

Oak Park

City Council Agenda

May 6, 2019





AGENDA
REGULAR CITY COUNCIL MEETING
37th CITY COUNCIL
OAK PARK, MICHIGAN
May 6, 2019
7:00 PM

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **CONSENT AGENDA**

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

- A. Regular Council Meeting Minutes of April 15, 2019
- B. Special Council Meeting Minutes of April 15, 2019, April 16, 2019 and April 18, 2019
- C. Retirement Board Meeting Minutes of February 25, 2019
- D. Oak Park Library Board Meeting Minutes of March 19, 2019
- E. Beautification Commission Meeting Minutes of December 18, 2018 and February 19, 2019
- F. Parks and Recreation Meeting Minutes of February 20, 2019 and March 20, 2019
- G. Recycling Commission Meeting Minutes of February 21, 2019
- H. Court Management Council Meeting Minutes of September 27, 2018
- I. Request to advertise for bids for Program Year 2018 Yard Services, M-702
- J. Change Order No. 1 in the amount of (\$10,106.89) and Payment Application No. 6 in the amount of \$78,399.04 to Aielli Construction Co., Inc. for the 2017 Water Main Replacement Project, M-649
- K. Licenses - New and Renewals as submitted for May 6, 2019

6. **RECOGNITION OF VISITING ELECTED OFFICIALS**
7. **SPECIAL RECOGNITION/PRESENTATIONS:**
 - A. Measles Outbreak Update – Dr. Steve McGraw
8. **PUBLIC HEARINGS:**
 - A. Public hearing and adoption of Special Assessment Resolutions to confirm the rolls and set the due date of June 14, 2019 together with penalty of ten percent (10%) for Special Assessment Districts #681 - Delinquent Utilities; #682 - Miscellaneous Concrete Replacement, #683 - Property Blight, and #684 - Sidewalk Replacement
9. **COMMUNICATIONS:** None
10. **SPECIAL LICENSES:** None
11. **ACCOUNTING REPORTS:**
 - A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$15,890.84
12. **BIDS:** None

13. ORDINANCES:

- A. First reading of an ordinance to amend Sections 50-301 and 50-302 of Chapter 50, Article VI, Division 3, Fireworks, of the Code of Ordinances, City of Oak Park
- B. First reading of an ordinance to repeal Sections 22-286 through 22-368, of Chapter 22, Businesses, Article VIII, Vehicles for Hire, Divisions 1-5 of the Code of Ordinances, City of Oak Park
- C. First reading of an ordinance to amend Section 74-675p, Article XIV, Stopping, Standing and Parking, Chapter 74, Traffic and Vehicles, of the Code of Ordinances, City of Oak Park

14. CITY ATTORNEY:

15. CITY MANAGER:

Administration

- A. Request to schedule a Public Hearing on the FY 2019-2020 Annual Budget for Monday, May 20, 2019 at 7:00 PM

Community and Economic Development

- B. Update on Tax Foreclosed Properties – FPJ Investments
- C. Update on Tax Foreclosed Properties – MRE Partners
- D. Request to award bids from Tax Foreclosure RFQ
- E. Request to approve a façade improvement grant to Oak Park Social for the building located at 14691 Eleven Mile Road, for 50% of the project costs not to exceed \$2,500
- F. Request to support a Brownfield Grant Application to assist with the development of the WWJ Building by Union Joints

Department of Public Works

- G. Request to approve proposed Change Order No. 1 in the amount of \$9,105.46 and Payment Application No. 2 in the amount of \$90,207.58 to Mattioli Cement Company for the 2018-2019 Miscellaneous Concrete Repair Project, M-682
- H. Request to approve proposed Change Order No. 3 in the amount of \$4,484.11 and Payment Application No. 4 in the amount of \$272,259.98 to Frank Rewold & Sons, Inc. for the 2018 45th District Court Renovation Project, M-684
- I. Request to approve Michigan Department of Transportation contract number 19-5175 for the 9 Mile Road Diet Project subject to review by the City Attorney and to authorize the Mayor and City Clerk to sign the contract on behalf of the City
- J. Request to approve a proposal from Orchard, Hiltz & McCliment, Inc. to perform the Construction Engineering for the Nine Mile Road Diet project for an hourly, not to exceed amount of \$221,000.00 subject to final review by the City Attorney

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
37th OAK PARK CITY COUNCIL
April 15, 2019
7:00 PM**

MINUTES

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

PRESENT: Mayor McClellan, Council Member Burns, Council Member Rich,
Council Member Weiss

ABSENT: Mayor Pro Tem Radner

OTHERS

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

APPROVAL OF AGENDA:

**CM-04-102-19 (AGENDA ITEM #4) ADOPTION OF THE AGENDA AS
PRESENTED – APPROVED**

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve the agenda as presented.

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-04-103-19 (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 Council Meeting Minutes of April 1, 2019 **CM-04-104-19**
- B. Planning Commission Meeting Minutes of January 14, 2019 **CM-04-105-19**
- C. Request to cancel the regularly scheduled Zoning Board of Appeals Meeting of April 23, 2019 **CM-04-106-19**
- D. Payment of invoices from OHM Advisors for Architectural and Engineering for Design Development and Technology Design for the Court Project in the total amount of \$5,436.00 **CM-04-107-19**
- E. Licenses - New and Renewals as submitted for April 15, 2019 **CM-04-108-19**

**MERCHANT'S LICENSES – April 15, 2019
(Subject to All Departmental Approvals)**

<u>NEW MERCHANT</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
ACI PARTS WAREHOUSE	13202 CLOVERDALE	\$150.00	PARTS WAREHOUSE
KARRI MITCHELL & ASSOC.	21900 GREENFIELD	\$150.00	LAW OFFICE
TOTAL ONE RESOURCES	23300 GREENFIELD	\$150.00	COUNSELING SERVICES
ANTOINETTES URBAN CHIC	10800 NINE MILE	\$150.00	WOMENS & MENS CLOTHING
<u>2019 RENEWALS</u>	<u>ADDRESS</u>	<u>FEE</u>	<u>BUSINESS TYPE</u>
GREENSCAPES	8555 CAPITAL	\$150.00	LANDSCAPING
EATON STEEL CORPORATION	10221 CAPITAL	\$150.00	MANUFACTURING
VIZCOM MEDIA	10325 CAPITTAL	\$150.00	PRINTING
SOCKS GALORE WHOLESALE	10355 CAPITAL	\$150.00	SAFETY APPAREAL
J & D AUTO SERVICE	13051 CAPITAL	\$150.00	AUTO REPAIR
D/A CENTRAL	13155 CLOVERDALE	\$187.50	SECURITY SYSTEMS
AUDITORY INSTRUMENTS	13261 CLOVERDALE	\$187.50	MEDICAL EQUIPMENT SUP.
KEELEY ENTERPRISES	20800 COOLIDGE	\$150.00	EQUIPMENT REPAIR
REVOLUTION CHAMPIONSHIP	21020 COOLIDGE	\$225.00	MARTIAL ARTS SCHOOL
MARTIAL ARTS			
MICHIGAN WHOLESALE MART	21350 COOLIDGE	\$225.00	WHOLESALE MARKET
SALON ESSENCE	21751 COOLIDGE	\$225.00	BEAUTY SALON
XQUISITE STYLZ	22111 COOLIDGE	\$187.50	RETAIL
GIFT ME CHOCOLATE	22133 COOLIDGE	\$187.50	SPECIALTY SHOP
CITIZENS BANK	23067 COOLIDGE	\$225.00	BANK
OAK PARK URGENT CARE	24661 COOLIDGE	\$150.00	URGENT CARE
INNOVATIVE HEARING	25211 COOLIDGE	\$187.50	AUDIOLOGY - TESTING, SALES,
SERVICES			REPAIRS
7-11 FOOD STORES #13458	26641 COOLIDGE	\$150.00	RETAIL CONVENIENCE STORE
NORTHLAND CHRYSLER	14100 EIGHT MILE	\$225.00	AUTO DEALERSHIP
DODGE JEEP			
ARKK ENGINEERING	14251 ELEVEN MILE	\$150.00	SYSTEM DESIGN
HAIRBEAU	23300 GREENFIELD 223	\$225.00	SALON
MARINA'S ALTERATIONS	15075 LINCOLN 117	\$150.00	CLOTHING ALTERATIONS
LITTLE CAESARS #30	8801 NINE MILE	\$187.50	PIZZA RESTAURANT
WHIPPED BEAUTY BAR	10620 NINE MILE	\$225.00	LASH EXTENSIONS, MAKEUP
			AND WIGS
WIRELESS SUPERSTORE OF	13645 NINE MILE	\$187.50	CELLULAR STORE
GRAND RAPIDS			
CHINA CITY	13715 NINE MILE	\$150.00	CHINESE CARRY OUT
OAK PARK MEDICAL CENTER	15300 NINE MILE	\$225.00	FAMILY PRACTICE MEDICAL
ONE STOP CASH ADVANCE	8530 NINE MILE A	\$225.00	CASH ADVANCE
OOZE	13231 NORTHEND	\$187.50	WHOLESALE
BIRD NEST PLASTICS	13311 NORTHEND	\$225.00	RECYCLING PLASTIC BUMPERS
ALFA MEDICAL EQUIPMENT	13181 TEN MILE	\$225.00	MEDICAL EQUIPMENT
SUPPLIERS			SUPPLIER
DOLLAR VILLAGE DISCOUNT	13201 TEN MILE	\$187.50	DOLLAR STORE
SAHNIS	13251 TEN MILE	\$225.00	
CHECK N GO	13321 TEN MILE	\$187.50	CASH ADVANCE

**Liquor License Renewals
 April 15, 2019**

JADE PALACE	TAVERN LICENSE	\$250
SAHARA RESTAURANT	CLASS C LIQUOR LICENSE	\$250

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

(AGENDA ITEM #7A) Education and Sharing Day Proclamation. Mayor McClellan presented a proclamation recognizing April 15, 2019 as Education and Sharing Day in Oak Park in memory of the Rebbe, Rabbi Menachem Schneerson.

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES: None

ACCOUNTING REPORTS: None

BIDS: None

ORDINANCES: None

CITY ATTORNEY: No Report

CITY MANAGER:

Administration

CM-04-109-19

(AGENDA ITEM #15A) REQUEST TO APPROVE A ONE-YEAR LEASE EXTENSION FOR HATZALAH, 13650 OAK PARK BLVD., SUITE A - APPROVED

Motion by Rich, seconded by Burns, CARRIED UNANIMOUSLY, to approve a one-year lease extension for Hatzalah, 13650 Oak Park Blvd., Suite A.

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

MOTION DECLARED ADOPTED

Deputy DPW Director DeCoster indicated the City of Oak Park is currently leasing space (13650 Oak Park Blvd, Suite A) to the non-profit group Hatzalah of Michigan (Hatzalah). The current one-year lease expires on April 30, 2019 and Hatzalah has expressed interest in extending the lease for an additional year from May 1, 2019 through April 30, 2020.

Technical & Planning - Engineering

CM-04-110-19 (AGENDA ITEM #15B) REQUEST TO APPROVE A PROPOSAL FROM MATERIALS TESTING & ASSOCIATES FOR MATERIAL TESTING SERVICES FOR THE 2019 WATERMAIN REPLACEMENT PROJECT, M-675 IN THE AMOUNT OF \$11,000.00 - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve a proposal from Materials Testing & Associates for material testing services for the 2019 Watermain Replacement Project, M-675 in the amount of \$11,000.00.

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

MOTION DECLARED ADOPTED

Technical and Planning Director Barrett reviewed the tabulation of proposals for material testing services for the 2019 Watermain Replacement Project, M-675 and announced that the low proposal, submitted by Materials Testing & Associates, is for a total amount of \$11,000.00.

Finance

CM-04-111-19 (AGENDA ITEM #15C) AGREEMENT WITH BERKLEY SCHOOL DISTRICT TO COLLECT THEIR 2019 SUMMER TAX LEVY - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve an agreement with Berkley School District to collect their 2019 summer tax levy.

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

MOTION DECLARED ADOPTED

Finance Director Crawford reported that the City of Oak Park annually enters into an agreement with the Berkley School District to collect their property taxes. A one percent (1%) fee is collected for this service.

CM-04-112-19 (AGENDA ITEM #15D) RESOLUTION AUTHORIZING THE CITY ASSESSOR TO PREPARE SPECIAL ASSESSMENT ROLLS, ASSESSING UNPAID CHARGES TOGETHER WITH A 10% PENALTY ON PRIVATE PROPERTY FOR DELINQUENT UTILITIES - \$31,225.89; MISCELLANEOUS CONCRETE REPLACEMENT - \$8,321.35; PROPERTY BLIGHT - \$30,827.91; AND SIDEWALK REPLACEMENT - \$9,530.65 - APPROVED

Motion by Burns, seconded by Weiss, 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 - \$31,225.89; Miscellaneous Concrete Replacement - \$8,321.35; Property Blight - \$30,827.91; and Sidewalk Replacement - \$9,530.65:

**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 \$79,905.80:

Delinquent Utilities	\$31,225.89
Miscellaneous Concrete Replacement	\$8,321.35
Property Blight	\$30,827.91
Sidewalk Replacement	\$9,530.65, and

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, Weiss, Rich
	No:	None
	Absent:	Radner

MOTION DECLARED ADOPTED

CM-04-113-18

(AGENDA ITEM #15E) RESOLUTION RECEIVING SPECIAL ASSESSMENT ROLLS ESTABLISHING May 6, 2019 AS THE DATE FOR THE PUBLIC HEARING ON THE ROLLS FOR UNPAID CHARGES FOR CITY EXPENSES INCURRED ON PRIVATE PREMISES FOR DELINQUENT UTILITIES #681, MISCELLANEOUS CONCRETE REPLACEMENT #682, PROPERTY BLIGHT #683, AND SIDEWALK REPLACEMENT #684 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the following resolution receiving Special Assessment Rolls establishing May 6, 2019 as the date for the Public Hearing on the rolls for unpaid charges for city expenses incurred on private premises for Delinquent Utilities #681, Miscellaneous Concrete Replacement #682, Property Blight #683, and Sidewalk Replacement #684:

SPECIAL ASSESSMENT RESOLUTION

DISTRICT NO. 681, 682, 683, and 684

Meeting of the City Council held April 15, 2018, at 7:00 P.M.

The Assessor reported Special Assessment Rolls No. 681, 682, 683, and 684 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. 681, 682, 683, and 684 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 6th day of May, 2019 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, Weiss, Rich
	No:	None
	Absent:	Radner

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

CALL TO THE COUNCIL:

Council Member Burns reminded everyone to dress appropriately for the changing weather wished everyone a good night.

Council Member Weiss reminded everyone about upcoming Oak Park events.

Council Member Rich wished everyone a good night

Mayor McClellan reviewed recent Oak Park events and reminded everyone about the upcoming Special Election for Oak Park Schools on May 7, 2019.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 7:21 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL**

April 15, 2019

5:30 PM

MINUTES

The Special Meeting was called to order at 5:33 PM by Mayor McClellan in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Council Member Burns, Council Member Rich and Council Member Weiss

ABSENT: Mayor Pro Tem Radner

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris, Assistant City Manager Yee, City Attorney Duff, Director of Strategic Planning VanVleck, Finance Director Crawford, Deputy Finance Director Lukasik, Human Resources Director Brooks

SPECIAL BUSINESS:

(AGENDA ITEM #3A) Discuss the FY 2019-20, FY 2020-21, FY 2021-22 departmental budgets:

Overview	5:30 PM
Human Resources	5:35 PM
Information Technology	6:05 PM
City Clerk	6:25 PM

City Manager Tungate gave a brief overview of the budget and upcoming departmental budget presentations.

The following individuals were present to discuss their respective budgets and answer questions raised by City Council.

Human Resources – Director Brooks
Information Technology – Director Singson
City Clerk, Elections – City Clerk Norris

CALL TO THE AUDIENCE:

There were no members of the public wishing to speak.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the special meeting at 6:40 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL
April 16, 2019
5:30 PM**

MINUTES

The Special Meeting was called to order at 5:33 PM by Mayor McClellan in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Council Member Burns, Council Member Rich and Council Member Weiss

ABSENT: Mayor Pro Tem Radner

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris, Assistant City Manager Yee, City Attorney Duff, Director of Strategic Planning VanVleck, Finance Director Crawford, Deputy Finance Director Lukasik

SPECIAL BUSINESS:

(AGENDA ITEM #3A) Discuss the FY 2019-20, FY 2020-21, FY 2021-22 departmental budgets:

City Manager/City Council	5:30 PM
Public Safety	6:00 PM
45 th District Court	6:30 PM
City Attorney/Prosecutor/Labor Attorney	7:00 PM
Communications/Economic Development	7:30 PM
Library	8:00 PM

City Manager Tungate gave a brief overview of the budget and upcoming departmental budget presentations.

The following individuals were present to discuss their respective budgets and answer questions raised by City Council.

City Manager – City Manager Tungate, Director of Strategic Planning VanVleck
Public Safety – Director Cooper, Deputy Director Pinkerton
45th District Court – Court Administrator Waldmann, Judge Gubow, Judge Appel
City Attorney/Prosecutor/Labor Attorney – Ebony Duff, Gene Lumberg
Communications/Economic Development – Kim Marrone
Library – Library Director Jones, Library Board Members McCall and Francisco, Foster and Swift Attorney

CALL TO THE AUDIENCE:

There were no members of the public wishing to speak.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the special meeting at 8:25 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
SPECIAL COUNCIL MEETING OF THE
37th OAK PARK CITY COUNCIL
April 18, 2019
6:00 PM**

MINUTES

The Special Meeting was called to order at 6:00 PM by Mayor McClellan in the Executive Conference Room of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544

PRESENT: Mayor McClellan, Council Member Burns, Council Member Rich and Council Member Weiss, Mayor Pro Tem Radner

ABSENT: None

OTHERS

PRESENT: City Manager Tungate, City Clerk Norris, Assistant City Manager Yee, City Attorney Duff, Director of Strategic Planning VanVleck, Finance Director Crawford, Deputy Finance Director Lukasik, Human Resources Director Brooks, DPW Deputy Director DeCoster, T & P Director Barrett

SPECIAL BUSINESS:

(AGENDA ITEM #3A) Discuss the FY 2019-20, FY 2020-21, FY 2021-22 departmental budgets:

Recreation	6:00 PM
Public Works	6:30 PM
Water & Sewer	7:00 PM
Technical & Planning	7:30 PM
Finance	8:00 PM

City Manager Tungate gave a brief overview of the budget and upcoming departmental budget presentations.

The following individuals were present to discuss their respective budgets and answer questions raised by City Council.

Recreation - Director Stasiak

Public Works – Assistant City Manager Yee, Deputy Director DeCoster

Water & Sewer – Assistant City Manager Yee and Water Supervisor VanDewalle

Technical & Planning – T & P Director Barrett, Deputy Director Fairless

Finance – Director Crawford and Deputy Director Lukasik

City Manager Tungate wrapped up the budget discussion by re-visiting the Library budget and there was consensus among council members to proceed with the budget numbers for 2019-20 that the City Manager is recommending. It was also clarified that any budget surplus for the Library would carry over to the next fiscal year. Council also debated the issue regarding a proposed salary increase for the City Prosecutor.

**SCM-04-114-19 MOTION TO OFFER A TWO YEAR CONTRACT WITH A ONE YEAR
EXTENSION OPTION TO THE CITY PROSECUTOR AND TO
INCREASE THE SALARY BY \$2,500.00 FOR 2019-20 AND \$2,500.00
FOR 2020-21 - APPROVED**

Motion by Rich, seconded by Radner, CARRIED, to offer a two year contract with a one year extension option to the City Prosecutor and to increase the salary by \$2,500.00 for 2019-20 and \$2,500.00 for 2020-21.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

There were no members of the public wishing to speak.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the special meeting at 8:30 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



**CITY OF OAK PARK, MICHIGAN
EMPLOYEES' RETIREMENT SYSTEM AND
PUBLIC SAFETY RETIREMENT SYSTEM BOARD OF TRUSTEES
CONCURRENT MEETING**

**February 25, 2019
4:30 PM**

MINUTES

Chairperson Tungate called the meeting to order at 4:30 PM and asked the City Clerk to call roll.

EMPLOYEES' RETIREMENT SYSTEM:

TRUSTEES PRESENT: Trustee Tungate, Trustee Waxenberg, Trustee Mlynczyk, Trustee DeCoster

TRUSTEES ABSENT: Trustee McClellan

ALSO PRESENT: City Clerk Norris, Finance Director Crawford, Human Resources Director Brooks, City Attorney Duff, Deputy Finance Director Winters

PUBLIC SAFETY RETIREMENT SYSTEM:

TRUSTEES PRESENT: Trustee Tungate, Trustee Batora, Trustee Rich,

TRUSTEES ABSENT: Trustee McClellan, Trustee Tetler

ALSO PRESENT: City Clerk Norris, Finance Director Crawford, Human Resources Director Brooks, City Attorney Duff, Deputy Finance Director Winters

(Agenda Item #4) Election of Officers

**ERS-01-001-19 MOTION TO HAVE TRUSTEE TUNGATE SERVE AS
CHAIRPERON AND TRUSTEE MCCLELLAN SERVE
AS VICE-CHAIRPERSON OF THE ERS BOARD OF
TRUSTEES – APPROVED**

Motion by Waxenberg, seconded by DeCoster, CARRIED UNANIMOUSLY, to appoint Trustee Tungate as Chairperson and Trustee McClellan as Vice-Chairperson for the Employees' Retirement System Board of Trustees.

Roll Call Vote:	Yes:	Tungate, DeCoster, Waxenberg, Mlynczyk
	No:	None
	Absent:	McClellan

MOTION DECLARED ADOPTED

**PSRS-02-001-19 MOTION TO HAVE TRUSTEE TUNGATE SERVE AS
CHAIRPERON AND TRUSTEE MCCLELLAN SERVE
AS VICE-CHAIRPERSON OF THE PSRS BOARD OF
TRUSTEES – APPROVED**

Motion by Batora, seconded by Rich, CARRIED UNANIMOUSLY, to appoint Trustee Tungate as Chairperson and Trustee McClellan as Vice-Chairperson for the Public Safety Retirement System Board of Trustees.

Roll Call Vote:	Yes:	Tungate, Batora, Rich
	No:	None
	Absent:	McClellan, Tetler

MOTION DECLARED ADOPTED

(Agenda Item #4) 2019 Meeting Dates

**ERS-01-002-19 RESOLUTION SCHEDULING THE 2019 ERS REGULAR
MEETING DATES – APPROVED**

Motion by DeCoster, seconded by Waxenberg, CARRIED UNANIMOUSLY, to approve the following resolution scheduling the 2019 Regular Meeting dates:

**Resolution of the Employees' Retirement System
Board of Trustees**

Schedule of Regular Meetings

WHEREAS, the Board is required to schedule regular quarterly meetings;

BE IT RESOLVED, that the following 2019 Schedule of Regular Meetings is approved:

January 28, 2019
April 22, 2019
July 22, 2019
October 28, 2019

Meetings will be held in the Executive Conference Room of City Hall, 14000 Oak Park Blvd., Oak Park, MI 48237 at 4:30 PM unless otherwise posted.

Voice Vote:	Yes:	Tungate, DeCoster, Waxenberg, Mlynczyk
	No:	None
	Absent:	McClellan

MOTION DECLARED ADOPTED

PSRS-01-002-19 RESOLUTION SCHEDULING THE 2019 PSRS REGULAR MEETING DATES – APPROVED

Motion by Batora, seconded by Rich, CARRIED UNANIMOUSLY, to approve the following resolution scheduling the 2019 Regular Meeting dates:

**Resolution of the Public Safety Retirement System
Board of Trustees**

Schedule of Regular Meetings

WHEREAS, the Board is required to schedule monthly meetings;

BE IT RESOLVED, that the following 2019 Schedule of Regular Meetings is approved:

January 22, 2019	July 22, 2019
February 25, 2019	August 26, 2019
March 25, 2019	September 23, 2019
April 22, 2019	October 28, 2019
May 28, 2019 (Tuesday)	November 25, 2019
June 24, 2019	December 23, 2019

Meetings will be held in the Executive Conference Room of City Hall, 14000 Oak Park Blvd., Oak Park, MI 48237 at 4:30 PM unless otherwise posted.

Voice Vote:	Yes:	Tungate, Batora, Rich
	No:	None
	Absent:	McClellan, Tetler

MOTION DECLARED ADOPTED

(Agenda Item #5A) Approval of Minutes

ERS-02-003-19 MINUTES FROM THE OCTOBER 22, 2018 ERS/PSRS CONCURRENT MEETING – APPROVED

Motion by DeCoster, seconded by Waxenberg, CARRIED UNANIMOUSLY, to approve the Minutes from the October 22, 2018 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, DeCoster, Waxenberg, Mlynczyk
	No:	None
	Absent:	McClellan

MOTION DECLARED ADOPTED

**PSRS-02-003-19 MINUTES FROM THE OCTOBER 22, 2018 ERS/PSRS
CONCURRENT MEETING – APPROVED**

Motion by Batora, seconded by Rich, CARRIED UNANIMOUSLY, to approve the Minutes from the October 22, 2018 ERS/PSRS Concurrent Meeting.

Voice Vote:	Yes:	Tungate, Batora, Rich
	No:	None
	Absent:	McClellan, Tetler

MOTION DECLARED ADOPTED

(Agenda Item #6A) Deferred Retirement Option Plan (DROP) amendment (PSRS)

City Manager Tungate reported that City Council has adopted changes to the DROP program that will allow the extension of the program at their discretion beyond the normal 3 year initial term for specific employees. This authorized extension will apply to the current Public Safety Director whose DROP term is expiring.

(Agenda Item #6B) Retirement System Assumptions – Additional Pension Contributions

Mr. Tungate confirmed that City Council has made appropriate budget adjustments that will allow changes to help the funding status of the pension systems. He indicated that assumptions have been adopted that change the amortization schedule from 26 to 20 years and the rate of return from 8% to a more realistic 7%. These changes along with a one-time \$656,000 infusion into the systems due to a budget surplus will help put the retirement systems on a more acceptable path to being appropriately funded.

(Agenda Item #7A) PNC Presentation

Kirk VanDagens from PNC presented the 2018 Fourth Quarter Investment Review dated January 28, 2018 via telephone. A complete report is on file in the City Clerk's Office. He provided a market update and presented a portfolio summary for both systems. He reported that the economy is on solid ground and a possible recession is not projected until late 2020. He reported that due to a brutal fourth quarter the market value of the Employees' Retirement System as of December 31, 2018 was \$17,839,205 and the market value of the Public Safety Retirement System was \$39,725,030. Mr. VanDagens provided more encouraging updated values as of February 25, 2019. ERS \$19,258,149 and PSRS \$43,239,124.

(Agenda Item #7B) Annual Determination of Interest Rate for Buy Back Calculations

Finance Director Crawford explained that the interest rates used for buy back calculations are set each year by the retirement boards. The rate is determined by using the five year yield averages from the respective portfolios.

**ERS-02-004-19 MOTION TO SET THE RATE FOR BUY BACK
CALCULATIONS FOR THE EMPLOYEES
RETIREMENT SYSTEM AT 2.662 % – APPROVED**

Motion by DeCoster, seconded by Mlynczyk, CARRIED UNANIMOUSLY, to set the rate for Buy Back Calculations for the Employees' Retirement System at 2.662 %.

Voice Vote:	Yes:	Tungate, DeCoster, Waxenberg, Mlynczyk
	No:	None
	Absent:	McClellan

MOTION DECLARED ADOPTED

**PSRS-02-004-19 MOTION TO SET THE RATE FOR BUY BACK
CALCULATIONS FOR THE PUBLIC SAFETY
RETIREMENT SYSTEM AT 2.658 % – APPROVED**

Motion by Rich, seconded by Batora, CARRIED UNANIMOUSLY, to set the rate for Buy Back Calculations for the Public Safety Retirement System at 2.658%.

Voice Vote:	Yes:	Tungate, Batora, Rich
	No:	None
	Absent:	McClellan, Tetler

MOTION DECLARED ADOPTED

(Agenda Item #8A-J) Financial Reports (ERS)

**ERS-02-005-19 RECEIVE AND APPROVE ERS FINANCIAL REPORTS
(OCTOBER - DECEMBER 2018) – APPROVED**

Motion by DeCoster, seconded by Waxenberg, CARRIED UNANIMOUSLY, to receive and approve the following reports for the period October 1, 2018 – December 31, 2018:

- A. SEI Investment Management Report
- B. Fiduciary Net Assets Statement – Fund 731
- C. SEI Private Trust Financial Report
- D. Disbursements made by Retirement System

Oak Park Public Library Board of Directors

Commissioners:

Matt McCall, Linda Francisco, Nancy Rice, Regina Weiss, Sharon Chudnow

Library Director:

Sarah Jones

Minutes for Library Board of Directors Meeting

Date:

March 19th, 2019

Time of Meeting Start:

6:30 P.M.

Roll Call, Attendance:

Sarah Jones, Regina Weiss, Linda Francisco, Matt McCall, Nancy Rice, Sharon Chudnow

Public Attendance: Steven Chudnow

Approval of Agenda:

(L. Francisco Motion, N. Rice Second. Approved)

Approval of Board Minutes (February 19th, 2019)

(R. Weiss Motion, L. Francisco Second, Approved)

Director Jones discussed the staffing issues that have occurred since last meeting with a circulation staff member leaving and the need to fill that position. Also discussed was the upcoming retirements of Lauren Murphy and Mary Bernhardt as of March 31st, 2019. Director Jones discussed the last library concert, The Boogie Woogie kid, and it's attendance of 75 people. Councilwoman Weiss and Director Jones presented the rest of the library board with notes and figures from meeting with the city trust. Director Jones presented a hypothetical budget and discussed it and library staffing with the board, in addition to Human Resources options and payroll services. Discussed was the need to have a joint meeting between the Library Board of Directors and the City Counsel including both parties legal representatives.

Oak Park Public Library Board of Directors

Commissioners:

Matt McCall, Linda Francisco, Nancy Rice, Regina Weiss, Sharon Chudnow

Library Director:

Sarah Jones

Motion: To have a consensual meeting of both the Library Board of Directors and City Counsel at a date to be determined to discuss, conceptualize, and agree to terms and conditions including those of the property located at 14200 Oak Park Boulevard, Oak Park MI 48237, which is currently known as the Oak Park Public Library. Additionally, at said meeting, an informational presentation about how Public Act 164 affects The Library and The City in terms of daily operations, administration, Human Resources, and finance.

(M. McCall Motion, N. Rice Second. Approved)

Adjournment:

(R. Weiss Motion, N. Rice Second. Approved)

Time of Meeting End:

7:10 P.M.

**BEAUTIFICATION ADVISORY COMMISSION
CITY OF OAK PARK
MINUTES
DECEMBER 18, 2018**

PRESENT: Commissioners Idella Bailey, Mattie Boykin, Karen Davis-Harris, Danielle Fracassa, Santhia Guinn, Angela Mitchell, Brenda Moseley, Reatha Richmond, Joyce Schulman, Lonnie Tabb-Upshaw, Deborah Williamson, DPW City Liaison Tiffany Brown

ABSENT: Commissioners Michella Perry, Judy Simmons, City Liaison Kevin Yee, City Liaison Carolyn Burns

GUEST: None

Meeting called to order at 7:00 pm
Roll called

APPROVAL OF MINUTES; September 18, 2018

MOTION by Bailey, SECONDED by Moseley to approve the Beautification Advisory Commission Meeting minutes of September 18, 2018

Boo Bash –

Commissioners stated the Boo Bash event was a success, and that many people came out. Lonnie, Brenda Moseley, and Santhia passed out candy. The commissioners hope for two tables next year to pass out more candy for the event.

MLK Peace Walk –

Chairperson Tabb-Upshaw mentioned the MLK Peace Walk on January 21st and invited other commissioners to participate in the walk. Participants will meet up at 9:30 am at the United Hope Methodist Church and walk over to the Southfield Pavilion. There will be a program and speakers. Commissioners were asked to text Lonnie if they would like to participate. Lonnie will send out information to commissioners.

Fund Raisers & Suggestions –

Chairperson Tabb-Upshaw mentioned to the commissioners to think of ideas for fund raisers and suggestions.

General Discussion –

Lonnie suggested that commissioners communicate better and respond to emails that they receive.

Meeting adjourned 7:00 pm, next meeting February 20, 2019

**BEAUTIFICATION ADVISORY COMMISSION
CITY OF OAK PARK
MINUTES
FEBRUARY 19, 2019**

PRESENT: Commissioners Idella Bailey, Mattie Boykin, Danielle Fracassa, Santhia Guinn, Reatha Richmond, Lonnie Tabb-Upshaw, Non-Voting City Representative Kevin Yee

ABSENT: Commissioners Karen Davis-Harris, Angela Mitchell, Brenda Moseley, Michella Perry, Joyce Schulman, Judy Simmons, Deborah Williamson, Larry Wilson, Non-Voting City Council Member Carolyn Burns

GUEST: None

- No quorum
- No approval of December 18, 2018 minutes

NO OFFICIAL MEETING MINUTES

CITY OF OAK PARK
PARKS AND RECREATION COMMISSION
REGULAR MEETING: FEBRUARY 20, 2019 AT COMMUNITY CENTER

The meeting was called to order at 7:04 pm by Vice Chair, Mickey Alderman.

Introductions:

Members Present: Patrick North, Beverly Wiggins, Diane Spiller, Mickey Alderman, Juanita Bell, Dwight Thomas

Members Absent: Jim & Barb Weiskopf, Alexander Simpson

Council Member Present: Regina Weiss

Staff Member Present: Laurie Stasiak

Guests Present: None

The minutes of the Parks and Recreation Commission Meeting for December 19, 2018 were approved. Motion to approve by Dwight Thomas. Seconded by Beverly Wiggins. Corrections: None

Council Comments:

Shout Out for another successful "Winter Blast".

MDOT will get involved with ice build-up on I-696 causing a drainage issue.

World Dance Day is April 29th at Oak Park High School beginning at 5:30 pm. Flyers will be available at the March meeting.

TRI County Coalition Comedy Night – Sunday, February 24th, Royal Oak, MI.

TRI County Health Fair – Sunday, May 5th – Huntington Woods, MI – Additional information forthcoming.

Recreation Updates – Laurie Stasiak, Director

Athletics – David Pitts has received CPR training.

Gearing up for soccer, baseball, adult kickball and softball

Basketball is going well. Games and practices are cancelled when schools are closed.

Spring/Summer Ball Field requests are starting to come into the office for the spring/summer. There is a fee to rent ball fields.

An idea was discussed when weather/areas of the parks are conducive to become an ice-skate park during winter months.

\$12,000 is needed for pool repairs.

Will be hiring a more diverse pool staff and camp counselors with a proposed increase in pay.

Seniors/Farmers Market/Special Events

Senior activities continue to be a sell-out.

David chaperoned two buses of seniors to the Pistons game. A good time was enjoyed by all.

Maralee is now certified as a Market Master for the Farmers Market This Certification is provided through Michigan Farmers Market Association in partnership with MSU. The market will run from June 26th – September 25, on Wednesdays from 9 am – 1 pm. Humana is returning as our presenting sponsor and Beaumont is now a sponsor as well as providing education classes and blood pressure checks each week. The market is now authorized to distribute SNAP/EBT, WIC coupons, Senior Market Fresh coupons

and we have applied for distribution of Double Up Food Bucks as well. This is a great accomplishment to have at our market as the closest market to us that accept food benefits is Eastern Market. Senior Teas are being planned. Maralee still is asking for donations of vintage tea cups and saucers. Winter Blast did not draw the crowd due to extremely cold weather. Various activities were planned and enjoyed by guests. Thanks to volunteers for braving the cold.

Daddy Daughter Dance was a sellout. Thanks to all volunteers.

Danielle Fracassa, Recreation Clerk and member of the Oak Park Beautification Commission, visited the Ferndale Beautification Commission at one of their monthly meetings. She brought back many good ideas that could be used to enhance our idea for a new event that would bring the Boo-tification awards to Oak Park. More to come on this possible tri – commission awards event. (Arts, Cultural, and Diversity Commission and the Beautification Commission) This event/awards, much like the annual Beautification Awards given out by our Beautification Commission, would award residents and businesses who decorate for Halloween.

Special Events:

Fourth of July communications have gone out to vendors and parade participants and responses are coming in.

Summer Blast is scheduled for August 10th. This is a one-day event. Summer Blast is an event that Oak Parks Recreation partners with Oakland County Parks and will include youth basketball.

Master Plan/Grant Updates:

The Master Plan is fully approved.

Applying for grant for pocket park, Seneca in the amount of \$50,000 from the Community Foundation, Ralph C. Wilson Legacy Grant

Applied for the KaBoom, Play Everywhere Grant – for a couple of nodes for the Linear Park on 9 Mile Rd.

New Business: Election of Officers

Chair – Patrick North

Vice Chair – Alexander Simpson

Secretary – Beverly Wiggins

It was moved by Juanita Bell and seconded by Mickey Alderman that the slate of officers be accepted.

Commission Project Update:

Boo Bash Sub-Committee (Boo-tification) consists of Patrick North, Diana Spiller, Mickey Alderman, Regina Weiss, and Laurie Stasiak. Sub-committee will meet Monday, March 4th at 5:30 pm at City Hall.

Meeting adjourned at 7:55 pm. Motioned by Dwight Thomas and seconded by Diana Spiller.

Respectfully submitted by Juanita Bell, Recording Secretary.



CITY OF OAK PARK

Recreation Department

Mayor
Marian McClellan
Mayor Pro Tem
Solomon Radner
Council Members
Carolyn Burns
Ken Rich
Regina Weiss
City Manager
Erik Tungate

Parks and Recreation Commission

PARKS AND RECREATION COMMISSION REGULAR MEETING March 20, 2019, AT COMMUNITY CENTER

I. Meeting called to order at 7:00 p.m. by Patrick North.

II. Introductions:

Members present: Councilmember Regina Weiss, Patrick North, Juanita Bell, Mickey Alderman, Alexander Simpson, Diane Spiller, Beverly Wiggins, and Dwight Thomas

Members excused:

Members absent: Jim Weiskopf, Barb Weiskopf

Staff members present: Laurie Stasiak

Guests present: Lisa Vecchio

III. Approval of Agenda for March 20, 2019.

Motion by Alexander Simpson to ACCEPT.

Seconded by Dwight Thomas.

IV. Approval of minutes of Parks and Recreation Commission Meeting of February 20, 2019.

Motioned by Mickey Alderman to ACCEPT.

Seconded by Dwight Thomas.

Corrections: None

V. Special Guests - Training

Assistant City Clerk – Lisa Vecchio

Discussed Basics for Boards and Commission Members

VI. Council Comments - Regina Weiss

1. Council approved a grant submission to partially fund the Seneca Pocket Park

2. Council approved funding for sign at I-696

Motion by Alexander Simpson to RECEIVE REPORT.

VII. Recreation updates: Recreation Director, Laurie Stasiak

- Friday, March 22 is the "Swing into Spring" special needs dance at the Oak Park Community Center. *We will also ask for input & ideas for the pocket park at this event.*
- Sunday, May 5 will be the Tri-Community Coalition's Health and Wellness Fair, held at the Huntington Woods Community Center. Oak Park is partnering with Tri Community Coalition and Berkeley and Huntington Woods Parks and Recreation Departments.
- Spring Senior Tea will be on the 17th from 12:30-3:30, costing \$20. Tea cups, pots and saucer donations have been asked for. There will be a presentation by the DIA. Volunteers are needed for this event.

- “Swing into Summer” will be on June 14, for a fee of \$25/couple and \$13/single. There will be dancing and refreshments.
- Vendor information went out for FunFest and the Independence Day Parade. The day is packed with many community activities. The Youth Assistance pancake breakfast will continue to be held that morning from 9 am – 11 am. Kimmie Horne will perform at the band shelter from 1 – 3 pm.
- DNR grants will be submitted on April 1, Michigan Trust Fund and Land and Water Conservancy. Grants will partially fund three active nodes for the linear parks on Nine Mile Road, part of the Nine Mile redesign. The linear park will start at Scotia and end at Rosewood.
- Two community/public input meetings Friday, March 22 and Wednesday, March 27, 2019 vision boards/idea boards/sunflower craft to submit ideas, site maps and plans for possible ideas for amenities for each node.

VIII. New Business

- Mickey Alderman, Patrick North and Diane Spiller attended a sub-committee meeting for the intended “Boo-tification Awards,” a possible collaboration between Parks & Recreation, Beautification and Arts, Cultural and Diversity Commissions. Some suggestions were a dedicated Facebook page, as well as to present awards at Boo Bash. Members of this subcommittee will attend the Beautification Advisory Commission’s April 16 meeting to seek additional volunteers.
- Nominations for Grand Marshall (Independence Day Parade): a business and a resident. Grand Marshall recommendations, RealTeam Real Estate (staff who play hockey volunteered their time on the ice at WinterFest, sponsored other events Boo Bash, Winterfest, Fourth of July Parade, a real asset to the community), and Cheryl Weiss was recommended as the resident Grand Marshall. Another recommendation was Stephen Gold as resident Marshall.

Motion by Diane Spiller for Cheryl Weiss to be recommended for Grand Marshall and RealTeam as the Business Grand Marshall. Seconded by Mickey Alderman.

APPROVED.

Next step in process, to provide recommendations to the mayor for her approval.

IX. Announcements:

- World Dance Day is Monday, April 29 and will be held in the Oak Park High School auditorium, at 6:30 p.m.
- The State of the City Address is Wednesday, May 1 also at Oak Park High School.

Motion to ADJOURN meeting by Juanita Bell.

Seconded by Dwight Thomas.

Motion APPROVED.

Meeting ADJOURNED at 8:00 pm.

CITY OF OAK PARK
RECYCLING AND ENVIRONMENTAL CONSERVATION COMMISSION
February 21, 2019
MEETING MINUTES

The meeting was called to order at 7:09pm by Chairperson Lewis in the Meeting Room Two of the Oak Park Community Center located at 14300 Oak Park Blvd. Oak Park MI, 48237.

Roll call was made.

PRESENT: Chairperson Al Lewis, Commission Members: Clarissa Clemons, Denise Trombly, Richard Readus, Roselyn McKay, and Public Works Liaison David DeCoster

ABSENT: Mayor Pro-Tem Solomon Radner, Co-Chair Carolyn Davis, Commission Members: Steven Gold, Paul Bannon, and Nynier Brown,

ALSO PRESENT: Residents: Doris Applebaum, Meghan Oesterle, and David Gallagher

1. READING AND APPROVAL OF MINUTES:

Moved by Clarissa Clemons, seconded by Richard Readus to approve the minutes of December 20, 2018.

Vote: Yes All
No None

MOTION DECLARED ADOPTED

2. CONSIDERATION OF OLD BUSINESS

A. A SOCRRA update was provided

- Tonnage Reports discussed. Recycling was down and solid waste was up when comparing January 2019 v. January 2018. It will be interesting to see if this continued or if this was an anomaly due to the cold weather.
- A tour of the SOCRRA facility was discussed.

B. An update was provided regarding a promotion to be placed in the spring 2019 City Magazine. Potential topic to include: Commission events, waste wizard, benefits of recycling, and leaf pick up dates.

C. Chairperson Lewis and Co-Chair Carolyn Davis attended a recycling meeting at the Prentis Apartments. The meeting was well received and may lead to more meeting in the future.

3. NEW BUSINESS

CITY OF OAK PARK
RECYCLING AND ENVIRONMENTAL CONSERVATION COMMISSION
February 21, 2019
MEETING MINUTES

- A. Commissioner Trombly provided samples of marigold seed packs that she has committed to making for the Healthy Lawn Seminar in 2019. She also asked for some assistance to put together the packets after the meeting.
- B. It was determined that the Healthy Lawn Seminar is the day before our next meeting. It was brought up that we should reschedule our April meeting to coincide with the Healthy Lawn Seminar.
- C. Motion by Roselyn McKay, seconded by Denise Trombly to reschedule the April 18, 2019 regularly scheduled meeting to April 17, 2019 to coincide with the Healthy Lawn Seminar.

Vote: Yes All
 No None

MOTION DECLARED ADOPTED

- D. An informational packet on the Mayors' Monarch Pledge. It listed action items that would need to be done if the city wants to participate.
- E. We discussed the promotion of the following:
- Business Recycling
 - Waste Wizard
 - DTE and Consumer's Energy's free household energy audits
 - Plastic bag recycling at City Hall
 - Solar Energy
 - Plastic v. paper straws

4. ADJOURNMENT

Moved by Richard Readus, seconded by Clarissa Clemons to adjourn the meeting.

Vote: Yes: All

No: None

Chairperson Lewis adjourned the meeting at 8:05pm.

**CITY OF OAK PARK
COURT MANAGEMENT COUNCIL
THURSDAY, SEPTEMBER 27, 2018
MINUTES**

Meeting was called to order at 10:30 a.m., in the Executive Conference Room, Oak Park City Hall, 14000 Oak Park Blvd, Oak Park, MI, by Chairperson Tungate and roll call was made.

PRESENT: City Manager Breuckman
City Manager Tungate
City Manager Sullivan
Board Member Crawford

ABSENT: Judge Friedman-Appel

OTHERS PRESENT: Deputy City Clerk, Lisa Vecchio
Director of Special Projects Crystal McLain
Assistant City Manager Kevin Yee

3. APPROVAL OF AGENDA OF SEPTEMBER 27, 2018:

MOTION by Sullivan, SECONDED by Breuckman, to approve the agenda of September 27, 2018.

VOTE: Yes: All
No: None

MOTION CARRIED

4. APPROVAL OF THE MINUTES OF APRIL 19, 2018:

MOTION by Crawford, SECONDED by Sullivan, to approve the minutes of April 19, 2018 with one amendment.

VOTE: Yes: All
No: None

MOTION CARRIED

5. COURT MANAGEMENT COUNCIL MATTERS FOR DISCUSSION:

a. COURT ATTORNEY COMMUNICATION

Chairperson Tungate presented the CMC with communication from the 45th District Court's attorney stating legal opposition to the formation and participation in the CMC.

b. TELEPHONE INTERVIEWS OF RFQ SUBMISSIONS

Telephone interviews were conducted with Gov HR and Plante Moran.

The Council determined that they would work on narrowing the scope of the request, then bring in or conduct a second call with Gov HR and Plante Moran.

c. COURT RENOVATION UPDATE

Assistant City Manager Yee updated that the renovation will be bid out in November and plan to start work immediately. They plan on removing the second floor of the building and expanding the first floor, with a judge's suite. Courtroom 1 will be completely renovated and HVAC will be replaced. The budget for the project is \$1.2 million.

d. NEXT CMC MEETING

Next meeting date was not set. The CMC will call a meeting at a date to be determined.

6. **PUBLIC COMMENT:** There were no members of the public present.

7. **COURT MANAGEMENT COUNCIL MEMBER COMMENT**

8. **ADJOURNMENT:**

MOTION by Breuckman, SECONDED by Sullivan, to adjourn the meeting. Chairperson Tungate adjourned the meeting at 12:14 a.m.

Lisa Vecchio, Deputy City Clerk



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

AGENDA #

SUBJECT: The Department of Technical and Planning is requesting authorization to receive sealed bids for the PY 2018 Senior Yard Service Program, M-702.

DEPARTMENT: Technical & Planning – RMB

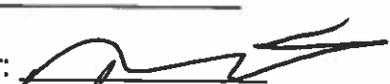
SUMMARY: Specifications are nearly complete for the Program Year 2018 Yard Services. This program provides low income seniors assistance in lawn mowing, snow removal and yard waste clean-up.

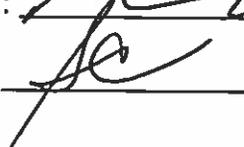
FINANCIAL STATEMENT: The Senior Yard Service Program is funded through the Community Development Block Grant, CDBG. \$30,000 has been allocated for program year 2018.

RECOMMENDED ACTION: It is recommended that the request to advertise for bids for Program Year 2018 Yard Services, M-702, be approved. Funding is available in the CDBG fund for this expenditure.

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: 

Budgeted:

Legal: N/A

EXHIBITS: none



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019 **AGENDA #**

SUBJECT: Proposed Change Order no. 1 and Payment Application no. 6 (final) for the 2017 Water Main Replacement Project, M-649.

DEPARTMENT: Technical & Planning – Engineering GWS

SUMMARY: Attached are Proposed Change Order no. 1 and Payment Application No. 6 (final) for the 2017 Water Main Replacement Project, M-649. This project replaced water mains on Kipling Ave. between Nine Mile Road and Kenwood Avenue, on Harding Avenue from Nine Mile Road to Pearson, and on Labelle from Coolidge to just West of Kipling, as shown on the attached map. The Proposed Change Order is a reduction due to final constructed measurements. The project is now 100% complete.

<u>FINANCIAL STATEMENT:</u>	Original Contract Amount:	\$ 766,998.00
	Proposed Change Order no. 1:	<u>(\$ 10,106.89)</u>
	New Contract Amount:	\$756,571.11
	Total Completed to Date:	\$ 756,571.11
	Less Retainage:	\$ 0.00
	Net Earned:	\$ 756,571.11
	Deductions:	\$ 0.00
	Balance:	\$ 756,571.11
	Payments to Date:	<u>\$ 678,172.07</u>
	Amount Due Aielli Construction Co., Inc.:	\$ 78,399.04

RECOMMENDED ACTION: It is recommended that Change Order no. 1 for the 2017 Water Main Replacement Project, M-649, to Aielli Construction Co., Inc. be approved for the amount of (\$10,106.89). It is further recommended that Payment Application no. 6 for the same be approved in the amount of \$78,399.04. Funding is available in the Water & Sewer Fund no. 592-18-538-970 for this project.

APPROVALS:
 City Manager: _____ Department Director: _____

Director of Finance: _____

Budgeted:

EXHIBITS: Change Order no. 1 and Payment Application no. 6 (final)

CHANGE ORDER

PROJECT:	2017 Water Main Replacement Project	JOB NUMBER:	M-649
OWNER:	City of Oak Park, Michigan	CHANGE ORDER NO.:	1
CONTRACTOR:	Aielli Construction Co. Inc. 47850 Van Dyke Shelby Twp., MI 48317	PAGE:	1 OF 1

TO THE CONTRACTOR:

You are hereby directed to comply with the changes/extras to the contract documents.

This change order reflects work completed or anticipated. Documentation supporting these changes is on file with the City Engineer.

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE SUBTRACTED FROM THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Decreased Quantity	Quantity to Date	Decreased Amount
4	Water Main D.I CL 54 8 Inch Trench Detail "B" Modified	3,745	LFT	\$70.00	-37.31	3,707.69	-\$2,611.70
12	Remove & Replace Short Side Service Curb Box 1.5 inch to 2 Inch	10	EACH	\$290.00	-5.00	5.00	-\$1,450.00
13	Service Transfers (long and short side) 3/4" to 1"	108	EACH	\$700.00	-18.00	90.00	-\$12,600.00
15	3/4" to 1" Diameter Type K Copper	425	LFT	\$10.50	-183.00	242.00	-\$1,921.50
16	1.5" to 2" Diameter Type K Copper	50	LFT	\$20.00	-40.75	9.25	-\$815.00
19	Abandon Existing Water Main - Ithaca Ave.	1	LSUM	\$5,800.00	-1.00	0.00	-\$5,800.00
25	Underdrain Subgrade, Open Graded 6" Modified SP	100	LFT	\$10.00	-91.00	9.00	-\$910.00
28	Drainage Structure Cover	4,180	LBS	\$1.35	-1,140.00	3,040.00	-\$1,539.00
29	Salvage Sign, Modified SP	14	EACH	\$50.00	-11.00	3.00	-\$550.00
30	Erosion Control, Inlet Filter, fabric Drop, Modified SP	27	EACH	\$80.00	-15.00	12.00	-\$1,200.00
31	Maintenance Gravel, Modified SP	1,100	TON	\$19.00	-120.00	980.00	-\$2,280.00
36	Inspection Crew Days, Modified SP	\$63	DAY	320.00	-63.00	0.00	-\$20,160.00

Totals: (\$51,837.20)

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE ADDED TO THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	Increased Amount
3	Pavement Removal, Modified SP	3,205	SYD	\$7.50	128.32	3,333.32	\$962.40
11	Remove & Replace Short Side Service Curb Box 3/4 inch to 1 Inch	41	EACH	\$215.00	4.00	45.00	\$860.00
14	Service Transfers (long and short side) 1.5" to 2"	10	EACH	\$1,250.00	2.00	12.00	\$2,500.00
20	Conc. Pavt. With Integral Curb Non-Reinforced, 8" Modified SP	185	SYD	\$66.00	167.37	352.37	\$11,046.42
21	Sidewalk Conc. Non-Reinforced 6" Conc. Sidewalk/Drive Approach	9,650	SFT	\$4.90	302.69	9,952.69	\$1,483.18
22	Sidewalk Conc. Non-Reinforced 4" Conc. Sidewalk/Driveway	17,300	SFT	\$3.75	890.62	18,190.62	\$3,339.83
23	Aggregate base under concrete (6" 21AA Crush Limestone)	160	SYD	\$6.00	45.94	205.94	\$275.64
24	Cast in place Detectable/Tactile Warning Surface	142	SFT	\$25.00	25.00	167.00	\$625.00
26	Class A Sodding, Modified SP	3,810	SYD	\$7.00	94.10	3,904.10	\$658.70
27	Adjusting Drainage Structure Cover Case 1, Modified SP	1	EACH	\$500.00	1.00	1.00	\$500.00
32	Crossing Existing Water Mains, Sewers, and Sewer Leads	7	EACH	\$250.00	5.00	12.00	\$1,250.00
33	Unidentified Irrigation System Repairs - Sprinkler Lines	100	LFT	\$3.00	300.00	400.00	\$900.00
34	Unidentified Irrigation System Repairs - Sprinkler Heads	30	EACH	\$50.00	7.00	37.00	\$350.00
39	Extras: See letter detailing all extras requested and approved.	0	LSUM	\$16,979.14	1.00	16,979.14	\$16,979.14
						Totals:	\$41,730.31

SUMMARY

Total Increase	\$41,730.31
Total Decrease	(\$51,837.20)
Total Amount for Change Order No. 1:	(\$10,106.89)

Alelli Construction Company, Inc Date

Original Contract Amount:	\$766,678.00
Change Order No. 1:	(\$10,106.89)
New Contract Amount	\$756,571.11

Robert Barrett, Director of Technical & Planning Services Date

PAYMENT APPLICATION

PROJECT: 2017 Water Main Replacement Project
OWNER: City of Oak Park, Michigan
CONTRACTOR: Aielli Construction Co. Inc.
 47850 Van Dyke
 Shelby Twp., MI 48317

JOB NUMBER: M-649
APPLICATION NO.: 6(FINAL)
PERIOD ENDING: 4/29/19
PAGE: 1 of 2

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Period Quantity	Period Amount	Quantity To Date	Amount To Date
1	Mobilization, Max 5%	1	LSUM	\$15,000.00	0.00	\$0.00	1.00	\$15,000.00
2	Minor Traffic Device, Modified SP	1	LSUM	\$4,500.00	0.00	\$0.00	1.00	\$4,500.00
3	Pavement Removal, Modified SP	3,205	SYD	\$7.50	0.00	\$0.00	3,333.32	\$24,999.90
4	Water Main 8" Ductile Iron, Class 54, Trench Detail B, Modified SP	3,745	LFT	\$70.00	0.00	\$0.00	3,707.69	\$259,538.30
5	Install Fire Hydrant, EJIW 5BR-250	12	EACH	\$3,600.00	0.00	\$0.00	12.00	\$43,200.00
6	Kipling Water Main Connection "A" @ Kipling Ave./Kenwood Ave. Intersection	1	LSUM	\$9,500.00	0.00	\$0.00	1.00	\$9,500.00
7	Kipling Water Main Connection "B" @ Kipling Ave./Nine Mile Rd. Intersection	1	LSUM	\$6,100.00	0.00	\$0.00	1.00	\$6,100.00
8	Harding Water Main Connection "A" @ Harding Ave./Nine Mile Rd. Intersection	1	LSUM	\$20,000.00	0.00	\$0.00	1.00	\$20,000.00
9	Harding Water Main Connection "B" @ Harding Ave./Pearson Intersection	1	LSUM	\$6,250.00	0.00	\$0.00	1.00	\$6,250.00
10	Install 8" Gate Valve and Well	10	EACH	\$3,400.00	0.00	\$0.00	10.00	\$34,000.00
11	Remove/Replace Short Side Service Curb Stop Box 3/4" to 1"	41	EACH	\$215.00	0.00	\$0.00	45.00	\$9,675.00
12	Remove/Replace Short Side Service Curb Stop Box 1.5" to 2"	10	EACH	\$290.00	0.00	\$0.00	5.00	\$1,450.00
13	Service Transfer (long and short side) 3/4" to 1"	108	EACH	\$700.00	0.00	\$0.00	90.00	\$63,000.00
14	Service Transfer (long and short side) 1.5" to 2"	10	EACH	\$1,250.00	0.00	\$0.00	12.00	\$15,000.00
15	3/4" to 1" Type K Copper	425	LFT	\$10.50	0.00	\$0.00	242.00	\$2,541.00
16	1.5" to 2" Type K Copper	50	LFT	\$20.00	0.00	\$0.00	9.25	\$185.00
17	Remove Existing Fire Hydrant	8	EACH	\$350.00	0.00	\$0.00	8.00	\$2,800.00
18	Remove Existing Gate Valve and Well	6	EACH	\$400.00	1.00	\$400.00	6.00	\$2,400.00
19	Abandon Existing Water Mains Harding and Kipling Ave.	1	LSUM	\$5,800.00	0.00	\$0.00	0.00	\$0.00
20	Conc. Pavement With Integral curb and gutter, Non-Reinf. 8", Modified SP	185	SYD	\$66.00	0.00	\$0.00	352.37	\$23,256.42
21	Sidewalk Conc. Non-Reinforced 6" Conc. Sidewalk/Drive Approach, Modified SP	9,650	SFT	\$4.90	0.00	\$0.00	9,952.69	\$48,768.18
22	Sidewalk Conc. Non-Reinforced 4" Conc. Sidewalk/Driveway, Modified SP	17,300	SFT	\$3.75	0.00	\$0.00	18,190.62	\$68,214.83
23	Aggregate Base Under Concrete (6" 21AA Crush Limestone)	160	SYD	\$6.00	0.00	\$0.00	205.94	\$1,235.64
24	Cast In Place Delectable/ Tactile Warning Surface.	142	SFT	\$25.00	0.00	\$0.00	167.00	\$4,175.00
25	Underdrain Subgrade, Open Graded 6", Modified SP	100	LFT	\$10.00	0.00	\$0.00	9.00	\$90.00
26	Class A Sodding, Modified SP	3,810	SYD	\$7.00	0.00	\$0.00	3,904.10	\$27,328.70
27	Adjusting Drainage Structure Cover, Case 1, Modified SP	1	EACH	\$500.00	2.00	\$1,000.00	2.00	\$1,000.00
28	Drainage Structure Cover	4,180	LBS	\$1.35	0.00	\$0.00	3,040.00	\$4,104.00
29	Salvage Sign, Modified SP	14	EACH	\$50.00	0.00	\$0.00	3.00	\$150.00
30	Erosion Control, Inlet Filter, Fabric Drop, Modified SP	27	EACH	\$80.00	0.00	\$0.00	12.00	\$960.00
31	Maintenance Gravel, Modified SP	1,100	TON	\$19.00	980.00	\$18,620.00	980.00	\$18,620.00
32	Crossing Existing Water Mains, Sewers	7	EACH	\$250.00	0.00	\$0.00	12.00	\$3,000.00
33	Unidentified Irrigation System Repairs - Sprinkler Lines	100	LFT	\$3.00	400.00	\$1,200.00	400.00	\$1,200.00
34	Unidentified Irrigation System Repairs - Sprinkler Heads	30	EACH	\$50.00	37.00	\$1,850.00	37.00	\$1,850.00
35	Project Cleanup	1	LSUM	7,500.00	0.00	\$0.00	1.00	\$7,500.00
36	Inspection Crew Days, Modified SP	\$320.00	DAY	63.00	0.00	\$0.00	70.25	\$0.00
37	Labelle Water Main Connection "A" @ Labelle Ave./Coolidge Hwy. Intersection	1	LSUM	\$5,500.00	0.00	\$0.00	1.00	\$5,500.00
38	Labelle Water Main Connection "B" @ Labelle Ave./Labelle ave. west of Kipling	1	LSUM	\$2,500.00	0.00	\$0.00	1.00	\$2,500.00
39	Extras : See extra repsonse letter	0	LSUM	\$16,979.14	1.00	\$16,979.14	1.00	\$16,979.14

\$40,049.14

\$756,571.11

PROJECT: 2017 Water Main Replacement Project
OWNER: City of Oak Park, Michigan
CONTRACTOR: Aielli Construction Co. Inc.
47850 Van Dyke
Shelby Twp., MI 48317

JOB NUMBER: M-649
APPLICATION NO.: 6
PERIOD ENDING: 11/9/18
PAGE: 2 of 2

Original Contract Amount: \$766,678.00
Proposed Change Order #1: (\$10,106.89)
New Contract Amount: \$756,571.11

Earnings This Period: \$40,049.14
Total Earnings to Date: \$756,571.11
Less Retainage: \$0.00
Net Earned: \$756,571.11
Deductions: \$0.00
Balance: \$756,571.11
Payments to Date: \$678,172.07

Amount Due: \$78,399.04

Accepted By: _____
Aielli Construction Co. Inc.

Date: _____

Gerrajh Surles, Assistant City Engineer
City of Oak Park, Michigan

Date: _____

MERCHANT'S LICENSES - MAY 6TH, 2019

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
R&G WHOLESALE	8625 CAPITAL	\$150.00	WAREHOUSE
PRETTY COLLAB	22115 CAPITAL	\$150.00	BEAUTY SERVICES/RETAIL
QC PHARMACY	24651 COOLIDGE	\$150.00	PHARMACY
LAVISH LOCKS OF LOVE HAIR BOUTIQUE	21900 GREENFIELD 207	\$150.00	HAIR AND CLOTHING BOUTIQUE
OAK PARK MAX CARE PHYSICAL THERAPY	12702 NINE MILE	\$150.00	PHYSICAL THERAPY CLINIC
RENEWALS	ADDRESS	FEES	BUSINESS TYPE
UNITED REFRIGERATION	12811 CAPITAL	\$150.00	HVAC/R WHOLESALER
LIFE LINE NATION	13240 CAPITAL A	\$187.50	AUDIO, VIDEO, PRODUCTION AND CONSULTING
CLOVERDALE EQUIPMENT	13133 CLOVERDALE	\$150.00	CONSTRUCTION EQUIPMENT RENTAL AND DISTRIBUTION
NEW NORTHEMEND MARKET	21601 COOLIDGE	\$150.00	LIQUOR STORE
ANNIEWRAP & FLOWERS	22171 COOLIDGE	\$225.00	FLORAL SHOP
MARCUS WEAR AND TAILOR	24709 COOLIDGE	\$187.50	CLOTHING ALTERATIONS/RETAIL
MAJOR DEALS	24721 COOLIDGE	\$187.50	RESALE SHOP
STAR BAKERY	26031 COOLIDGE	\$150.00	ARTISAN BAKING
PENNZOIL 10 MINUTE	13601 ELEVEN MILE	\$225.00	OIL CHANGE
SYNERGY REHAB	13631 ELEVEN MILE	\$187.50	OUTPATIENT PHYSICAL THERAPY
FINE FURNITURE RESTORATION	13751 ELEVEN MILE	\$150.00	FURNITURE RESTORATION
PLASKEY PAINTERS	14669 ELEVEN MILE	\$187.50	PAINTING SERVICES
BOUNCING ALL AROUND	15391 ELEVEN MILE	\$225.00	PARTY RENTALS
DAVE'S GOURMET	15280 LINCOLN	\$225.00	GOURMET KOSHER FOOD
SUDS OF MICHIGAN	10840 NINE MILE	\$225.00	LAUNDRY MAT
LITTLE BEARS LEARNING CENTER	13391 NINE MILE	\$187.50	DAYCARE
WALGREENS	13550 NINE MILE	\$225.00	STORE/PHARMACY
MOTOWN BODY OILS	13807 NINE MILE	\$225.00	COSMETICS/HEALTH/BEAUTY SUPPLIES
DALLAS DESIGNS SALON	13831 NINE MILE	\$150.00	HAIR SALON
THE GLAM BOX	15411 NINE MILE	\$187.50	HAIR/NAIL SALON
SALON SAGA STUDIOS	10450 NINE MILE A	\$225.00	HAIR/NAIL SALON
SHERWIN WILLIAMS	13101 NORTHEMEND	\$150.00	PAINT SUPPLIER
MABUL SERVICES	21721 REPUBLIC	\$150.00	EMERGENCY MITIGATION - FIRE, WATER, MOLD CONTENTS
GREAT EXPRESSIONS DENTAL CENTER	13231 TEN MILE	\$225.00	DENTAL CENTER



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

SUBJECT: Public Hearing for Special Assessment Districts #681, #682, #683, and #684 and resolutions confirming the rolls, setting due dates and penalties.

DEPARTMENT: Finance/Treasury

SUMMARY: At the council meeting of April 15, 2019, City Council adopted Special Assessment Resolution No. 8, establishing May 6, 2019, as the date for the public hearing on the rolls of Special Assessment Districts #681- Delinquent Utilities; #682 - Miscellaneous Concrete Replacement, #683 - Property Blight and #684 - Sidewalk Replacement

FINANCIAL STATEMENT: None

RECOMMENDED ACTION: To adopt Special Assessment Resolution No. 9 to confirm the rolls, and Special Assessment Resolution No. 10, setting the due date of June 14, 2019, together with penalty of ten percent (10%) for Special Assessment Districts #681 - Delinquent Utilities; #682 - Miscellaneous Concrete Replacement, #683 - Property Blight and #684 - Sidewalk Replacement

APPROVALS:

City Manager: _____
Department Director: _____
Director of Finance: _____
Budgeted:

Legal: _____

EXHIBITS:

**CITY OF OAK PARK
MICHIGAN**

SPECIAL ASSESSMENT RESOLUTION NO. 9

Meeting of the City Council May 6, 2019: The Mayor announced that this was the time set to review the Special Assessment Rolls as prepared and revised by the City Assessor for expenses incurred on private premises for Districts #681 - Delinquent Utilities; #682 - Miscellaneous Concrete Replacement, #683 - Property Blight and #684 - Sidewalk Replacement

The Clerk announced that the following written objections had been filed:

Objections were received at the public hearing as follows:

The following exceptions were made to Special Assessment Rolls:

The following resolution was offered by _____, and supported by _____:

BE IT RESOLVED that Special Assessment Rolls #681, #682, #683, and #684, as prepared and revised by the City Assessor, are hereby confirmed.

ROLL CALL VOTE: Yes:
 No:
 Absent:

MOTION DECLARED ADOPTED

STATE OF MICHIGAN)
) §
COUNTY OF OAKLAND)

I, the undersigned duly qualified Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a Regular Meeting of the Council of said City held on May 6, 2019, insofar as said proceedings relate to the Special Assessment Districts as described in the foregoing, the original of which proceedings is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 6th day of May, 2019.

T. Edwin Norris, City Clerk

**CITY OF OAK PARK
MICHIGAN**

SPECIAL ASSESSMENT RESOLUTION NO. 10

At a Regular Meeting of the City Council of the City of Oak Park, held the 6th day of May, 2019, at 7:00 P.M., at the City Hall, 14000 Oak Park Boulevard, in said City.

PRESENT:

ABSENT:

The following preamble and resolution was offered by _____, and supported by _____:

WHEREAS, by resolution adopted May 6, 2019, Special Assessment Rolls #681, #682, #683, and #684 were confirmed by City Council.

NOW, THEREFORE, BE IT RESOLVED THAT: Said Special Assessment Rolls shall be due in one (1) installment payable on June 14, 2019, in full, together with penalty of ten percent (10%).

BE IT FURTHER RESOLVED THAT: An unpaid installment of said Special Assessment Roll shall bear penalty at an annual rate of five percent (5%) after due date June14, 2019.

ROLL CALL VOTE: Yes:
 No:
 Absent:

MOTION DECLARED ADOPTED

STATE OF MICHIGAN)
)§
COUNTY OF OAKLAND)

I, the undersigned duly qualified Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a Regular Meeting of the Council of said City held on May 6, 2019, insofar as said proceedings relate to the Special Assessment District as described in the foregoing, the original of which proceedings is on file in my office.

IN WITNESS WHEREOF I have hereunto set my official signature the 6th day of May, 2019.

T. Edwin Norris, City Clerk

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991**Invoice 512385****April 15, 2019**Erik Tungate
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48327*Re: In Re: City of Oak Park**Client 7406
Matter 1***Statement for City Attorney Legal Services**

For Legal Services Rendered Through Sunday, March 31, 2019

\$12,083.34**Fee Total****Total Costs Advanced****\$0.00****Total Fees and Disbursements: \$12,083.34**

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 512386

April 15, 2019

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

*Re: Judy Kish and Joyce Bannon, et al v City of
Oak Park*

*Client 7406
Matter 31*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, March 31, 2019

\$717.50

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$717.50

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 512387

April 15, 2019

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

Re: Hanover Insurance Group v. City Of Oak Park

*Client 7406
Matter 40*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, March 31, 2019

\$98.00

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$98.00

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 512388

April 15, 2019

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

Re: Aaron G. Pergament v City of Oak Park

*Client 7406
Matter 41*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, March 31, 2019

\$56.00

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$56.00

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 512389

April 15, 2019

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

*Re: Oak Park Crown Pointe, LLC v City of Oak
Park*

*Client 7406
Matter 42*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, March 31, 2019

\$2,646.00

Fee Total

Costs Advanced:

Date	Description	Amount
03/01/19	Electronic Filing Fee via MiFile - Motion to Extend	103.00
03/28/19	Electronic Filing Fee via MiFile - Appellee Oak Park's Motion to Strike Exhibits	103.00
	Total Costs Advanced	\$206.00

Total Fees and Disbursements: \$2,852.00

**GARAN
LUCOW
MILLER P.C.**

GREAT LAKES LAW FIRM SERVING CLIENTS NATIONALLY

1155 Brewery Park Blvd, Ste 200
Detroit, Michigan 48207
313-446-1530
Tax I.D. 38-1879991

Invoice 512390

April 15, 2019

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

Re: Burton R. Shifman v City of Oak Park

*Client 7406
Matter 43*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Sunday, March 31, 2019

\$84.00

Fee Total

Total Costs Advanced

\$0.00

Total Fees and Disbursements: \$84.00

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,
Please indicate our invoice number and client/matter number on your remittance.*

[Proposed 5-6-2019]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
AMENDMENT TO SECTIONS 50-301 and 50-302
OF CHAPTER 50, ARTICLE VI, DIVISION 3 OF THE CODE OF ORDINANCES**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Monday, May 6, 2019 at 7:00 pm.

Present:

Absent:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, on December 28, 2018, then-Governor Richard Snyder approved House Bills 5839, 5940, and 5941, tie-barred legislation amending the Michigan Fireworks Safety Act, MCL 28.451, et seq., allowing municipalities to reduce the number of days and hours that a person may ignite, discharge, or use consumer fireworks.

WHEREAS, an amendment to Sections 50-301 and 50-302 of the Ordinances is necessary to ensure consistency with statutory amendments, allowing the City to limit the use of fireworks to a total of 14 hours on New Year's Eve and New Year's Day; to approximately 12 hours on the Saturday and Sunday before Memorial Day; to approximately 12 hours on each of the five days leading up to the Fourth of July; to approximately 12 hours on the Fourth of July; to approximately 12 hours on July 5 (if that day is a Friday or a Saturday); and to approximately twelve hours on the Saturday and on the Sunday before Labor Day. In addition, the maximum penalty for a violation of the ordinance imposing these restrictions increased to \$1,000, with a minimum of \$500 of each fine to be allocated towards the Public Safety Department.

WHEREAS, the proposed amendments are consistent with the amendments to the Michigan Fireworks Safety Act, MCL 28.451, et seq. and would prohibit the use of consumer fireworks to the fullest extent permitted under the Act.

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

1. The first reading of the proposed revision of Section 50-301 is hereby approved in substantially the form attached hereto.
2. The first reading of proposed new Section 50-302 is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,

No,
Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated: May 6, 2019

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO.

**AN ORDINANCE TO AMEND SECTIONS 50-301 AND 50-302
OF CHAPTER 50, ARTICLE VI, DIVISION 3, FIREWORKS,
OF THE CODE OF ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. **Ordinance-** Section 50-301.- Definitions, of Article VI, Offenses Against Public Safety. Division 3-Fireworks, Chapter 50, Offenses and Miscellaneous Provisions, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Section 50-301.- Definitions.

[The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Articles Pyrotechnic means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

Consumer *fireworks* means *fireworks* devices that are designed to produce visible efforts by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer *fireworks* do not include low-impact *fireworks*.

Display *fireworks* means large *fireworks* devices that are explosive materials intended for use in *fireworks* displays and designed to produce visible or audible

effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, [4.1](#).

Firework or *fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designated for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. *Fireworks* consist of consumer *fireworks*, low-impact *fireworks*, articles pyrotechnic, display *fireworks*, and special effects.

Low-impact *fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, [3.1](#), 3.1.1.1 to 3.1.1.8, and [3.5](#).

National Holiday means the following legal public holidays:

- (1). New Year's Day, January 1.
- (2). Birthday of Martin Luther King, Jr., the third Monday in January.
- (3). Washington's Birthday, the third Monday in February.
- (4). Memorial Day, the last Monday in May.
- (5). Independence Day, July 4.
- (6). Labor Day, the first Monday in September.
- (7). Columbus Day, the second Monday in October.
- (8). Veteran's Day, November 11.
- (9). Thanksgiving Day, the fourth Thursday in November.
- (10). Christmas Day, December 25.

Novelties means that term as defined under APA standard 87-1, [3.2](#), 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

- (1) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cup.

(2) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.

(3) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.

(4) Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.

Ordinance- Section 50-302, Prohibition on use of consumer fireworks, of Article VI, Offenses Against Public Safety, Division 3.- Fireworks, Chapter 50, Offenses and Miscellaneous Provisions of the Code of Ordinances, City of Oak Park., is hereby amended to read as follows:

Section 50-302. - Prohibition on use of consumer *fireworks*.

No person shall ignite, discharge or use consumer *fireworks* within the city at any time, except that:

- 1) Consumer fireworks may be discharged between the hours of 8:00 a.m. and 12:00 a.m. midnight only on the day before, the day of, and the day after, a National Holiday, except on New Year's day when consumer fireworks may also be discharged between the hours of 12:00 a.m. midnight and 1:00 a.m.
- 2) This section shall not apply to low-impact fireworks.
- 3) This article may be enforced by public safety, and sworn law enforcement officers,
- 4) A violation of this section is a municipal civil infraction, punishable by a civil fine of not more than \$1,000.00 for each violation. A minimum of \$500.00 from the remittance of each civil fine shall be remitted to the Department of Public Safety for the City of Oak Park in accordance with MCL 28.457(3).

SECTION 2. **Savings Clause-** All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. **Severability-** No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 4. **Effective Date-** This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 6th day of May, 2019.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, **T. EDWIN NORRIS**, duly authorized Clerk of the City of Oak Park, Michigan do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on

T. EDWIN NORRIS, City Clerk

[Proposed 5-6-2019]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
REPEAL OF CHAPTER 22, ARTICLE VIII, DIVISIONS 1-5 OF THE CODE OF
ORDINANCES**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Monday, May 6, 2019 at 7:00 pm.

Present:

Absent:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, on March 21, 2017, Public Act 345 of 2016 was signed into law and went into effect, prohibiting a local unit of government from imposing a tax or fee upon, or requiring a license for a taxicab company or a Transportation Network Company such as Uber or Lyft.

WHEREAS, based on the passage of PA 345 of 2016, the City of Oak Park’s ordinance is now inconsistent with State statute and must be repealed. The proposed amendment repeals Article VIII of Chapter 22, Divisions 1 through 5 entitled “Vehicles for Hire.”

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

- 1. The first reading of the proposed repeal of Article VIII, Sections 22-286 through 22-368, is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
No,
Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated: May 6, 2019

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO.

**AN ORDINANCE TO REPEAL OF SECTIONS 22-286 THROUGH 22-368,
CHAPTER 22, ARTICLE VIII, DIVISIONS 1-5 OF THE CODE
OF ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. **Ordinance-** Sections 22-286 through 22-368, Article VIII, Vehicles for Hire. Divisions 1 through 5, Chapter 22, Businesses, of the Code of Ordinances, City of Oak Park, is hereby amended to repeal Article VIII in its entirety and read as follows:

DIVISION 1. - GENERALLY

~~Sec. 22-286. - Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Motor vehicle for hire means a motor vehicle not equipped with a taximeter designed to carry seven or less persons for public hire at an hourly rate.~~

~~Taxicab means a motor vehicle designed for transportation of seven or less persons for hire upon a trip or mileage basis.~~

~~(Code 1973, § 43-1)~~

~~Cross reference - Definitions generally, § 1-2.~~

~~Sec. 22-287. - Reports to city manager.~~

~~The city manager may require periodic reports to be submitted by operators and drivers of taxicabs and motor vehicles for hire in order to assist in the enforcement of rules and regulations or the terms of this article.~~

~~(Code 1973, § 43-2)~~

~~State Law reference—Powers of city relative to vehicles for hire, MCL 88.18, MSA 5.1740.~~

~~Sec. 22-288.—Chapter 22 applicable.~~

~~The provisions of chapter 22 of this Code, insofar as the same may be applicable and not in conflict, shall apply to and govern the issuance of any license under the provisions of this article.~~

~~(Code 1973, § 43-3)~~

~~Secs. 22-289—22-300.—Reserved.~~

~~DIVISION 2.—TAXICABS~~

~~Sec. 22-301.—Rates.~~

~~The maximum fares and charges for the use of *taxicabs* shall be determined by resolution of the city council at a regular meeting. All *taxicab* licensees shall be notified of any such hearing by mail. The term "waiting time," as used in any schedule of maximum rates and charges, shall include the time when the *taxicab* is not in motion, beginning with the arrival at the place to which it has been called, or the time consumed while standing at the direction of any passenger, but shall not include time lost because of inefficiency of the *taxicab* or its operator, or time consumed by premature responses to a call or by traffic delays.~~

~~(Code 1973, § 43-14)~~

~~Sec. 22-302.—License—Required.~~

~~No person shall engage in the business of operating or causing to be operated, any *taxicab* upon the streets, alleys or public ways of the city without first having obtained a license for each such *taxicab*. Picking up passengers within the city shall be deemed engaging in the *taxicab* business, but discharging passengers in the city when the trip originated from a point outside the city, shall not be so construed.~~

~~(Code 1973, § 43-20)~~

~~Sec. 22-303.—Same—Certification; approval.~~

~~No license shall be granted under the provisions of this division except upon certification of the director of public safety and upon approval of the city council.~~

~~(Code 1973, § 43-21)~~

~~Sec. 22-304.—Taximeters.~~

~~(a) No license shall be issued until a taximeter has been installed in the *taxicab* to be licensed and such taximeter has been inspected to verify that:~~

~~(1) Proof is provided of the meter's annual calibration and sealing; and~~

~~(2) The case thereof is sealed and the cover and gear thereof are intact.~~

~~(b) A service fee as determined by the city council from time to time shall be charged for each inspection.~~

~~(c) No person shall remove or tamper with the seal of any taximeter. No person shall engage in business with any *taxicab* when the taximeter affixed thereto is not in proper working order or the seal of the taximeter is broken or has been tampered with.~~

~~(d) Every taximeter shall be so affixed that the amount of the fare is plainly visible to the passengers, and, after sundown, such taximeter shall be clearly illuminated. Upon any rate change made pursuant to this article, every taximeter shall be reinspected and tested and approved. No such rate change shall be effective as to any *taxicab* until approval and resealing of the taximeter of such *taxicab* by the director of public safety.~~

~~(Code 1973, § 43-22)~~

~~Sec. 22-305. — Consideration of council of public necessity and convenience upon application for license.~~

~~Upon application made for any new *taxicab* license, as distinguished from any renewal thereof, the city council shall first consider the question of whether public convenience and necessity require the operation of such *taxicab*. The council shall consider the number of *taxicabs* operating in the city and whether the demands of the public require additional *taxicab* service; traffic conditions on the streets of the city and whether the additional *taxicab* service will result in a greater hazard to the public and such other relative facts as the council may deem advisable. The judgment of the council on the question of public necessity and convenience shall be conclusive.~~

~~(Code 1973, § 43-23)~~

~~Sec. 22-306. — Insurance.~~

~~(a) Before any such license is issued under the provisions of this division, the applicant therefor, shall furnish one or more policies of insurance, issued by responsible insurance companies providing indemnity for the insured, including Michigan no-fault coverage, in the amounts specified in this section and agreeing to pay, within the limits of the amounts on behalf of the insured, all sums which the insured shall become obligated to pay by reason of the liability imposed upon the insured by law, for damages because of bodily injury, including death, at any time resulting therefrom, or for damages to property, or both, sustained by any person other than the employees of the insured and caused by accident and arising out of the ownership, maintenance or use of the licensed *taxicab*.~~

~~(b) The minimum amount of the insurance coverage as to any one licensed *taxicab* shall be:~~

~~(1) Not less than \$300,000.00 per occurrence, combined single limit, for bodily injury and property damage; or~~

~~(2) On account of injury to, or death of, any person in any one accident \$100,000.00;~~

~~and On account of any one accident resulting in injury to or death of, more than one person \$300,000.00; and On account of damage to property in any one accident \$50,000.00.~~

~~(Code 1973, § 43-24; Ord. No. O-96-355, § 1, 10-7-96; Ord. No. O-98-374, § 1, 2-2-98; Ord. No. O-98-375)~~

~~Sec. 22-307. -- Bonds.~~

~~In lieu of insurance required by this division, the licensee may furnish a surety company bond, in a form to be approved by the city attorney, in penal sums of not less for each *taxicab* than the amounts specified for insurance, and binding the principal and surety to the same conditions as are required in insurance policies.~~

~~(Code 1973, § 43-25)~~

~~Sec. 22-308. -- Cancellation notice provided to city.~~

~~Every insurance policy or bond shall contain a clause obligating the insurer or surety to give the city clerk, by registered mail, at least ten days' written notice before the cancellation, expiration, lapse or other termination of such insurance or bond or the withdrawal of surety from any such bond.~~

~~(Code 1973, § 43-26)~~

~~Sec. 22-309. -- Issuance of license plates.~~

~~Upon issuance of any *taxicab* license, the city clerk shall furnish the licensee a metal license plate for each vehicle so licensed.~~

~~(Code 1973, § 43-27)~~

~~Sec. 22-310. -- Transfers of licenses generally.~~

~~When the ownership of any *taxicab* shall change, whether by operation of law or otherwise, the *taxicab* license pertaining to such *taxicab* shall be automatically revoked. Any transfer of, or attempt to transfer, a *taxicab* license to any other person shall automatically revoke the license.~~

~~(Code 1973, § 43-28)~~

~~Sec. 22-311. -- Transfer of licenses between vehicles.~~

The owner of any licensed *taxicab* who desires to transfer such license to another vehicle owned by him, shall make application to the city clerk on forms provided therefor, and shall state under oath or affirmation such facts as may be required for, or applicable to, such transfer. Upon approval of the city manager, such transfer shall be granted.

(Code 1973, § 43-29)

~~Secs. 22-312 - 22-320. Reserved.~~

DIVISION 3. - MOTOR VEHICLES FOR HIRE

Sec. 22-321. - Application of article.

All provisions of this article relating to *taxicabs* shall be equally applicable to motor vehicles for hire, except [section 22-304](#), and such other provisions as by their nature can have no application to motor vehicles for hire.

(Code 1973, § 43-40)

Sec. 22-322. - Fares.

(a) ~~Until changed, as provided in [section 22-301](#), the maximum rates to be charged by motor vehicles for hire shall be as determined by the city council from time to time.~~

(b) ~~For the use of a motor vehicle for hire where the vehicle has been used in excess of one hour, additional time may be charged for on the basis of one quarter hour fractions of the rate charged for the first hour's use of the vehicle. The time shall begin when the motor vehicle is ready at the time and place requested by the passenger, and shall continue until the passenger has been discharged and the car shall have had time thereafter to return to the garage or stand, by the most direct route, and at the maximum speed permitted by law.~~

(Code 1973, § 43-41)

Sec. 22-323. - License required.

No person shall engage in the business of operating or causing to be operated any motor vehicle for hire upon the streets, alleys or public ways of the city, without first having obtained a license for each such motor vehicle for hire.

(Code 1973, § 43-47)

Sec. 22-324. - Applications.

License applications shall be made as provided for *taxicab* licenses, but the applicant shall endorse thereon that the application is for a motor vehicle for hire license.

~~(Code 1973, § 43-48)~~

~~Sec. 22-325. — Endorsement of licenses.~~

~~Licenses issued under this division shall be similarly endorsed by the director of public safety.~~

~~(Code 1973, § 43-49)~~

~~Secs. 22-326 — 22-335. — Reserved.~~

DIVISION 4. — DRIVERS

~~Sec. 22-336. — Lost articles.~~

~~Every *taxicab* driver, immediately after the termination of any hiring or employment, shall carefully search such *taxicab* for any property lost or left therein, and any such property unless sooner claimed or delivered to the owner shall be taken to the headquarters of the public safety department and deposited with the officer in charge within 24 hours after the finding of such article.~~

~~(Code 1973, § 43-60)~~

~~State Law reference — Powers of city to license, regulate drivers of vehicles for hire, MCL 99.1, MSA 5.1740.~~

~~Sec. 22-337. — Conveyance of passengers.~~

~~Every *taxicab* driver shall have the right to demand payment of the legal fare in advance, and may refuse employment until so prepaid, but no *taxicab* driver shall otherwise refuse or neglect to convey any orderly person, upon request, anywhere in the city unless previously engaged or unable to do so. No driver of any licensed *taxicab* shall carry any other person than the passenger first employing a *taxicab* without the consent of the passenger.~~

~~(Code 1973, § 43-61)~~

~~Sec. 22-338. — Soliciting bus passengers.~~

~~No driver of any *taxicab* shall solicit persons who are awaiting to take passage on a bus at an established loading point for such bus.~~

~~(Code 1973, § 43-62)~~

~~Sec. 22-339. — License Required.~~

~~No person shall drive a *taxicab* or motor vehicle for hire upon the streets of this city without first having obtained a license so to do.~~

(Code 1973, § 43-68)

~~Sec. 22-340. — Same — Qualifications of applicant.~~

~~Every applicant for a license required by the provisions of this division shall be 18 years of age or over and must be licensed to operate a *taxicab* in at least one of the communities in which the *taxicab* is licensed.~~

(Code 1973, § 43-69)

~~Secs. 22-341 — 22-360. — Reserved.~~

DIVISION 5. — RULES AND REGULATIONS

~~Sec. 22-361. — Generally.~~

~~The city manager is hereby empowered, subject to approval by the city council, to make such rules and regulations regarding the dress and conduct of drivers, the maintenance, marking, and operation of *taxicabs* as may be necessary in the interest of providing safe and orderly service to passengers. No person shall fail to comply with any such rule or regulation. Upon adoption or change in any such rule or regulation, notice thereof shall be furnished to each *taxicab* licensee and *taxicab* driver licensee.~~

(Code 1973, § 43-88)

~~Sec. 22-362. — Conduct of drivers.~~

~~It shall be the duty of every person driving or operating a *taxicab* to be courteous, to refrain from swearing, loud talking or boisterous conduct, to drive his motor vehicle carefully and in full compliance with the traffic regulations of the city and orders of the public safety officers of the city, to promptly answer all court notices, traffic violation notices or police notices, to deal honestly with the public and with his employer.~~

(Code 1973, § 43-89)

~~Sec. 22-363. — Member of associations.~~

~~• Any *taxicab* licensee who is a member of any cooperative association shall furnish the public safety department with the name of such association and shall notify the department of any change in his membership or affiliation within 48 hours after such change.~~

(Code 1973, § 43-90)

~~Sec. 22-364. — Maintenance of vehicles.~~

~~All taxicabs shall be kept in good running condition and clean and fit for public use and each taxicab shall be inspected at such intervals as the director of public safety may direct and upon the complaint of any citizen of the city.~~

~~(Code 1973, § 43-91)~~

~~Sec. 22-365. — Schedule of rates to be followed.~~

~~No person shall charge any fare for the hire of any taxicab other than in accordance with the current schedule of maximum rates.~~

~~(Code 1973, § 43-93)~~

~~Sec. 22-366. — Solicitation of passengers.~~

~~No taxicab, while awaiting employment by passengers, shall stand on any public street or private property open to the public without consent of the property owner, nor shall any taxicab driver seek employment by repeatedly and persistently driving his taxicab to and fro in a short space before or by otherwise interfering with the proper and orderly access to or egress from any theater, hall, hotel, public resort, bus station or other place of public gathering, or in any other manner obstructing or impeding traffic. However, any taxicab driver may solicit employment by driving through any public street or place without stops other than those due to traffic and at such speed as not to interfere with or impede traffic and may pass and repass any theater, hall, hotel, public resort, bus station or other place of public gathering, provided that after passing such public place he shall not turn and repass until he shall have gone a distance of two blocks beyond such place.~~

~~(Code 1973, § 43-94)~~

~~Sec. 22-367. — Conduct of drivers.~~

~~No person shall solicit passengers for a public taxicab upon the streets of the city except the driver of the taxicab when sitting upon the driver's box of his vehicle. Every taxicab driver shall remain on the driver's seat or inside his vehicle at all times when such vehicle is standing upon any taxicab stand or when actually engaged in carrying passengers, except that every taxicab driver shall be permitted to leave his taxicab to assist passengers into or out of such taxicab.~~

~~(Code 1973, § 43-95)~~

~~Sec. 22-368. — Drinking alcoholic liquors.~~

~~No taxicab driver shall drink any intoxicating beverage while on duty, nor immediately prior thereto.~~

~~(Code 1973, § 43-97)~~

SECTION 2. **Savings Clause-** All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. **Severability-** No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 4. **Effective Date-** This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 6th day of May, 2019.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, **T. EDWIN NORRIS**, duly authorized Clerk of the City of Oak Park, Michigan do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on

T. EDWIN NORRIS, City Clerk



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

AGENDA # -

SUBJECT: First Reading to amend Chapter 74, Article XIV, Section 74-675p of the General Code of Ordinances.

DEPARTMENT: City Attorney (ED/CK) / Technical & Planning (RMB)

SUMMARY: The Department of Technical and Planning is requesting that Council consider an amendment to Section 74-675p of the Code of Ordinances to require a permit for overnight parking of vehicles in any municipal parking lot.

The Amendment is necessary to address the overnight storage of vehicles in City lots, which have resulted in complaints from local businesses that there is insufficient parking available, while also deterring potential future development.

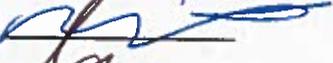
The proposed amendment will also address an issue that the City has with non-City sponsored overnight bus trips that utilizes the City Complex parking lots without permission.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: It is recommended that the first reading to amend Chapter 74, Article XIV, Section 74-675p of the General Code of Ordinances be approved.

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: 

Budgeted: N/A

Legal: 

EXHIBITS: Proposed ordinance changes and resolution

[Proposed 5-6-2019]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
AMENDMENT TO SECTION 74-675p OF CHAPTER 74, ARTICLE XIV OF THE
CODE OF ORDINANCES**

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held at Oak Park City Hall located at 14000 Oak Park Boulevard on Monday, May 6, 2019 at 7:00 pm.

Present:

Absent:

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the Department of Technical and Planning is requesting that Council consider an amendment to Section 74-675p of the Code of Ordinances to require a permit for overnight parking of vehicles in any municipal parking lot.

WHEREAS, the Amendment is necessary to address the overnight storage of vehicles in City lots, which have resulted in complaints from local businesses that there is insufficient parking available, while also deterring potential future development.

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

1. The first reading of the proposed revision of Section 74-675p is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
 No,
 Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk

Dated: May 6, 2019

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO.

**AN ORDINANCE TO AMEND SECTION 74-675p, CHAPTER 74,
ARTICLE XIV, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.**

THE CITY OF OAK PARK ORDAINS:

SECTION 1. **Ordinance-** Section 74-675p, Article XIV, Stopping, Standing and Parking, Chapter 74, Traffic and Vehicles, of the Code of Ordinances, City of Oak Park, is hereby amended to read as follows:

Sec. 74-675p. Permit for overnight parking in any municipal parking lots.

- (1) *Required.* No person shall park a vehicle in any municipal parking lots, where posted, between the hours of 3:00 a.m. and 6:00 a.m. without a permit issued therefor by the city. In the event that a snow emergency is declared, parking permits will not be required for the duration of the snow emergency event.
- (2) *Eligibility.* Only residents of the city or those commercial establishments' adjacent to any municipal parking lots, which have been specially assessed for and entitled to benefit from the lot, are eligible to submit an application for an overnight parking permit. No overnight parking permit will be issued to any resident or business for a vehicle which exceeds 20 feet in length.
- (3) *Application; contents.* An application for an overnight parking permit must be filed with the department of public safety on a form provided by the city. Each application shall set forth the following:
 - (a) The name, address and telephone number of the applicant. If the applicant is representing a commercial establishment as set forth in subsection (2) of this section, the permit will issue in the name of the commercial establishment. A "floating" parking permit may be issued to the business owner or resident
 - (b) A statement that the permit will not be used other than for the legitimate parking of a licensed operable vehicle and the vehicle will be less than 20 feet in length.
 - (c) A statement that the applicant declares under penalty of perjury that all statements in the application are true and correct.
 - (d) Such additional information as the city may require.
- (4) *Issuing authority; investigation.* The issuing authority shall be the department of public safety. Upon filing an application with the department of public safety that department may,

if necessary, cause an investigation to be made to determine whether a permit should be issued.

- (5) *Limitations.* The following limitations shall apply:
 - (a) The number of permits will be determined by policy established by the City Manager.
- (6) *Duration.* Permits shall be issued annually for a maximum period of one calendar year. Permits will not be automatically renewed. An application for renewal must be filed with the department of public safety.
- (7) *Fee; prorating.* A reasonable fee to cover the cost to the city of issuing the permits shall be charged as determined by resolution of the city council and may be modified from time to time by resolutions as the city council deems appropriate. There shall be no refunds for voluntary cancellation or revocation for a violation of this section.
- (8) *Conditions and restrictions.* Any permit issued pursuant to this section shall be subject to the following conditions and restrictions set forth in this subsection, including conditions or restrictions which may be altered or amended from time to time. The issuance of such permit shall not be construed to be a permit for, or approval of, any violation of any provision of this Code or any other law or regulation.
 - (a) All permitted vehicles must be properly parked within the areas designated.
 - (b) No repair is to be made to any vehicle at any time it is parked in the lot. Tools, parts, solutions or any other items used for repair or maintenance of vehicles are prohibited on the lot. Such equipment must be contained in the vehicle. This restriction does not apply to emergency assistance or repairs made to enable the commercial vehicle to depart from the lot.
- (9) *Contents; effective upon affixing to windshield rear view mirror.* An overnight parking permit shall contain the expiration date and permit number.
- (10) *Lost, destroyed or stolen; replacement.* If loss, destruction or theft of the permit occurs, a replacement permit will be issued at a nominal charge as set by resolution of the city council. An application must be resubmitted accompanied by an affidavit that the original permit was lost, stolen or destroyed and that the permit requested will be used as a replacement only.
- (11) *Buying, selling or leasing.* It shall be unlawful for any person to cause an overnight parking permit to be bought, sold or leased or caused to be sold or leased for any value or consideration in any form whatever.
- (12) *Method of acquisition limited to this section.* It shall be unlawful for any person to buy or otherwise acquire or use any overnight parking permit, except as provided in this section.
- (13) *Violation of subsection (12) or (13); penalty.* Upon conviction of a violation of either subsection (12) or (13) of this section, that overnight parking permit shall be void and must be surrendered to the department of Public Safety.
- (14) *Violation of section; civil infraction.* A person who violates this section is responsible for a civil infraction.

(15) *Revocation.* An overnight parking permit may be revoked upon conviction for a violation of this section at the discretion of the department of public safety.

SECTION 2. **Savings Clause-** All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 3. **Severability-** No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park shall be affected by this Ordinance, except as to the above sections, and in the event that any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or the Code of Ordinances, City of Oak Park.

SECTION 4. **Effective Date-** This Ordinance shall become effective ten (10) days from the date of its passage and shall be published as required by the Charter of the City of Oak Park.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 6th day of May, 2019.

T. EDWIN NORRIS, City Clerk

MARIAN MCCLELLAN, Mayor

I, **T. EDWIN NORRIS**, duly authorized Clerk of the City of Oak Park, Michigan do hereby certify that the foregoing Ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on

T. EDWIN NORRIS, City Clerk

Sec. 74-675p. Permit for overnight parking in ~~Eleven Mile Road~~ any municipal parking lots.

- (1) *Required.* No person shall park a ~~commercial~~ vehicle in ~~Eleven Mile Road~~ any municipal parking lots, ~~where posted~~, between the hours of ~~9:00 p.m. and 7:00 a.m.~~ 3:00 a.m. and 6:00 a.m. without a permit issued therefor by the city. ~~In the event that a snow emergency is declared, parking permits will not be required for the duration of the snow emergency event.~~
- (2) *Eligibility.* Only residents of the city or those commercial establishments' adjacent to ~~Eleven Mile Road~~ any municipal parking lots, which have been specially assessed for and entitled to benefit from the lot, are eligible to submit an application for an overnight parking permit. ~~No overnight parking permit will be issued to any resident or business for a vehicle which exceeds 20 23 feet in length, 7 nine feet in height and three tons in weight, or for a commercial vehicle which operates on diesel fuel.~~
- (3) *Application; contents.* An application for an overnight parking permit must be filed with the department of public safety on a form provided by the city. Each application shall set forth the following:
 - (a) The name, address and telephone number of the applicant. If the applicant is representing a commercial establishment as set forth in subsection (2) of this section, the permit will issue in the name of the commercial establishment. ~~A "floating" parking permit may be issued to the business owner or resident~~
 - (b) ~~The license number, make and model of the commercial vehicle for which the permit is requested.~~
 - (c) ~~The length, height and weight of the commercial vehicle for which the permit is requested.~~
 - (d) ~~The name and current address of the registered owner of the commercial vehicle for which the permit is requested, if different from that of the applicant.~~
 - (e) ~~A statement that there is no feasible parking space available or obtainable for the commercial vehicle on the property designated as the applicant's residence or business.~~
 - (f) A statement that the permit will not be used other than for the legitimate parking of a ~~licensed operable the commercial~~ vehicle and the vehicle will be less than 20 feet in length.
 - (g) ~~Such additional information as the city may require.~~
 - (h) A statement that the applicant declares under penalty of perjury that all statements in the application are true and correct.
- (4) *Issuing authority; investigation.* The issuing authority shall be the department of public safety. Upon filing an application with the department of public safety that department may, if necessary, cause an investigation to be made to determine whether a permit should be issued.
- (5) *Limitations.* The following limitations shall apply:
 - (a) ~~Only one~~ The number of permits will be determined by policy established by the City Manager. ~~overnight parking permit may be issued for each residential unit.~~
 - (b) ~~If the applicant is a commercial establishment, a permit must be issued for each commercial vehicle to be parked overnight.~~
- (6) *Duration.* Permits shall be issued annually for a maximum period of one ~~calendar~~ year. Permits ~~shall~~ will not be automatically renewed. ~~An application for renewal must filed with~~ Upon expiration a person must reapply to the department of public safety.
- (7) *Fee; exception; prorating.* A reasonable fee to cover the cost to the city of issuing the permits shall be charged as determined by resolution of the city council and may be modified from time to time by resolutions as the city council deems appropriate. ~~However upon application properly made pursuant to the above subsections, commercial establishments who are currently specially assessed by the city for the municipal parking lot are entitled to receive two permits issued without charge each year.~~

~~This exception to the fee requirement set forth in this subsection shall continue until such special assessment is concluded. There shall be no prorating of charges and no refunds even if the duration of the permit is less than the maximum of one year. There shall be no prorating of charges or refunds for voluntary cancellation or revocation for a violation of this section.~~

- (8) *Conditions and restrictions.* Any permit issued pursuant to this section shall be subject to the following conditions and restrictions set forth in this subsection, including conditions or restrictions which may be altered or amended from time to time. The issuance of such permit shall not be construed to be a permit for, or approval of, any violation of any provision of this Code or any other law or regulation.
- (a) All ~~commercial~~ **permitted** vehicles must be properly parked within the areas designated.
 - ~~(b) No commercial vehicle shall be parked with its lights on or motor running.~~
 - ~~(c) Between the hours of 11:00 p.m. and 6:00 a.m. no commercial vehicle may enter or leave the lot.~~
 - (d) No repair is to be made to any ~~commercial~~ vehicle at any time it is parked in the lot. Tools, parts, solutions or any other items used for repair or maintenance of vehicles are prohibited on the lot. Such equipment must be contained in the vehicle. This restriction does not apply to emergency assistance or repairs made to enable the commercial vehicle to depart from the lot.
 - ~~(e) The permit is limited to overnight parking only. All storage of commercial vehicles is strictly prohibited. A vehicle will be deemed stored, for purposes of this section, if it has not been moved within a 24-hour period.~~
- (9) *Contents; effective upon affixing to windshield **rear view mirror**.* An overnight parking permit shall contain the vehicle registration number for which the permit is issued, the expiration date and permit number. ~~The permit shall be affixed to the left side of the windshield of the commercial vehicle for which it is issued in such a manner that it is clearly visible but does not interfere with the driver's view, and the permit shall not be effective unless it is so affixed and maintained.~~
- (10) *Lost, destroyed or stolen; replacement.* If loss, destruction or theft of the permit occurs, a replacement permit will be issued at a nominal charge as set by resolution of the city council. An application must be resubmitted accompanied by an affidavit that the original permit was lost, stolen or destroyed and that the permit requested will be used as a replacement only.
- ~~(11) *Use for other vehicles.* It shall be unlawful for any person to use a permit for any commercial vehicle other than that identified on the application for the permit; except that if a permittee acquires a new vehicle and has sold or disposed of the vehicle for which the permit was issued and such permit has not expired, such person may apply for and obtain a new permit for the replacement vehicle pursuant to subsection (9) of this section.~~
- (12) *Buying, selling or leasing.* It shall be unlawful for any person to cause an overnight parking permit to be bought, sold or leased or caused to be sold or leased for any value or consideration in any form whatever.
- (13) *Method of acquisition limited to this section.* It shall be unlawful for any person to buy or otherwise acquire ~~for value~~ or use any overnight parking permit, except as provided in this section.
- (14) *Violation of subsection (12) or (13); penalty.* Upon conviction of a violation of either subsection (12) or (13) of this section, ~~any that~~ **any** overnight parking permit shall be void and must be surrendered to the department of **Public Safety**. ~~community development.~~
- ~~(15) *Violation of section; civil infraction.* A person who violates this section is responsible for a civil infraction.~~
- (16) *Revocation.* An overnight parking permit may be revoked upon conviction for a violation of this section at the discretion of the department of public safety.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

SUBJECT: Request to schedule a Public Hearing on the FY 2019-2020 Annual Budget for Monday, May 20, 2019

DEPARTMENT: Administration

SUMMARY: As stated in the City Charter, Section 9.4, a public hearing on the proposed budget shall be held before its final adoption at such time and place as directed by City Council. A notice of the public hearing is to be published at least one week in advance of the hearing, and a summary of the proposed budget is to be kept on file with the City Clerk's office.

FINANCIAL STATEMENT:

RECOMMENDED ACTION: To schedule a public hearing on the FY 2019-2020 Annual Budget for Monday, May 20, 2019 and direct the City Clerk to file and publish Notice of the hearing in accordance with the City Charter.

APPROVALS:

City Manager: _____

Department Director: _____

Director of Finance: _____

Budgeted:

EXHIBITS:

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF: May 6, 2019****SUBJECT: Update on Tax Foreclosed Properties – FPJ Investment****DEPARTMENT: Economic Development and Communications**

SUMMARY: In the fourth year of the Tax Foreclosure Program, the City selected two developers to work with on the purchase of residential properties and vacant lots in last year's tax foreclosure process. For the fourth year in a row we have worked with a company that was previously known as Global Realty and now is called FPJ Investments LLC. They are here tonight to present an update on their progress to date per the agreement with the City of Oak Park.

FINANCIAL STATEMENT:**RECOMMENDED ACTION:****APPROVALS:**

City Manager: _____

Department Director: _____

Director of Finance: _____

Budgeted:

N/A

Legal: _____

EXHIBITS:

**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** May 6, 2019**SUBJECT:** Update on Tax Foreclosed Properties – MRE Partners**DEPARTMENT:** Economic Development and Communications

SUMMARY: In the fourth year of the Tax Foreclosure Program, the City selected two developers to work with on the purchase of residential properties and vacant lots in last year's tax foreclosure process. For the second year in a row we have worked with MRE Partners. They are here tonight to present an update on their progress to date per the agreement with the City of Oak Park.

FINANCIAL STATEMENT:**RECOMMENDED ACTION:****APPROVALS:**

City Manager: _____

Department Director: _____

Director of Finance: _____

Budgeted:

N/A

Legal: _____

EXHIBITS:



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

SUBJECT: Tax Foreclosure RFQ

DEPARTMENT: Economic Development & Communications

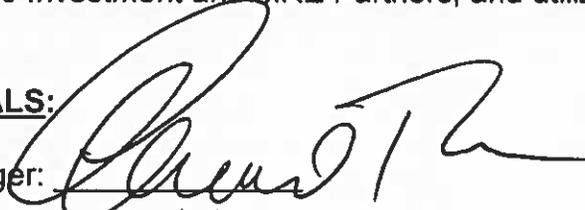
SUMMARY: The City has conducted the tax foreclosure process for the last four years. This process has contributed to helping to raise property values and bring more homeowner occupants into the City. Over the past few years we have selected two companies to work with in this process. This years process was slightly different in that it was a formal RFQ process that allowed us to objectively review all proposals for consideration. A team of 5 people including City staff and Councilmember Weiss did a thorough analysis of all bids and rated each proposal independently. The tabulations are attached for City Council review and indicates the top two bidders as FPJ Investment and MRE Partners. The third low bidder was HP Snap.

While we have not yet received the list of foreclosures we typically get between 10-15 homes and vacant lots. Should the number increase this year we may want to engage a third company. It is the recommendation from the review committee to recommend that City Council select the two high bidders, FPJ Investment and MRE Partners, and on an as needed basis, utilize HP Snap for the 2019 tax foreclosure process.

FINANCIAL STATEMENT: Properties will close simultaneously so the City is only without the funds for a short time.

RECOMMENDED ACTION: Approve the recommendation to select the top two bidders FPJ Investment and MRE Partners, and utilize HP Snap if we need a third

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: 

Budgeted:

Company Name	Rate each category scale 1-5, 1 being the worst	Qualifications of Firm	Minimum Investment	Average Investment	Administrative Fee	Financial Stability	Occupant Type	Vacant Lot	Capacity Experience	Quality of Work	Materials Used	Sales	Community Support	Timeline	Totals
MRE Partners	23	25	25	25	25	24	25	25	23	25	25	23	25	23	315
Commerce Park Properties	17	25	25	25	25	25	28	25	21	16	18	5	7	22	254
FPJ	23	25	25	25	25	25	25	25	25	25	25	25	25	25	321
Intrust Building	19	25	25	25	25	24	25	25	14	20	20	21	5	22	270
HP Seng LLC	33	25	25	25	25	25	25	25	23	15	18	23	11	21	284
Home Team Holdings	31	25	25	25	25	28	25	25	22	18	18	18	16	22	283



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

SUBJECT: Façade Grant – Oak Park Social

DEPARTMENT: Economic Development and Communications

SUMMARY: The Economic Development and Communications Department has received an application for a Façade Improvement Grant from Oak Park Social for the building located at 14691 Eleven Mile Road. The project specifications have met city guidelines for the program. The project consists of installing designer glass garage doors to the west side of the building. This is part of a total renovation and expansion project. Estimated total cost of the door installation is approximately \$5,785. The property owner/contractor will pull all required permits. Attached is a rendering of the façade. It is recommended that City Council approve the grant for the \$2,500 maximum.

FINANCIAL STATEMENT: Money is available in the facade improvement line item in the CIA budget, 251-00.000.970.003

RECOMMENDED ACTION: Request that city council to approve the façade grant for 50% of the project costs in an amount not to exceed \$2,500.

APPROVALS:

City Manager: _____

Department Director: _____

Director of Finance: _____

Budgeted:

Legal: _____

EXHIBITS: application, quotes, rendering

CITY OF OAK PARK SMALL BUSINESS FAÇADE IMPROVEMENT PROGRAM

APPLICANT INFORMATION

Name of Applicant: Oak Park Social LLC		
Address: 14691 W 11 Mile Rd		
City: Oak Park	State: Michigan	ZIP Code: 48237
Phone: 248-891-3297	Email: oakparksocialmi@gmail.com	

FOR TENANTS

Name of Building Owner:		
Address of Building Owner:		
City: Oak Park	State: Michigan	Zip Code:
Phone:	Email:	

PROPERTY TO BE IMPROVED

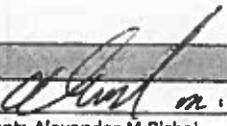
Name of Business: Oak Park Social LLC		
Address: 14691 W 11 Mile Rd		Phone: 248-891-3297
City: Oak Park	State: Michigan	ZIP Code: 48237
Type of Business: Restaurant Full Service	Tax ID #: 83-2997524	
Proposed start of construction: 05/13/2019	Anticipated completion: 06/01/2019:	
Short description of proposed work: Outside Façade Improvement in the form of designer glass garage doors. Please see attached proposal from contractor. Current façade is just cinder block as of now.		

ACKNOWLEDGEMENTS

By signing this Application, I affirm that I am the property owner of the above Property or as the tenant, have received permission from the property owner via the accompanying notarized letter to perform the proposed improvements. I further affirm that all the statements made on this application are true, and I understand that any falsification or willful omission will be sufficient cause to void my Application and any reimbursement awarded. In such a case that any reimbursement awarded by the city is voided due to any falsification or willful omission, I agree to repay the reimbursement amount to the DCED within sixty (60) days, plus all of the costs and attorney fees incurred by the DCED to collect the reimbursement proceeds if I fail to repay the DCED within the sixty (60) days. I have read and understand and agree to comply with all requirements of the DCED Façade Improvement Program (hereinafter the "Program"). I hereby acknowledge that I may be required to submit additional documentation or information that was not required on this application if requested by the DCED. I further hereby acknowledge that the DCED reserves the right to reject any or all applications received pursuant to the Program

Also, I understand, acknowledge and agree to the following:

1. It is expressly understood that the Applicant shall be solely responsible for all safety conditions and compliance with all safety regulations, building costs, ordinances and other applicable regulations.
2. It is expressly understood that the Applicant will not seek to hold the City of Oak Park and or any of its employees, officers/directors liable for any property damage and/or personal injury, or other loss related in any way to the Small Business Façade Improvement Program
3. The Applicant shall be responsible for maintaining sufficient insurance coverage for property damage and personal injury liability relating to the Small Business Façade Improvement Program. Applicant should ask for contractor's proof of liability insurance.
4. Applicant will review and abide by the Oak Park Design Guidelines
5. Applicant will pull permits if required.
6. Applicant will maintain the improvements made to the property.
8. If Applicant chooses to alter the scope of work after DCED has approved it, Applicant may be ineligible for a portion or the entire reimbursement amount agreed upon from the original scope of work.
9. Applicant agrees to allow the DCED to promote the program including but not limited to displaying signage at the construction site and using photographs in promotional materials and press releases.

SIGNATURES		
Signature of applicant: 	Date: 04/25/2019	
Printed name of applicant: Alexander M Bishai <i>Alexander M Bishai</i>		
Signature of Property Owner (if applicable):	Date:	
Printed name of Property Owner (if applicable):		
FOR DCED OFFICE USE ONLY		
Is the application above complete along with all additional necessary documentation (i.e. notarized letter from property owner)?	YES	NO
Is the building in compliance with all zoning ordinances and current on all property taxes?	YES	NO
Are the proposed improvements eligible under the requirements of the program?	YES	NO
Has the applicant provided architectural drawings of the proposed improvement?	YES	NO
Has the applicant included at least two photos of the current property?	YES	NO
Has the applicant included at least two bids from licensed contractors for the work to be completed?	YES	NO
Are the proposed improvements consistent with the proposed Oak Park Design Guidelines?	YES	NO
Date submitted to city council for approval _____ Amount approved _____		
City Council approved		
YES	NO	

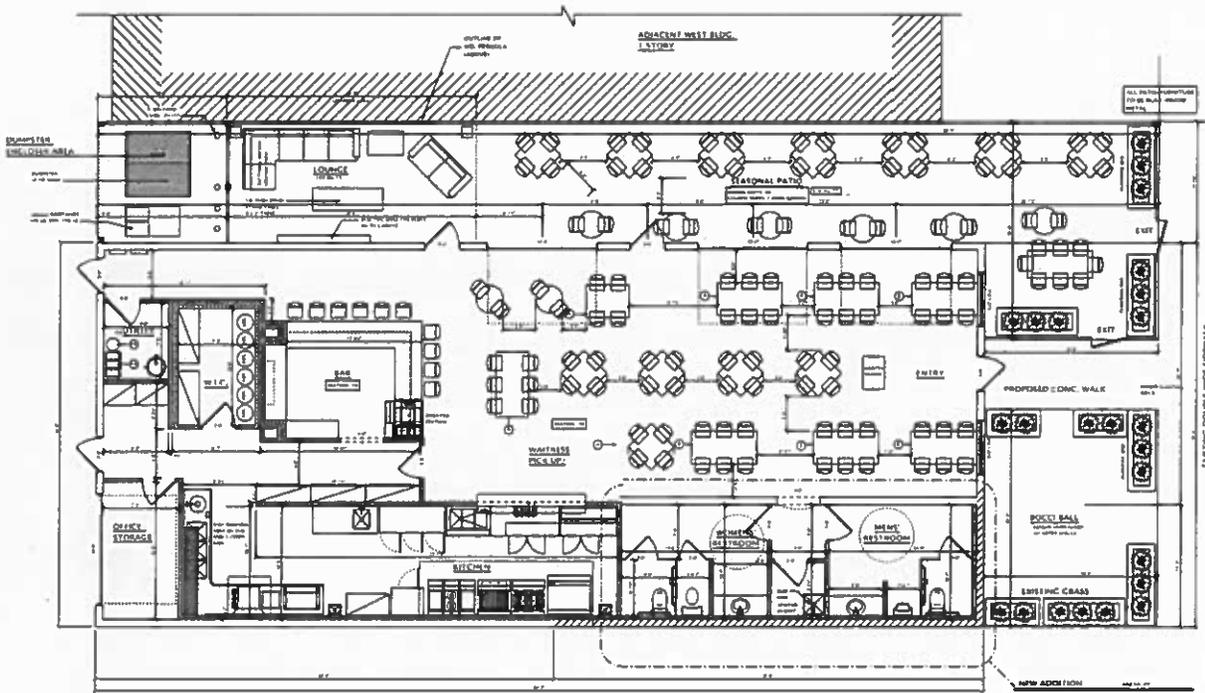
PROPOSED CONCEPT PLAN
 10/15/2010
 15 - 120
 WEST OAK GASTROPUB

West Oak Gastropub

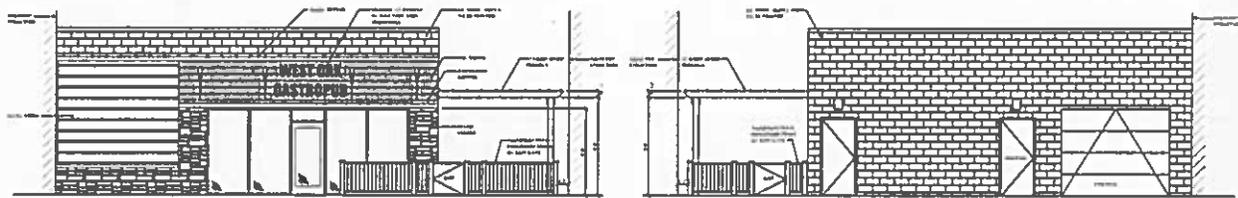
Oak Park Station, LLC

PROPOSED CONCEPT PLAN

DATE: 10/15/2010
 DRAWN BY: J.M.P.
 CHECKED BY: J.M.P.
 SCALE: 1/8" = 1'-0"



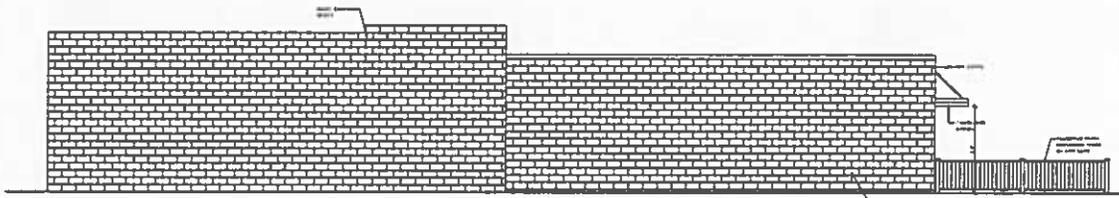
PROPOSED PLAN
 SCALE: 1/8" = 1'-0"



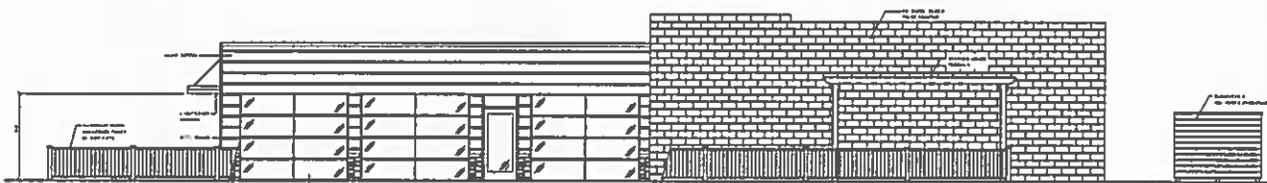
PROPOSED FRONT ELEVATION

PROPOSED FRONT ELEVATION

MATERIALS TO BE USED
 ALUMINUM SIDING, FAUX STONE
 VENEER, BUILT UP ASPHALT
 ROOF MEMBRANE & EXPOSED
 PAINTED ROOF FRAMING w/
 INSULATED CEILING



PROPOSED LEFT ELEVATION



PROPOSED RIGHT ELEVATION

JMP
 Johnson & Mott, Inc.
 10000 14th Street
 Denver, CO 80202
 303.733.1100
 www.johnsonmott.com

Architectural drawings showing structural details and material specifications for the proposed front elevations of the West Oak Gastropub.

West Oak Gastropub
 10000 14th Street
 Denver, CO 80202
 303.733.1100
 www.westoakgastropub.com

Site Plan
 Date: Park Square, LLC

Project No. _____
 Date: _____
 Scale: _____

Sheet No. 101 P
 Total Sheets 101 P
 Date: 10/12/10
 10 120



Glass options for Models 511/521

Specialty Glass

- Laminated White – privacy
- Low E Glass** – thermal efficiency
- Tempered Glass – enhanced safety
- Tinted Glass** – color options:
Green, Gray, Bronze

Glass alternatives

- Clear Lexan® Polycarbonate** – shatter resistant
- Multi Wall Polycarbonate – superior strength with UV protection; color options: Clear, White, Bronze
- Plexiglas® Acrylic** – shatter resistant
- Impact Clear and Frosted Polycarbonate - 0.250" minimum



Double Strength DSB** (Standard)



Obscure



Satin Etched



Gray Tint



Green Tint



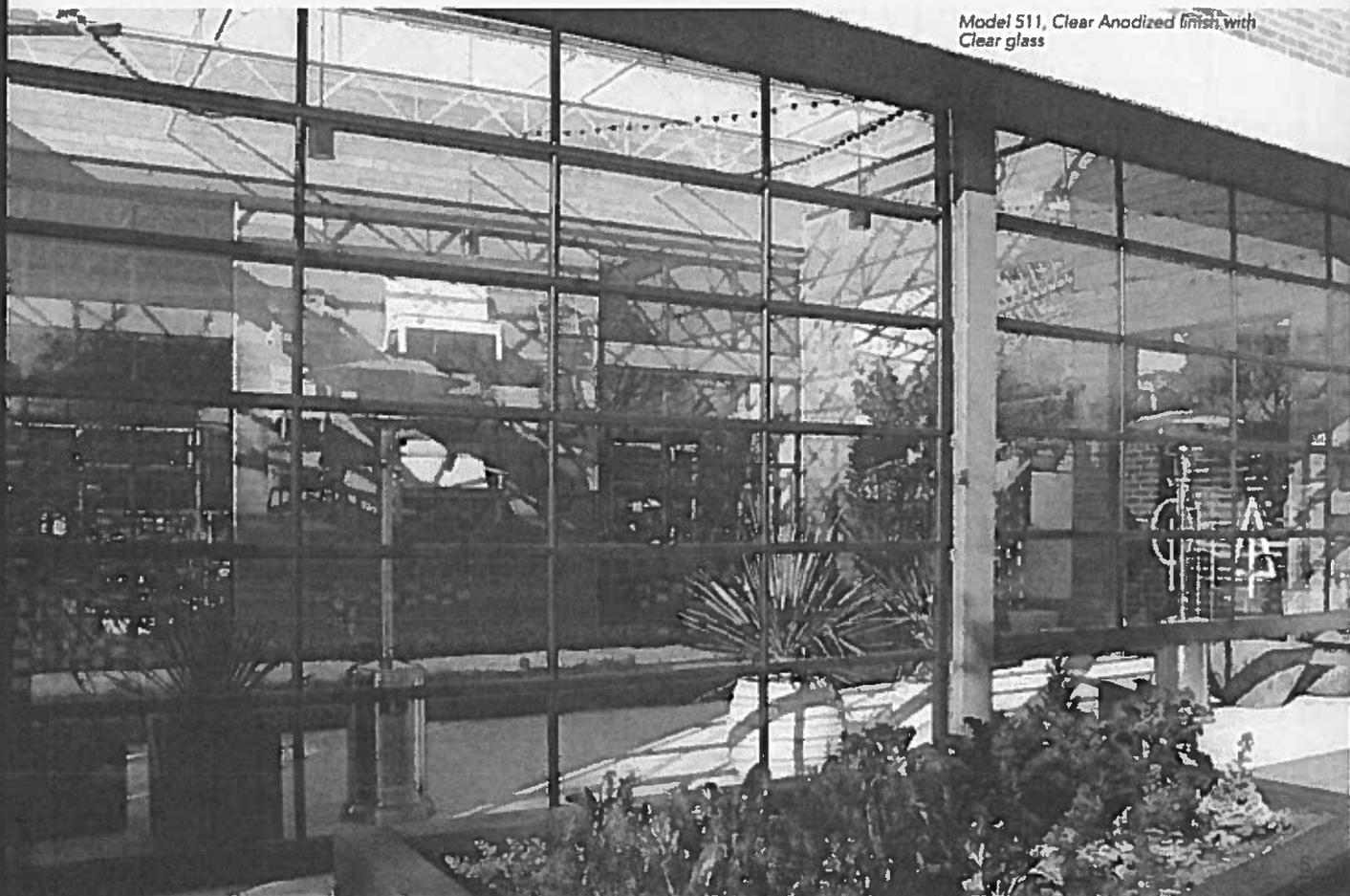
Bronze Tint



Impact Frosted Polycarbonate

Actual glass may vary from brochure photos due to fluctuations in the printing process. Check with your Overhead Door™ Distributor to view a glass sample.

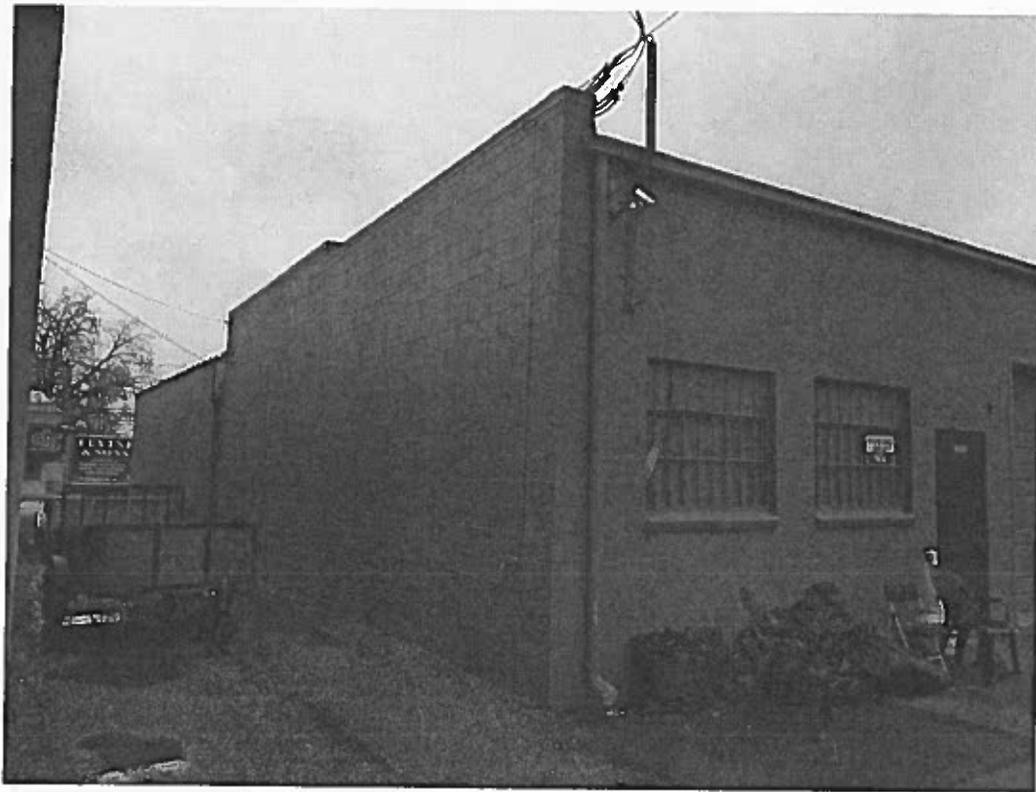
** Insulated options available



Model 511, Clear Anodized finish with Clear glass



West Side of Building. 3 Garage Door Installation.





Bill To:
Alex Bishai

Ship To:
Alex Bishai

Quote: SQHH000104-1
Created: 4/25/2019
Expires: 8/23/2019

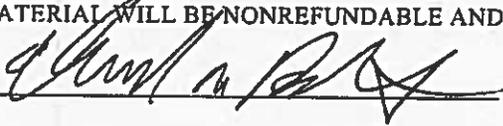
Proposal for Job: Alex Bishai

Item	Qty
DS II Model 511 Size: 8' 2" X 8' 1"	2
Size:	Actual: 8' 2" X 8' 1" Opening: 8' 0" X 8' 0" Headroom: 24"
Door Construction:	Bottom Rail: Bottom rails 3 3/4" or 2 3/8" (STD), Bottom Rail: Bottom rails 3 3/4" or 2 3/8" (STD), End Stile: Standard
Weatherstrip:	Weather Seal: Weatherseal, Saverstrip, Weather Seal: Weatherseal, Saverstrip, Top Seal: Weatherseal, Top Seal, dual flap
Door Finish:	Door Color: Clear Anodized Aluminum, Door Color: Clear Anodized Aluminum
Glazing:	Open Bottom Section: Solid Sections, Deduct for Open bottom section, Open Bottom Section: Solid Sections, Deduct for Open bottom section, Sash Section Glazing Type 1: (Qty = 4) Gray Annealed, 1/2", Sash Section Glazing Type 2: None (Open for glass)
Track:	Track Radius: 15" radius (STD), Track Radius: 15" radius (STD), Type of Track: 2" Continuous Angle In w/Brackets (#4) MASONRY JAMB
Counterbalance:	Springs: Standard, Springs: Standard, Solid Shaft: 1" In Lieu Of Tubing
Hardware:	Lock: Inside Slide #1 (STD), Lock: Inside Slide #1 (STD), Struts: Standard, Drums: Standard, Horizontal Track Angle: None

Total (USD): **\$5,785.00**

Terms and Conditions

PRICES SUBJECT TO CHANGE IF NOT ACCEPTED WITHIN 30 DAYS. ALL PRIMARY AND SECONDARY WIRING WILL BE COMPLETED BY OTHERS. THIS INCLUDES ALL WIRING TO MOTORS, CONTROL BOARDS, PUSH BUTTONS, LOW VOLTAGE, ETC. NO EXCEPTIONS IN THE EVENT PURCHASER SHALL BE RESPONSIBLE FOR THE COSTS OF COLLECTION INCLUDING REASONABLE ATTORNEY FEES. THERE SHALL BE A 1-1/2% SERVICE CHARGE FOR ALL PAYMENTS DUE AND OWING AFTER 30 DAYS. TERMS 100% DUE UPON COMPLETION. ALL DEPOSITS MADE FOR MATERIAL WILL BE NONREFUNDABLE AND WILL HAVE TO BE A MINIMUM OF 50%.

Authorized By (Customer): 

Date: 04/27/2019

Purchase Order: _____



Overhead Door Company of Whitmore Lake
10810 Plaza Dr
Whitmore Lake, MI 48189-9737

Contact: CODY SCHIEBNER
Phone: +1734-449-0400
Mobile: +1517-899-3224
Email: CODY.OHDWHITMORELAKE@GMAIL.COM



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

SUBJECT: Brownfield Grant Support

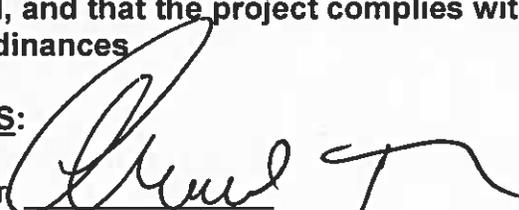
DEPARTMENT: Economic Development and Communications

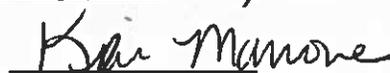
SUMMARY: The department has been working with Union Joints to assist with their development of the WWJ Building into a destination restaurant and event space. An issue arose in the cost of cleaning up contamination onsite caused by the previous owners. The cost to cleanup was more than triple the original estimate. In working with the MDEQ in applying for a grant to assist with these additional cleanup costs we can continue to move this project forward. The grant is applied for and administered by the City. In order to submit the application a letter from the CEO or highest ranking appointed official is required.

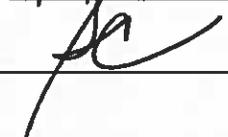
FINANCIAL STATEMENT: none

RECOMMENDED ACTION: Support the grant and allow City manager Tungate to sign a letter on behalf of the City which indicates support of the City Council, and that the project complies with all local zoning and planning ordinances

APPROVALS:

City Manager: 

Department Director: 

Director of Finance: 

Budgeted:

Legal: _____

EXHIBITS: ~~grant application~~



GRANT AND LOAN APPLICATION INSTRUCTIONS

RICK SNYDER, GOVERNOR
C. HEIDI GREYER, DIRECTOR
www.michigan.gov/deg #mibrownfields

This application may be used for brownfield redevelopment funding under the Department of Environmental Quality's (DEQ's) Brownfield Redevelopment Grant and Loan Program. Grants and loans are provided to communities under this program encourage reuse of brownfield properties for projects that will create jobs, and result in community investment. As the balance of state funds available for brownfield projects has decreased, the criteria for awarding grants have become more rigorous. **It is possible that a project that qualifies for funding may not be recommended for a grant if the applicant does not demonstrate that these criteria will be met.** Criteria are described below under Application Evaluation.

Applicants are required to complete a project proposal prior to submitting an application. A DEQ grant/loan coordinator should be contacted prior to applying for a grant or loan to determine whether a project is eligible and likely to be recommended for funding. A map of the state showing the grant/loan coordinator assigned to each region is located [HERE](#) or you may call 517-284-5113 for assistance. Applicants will be notified immediately if further information is required before the DEQ makes a funding decision.

For selected projects, the DEQ may offer a grant and a low-interest loan, or a loan without a grant, unless the applicant can demonstrate compelling reasons to offer a grant only. Staff will work with applicants to ensure that funding levels are acceptable before the funding package is recommended for approval. Please contact the DEQ for current loan rates and terms. Borrowers must provide financial assurance to the DEQ to ensure loan repayment.

For more information on the DEQ's Brownfield Redevelopment Grant and Loan Program, please see our web page, [HERE](#), call 517-284-5113, or contact us by e-mail at DEQBrownfields@michigan.gov





ELIGIBILITY AND FUNDING

Applicant: The applicant may be a county, city, village or township, a Brownfield Redevelopment Authority, or other public body created by, or pursuant to, state law. The proposed project must be in the applicant's jurisdiction. The applicant or its governing body is required to have passed a financial audit within the past 24 months.

The application form asks for the names of two people. The **Applicant's Representative** is the person who is ultimately responsible for ensuring the applicant's compliance with the terms of the grant or loan. This person should be a person in authority who is directly affiliated with the applicant (such as a mayor or Brownfield Redevelopment Authority [BRA] director) and should sign the certification at the end of this application form. This person will also be expected to sign the contract between the DEQ and the applicant.

The person who will be the **Project Contact** for the grant/loan project may be either the Applicant's Representative or another direct employee of the applicant (such as a city manager or planning or economic development staff). This person will typically be responsible for general project coordination, overseeing contractors hired to work on the grant/loan project, signing payment requests, and ensuring that the provisions of the grant/loan contracts are fulfilled. The applicant should not use a contractor for its Project Contact.

Eligible uses of grant and loan funds: Grants and loans can be used only for environmental response activities as defined by Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA):

- Interim response activities.
- Evaluation.
- Feasibility study.
- Preparation of a baseline environmental assessment (BEA).
- Due care planning and activities.
- Remedial action.
- Demolition, in some instances.
- Environmental Review Professional

Grant and loan funds may not be used to pay for office equipment or furnishings, including telephones and computers, taxes, replacement of equipment, drinking water replacement, operation and maintenance, legal fees, permit fees, or other fees unless expressly permitted in the grant or loan contract. Funds MAY be used for administration of the grant or loan either by the applicant or by a consultant. If administrative fees will be charged to the project, please be sure to include a budget in the Sources of Project Funding Table in the application form.

Grant/loan administrative fees are limited to three (3) percent of the grant or loan award.

When the response activities will be performed by the consulting firm used by the project developer, the DEQ expects that the applicant will hire its own environmental oversight professional. Exceptions will be considered in low-risk situations on a case-by-case basis and must be requested in writing. The environmental oversight professional's fees are eligible for reimbursement with the proposed grant or loan. Please include an environmental oversight professional in the budget if applicable. The environmental oversight professional is not limited to 3% of the grant or loan.



Liability: Grants and loans may not be used to pay for environmental costs that benefit someone who is responsible for causing contamination at the project site, unless the following conditions are met.

1. **A loan** may be used when
 - Response activities are related to redevelopment, or due care is necessary to facilitate redevelopment, AND
 - The party responsible for the contamination is a local unit of government, AND
 - There is a proposed redevelopment with measureable economic benefit, AND
 - The local unit of government provides a minimum of 50% project match
2. **A grant or loan** may be used to pay for due care activities needed to facilitate the redevelopment, provided that the responsible party is not the developer
3. **A loan** may be used when
 - The responsible party is not the seller or the developer of the property where the loan will be used
 - The proposed response activities are appropriate for the development project

Liable parties are defined in Part 201, Sections 20101 and 20126, and Part 213, Section 21323a of the NREPA. If the DEQ believes, based on available information, that there may be a liable party that could benefit from the proposed grant or loan, the DEQ may request information needed to make a liability determination from the applicant or other project participants as a condition of funding.

Local Match: Local match is not required for any Brownfield Redevelopment Grant. Local match is required by statute when the local unit of government is responsible for contamination, as described above. However, projects with local funds dedicated to eligible activities are a higher priority for funding. Unless the applicant can demonstrate that there are no local resources available, the applicant should expect to be asked to make a financial commitment to the project. Local financial commitments may be through a local brownfield revolving fund, tax increment financing through a BRA, a Brownfield Redevelopment Loan through the DEQ, or another source.

Financial Assurance for Loans: Borrowers must demonstrate financial assurance to guarantee a DEQ loan. The financial assurance may be a pledge of revenue sharing, an escrow account or letter of credit in an amount equal to the loan principle and interest, or another mechanism negotiated with the DEQ. The financial assurance may be provided by the applicant, the applicant's governing body, the developer, or another party. However, the applicant's governing body must pass a resolution committing to repay the loan; the developer will not be responsible for payments even if developer funds are put into escrow for payments.

Projects: In order to qualify for a Brownfield Redevelopment Grant or Loan, the grant or loan must be used for appropriate environmental response activities for the site's future use, and result in economic benefit.

- Eligible economic outcomes can include the creation of new jobs (permanent part-time and full-time) within the next five years, investment of private funds, and/or an increased tax base. Construction and other temporary jobs are not considered in application evaluations.



- The environmental activities for which grant or loan funds are requested must be appropriate and necessary for the desired site reuse. The property must be a known or suspected *facility* (an area, place, or property where a hazardous substance in excess of the concentrations described in Part 201, Section 20120a(1)(a) or (17), of the NREPA, has been released, deposited, disposed of, or otherwise comes to be located). Grants and loans are contingent on the applicant's access to the property to conduct response activities.

Application Evaluation: Because limited grant funds remain in the Brownfield Redevelopment Grant and Loan Program, applications are being carefully reviewed and prioritized. **In order to be competitive, proposed projects need to demonstrate significant return on the DEQ's investment of grant or loan dollars.** The following criteria will increase the project's priority when the DEQ makes a recommendation that includes a grant. Applications that do not meet any of these criteria may be offered loans without any grant funding.

- The applicant can demonstrate a significant local commitment to funding the project. An applicant that is able but unwilling to accept a loan, finance a portion of the response activity costs through tax increment financing, or is not contributing to the redevelopment in other ways, will be required to explain why.
- Project financing and a purchase agreement are in place. This provides greater assurance that the project will move forward without significant delays and meet statutory requirements for jobs, private investment, and/or increased tax base. Grant dollars are unlikely to be committed in the absence of project financing and a purchase agreement.
- The applicant can demonstrate that other statewide objectives, such as placemaking; pollution prevention; green roofs or parking lots; nonpoint source pollution controls; "green" building or Leadership in Energy and Environmental Design (LEED) building concepts; placemaking; open space preservation; outdoor recreation that is accessible to people with disabilities; growth management; walkable communities concepts; traditional downtown redevelopment; and so on have been or will be incorporated into redevelopment plans.
- The project is in a targeted area such as a Renaissance Zone, Michigan Main Street, or Core Community. A list of Core Communities can be found [HERE](#).
- The applicant can demonstrate that no other funds are available to pay for all or part of the needed response activities. For example, the project site may be in a Renaissance Zone where there are no taxes available for capture to repay a loan. There may be an excess of inexpensive greenspace available for redevelopment in the community making brownfield redevelopment difficult without significant subsidization.
- The applicant will use "green cleanup" or "green remediation" techniques promoted by the U.S. Environmental Protection Agency (U.S. EPA). A green cleanup is one in which all environmental effects (such as energy use and waste generation) of the remedial action are considered, and options are incorporated to maximize the net environmental benefits of a grant or loan. Further information can be found [HERE](#).



Timing: There is no deadline for submitting an application. Applicants will be notified promptly if an application is incomplete.

The DEQ application process, from the time of receipt to funding approval, takes about three months. Grant administrative staff will maintain regular contact with applicants during the review process. Applicants will be notified when their applications are approved and will receive regular status reports in the interim.

AFTER A GRANT OR LOAN IS AWARDED

Before grant- or loan-funded work can begin, the recipient will be required to:

- Sign a grant or loan contract. Costs incurred prior to signing a contract will not be reimbursed.
- Submit qualifications of the recipient's preferred environmental or other contractor to the DEQ for approval.
- Provide a work plan describing the specific tasks to be completed, the cost, and the schedule for performing the tasks to the DEQ for approval. The DEQ will review the work plan and request changes or provide approval within 30 days. All expenditures must be approved in advance, in writing, by the DEQ, or the costs may not be reimbursed.
- Inform your community about the grant/loan award through local press, your social media, your website, the developer's website or social media, or other means. This is a condition of the grant or loan award.

After funding is awarded, the DEQ's grant/loan coordinator may request a meeting with the project participants to view the project site and to discuss procedures under the Brownfield Redevelopment Grant and Loan Program.

Grant funding will be available on a reimbursement basis (costs must be incurred AND paid by the grant recipient before the expenses will be paid by the DEQ). Grantees and borrowers are required to submit progress reports and invoices with verification of all expenditures each calendar quarter. If progress reports are not submitted quarterly, the DEQ may withhold payment of invoices or take other actions, including canceling the grant or loan. Ten percent of the grant will be retained from the final invoice(s) pending the DEQ's final review of the project.

Loan checks will be issued after a work plan and budget are approved by the DEQ.



MICHIGAN
BROWNFIELD
REDEVELOPMENT
PROGRAM

GRANT AND LOAN APPLICATION

RICK SNYDER, GOVERNOR
C. HEIDI GREYER, DIRECTOR
www.michigan.gov/deg #mibrownfields

Authority: Parts 195, 196, and 201 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended

Applicant and Project Information

Name and address of the project (please include zip code)	12700 Eight Mile Road Oak Park, MI 48237	Amount of funding requested	\$595,290
Applicant name and address (please include zip code)	City of Oak Park 14300 Oak Park Blvd. Oak Park, MI 48237	Applicant's Federal Identification Number	38-6004641
Applicant representative's name, title, phone, and email address (see pages 1-2 of the instructions)	Kimberly Marrone, Economic Development & Communications Director 248-691-7404 kmarrone@oakparkmi.gov	Applicant project contact's name, title, phone, and email address (see pages 1-2 of the instructions)	Kimberly Marrone, Economic Development & Communications Director 248-691-7404 kmarrone@oakparkmi.gov
State House of Representatives district number where the project site is located	Robert Wittenberg District 27	State Senate district number where the project site is located	Vincent Gregory District 11
Permanent jobs created	95	Private investment	\$4,000,000
Proposed new use	Restaurant and event space	Known contaminants	PCB's, Lead and Asbestos



<p>Did the applicant cause or contribute to contamination that is known or may be discovered at the project site?</p>	<p>To the best of my knowledge, the applicant: Did not cause or contribute to contamination <input checked="" type="checkbox"/> May have caused or contributed to contamination <input type="checkbox"/></p>
<p>Did the developer cause or contribute to contamination that is known or may be discovered at the project site?</p>	<p>To the best of my knowledge, the developer: Did not cause or contribute to contamination <input checked="" type="checkbox"/> May have caused or contributed to contamination <input type="checkbox"/></p>

<h3 style="text-align: center;">Environmental Outcomes</h3>			
<p>Latitude and longitude of the project site, to eight digits after the period</p>	<p><input type="checkbox"/> 42.447337 -83.17292900000001</p>	<p>Size of the property</p>	<p>4.589 Acres</p>
<p>Is the property a facility under Part 201 or a site under Part 213?</p>	<p>Yes</p>	<p>Who is the owner of the property and when was the property acquired?</p>	<p>8 Mile Road LLC 3/07/2016</p>
<p>Is the current owner also the operator of the property? If the operator and the owner are not the same, please indicate when the current operator began to use the property</p>	<p>Yes</p>	<p>List current and historical uses of the property, with dates if known</p>	<p>The building was built in 1938 as a radio station transmission building until 1995 when it closed. Since then it has remained vacant.</p>
<p>If the property was acquired after June 5, 1995, was a BEA completed by the current owner?</p>	<p>The property was acquired March 7, 2016 from Richland Towers</p>	<p>How was the property acquired? For example, voluntary purchase, inheritance, condemnation, or tax reversion</p>	<p>The property was voluntarily purchased from Richland Towers and the property was divided from the original parcel. Richland Towers still owns the remaining parcel</p>



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The requested funds are needed for the following eligible activities:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Phase I/Phase II Investigation | <input type="checkbox"/> Vapor Mitigation |
| <input checked="" type="checkbox"/> Baseline Environmental Assessment | <input type="checkbox"/> Other Environmental Response Actions |
| <input checked="" type="checkbox"/> Due Care Planning | <input type="checkbox"/> Interim Response Action |
| <input checked="" type="checkbox"/> Implementation of a Due Care Response | <input checked="" type="checkbox"/> Demolition |

Activity

1. Describe the known or suspected environmental condition of the property, including whether contamination is confirmed or suspected and the presence of any underground storage tanks. *See attachment 1

A Phase 1 and Phase 2 were conducted on the property and the contamination was confirmed. An underground tank and associated contaminated soil were removed after a reported leak in 1993. That was verified in 2010.

In 2014, a power outage caused the basement of the unoccupied building to flood. This flooding caused two basement transformers to explode releasing PCB oils into the basement. The water in the basement was pumped out onto a grass covered area in the rear of the property. Following the removal of the water, remedial activities took place, which included sampling flood water, an oil layer, an oil residue, a tar substance, sediment, and soil for PCBs. Results indicated PCBs were below applicable criteria. Soil in the rear was also excavated. However, it was later determined that the sampling and remedial activities were inadequate to properly characterize the release and to further evaluate the potential for PCB contamination in both the building and on the grass covered area additional sampling was completed in December 2015. This sampling included concrete samples and soil samples. Analytical results indicated that concentrations of PCBs were detected in all of the concrete samples and one of the soil samples above cleanup criteria in an area north of the formerly remediated area.

2. Describe the response activities that are believed to be necessary for redevelopment and reuse of the property. Include an estimated cost for each item in the Sources of Project Funding Table on page 5.

Based on these results it was recommended that the impacted concrete in the basement either be removed or encapsulated. It was also recommended that the PCB detected in the grass area be further delineated and then either removed or controlled with an engineer control. We are seeking funds to assist with the recommended response activities, which would include the removal and replacement of impacted concrete and the assessment and removal of impacted soils as well as the associated reporting requirements. Refer to the attached figures, tables, and analytical reports for sample locations and results. See Attachment 1

In addition, we need to assume the DCP will have certain suggested remedies that will need to be addressed. That will need to be determined based in the BEA, if that was already done.



An Asbestos survey was also completed in October 2017. This survey indicated that several asbestos-containing materials were identified, which included caulk, glaze, roofing, and insulation. It was recommended that this material be properly abated prior to renovation or demolition activities. We are also seeking assistance to help with the abatement costs.

3. If grant or loan funds are requested for building demolition, describe the condition of the building. Does it present a health or safety threat? Does the structure impede the proposed response activities?

The building is very old and could require special care when the demo process begins. The overall structure seems to be sturdy and reliable, but often times these buildings present additional issues (including health and safety) once demo is started on site. Much of the concrete will need to be cut and removed from the site, along with soil extraction.

4. Will nonpoint source pollution controls be used on the site? Please describe.

General sediment and soil erosion measures will be followed during redevelopment. These may include sediment traps on catch basins, silt fencing, etc.

5. Provide an approximate schedule for conducting response activities and implementing the proposed or projected economic development. Include any deadlines or factors affecting implementation of the project, such as other grants or developer deadlines.

Response activities would need to take place over the next 6 months, depending on weather and approval of grants/funding. Ideally, the site would get cleaned up and ready for restaurant construction by mid to late fall of 2019.



Economic Outcomes			
Is a developer committed to the project? Name of developer, if any	Yes – Union Joints LLC	Projected number of permanent jobs created by the new development (do not include construction or other temporary jobs)	Full-time: 55 Part-time: 45
Proposed new development or development type	Conversion of the radio station into a destination restaurant and event center	Projected amount of private investment created by the new development	\$4,000,000
Current State Equalized Value (SEV)	\$227,800	Projected SEV	\$645,000

1. Describe the redevelopment or potential for redevelopment and how it will result in new jobs, investment of private funds in improving or reusing the property, and/or an increase in the community's tax base.

This property has been blighted and an eyesore at the entrance to our community for almost 2 decades. The building has the potential to be restored into an amazing destination restaurant that will attract spinoff business both in Oak Park as well as in our neighboring Royal Oak Township who is desperate need. It will create 95 jobs at the site not including the construction or the spinoff of other businesses locating near there. It will also help spur additional economic development along the Eight Mile Corridor.

The success of this restaurant group in similar rehabilitation projects for destination restaurants has been amazing. Here is how they describe themselves:
The formula is simple: give the people something that they'd expect, but surprise them with the way you do it. Our intention is to create a one-of-a-kind, independent, destination-caliber restaurant with bar. Our plan will include private event capacity and catering. This business will celebrate the building and location for what it was and is: an important and historic structure that regardless of title will always belong to a public audience. We will provide something accessible for everyone. The success of Union Joints is built upon being all-inviting and serving new American comfort food with an infusion of local flair. All-welcoming is what's made us a destination for patrons and our crew alike and in that vein, 8MK (the original callsign for WWJ) will also return to radio broadcasting via heritage radio network as a membership-based radio station that broadcasts food radio.

2. Describe the status of the developer's financing for the project.

The developer is currently working to secure financing through a traditional lender for the project as well as soliciting additional support through the MEDC.



3. Indicate whether there is a purchase agreement or a development agreement, and the terms of the agreement, especially in regard to release of grant or loan dollars for the project.

The property is currently owned by the developer. Should we receive grant funding for the project, the City will enter into a development agreement with the developer.

4. If a developer is committed to the project, provide a brief summary of the developer's business experience, including any other businesses, terms and conditions of their participation in the project, bankruptcies, and civil or criminal enforcement actions related to environmental violations.

Union Joints has 20 years of running independent, one-of-a-kind restaurants in metro Detroit to the unique opportunity of reinventing the building as a vital gathering place and catalyst for ongoing redevelopment. Union Joints business experience includes designing, developing, opening and operating 6 separate and unique restaurants. It also operates a commissary, management office, and several real estate properties. Total revenue for all of the affiliated entities is approximately \$30M in annual sales. It's primary owner also owns and operates an advertising agency with roughly \$12M in annual revenues. The restaurant business has been around since 1995, when the Clarkston Union opened for business.

5. Are there any known legal, access, or title issues, liable party actions, or liens or easements on the property that could affect the proposed economic development?

None that are known



Community Outcomes			
Is existing infrastructure used?	Yes	Are Smart Growth, green building, or placemaking concepts used?	Yes
Current zoning of the property	PTRED	Projected zoning	PTRED
Property tax ID(s)	52-25-32-376-031		

1. Describe how the proposed development fits into the community's development plans, and how it will affect the community as a whole and the area immediately surrounding the project site. Will the project result in any social or community benefits? Is the community in which the project is located economically disadvantaged or depressed?

This site is the gateway to the City of Oak Park along the Eight Mile Corridor. While Eight Mile has struggled with image and been seen as a dividing line between Detroit and other communities it also provides an opportunity for this project to assist in portraying Eight Mile in a positive manner as well as attract people in the nearby communities of Royal Oak Twp, Detroit and Oak Park to work there. Royal Oak Township has also struggled for many years and is re-imagining their future. We feel this project will help to be a catalyst not only for Oak Park but Royal Oak Township, the Eight Mile Corridor as well as the northern Detroit border. The census tracts surrounding the site have median household incomes that range from a low of \$21,855 to a high of \$57,443. The census tract the project is located in has a median income level of \$28,654. This project would have a large community impact by employing nearby residents as well as provide an opportunity to improve the quality of life in the area by enhancing the built environment and removing the blight. This restaurant group has already been a good community partner and we see them becoming more involved as they have a new home through sponsorships at community events and more.

2. Describe the neighborhood around the property. Are there other viable commercial businesses nearby? Is there a large amount of vacant, developable land in the community and/or the neighborhood, or is the supply of developable land relatively low? Is the demand for property in the community and/or neighborhood high? If the site is in or within walking distance of a traditional downtown or a Michigan Main Street please describe how the development will enhance the neighborhood.

The location of this site is somewhat unique. It lies along one of the busiest corridors in Michigan, 8 Mile Rd. This corridor has also been seen as a dividing line between Detroit and the suburbs and it's history has a varied past.

The properties surrounding this site are also varied. To the North and West of the site there are some very successful businesses in our Industrial parks with the amount of developable land in low supply. Property to East of the site is mostly commercial at



varying levels of poor to mid grade success with many blighted properties. There is also a larger supply of available developable land. The properties to the South are a variety of commercial businesses

3. If applicable, describe how the project demonstrates the principles of site reuse, greenspace preservation, smart growth, reduction of storm water runoff, walkability, outdoor recreation that is accessible to people with disabilities, placemaking, LEED building standards, green roofs or parking, green remediation, or other sustainable development concepts, and how it will protect human health and the environment.

The current site will be transformed into a space that not only pays homage to its original use but retains it's historical character. The new use will create a destination for people to walk, bike or drive to. Although not in a traditional downtown, it is on one of the greatest corridors in Michigan with an image in need of improvement. The site will create a retention pond as well as some bioswales within the parking lot for stormwater run off.

4. Describe how you will announce and promote the grant/loan project. The MDEQ's contribution to the project must be acknowledged either in social media (the applicant's and/or the developer's), the local press, signage at the property, or other methods.

The Media coverage would be consistent with normal protocol here and consist of the following: press release, invite local media to cover the story – recently we have both TV and print media that are interested in all stories about Oak Park lately. Social Media blitz, story on our website, reach out to local and state elected officials to let them know, send press release to MEDA to blast out. Include a story in our quarterly magazine, announce in our Mayors message and at City Council meeting. Signage at the property would need to be coordinated with the property owner.

Local Commitment

Describe the local government's financial commitment to the project. Is the applicant willing to accept a grant and loan, or loan funding only? Include any federal, state (other than the proposed grant), or local incentives offered to the developer as part of the project. If the local government is unable to make a financial commitment to the project, explain why. Include amounts in the Sources of Project Funding table below.

The local unit is interested in grant funding for the project and locally will contribute the following: Facade improvement grant for \$2,500, expedited permitting and reviews, will consider approving a Brownfield TIF. The City will also donate the 3% administration cost of administering the loan and do so in-house.



Sources of Project Funding

List sources, uses, and amount of all funds committed to or anticipated for the economic development implementation project.

In the BRA Funds column, please list any dollars committed by the BRA that will NOT be used to repay a Brownfield Redevelopment Loan.

In the OTHER column, include federal dollars, other state grants, future sale proceeds, liable party contributions, etc.

USES OF FUNDS	Brownfield Grant or Loan	Local Funds (public)	Developer Funds (private)	BRA Funds (non-brownfield loan)	Other (list sources)	Total
Investigation	\$ -	\$ -	\$ -	\$ 16,000	\$ -	\$ 16,000
Baseline Environmental Assessment	\$ -	\$ -	\$ -	\$ 16,846	\$ -	\$ 16,846
Due Care	\$ 520,290	\$ -	\$ -	\$ -	\$ -	\$ 520,290
Other environmental response actions	\$ 39,000	\$ -	\$ -	\$ -	\$ -	\$ 39,000
Demolition	\$ -	\$ -	\$ -	\$ 70,000	\$ -	\$ 70,000
Grant administration (up to 3% of the grant/loan award)	\$ 6,000	\$ -	\$ -	\$ -	\$ -	\$ 6,000
Third-party environmental oversight professional*	\$ -	\$ -	\$ -	\$ -	\$ 14,200	\$ 14,200
Contingency (up to 15% of grant/loan amount)	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Non-environmental costs, such as infrastructure and construction	\$ -	\$ -	\$ 1,443,664	\$ 344,000	\$ 1,500,000	\$ 3,287,664
TOTAL	\$ 595,290	\$ -	\$ 1,443,664	\$ 446,846	\$ 1,514,200	\$ 4,000,000

***NOTE:** When the response activities will be performed by the consulting firm used by the project developer, the DEQ expects that the applicant will hire its own environmental oversight professional. Exceptions will be considered in low-risk situations on a case-by-case basis and must be requested in writing. The environmental oversight professional's fees are eligible for



reimbursement with the proposed grant or loan. Please include an environmental oversight professional in the budget if applicable.

Attachments

Please attach the following to the completed funding application:

1. For loans only: A resolution adopted by the applicant's governing body, verifying that the project will be undertaken if funding is awarded, and that the development is consistent with local development and redevelopment plans and zoning ordinances. Resolutions must indicate whether the applicant is willing to accept a loan, an amount up to which the applicant is willing to borrow, and the governing body must commit to repayment of the loan. If the applicant is a BRA, the resolution must be from the county or city under which the BRA was formed. The resolution should state the method of financial assurance being used to secure the loan (revenue sharing, escrow, letter of credit, or other method approved by the DEQ).
2. For grants: A letter from the chief executive officer or highest ranking appointed official indicating that the local unit of government supports the brownfield project and that the brownfield project complies with all local zoning and planning ordinances.
3. A map or maps showing the location of the project area, site boundaries, buildings (please identify buildings or portions of buildings to be demolished), areas to be capped if known, proposed greenspace, new construction, and other site features or improvements.
4. High quality, publishable digital photos of the site. **Please provide these electronically in jpg format.**
5. A final or draft development agreement, reimbursement agreement, or other agreement between the applicant and developer, describing reimbursement of TIF to the developer (if applicable), developer guarantees, development schedule, loan security (if applicable), and other terms and conditions associated with the project.
6. If the property is not owned by the applicant, a final or draft enforceable agreement between the property owner and the applicant that commits the property owner to cooperate with the applicant, including a commitment to allow access to the property to complete, at a minimum, the proposed eligible activities. Example Attached.



Certification

The undersigned, as the representative of the applicant, certifies that the applicant will comply with all applicable state and federal statutes and regulations, including those associated with the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, its administrative rules, and those statutes related to civil rights, equal opportunity, labor standards, environmental protection, and historic preservation.

The undersigned, as the representative of the applicant, certifies that the property(ies) at which grant or loan funds will be used are within the jurisdiction of the applicant.

The undersigned, as the representative of the applicant, certifies that within the last 24 months, the applicant has not had a grant from the Department of Environmental Quality (DEQ) revoked or terminated, and has not been determined by the DEQ to be unable to manage a grant.

The undersigned, as the representative of the applicant, certifies that a source of funding for ongoing maintenance and operation of the proposed project, if required, has been identified.

The undersigned, as the representative of the applicant, verifies that the applicant passed its most recent audit and acknowledges that the DEQ may review the auditor's conclusions posted on the Michigan Department of Treasury web site.

The undersigned, as the representative of the applicant, certifies that the information provided in this application and its attachments is true and complete to the best knowledge and belief of the applicant and the undersigned.

Typed name of Applicant's Representative

Signature

Title

Date

Please submit application electronically to
DEQBrownfields@michigan.gov
Please call 517-284-5113 with questions.
#mibrownfields



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

AGENDA #

SUBJECT: Proposed Change Order no. 1 and Payment Application No. 2 for the 2018-2019 Miscellaneous Concrete Repair Project, M-682.

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

SUMMARY: Attached are Proposed Change Order no. 1 and Payment Application No. 2 for the 2018-2019 Miscellaneous Concrete Repair Project, M-682. This project repairs damaged concrete from water main breaks, sewer repairs, and other deteriorated sections throughout the City. The proposed Change Order is for removal of the islands within the 11 Mile Road parking lot area. This project is approximately 95% complete.

FINANCIAL STATEMENT:

Original Contract Amount:	\$340,791.14
Proposed Change Order no. 1:	\$ 9,105.46
New Contract Amount:	\$349,896.60
Total Completed to Date:	\$331,290.64
Less Retainage:	\$ 16,564.53
Net Earned:	\$314,726.11
Balance:	\$314,726.11
Payments to Date:	\$224,518.53
Amount Due Mattioli Cement Company, LLC.:	\$ 90,207.58

RECOMMENDED ACTION: It is recommended that Proposed Change Order no. 1 for the 2018-2019 Miscellaneous Concrete Repair Project, M-682 to Mattioli Cement Company, LLC be approved for the amount of \$9,105.46. It is further recommended that Payment Application No. 2 for the same be approved for \$90,207.58. Funding is available in the Water & Sewer Fund (592-18-550-970), Local Street Fund (203-18-479-970), and General Fund (101-18-444-970) for this project.

APPROVALS:

City Manager: *[Signature]*

Department Director: *[Signature]*

Director of Finance: *[Signature]*

Budgeted:

EXHIBITS: Proposed Change Order no. 1, Payment Application No. 2

CHANGE ORDER

PROJECT:	2018-2019 MISCELLANEOUS CONCRETE PROJECT	JOB NUMBER:	M-682
OWNER:	CITY OF OAK PARK, MICHIGAN	CHANGE ORDER NO.:	1
CONTRACTOR:	MATTIOLI CEMENT COMPANY 6085 MCGUIRE ROAD FENTON, MI 48430	PAGE:	1

TO THE CONTRACTOR:

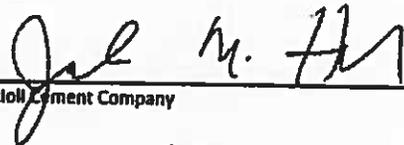
You are hereby directed to comply with the changes/extras to the contract documents.
This change order reflects work completed or anticipated. Further documentation supporting these changes is on file with the City Engineer.

THE FOLLOWING ITEMS AND OR CONTRACT UNITS PRICES SHALL BE ADDED TO THE CONTRACT AMOUNT

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	TOTAL Amount
17	11 MILE LOT REMOVALS	0	SYD	\$13.00	700.42	700.42	\$ 9,105.46
TOTALS							\$ 9,105.46

SUMMARY

Total Increase	\$	9,105.46
Total for Change Order No.1:	\$	9,105.46
Contract Amount	\$	340,791.14
Change Order No. 1:	\$	9,105.46
New Contract Amount:	\$	349,896.60

	4-25-19
Mattiolli Cement Company	Date
	4/30/19
Robert Barrett, Director Technical & Planning Services	Date

PAYMENT APPLICATION

PROJECT: 2018-2019 MISCELLANEOUS CONCRETE PROJECT

JOB NUMBER: M-682

OWNER: CITY OF OAK PARK, MICHIGAN

APPLICATION NO.: 2

CONTRACTOR: MATTIOLI CEMENT COMPANY
6085 MCGUIRE ROAD
FENTON, MI 48430

PERIOD ENDING: 4/26/2019

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY	UNIT	UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	REMOVE CONCRETE PAVEMENT	2,614	SYD	\$10.00	1,209.40	\$12,094.00	2,576.38	\$25,763.80
2	NORTHEND CONCRETE PAVEMENT REMOVAL	2,122	SYD	\$10.00	0.00	\$0.00	2,121.79	\$21,217.90
3	CONCRETE PVMT W/INT CURB & GUTTER, 9" CONC.	2,612	SYD	\$53.81	666.45	\$35,861.67	1,925.11	\$103,590.17
4	NORTHEND CONCRETE PVMT W/ INT CURB & GUTTER 9" CONCRETE	2,122	SYD	\$49.81	0.00	\$0.00	2,121.79	\$105,686.36
5	SIDEWALK CONC. NON-REINF 6" SIDEWALK/DRIVE APPROACH	150	SFT	\$6.00	2,250.95	\$13,505.70	2,635.92	\$15,815.52
6	SIDEWALK CONC. NON-REINF 4" SIDEWALK	150	SFT	\$5.00	2,153.50	\$10,767.50	2,800.00	\$14,000.00
7	CONC. PVMT 24" CURB & GUTTER SECTION NON REINF 9" CONC.	25	LFT	\$33.00	102.90	\$3,395.70	112.90	\$3,725.70
8	ADJUSTING DRAINAGE STRUCTURES	10	EA	\$250.00	5.00	\$1,250.00	9.00	\$2,250.00
9	CAST IN PLACE DETECTABLE/TACTILE WARNING SURFACE	50	SFT	\$22.00	110.00	\$2,420.00	110.00	\$2,420.00
10	AGGREGATE BASE UNDER 9" CONC. (3" 21AA CR LIMESTONE)	2,612	SYD	\$5.00	661.06	\$3,305.30	1,828.41	\$9,142.05
11	AGGREGATE BASE UNDER 4" & 6" & 9" CONC. (6" 21AA CR LIMESTONE)	200	SYD	\$9.00	0.00	\$0.00	84.97	\$764.73
12	NORTHEND AGG. BASE UNDER 9" CONC (3" 21AA CR LIMESTONE)	2,122	SYD	\$5.00	0.00	\$0.00	2,121.79	\$10,608.95
13	DRAINAGE STRUCTURE COVER	760	LBS	\$1.76	0.00	\$0.00	0.00	\$0.00
14	MINOR TRAFFIC DEVICES	1	LSUM	\$6,500.00	0.50	\$3,250.00	1.00	\$6,500.00
15	PROJECT CLEAN UP	1	LSUM	\$1,400.00	0.00	\$0.00	0.50	\$700.00
16	INSPECTION CREW DAYS	20	DAY	\$320.00	8.00	\$0.00	21.00	\$0.00
17	11 MILE LOT REMOVALS	0	SYD	\$13.00	700.42	\$9,105.46	700.42	\$9,105.46

Period Total Amount: \$94,955.33 Amount to Date: \$331,290.64

Original Contract Amount: \$340,791.14
Change Order No. 1: \$9,105.46
New Contract Amount: \$349,896.60

Earnings This Period: \$94,955.33

Total Earnings to Date: \$331,290.64

Less Retainage: \$16,564.53

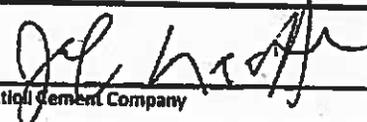
Net Earned: \$314,726.11

Deductions: \$0.00

Balance: \$314,726.11

Payments to Date: \$224,518.53

AMOUNT DUE MATTIOLI CEMENT COMPANY: \$90,207.58

Accepted By: 
Mattioli Cement Company

Date: 4-25-19

Approved By: 
Robert Barrett, Director Technical & Planning Services
City of Oak Park, Michigan

Date: 4/30/19



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019

AGENDA #

SUBJECT: Proposed Change Order No. 3 and Payment Application No. 4 for the 2018 45th District Court Renovation Project, M-684.

DEPARTMENT: Public Works

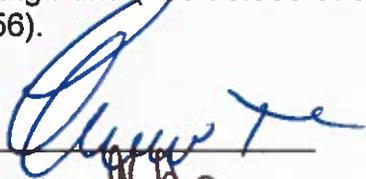
SUMMARY: Attached are proposed Change Order No. 3 and Payment Application No. 4 for the 2018 45th District Court Renovation Project, M-684. The proposed Change Order is for revisions to the original project scope including the fire dampers and bullet resistant glass. Through the period ending April 30, 2019, the project is approximately 35% complete.

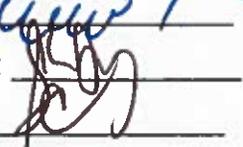
FINANCIAL STATEMENT:

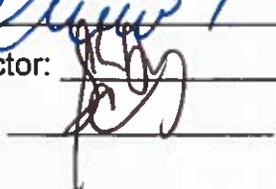
Original Contract Amount:	\$1,532,301.00
Previously Approved Change Orders (No. 1-2):	\$37,083.40
Proposed Change Order No. 3:	\$4,484.11
New Contract Amount:	<u>\$1,573,868.51</u>
Total Completed to Date:	\$585,555.61
Less Retainage:	\$44,818.64
Net Earned:	\$540,736.97
Payments to Date:	<u>\$268,476.99</u>
Amount Due to Frank Rewold & Sons, Inc.:	\$272,259.98

RECOMMENDED ACTION: It is recommended that proposed Change Order No. 3 for the 2018 45th District Court Renovation Project, M-684, to Frank Rewold & Sons, Inc., be approved for the amount of \$4,484.11. It is further recommended that Payment Application No. 4 for the same be approved for \$272,259.98. Funding is available in the Court Building Fund (470-70.900-970) and Case Flow Assistance Fund (256-50.136-956).

APPROVALS:

City Manager: 

Department Director: 

Finance Director: 

Budgeted:

Legal: N/A

EXHIBITS: Change Order No. 3, COR Approval listing, and Payment Application No. 4

Change Order

Project:
 Oak Park District Court House
 13600 Oak Park Blvd
 Oak Park, MI

Job#: 10579
Change Order: 3
Date: 4/17/2019

To Contractor:
 Frank Rewold And Son, Inc.
 303 East Third Street - Suite 300
 Rochester, MI 48307

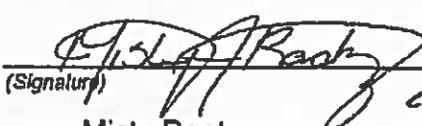
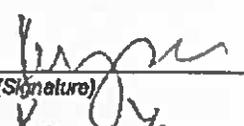
Architect's Project:

The Contract is changed as follows:
 Contract changes per approved CORs.

8 Delete 1 of two Cabinets (sourced twice) and add vertical cabinet	\$-2,095.00
9 Temp fence - added scope	\$0.00
16 Reuse existing exterior transom panel	\$-400.00
18 Bulletin 8 - rm 156- fire dampers	\$1,353.42
21 Bullet resistant level 3 glass - security office	\$6,453.69
23 Cancel signage purchase order	\$-828.00
Total:	\$4,484.11

The original Contract Amount was	\$1,532,301.00
Net change by previously authorized Change Orders	\$37,083.40
The Contract Amount prior to this Change Order was	\$1,569,384.40
The Contract will be increased by this Change Order in the amount of	\$4,484.11
The new Contract Amount including this Change Order will be	\$1,573,868.51

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<p>ARCHITECT OHM Advisors 34000 Plymouth Road Livonia, MI 48150</p>	<p>CONTRACTOR Frank Rewold And Son, Inc. 303 East Third Street - Suite 300 Rochester, MI 48307</p>	<p>OWNER City of Oak Park 13600 Oak Park Boulevard Oak Park, MI 48237</p>
 (Signature) Misty Raatz By April 23, 2019 Date	 (Signature) Gene P. Ferrera By 4.19.19 Date	 (Signature) Kevin Jay By 4/23/19 Date

**** Proposed Change Order No. 3 ****

**2018 45th District Court Renovation Project, M-684
Change Order Request - Approvals**

Court Project, M-684 ---- Change Order Request Log				
Signed (city)	COR #	Change Order	Description	Amount
2/13/2019	1	1	Delete in-custody wall	-\$4,295.15
2/13/2019	2	1	Build CMU wall for in-custody	\$4,946.33
2/22/2019	4	2	New Drinking fountain	\$3,638.67
3/12/2019	5	2	60 minute door at 155a and decrease 3 door heights	\$571.34
3/12/2019	6	2	Cut radius and re-laminate transaction desk	\$1,010.76
3/12/2019	10	2	Access Panels and wiring in lieu of conduit	\$7,398.29
3/5/2019	11	2	Half lite requested in door 156	\$359.70
3/12/2019	12	2	Fire Alarm that was not in original scope	\$19,502.01
3/5/2019	13	2	Front door operator that was not in original scope	\$3,951.45
3/12/2019	15	2	Painting of replacement doors that was not in original scope	\$0.00
4/16/2019	8	3	An IT Cabinet was originally in two vendor quotes. It was removed from the Datacom quote.	-\$2,095.00
3/5/2019	9	3	Additional temporary fencing	\$0.00
4/16/2019	16	3	Reuse the existing transom at the probation emergency exit door	-\$400.00
4/16/2019	18	3	Fire dampers for in-custody meeting room	\$1,353.42
4/16/2019	21	3	Use of Bullet Resistant level 3 glass in Security Office. The original bid called for laminated glass	\$6,453.69
4/16/2019	23	3	Deletion of sign package that was originally awarded	-\$828.00

APPLICATION AND CERTIFICATE FOR PAYMENT

TO (OWNER): Oak Park City of
13600 Oak Park Blvd
Oak Park, MI 48237

CONTRACT FOR: Courthouse Renovations
VIA (ARCHITECT): CHM Advisors

Invoice: 1057904
Application: 04
Invoice date: 4/24/2019
Period from date:
Period to date: 4/30/2019
Contract date:

ATTENTION:
FROM (CONTRACTOR): Frank Rewold and Son, Inc.
303 East Third Street - Suite 300
Rochester, MI 48307

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Changes approved in previous months by Owner	42,478.55	-5,396.15
Total approved this Month	9,641.76	-5,157.65
TOTALS	52,120.31	-10,552.80
NET CHANGES by Change Order	41,567.51	

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet is attached

1. Original Contract Sum	1,532,301.00
2. Net change by Change Orders	41,567.51
3. Contract Sum to Date (lines 1+2)	1,573,868.51
4. Contract completed to date	585,555.81
5. Less retainage	44,818.64
6. Total Earned Less retainage	540,736.87
7. Less Previous Certificates For Payment	288,478.99
8. Current Payment Due	272,259.98
9. Balance to Finish plus Retainage	1,033,131.54

See Attached Schedule for summary of Change Orders

The undersigned Contractor hereby certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Frank Rewold and Son, Inc.

By: [Signature] Date: 4-24-19

State Of Michigan
County Of Oakland

Subscribed and sworn to before me this 24th day of April, 2019

Notary Public: [Signature]

Acting in Oakland County
My commission expires: 11-29-19

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED s \$272,259.98
(Attach explanation if amount certified differs from the amount applied for)
ARCHITECT: CHM Advisors

By: [Signature] Date: April 24, 2019

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

** Pay Application No. 4 **

APPLICATION AND CERTIFICATE FOR PAYMENT - CONTINUATION SHEET

Project: 105781 / Oak Park Courthouse
 Contract For: Courthouse Renovations

Invoice: 1057804
 Invoice Date: 4/24/2019

Draw: 1057800004
 Period To: 4/30/2019
 Architect: OHM Advisors

Item ID	Description	Orig Schedule Value	Approved Changes	Total Schedule Value	Previously Completed Wrk	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage
01-001.01	General Conditions & Staff	180,587.00	2,055.00	182,642.00	81,711.23	33,182.94		114,894.17	63	67,747.83	
01-041.01	General Liab Insurance	4,010.00	141.62	4,151.62	743.25	792.85		1,536.10	37	2,815.52	
01-260.01	Temporary Fencing	3,882.00	1,834.65	5,716.65						5,716.65	
01-705.01	CM Bond	3,992.00	462.26	4,454.26	4,374.89	79.37		4,454.26	100		
01-825.01	General Contingency	71,512.00	-2,484.66	69,027.35						69,027.35	
01-990.01	CM Fee	43,184.00	1,369.18	44,553.16	7,980.48	8,504.19		16,484.67	37	28,068.49	
02-060.01	Demolition	39,600.00		39,600.00	5,000.00	25,000.00		30,000.00	76	9,800.00	3,000.00
03-300.01	Concrete Flatwork	5,380.00		5,380.00						5,380.00	
04-200.01	Masonry	45,850.00	3,557.89	49,407.89	15,150.39			15,150.39	31	34,257.50	1,515.04
06-100.01	Structural Steel	14,788.00		14,788.00						14,788.00	
06-100.01	Carpentry	78,700.00	-13.00	78,687.00	27,325.00	7,338.00		34,663.00	44	44,024.00	3,466.30
06-101.01	FRS Misc Costs		442.46	442.46	104.94			104.94	24	337.52	10.49
07-300.01	Roofing	409,799.00		409,799.00	6,393.00			6,393.00	2	403,376.00	639.30
08-100.01	Doors & Hardware	18,277.00	-357.00	17,920.00		17,430.00		17,430.00	97	490.00	1,743.00
08-810.01	Glass & Glazing	42,488.00	8,000.00	50,488.00	6,630.00	9,148.00	9,837.00	25,813.00	51	24,873.00	2,581.30
09-650.01	Flooring	23,274.00		23,274.00						23,274.00	
09-900.01	Painting	16,640.00	200.00	16,840.00	2,000.00	11,190.00		13,190.00	78	3,650.00	1,319.00
10-426.01	Signage	1,078.00	-828.00	250.00						250.00	
12-829.01	Fixed Seating	23,363.00		23,363.00						23,363.00	
15-400.01	Plumbing	12,900.00	3,195.00	16,095.00	500.00	3,000.00		3,500.00	22	12,595.00	350.00
15-500.01	HVAC	242,700.00	1,073.12	243,773.12	51,710.00	158,813.12		210,523.12	86	33,250.00	21,052.31
16-050.01	Electrical	63,390.00	25,014.00	88,394.00	12,000.00			12,000.00	14	76,394.00	1,200.00
16-700.01	Data Cabling	15,815.00	-2,095.00	13,720.00	9,084.75			9,084.75	66	4,655.25	808.48
16-722.01	Security & Audio	108,770.00		108,770.00	57,085.41	13,468.80		70,554.21	66	38,215.79	7,055.42
16-810.01	Data Equipment	27,215.00		27,215.00						27,215.00	
17-001.01	Parapet Nailers	3,100.00		3,100.00						3,100.00	
17-002.01	After-Hours Work	7,750.00		7,750.00						7,750.00	
17-003.01	Additional Overtime	1,500.00		1,500.00						1,500.00	
17-004.01	Unknown Coil Size Adjustme	2,500.00		2,500.00						2,500.00	
17-005.01	Final Cores/Keying	1,750.00		1,750.00						1,750.00	
17-006.01	Paneling Rework	4,900.00		4,900.00						4,900.00	
17-007.01	Roof Substrate Replacement	5,000.00		5,000.00						5,000.00	
17-008.01	Roof Nailers	5,000.00		5,000.00						5,000.00	

APPLICATION AND CERTIFICATE FOR PAYMENT - CONTINUATION SHEET

Project: 105791 / Oak Park Courthouse
 Contract For: Courthouse Renovations

Invoice: 1C57904
 Invoice Date: 4/24/2019

Draw: 1057900004
 Period To: 4/30/2019
 Architect: OHM Advisors

Item ID	Description	Orig Schedule Value	Approved Changes	Total Schedule Value	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage
17-009.01	Courtroom Monitor	4,000.00		4,000.00						4,000.00	
17-010.01	Existing Ceiling Work	7,500.00		7,500.00						7,500.00	
17-011.01	Dust Control	1,000.00		1,000.00						1,000.00	
17-012.01	Temporary Signage	1,000.00		1,000.00						1,000.00	
17-013.01	Restoration	2,000.00		2,000.00						2,000.00	
17-014.01	Security	1,000.00		1,000.00						1,000.00	
17-015.01	Porta-John	3,000.00		3,000.00						3,000.00	
17-016.01	Mechanical Distribution	1,500.00		1,500.00						1,500.00	
17-017.01	Floor Patch/Prep	1,500.00		1,500.00						1,500.00	
17-018.01	General Wall Patch/Paint Pre	2,000.00		2,000.00						2,000.00	
17-019.01	Temporary Protection	7,500.00		7,500.00						7,500.00	
17-020.01	Concrete X-Ray	1,500.00		1,500.00						1,500.00	
17-021.01	Additional Supp Moving Labo	5,000.00		5,000.00						5,000.00	
17-022.01	Updated Switch	1,500.00		1,500.00						1,500.00	
17-023.01	Final Cleaning	3,500.00		3,500.00						3,500.00	
17-024.01	Roofing Breakout Correction	-37,851.00		-37,851.00						-37,851.00	

Totals	1,532,301.00	41,567.51	1,573,868.51	287,773.34	287,945.27	9,837.00	585,555.81	37	998,312.90	44,818.64
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**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN****AGENDA OF:** May 6, 2019 **AGENDA #**

SUBJECT: Authorize the City of Oak Park to enter into contract 19-5175 with the Michigan Department of Transportation (MDOT) for the 9 Mile Road Diet Project.

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

SUMMARY: Attached is a copy of the MDOT contract number 19-5175 for this project. This is an amendment from the original approved contract (contract 19-5007) due to the bid prices coming in higher than the estimate, for which MDOT has increased the Federal Funding from \$983,826 to \$1,271,244. This project will create roadway improvements and non-motorized trail construction work along 9 Mile Road from McClain Drive easterly to Pinecrest Drive. The total project cost is estimated at \$1,816,000 of which \$1,271,244 will be paid from Federal funds. Ferndale will be responsible for approximately 7% of the project that will occur in their City.

FINANCIAL STATEMENT: Funding is available in the Major Street Fund number 202-18-479-970.

RECOMMENDED ACTION: It is recommended that City Council approve MDOT contract number 19-5175 upon review by the City Attorney's office and authorize the Mayor and City Clerk to sign the contract on behalf of the City.

APPROVALS:City Manager: *[Signature]*Department Director: *[Signature]*Finance Director: *[Signature]*Budgeted:

Legal: _____ To be reviewed and approved as to form _____

EXHIBITS: MDOT Contract

AMENDMENT TO CONTRACT 19-5007

DA
Control Section TAU 63000
Job Number 200805CON
Project 1900(221)
CFDA No. 20.205 (Highway
Research Planning &
Construction)
Contract No. 19-5175

THIS AMENDATORY CONTRACT is made and entered into this date of _____, 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 "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to this Amendment to CONTRACT #19-5007.

WITNESSETH:

WHEREAS, the parties to the Amendment have heretofore, by a Contract dated February 12, 2019, hereinafter referred to as "CONTRACT 19-5007" provided for the construction and financing of that which is hereinafter referred to as the "PROJECT" and is described as follows:

PART A - FEDERAL PARTICIPATION

Roadway improvement and non-motorized trail construction work along Nine Mile Road from McClain Drive easterly to Pinecrest Drive; including roadway reconfiguration, concrete sidewalk ramp, drainage improvement, trailhead, permanent signing, and pavement marking work; and all together with necessary related work.

PART B - NO FEDERAL PARTICIPATION

Irrigation system, drinking fountain, and dog waste station installation work within the limits as described in PART A; and all together with necessary related work.

WHEREAS, the DEPARTMENT and the REQUESTING PARTY having appropriate authority desire to amend CONTRACT 19-5007 to provide for the increase in dollar amount from \$983,826 to \$1,271,244 associated with the maximum Federal Congestion Mitigation and Air Quality Funds to be applied to the eligible items of the PROJECT COST, based on the low bid amount.

NOW, THEREFORE, it is hereby agreed by and between the parties hereto that:

1. Section 5 of CONTRACT 19-5007 is revised to read as follows:

5. The PROJECT COST shall be met in accordance with the following:

PART A

Federal Transportation Alternatives Program Funds shall be applied to the eligible items of the PART A portion of the PROJECT COST up to the lesser of: (1) \$1,271,244 or (2) an amount such that 81.85 percent, the normal Federal participation ratio for such funds, for the PART A portion of the PROJECT is not exceeded at the time of the award of the construction contract. The balance of the PART A portion of the PROJECT COST, after deduction of Federal Funds, shall be charged to and paid by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

PART B

The PART B portion of the PROJECT COST is not eligible for Federal participation and shall be charged to and paid 100 percent by the REQUESTING PARTY in the manner and at the times hereinafter set forth.

Any items of PROJECT COST not reimbursed by Federal Funds will be the sole responsibility of the REQUESTING PARTY.

2. EXHIBIT I of CONTRACT 19-5007 is superseded by EXHIBIT I REVISED, dated April 2, 2019 attached hereto and made a part hereof. Any references to EXHIBIT I in CONTRACT 19-5007 shall be construed to mean EXHIBIT I REVISED.

3. Except as amended by the provisions herein, all of the provisions, covenants, and obligations of the parties contained in CONTRACT 19-5007 shall remain in full force and effect.

4. The REQUESTING PARTY waives any and all claims it has or may have against the DEPARTMENT which arise out of the need to amend CONTRACT 19-5007.

5. This Amendatory 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 parties hereto; upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, 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 the day and year first above written.

CITY OF OAK PARK

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



April 2, 2019

EXHIBIT I REVISED

CONTROL SECTION TAU 63000
JOB NUMBER 200805CON
PROJECT 1900(221)

ESTIMATED COST

CONTRACTED WORK

	<u>PART A</u>	<u>PART B</u>	<u>TOTAL</u>
Estimated Cost	\$1,816,100	\$14,400	\$1,830,500

COST PARTICIPATION

GRAND TOTAL ESTIMATED COST	\$1,816,100	\$14,400	\$1,830,500
Less Federal Funds*	\$1,271,244	\$ -0-	\$1,271,244
BALANCE (REQUESTING PARTY'S SHARE)	\$ 544,856	\$14,400	\$ 559,256

*Federal Funds for the PART A portion of the PROJECT are limited to an amount as described in Section 5.

NO DEPOSIT



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: May 6, 2019 **AGENDA #**

SUBJECT: Proposal for professional services for Construction Engineering of the Nine Mile Road Diet project.

DEPARTMENT: Technical & Planning – Engineering *KJY*

SUMMARY: Attached is a proposal from OHM to perform professional services for the Construction Engineering of the Nine Mile Road Diet project. This proposal is for the inspection and MDOT contract administration for this Federally funded project. Ferndale would be responsible for their share based on percentage of construction costs.

RECOMMENDED ACTION: It is recommended that the proposal from Orchard, Hiltz & McCliment, Inc. to perform the Construction Engineering for the Nine Mile Road Diet project be approved for an hourly, not to exceed amount of \$221,000.00 upon final review by the City Attorney's office. Funding in the Major Street fund 202-18-479-801 for this expenditure.

APPROVALS:

City Manager: *[Signature]*

Department Director: *[Signature]*

Finance Director: *[Signature]*

Budgeted

EXHIBITS: Contract

ARCHITECTS. ENGINEERS. PLANNERS.



April 26, 2019

Kevin J. Yee, P.E.
Assistant City Manager/Director of Public Works/City Engineer
10600 Capital Street
Oak Park, MI 48237

Re: Construction Engineering Services – City of Oak Park
Nine Mile Road Diet and Non-Motorized Facilities

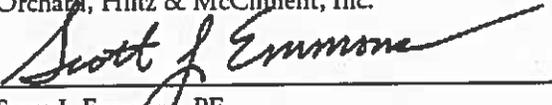
Dear Mr. Yee:

OHM is pleased to submit our proposed scope of services and budget for the above noted project. The City of Oak Park has obtained federal funding for the noted project between McClain Drive and Pinecrest Street. With this award, the project must be administered through MDOT. Our scope of services reflects the required processes to administer this federally funded project. Construction is expected to begin in early May and be completed by November of 2019.

Please note we have arranged for testing services to be performed by consultant G2. We recommend the City contract directly with G2 directly to avoid processing and handling charges.

If you have any questions or wish to discuss this proposal in greater detail, please me at 734-466-4590, or Jim Stevens at 248-751-3102.

Respectfully,
Orchard, Hiltz & McCliment, Inc.



Scott J. Emmons, PE
Project Manager

EXHIBIT A

SCOPE OF SERVICES

I. CONSTRUCTION PHASE SERVICES

A. General

1. Contract Administration Services shall consist of the preparation of bi-weekly pay estimates based on quantities provided with the inspector daily reports to meet MDOT deadlines for payment purposes. Field Manager software shall be used to track pay estimates and project pay quantities, materials used and testing results. Information tracked will be used in the resolution of claims and/or contract document interpretation along with reviews of project schedules to monitor compliance with deadlines. These services shall also include project closeout, consisting of final pay estimate preparation, obtaining closeout documents required from the contractor and a balancing change order reflecting all increases, decreases, credits and/or extras to the contract.
2. Stakeout Services may include as-needed layout assistance for the parking areas, refuge islands, plaza paving, sidewalk ramps, trailhead and pathway.
3. Inspection Services shall consist of one full time inspector and a second inspector as needed depending on the progress of the work on days when work is performed. Daily field reports (IDR's) will be prepared documenting pay item quantities and the general work progress for the day. The CONSULTANT will answer residents' questions and attempt to resolve complaints on a daily basis, which may arise during the course of construction. The CONSULTANT will also interact with the contractor's supervisory personnel to notify them when work is unacceptable and in need of correction, or removal and replacement of specific work elements if the situation warrants.

A soil erosion control review will be conducted on a weekly basis and as needed to maintain appropriate soil erosion control over this work and meet the approval of OCWRC. A project status report will be completed at each review identifying the status of the soil erosion control measures and what direction was given to the contractor.

4. Construction Engineering Services shall consist of the supervision of the construction inspection staff to provide appropriate project staffing and project documentation, shop drawing review, resolution of construction issues/problems which may arise, review and recommendations to the CITY regarding claims from the contractor(s) including preparation of change orders if required, prompt complaint resolution, review of project progress for compliance with approved schedule and recommendations to the City Engineer for penalties and/or changes in the time of completion of projects. CONSULTANT shall coordinate the efforts of materials testing by others and review materials testing reports to check for compliance with contract documents and make appropriate recommendations (when needed) to the City Engineer. The CONSULTANT shall lead the preconstruction meeting and the bi-weekly progress meetings. The CONSULTANT will develop and coordinate with the CITY, draft letters to the area businesses and residents at the start of construction and, when needed, send out letters when there are changes in construction sequences or schedule. Letters shall be mailed by the CITY. If requested, the CONSULTANT will participate in other CITY resident communication initiatives.
5. Materials Testing Services will be performed by G2 Consulting Group, under separate agreement. Please see the attached proposal (Exhibit B). The CONSULTANT will coordinate with G2 for testing needs on the project.
6. Perform Davis Bacon Wage Rate interviews.

7. Coordination with MDOT as needed to comply with MDOT and Federal aid process.
 8. Provide input and support at the final MDOT audit of the construction file.
- B. Detailed CONSULTANT Responsibilities
1. Contract Administration
 - a. Perform as the Project Engineer for the Project consistent with the CITY/MDOT's practice and in accordance with the Specifications, Plans and Proposal.
 - b. Provide an experienced office technician knowledgeable about aspects of the Field Manager system, and procedures regarding project record documentation. Provide administrative support. Provide all computer equipment necessary to run Field Manager system. MDOT filing nomenclature and hierarchy must be followed.
 - c. Arrange and conduct conferences and meetings required to carry out the Services or as required by the City Engineer. Prepare and distribute minutes of all meetings.
 - d. Assist the CITY with appropriate coordination with affected local, state, and/or federal agencies, other Consultants, Contractors, the public, utilities, local police, fire, and emergency services, and the Public School system(s), which may be affected by the Project.
 - e. Perform inspection of the construction site to assure that proper soil erosion and sedimentation controls are in place. A MDEQ certified NPDES Stormwater Operator will be assigned to inspect and document the project and report any violations to the contractor for corrective actions.
 - f. Keep daily diaries, sketches, logs, and records consistent with CITY/MDOT practices as may be needed to record the Contractor's progress.
 - g. Notify the CITY Engineer immediately of any unanticipated Project conditions and any changes, extras, or adjustments to the contract before processing a Work Order and/or Recommendation.
 - h. Resolve any problems, issues, discrepancies, or other items brought to the attention of the CONSULTANT by the Contractor. Provide written documentation of the resolution of such issues. Keep the CITY Engineer informed of all such issues.
 - i. Process claims submitted by the Contractor and/or Subcontractor on the Project. The CONSULTANT, in accordance with Section 104.10 of the 2012 Standard Specifications, shall represent these claims for Construction and follow MDOT's Written Claim Procedures in affect at the time the Construction Contractor files the claim.
 2. Construction Observation
 - a. Provide observation of all Contractor field construction work, provide quality control, and confirm substantial conformance with the Specifications, Plans, and Proposal. Arrange for non-compliance work to be made whole by the Contractor or to find the non-compliance work acceptable to the CONSULTANT and, where necessary, to the CITY Engineer. Inform the City Engineer of non-compliance work.

- b. Complete a final inspection of all work included in the Project, or such portions thereof eligible for acceptance, after notification by the Contractor that the work is completed or after the CONSULTANT'S records show the work is completed. The final inspection shall include notifying the Contractor in writing of particular defects to be remedied if work is not acceptable to the CONSULTANT.
- c. Ascertain that the Project has been performed in substantial conformance with the plans and specifications, or such modifications thereof as may have been approved, and accept the Project. Invite the CITY Engineer and appropriate MDOT personnel, as directed by current MDOT policy, to participate in the final acceptance.
- d. Coordinate with business owners and residents along project to resolve legitimate project-related issues and coordinate with the Contractor and the CITY to resolve property owner complaints and requests.

3. Materials Testing and Reporting

- a. This service will be performed by G2 Consulting Group, Inc. see Exhibit B for the scope of services and responsibilities. CONSULTANT will coordinate work activities and testing needs with G2.

4. Measurement, Computation and Documentation of Quantities

- a. Measure and compute quantities, and provide appropriate documentation of all materials incorporated in the work and items of work completed, and maintain an item record account using Field Manager software. Use the most current available version of Field Manager as the primary system for automation of all required office work.
- b. Track insufficient tested materials and notify the Contractor on a bi-weekly basis.

5. Reporting and Record Keeping

- a. Prepare such periodic, intermediate and final reports and records as may be required by the MDOT in a format acceptable to MDOT and as are applicable to the Project, which as a minimum include:
 - i. Inspector's Daily Reports,
 - ii. Work Orders,
 - iii. Construction Item and Tested Material Records using Field Manager,
 - iv. Transfer of Tested Materials,
 - v. Monthly Report on Material Inspection,
 - vi. Moisture and Density Determination Reports (Form 582BM),
 - vii. Inspector's Report of Concrete Placed (Form 1174A-M),
 - viii. NPDES Storm water Operator Reports,
 - ix. Labor Compliance, such as the Weekly Employment and OJT Report (Form 1199),
 - x. Construction Estimate Bi-Weekly Report,
 - xi. Bi-Weekly Construction Progress Report and Weekly Statement of Working Days Charged,
 - xii. Force Accounts,
 - xiii. Contract Modifications (Recommendations and Authorizations),
 - xiv. Extension of Time and Liquidated Damages,
 - xv. Contractor Evaluation (Form 1182),
 - xvi. Reduction in Reserve, and

CONSTRUCTION ENGINEERING CONTRACT
NINE MILE ROAD DIET AND NON-MOTORIZED FACILITIES

- xvii. Other records and/or reports as required for the individual Project by the CITY Engineer and/or as required by Specifications, Plans, Proposal, the Michigan Construction Manual, the Materials Sampling Guide, and any and all other applicable references, guidelines, and/or procedures manuals.
 - b. Review, process, and/or approve construction Contractor submittal of records and reports required by the MDOT as applicable to the Project, which as a minimum include:
 - i. Working Drawings,
 - ii. Weekly Employment Reports and Certified Payrolls,
 - iii. Contractor's claims for additional compensation and extension(s) of time, and
 - iv. Other reports and records as required for the individual Project by the CITY Engineer.
 - c. Maintain project files in accordance with the MDOT Office Manual and procedures. Provide copies of select correspondence and documentation to the Project Manager.
6. Finalizing All Project Documentation
- a. Field measure applicable items of work. Prepare final summaries for applicable items of work.
 - b. Participate in and resolve items determined to be insufficient during MDOT's review(s) of project records and/or during the Project Engineer Certification Process prior to submitting the Final Estimate. Within 45 calendar days of the actual project completion date, the project records shall be ready for the Final Records Review.
 - c. Prepare and submit the Final Estimate, Final Quantity Sheets, Final Marked As-Constructed Plans, and the Design/Construction Package Evaluation (Form 285-2). The Final Estimate Package shall be submitted to the CITY Engineer within 30 days of the Final Records Review.

II. PAYMENTS TO THE CONSULTING ENGINEER

The City shall pay the CONSULTANT for engineering services as follows:

Engineering services will be performed on an hourly basis with a not-to-exceed fee, unless otherwise authorized by the City for additional services. OHM will invoice the City on a monthly basis in accordance with our current billing rates. Our 2019 rates are attached (Exhibit C). Our total not-to-exceed limit for the project related to the construction phase services outlined above under Section I is \$221,000 based on the approximate budget task breakdown below:

Task 1 – Contract Administration	\$14,000
Task 2 – Stakeout	\$7,000
Task 3 – Construction Engineering	\$36,000
Task 4 – Construction Inspection	<u>\$137,000</u>
	\$194,000
Materials Testing*	<u>\$27,000</u>
	\$221,000

* Testing consultant will bill directly to the City.

III. SCHEDULE

CONSULTANT will begin work outlined above upon authorization. The following construction schedule is anticipated for this project:

Contract Award by MDOT to Contractor	April 17, 2019
Pre-Construction Meeting	Week of May 6, 2019
Start Construction	May 15, 2019
Open-to-Traffic Date	July 26, 2019
Construction Completion	November 15, 2019
Final Contract Completion Date	September 20, 2021

The construction work is anticipated to be completed in 2019 by the Construction Completion date noted above. Periodic inspections will be needed during 2020 and 2021 for oversight of the watering and cultivating of the landscaping per the MDOT Contract with the Contractor.

The project budget for construction engineering services is based on the Contractor meeting the dates outlined in the project progress clause. In the event, the construction schedule is extended due to acts of beyond the control of the CONSULTANT, CONSULTANT shall be entitled to compensation for the additional effort to complete the construction engineering services to project completion.

In the event of a work stoppage of the project by the CITY, the Contractor, or through an act of God, or as a result of any act, condition, or happening beyond the control of the parties hereto, the CONSULTANT shall be entitled to compensation for such work as may have been completed as of the date of the stoppage.

IV. CITY RESPONSIBILITIES

- A. Attend all Progress Meeting.
- B. Sign all required construction documents as the Project Engineer, which will be required to process the project through MDOT.
- C. Coordinate meetings with CITY officials, which may be required.
- D. Coordination with police and fire departments.
- E. Maintain project communication with community via social media or other communication platform.



CONSULTING
GROUP

EXHIBIT B

April 23, 2019

Mr. Barry Gates
Client Representative
Orchard, Hiltz & McCliment, Inc.
34000 Plymouth Road
Livonia, Michigan 48150

RE: Proposal for Construction Materials Testing and Engineering Services
Nine Mile Road Diet & Non-Motorized Facilities Project
McClain Drive to Pinecrest Drive
Oak Park, Michigan
MDOT Job No. 200805A CS TA 63000
G2 Proposal No. 190327 Revision 1

Mr. Gates:

In accordance with your request, we are pleased to present this proposal for Construction Materials Testing and Engineering Services for the Proposed Northbound Northwestern Highway Service Drive Rehabilitation Nine Mile Road Diet & Non-Motorized Facilities Project in Oak Park, Michigan. This proposal has been prepared based on our experience with similar types of projects and review of project documentation.

PROPOSED SCOPE OF WORK

In general, our construction engineering services shall consist of providing qualified personnel to observe construction activities and advise the OHM Field Representative and/or contractor as to the contractor's compliance with project specifications. We anticipate the scope of our services shall include on-site quality control observation and testing as appropriate, including associated laboratory testing, and timely submittal of field and laboratory test results and project invoices.

Based upon our understanding of the project requirements, we anticipate that our services will be required on an intermittent basis, scheduled at the direction of the OHM field representative. We anticipate that our services shall include following items:

- HMA and PC Concrete Mix Design Review
- Field Density Testing During Underground Utility Installation Backfill, Subbase Compaction, Base Course Installation and Compaction, and HMA Laydown Operations
- Field and Laboratory Concrete Testing for Pavement Reconstruction, Curb and Gutter, Sidewalk, and ADA Ramp Upgrades
- HMA Sampling and Laboratory Testing
- Other Construction Operations as directed

G2 Consulting Group, LLC has extensive experience on MDOT LAPs and is familiar with testing and inspection reporting and documenting requirements.

g2consultinggroup.com

Headquarters	1866 Woodslee St	Troy, MI 48083	P 248.680.0400	F 248.680.9745
Ann Arbor	1595 Eisenhower Pl	Ann Arbor, MI 48108	P 734.390.9330	F 734.390.9331
Chicagoland	1186 Heather Dr	Lake Zurich, IL 60047	P 847.353.8740	F 847.353.8742

PROFESSIONAL FEES

Charges for our construction quality control observation and testing, and related consulting engineering services will be made on an hourly unit and/or test basis in the attached Schedule of Fees and Services. G2 staff has extensive experience providing construction observation and quality control testing services for similar projects with OHM and the City of Oak Park. G2 has enjoyed a strong working relationship with your staff and firm and we welcome any suggestion for improving our services to OHM. Based on our experience and review of available project information and the estimated construction value of \$1,300,000 (not including landscaping materials, plantings, recreational features, or other equipment), we estimate our total fees for the project will not exceed \$27,000.00.

GENERAL CONDITIONS

All work will be performed in accordance with our General Conditions, a copy of which is enclosed. The prices discussed in this proposal remain valid for the remainder of 2019. After this date, we reserve the right to revise our prices.

We trust this information is sufficient for your present needs. If you have any questions regarding the scope of our Construction Engineering Services, or any other matter pertaining to this project, do not hesitate to call us. As authorization, please prepare a Project Supplement to our Continuing Services Agreement that references this proposal. We appreciate the opportunity to again be of service to OHM Advisors and your local communities.

Sincerely,

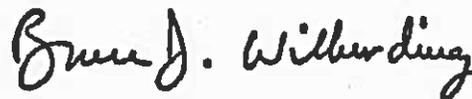
G2 Consulting Group, LLC



James Berry, P.E.
Project Manager

JLB/BJW/ljv

Encl: Schedule of Fees



Bruce J. Wilberding, P.E.
Principal



**CONSULTING
GROUP**

Schedule of Fees and Services – 2019 Construction Season
Fees Valid through December 31, 2019

A. Engineering Services

Construction Materials Testing and Engineering Services for field testing and inspection duties, meetings and conferences, recommendations, reporting, and consultation will be furnished in accordance with the following schedule of hourly rates:

Engineering Technician (3 hour minimum charge)	\$ 56.50
Senior Engineering Technician (3 hour minimum charge)	\$ 63.50
Supervising Engineering Technician (3 hour minimum charge)	\$74.00
Staff Engineer	\$ 88.00
Senior Staff Engineer	\$108.00
Project Engineer	\$ 120.00
Project Manager	\$ 140.00
Principal of Firm	\$ 160.00

Rates are portal to portal from our Troy, Michigan office.

Overtime rates of 1.5 x base rate apply to field staff time on the project in excess of 8 hours per day or for work on Saturdays, Sundays, and recognized legal holidays.

Technician rates include all concrete field testing equipment costs and report review, preparation and distribution charges. Engineering time will only be charged for direct involvement in the project.

Daily travel / vehicle charge, which includes all site vehicle usage and communications costs, will be invoiced at \$40.00 per day.

Trips to project sites or borrow sources for sample collection / pick-up will be invoiced at a lump sum of \$125.00, which includes personnel time and vehicle usage charges.

g2consultinggroup.com

Headquarters	1866 Woodslee St	Troy, MI 48083	P 248.680.0400	F 248.680.9745
Ann Arbor	1350 Eisenhower Pl	Ann Arbor, MI 48108	P 734.390.9330	F 734.390.9331
Chicagoland	1186 Heather Dr	Lake Zurich, IL 60047	P 847.353.8740	F 847.353.8742

B. Laboratory Testing Services

Aggregates

Washed Gradations	
1/2" Maximum and smaller	\$ 105.00
3/4" Maximum and larger	\$ 125.00
Mix Design Verification, per agg. (includes gradation, fineness modulus, absorption, specific gravity, and unit weight)	\$ 265.00
Deleterious Substances - visual pick	\$ 75.00
Moisture-Density Tests	
Modified Proctor (ASTM D 1557, AASHTO T180)	\$ 225.00
Standard Proctor (ASTM D 698, AASHTO T99)	\$ 200.00
ASTM D5268 Topsoil Evaluation, per sample (includes grain size, pH and organic content)	\$ 225.00
Atterberg Limits (LL, PL, PI) determination	\$ 125.00
Grain Size Distribution with Hydrometer Analysis, per sample	\$ 195.00

Portland Cement Concrete

Concrete Compression Tests, each (including reserves not tested)	\$ 16.00
Flexural Tests on Concrete Beams	\$ 115.00
Concrete Mix Design Preparation (ACI 211)	\$ 900.00

Asphalt Materials, per sample

Extraction Tests (Ignition Furnace)	\$ 205.00
Marshall Properties – per set of 3 specimens (stability, flow, unit wt.)	\$ 205.00
Superpave Properties – per set of 2 specimens (Gmb)	\$ 345.00
Theoretical Maximum Specific Gravity (Gmm by Rice's Method)	\$ 125.00

C. Equipment Charges

Nuclear Moisture/Density Gauge, per day	\$ 40.00
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EXHIBIT C



**OHM ADVISORS
2019 HOURLY RATE SCHEDULE**

Professional Engineer IV/Architect IV	\$175.00
Professional Engineer III/Architect III	\$158.00
Professional Engineer II/Architect II	\$145.00
Professional Engineer I/Architect I	\$133.00
Graduate Engineer	
Graduate Engineer IV	\$138.00
Graduate Engineer III	\$130.00
Graduate Engineer II	\$125.00
Graduate Engineer I	\$115.00
Graduate Architect/Landscape Architect	
Graduate Architect III/Landscape Architect III	\$125.00
Graduate Architect II/Landscape Architect II	\$105.00
Graduate Architect I/Landscape Architect I	\$95.00
Technician	
Technician IV	\$132.00
Technician III	\$115.00
Technician II	\$98.00
Technician I	\$78.00
Engineering/Architectural Aide	\$62.00
Professional Surveyor	
Professional Surveyor III	\$158.00
Professional Surveyor II	\$145.00
Professional Surveyor I	\$132.00
Graduate Surveyor	\$113.00
Surveyor III	\$110.00
Surveyor II	\$102.00
Surveyor I	\$82.00
Surveyor Aide	\$60.00
Planner	
Planner IV	\$158.00
Planner III	\$135.00
Planner II	\$115.00
Planner I	\$90.00
Planner Aide	\$62.00
Graphic Designer	
Graphic Designer	\$108.00
Administrative Support	\$68.00
Clerical Aide	\$55.00
Principal	
Principal	\$200.00
Sr. Associate	\$190.00
Associate	\$178.00

Rates as reflected subject to review and adjustment on an annual basis.