CITY OF OAK PARK, MICHIGAN
REGULAR COUNCIL MEETING OF THE
40th OAK PARK CITY COUNCIL
March 18, 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, Mayor Pro Tem Burns, Council Member Edgar, Council Member Whitehead, Council Member Radner

ABSENT: None

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

APPROVAL OF AGENDA:

CM-03-072-24 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS PRESENTED – APPROVED

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-03-073-24 (AGENDA ITEM #5A-E) CONSENT AGENDA - APPROVED

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

A. Regular City Council Meeting Minutes for March 4, 2024 **CM-03-074-24**
B. Payment of invoices from OHM Advisors for 8 Mile Booster Station Rehab, GIS DWAM Grant, and Nine Mile Road Construction for the total amount of $6,966.50 **CM-03-075-24**
C. Corridor Improvement Authority Minutes for December 21, 2023 and January 18, 2024 **(Removed from the Consent Agenda by Council Member Edgar)**
D. Parks and Recreation Commission Meeting Minutes for December 20, 2023 **CM-03-076-24**
E. Licenses New and Renewals submitted for March 18, 2024 **CM-03-077-24**

MERCHANT'S LICENSES – March 18, 2024
(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEE	BUSINESS TYPE
None			

RENEWALS (/2024)	ADDRESS	FEE	
AUTO METAL CRAFT INC	10230 CAPITAL AVE	$150.00	INDUSTRIAL
AUTO METAL CRAFT INC	10240 CAPITAL	$150.00	INDUSTRIAL
AUTO METAL CRAFT INC	12741 CAPITAL AVE	$150.00	INDUSTRIAL
CHIROPRACTIC WORKS, PC	21790 COOLIDGE HWY	$150.00	MEDICAL
ANNIEWRAP & FLOWERS	22171 COOLIDGE HWY	$225.00	RETAIL
MICHIGAN CONTACT LENS	25211 COOLIDGE HWY	$225.00	MEDICAL
VALUE WHOLESALE	15188 W EIGHT MILE RD	$150.00	DISTRIBUTION
LOCLIFE DREADHUT	21700 GREENFIELD # 131	$225.00	HAIR SALON
B-UNIQUE HAIR BOUTIQUE LL	21700 GREENFIELD # 412	$225.00	HAIR SALON
SELECT MEDICAL GROUP	23350 GREENFIELD # 200	$150.00	MEDICAL
VIP OAKPARK LLC	24730 GREENFIELD RD	$150.00	SMOKE SHOP
HAIR UNIQUE	8138 W NINE MILE RD	$150.00	HAIR SALON
OAK PARK MAX CARE PHYSICAL THERAPY	12702 W NINE MILE RD	$150.00	MEDICAL
NEW GRACE SPINAL REHAB	12706 W NINE MILE RD	$150.00	MEDICAL
MY PLACE CENTER FOR WELLNESS	12718 W NINE MILE RD	$150.00	HEALTH RECOVERY
OAK PARK MEDICAL CENTER	15300 W NINE MILE RD	$150.00	MEDICAL
ATLAS CUT STONE INC	12920 NORTHEND AVE	$150.00	INDUSTRIAL
VGAGE LLC	13250 NORTHEND AVE	$150.00	INDUSTRIAL
U WASH DEVELOPMENT	15450 W TEN MILE RD	$150.00	CAR WASH
GLENCO SALES CO INC	21600 WYOMING AVE	$150.00	MANUFACTURER

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

MOTION DECLARED ADOPTED

CM-03-078-24 **(AGENDA ITEM #5.C) CORRIDOR IMPROVEMENT AUTHORITY MINUTES FOR DECEMBER 21, 2023 AND JANUARY 18, 2024 (Removed from the Consent Agenda by Council Member Edgar) - APPROVED**

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to approve Corridor Improvement Authority Minutes for December 21, 2023 and January 18, 2024.

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS: None

PUBLIC HEARINGS:

(AGENDA ITEM #7.A) Public Hearing to receive public comments regarding the request by ABV Group LLC, D/B/A Mother Handsome, 14661 W. 11 Mile, Suite 500, for the issuance of a Tavern License Transfer and upgrade to a Class C Liquor License.

Mayor McClellan opened the public hearing at 7:16 p.m. The public hearing was immediately closed as there were no individuals who wished to speak.

CM-03-079-24 (AGENDA ITEM #7.B) RESOLUTIONS APPROVING ISSUANCE OF A TAVERN LICENSE TRANSFER AND UPGRADE TO A CLASS C LIQUOR LICENSE TO ABV GROUP LLC, D/B/A MOTHER HANDSOME, 14661 W. 11 MILE, SUITE 500 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following resolutions approving issuance of a Tavern License Transfer and upgrade to a Class C Liquor License to ABV Group LLC, D/B/A Mother Handsome, 14661 W. 11 Mile, Suite 500:

A RESOLUTION OF THE OAK PARK, MICHIGAN, CITY COUNCIL APPROVING SUBJECT TO ALL DEPARTMENTAL APPROVALS THE REQUEST OF BERKLEY COFFEE, LLC TO TRANSFER ITS EXISTING TAVERN LICENSE AT 14661 W. 11 MILE, SUITE 500 TO ABV GROUP LLC, PRINCIPALS/SHAREHOLDERS BEING AARON TYE AND BROOKE M. ZADORSKY, D/B/A MOTHER HANDSOME, AND APPROVING THE TRANSFER OF THE CLASSIFICATION OF THE TAVERN LICENSE TO A CLASS C LIQUOR LICENSE ON THE PREMISES OF A RESTAURANT OPERATION

WHEREAS, pursuant to state law and the Code of Ordinances, City of Oak Park, Michigan it is unlawful for any person to sell, or possess for sale, any alcoholic beverage unless licensed to do so and all licenses required are in full force and effect; and

WHEREAS, at a Special Election held on May 5, 2015 the voters in the City of Oak Park approved a proposition to allow the sale of spirits in addition to beer and wine for consumption on the premises; and

WHEREAS, Berkley Coffee, LLC (hereinafter referred to as Berkley Coffee) located at 14661 W. 11 Mile, Suite 500 had previously applied for and obtained a Tavern License at that address from both the State of Michigan Liquor Control Commission and the City of Oak Park; and

WHEREAS, Berkley Coffee is requesting that the City of Oak Park (hereinafter referred to as the City) approve the transfer of the Tavern License located at 14661 W. 11 Mile, Suite 500 to ABV Group LLC (hereinafter referred to as ABV), principals/shareholders being Aaron Tye and Brooke M. Zadorsky, D/B/A Mother Handsome; and

WHEREAS, the transfer of the Tavern License located at 14661 W. 11 Mile, Suite 500 from Berkley Coffee to ABV is hereby approved subject to all departmental approvals; and

WHEREAS, in addition to the transfer of the Tavern License, ABV is also seeking the transfer of the classification of the Tavern License to a Class C Liquor License to allow the sale of spirits; and

WHEREAS, the transfer of the classification from a Tavern License to a Class C Liquor License is approved.

NOW, THEREFORE, BE IT RESOLVED, that Berkley Coffee's request that the City approve the transfer of the Tavern License located at 14661 W. 11 Mile, Suite 500 to ABV and the transfer of the classification from a Tavern License to a Class C Liquor License are approved subject to the following conditions:

1. The Michigan Liquor Control Commission approves the transfer of the Tavern License from Berkley Coffee to ABV for the location at 14661 W. 11 Mile, Suite 500.

2. The Michigan Liquor Control Commission approves the transfer of the classification from a Tavern License to a Class C Liquor License.

3. Upon approval of the transfer of the Tavern License from Berkley Coffee to ABV by the Michigan Liquor Control Commission, and the transfer of the classification from a Tavern License to a Class C Liquor License ABV shall provide the City Clerk's Office with copies of the License(s) and a Certificate of Liquor Insurance for the subject business.

4. ABV executes a Contract for Tavern License with the City of Oak Park, Michigan and any subsequent amended contract that may be required should the Michigan Liquor Control Commission approve the transfer of the classification of the Tavern License to a Class C Liquor License.

5. ABV must obtain a Business License from the Municipal Services Department prior to commencing operations at 14661 W. 11 Mile, Suite 500.

BE IT FURTHER RESOLVED, that subject to the conditions described in the immediately preceding paragraph and all departmental authorizations, upon approval of the transfer of the Tavern License from Berkley Coffee to ABV by the Michigan Liquor Control Commission the City Clerk is hereby authorized to issue a Tavern License with an expiration date of April 30, 2025, to ABV; and

BE IT FURTHER RESOLVED, that the transfer of the classification from a Tavern License to a Class C Liquor License is approved; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective upon its approval by the City Council.

LOCAL GOVERNMENT APPROVAL RESOLUTION

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

MOTION DECLARED ADOPTED

SPECIAL LICENSES:

CM-03-080-24 **(AGENDA ITEM #8.A) REQUEST FOR A SPECIAL EVENT LICENSE SUBMITTED BY TRAIN STATION SPORTS, LLC, 14661 W. 11 MILE RD., SUITE 700, FOR AN OPEN HOUSE EVENT TO BE HELD APRIL 6, 2024, FROM 4 - 7 P.M. – APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the following Special Event request subject to all departmental approvals:

Name	Event	Fee
Train Station Sports 14661 W. 11 Mile Rd. 700	Open House vent April 6, 2024 4-7 p.m.	$100 application fee paid

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS:

CM-03-081-24 (AGENDA ITEM #9.A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF $17,602.73 - APPROVED

Motion by Radner, seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoices #622560, 622561, 622562, and 622563 to Garan, Lucow, Miller P.C., for legal services rendered through February 29, 2024, in the total amount of $17,602.73.

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

MOTION DECLARED ADOPTED

BIDS:

CM-03-082-24 (AGENDA ITEM #10.A) REQUEST TO AWARD THE BID FOR THE 2024 CATCH BASIN LINE REPLACEMENT PROJECT, M-761 TO JB CONTRACTORS, INC. OF DETROIT, MI FOR THE TOTAL AMOUNT OF $260,890.00 - APPROVED

Motion by Burns, seconded by Burns, CARRIED UNANIMOUSLY, to award the bid for the 2024 Catch Basin Line Replacement Project, M-761 to JB Contractors, Inc. of Detroit, MI for the total amount of $260,890.00.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY: None

CITY MANAGER:

Administration

CM-03-082-24 (AGENDA ITEM #12.A.1) REQUEST TO APPROVE A PROPOSAL FROM PFM FINANCIAL ADVISORS LLC FOR MUNICIPAL ADVISORY SERVICES FOR THE CITY OF OAK PARK - UNLIMITED TAX GENERAL OBLIGATION BONDS – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve a proposal from PFM Financial Advisors LLC for Municipal Advisory Services for the City of Oak Park - Unlimited Tax General Obligation Bonds.

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

MOTION DECLARED ADOPTED

CM-03-083-24 (AGENDA ITEM #12.A.2) RESOLUTION AUTHORIZING REIMBURSEMENT OF EXPENSES FROM BOND PROCEEDS – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve the following resolution authorizing reimbursement of expenses from bond proceeds:

CITY OF OAK PARK

RESOLUTION AUTHORIZING REIMBURSEMENT
OF EXPENSES FROM BOND PROCEEDS

WHEREAS, the City of Oak Park (the "City") proposes to issue its tax-exempt bonds in one or more series (the "Bonds") to finance the acquisition, construction, and financing of community center facilities hereinafter described (the "Project"), the issuance of which Bonds was approved by a majority of the City's electors at an election held in the City on November 7, 2023.

WHEREAS, it is anticipated that the City will advance all or a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Project shall consist of constructing, reconstructing, and remodeling the City's community center, recreation center, and Department of Recreation building; furnishing, refurnishing, equipping and reequipping a new and remodeled community and recreation center; demolishing certain existing facilities; preparing, developing and improving sites, including entrances, approaches, parking facilities, and landscaping; and acquiring all necessary rights in land, together with all necessary and related costs.

2. The City may proceed to finance the Project using available funds of the City from the [Community Center] Fund, which is a fund for the payment of capital improvement expenses related to the Project, the General Fund, which is a fund for the payment of the general and operating expenses of the City, and other funds of the City.

3. At such time as the City issues the Bonds for the long-term financing of the Project, the City shall be reimbursed for its expenditures for the Project out of the proceeds of the Bonds.

4. The maximum, aggregate principal amount of obligations expected to be issued for the Project is $44,000,000.

5. The City declares its official intent to issue the Bonds to finance a portion of the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances for the Project as anticipated by this resolution. This resolution and the expression of intent to seek reimbursement from future proceeds of the

Bonds is intended to satisfy the requirements of the Reimbursement Regulations, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

6. At such time as the City issues the Bonds for the long-term financing of the acquisition of the Project, the City shall be reimbursed for its expenditures for the Project out of the proceeds of the Bonds.

7. All existing or previous resolutions and parts of resolutions, insofar as they may conflict with the provisions of this resolution, are hereby rescinded to the extent necessary to avoid such conflict.

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

MOTION DECLARED ADOPTED

Municipal Services

CM-03-085-24 (AGENDA ITEM #12.B.1) REQUEST TO APPROVE CHANGE ORDER NO. 1 FOR THE 2023-2024 MISCELLANEOUS CONCRETE PROJECT, M-754 IN THE AMOUNT OF $49,937.85 – APPROVED

Motion by Edgar, Seconded by Whitehead, CARRIED UNANIMOUSLY, to approve Change Order No. 1 for the 2023-2024 Miscellaneous Concrete Project, M-754 in the amount of $49,937.85.

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

MOTION DECLARED ADOPTED

City Engineer Grisamer summarized the proposed Change Order No. 1 for the 2023-2024 Miscellaneous Concrete Project, M-754 by Mattioli Cement Company of Fenton, Michigan. This project includes miscellaneous concrete road work throughout the city and the contract was originally approved at the bid quantity, however additional funding is budgeted to cover the extra work in proposed Change Order No. 1. The Change Order will add more road work to the project (Spring of 2024) to fully expend the budgeted funds for FY 2023-24.

Finance/Assessing

CM-03-086-23 (AGENDA ITEM #12.C.1) RESOLUTION AUTHORIZING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLLS, ASSESSING UNPAID CHARGES TOGETHER WITH A 10% PENALTY ON PRIVATE PROPERTY FOR DELINQUENT UTILITIES - $240,280.17; FALSE ALARMS - $1,430.00; PROPERTY BLIGHT - $18,901.83; AND MISCELLANEOUS CONCRETE REPLACEMENT - $13,378.82 - APPROVED

Motion by Whitehead, seconded by Burns, CARRIED UNANIMOUSLY, to approve the following resolution authorizing the City Assessor to prepare Special Assessment Rolls, assessing unpaid charges together with a 10% penalty on private property for Delinquent Utilities - $240,280.17; False Alarms - $1,430.00; Property Blight - $18,901.83; and Miscellaneous Concrete Replacement - $13,378.82:

PROPOSAL FOR
SPECIAL ASSESSMENT DISTRICTS

WHEREAS, As required by City Code, Article III, Sec. 12.14, the City Treasurer has reported the sums expended which represent City expenses incurred on private premises which remain unpaid, or in respect thereto, listed herewith;

THEREFORE, BE IT RESOLVED, in accordance with Section 12.14 of the City Charter, that the Assessor of the City is hereby authorized and directed to make Special Assessment Rolls for said expenses incurred, together with a penalty of ten percent (10%), and to assess the lands in the Special Assessment Districts therefore according to the benefits derived in the sum of $273,990.82:

Delinquent Utilities	$240,280.17
False Alarms	$1,430.00
Property Blight	$18,901.83, and
Misc Concrete Replacements	$13,378.82

THAT, Said Special Assessment Rolls shall be numbered to correspond with the number of the Special Assessment to which it pertains; and

THAT, The Assessor, when s/he shall have completed the said assessment rolls, shall report the same to the Council in the manner provided by the City Charter.

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

MOTION DECLARED ADOPTED

CM-03-087-23 **(AGENDA ITEM #12.C.2) RESOLUTION RECEIVING SPECIAL ASSESSMENT ROLLS AND ESTABLISHING APRIL 1, 2024 AS THE DATE FOR THE PUBLIC HEARING ON THE ROLLS FOR UNPAID CHARGES FOR CITY EXPENSES INCURRED ON PRIVATE PREMISES FOR DELINQUENT UTILITIES #712, FALSE ALARMS #713, PROPERTY BLIGHT #714 AND MISCELLANEOUS CONCRETE REPLACEMENT #715 - APPROVED**

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the following resolution receiving Special Assessment Rolls and establishing April 1, 2024 as the date for the Public Hearing on the rolls for unpaid charges for city expenses incurred on private premises for Delinquent Utilities #712, False Alarms #713, Property Blight #714 and Miscellaneous Concrete Replacement #715:

SPECIAL ASSESSMENT RESOLUTION

DISTRICT NO. 712, 713, 714 and 715

Meeting of the City Council held March 18, 2024, at 7:00 P.M.

The Assessor reported Special Assessment Rolls No. 704, 705, 706 and 707 to the City Council. Attached to said Special Assessment Roll was the certificate of the City Assessor in form as required in Chapter XII of the City Charter.

BE IT RESOLVED, that Special Assessment Rolls No. 712, 713, 714 and 715 this day submitted to the City Council by the City Assessor, be filed in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council and the City Assessor shall meet in the City Council room in the City of Oak Park, Michigan, on the 1st day of April, 2024 at 7:00 P.M. Eastern Standard Time, for the purpose of reviewing the assessment contained in said Special Assessment Rolls.

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby ordered to cause notice of said review and of the filing of said Special Assessment Rolls to be published once prior to said hearing in the Daily Tribune, a newspaper circulating in said City of Oak Park, the first publication to be at least one week before such hearing, and that said notice shall be in form as provided in Chapter XII of the City Charter.

BE IT STILL FURTHER RESOLVED that the City Clerk be and is hereby instructed to serve notice of said Special Assessment Hearing to each owner of, or party in interest in, property to be assessed, whose name appears upon the last general tax assessment records by mailing the notice first class mail, addressed to such owner or party at the address shown on the tax records, at least ten (10) days before the date of said hearing.

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

MOTION DECLARED ADOPTED

Elevate Oak Park Project Update

City Manager Tungate provided an update on the Elevate Oak Park project that included the following:

1. Solidified $1 million for Event Hub through federal earmark signed into law by President Biden
    - Secured funding (of total $8.75 million estimate) now includes approx. $6 million ($3.75 million grant secured and the remainder is roll over capital improvement dollars)
    - Still waiting for Humana and Ralph C. Wilson grant requests which could get us to our goal
2. Signed the agreement for architectural and engineering services with Neumann Smith
    - New renderings of Event Hub expected by mid-April
3. Received council resolution of support to negotiate with Berkley Schools for Tyler Park
4. Currently in the annual budgeting process to determine how additional funds could be allocated

CALL TO THE AUDIENCE:

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

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:47 p.m.

T. Edwin Norris, City Clerk	Marian McClellan, Mayor