

# Oak Park

## City Council Agenda

April 6, 2020





**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**38<sup>th</sup> CITY COUNCIL**  
**OAK PARK, MICHIGAN**  
**April 6, 2020**  
**7:00 PM**

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**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF AGENDA**

**4. 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 of March 16, 2020

B. Special City Council Meeting Minutes of March 16, 2020

C. Planning Commission Meeting Minutes of February 10, 2020

D. Board of Review Meeting Minutes of March 9, 2020

E. Payment Application No. 3 for the 2019-20 Water Main Replacement Project, M-704 to Macomb Pipeline & Utilities Company of Sterling Heights, MI. for the amount of \$85,197.60

**5. RECOGNITION OF VISITING ELECTED OFFICIALS**

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

**7. PUBLIC HEARINGS: None**

**8. COMMUNICATIONS: None**

**9. SPECIAL LICENSES: None**

**10. ACCOUNTING REPORTS: None**

**11. BIDS: None**

**12. ORDINANCES: None**

**13. CITY ATTORNEY:**

**14. CITY MANAGER:**

**Department of Technical and Planning**

A. Request to adopt a resolution approving a Right-of Way agreement with the Michigan Department of Transportation (MDOT) for use of MDOT property at the Z03 Plaza Bridge and to authorize the City Manager to sign the agreement on behalf of the City

B. Request to approve an agreement with the Road Commission for Oakland County for operating costs and maintenance of traffic signal improvements installed with the Safe Routes to School Grant and to authorize the Mayor to sign the agreement on behalf of the City

## **Administration**

### **C. City Manager Update**

#### **16. CALL TO THE AUDIENCE**

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

#### **17. CALL TO THE COUNCIL**

#### **18. ADJOURNMENT**

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



**CITY OF OAK PARK, MICHIGAN  
REGULAR COUNCIL MEETING OF THE  
38<sup>th</sup> OAK PARK CITY COUNCIL  
March 16, 2020  
7:00 p.m.**

**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 ProTem Burns, Council Member Weiss, Council Member Edgar, Council Member Radner

**ABSENT:** None

**OTHERS**

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

**APPROVAL OF AGENDA:**

**CM-03-073-20 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS AMENDED – APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the agenda with the following change:

- Omit Item #7A, Census Complete Count Committee Presentation

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

**MOTION DECLARED ADOPTED**

**CONSENT AGENDA:**

**CM-03-074-20 (AGENDA ITEM #5A-H) CONSENT AGENDA - APPROVED**

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

- A. Regular City Council Meeting Minutes of March 2, 2020 **CM-03-075-20**
- B. Special City Council Meeting Minutes of March 2, 2020 **CM-03-076-20**
- C. Parks and Recreation Commission Meeting Minutes of January 15, 2020 **CM-03-077-20**
- D. Board of Review Organizational Meeting Minutes of March 3, 2020 **CM-03-078-20**
- E. Request to approve an agreement with the Road Commission for Oakland County for street sweeping, litter picking, and lawn mowing services on Greenfield Road from Eight to Ten Mile Roads and on Ten Mile Road from Greenfield to Maplefield **CM-03-079-20**

- F. Request payment of invoices from OHM Advisors for Bridge Enhancements and Safe Routes to Schools Preliminary Engineering for the total amount of \$35,140.75  
**CM-03-080-20**
- G. Payment Application No. 2 for the 2019 Sewer & Catch Basin Cleaning & TV Inspection Project, M-700 to Doetsch Environmental Services of Warren, MI. for the amount of \$158,950.07 **CM-03-081-20**
- E Licenses - New and Renewals submitted for March 16, 2020 **CM-03-082-20**

**MERCHANT’S LICENSES – March 16, 2020  
 (Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
None			
<b><u>2020 RENEWALS</u></b>	<b><u>ADDRESS</u></b>	<b><u>FEE</u></b>	<b><u>BUSINESS TYPE</u></b>
FORMTECH PLASTICS	10030 CAPITAL	\$150.00	ACRYLIC FABRICATION
TCF AUTO WHOLESALE	13210 CLOVERDALE	\$150.00	USED CAR LOT AND BODY
CHET'S RENT-ALL	20800 COOLIDGE	\$187.50	EQUIPMENT RENTAL
HONROE HOLDINGS LLC	21400 COOLIDGE	\$150.00	CONTRACTOR SERVICES
LOVE NAIL AND SPA	22118 COOLIDGE	\$150.00	NAIL SALON
VALUE WORLD	22130 COOLIDGE	\$150.00	SECOND HAND GOODS/THRIFT
ANNIEWRAP AND FLOWERS	22171 COOLIDGE	\$225.00	FLORIST
SVS VISION	23055 COOLIDGE	\$187.50	OPTICAL RETAIL
O'REILLY AUTO PARTS	23125 COOLIDGE	\$225.00	RETAIL AUTO PARTS AND RELATED SUPPLIES
OAK PARK RX	24651 COOLIDGE	\$225.00	PHARMACY
LITTLE CAESERS	24756 COOLIDGE	\$150.00	PIZZA PLACE
ARTISTRY OF HAIR	25661 COOLIDGE	\$150.00	HAIR SALON
15160 EIGHT MILE VENTURES	15160 EIGHT MILE	\$150.00	SELF STORAGE
METROPOLITAN REHAB CLINICS	21700 GREENFIELD 130	\$150.00	OPIOD TREATMENT PROVIDER
JOHN & KARON'S HAIR AFFAIR	21700 GREENFIELD 250	\$187.50	HAIR SALON
DIAMOND STAR FINE JEWELRY	21700 GREENFIELD 322	\$150.00	JEWELRY STORE
GOLD FASHION JEWELRY	21700 GREENFIELD 333	\$150.00	JEWELRY STORE
DIAMOND FASHION JEWELERS	21700 GREENFIELD 337	\$150.00	WHOLESALE & RETAIL
DIAMOND ISLAND OF GREENFIELD	21700 GREENFIELD 390	\$150.00	WHOLESALE & RETAIL
SKYLAR LAUNDROMAT	25214 GREENFIELD	\$150.00	LAUNDROMAT
M K BEAUTY SUPPLY	25254 GREENFIELD	\$187.50	BEAUTY SUPPLIES RETAIL
EXPRESS CARE MEDICAL SUPPLY	25900 GREENFIELD 121	\$150.00	MEDICAL SUPPLY COMPANY
TEAM REHABILITATION FUNCTIONAL	25900 GREENFIELD 502	\$150.00	OUTPATIENT PHYSICAL THERAPY
DRIVE-ABLE LLC	25900 GREENFIELD 505	\$150.00	OCCUPATIONAL THERAPY BASED DRIVER REHAB SERV.
STITTS PRODUCTIONS	25900 GREENFIELD 511	\$150.00	PRODUCTION COMPANY
HEWSON VAN HELLEMONT	25900 GREENFIELD 650	\$150.00	LEGAL SERVICES
APERTURE CONTENT MARKETING	25900 GREENFIELD 402	\$150.00	MARKETING OFFICE
RAM JEWELRY	21600 GREENFIELD 105A	\$150.00	JEWELRY STORE
AVIS MANAGEMENT	26640 HARDING	\$187.50	INDUSTRIAL PROPERTY MGT
OAK-FERN GALLERIA	8520 NINE MILE	\$150.00	CLASSIC CAR STORAGE
COMMUNITY FAMILY DENISTRY	10470 NINE MILE	\$150.00	FAMILY DENIST SERVICES
PIZZA SQUARE	10770 NINE MILE	\$150.00	PIZZA PLACE
MY PLACE CENTER FOR WELLNESS`	12718 NINE MILE	\$150.00	PEER DELIVERED MENTAL HEALTH RECOVERY PROGRAM

LITTLE BEAR'S LEARNING CTR	13391 NINE MILE	\$225.00	DAYCARE
COOLIDGE CAFÉ	13400 NINE MILE	\$150.00	FAMILY RESTAURANT
NEXT LEVEL BARBERSHOP	13641 NINE MILE	\$187.50	BARBERSHOP
PAPA'S PIZZA	15400 NINE MILE	\$150.00	PIZZA PLACE
HATZALAH MICHIGAN	13650 OAK PARK BLVD	\$150.00	NON-PROFIT
SAMARITAN HOMES	22610 ROSEWOOD	\$150.00	GENERAL CONTRACTOR
C & J GENERAL CONTRACTORS	22610 ROSEWOOD	\$150.00	GENERAL CONTRACTOR
PLANET FITNESS	13151 TEN MILE	\$168.75	HEALTH FITNESS CLUB
JEWISH SENIOR LIFE SERVICES	15000 TEN MILE	\$150.00	SENIOR SERVICES
MURRAYS WORLDWIDE	21930 WYOMING	\$150.00	WAREHOUSE/DISTRIBUTOR
NOTABLE INTERIORS & EVENTS	21840 WYOMING PL B	\$150.00	INTERIOR AND EVENT DESIGN

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

**MOTION DECLARED ADOPTED**

**RECOGNITION OF VISITING ELECTED OFFICIALS: None**

**SPECIAL RECOGNITION/PRESENTATIONS: None**

**(AGENDA ITEM #7A)** Census Complete Count Committee Presentation. (Omitted)

**PUBLIC HEARINGS: None**

**COMMUNICATIONS: None**

**SPECIAL LICENSES: None**

**ACCOUNTING REPORTS:**

**CM-03-083-20 (AGENDA ITEM #11A) PAYMENT OF AN INVOICE SUBMITTED BY THE LAW OFFICES OF HOWARD L. SHIFMAN, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$18,000.00 - APPROVED**

Motion by Weiss, Seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoice #13950 to Howard L. Shifman, P.C. for legal services from April 1, 2020 – June 30, 2020 in the total amount of \$18,000.00.

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

**MOTION DECLARED ADOPTED**

**CM-03-084-20 (AGENDA ITEM #11B) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$14,430.34 - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve payment of invoices #533635, #533636 and #533637 by Garan, Lucow, Miller P.C., for legal services rendered through February 29, 2020 in the total amount of \$14,430.34.

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

**MOTION DECLARED ADOPTED**

**BIDS:**

**CM-03-085-20 (AGENDA ITEM #12A) REQUEST TO AWARD THE BID FOR THE 2020 LANDSCAPE MAINTENANCE PROJECT, M-708 TO COMMERCIAL GROUNDS SERVICES, OF REDFORD, MI, FOR THE TOTAL AMOUNT OF \$49,920.00 - APPROVED**

Motion by Burns, Seconded by Radner, CARRIED UNANIMOUSLY, to award the bid for the 2020 Landscape Maintenance Project, M-708 to Commercial Grounds Services, of Redford, MI, for the total amount of \$49,920.00.

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

**MOTION DECLARED ADOPTED**

**ORDINANCES: None**

**CITY ATTORNEY: No Report**

**CITY MANAGER:**

**Department of Public Works**

**CM-03-086-20 (AGENDA ITEM #15A) REQUEST TO APPROVE THE CONTRACT EXTENSION OFFER FROM XPERT LAWN AND SNOW, LLC FOR THE 2020 LAWN MAINTENANCE CONTRACT, M-709 FOR A TOTAL AMOUNT OF \$108,596.00 - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to approve the contract extension offer from Xpert Lawn and Snow, LLC for the 2020 Lawn Maintenance Contract, M-709 for a total amount of \$108,596.00.

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

**MOTION DECLARED ADOPTED**

**Finance**

**CM-03-087-20 (AGENDA ITEM #15B) RESOLUTION AUTHORIZING 2020 UNLIMITED TAX GENERAL OBLIGATION REFUNDING BONDS - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to adopt a resolution authorizing 2020 Unlimited Tax General Obligation Refunding Bonds.

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

**MOTION DECLARED ADOPTED**

**Special Projects/Recreation**

**CM-03-088-20 (AGENDA ITEM #15C) REQUEST TO APPROVE A RESOLUTION SUPPORTING THE APPLICATION FOR THE MICHIGAN NATURAL RESOURCES TRUST FUND GRANT THAT WOULD PARTIALLY FUND THE NINE MILE CONNECTOR PARK ON NINE MILE ROAD, EAST OF SCOTIA - APPROVED**

Motion by Burns, Seconded by Radner, CARRIED UNANIMOUSLY, to approve a resolution supporting the application for the Michigan Natural Resources Trust Fund Grant that would partially fund the Nine Mile Connector Park on Nine Mile Road, east of Scotia.

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

**MOTION DECLARED ADOPTED**

**CM-03-089-20 (AGENDA ITEM #15D) REQUEST TO APPROVE A RESOLUTION SUPPORTING THE APPLICATION FOR THE MICHIGAN LAND AND WATER CONSERVATION TRUST FUND GRANT THAT WOULD PARTIALLY FUND THE DEVELOPMENT OF THE NINE MILE CONNECTOR PARK ON NINE MILE ROAD, EAST OF SCOTIA - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to approve a resolution supporting the application for the Michigan Land and Water Conservation Trust Fund Grant that would partially fund the development of the Nine Mile Connector Park on Nine Mile Road, east of Scotia.

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

**MOTION DECLARED ADOPTED**

## **Economic Development and Communications**

### **(AGENDA ITEM #15E) Update on Tax Foreclosed Properties – FPJ Investments**

Economic Development and Communications Director Marrone reported on the progress of FPJ Investments, who were selected as one of two developers to work with on the purchase of residential properties and vacant lots in last year's tax foreclosure process.

### **(AGENDA ITEM #15F) Update on Tax Foreclosed Properties – HP Snap**

Ms. Marrone also reported on the progress of HP Snap, the second of two developers the city is working with on the purchase of residential properties and vacant lots in last year's tax foreclosure process.

## **Administration**

### **(AGENDA ITEM #15G) Discussion regarding upcoming Oak Park millage renewals.**

City Manager Tungate provided information about three (recreation, library and public safety) millages that will expire this year and indicated that decisions will need to be made regarding their renewal.

### **(AGENDA ITEM #15H) Coronavirus update.**

City Manager Tungate outlined steps the city is taking in response to the coronavirus pandemic.

- Declared local emergency in the City of Oak Park
- Closed all public buildings except Public Safety thru April 5, 2020
- Non-essential staff to work from home thru April 5, 2020
- Suspended all boards and commission meetings thru April 5, 2020
- Suspended water shut-offs for 30 days and turn water back on immediately
- Offset vendor fees for online transactions
- Suspended late fees and penalties for 30 days.

## **CALL TO THE AUDIENCE:**

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

## **CALL TO THE COUNCIL:**

**Mayor McClellan** discussed the merits of social distancing and other measures to protect against the spread of the coronavirus.

**Mayor Pro Tem Burns** reminded everyone to be aware of their surroundings and wash hands.

**Council Member Weiss** thanked everyone for tuning in and encouraged them to check on friends and to utilize 211 as an option when seeking social assistance.

**Council Member Edgar** thanked everyone for coming out and also encouraged helping neighbors and to be safe.

**Council Member Radner** thanked City Manager Tungate for his service to the City of Oak Park.

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 8:41 p.m.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN  
SPECIAL COUNCIL MEETING OF THE  
38<sup>th</sup> OAK PARK CITY COUNCIL  
March 16, 2020  
6:00 PM**

**MINUTES**

The Special Meeting was called to order at 6:05 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 Burns, Council Member Weiss, Council Member Edgar  
Council Member Radner (arrived at 6:27 p.m.)

**ABSENT:** None

**OTHERS**

**PRESENT:** City Manager Tungate, City Clerk Norris, Assistant City Manager Yee, Director Crawford, Economic Development and Communications Director Marrone

**SPECIAL BUSINESS:**

**(AGENDA ITEM A) Consider actions regarding the coronavirus outbreak.**

City Manager Tungate requested action items related to the coronavirus outbreak.

**CM-03-066-20                    REQUEST TO AUTHORIZE LOCAL STATE OF EMERGENCY IN  
THE CITY OF OAK PARK - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to authorize local state of emergency in the City of Oak Park.

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

**MOTION DECLARED ADOPTED**

**CM-03-067-20                    MOTION TO CLOSE ALL PUBLIC BUILDINGS (EXCEPT PUBLIC  
SAFETY) FROM MARCH 17 – APRIL 5, 2020 AND TO AUTHORIZE  
NON-ESSENTIAL STAFF (THOSE THAT CAN WORK FROM HOME)  
TO NOT REPORT FROM MARCH 17 THRU APRIL 5, 2020. THERE  
WILL BE NO CHARGE TO TIME BANKS DURING THIS TIME  
- APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to close all public buildings (except Public Safety) from March 17 – April 5, 2020 and to authorize non-essential staff (those that can work from home) to not report from March 17 thru April 5, 2020. There will be no charge to time banks during this time.

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

**MOTION DECLARED ADOPTED**

**CM-03-068-20 REQUEST TO SUSPEND BOARD AND COMMISSION MEETINGS THRU APRIL 5, 2020 WITH THE EXCEPTION OF THE BOARD OF REVIEW - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to suspend Board and Commission meetings thru April 5, 2020 with the exception of the board of review.

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

**MOTION DECLARED ADOPTED**

**CM-03-069-20 REQUEST TO SUSPEND WATER SHUTOFFS FOR 30 DAYS FOR OCCUPIED PREMISES AND ALL WATER CURRENTLY OFF FOR FAILURE TO PAY SHALL BE TURNED BACK ON IMMEDIATELY - APPROVED**

Motion by Weiss, Seconded by Burns, CARRIED UNANIMOUSLY, to suspend water shutoffs for 30 days for occupied premises and all water currently off for failure to pay shall be turned back on immediately.

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

**MOTION DECLARED ADOPTED**

**CM-03-070-20 REQUEST THAT THE CITY OFFSET VENDOR FEE FOR ONLINE TRANSACTIONS THRU APRIL 5, 2020 - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to have the City offset vendor fee for online transactions thru April 5, 2020.

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

**MOTION DECLARED ADOPTED**

**CM-03-071-20 REQUEST TO SUSPEND ALL LATE FEES AND PENALTIES FOR THE NEXT 30 DAYS - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to suspend all late fees and penalties for the next 30 days.

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

**MOTION DECLARED ADOPTED**

**CM-03-072-20            REQUEST TO PERMIT CITY COUNCIL MEMBERS TO PARTICIPATE IN FUTURE COUNCIL MEETINGS VIA A PROCEDURE THAT ALLOWS FOR 2-WAY COMMUNICATIONS. (I.E., TELECOMMUNICATIONS, SKYPE, ETC.) - APPROVED**

Motion by Burns, Seconded by Weiss, CARRIED UNANIMOUSLY, to permit City Council Members to participate in future council meetings via a procedure that allows for 2-way communications. (i.e., telecommunications, skype, etc.)

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

**MOTION DECLARED ADOPTED**

City Manager Tungate also announced that the City's Water Department will be cancelling existing in-home appointments and not scheduling new routine home visits for leak detection and other services thru April 5, 2020. He also announced the City's Building Division will be cancelling existing in-home appointments and will not schedule new appointments for interior residential building inspections thru April 5, 2020.

**CALL TO THE AUDIENCE:**

There were no members of the audience wishing to speak.

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor McClellan adjourned the special meeting at 6:55 P.M.

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T. Edwin Norris, City Clerk

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Marian McClellan, Mayor

**CITY OF OAK PARK PLANNING COMMISSION  
MONDAY, FEBRUARY 10, 2020  
MINUTES**

Meeting was called to order at 7:03 p.m., in the City Council Chambers, Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI, by Vice Chairperson Brown and roll call was made.

PRESENT: Vice Chairperson Brown  
Commissioner Burns  
Commissioner Eizelman  
Commissioner McClellan  
Commissioner Seligson  
Commissioner Tungate  
Commissioner Walters-Gill

ABSENT: Chairperson Torgow  
Commissioner Tkatch

OTHERS PRESENT: City Planner, Kevin Rulkowski  
Deputy City Clerk, Lisa Vecchio

**3. APPROVAL OF AGENDA OF FEBRUARY 10, 2020:**

**MOTION by McClellan, SECONDED by Seligson, to approve** the agenda of February 10, 2020.

VOTE: Yes: All  
No: None

**MOTION CARRIED**

**4. APPROVAL OF MINUTES OF NOVEMBER 12, 2019:**

**MOTION by McClellan, SECONDED by Seligson, to approve** the minutes of November 12, 2019 with one correction.

VOTE: Yes: All  
No: None

**MOTION CARRIED**

**5. COMMUNICATIONS/CORRESPONDENCE:**

**6. PUBLIC HEARING:**

- A. Public Hearing to consider a request submitted by Dog and Pony Show Brewing, for Special Land Use approval for a brewery that serves alcoholic liquor to be located at 14661 Eleven Mile Road.**

Vice Chairperson Brown opened the public hearing at 7:05 p.m.

Curt Massoll, Curt's Service on 14611 Eleven Mile, presented some questions about the type of establishment Dog & Pony would be, and questions related to the food trucks they plan on hosting, with concerns about waste.

Vice Chairperson Brown closed the public hearing at 7:07 p.m.

**B. Planning Commission action regarding a request submitted by Dog and Pony Show Brewing, for Special Land Use approval for a brewery that serves alcoholic liquor to be located at 14661 Eleven Mile Road.**

City Planner Rulkowski's report dated February 5, 2020:

*Special Land Use Standards*

*The Special Land Use section of the Zoning Ordinance (Article XIX) requires the proposed use for a brewery that serves alcoholic liquor to meet a number of general standards (Section 1900) as well as use specific standards for breweries serving alcoholic liquor (Section 1930).*

Section 1900 General Standards:

- A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.*
- B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.*
- C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.*
- D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.*
- E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards to prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the city.*
- F. The proposed use is necessary for the public convenience at the proposed location.*
- G. The proposed use is designed, located, planned and to be operated that the public health, safety and welfare will be protected.*
- H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.*

*The Planning Division finds that the information contained in the application package and on the*

*Site Plan satisfactorily meets the eight general standards identified in Section 1900 Special Land Uses in the Zoning Ordinance.*

*Sec. 1930. - Establishments serving alcoholic liquor for consumption on the premises.*

*Establishments serving alcoholic liquor for consumption on the premises may be permitted in certain districts specified in this section, subject to the following:*

- A. All establishments serving alcoholic liquor for consumption on the premises are subject to the following:*
  - 1. The proposed establishment serving alcoholic liquor for consumption on the premises is not located within 500 feet of a place of worship or school building. The distance between the place of worship or school building and the contemplated location shall be measured along the center line of the street or streets of address between two fixed points on the center line determined by projecting straight lines, at right angles to the center line, from the part of the place of worship or school building nearest to the contemplated location and from the part of the contemplated location nearest to the place of worship or school building. Notwithstanding the stated distance requirements, no proposed establishment serving alcoholic liquor for consumption on the premises will be permitted to serve alcoholic liquor if the proposed establishment serving alcoholic liquor for consumption on the premises is located on a parcel of land adjacent to a parcel of land with a place of worship or school building. This provision may be waived by the city council if the affected school(s) or place(s) of worship, through its duly appointed or elected governing body, affirmatively waives, in writing, its right to object to the restaurant and the city council determines that the proposed establishment serving alcoholic liquor for consumption on the premises will not adversely affect the operation of the school or place of worship.*
  - 2. The layout of the site of the proposed establishment serving alcoholic liquor for consumption on the premises and its relationship to streets serving access to the site shall be in a manner that vehicular and pedestrian traffic to and from the proposed establishment serving alcoholic liquor for consumption on the premises, and the potential assembly of persons connected therewith, will not be hazardous, endangering, or inconvenient to the surrounding neighborhood and commercial district.*
  - 3. The proposed establishment serving alcoholic liquor for consumption on the premises will be compatible with adjacent uses of land, considering the proximity of residential dwellings, places of worship, schools, public structures, and other places of public gatherings.*
  - 4. The proposed establishment serving alcoholic liquor for consumption on the premises will not be contrary to the public interest or injurious to nearby properties.*
  - 5. The proposed establishment serving alcoholic liquor for consumption on the premises will not have the possible effect of downgrading and blighting the surrounding neighborhood.*
  - 6. The proposed establishment serving alcoholic liquor for consumption on the premises will not reasonably be expected to diminish the value of properties in the immediate area.*

- D. *For breweries, wineries and distilleries serving alcoholic liquor for consumption on the premises the following additional requirements:*
- 1. Not more than 40 percent of the gross floor area of the facility shall be used for purposes other than the manufacturing of alcoholic liquor. The area not devoted to manufacturing may be used for the serving of alcohol, food preparation, seating for diners, entertainment, and retail sales. Public restroom facilities shall not be considered in this determination.*
  - 2. Except as otherwise provided in this article, all operations of the facility shall be conducted within a completely enclosed building, except for off-street parking or loading.*
  - 3. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.*

*Specific standards findings:*

*The Planning Division finds the submitted information demonstrates that Dog and Pony Show Brewing, satisfactorily meets the specific standards for breweries serving alcoholic liquor (Section 1930).*

*Site Plan Review*

*A Site Plan is required as part of the Special Land Use process. The proposed location of the 6,900 square foot brewery is in the former Randolph Tool Building at 14661 Eleven Mile Road in the MX-1, Mixed Use District. The brewery will be located in the eastern portion of the currently vacant 23,276 square foot building. The Site Plan shows that the brewery production area will utilize approximately 3,400 square feet of the building. The brewery tap room identified as bar area and an event space with utilize 2,200 square feet and seat 108 patrons. In addition, the Site Plan indicates that a 750 square foot outdoor dining area with seating for 36 will be created in front of the building (north side) facing Eleven Mile Road.*

*Based on the square footage of the indoor tap room and event space, the use would be required to provide 29 parking spaces (one space per every 75 square feet of gross floor area). In addition, the outdoor dining area is required to provide an additional 10 parking spaces. Because the brewery is proposed in an area with a municipal parking district, the operation is allowed to utilize the adjacent parking lot to the rear of the property. It is anticipated that due to the location of the brewery, in a fairly densely populated residential area, that a portion of the brewery's summer clientele will walk or bike to the business.*

*The Site Plan identifies an area in the rear of the building where potentially two food trucks could occasionally be parked to serve patrons of the brewery. The proposed location is acceptable and should not impede traffic in the adjacent drive lane.*

*The Site Plan shows the required four bike parking area within the building (Section 1726, N) to shelter and protect patron's bikes.*

*The outdoor dining area regulations of the Zoning Ordinance permits outdoor dining between March 1<sup>st</sup> and November 30<sup>th</sup> of the year. The Site Plan demonstrates that physical standards*

*of Section 1709 Outdoor Dining have been met. A condition of approval should state that the operational standards for outdoor dining areas are continuously met.*

*The building elevations of the proposed Site Plan demonstrate the façade of the new restaurant will meet the requirements of Section 1727 Commercial and mixed use building design requirements. Specifically, the front building design includes an appropriate amount of windows and decorative finish materials.*

*The Site Plan does not indicate any details regarding new roof or ground located mechanical equipment. The Zoning Ordinance requires all roof top and ground level equipment to be screened.*

*The Site Plan indicates all building mounted lighting will be downward casting. All exterior lighting is required to be shielded downward so it does not create a nuisance to adjacent properties or street traffic.*

*The Site Plan shows a dumpster will be located in the southeast corner of the municipal parking lot. The City is working with the business owners to create centralized dumpster enclosures at appropriate locations in the municipal parking lots. The required dumpster enclosure and its location to be determined as part of the building permit application in consultation with the Department of Public Works.*

*The Site Plan shows one sign on the front of the building. A sign permit application will need to be submitted for any proposed signs.*

Kyle and Josh Gierada of Dog & Pony Show Brewing answered questions explaining that they plan to open a brewery and taproom. They are hoping to allow for rotating food trucks, and customers would also be permitted to bring any food from outside since it will not be served directly on location. Kyle Gierada would be handling the day-to-day business operations of the brewery, and Josh Gierada would be the lead brew master for the location.

**MOTION by Brown, SECONDED by Seligson, to approve** the Special Land Use and Site Plan for Dog and Pony Show Brewing, 14661 Eleven Mile Road, as a brewery serving alcoholic liquor, with the following conditions:

1. Not more than 40 percent of the gross floor area of the facility shall be used for purposes other than the manufacturing of alcoholic liquor. The area not devoted to manufacturing may be used for the serving of alcohol, food preparation, seating for diners, entertainment, and retail sales. Public restroom facilities shall not be considered in this determination.
2. Except as otherwise provided in this article, all operations of the facility shall be conducted within a completely enclosed building, except for off-street parking or loading.
3. All truck well, loading dock and loading/truck service areas shall be located and designed to minimize negative impact on adjoining properties.
4. The identified outdoor dining area is required to meet the standards in Section 1709 Outdoor Dining.
5. All exterior lighting is required to be shielded downward so it does not create a nuisance to adjacent properties or street traffic.

6. All ground and rooftop equipment to be screened as required by the Zoning Ordinance.
7. The required dumpster enclosure and its location to be determined as part of the building permit application in consultation with the Department of Public Works.
8. No signs are approved as part of the Site Plan Review process. A separate sign permit application must be submitted.

**VOTE:**           Yes:   Brown, Burns, Eizelman, McClellan, Seligson  
                  No:   None

**MOTION CARRIED**

**7. CONSENT AGENDA:** No Items Eligible This Month

**8. MATTERS FOR CONSIDERATION**

**9. PLANNING COMMISSION MATTERS FOR DISCUSSION** – from members only: None

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

**11. ADJOURNMENT**

There being no further business, Vice Chairperson Brown adjourned the meeting at 7:34 p.m.

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Lisa Vecchio, Deputy City Clerk

**CITY OF OAK PARK, MICHIGAN  
BOARD OF REVIEW MEETING  
Monday, March 9, 2020**

**The Board of Review convened at 9:00 a.m.**

**Present:** Chairperson – Zakiya Hollifield  
Members – James Gulley  
WCA Appraiser – Laurie Pettinaro

**Absent:** Phyllis Mackay, Herschel Goldstein  
**Case 925** 52-25-32-201-004

**10740 Troy**

Isam Alhameed, owner of the above listed property, appeared before the Board seeking tax relief. The Board reviewed his application for poverty exemption.

**Motion by GULLEY, supported by HOLLIFIELD:**

To DENY a poverty exemption

**YES: GULLEY, HOLLIFIELD**

The above minutes reflect the actions and findings of the Board. Detailed affidavits and investigations are on file with the Assessor's Office.

**Wednesday, March 11, 2020**

**The Board of Review convened at 6:00 p.m.**

**Present:** Chairperson – James Gulley  
Members – Herschel Goldstein, Tannis Cummings  
WCA Appraiser – Laurie Pettinaro

**Absent:** Phyllis Mackay

**Case 1101** 52-25-31-176-021

**21621 Whitmore**

Carol Mann, owner of the above listed property, filed a petition but did not appear before the Board appealing her property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, CUMMINGS**

**Case 1102** 52-25-28-102-026

**8646 Kenberton**

Crystal Bailey, owner of the above listed property, appeared before the Board appealing her property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, CUMMINGS**

**2020 Board of Review Minutes**

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**Case 1103**

**52-25-30-130-008**

**15061 Kenton**

Tzvi Cohen, owner of the above listed property, appeared before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, CUMMINGS**

**Case 1106**

**52-25-30-405-002**

**14041 Oak Park Blvd**

Kevin Nicholson, owner of the above listed property, appeared before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, CUMMINGS**

**Case 1111**

**52-25-31-126-016**

**22000 Stratford**

Richard Miller, owner of the above listed property, appeared before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, CUMMINGS**

**Monday, March 23, 2020**

**The Board of Review convened at 9:00 a.m.**

**Present: Chairperson – James Gulley  
Members – Herschel Goldstein, Zakiya Hollified  
WCA Appraiser – Laurie Pettinaro**

**Absent: None**

**Case 2302**

**52-25-30-427-008**

**23556 Parklawn**

Dwight Matthews, owner of the above listed property, filed a petition but did not appear before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**2020 Board of Review Minutes**

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**Case 2303**

**52-25-31-228-008**

**22120 Ridgedale**

Willie Lyons, owner of the above listed property, filed a petition and appeared before the Board seeking a hardship exemption. The Board reviewed the appeal and determined that he meets the requirements and granted him the exemption.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Hardship Exemption

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case 2310**

**52-25-19-152-002**

**25991 Harding Square**

Sergey Maryanovsky, owner of the above listed property, filed a petition and appeared before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case 2313**

**52-25-19-233-002**

**13751 Borgman**

Jeffrey Overton, owner of the above listed property, filed a petition but did not appear before the Board appealing his property assessment. The Board reviewed the appeal and determined the basement finish should be removed due to water damage.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE assessment change appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case 2320**

**52-25-19-233-002**

**14661 Kingston**

Dillon Tierney, owner of the above listed property, filed a petition but did not appear before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case 2330**

**52-25-19-130-023**

**14720 Borgman**

Adam Lugashi, owner of the above listed property, filed a petition but did not appear before the Board appealing his property assessment. The Board reviewed the appeal and determined the assessed value to be correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY assessment change appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

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**Case 2303**

**52-25-31-228-008**

**22120 Ridgedale**

Willie Lyons, owner of the above listed property, filed a petition and appeared before the Board seeking a hardship exemption. The Board reviewed the appeal and determined that he meets the requirements and granted him the exemption.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Hardship Exemption

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case LT001**

**52-25-31-228-029**

**22121 Coolidge**

Coolidge Park Realty Invest, owner of the above listed property, filed a letter petition before the Board appealing the property assessment. The Board reviewed the appeal and determined that the assessed value is correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY Assessment Change Appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case LT002**

**52-25-31-228-030**

**22115 Coolidge**

Coolidge Park Realty Invest, owner of the above listed property, filed a letter petition before the Board appealing the property assessment. The Board reviewed the appeal and determined that the assessed value is correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY Assessment Change Appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case LT003**

**52-25-31-228-031**

**22111 Coolidge**

Coolidge Park Realty Invest, owner of the above listed property, filed a letter petition before the Board appealing the property assessment. The Board reviewed the appeal and determined that the assessed value is correct.

**Motion by GOLDSTEIN, supported by GULLEY:**

To DENY Assessment Change Appeal

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**2020 Board of Review Minutes**

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**Case PP001**

**52-99-00-020-130**

**13202 Cloverdale**

Parts Plus Auto Parts, owner of the above listed property, filed a late 5076 exemption form before the Board appealing the property assessment. The Board reviewed the appeal and determined that the exemption should be accepted.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Assessment Change Appeal to reflect zero value for 2020

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case PP002**

**52-99-00-020-000**

AARJays, owner of the above listed property does not have a business in the city of Oak Park and therefore Assessed Value should be zero. The Board reviewed the case and determined that the assessed value should be zero.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Assessment Change Appeal to reflect zero value for 2020

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case PP003**

**52-99-00-001-170**

Darling Intl, owner of the above listed property does not have a business in the city of Oak Park and therefore Assessed Value should be zero. The Board reviewed the case and determined that the assessed value should be zero.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Assessment Change Appeal to reflect zero value for 2020

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case PP004**

**52-99-10-008-670**

**21020 Coolidge**

Machine RE Sales, owner of the above listed property does not have a business in the city of Oak Park and therefore Assessed Value should be zero. The Board reviewed the case and determined that the assessed value should be zero.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Assessment Change Appeal to reflect zero value for 2020

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case PP005**

**52-99-00-018-860**

Legit Ink, owner of the above listed property does not have a business in the city of Oak Park and therefore Assessed Value should be zero. The Board reviewed the case and determined that the assessed value should be zero.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Assessment Change Appeal to reflect zero value for 2020

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**2020 Board of Review Minutes**

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**Case VET001**

**52-25-31-482-014**

**20731 Ridgedale**

Nathaniel Brooks, owner of the above listed property, filed a Veterans Exemption Affidavit along with a Veterans Administration Benefit Statement and therefore meets the qualification for a VA exemption. The Board reviewed the affidavit and benefit statement and determined that the owner meets the requirements for a Veteran Exemption.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Veteran Exemption

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case VET002**

**52-25-29-101-038**

**13240 Burton**

Eddie Ruffin, owner of the above listed property, filed a Veterans Exemption Affidavit along with a Veterans Administration Benefit Statement and therefore meets the qualification for a VA exemption. The Board reviewed the affidavit and benefit statement and determined that the owner meets the requirements for a Veteran Exemption.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Veteran Exemption

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case VET003**

**52-25-30-127-012**

**15131 Burton**

Jimmie Wilson, owner of the above listed property, filed a Veterans Exemption Affidavit along with a Veterans Administration Benefit Statement and therefore meets the qualification for a VA exemption. The Board reviewed the affidavit and benefit statement and determined that the owner meets the requirements for a Veteran Exemption.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Veteran Exemption

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**Case VET004**

**52-25-30-127-013**

**24221 Seneca**

Michael Simpson, owner of the above listed property, filed a Veterans Exemption Affidavit along with a Veterans Administration Benefit Statement and therefore meets the qualification for a VA exemption. The Board reviewed the affidavit and benefit statement and determined that the owner meets the requirements for a Veteran Exemption.

**Motion by GOLDSTEIN, supported by GULLEY:**

To APPROVE Veteran Exemption

**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**CITY OF OAK PARK, MICHIGAN  
BOARD OF REVIEW MEETING  
Monday, March 9, 2020**

**The Board of Review convened at 9:05 a.m.**

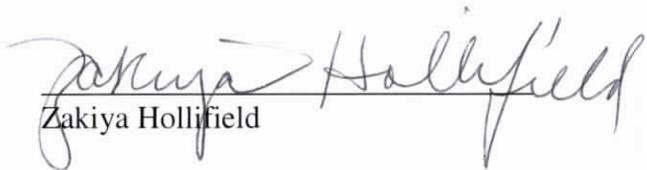
**Present:**      **Chairperson – Zakiya Hollifield**  
                  **Member – James Gulley**  
                  **WCA Appraiser- Laurie Pettinaro**

**Absent:**        **Herschel Goldstein**, *Phyllis Mackay*

That there being no further business to come before the Board at this meeting, that the meeting be hereby adjourned at 4:00 p.m. on March 9, 2020 with the next session to begin on Wednesday, March 11, 2020 at 6:00 p.m.

**YES: HOLLIFIELD, GULLEY**  
**NO: NONE**

The above minutes reflect the actions and findings of the Board. Detailed affidavits and investigations are on file with the Assessor's Office.

  
\_\_\_\_\_  
Zakiya Hollifield

  
\_\_\_\_\_  
James Gulley

\_\_\_\_\_

**CITY OF OAK PARK, MICHIGAN  
BOARD OF REVIEW MEETING  
Wednesday, March 11, 2020  
Evening Session**

**The Board of Review convened at 6:00 p.m.**

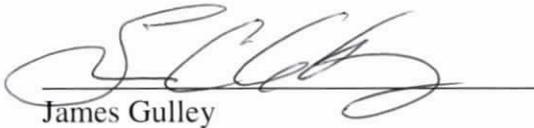
**Present:**       **Chairperson – James Gulley  
Member – Herschel Goldstein,  
                  Tannis Cummings  
WCA Appraiser- Laurie Pettinaro**

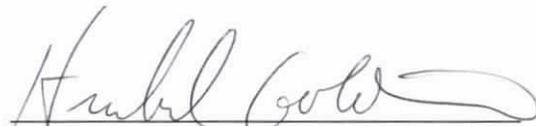
**Absent:**       **NONE**

That there being no further business to come before the Board at this meeting, that the meeting be hereby adjourned at ~~8:10~~ 8:00 p.m. on March 11, 2020 with the next session to begin on Wednesday, March 23, 2020 at 9:00 a.m.

**YES: GULLEY, GOLDSTEIN, CUMMINGS  
NO: NONE**

The above minutes reflect the actions and findings of the Board. Detailed affidavits and investigations are on file with the Assessor's Office.

  
James Gulley

  
Herschel Goldstein

\_\_\_\_\_  
Tannis Cummings

**CITY OF OAK PARK, MICHIGAN  
BOARD OF REVIEW MEETING**

**March 23, 2020**

**The Board of Review convened at 9:00 a.m.**

**Present:**       **Chairperson – James Gulley**  
                  **Member – Herschel Goldstein**  
                          **Zakiya Hollifield**  
                  **WCA Appraiser- Laurie Pettinaro**

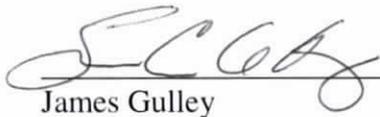
**Absent:**       **None**

That there being no further business to come before the Board at this meeting, that the meeting be hereby adjourned at 4 p.m. on March 23, 2020

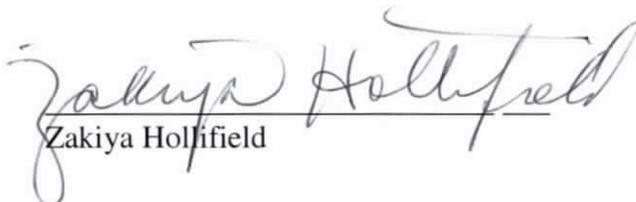
**YES: GULLEY, GOLDSTEIN, HOLLIFIELD**

**NO: NONE**

The above minutes reflect the actions and findings of the Board. Detailed affidavits and investigations are on file with the Assessor's Office.

  
James Gulley

  
Herschel Goldstein

  
Zakiya Hollifield



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2020

**AGENDA#**

**SUBJECT:** Payment Application No. 3 for the 2019-2 Water Main Replacement Project, M-704.

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

**SUMMARY:** Attached is Payment Application No. 3 for the 2019-2 Water Main Replacement Project, M-704. This project will replace the water main on Kenosha St. from Northend to 9 Mile Road. This project is approximately 67% complete.

**FINANCIAL STATEMENT:**

Original Contract Amount:	\$616,080.00
Total Completed to Date:	\$413,898.40
Less Retainage:	<u>\$ 30,804.00</u>
Net Earned:	\$383,094.40
Deductions:	\$ 0.00
Balance:	\$383,094.40
Payments to Date:	<u>\$297,896.80</u>
Amount Due Macomb Pipeline:	\$ 85,197.60

**RECOMMENDED ACTION:** It is recommended that Payment Application No. 3 for the 2019-2 Water Main Replacement Project, M-704 be approved to Macomb Pipeline & Utilities Company of Sterling Heights, MI. for the amount of \$85,197.60. Funding is available in the Water and Sewer Fund 592-18-538-970 for this expenditure.

**APPROVALS:**

City Manager: ET Department Director: KJY

Director of Finance: SC Legal: N/A

Budgeted:

**EXHIBITS:** Payment Application No. 3, map

# PAYMENT APPLICATION

**PROJECT:** Kenosha Water Main Replacement Project  
**OWNER:** City of Oak Park, Michigan  
**CONTRACTOR:** Mecenth Pipeline and Utilities Company  
 44444 Mound Rd  
 Sterling Hgts, MI 48413

**JOB NUMBER:** M-704  
**APPLICATION NO.:** 3  
**PERIOD ENDING:** 2/21/20  
**PAGE:** 1 of 2

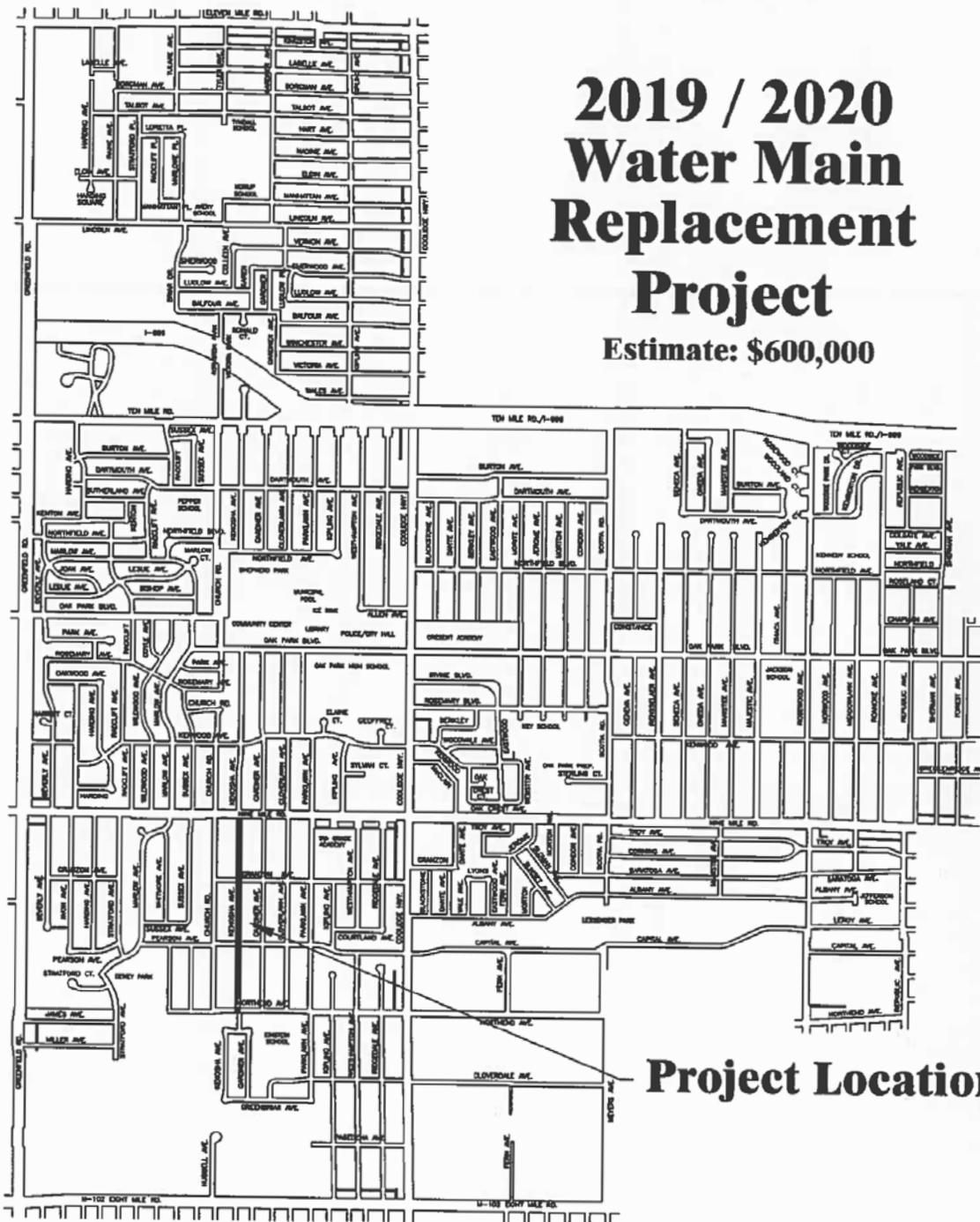
Item No.	Description	Original Bid Quantity	Unit	Unit Price	Period Quantity	Period Amount	Quantity To Date	Amount To Date
1	Abolition, Max 5%							
2	Water Traffic Device, Modified SP	1	LSUM	\$25,000.00	0.00	\$0.00	1.00	\$25,000.00
3	Preventer Removal, Modified SP	1	LSUM	\$5,500.00	0.00	\$0.00	0.50	\$2,750.00
4	Born Water Main across B mile rd including pipe	2.185	SFD	\$10.00	0.00	\$0.00	1.310.10	\$13,101.00
5	Water Main 8" Ductile Iron, Class 54, Trench Detail B, Modified SP	1	LSUM	\$38,000.00	0.00	\$0.00	0.00	\$0.00
6	Install Fire Hydrant, EIMV 308R250	2.515	LFT	\$88.00	15.00	\$1,320.00	2.358.50	\$207,548.00
7	Kenosha Water Main Connect, "4" @ Kenosha Ave@ mile Rd, (north side)	1	LSUM	\$4,000.00	0.00	\$0.00	7.00	\$28,000.00
8	Kenosha Water Main Connect, "8" @ Kenosha Ave@ mile Rd, (south side)	1	LSUM	\$18,500.00	1.00	\$18,500.00	0.00	\$0.00
9	Kenosha Water Main Connect, "4" @ Kenosha Ave@ mile Rd, (south side)	1	LSUM	\$8,000.00	0.00	\$0.00	1.00	\$8,000.00
10	Install 8" Gate valve and well	5	LSUM	\$1,700.00	0.00	\$0.00	5.00	\$8,500.00
11	Item/Qty: Short Side Service curb Stop box 3/4" to 1"	44	EACH	\$350.00	17.00	\$4,500.00	44.00	\$15,400.00
12	Service Transfers (long and short side) 3/4" to 1"	88	EACH	\$650.00	17.00	\$11,000.00	88.00	\$57,200.00
13	3/4" to 1" Type K Copper	225	LFT	\$40.00	121.33	\$4,853.20	272.38	\$10,903.20
14	Remove Existing Fire Hydrant	4	EACH	\$350.00	4.00	\$1,400.00	4.00	\$1,400.00
15	Remove Existing Gate Valve and Well	5	EACH	\$700.00	2.00	\$700.00	2.00	\$700.00
16	Abandon Existing Water Kenosha and Gardner Ave.	32	SFT	\$35.00	0.00	\$0.00	39.00	\$3,315.00
17	Conc. PWT Whirlpool curb and gate, Non-Rel, 8" Modified SP	6.800	SFT	\$4.00	0.00	\$0.00	0.00	\$0.00
18	Slabwork Conc. Non-Rel, 4" Conc. Slabwork/Dive App, Mod. SP	12.400	SFT	\$4.00	0.00	\$0.00	0.00	\$0.00
19	Aggregate Base Under Concrete (6" 2104 Crush Limestone)	32	SFD	\$10.00	0.00	\$0.00	15.00	\$149.00
20	Underdrain Subgravel, Open Graded 8" Modified SP	40	LFT	\$15.00	0.00	\$0.00	0.00	\$0.00
21	Class A Sodding, Modified SP	2.800	SFD	\$6.00	0.00	\$0.00	0.00	\$0.00
22	Adjusting Drainage Structure Cover, Class 1, Modified SP	1	EACH	\$360.00	2.00	\$1,000.00	2.00	\$0.00
23	Drainage Structure Cover	2.280	LBS	\$1.50	0.00	\$0.00	1,900.00	\$2,850.00
24	Enseton Control Inlet Filter, Fabric Drop, Modified SP	20	EACH	\$75.00	0.00	\$0.00	3.00	\$150.00
25	Maintenance Gravel, Modified SP	750	TON	\$20.00	106.22	\$2,124.40	196.56	\$3,911.20
26	Concrete Existing Water Main, Sewers	10	EACH	\$5.00	0.00	\$0.00	2.00	\$100.00
27	Underdrain Inlet Filter System, Riprap - Spreader Lines	50	EACH	\$20.00	0.00	\$0.00	0.00	\$0.00
28	Project Cleanup	1	LSUM	\$5,000.00	0.00	\$0.00	0.00	\$0.00

Total Period Amount: **\$85,197.80**  
 Total Amount To Date: **\$413,898.40**

# City of Oak Park

## 2019 / 2020 Water Main Replacement Project

Estimate: \$600,000



**Project Location**

Original Contract Amount: \$916,090.00

Earnings This Period: \$85,197.80  
Total Earnings to Date: \$413,898.40  
Less Retainage: \$30,804.00  
Net Earned: \$383,094.40  
Deductions: \$0.00  
Balance: \$383,094.40

Payments to Date: \$297,896.80  
Amount Due: \$85,197.60

Accepted By:

  
Meconrd Pipeline and Utilities Company  
Joseph Jenkins, Assistant City Engineer  
City of Oak Park, Michigan

Date: 3-13-2020

Date: 3/13/2020



**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** April 6, 2020 **AGENDA #**

**SUBJECT:** Right-of-way permit agreement and resolution with MDOT for use of MDOT property at the Z03 Plaza Bridge.

**DEPARTMENT:** Department of Technical and Planning - RMB

**SUMMARY:** Yeshiva Beth Yehuda is in the process of constructing a new school at the Northeast corner of 10 Mile Road and Church Street. Initially they sought out an agreement between themselves and MDOT to utilize a small portion of the property at the plaza deck to construct a driveway. They were informed that they would incur significant cost if they pursued the agreement themselves. MDOT stated that that the City could obtain an agreement at no cost and could execute a recipient agreement with the school. MDOT requires that City Council adopt a resolution supporting the agreement.

**FINANCIAL STATEMENT:** N/A

**RECOMMENDED ACTION:** It is recommended that the City Council adopt the attached resolution and it is further recommended that City Council authorizes City Manager Erik Tungate to sign the agreement on behalf of the City.

**APPROVALS:**

City Manager: ET

Department Director: RB

Finance Director: n/a

Legal: n/a

Budgeted

**EXHIBITS:** Agreement

PERMIT  
SPECIAL TRUNKLINE  
MAINTENANCE

DA  
Control Section 63102  
Permit Reference Number 66105  
Contract 19-5529

THIS Contract is made by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF OAK PARK, a Michigan municipal corporation, hereinafter referred to as the "AGENCY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the maintenance and operation of a new driveway constructed by the AGENCY.

WITNESSETH:

WHEREAS, the AGENCY is proposing the installation of a new circulation road within the various DEPARTMENT Right-of-Way, including but not limited to trunkline Right-of-Way, trunkline Limited Access roadway Right-of-Way, and DEPARTMENT excess parcels, hereinafter referred to as "ROW"; and

WHEREAS, the DEPARTMENT and the Federal Highway Administration have approved a temporary breach in Limited Access Right-of-way for the construction of the circulation road; and

WHEREAS, the DEPARTMENT has determined it to be acceptable to have the AGENCY construct the proposed work which is hereinafter referred to as the "PROJECT" and are further described and located as follows:

Circulation road, curb and gutter and drainage construction work for vehicular circulation on or within the vicinity of Structure Z03 of 63102 Highway I-696 Plaza Bridge and Church Street; together with necessary related work, located within the corporate limits of the CITY; and

WHEREAS, the AGENCY will be responsible for the entire cost of the PROJECT; and

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and the maintenance and operation of the facility to be constructed as the PROJECT and desire to set forth this understanding in the form of a written Contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

01/27/20

1. The AGENCY will construct the PROJECT at no cost to the DEPARTMENT.
2. The AGENCY shall cause to be performed all the PROJECT work as defined in the permit obtained from the DEPARTMENT. It is understood that portions or all of the PROJECT work will be placed under contract by the AGENCY. The performance of the PROJECT work will be subject to the conditions established in PERMIT REFERENCE NUMBER 66105.
3. Upon completion of construction, the AGENCY will, at its sole cost and expense, inspect, maintain and operate the facility constructed as the PROJECT. All future maintenance activities will require a ROW construction annual permit from the DEPARTMENT. The AGENCY shall conform with all DEPARTMENT permit requirements for any work to be performed within the state trunkline ROW. As built plans will be provided to the Oakland Transportation Service Center.
  - A. The AGENCY agrees that the PROJECT location will be maintained so as to assure that any trunkline facilities, structures and the area within the trunkline ROW boundaries will be kept in good condition, both as to safety and appearance. All unauthorized drawings, graffiti and vandalism shall be removed by the AGENCY at no cost the DEPARTMENT. The maintenance of the facilities by the AGENCY will be accomplished in a manner so as not to cause interference with the reconstruction, maintenance or operation of the trunkline facility and ROW.
  - B. The DEPARTMENT reserves the right to enter the PROJECT location for the purpose of inspection, maintenance or reconstruction of the trunkline facility when necessary. Additionally, the DEPARTMENT reserves the right to access the PROJECT location as deemed necessary for inspection relating to the DEPARTMENT'S interests. Such inspections are made for the DEPARTMENT'S own purposes and shall not relieve AGENCY of its duties and obligations under the terms of this Contract. Any deficiencies discovered will be corrected or repaired by the AGENCY at no cost to the DEPARTMENT.
  - C. Prior to occupancy and/or use of the PROJECT location, the DEPARTMENT will inspect and approve the construction of the PROJECT.
  - D. The PROJECT is for vehicular traffic only. The AGENCY shall prohibit parking within the PROJECT area.
4. It is understood that the DEPARTMENT is planning to remove and replace Structure Z03 of 63102 Highway I-696 Plaza Bridge and that the future construction will require removal of a portion or all of the PROJECT. Any removal or damage to the PROJECT as a

result of the future construction will not be paid for and/or replaced by the DEPARTMENT. The AGENCY will be responsible for any and all costs related to the replacement work for the PROJECT. It is further understood that during the future construction, the AGENCY will not have access to the PROJECT area. The AGENCY shall obtain a permit from the DEPARTMENT to reconstruct the PROJECT.

5. The parties hereto agree to comply with all applicable requirements of the Natural Resources and Environmental Protection Act, 1994 P.A., 451, MCL 324.01 et. Seq. for all PROJECT work performed under this Contract and future maintenance work, and the AGENCY shall require its contractors and subcontractors to comply with the same.

6. The AGENCY will not store, allow the storage of or discharge of any radioactive, toxic, flammable, poisonous, explosive or other dangerous, hazardous materials, or waste on the said premises. In addition, the AGENCY will not permit objectionable smoke, fumes, vapors, or odors to rise above the grade line of the trunkline. No signs, displays or devices may be erected on the ROW for the PROJECT unless specified herein or approved by the DEPARTMENT.

7. It is expressly understood and agreed that in case of non-performance of any of the covenants herein made by the AGENCY and after said AGENCY has been furnished written notice of same by the DEPARTMENT and has been granted a reasonable period of time as determined by the DEPARTMENT for performance or correction thereof, this Contract shall be terminated and said AGENCY shall lose and be barred from all rights, remedies, and actions both at law and in equity upon or under this Contract.

8. It is expressly understood that use of the trunkline ROW is subject to the paramount right of the DEPARTMENT and that upon a determination by the DEPARTMENT that such ROW is required for the construction, operation, and/or maintenance of any present or proposed trunkline or trunkline use, this Contract may be terminated at the discretion of the DEPARTMENT and the facility constructed as the PROJECT may be removed at the expense of the AGENCY.

9. Upon termination of this Contract, the AGENCY will peacefully remove and restore said PROJECT in as good order and condition as when delivered to the AGENCY at no cost to the DEPARTMENT. In the event this Contract is terminated and if the DEPARTMENT deems it necessary to request the removal of any facility occupying the premises, such removal shall be accomplished by the AGENCY in a manner as prescribed by the DEPARTMENT, at no cost to the DEPARTMENT or the Federal Highway Administration.

10. Any removal or modification of the facilities of the AGENCY, when necessary for trunkline purposes, shall be performed by the AGENCY at no cost to the DEPARTMENT. Upon failure to so perform, the DEPARTMENT at its discretion may perform such work at the cost of the AGENCY or terminate this Contract.

11. The AGENCY recognizes and acknowledges that private and/or public utility companies may require the modification of the AGENCY'S facilities and it shall cooperate with the utility when requested by the DEPARTMENT at no cost to the DEPARTMENT, or interference with the trunkline ROW and trunkline facility.

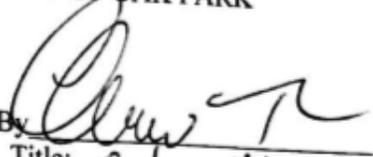
12. It is understood that if the AGENCY discontinues, abandons or changes the usage of the PROJECT, then this Contract shall be terminated, and the DEPARTMENT shall have the right to immediately remove the facility constructed as the PROJECT at the expense of the AGENCY.

13. Each party to this Contract will remain responsive for any and all claims arising out of its own acts and/or omissions during the performance of the Contract, as provided by this Contract or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This Contract is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this Contract.

14. This Contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the AGENCY and for the DEPARTMENT and upon the adoption of a resolution approving said Contract and authorizing the signatures thereto of the respective officials of the AGENCY, a certified copy of which resolution shall be attached to this Contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed as written below.

CITY OF OAK PARK

By   
Title: City Manager

MICHIGAN DEPARTMENT  
OF TRANSPORTATION

By \_\_\_\_\_  
Department Director MDOT

By \_\_\_\_\_  
Title: \_\_\_\_\_





**STATE OF MICHIGAN  
BOARD OF COUNTY ROAD COMMISSIONERS  
OAKLAND COUNTY  
AGREEMENT FOR TRAFFIC CONTROL DEVICE**

**Type of Work: Traffic Signal Installation and Maintenance**

**Location: Ten Mile Road and East Rue Versailles Drive, East of Greenfield Road  
HAWK Pedestrian Crossing**

**Signal No: 1555  
Date Effective:**

Under authority of state law and by virtue of resolution formally adopted by their respective governing bodies, the under-signed hereby agree to participate in the cost of installation, removal, maintenance and operation of the above traffic control device on the basis of the following division of costs. (Title to equipment shall remain with the purchasing agency, unless purchased for roads not under the jurisdiction of the Board of County Road Commissioners of the County of Oakland.) Invoices for costs are to be billed monthly by the Road Commission for Oakland County ("RCOC").

**DIVISION OF COSTS**

AGENCY	INSTALLATION		MAINTENANCE
	Percent	Estimated Cost	Percent
City of Oak Park	100 %	\$ SRTS Project	100 %
<b>Total</b>	100 %	\$ SRTS Project	100 %

It is further agreed that the RCOC will be the agency invoiced for energy billings and/or communications billings ("BILLINGS"). The RCOC will pay the invoices for the BILLINGS and subsequently invoice the CITY OF OAK PARK seeking reimbursement for payment of the BILLINGS pursuant to the division of costs stated above. The RCOC's payment of the BILLINGS shall be included as maintenance costs on the RCOC invoice to the CITY OF OAK PARK.

It is further agreed that the agency responsible for making original and replacement installations and performing maintenance shall be the RCOC. The CITY OF OAK PARK is the agency responsible for the costs related to installation and maintenance, and the RCOC will invoice the CITY OF OAK PARK for the installation and maintenance costs pursuant to the division of costs stated above.

CITY OF OAK PARK shall pay all RCOC invoices within 30 days of the date of the invoice.

Each party to this agreement will remain responsible for any and all claims arising out of its own acts and/or omissions during the performance of the agreement, as provided by this agreement or by law. In addition, this is not intended to increase or decrease either party's liability for or immunity from tort claims. This agreement is also not intended to nor will it be interpreted as giving either party a right of indemnification, either by contract or by law, for claims arising out of the performance of this agreement.

In the event the traffic control device referred to in this agreement is located on a road or street that is under the jurisdiction of the RCOC and by virtue of this agreement will be maintained by an agency other than the RCOC, then and in that event the said agency hereby acknowledges that it is undertaking the RCOC's duty to maintain the said traffic control device, further agrees to provide insurance coverage protecting the RCOC, and further agrees to provide a Certificate of Insurance acceptable to the RCOC upon the agency's execution of this agreement.

This agreement is terminable on thirty days written notice by any party. The CITY OF OAK PARK shall pay any outstanding invoices upon written notice of the termination, and the final invoice shall be paid immediately upon receipt.

APPROVED:  
ROAD COMMISSION FOR OAKLAND COUNTY

APPROVED:  
CITY OF OAK PARK

Date \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_  
Danielle Deneau, P.E.

By \_\_\_\_\_

DIRECTOR OF TRAFFIC-SAFETY  
Title of Authorized Official

\_\_\_\_\_  
Title of Authorized Official

\*Certified copy of resolution must be submitted with this form for new installations.

**STATE OF MICHIGAN  
BOARD OF COUNTY ROAD COMMISSIONERS  
OAKLAND COUNTY  
AGREEMENT FOR TRAFFIC CONTROL DEVICE**

**Type of Work: Traffic Signal Installation and Maintenance**

**Location: Lincoln Road and Marlow Place, East of Greenfield Road  
East of Greenfield Road, RRFB at Pedestrian Crossing**

**Signal No: 1554  
Date Effective:**

Under authority of state law and by virtue of resolution formally adopted by their respective governing bodies, the under-signed hereby agree to participate in the cost of installation, removal, maintenance and operation of the above traffic control device on the basis of the following division of costs. (Title to equipment shall remain with the purchasing agency, unless purchased for roads not under the jurisdiction of the Board of County Road Commissioners of the County of Oakland.) Invoices for costs are to be billed monthly by the Road Commission for Oakland County ("RCOC").

**DIVISION OF COSTS**

AGENCY	INSTALLATION		MAINTENANCE
	Percent	Estimated Cost	Percent
City of Oak Park	100 %	\$ SRTS Project	100 %
<b>Total</b>	<b>100 %</b>	<b>\$ SRTS Project</b>	<b>100 %</b>

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APPROVED:  
ROAD COMMISSION FOR OAKLAND COUNTY

APPROVED:  
CITY OF OAK PARK

Date \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_  
Danielle Deneau, P.E.

By \_\_\_\_\_

DIRECTOR OF TRAFFIC-SAFETY  
Title of Authorized Official

\_\_\_\_\_  
Title of Authorized Official

\*Certified copy of resolution must be submitted with this form for new installations.