGIES NETWORKS, LLC) FOR EXTENSION OF METRO ACT RIGHT OF WAY PERMIT

WHEREAS, on or about April 22, 2014, the City of Oak Park initially issued a METRO Act Right-of-Way Telecommunications Permit (“Permit”) to Crown Castle Fiber, L.L.C., previously known as Fiber Technologies Networks, L.L.C. (“Crown Castle”) which was first extended on January 7, 2019; and

WHEREAS, the term of the Permit was five years and shall expire on May 1, 2024; and

WHEREAS, Crown Castle has submitted a request to extend the Permit for an additional five-year term to expire on May 1, 2029; and

WHEREAS, the City is aware of no reason to deny the request to extend the Permit for 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 Crown Castle for an extension of their METRO Act Permit through May 1, 2029, is hereby approved.

2. The City Manager is authorized and directed to execute the 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, Whitehead
	No:	None
	Absent:	Radner, Burns

MOTION DECLARED ADOPTED

CITY MANAGER:

Administration

CM-02-051-24 (AGENDA ITEM #11.A.1) REQUEST TO APPROVE "OAK PARK WOODS AT SHEPHERD PARK" AS THE NAME OF OAKLAND COUNTY'S SECTION OF SHEPHERD PARK – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve "Oak Park Woods at Shepherd Park" as the name of Oakland County's section of Shepherd Park.

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

MOTION DECLARED ADOPTED

CM-02-052-24 (AGENDA ITEM #11.A.2) REQUEST TO APPROVE A PROFESSIONAL SERVICES CONTRACT WITH DICKINSON WRIGHT FOR BOND COUNSEL – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve a professional services contract with Dickinson Wright subject to review and approval by the city attorney before execution.

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

MOTION DECLARED ADOPTED

City Manager Tungate stated that in December 2023, a request for proposals was sent to Public Service Legal firms. An RFP selection team was created to evaluate and review each of the four (4) proposal submissions. The team evaluated the proposals based on criteria such as prior experience, project team, project fees and incidentals. This review led to a top proposal submitted by Dickinson Wright. Funding is available through bond proceeds.

Municipal Services

CM-02-053-24 (AGENDA ITEM #11.B.1) REQUEST TO APPROVE A FAÇADE GRANT FOR 25651 COOLIDGE FOR 50% OF THE PROJECT COSTS UP TO $2,500 – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve a façade grant for property located at 25651 Coolidge for 50% of the project costs up to $2,500.

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

MOTION DECLARED ADOPTED

Municipal Services Director Marrone summarized the application submitted for a Façade Improvement Grant from Kehal Rina Utefilah for a building located at 25651 Coolidge. The project consists of replacing the windows and door on the front facade. The project specifications meet city guidelines for the program with the condition that the windows cannot have permanent coverings and blinds must remain open during hours the facility is not in operation. This condition will allow them to meet the zoning ordinance requirements that require 40% fenestration on the front facade. The owner has received two quotes for the work as required and attached along with pictures of the building now. The property owner/contractor will be required to pull all required permits.

CM-02-054-24 (AGENDA ITEM #11.B.2) REQUEST TO APPROVE A PROPOSAL FROM OHM TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE NINE MILE REHABILITATION PROJECT, GREENFIELD ROAD TO CLOVERLAWN AVE. FOR THE HOURLY, NOT TO EXCEED, COST OF $95,000.00 – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve a proposal from OHM to provide Engineering Design Services for the Nine Mile Rehabilitation Project, Greenfield Road to Cloverlawn Ave. for the hourly, not to exceed, cost of $95,000.00.

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

MOTION DECLARED ADOPTED

City Engineer Grissamer indicated that in December of 2021, the City applied for and was granted FY 2025 funds from the Federal Aid Committee to complete a rehabilitation project on Nine Mile Road from Greenfield to Cloverlawn Ave. The awarded funds from the Federal Aid Committee are $695,031.48, with the City paying for the balance of the project estimated at $1,325,000 with the major street funds. The proposal from OHM is to complete the design phase of this project this year, so it will be ready to be bid and awarded for construction in 2025. OHM previously worked on the design of the Nine Mile project in this area in 2008, so they have much of the required information about the road already.

Finance/Assessing

CM-02-055-24 (AGENDA ITEM #11.C.1) REQUEST TO AUTHORIZE THE FINANCE DIRECTOR TO TERMINATE ITS CONTRACT WITH ACI PAYMENTS, INC. AND ENTER INTO AN AGREEMENT WITH POINT & PAY UPON APPROVAL OF THE CONTRACT BY THE CITY ATTORNEY – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to authorize the Finance Director to terminate its contract with ACI Payments, Inc. and enter into an agreement with Point & Pay upon approval of the contract by the city attorney.

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

MOTION DECLARED ADOPTED

Deputy Finance Director Johnson indicated the city's current payment processor for credit and debit card payments is ACI Payments, Inc. This 3rd party vendor is no longer being supported by our software provider BS&A. The unsupported process has been challenging for our IT department and Finance department. We conducted a search of the 3rd party vendors that our software provider does support and found two companies, Invoice Cloud and Point and Pay. Point & Pay has the lowest cost to the users and the City, in which there are no monthly fees or set up fee. The Finance Department is recommending Point & Pay.

City Clerk

(AGENDA ITEM #11.D) 2024 Presidential Primary Update.

City Clerk Norris provided information about the voting process for the Presidential Primary scheduled for February 27, 2024.

Elevate Oak Park Project Update

City Manager Tungate provided an update on bonding for the new recreation center and the funding status for the event hub project.

Union Letters of Agreement (Added to the Agenda)

CM-02-056-24 (AGENDA ITEM #11.F.1) REQUEST TO APPROVE A LETTER OF AGREEMENT WITH THE POLC REPRESENTING THE COMMAND OFFICERS ASSOCIATION (COAM) – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following Letter of Agreement with the POLC representing the Command Officers Association (COAM):

LETTER OF AGREEMENT
between
THE CITY OF OAK PARK (Employer)
and
<u>Command Officers Association of MI (Union)</u>

This Letter of Agreement is made on this _____ day of February, 2024 between the POLC representing the Command Officers Association of Michigan (COAM) ("Union"), and City of Oak Park ("City"), and collectively will be referred to as the "Parties."

Effective as of the date of this Agreement, the Parties hereto agree to the following:

Whereas, Presently the City and the Union are parties to a Collective Bargaining Agreement for the period of July 1, 2024 – June 30, 2026:

Whereas, The Parties wish to amend the conditions of the Collective Bargaining agreement.

Whereas, The conditions of the Collective Bargaining Agreement will be amended as specified below.

Now Therefore Be It Resolved, the City and the Union agree to the following:

1. Provided that the parties agree to remove the condition of the wage reopener on July 1, 2025. Base wage percentage increases shall be paid only as follows:

   March 1, 2024: 1%
   July 1, 2024: 2%
   July 1, 2025: 0%

   This agreement shall fully satisfy the 2025 wage reopener.

2. The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force until the expiration date contained in this Agreement.

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

MOTION DECLARED ADOPTED

CM-02-051-24 (AGENDA ITEM #11.F.2) REQUEST TO APPROVE A LETTER OF AGREEMENT WITH THE PATROL OFFICERS ASSOCIATION OF MICHIGAN – DISPATCHERS (POAM DISPATCHERS) – APPROVED

Motion by Whitehead, Seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following Letter of Agreement with the Patrol Officers Association of Michigan – Dispatchers (POAM Dispatchers):

LETTER OF AGREEMENT
between
THE CITY OF OAK PARK (Employer)
and
POAM Dispatchers (Union)

This Letter of Agreement is made on this _____ day of February, 2024 between the Police Officers Association of Michigan – Oak Park Dispatchers (POAM Dispatchers) ("Union"), and City of Oak Park ("City"), and collectively will be referred to as the "Parties."

Effective as of the date of this Agreement, the Parties hereto agree to the following:

Whereas, Presently the City and the Union are parties to a Collective Bargaining Agreement for the period of July 1, 2024 – June 30, 2026:

Whereas, The Parties wish to amend the conditions of the Collective Bargaining agreement.

Whereas, The conditions of the Collective Bargaining Agreement will be amended as specified below.

Now Therefore Be It Resolved, the City and the Union agree to the following:

2. Provided that the parties agree to remove the condition of the wage reopener on July 1, 2025. Base wage percentage increases shall be paid only as follows:

   March 1, 2024: 1%
   July 1, 2024: 2% (In place of the increase of 1.5%)
   July 1, 2025: 0%

   This agreement shall fully satisfy the 2025 wage reopener.

2. The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force until the expiration date contained in this Agreement.

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

MOTION DECLARED ADOPTED

CM-02-052-24 (AGENDA ITEM #11.F.3) REQUEST TO APPROVE A LETTER OF AGREEMENT WITH THE TECHNICAL, PROFESSIONAL, AND OFFICEWORKERS ASSOCIATION OF MI (TPOAM) – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following Letter of Agreement with the Technical, Professional, and Officeworkers Association of MI (TPOAM):

LETTER OF AGREEMENT
between
THE CITY OF OAK PARK (Employer)
and
Technical, Professional and Officeworkers Association of MI (Union)

This Letter of Agreement is made on this _____ day of February, 2024 between the TPOAM ("Union"), and City of Oak Park ("City"), and collectively will be referred to as the "Parties."

Effective as of the date of this Agreement, the Parties hereto agree to the following:

Whereas, Presently the City and the Union are parties to a Collective Bargaining Agreement for the period of July 1, 2024 – June 30, 2026:

Whereas, The Parties wish to amend the conditions of the Collective Bargaining agreement.

Whereas, The conditions of the Collective Bargaining Agreement will be amended as specified below.

Now Therefore Be It Resolved, the City and the Union agree to the following:

3. Provided that the parties agree to remove the condition of the wage reopener on July 1, 2025. Base wage percentage increases shall be paid only as follows:

   March 1, 2024: 1%
   July 1, 2024: 2% (In place of the increase of 1.5%)
   July 1, 2025: 0%

   This agreement shall fully satisfy the 2025 wage reopener.

2. The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force until the expiration date contained in this Agreement.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

Ken Sherman, 23840 Jerome, spoke to voting in the Presidential Primary. He also claimed there is not City Council representation that regularly attends the Recycling Committee meetings. He asked the City Manager, City Clerk and City Council to address his concern.

PeeGee Geralds- presented a donation check to be used for the Oak Park Juneteenth Jubilee.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:20 p.m.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor