

Oak Park

City Council Agenda

July 20, 2020





AGENDA
REGULAR CITY COUNCIL MEETING
38th CITY COUNCIL
OAK PARK, MICHIGAN
July 20, 2020
7:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

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

A. Regular Council Meeting Minutes of July 6, 2020

B. Parks and Recreation Commission Meeting Minutes of February 19, 2020

C. Planning Commission Meeting Minutes of June 8, 2020

D. Licenses New and Renewals submitted for July 20, 2020

5. RECOGNITION OF VISITING ELECTED OFFICIALS

6. SPECIAL RECOGNITION/PRESENTATIONS: None

7. PUBLIC HEARINGS: None

8. COMMUNICATIONS: None

9. SPECIAL LICENSES: None

10. ACCOUNTING REPORTS:

A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$16,855.23

11. BIDS:

A. Request to award the bid for the 2020 Catch Basin Line Replacement Project, M-712 to Great Lakes Contracting Solutions Co. in the amount of \$197,597.75 and to further request that funding that was not utilized in the 2019-2020 budget from the Water and Sewer Fund No. 592-18-550-970 be utilized for this expenditure

12. ORDINANCES:

A. First reading of an ordinance to amend the City of Oak Park Zoning Ordinance, Article XVIII, Signs, Sections 1805, 1807, and 1814 that would correct reference errors and add regulations

B. First reading of an ordinance to amend the City of Oak Park Zoning Ordinance, Article XVII, General Provisions, Sections 1709 – Outdoor Dining, that would allow for decorative lighting in outdoor dining uses

C. First reading of an ordinance to amend the City of Oak Park Zoning Ordinance, R-1 One Family Dwelling District to address public and private recreation uses

D. First reading of an ordinance to amend Section 62-42, Chapter 62, Article II, Division I, Burning, of the Code of Ordinances, City of Oak Park that would remove the broad prohibition against outdoor burning to allow portable outdoor fireplaces using clean woods, and to require annual permits for campfires, open burning, or recreational fires as defined by the International Fire Protection Code (2015)

13. **CITY ATTORNEY:** None

14. **CITY MANAGER:
Administration**

A. Request to approve the appointment of Alyssa Klein, Aisha Tyler and Kristie Price to the Oak Park Youth Assistance Board

Economic Development and Communications

B. Request to accept the recommendation of the Planning Commission and approve distribution of the Draft Master Plan Update

Department of Public Works

C. Request to approve the professional services proposal from UIS SCADA for water system improvements for a total of \$52,875.00 and to further request that funding that was not utilized in the 2019-2020 budget from the Water and Sewer Fund No. 592-18-540-970 be utilized for this expenditure.

D. Fence Project Update

City Clerk

E. August 4, 2020 Election Update

Department of Technical and Planning

F. 2019 Program Year Yard Services Update

Communications

G. Request to approve a professional services proposal from Jade Strategies for communications consulting subject to review by the city attorney

15. **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.

16. **CALL TO THE COUNCIL**

17. **CLOSED SESSION**

Pursuant to Section 8 of the Open Meetings Act to discuss attorney-client privileged communication and pending litigation regarding Tina Polk, et al. vs. City of Oak Park

18. **APPROVAL OF CLOSED SESSION MINUTES**

19. **ADDITIONAL CITY COUNCIL BUSINESS IF NEEDED**

20. 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
38th OAK PARK CITY COUNCIL
July 6, 2020
7:00 PM**

MINUTES

Mayor McClellan called the virtual meeting to order at 7:00 p.m. Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, MI 48237. (248) 691-7544.

PRESENT: Mayor McClellan, Mayor Pro Tem Burns, Council Member Radner (left meeting at 8:45 p.m.), Council Member Weiss, Council Member Edgar

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

CM-07-182-20 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS PRESENTED – APPROVED

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

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

MOTION DECLARED ADOPTED

CONSENT AGENDA:

CM-07-183-20 (AGENDA ITEM #5A-C) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of June 15, 2020 **CM-07-184-20**
- B. Change Order No. 1 in the amount of (\$8,544.19) and Payment Application No. 4 for the total amount of \$219,441.41 to Macomb Pipeline & Utilities Company of Sterling Heights, MI for the 2019-20 Water Main Replacement Project, M-704 **CM-07-185-20**
- C. Licenses New and Renewals submitted for July 6, 2020 **CM-07-186-20**

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

MOTION DECLARED ADOPTED

RECOGNITION OF VISITING ELECTED OFFICIALS:

County Commissioner Helaine Zack reported on issues pertaining to Oakland County and the City of Oak Park.

SPECIAL RECOGNITION/PRESENTATIONS: None

PUBLIC HEARINGS: None

COMMUNICATIONS: None

SPECIAL LICENSES:

CM-07-187-20 (AGENDA ITEM #9A) SPECIAL EVENT REQUEST – NADINE STREET BLOCK PARTY – APPROVED

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

Name	Event	Fee
Mark Phillips 13670 Nadine St.	Nadine Street Blok Party July 18, 2020 5:00 PM – 8:00 PM	Application fee and Signature req. waived

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

MOTION DECLARED ADOPTED

ACCOUNTING REPORTS: None

BIDS:

CM-07-188-20 (AGENDA ITEM #11A) REQUEST TO AWARD THE BID FOR THE 2020 DECORATIVE FENCE PROJECT, M-695 TO AMERICAN FENCE CO. OF WARREN, MI IN THE AMOUNT OF \$351,850.50 INCLUDING THE ALTERNATE BID - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to award the bid for the 2020 Decorative Fence Project, M-695 to American Fence Co. of Warren, MI in the amount of \$351,850.50 including the alternate bid.

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee indicated that City Council approved the request to bid the 2020 Decorative Fence Project, M-695 (CM-12-403-19) at their December 16, 2019 regular meeting. This project was bid to include a decorative fence along the south side of Nine Mile Road between Scotia and Rosewood, a security fence at the City Hall complex, a security fence for the 45th District Court, and an alternate bid to replace the fence between City Hall/Public Safety and the

residential area directly behind those facilities. The project was advertised and 16 contractors viewed the contract documents. On June 16, 2020, two bids were received and opened. The low bidder, American Fence Co. of Warren, MI submitted a bid of \$306,165.50 (\$93,117.76 City Hall complex security, \$77,343.62 Court Security, and \$135,704.12 Nine Mile Road). Additionally, the alternate bid by American Fence was \$45,685.00. American Fence has worked with the City of Oak Park before on the Water Tower Fence and performed great work.

ORDINANCES:

CM-07-189-20 (AGENDA ITEM #12A) FIRST READING OF AN ORDINANCE TO AMEND SECTION 62-42, CHAPTER 62, ARTICLE II, DIVISION I, BURNING, OF THE CODE OF ORDINANCES, CITY OF OAK PARK THAT WOULD REMOVE THE BROAD PROHIBITION AGAINST OUTDOOR BURNING TO ALLOW RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES USING CLEAN WOODS AS OTHERWISE PERMITTED BY THE INTERNATIONAL FIRE PROTECTION CODE - FAILED

Motion by Burns, seconded by Weiss, FAILED, to approve the first reading of an ordinance to amend Section 62-42, Chapter 62, Article II, Division I, Burning, of the Code of Ordinances, City of Oak Park that would remove the broad prohibition against outdoor burning to allow recreational fires and portable outdoor fireplaces using clean woods as otherwise permitted by the International Fire Protection Code.

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

MOTION FAILED

Council debated the subject and there was consensus that the ordinance needed revisions before moving forward therefore the city attorney will draft new language that will be presented at the next meeting.

CITY ATTORNEY: None

CITY MANAGER:

Administration

(AGENDA ITEM #14A) Director VanVleck provided an update on the 2020 Census.

(AGENDA ITEM #14B) Director VanVleck provided an update on three millage renewal proposals that will be found on the August 4 2020 primary ballot.

CM-07-190-20 (AGENDA ITEM #14C) REQUEST TO APPROVE AN EMPLOYEE LEASE AGREEMENT WITH THE LIBRARY - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve an Employee Lease Agreement with the Library.

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

MOTION DECLARED ADOPTED

The City Administration and the Library Board worked together over the last six months to amend the Employee Lease Agreement between the City and the Library Board of Directors. The Lease outlines the terms under which the Library leases employees from the City for the operation of the Library. The agreement was reviewed and approved by both the City Attorney and the Library Attorney.

**CM-07-191-20 (AGENDA ITEM #14D) REQUEST TO APPROVE AN
INTERLOCAL AGREEMENT WITH OAKLAND COUNTY FOR
CARES ACT FUNDING - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve an Interlocal Agreement with Oakland County for CARES Act funding.

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

MOTION DECLARED ADOPTED

Director VanVleck explained that Oakland County was a direct recipient of a portion of the CARES Act Funding provided by the Federal Government to assist with relief efforts in relation to the COVID-19 pandemic. County Executive, David Coulter and the Oakland County Board of Commissioners are allocating \$30 million of the funds they received to local cities, villages and townships to remediate the impact of the COVID-19 pandemic in Oakland County Communities. She explained further that the distribution of funds is on a rolling basis, and all expenditures must meet the guidance established by the U.S. Treasury Department, and Oakland County. The City will be applying for these funds to seek reimbursement for many of the costs expended to keep staff and residents safe during the pandemic. In order to receive funds, the City must have an interlocal agreement in place.

City Clerk

**CM-07-192-20 (AGENDA ITEM #14E) REQUEST TO APPROVE AN
INTERLOCAL AGREEMENT WITH OAKLAND COUNTY FOR
ABSENTEE VOTER (AV) BALLOT COUNTING SERVICES
- APPROVED**

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to approve an Interlocal Agreement with Oakland County for Absentee Voter (AV) Ballot Counting Services.

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

MOTION DECLARED ADOPTED

City Clerk Norris explained that recent election legislation was enacted that allows Oakland County to assist their municipalities with counting Absent Voter Ballots. The city would need to enter into an agreement with Oakland County to perform this service for the August 4, 2020 and would be good for all future elections. There is no cost for this service at this time.

Economic Development and Communications

CM-07-193-20 (AGENDA ITEM #14F) REQUEST TO APPROVE A FAÇADE IMPROVEMENT GRANT TO SFT FOOD (BROWNDOG CREAMERY), 12930 CAPITAL AVE., FOR 50% OF THE PROJECT COSTS NOT TO EXCEED \$1,830.02 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve a façade improvement grant to SFT Food (Browndog Creamery), 12930 Capital Ave., for 50% of the project costs not to exceed \$1,830.02 and to utilize funds from the 2019-20 fiscal year.

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

MOTION DECLARED ADOPTED

CM-07-194-20 (AGENDA ITEM #14G) REQUEST TO APPROVE A FAÇADE IMPROVEMENT GRANT TO BLUE WATER PROPERTIES, 14721 ELEVEN MILE, FOR 50% OF THE PROJECT COSTS NOT TO EXCEED \$1,395.00 - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve a façade improvement grant to Blue Water Properties, 14721 Eleven Mile, for 50% of the project costs not to exceed \$1,395.00.

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

MOTION DECLARED ADOPTED

Department of Public Works

CM-07-195-20 (AGENDA ITEM #14H) REQUEST TO REQUEST TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO PARTICIPATE IN THE OAKLAND COUNTY PURCHASING BID FOR THE PURCHASE OF 700 NEPTUNE R900 WATER METER REMOTE RADIO READING DEVICES AT \$83.25 EACH (\$58,275.00 TOTAL) - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to authorize the Public Works Department to participate in the Oakland County Purchasing bid for the purchase of 700 Neptune R900 water meter remote radio reading devices at \$83.25 each (\$58,275.00 total).

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee summarized the request to participate in the Oakland County Purchasing bid for the purchase of water meter remote radio reading devices. The radio reading devices will replace the older versions that have been failing. This purchase will complete the replacement program.

CM-07-196-20 (AGENDA ITEM #14I) REQUEST TO APPROVE THE CONTRACT EXTENSION OFFER FROM DOETSCH ENVIRONMENTAL SERVICES FOR THE 2020 SEWER CLEANING AND INSPECTION CONTRACT, M-716 FOR THE TOTAL AMOUNT OF \$190,375.00 - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve an Interlocal Agreement with Oakland County for Absentee Voter (AV) Ballot Counting Services.

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

MOTION DECLARED ADOPTED

Mr. Yee summarized the request from Doetsch Environmental Services for a contract extension of the 2019 Sewer Cleaning and Inspection Contract, M-700. They would like to execute a one (1) year extension of their unit prices from this project to perform the 2020 Sewer Cleaning and Inspection Contract, M-716. The contract allowed for one - one (1) year extension. This project will clean, inspect and grade pipes throughout specific areas of the City.

CM-07-197-20 (AGENDA ITEM #14J) REQUEST TO APPROVE THE CONTRACT EXTENSION OFFER FROM MATTIOLI CEMENT CO. LLC FOR THE 2020-2021 MISCELLANEOUS CONCRETE CONTRACT, M-714 FOR A TOTAL AMOUNT OF \$399,999.42 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the contract extension offer from Mattioli Cement Co. LLC for the 2020-2021 Miscellaneous Concrete Contract, M-714 for a total amount of \$399,999.42.

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

MOTION DECLARED ADOPTED

Mr. Yee explained that Mattioli Cement Co. LLC would like to execute a one (1) year extension of their unit prices for a contract extension of the 2019-2020 Miscellaneous Concrete Contract, M-699 to perform the 2020-2021 Miscellaneous Concrete Contract, M-714. This project will replace deteriorated concrete patches throughout the City.

CM-07-198-20 (AGENDA ITEM #14K) REQUEST TO APPROVE CREDITS TO RATE PAYERS FOR STORM WATER MITIGATION - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the following credits to rate payers for storm water mitigation:

Storm Water Rate Reduction Credits

Credits for Residential and Commercial Properties – Permit Fee \$30

All credits shown are the yearly credit. This credit will be shown on your quarterly or monthly bill and will be divided accordingly. Your billing cycle will be the same as the cycle you are currently on.

Rain Barrel credit \$50 per year- Installing rain barrels would collect the runoff from rooftops and prevent a portion of it from entering the sewer system.

- Collected rain water should be used for irrigation and watering plants.
- Rain barrels must collect 50% of the runoff coming from the roof of the primary structure.
- They must be a minimum of 35 gallons in size and multiple may be required to meet the 50% requirement.
- They must be properly maintained and the water used on a regular basis for plant watering and other uses.
- If not properly used and maintained the credit will be subject for review.
- The owner must also submit a plan for the location and maintenance/usage of the rain barrel along with the permit application.

Rain Gardens credit \$60 per year - Rain gardens, planted with specially selected native vegetation to capture storm water runoff from rooftops and paved areas. Captured runoff percolates into the soils and is used by the plants. The geometry of rain gardens allows for surface water to be held for a period of time as well. Appropriate plant selection is based on soil type as well as the sunlight for the area it will be planted. To qualify for a Rain Garden or Bio-Swale credit, the following requirements must be met.

- At least 50% of the runoff from the roof area must be absorbed.
- The surface area must be at least 100 square feet and a ratio of less than 5:1 impervious area to rain garden area
- Due to the nature of the soil in the City of Oak Park it is recommended that 18 to 24 inches of soil be replaced with a soil mixture of 50% sand, 30% compost and 20% topsoil.
- There must be vegetation to help absorb rainwater.
- A set of plans must be submitted with the permit application showing the location at least 15 feet from the building along with a maintenance plan showing how the homeowner is going to maintain the area after installation.

The Southeast Michigan Council of Governments (SEMCOG) has resources regarding Rain Garden Design. <https://www.semco.org/land>

Cistern credit \$100 per year- Cisterns can be located above or below ground. While cisterns are similar to rain barrels in function, they are generally more sophisticated in operation, possibly with filtering/treatment

of inflow, pumped outlet, flushing mechanism, level sensors or other controls, and bypass piping. To qualify for a Cistern credit, the following requirements must be met.

- The cistern must be 55 gallons in size and retain at least 50% of runoff from the primary structure.
- This may need to increase dependent upon the size of the structure. The cistern must be watertight, equipped with screens, seals or other appurtenances to prevent mosquitos from entering or algae growth.
- Drawings showing the proposed roof area to be collected, the location at least 10 feet away from the building and a schedule of maintenance must accompany the permit application.
- Plumbing and electric permits may be required from the Building Department.

Infiltration Trench and Dry Wells credit \$100 per year - Infiltration trenches and dry wells capture storm water runoff from rooftops and paved areas. Captured runoff infiltrates into the soils, thereby reducing the amount that enters the sewer system. Dry wells and infiltration trenches are buried, perforated structures or pipes surrounded by high porosity stone encapsulated by filter fabric. These features rely solely on the infiltration capacity of the soils, and may not be appropriate in areas with poorly draining soils or shallow water table. To qualify for an Infiltration Trench or Dry Well credit, the following requirements must be met.

- 50% of the runoff from the primary structure must be collected.
- Dry wells must be at least 3 feet deep and possibly deeper depending on the type of soil.
- Infiltration trenches can vary in size but the ratio of the area of the impervious area being collected to the area of the trench must not exceed 5:1.
- Dry wells must accommodate 55 gallons of runoff. Wells and trenches must be lined with filter fabric and backfilled up to 6 to 12 inches from final grade with porous stone having at least 40% porosity.
- Test results must accommodate all stone placement.
- A plan showing the location at least 15 feet from the foundation of the building along with a schedule of maintenance must come with the permit application.

Pervious Pavement credit \$10 per 100 square feet per year - Pervious pavement with infiltration beds captures storm water runoff from rooftops and paved areas. Captured runoff infiltrates into the soils, thereby reducing the amount that enters the sewer system. Pervious pavement examples include asphalt, concrete, pavers, or reinforced grass/gravel. These features rely solely on the infiltration capacity of the soils, and may not be appropriate in areas with poorly draining soils or shallow water table. To qualify for the credit, the following requirements must be met.

- The pervious pavement being placed must replace previously existing impervious area.
- The credit is only for every 100 square feet of placement and no partial credits will be given.
- Due to the nature of the soils in Oak Park, porous stone base must be installed 6 inches thick, and may need to be installed 12 to 36 inches to provide adequate pavement strength for vehicular traffic and temporary storage volume to promote infiltration.
- The porous stone base must come with test results showing the porosity of the stone being greater than 40%.
- The owner must consider the following maintenance schedule to maintain its effectiveness. Pavement vacuuming twice per year in the spring and fall to clean out the pavement pores. Maintain all greenbelt areas adjacent to the pavement. Immediately clean pavement if dirt is deposited. Re-seeding of grass pavers where bare spots appear.
- Whenever the property owner applies for renewal of a pervious pavement credit, proof of past maintenance must be shown in order for the extension to be granted. Proof examples are receipts and test results.
- A plan with the location of the area being shown 10 feet or greater from buildings with basements or foundations as well as the proposed maintenance schedule must be submitted with the plans.

SEMCOG has more resources available regarding pervious pavement: <https://www.semco.org/land>

Credits for Commercial Properties Only – Permit Fee Subject to Size of Project

Bio-Swales credit \$40 per 400 square feet of impervious runoff collected per year - Bio-swales, are surface depressions planted with specially selected native vegetation to capture storm water runoff from rooftops and paved areas. Captured runoff percolates into the soils and is used by the plants. The geometry of bio-swales allows for surface water to be held for a period of time as well. Appropriate plant selection is based on soil type as well as the sunlight for the area it will be planted. To qualify for a Bio-Swale credit, the following requirements must be met.

- At least 400 square feet of the impervious runoff area must be absorbed.
- The credit may increase dependent upon the size of the bio-swale and the area of runoff that is collected.
- The surface area must be at least 100 square feet and a ratio of less than 4:1 impervious area to bio-swale area.
- The depth must be at least 3 inches for a bio-swale and have a maximum depth of 12 inches.
- A percolation test must be performed at the conclusion of the installation.
- Due to the nature of the soil in the City of Oak Park it is recommended that 18 to 24 inches of soil be replaced with a soil mixture of 50% sand, 30% compost and 20% topsoil.
- There must be vegetation to help absorb rainwater.
- A set of plans must be submitted with the permit application showing the location at least 15 feet from the building along with a maintenance plan showing how the homeowner is going to maintain the area after installation.

Green Infrastructure Building Improvements - A building permit must be pulled and all improvements must comply with the Michigan Building Code. <https://www.semco.org/land>

Detention Ponds (100% of storm water remains on property, no outlet or runoff) – A Land Improvement Permit must be pulled and all improvements must comply with Engineering requirements with test results provided. All detention ponds must be designed to capture the results of a 10 year rain event. The whole property need not be collected but a reduction will only be given for the area collected.

Ideas for items that may lower costs for storm water can be found in the LID Manual provided by SEMCOG. <https://www.semco.org/land>

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

MOTION DECLARED ADOPTED

Director of Technical and Planning Barrett discussed how Oak Park has changed the way sewer rates are charged to residents by separating the sanitary sewer and storm sewer charges. Other communities have offered credits to rate payers for installing storm water mitigation measures on their property. After reviewing these credits, the Engineering Department is proposing permit fees and credits for different storm water reduction methods. These fees and credits are based on the inspection time, the amount of storm water reduction to the system as well as the cost to implement and maintain the measure.

CLOSED SESSION

Pursuant to Section 8 of the Open Meetings Act to discuss attorney-client privileged communication and pending litigation regarding Tina Polk, et al. vs. City of Oak Park
(Not needed)

APPROVAL OF CLOSED SESSION MINUTES (Not needed)

ADDITIONAL CITY COUNCIL BUSINESS IF NEEDED (Not needed)

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 9:30 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



CITY OF OAK PARK

Department of Recreation

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

Parks and Recreation Commission

PARKS AND RECREATION COMMISSION REGULAR MEETING: February 19, 2020, AT COMMUNITY CENTER

- I. Meeting called to order at 7:01 p.m. by Patrick North.
- II. Members present: Patrick North, Andrew Cissell, Juanita Bell, Mickey Alderman, Dwight Thomas, Diane Spiller, Theresa Henderson
Members absent: Beverly Wiggins, Alexander Simpson
Staff members present: Laurie Stasiak
Councilmembers present: None
- III. Approval of Agenda for February 19, 2020.
Motion by _____ to ACCEPT.
Seconded by _____.
PASSED.
- IV. Approval of minutes of Parks and Recreation Commission Meeting of January 15, 2020.
Motioned by Andrew Cissell to ACCEPT.
Seconded by Juanita Bell.
Passed
- V. Council updates - none
- VI. Recreation Updates – Laurie Stasiak, Recreation Director
1. There will now be movies shown on the first Wednesday of each month.

Monthly Movie Mania begins!

In response to resident request.....

Starting March 11, the community center will feature a monthly movie for just \$2/person.

Movie times are scheduled between 2-5pm.

March 11 will feature **“Harriet”** a 2019 Oscar nominee

April 1 will feature **“Judy”** also a 2019 Oscar nominee

May 6 will feature **“Shawshank Redemption”**

June 3 will feature **“Just Mercy”**

These monthly movies will be a year-round event.

2. Winterfest: Thank you for your help, and for your dedication. We had more people attend this year than last year. We ran out of donuts, and all activities were packed. Thank you to Patrick, Andrew, Beverly, Alexander, Diane, and Julie for volunteering.

3. Daddy Daughter Dance: We sold out of tickets once again. Thank you to Mickey, Alexander and Juanita for volunteering

4. Valentine's Day Senior Tea: A very nice event. 25 seniors enjoyed a "valentine" themed tea while Carlene from the Detroit Institute of Art provided a beautiful presentation of "To Die Upon A Kiss" featuring fabulous works of art that revolves around love. Thank you to Diane for volunteering.

5. **SummerBlast 2020** presented to City Council on Jan. 21, thank you Mickey, Juanita, Beverly and Dwight for attending

Summer Blast 2020: All systems are a **GO** for June 12, 13, 14. Skerbeck Amusements will be providing the midway complete with rides for all ages, games and food court. Additional food vendors,* Red Wood BBQ, Heavenly Hot Dogs, have been contacted and contracts are being emailed out. We are in the process of completing the paperwork for the liquor license for the mini pub, securing musicians, tents and tables. 10th Annual BBQ Battle will be held on June 13. **New category of BBQ Wings has been added. Fortson Dental will continue to be the \$2000 sponsor for the BBQ Battle prize money. We are in the process of seeking out additional sponsors for this event that will be celebrating Oak Parks 75th Anniversary.

6. **Farmers Market** Applications sent out. To date all but one vendor will be returning. Seeking out additional food/farm vendors for the market. May include an artisan component in August and September.

7. **4th of July:** Applications are being sent out to last years' participants in both the parade and fun fest areas.

8. **Theater and lunch trips** continue to be a bit hit as they sell out as quickly as we can post them.

9. **Volunteers** needed for May tea on May 22 from 11am – 4p

10. **Athletics** - The basketball season for our K-6 grade league has started on 1/11/2020. Our 7/8 graders and new high school team began playing on 2/15. This is the first year we have offered basketball for high school aged youth.

K-2nd grade – 21: two teams

3/4 grade – 16: two teams

5/6 grade – 7: one team

7/8 grade – 21: two teams

High School – 8: one team

Total – 73: Eight teams

We are now taking registration for upcoming Pistons games on 3/7, and 4/3.

We are now accepting registration for adult basketball (a new program), kickball, soccer (a new program), and softball, for tournaments and leagues.

We are also accepting registration for youth soccer and baseball.

The Quad-City Alliance will apply to become affiliated with major League Baseball's RBI (Rebuilding Baseball in Inner Cities) program. Becoming an affiliate is free and will entitle us to equipment donations and grant opportunities, as well as coaches training and seminars to help improve the quality of coaches we provide.

Pool improvements - signage, lighting, and facility fixes. These items will hopefully be addressed in the spring once the weather permits.

Seasonal positions are now open to the public! We are hoping to hire an adequate amount of pool staff which is something we have struggled with in the past. Offer letters have gone out to returning seasonal staff so we will know who is returning by 3/13.

11. DNR Grants – Land and Water and Trust Fund Grant will be submitted on April 1 for the 9 Mile Connector Park

VII. Old Business

1. MPARKS Conference debrief by those Commissioners that attended: Councilmember Julie Edgar, Patrick North, Theresa Henderson, Mickey Alderman, Juanita Bell, Beverly Wiggins

VIII. New Business

1. Dog Park: Looking into having a dog park, and will continue to research cost and planning. Andrew Cissell will check on size, fencing and a maintenance plan.

2. Discussion on Jackson Park Site Plans and details of the sale of the park to the Ferndale School District to build a new state of the art elementary school

IX. Announcements

X. Motion to ADJOURN meeting by Dwight Thomas.
Seconded by Juanita Bell
Motion APPROVED.
Meeting ADJOURNED at 7:56 p.m.

Respectfully submitted by Theresa Henderson.

Next meeting: March 18, 2020, at 7 p.m. in Meeting Room #1.

**CITY OF OAK PARK PLANNING COMMISSION
MONDAY, JUNE 8, 2020
MINUTES**

Meeting was called to order at 7:00 p.m. via Zoom by Chairperson Torgow and roll call was made.

PRESENT: Chairperson Torgow
Vice Chairperson Brown
Commissioner Burns
Commissioner McClellan (arrived at 7:03pm)
Commissioner Seligson
Commissioner Tkatch (arrived at 7:04pm)
Commissioner Tungate
Commissioner Walters-Gill

ABSENT: Commissioner Eizelman

OTHERS PRESENT: City Planner, Kevin Rulkowski
Community & Economic Development Director, Kim Marrone
Deputy City Clerk, Lisa Vecchio

3. APPROVAL OF AGENDA OF JUNE 8, 2020:

MOTION by Brown, SECONDED by Seligson, to approve the agenda of June 8, 2020.

VOTE: Yes: All
No: None

MOTION CARRIED

4. APPROVAL OF MINUTES OF MAY 11, 2020:

MOTION by Brown, SECONDED by Walters-Gill, to approve the minutes of May 11, 2020 with no corrections.

VOTE: Yes: All
No: None

MOTION CARRIED

5. COMMUNICATIONS/CORRESPONDENCE: None

6. PUBLIC HEARING:

- A. Public Hearing to receive comments on proposed text amendments to Article VII, General Provisions, Section 701, Q, 3, Sidewalk Sales. The proposed text amendments would remove the regulation of sidewalk sales from the Zoning Ordinance.**

Chairperson Torgow opened the Public Hearing at 7:03 pm. There were no comments. Chairperson Torgow closed the Public Hearing at 7:04 pm.

B. Planning Commission action on proposed text amendments to Article VII, General Provisions, Section 701, Q, 3, Sidewalk Sales.

Chairperson Torgow referenced City Planner Rulkowski's report dated June 2, 2020:

Currently sidewalk sales are permitted and regulated as an accessory use in the B-1, Neighborhood Business District and the B-2, General Business District (by reference). As part of the Business Assistance Package to help Oak Park businesses through their recovery efforts during the COVID-19 Pandemic, the Department of Economic Development and Communications is proposing to temporarily loosen restrictions on sidewalk sales. The proposal requires regulation of sidewalk sales to be removed from the Zoning Ordinance and to place all regulations regarding sidewalk sales in the Merchant and Commercial Sales Section of the General City Code.

A Public Hearing has been scheduled for the June meeting to receive public comment on the proposed amendment to the Zoning Ordinance. If the proposed Zoning Ordinance text amendment is acceptable to the Planning Commission the Department of Economic Development and Communications recommends approving the attached proposed ordinance.

MOTION by Burns, SECONDED by Walters-Gill, to approve the proposed text amendments to Article VII, General Provisions, Section 701, Q, 3, Sidewalk Sales.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Tkatch, Torgow, Tungate, Walters-Gill
No: None

MOTION CARRIED

7. CONSENT AGENDA: None

8. MATTERS FOR CONSIDERATION:

A. OLD BUSINESS- none

B. NEW BUSINESS

1) Kendall Care Daycare, 15421 West Nine Mile, Final Site Plan Review

Chairperson Torgow referenced City Planner Rulkowski's report dated June 2, 2020:

Kendall Care Daycare, 15421 Nine Mile Road, is requesting Final Site Plan approval for the renovation of a 1,735 square foot dental office building into a day care center. The property is zoned B-1, Neighborhood Business and child care facilities are a permitted use.

The proposed use has three dedicated parking spaces located off the alley in the rear of the building. In addition there are approximately seven parking spaces in front of the building in a municipal parking area. The identified parking is adequate for this type of use.

The Department of Licensing and Regulatory Affairs (LARA), Child Care Licensing Division, has authority over the internal layout and operation of the child care center. Based on an analysis of

the useable square footage of the child care center, LARA will determine how many children can be accommodated by the facility.

LARA requires child care centers to provide opportunities for outdoor play. The Site Plan shows that a 1,200 square foot play area will be created in an area currently grass & asphalt in the southwest corner of the property. This area is proposed to be enclosed by a six foot high concrete screen wall.

The Site Plan shows a refuse dumpster near the alley and against the proposed play area screen wall. A dumpster enclosure construction detail is included on the Site Plan that meets the Zoning Ordinance requirements.

A screen wall has never been constructed at the rear of the property to provide protection for the adjacent residential homes. Section 1717, E, requires a six-foot-high decorative masonry screen wall to separate the residential and non-residential uses. As is the practice where there is an alley, the screen wall is constructed in the right of way between the alley and the residential property.

The Site Plan indicates there are two existing wall pack light fixtures over two doors on the west and south walls. The Site Plan notation states the wall pack lights have a reflector casting light downwards.

The Site Plan does not indicate any new rooftop or ground level equipment. If new rooftop or ground level equipment is planned it will need to be screened as required by the Zoning Ordinance.

The Site Plan does not indicate any new signs for the business. A separate application will need to be submitted for any proposed signs.

MOTION by McClellan, SECONDED by Burns, to approve the Final Site Plan for Kendall Care Daycare, 15421 Nine Mile Road, with the following conditions:

- 1) The installation of a six-foot-high decorative masonry screen wall as required by Section 1717, E of the Zoning Ordinance. A construction detail to be submitted with the application for a building permit that meets the Zoning Ordinance requirements.
- 2) All proposed roof top or ground level equipment must be screened as required by the Zoning Ordinance.
- 3) No signs are approved as part of the Site Plan Review. A separate permit must be requested for the inclusion of any signs at this site.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Tkatch, Torgow, Tungate, Walters-Gill
No: None

MOTION CARRIED

2) Master Plan review and amendment

City Planner Rulkowski reviewed the amendments to the Master Plan, which will allow for the sale of a portion of Jackson Park to Ferndale Schools with the intent to build a new school. In

the negotiation of the contract for sale, the City will have input on the site layout and park amenities that will be provided by the school district on the site.

MOTION by Brown, SECONDED by Walters-Gill, to approve the Master Plan amendments.

VOTE: Yes: Brown, Burns, McClellan, Seligson, Tkatch, Torgow, Tungate, Walters-Gill
No: None

MOTION CARRIED

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

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

11. ADJOURNMENT

There being no further business, Chairperson Torgow adjourned the meeting at 7:07 p.m.

Lisa Vecchio, Deputy City Clerk

MERCHANT'S LICENSES - JULY 20TH, 2020

(Subject to All Departmental Approvals)

NEW MERCHANT

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
BARBIE BEHAVIOR BOUTIQUE	10730 W. NINE MILE	\$ 150.00	WOMENS CLOTHING STORE

RENEWALS

RENEWALS	ADDRESS	FEES	BUSINESS TYPE
LIVE MONDO CREATE-RENOVATE	8136 NINE MILE	\$ 225.00	CONSTRUCTION
LISA'S LITTLE ANGELS CHRISTIAN CHILD	10460 NINE MILE	\$ 150.00	DAYCARE CENTER



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

Invoice 541142

July 10, 2020

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 Tuesday, June 30, 2020

\$12,083.34

Fee Total

Costs Advanced:

Date	Description	Amount
06/08/20	Fee to Attorney Conference for Attend conference call with City Manager and City Assessor regarding consideration of proposed settlement offer in Crown Pointe MTT appeal	1.78
06/08/20	Fee to Attorney Conference for Attend conference call with City Manager and Director Marrone regarding strategy for attending call with property owners	5.11
06/23/20	Michigan Tax Tribunal Motion Fee -- Motion for Summary Disposition (Leonard Cohen v. City of Oak Park)	100.00
	Total Costs Advanced	\$ 106.89

Total Fees and Disbursements: \$12,190.23



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

Invoice 541143

July 10, 2020

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 Tuesday, June 30, 2020

\$1,290.00

Fee Total

Total Costs Advanced

\$ 0.00

Total Fees and Disbursements: \$1,290.00

*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.*



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

Invoice 541144

July 10, 2020

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

*Re: Tina Polk and Richard Newton v City of Oak
Park, County of Oakland, et al.*

*Client 7406
Matter 24*

Statement for City Attorney Legal Services

For Legal Services Rendered Through Tuesday, June 30, 2020

\$3,375.00

Fee Total

Total Costs Advanced

\$ 0.00

Total Fees and Disbursements: \$3,375.00

*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.*



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020 **AGENDA #**

SUBJECT: Report on bids for the 2020 Catch Basin Line Replacement Project, M-712.

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

SUMMARY: At the June 15, 2020 regular meeting of the Oak Park City Council, the request to bid the 2020 Catch Basin Line Replacement Project, M-712 was approved (CM-06-166-20). The project was advertised and 37 contractors viewed the contract documents. On July 9, 2020, two bids were received and opened. The low bidder, Great Lakes Contracting Solutions Co. of Waterford, MI submitted a bid of \$197,597.75. The Engineering Department conducted a reference check as we have not worked with this company in the past. All references stated that Great Lakes performed great work.

FINANCIAL STATEMENT: There is \$223,000 budgeted in the 2019-20 Water and Sewer no. 592-18-550-970 for this expenditure.

RECOMMENDED ACTION: It is recommended that the request to award the bid for the 2020 Catch Basin Line Replacement Project, M-712 to Great Lakes Contracting Solutions Co. in the amount of \$197,597.75 be approved. It is further recommended that funding that was not utilized in the 2019-2020 budget from the Water and Sewer Fund No. 592-18-550-970 be utilized for this expenditure.

APPROVALS:

City Manager: _____ *ET* _____ Department Director: _____ *KJY* _____

Finance Director: _____ *SC* _____ Legal: _____ *N/A* _____

EXHIBITS: Bid Tabulation



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020

AGENDA #

SUBJECT: First reading of a proposed Zoning Ordinance text amendment to amend Article XVIII, Signs, Sections 1805, 1807, and 1814

DEPARTMENT: Economic Development & Communications, Planning Division.

SUMMARY: At the July 13, 2020 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendment would amend Article XVIII, Signs, Sections 1805, 1807, and 1814 to correct a number of reference errors and the following additions:

1. Add back the option to have one additional wall sign as a substitution for a freestanding sign. This provision was in the previous sign regulations and was inadvertently left out of the new regulations.
2. Add a temporary sign size limitation of six square feet. A similar provision was in the previous sign regulations and was inadvertently left out of the new regulations.

At that meeting the Planning Commission voted to recommend to the City Council adoption of the text amendments.

RECOMMENDED ACTION: The City Council conduct the first reading of the proposed text amendment to the City of Oak Park Zoning Ordinance, Article XVIII, Signs Sections 1805, 1807, and 1814.

APPROVALS:

City Manager: _____ *ET* _____

Director: _____ *KM* _____

Finance Director: _____ *N/A* _____

Budgeted:

EXHIBITS: Proposed ordinances for adoption.

Sec. 1805. - Exemptions to permitting.

- A. The following signs shall not require a permit provided such signs are outside of the public street right-of-way, are located to ensure adequate sight distance, and meet the requirements of this section:
1. Address signs. In all single-family zoning districts, such sign shall not exceed two square feet in area. In all other zoning districts, such signs shall not exceed six square feet in area.
 2. Signs erected, maintained or otherwise posted, owned or leased by the federal government, the state or the city.
 3. Construction signs meeting the size requirements for temporary signs under subsection ~~4806-F~~ **1807. B.**
 4. Directory signs. A building with business occupants on the upper floors or the interior space on the first floor of a building may have a directory sign plaque not to exceed ten square feet in area at the street entryway.
 5. Essential service signs denoting utility lines, hazards and precautions or other similar information.
 6. Flags:
 - a. Not to exceed three per business premise; and
 - b. Not to exceed four feet by six feet.
- B. Historic markers.
- C. Incidental and device signs shall not exceed a total of two square feet, a total of two signs per business indicating acceptance of credit cards, the location of public telephones, restrooms, restrictions on smoking and restrictions on building entrances or describing business affiliations and are attached to a permitted sign, exterior wall, building entrance, or window.
- D. Interior signs, including any sign which is located completely within an enclosed building, and which is not visible from outside the building or which is primarily directed at persons within the premises upon which the sign is located.
- E. Memorial signs or tablets not exceeding four square feet in area, having the name of the building and/or the date of erection and cut, cast or engraved into a masonry or metal surface and made an integral part of the structure.
- F. Nameplates.
- G. Real estate signs and real estate open house signs meeting the requirements for temporary signs under ~~of subsection 4806-B~~ **1807. B.**
- H. Real estate development signs meeting the requirements of subsection ~~4806.~~**1807. B.**, conditioned upon removal when the building or development is completed.
- I. Regulatory signs including traffic control and street identification signs.
- J. Vehicle signs.
- K. Warning signs that are publicly authorized, such as no trespassing, warning of electrical currents or animals provided such signs do not exceed two square feet in area.

(Ord. No. [O-19-692](#), § 1, 12-2-19)

Sec. 1807. - Specific sign standards.

- A. The number, display area, and height of signs within the various zoning districts are provided in the Sign Dimensional Standards and Regulations Table [below] and its accompanying footnotes. Additional standards for specific types of signs are given below.

Sign Dimensional Standards and Regulations

	Wall, canopy, or awning		Freestanding sign			Temporary signs (C) (B)	
District	Number	Maximum size per sign	Number	Maximum size per sign	Maximum height	Maximum size per sign	Maximum height
R-1, R-2	1	15% of front façade, a maximum of 120 s.f. square feet for all uses other than single family residential units, duplexes, and attached condominiums.	1	Maximum of 30 s.f. square feet for all uses other than single family residential units, duplexes, and attached condominiums.	6 Feet	Maximum of 30 s.f. square feet for all uses other than single family residential units, duplexes, and attached condominiums.	Freestanding sign maximum height is 6 feet.
RM-1, RM-2, PMF	1	15% of front façade, a maximum of 120 s.f. square feet	1	30 s.f. square feet	6 feet	30 s.f. square feet	Freestanding sign maximum height is 6 feet.
B-1, B-2, LI, O, PTRED, PCD, PUD, MX-1	1 per business (1)	15% of front façade, a maximum of 120 s.f. square feet (2) (3)	1 sign (3)	30 square feet for businesses fronting roadway of 35 m.p.h. or less (2) ,(4), (5)	6 feet (4) (5)	30 s.f. square feet	Freestanding sign maximum height is 6 feet

Footnotes:

- (1) Businesses located on a corner lot shall be allowed up to one additional wall sign on the second front façade with an area not to exceed 30 square feet. **As a substitution for a freestanding sign, one additional wall sign with an area not to exceed 30 square feet, may be displayed on one side of the building.**
- (2) Businesses fronting roadways in excess of 35 m.p.h., the maximum allowable size is increased to 40 square feet.
- (3) For a commercial structure containing one use or business establishment the size of the wall sign may be increased up to the maximum square footage as follows:

Table of Maximum Allowable Wall Sign Area, in Square Feet*

Allowed in B-1, B-2, PTRED, PCD, PUD, O, L1, MX-1	Store size in square feet		
	Less than 10,000	10,001 to 50,000	Over 50,001
Building front setback			
Over 200 feet	180	240	300
101—200 feet	150	180	240
0—100 feet	120	120	180

* In no instance shall the above table cause any wall sign to exceed 15 percent of the building front wall surface area.

- (4) Freestanding Signs in Business Centers:

Business centers with frontage along two or more rights-of-way	One sign up to the maximum sign face area shall be allowed along two frontages
--	--

- (5) For business centers freestanding signs shall be permitted in accordance with the following table:

Table of Maximum Allowable Freestanding Sign Area Per Business Center

	Less than 10,000 square feet	10,001 to 50,000 square feet	Over 50,001 square feet
Maximum height	15 feet	22 feet	24 feet
Maximum size	40 square feet	150 square feet	200 square feet

B. Temporary signs.

1. All temporary signs must comply with the sign size and height standards as specified in the Sign Dimensional Standards and Regulations Table.
 2. Location of temporary signs shall comply with the following:
 - i. Temporary signs shall not be attached to any utility pole, tree, fence, or be located within any public right-of-way.
 - ii. Temporary signs shall not be erected in such a manner than they will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic.
 - iii. Temporary signs cannot be placed or constructed to create a hazard of any kind.
 - iv. Temporary signs may not be posted on private property without first obtaining the permission of the property owner.
 - v. Signs shall not be located within any clear vision triangle, as described in section 1701.
 - vi. Each temporary commercial sign requires a permit. Not more than two temporary commercial sign permits may be issued to a business in a calendar year. Each temporary commercial sign permit is valid for no more than 60 days.
 - vii. Notwithstanding any other provision of this article, each parcel of property shall be allowed, without a permit, temporary non-commercial signage, not to exceed four signs at any one time, **no larger than six square feet each**, for a period not to exceed 90 days per calendar year.
- C. Window signs. Window signs shall be permitted not to exceed 25 percent of the window area of the façade, including window graphics.
- D. No wall sign shall extend above the roof or parapet of the structure to which it is attached.

(Ord. No. [O-19-692](#), § 1, 12-2-19)

Sec. 1814. - Variances.

- A. Appeals. Appeal from the ruling of any officer, department, board or bureau of the city, including the building official, concerning the enforcement of the provisions, standards and regulations of this article may be made by any aggrieved party within 30 days of the ruling to the zoning board of appeals, sitting as an administrative appeal board under this article.
- B. Variances. ~~Apart from requests for variances for multi-tenant ground signs as contemplated in section 470, which shall be considered by the planning commission, t~~The zoning board of appeals shall have the authority to grant variances from the requirements of this article according to the criteria in subsection 1814.C. In deciding on whether a practical difficulty exists, the board may also consider the following for sign variance requests.
- C. In determining whether a variance is appropriate, the zoning board of appeals shall study the sign proposal, consider conformity with the provisions of this article, including its purpose as set forth in section 1800, and considering any extraordinary circumstances, such as those listed below, that would cause practical difficulty in complying with the sign standards.
- D. In granting a variance the zoning board of appeals may attach such conditions regarding the location, character, and other features of the proposed sign as it may deem reasonable. In granting or denying a variance, the zoning board of appeals shall state the grounds and findings upon which it justifies granting or denying the variance based on the following criteria.
- E. Construction of a conforming sign would require removal or severe alteration to natural features on the parcel, such as but not limited to removal of trees, alteration of the natural topography, filling of wetlands, or obstruction of a natural drainage course.
- F. Construction of a conforming sign would obstruct the vision of motorists or otherwise endanger the health or safety of passers-by.

(Ord. No. [O-19-692](#), § 1, 12-2-19)

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XVIII - SIGNS, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1805, A, 3, with the following:

3. Construction signs meeting the size requirements for temporary signs under subsection 1807. B.

SECTION 2. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1805, G, with the following:

G. Real estate signs and real estate open house signs meeting the requirements for temporary signs of subsection 1807. B.

SECTION 3. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1805, H, with the following:

H. Real estate development signs meeting the requirements of subsection 1807. B., conditioned upon removal when the building or development is completed.

SECTION 4. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1807, A, with the following:

A. The number, display area, and height of signs within the various zoning districts are provided in the Sign Dimensional Standards and Regulations Table [below] and its accompanying footnotes. Additional standards for specific types of signs are given below.

Sign Dimensional Standards and Regulations

	Wall, canopy, or awning		Freestanding sign			Temporary signs (B)	
District	Number	Maximum size per sign	Number	Maximum size per sign	Maximum height	Maximum size per sign	Maximum height
R-1, R-2	1	15% of front façade, a maximum of 120 square feet	1	Maximum of 30 square feet for all uses other than	6 Feet	Maximum of 30 square feet for all uses other than	Freestanding sign maximum height is 6

		for all uses other than single family residential units, duplexes, and attached condominiums.		single family residential units, duplexes, and attached condominiums.		single family residential units, duplexes, and attached condominiums.	feet.
RM-1, RM-2, PMF	1	15% of front façade, a maximum of 120 square feet	1	30 square feet	6 feet	30 square feet	Freestanding sign maximum height is 6 feet.
B-1, B-2, LI, O, PTRED, PCD, PUD, MX-1	1 per business (1)	15% of front façade, a maximum of 120 square feet (3)	1 sign (3)	30 square feet for businesses fronting roadway of 35 m.p.h. or less (2), (4), (5)	6 feet (5)	30 square feet	Freestanding sign maximum height is 6 feet

SECTION 5. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1807, A, Footnote (1), with the following:

- (1) Businesses located on a corner lot shall be allowed up to one additional wall sign on the second front façade with an area not to exceed 30 square feet. As a substitution for a freestanding sign, one additional wall sign with an area not to exceed 30 square feet, may be displayed on one side of the building.

SECTION 6. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1807, B, 2. vii, with the following:

- vii. Notwithstanding any other provision of this article, each parcel of property shall be allowed, without a permit, temporary non-commercial signage, not to exceed four signs at any one time, no larger than six square feet each, for a period not to exceed 90 days per calendar year.

SECTION 7. Article XVIII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Article XVIII, Section 1814, B, with the following:

- B. Variances. The zoning board of appeals shall have the authority to grant variances from the requirements of this article according to the criteria in subsection 1814.C. In deciding on whether a practical difficulty exists, the board may also consider the following for sign variance requests.

SECTION 8. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 9. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event 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 of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 10. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2020.

T. Edwin Norris, City Clerk

I, T. Edwin Norris, the 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 _____, 2020.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:



CITY OF OAK PARK
DEPARTMENT OF ECONOMIC
DEVELOPMENT & COMMUNICATIONS

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

MEMORANDUM

TO: Planning Commission members DATE: June 24, 2020
FROM: Kevin Rulkowski, AICP, City Planner FILE: Planning/Signs amend memo
SUBJECT: Amendment to the Outdoor Dining section of Zoning Ordinance.

A Public Hearing is scheduled for the July meeting to consider proposed changes to the Signs section of the Zoning Ordinance. The proposed text amendment would correct a number of reference errors as well as make the following additions:

- 1) Add back the option to have one additional wall sign as a substitution for a freestanding sign. This provision was in the previous sign regulations and was inadvertently left out of the new regulations.
- 2) Add a temporary sign size limitation of six square feet. A similar provision was in the previous sign regulations and was inadvertently left out of the new regulations.

Attached are the redlined versions of the changes.

If the proposed text amendments are satisfactory to the Planning Commission, it is the recommendation of the Planning Division, to recommend to the City Council adoption of the attached proposed ordinance.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020

AGENDA #

SUBJECT: First reading of a proposed Zoning Ordinance text amendment to amend Article XVII, General Provisions, Sections 1709 – Outdoor Dining

DEPARTMENT: Economic Development & Communications, Planning Division.

SUMMARY: At the July 13, 2020 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendment would amend Article XVII, General Provisions, Sections 1709 – Outdoor Dining. The proposed text amendment would allow for decorative lighting in outdoor dining uses after review by the Planning Commission. At that meeting the Planning Commission voted to recommend to the City Council adoption of the text amendments.

RECOMMENDED ACTION: The City Council conduct the first reading of the proposed text amendment to the City of Oak Park Zoning Ordinance, Article XVII, General Provisions, Sections 1709 – Outdoor Dining

APPROVALS:

City Manager: _____ *ET* _____

Director: _____ *KM* _____

Finance Director: _____ *N/A* _____

Budgeted:

EXHIBITS: Proposed ordinance for adoption.

CITY OF OAK PARK, MICHIGAN
ORDINANCE NO.

AN ORDINANCE TO AMEND ARTICLE XVII, GENERAL PROVISIONS, SECTION 1709, OUTDOOR DINING, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XVII, General Provisions, Section 1709, B, 6, Appendix "A", Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to read as follows:

6. The Planning Commission may approve decorative or accent lighting as an alternative to shielded light fixtures when it can be demonstrated that there will be no off-site glare and the proposed lighting method is necessary to preserve the intended character of the site.

SECTION 2. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 3. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event 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 of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 4. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this day of _____, 2020.

T. Edwin Norris, City Clerk

I, T. Edwin Norris, the 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 _____, 2020.

T. Edwin Norris
City Clerk

First Reading:
Second Reading:
Adopted:
Published:



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020

AGENDA #

SUBJECT: First reading of a proposed Zoning Ordinance text amendment to the R-1 One Family Dwelling District

DEPARTMENT: Economic Development & Communications, Planning Division.

SUMMARY: At the July 13, 2020 meeting, the Planning Commission conducted a Public Hearing regarding proposed changes to the City of Oak Park Zoning Ordinance. The proposed text amendment would amend the R-1 One Family Dwelling District to address public and private recreation uses. The City Attorney's office prepared the proposed text amendments that would:

1. Make publicly owned and operated parks, parkways and recreational facilities a permitted use in the R-1 One Family Dwelling District.
2. Make private noncommercial recreational areas, institutional or community recreation centers, and nonprofit swimming pools a Special Land Use subject to a number of restrictions.

At that meeting the Planning Commission voted to recommend to the City Council adoption of the text amendments.

RECOMMENDED ACTION: The City Council conduct the first reading of the proposed text amendment to the City of Oak Park Zoning Ordinance, R-1 One Family Dwelling District

APPROVALS:

City Manager: _____ *ET* _____

Director: _____ *KM* _____

Finance Director: _____ *N/A* _____

Budgeted:

EXHIBITS: Proposed ordinance for adoption.

ARTICLE IV. - R-1 ONE-FAMILY DWELLING DISTRICT

Sec. 400. - Intent.

The R-1 one-family dwelling districts are intended to provide an environment of one-family detached dwellings and accessory uses in structures within stable residential neighborhoods.

Sec. 401. - Permitted uses.

In a one-family dwelling district, no building or land shall be used and no building shall be erected except for one or more of the following uses:

C. Publicly owned and operated parks, parkways and recreational facilities.

Sec. 402. - Special land uses.

The following uses may be permitted by the city council, upon recommendation by the planning commission, following submission of a site plan and such additional information as may be necessary to document the scope and intensity of the proposed use. Said uses may be permitted upon a finding by the city council that the use will comply with any specific requirements contained herein, and that the proposed location of the use will be desirable to the public convenience or welfare, will be in harmony with the various elements and objectives of the master plan, as from time to time amended, of the City of Oak Park, and will preserve the residential character of the affected neighborhood. The city council may impose such reasonable conditions on the use as may be necessary to preserve and promote the character of the district and the intent of this chapter:

~~D. Public recreation uses such as parks, playgrounds, golf courses, ball fields, athletic fields and stadiums, subject to the provisions in section 1915.~~

D. Private noncommercial recreational areas; institutional or community recreation centers; a nonprofit swimming pool, all subject to the following restrictions:

(i) Any use permitted herein shall not be permitted on a lot or group of lots of record, except in those instances wherein 100 percent of the owners of property immediately abutting and 65 percent of the owners of property within 300 feet of any property line of the site herein proposed for development shall sign a petition indicating concurrence with said site. The petition shall be submitted to the board of appeals for its review.

(ii) The proposed site for any of the community-serving uses permitted herein (i.e., those which would attract persons from beyond the immediate neighborhood) shall have one property line abutting a major thoroughfare, and the site shall be so planned as to provide ingress and egress directly onto the said major thoroughfare.

(iii) Front, side and rear yards shall be at least 80 feet wide, and shall be landscaped in trees, shrubs and grass. All such landscaping and planting shall be maintained in a healthy growing condition, neat and orderly in appearance.

(iv) Buildings erected on the premises shall not exceed one story in height except where due to topography; a lower level shall be permitted

when said lower level is entirely below the grade of the major thoroughfare abutting the parcel in question.

(v) Off-street parking shall be provided so as to accommodate at least one-half of the member families and/or individual members. Bylaws of the organization shall be provided in order to establish the membership involved for computing parking requirements.

(vi) Whenever a pool is involved, said pool area shall be provided with a protective fence six feet in height and entry shall be provided by means of a controlled gate or turnstyle.

(vii) Where storm sewers are nonexistent or capacity is not ample, adequate on site take-off facilities shall be provided and shall be reviewed and approved by the city engineer as being adequate.

ARTICLE XIX. - SPECIAL LAND USES

Sec. 1915. ~~Public recreation uses.~~

~~Public recreation uses such as parks, playgrounds, golf courses, ball fields, and stadiums may be permitted in certain districts specified in this ordinance, subject to the following:~~

- ~~A. No activities shall take place within 30 feet of an abutting residential use or district.~~
- ~~B. Use of loudspeaker or public address systems shall be limited in terms of number of events per year and hours of events, so as to minimize impacts on adjacent residential areas. Said limitation shall be clearly set forth in the special land use permit.~~
- ~~C. Outdoor lighting shall be restricted in terms of hours or operation. All lights shall be shielded so as to not project onto adjoining properties, rights-of-way, or impair driver visibility.~~

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE IV, SECTIONS 401, PERMITTED USES, AND 402, SPECIAL LAND USES, AND ARTICLE XIX, SECTION 1915, SPECIAL LAND USES, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article IV-R1 One Family Dwelling, Section 401, Appendix “A,” Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to add the following provision to allow publicly owned parks, parkways, and recreational facilities in R1 Districts:

In a one-family dwelling district, no building or land shall be used and no building shall be erected except for one or more of the following uses:

...

c. Publicly owned and operated parks, parkways and recreational facilities.

SECTION 2. Article IV-R1 One Family Dwelling, Section 402, Appendix “A,” Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to delete the following provision:

D. Public recreation uses such as parks, playgrounds, golf courses, ball fields, athletic fields and stadiums, subject to the provisions in section 1915.

Section 402, Appendix “A,” Zoning, of the Code of Ordinances of the City of Oak Park, shall be further amended to add the following provision:

D. Private noncommercial recreational areas; institutional or community recreation centers; a nonprofit swimming pool, all subject to the following restrictions:

(i) Any use permitted herein shall not be permitted on a lot or group of lots of record, except in those instances wherein 100 percent of the owners of property immediately abutting and 65 percent of the owners of property within 300 feet of any property line of the site herein proposed

for development shall sign a petition indicating concurrence with said site. The petition shall be submitted to the board of appeals for its review.

(ii) The proposed site for any of the community-serving uses permitted herein (i.e., those which would attract persons from beyond the immediate neighborhood) shall have one property line abutting a major thoroughfare, and the site shall be so planned as to provide ingress and egress directly onto the said major thoroughfare.

(iii) Front, side and rear yards shall be at least 80 feet wide, and shall be landscaped in trees, shrubs and grass. All such landscaping and planting shall be maintained in a healthy growing condition, neat and orderly in appearance.

(iv) Buildings erected on the premises shall not exceed one story in height except where due to topography; a lower level shall be permitted when said lower level is entirely below the grade of the major thoroughfare abutting the parcel in question.

(v) Off-street parking shall be provided so as to accommodate at least one-half of the member families and/or individual members. Bylaws of the organization shall be provided in order to establish the membership involved for computing parking requirements.

(vi) Whenever a pool is involved, said pool area shall be provided with a protective fence six feet in height and entry shall be provided by means of a controlled gate or turnstyle.

(vii) Where storm sewers are nonexistent or capacity is not ample, adequate on site take-off facilities shall be provided and shall be reviewed and approved by the city engineer as being adequate.

SECTION 3. Article XIX, Special Land Uses, Section 1915, Appendix "A," Zoning, of the Code of Ordinances of the City of Oak Park is hereby amended to delete the following provision:

A. No activities shall take place within 30 feet of an abutting residential use or district.

SECTION 4. Conflicting Provisions Repealed.

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 5. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event 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 of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 6. Effective Date.

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this _____ day of _____, 2020.

T. EDWIN NORRIS, City Clerk

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

First Reading:
Second Reading:
Adopted:
Published:

[Proposed 7-20-2020]

**CITY OF OAK PARK
RESOLUTION REGARDING FIRST READING OF PROPOSED
AMENDMENT TO SECTION 62-42 TO CHAPTER 62, ARTICLE II, DIVISION 1, AND THE
ADDITION OF SECTION 42-6 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, July 20, 2020 at 7:00 pm.

Present:

Absent:

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

WHEREAS, the City of Oak Park desires to remove the broad prohibition against outdoor burning codified in Sec. 62-42 and add Sec. 42-6 to allow portable outdoor fireplaces using clean woods, and to require annual permits for campfires, open burning, or recreational fires as defined by the International Fire Protection Code (2015);

WHEREAS, the Amendment to Section 62-42 is necessary to achieve this objective by providing an exception to be codified as Section 42-6 that will allow portable outdoor fireplaces, subject to some specifically delineated requirements, require annual permits for campfires, open burning or recreational fires, and prohibit all forms of burning on days when the Southeast Michigan Council of Government (SEMCOG) has declared an air quality alert or ozone action day.

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 amendment to Section 62-42 is hereby approved in substantially the form attached hereto.
2. The first reading of the proposed addition of Section 42-6 is hereby approved in substantially the form attached hereto.

Roll Call Vote: Yes,
 No,
 Absent,

RESOLUTION DECLARED ADOPTED

Edwin T. Norris
City Clerk
Dated: July 20, 2020

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

ORDINANCE NO. O-42-_____

**AN ORDINANCE TO ADD SECTION 42-6, CHAPTER 42, ARTICLE I,
OPEN BURNING, OF THE CODE OF ORDINANCES, CITY OF OAK
PARK.**

Chapter 42- Fire Prevention and Protection

Art. I- In General

Sec. 42-6- Open Burning

- (a) This section applies to all outdoor burning and open burning and is intended to promote and safeguard the public health, safety and welfare of the citizens of the City of Oak Park by regulating the air pollution and fire hazards of open burning and outdoor burning.
- (b) This section shall not apply to:
 - (1) Grilling or cooking food using charcoal cookers, propane or natural gas in cooking or filling appliances, braziers, hibachis, grills, outdoor fireplaces or gas-fired stoves and similar semi-enclosed devices on the premises of a one-family detached dwelling.
 - (2) Burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.
 - (3) The use of propane, acetylene, nature gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.
 - (4) The use of non-ash producing fuels not less than 15 feet from combustible materials, when used in metal containers for the heating of building materials or for the warmth of workers.
 - (5) This article does not apply to open burning being used by the fire department in connection with training and performance of its duties.
- (c) Definitions. The following definitions shall apply to this section:

Campfire means a small outdoor fire with a diameter of less than four feet enclosed by non-combustible materials intended for recreation or cooking but not including a fire intended for disposal of waste, wood or refuse.

Clean wood means natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.

Construction and demolition waste means building waste materials, including but not limited to waste shingles, insulation, lumbar, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

Department means the City of Oak Park Public Safety

Open burning means kindling or maintaining a fire where the products of combustion are omitted directly into the ambient air without passing through a stack or a chimney.

Outdoor burning means open burning or burning in a portable outdoor fireplace.

Portable outdoor fireplace means a solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a small chimney or chimney opening in the top.

Recreational fire means any outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth, or similar purposes.

Refuse means putrescible and nonputrescible solid waste, including incinerator ash, incinerator residue, street cleanings and solid market and industrial wastes and including ashes, garbage, rubbish and yard wastes.

- (d) General prohibition on open burning. Open burning, outdoor burning, recreational fires and campfires are prohibited in the City of Oak Park unless the burning is specifically permitted by this section.
- (e) Portable outdoor fireplaces may be installed and used in the City of Oak Park without a permit on single family, residential lots only in accordance with all of the following provisions:
 - (1) The portable outdoor fireplace shall not be used to burn refuse.
 - (2) The portable outdoor fireplace shall burn only clean wood.
 - (3) The portable outdoor fireplace shall be located at least 20 feet from the nearest structure which is not on the same property as the portable outdoor fireplace and at least 15 feet from the nearest structure on the same property as the portable outdoor fireplace.
 - (4) The portable outdoor fireplace shall not cause a nuisance to neighbors.
 - (5) Operational hours for any portable outdoor fireplace shall be limited to the time between 11:00 a.m. and 1:00 a.m. Eastern Standard Time.
 - (6) The use of a portable outdoor fireplace shall be supervised by at least one person who is 18 years of age or older.
 - (7) There shall be at minimum a garden hose connected to a reliable water supply, or a 2a10BC rated fire extinguisher within 20 feet of any use of a portable outdoor fireplace.
- (f) Permits. No person shall maintain any campfire, open burning or recreational fire without a burning permit issued by the Department of Technical and Planning. The fee for the annual burning permit shall be an amount established by council by resolution, and shall be submitted to the department for issuance of a burning permit, along with an application on a form to be established and maintained by the department. An annual permit expires on December 31 of each year. Campfires, open burning or recreational fires under this section may be used on single family, residential lots in accordance with all of the following requirements:
 - (1) Open burning, campfires, and recreational fires shall burn only clean wood.

(2) All open burning, campfires, and recreational fires shall be located at least 20 feet from the nearest structure which is not on the same property as the portable outdoor fireplace and at least 15 feet from the nearest structure on the same property as the portable outdoor fireplace.

(3) The open burning, campfire, and recreational fires shall not cause a nuisance to neighbors.

(4) Operational hours for any open burning, campfires, and recreational fires shall be limited to the time between 11:00 a.m. and 1:00 a.m. Eastern Standard Time.

(5) All burning shall be supervised by at least one person who is 18 years of age or older.

(6) There shall be at minimum a garden hose connected to a reliable water supply, or a 2a10BC rated fire extinguisher within 20 feet of any use of any open burning, campfire, and recreational fire.

- (g) All forms of open burning, including use portable outdoor fireplaces, are prohibited on days when the Southeast Michigan Council of Government (SEMCOG) has declared an air quality or ozone action day.
- (h) The fire inspector or any authorized officer, agent, employee or representative of the City of Oak Park that presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this article.
- (i) Enforcement and penalties. The fire inspector and his or her public safety department designee, any City of Oak Park public safety officers, and any representative of the Department of Technical and Planning are authorized to enforce the provisions of this article. Failure to comply with this section shall constitute a nuisance in violation of Chapter 38, Article III of the Code of Ordinances. A violator shall pay costs which may include all expenses, direct and indirect, that the City has incurred in connection with the violation. In addition, the City shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this section. Each day that a violation of this section exists shall constitute a separate violation of this section.

(a) **EFFECTIVE DATE**

This Ordinance shall take effect on the _____ day of _____ 2020, in accordance with the provisions and requirements of the City of Oak Park

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this _____ day of _____, 2020.

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

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

ORDINANCE NO. O-62-_____

AN ORDINANCE TO AMEND SECTION 62-42, CHAPTER 62, ARTICLE II, DIVISION I, BURNING, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.

ARTICLE II.- Collection and Disposal

Division 1. - Generally

Sec. 62-42.- Burning

It shall be unlawful for any person to burn refuse, construction and demolition waste, rubbish, garbage, paper, wood, leaves, branches, yard waste, or any other waste material within the city except as permitted by Section 42-6 of the Code of Ordinances.

EFFECTIVE DATE

This Ordinance shall take effect on the _____ day of _____ 2020, in accordance with the provisions and requirements of the City of Oak Park

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this _____ day of _____, 2020.

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

Chapter 62- Solid Waste

Art. II- Collection and Disposal, Division I- Generally

Sec. 62-42. – Burning.

It shall be unlawful for any person to burn refuse, construction and demolition waste, rubbish, garbage, paper, wood, leaves, branches, yard waste, or any other waste material within the city except as permitted by Section 42-6 of the Code of Ordinances.

Chapter 42- Fire Prevention and Protection

Art. I- In General

Sec. 42-6- Open Burning

- (a) This section applies to all outdoor burning and open burning and is intended to promote and safeguard the public health, safety and welfare of the citizens of the City of Oak Park by regulating the air pollution and fire hazards of open burning and outdoor burning.
- (b) This section shall not apply to:
 - (1) Grilling or cooking food using charcoal cookers, propane or natural gas in cooking or filling appliances, braziers, hibachis, grills, outdoor fireplaces or gas-fired stoves and similar semi-enclosed devices on the premises of a one-family detached dwelling.
 - (2) Burning for the purpose of generating heat in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation.
 - (3) The use of propane, acetylene, nature gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.
 - (4) The use of non-ash producing fuels not less than 15 feet from combustible materials, when used in metal containers for the heating of building materials or for the warmth of workers.
 - (5) This article does not apply to open burning being used by the fire department in connection with training and performance of its duties.

- (c) Definitions. The following definitions shall apply to this section:

Campfire means a small outdoor fire with a diameter of less than four feet enclosed by non-combustible materials intended for recreation or cooking but not including a fire intended for disposal of waste, wood or refuse.

Clean wood means natural wood which has not been painted, varnished or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.

Construction and demolition waste means building waste materials, including but not limited to waste shingles, insulation, lumbar, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.

Department means the City of Oak Park Public Safety

Open burning means kindling or maintaining a fire where the products of combustion are omitted directly into the ambient air without passing through a stack or a chimney.

Outdoor burning means open burning or burning in a portable outdoor fireplace.

Portable outdoor fireplace means a solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a small chimney or chimney opening in the top.

Recreational fire means any outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth, or similar purposes.

Refuse means putrescible and nonputrescible solid waste, including incinerator ash, incinerator residue, street cleanings and solid market and industrial wastes and including ashes, garbage, rubbish and yard wastes.

- (d) General prohibition on open burning. Open burning, outdoor burning, recreational fires and campfires are prohibited in the City of Oak Park unless the burning is specifically permitted by this section.
- (e) Portable outdoor fireplaces may be installed and used in the City of Oak Park without a permit on single family, residential lots only in accordance with all of the following provisions:
 - (1) The portable outdoor fireplace shall not be used to burn refuse.
 - (2) The portable outdoor fireplace shall burn only clean wood.

(3) The portable outdoor fireplace shall be located at least 20 feet from the nearest structure which is not on the same property as the portable outdoor fireplace and at least 15 feet from the nearest structure on the same property as the portable outdoor fireplace.

(4) The portable outdoor fireplace shall not cause a nuisance to neighbors.

(5) Operational hours for any portable outdoor fireplace shall be limited to the time between 11:00 a.m. and 1:00 a.m. Eastern Standard Time.

(6) The use of a portable outdoor fireplace shall be supervised by at least one person who is 18 years of age or older.

(7) There shall be at minimum a garden hose connected to a reliable water supply, or a 2a10BC rated fire extinguisher within 20 feet of any use of a portable outdoor fireplace.

(f) Permits. No person shall maintain any campfire, open burning or recreational fire without a burning permit issued by the Department of Technical and Planning. The fee for the annual burning permit shall be an amount established by council by resolution, and shall be submitted to the department for issuance of a burning permit, along with an application on a form to be established and maintained by the department. An annual permit expires on December 31 of each year. Campfires, open burning or recreational fires under this section may be used on single family, residential lots in accordance with all of the following requirements:

(1) Open burning, campfires, and recreational fires shall burn only clean wood.

(2) All open burning, campfires, and recreational fires shall be located at least 20 feet from the nearest structure which is not on the same property as the portable outdoor fireplace and at least 15 feet from the nearest structure on the same property as the portable outdoor fireplace.

(3) The open burning, campfire, and recreational fires shall not cause a nuisance to neighbors.

(4) Operational hours for any open burning, campfires, and recreational fires shall be limited to the time between 11:00 a.m. and 1:00 a.m. Eastern Standard Time.

(5) All burning shall be supervised by at least one person who is 18 years of age or older.

(6) There shall be at minimum a garden hose connected to a reliable water supply, or a 2a10BC rated fire extinguisher within 20 feet of any use of any open burning, campfire, and recreational fire.

- (g) All forms of open burning, including use portable outdoor fireplaces, are prohibited on days when the Southeast Michigan Council of Government (SEMCOG) has declared an air quality or ozone action day.
- (h) The fire inspector or any authorized officer, agent, employee or representative of the City of Oak Park that presents credentials may inspect any property for the purpose of ascertaining compliance with the provisions of this article.
- (i) Enforcement and penalties. The fire inspector and his or her public safety department designee, any City of Oak Park public safety officers, and any representative of the Department of Technical and Planning are authorized to enforce the provisions of this article. Failure to comply with a this section shall constitute a nuisance in violation of Chapter 38, Article III of the Code of Ordinances. A violator shall pay costs which may include all expenses, direct and indirect, that the City has incurred in connection with the violation. In addition, the City shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this section. Each day that a violation of this section exists shall constitute a separate violation of this section.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020

SUBJECT: Appointment of new members to the Oak Park Youth Assistance Board

DEPARTMENT: City Manager's Office

SUMMARY: The Oakland County Youth Assistance Program is administered through the Oakland County Circuit Court/Family Division, and consists of local Youth Assistance offices in Oakland County communities through tri-sponsorship agreements between the Circuit Court, local municipalities and local school districts. The Oak Park Youth Assistance Program was created in 1983 by the Oakland County Circuit Court and includes the following sponsors: the City of Oak Park, the Oak Park School District, and the Charter Township of Royal Oak.

Membership eligibility includes civic leaders, organizational and governmental persons, professional people and individuals interested in serving youth in the area covered by the City of Oak park and Oak Park School District. After new members are approved by the Oak Park Youth Assistance Board, they must be presented to the local sponsors for approval. Upon acceptance by the local sponsors, they must be sent to the Oakland County Circuit Court Judges for approval and formal appointment to the Board.

The Oak Park Youth Assistance has appointed Alyssa Klein, Aisha Tyler and Kristie Price to the Board, and is asking the local sponsors for approval.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: Request that City Council approve the appointment of Alyssa Klein, Aisha Tyler and Kristie Price to the Oak Park Youth Assistance Board.

APPROVALS:

City Manager: _____ ET _____

Department Director: _____ CV _____

Director of Finance: _____

Budgeted:

EXHIBITS:



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020

AGENDA #

SUBJECT: Request of the Planning Commission for approval to distribute the Draft City of Oak Park Master Plan Update

DEPARTMENT: Economic Development & Communications, Planning Division.

SUMMARY: At the July 13, 2020 meeting, the Planning Commission reviewed the presented draft Master Plan Update and was generally satisfied with the document. A copy of the Draft Master Plan Update was included in the Planning Commission packet previously distributed to City Council. The attached memorandums outline the timeline and a highlight of the changes made. The Planning Commission voted to present to City Council the Draft Master Plan Update and request approval to distribute the Master Plan.

RECOMMENDED ACTION: The City Council consider accepting the recommendation of the Planning Commission and approve distribution of the Draft Master Plan Update.

APPROVALS:

City Manager: _____ *ET* _____

Director: _____ *KM* _____

Finance Director: _____ *N/A* _____

Budgeted:

EXHIBITS: Memorandums

This update will allow us to meet the requirements of a Master Plan update and will be in effect for five years from adoption to be compliant with State requirements.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020 **AGENDA #**

SUBJECT: Proposal for professional services for water system improvements.

DEPARTMENT: DPW – KJY

SUMMARY: In working with our SCADA vendor, UIS SCADA, a proposal was prepared to provide new MicroLogix PLC's and cell phone antennas at all of our water system pump stations around the city. This work has become an immediate necessity as we have seen an increase in the failures of the old serial MDS radio antennas. In order to properly maintain our water system, communications are required all times. UIS SCADA has performed work in the past and is our sole vendor for this type of work. Their proposal is for a total of \$52,875.00. Past work in the city by UIS SCADA has always been to the satisfaction of City personnel.

FINANCIAL STATEMENT: There is \$80,000 budgeted in the 2019-20 Water and Sewer no. 592-18-540-970 for this expenditure.

RECOMMENDED ACTION: It is recommended that the professional services proposal from UIS SCADA for water system improvements be approved for a total of \$52,875.00. It is further requested that funding that was not utilized in the 2019-2020 budget from the Water and Sewer Fund no. 592-18-540-970 be utilized for this expenditure.

APPROVALS:

City Manager: ET Department Director: KJY

Finance Director: _____ Legal: ED

Budgeted:

EXHIBITS: UIS SCADA Proposal



Date	June 24, 2020	Customer	City of Oak Park	To	Dave DeCoster
Description	SCADA PLC and Cell Modem Upgrades				City of Oak Park
Quote #	201058				10600 Capital St
Estimator	Ken Wesley	Email	ken.wesley@uiscorp.com		Oak Park, MI 48237

Scope of Work	Cost
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At each of the following locations: Eight Mile Booster, Ten Mile Booster, Eleven Mile Tank, and Reservoir, furnish and install one (1) Allen Bradley MicroLogix 1400 PLC with necessary I/O to replace the existing Allen Bradley SLC PLC.

At the Miller Lift Station, upgrade the existing PLC with the existing MicroLogix 1400 currently located at the DPW with additional I/O as required.

At each of the five locations, furnish and install one (1) Cellular modem with antenna hardware to replace the existing serial MDS radio.

At each location, provide necessary PLC programming to convert the existing SLC program to the new MicroLogix.

At each location, provide startup services.

Provide the first year of the cellular service fees for the five modems required for this project; currently the total cost is \$1,500.00 per year for all five modems.

Notes:

The above scope of work must be performed as a project to maintain communications for the water system.

The PLC located at the DPW will be removed at the end of this project and installed at the Miller Lift Station.

Total \$52,875.00

UIS SCADA Approved by

Date June 24, 2020

Exclusions and Clarifications

Our quote is based on straight time during normal hours of 7:00 A.M. - 3:30 P.M., Monday through Friday.

Our price is valid for thirty (30) days, after which time UIS SCADA reserves the right to review and modify any and all portions of its proposal.

This proposal contains pricing and other information confidential and proprietary to UIS SCADA, and disclosure of the contents of this letter and any attachments to persons or organizations outside of this agreement is not authorized without specific written permission from UIS SCADA.

UIS GROUP OF COMPANIES - TERMS AND CONDITIONS

1. Offer.

These Terms and Conditions ("Terms") apply to all products and services, including without limitation, computer software program(s) provided to Purchaser under an Order Confirmation with Utilities Instrumentation Services, Inc., UIS SCADA, Inc., and/or UIS Renewable Power, Inc. (collectively, "Seller"). These Terms are incorporated into each and every Order Confirmation issued by Seller to a purchaser of such Products or Services ("Purchaser"). A confirmation or acknowledgement of an order ("Order Confirmation") will be issued to Purchaser after the Purchaser has submitted an order to Seller. The Order Confirmation constitutes Seller's offer to the Purchaser identified in the Order Confirmation to sell the Products and/or provide the Services identified in the Order Confirmation and otherwise to enter into the agreement that the Order Confirmation and these Terms describe, and the Order Confirmation and these Terms shall be the complete and exclusive statement of such offer and agreement.

2. Acceptance.

A contract is formed when Purchaser accepts the Order Confirmation by written acknowledgement, by accepting the Products and/or Services, or other issued acceptance documents for the Products and/or Services. Acceptance is expressly limited to these Terms and the terms and conditions expressly referenced on the face of the Order Confirmation, and shall not include any terms and conditions contained in Purchaser's purchase order. Notwithstanding any contrary provision in Purchaser's purchase order or other acceptance document, delivery of Products, performance of Services or commencement of Services by Seller shall not constitute acceptance of Purchaser's terms and conditions to the extent any such terms or conditions are inconsistent with or in addition to the terms and conditions contained in the Order Confirmation.

UIS Group of Companies
2290 Bishop Circle East
Dexter, MI 48130
(734) 424-1200

Utilities Instrumentation Service
UIS SCADA
UIS Renewable Power

3. Prices.

Prices for Products and/or Services shall be set forth in the Order Confirmation. Unless otherwise expressly stated in the Order Confirmation: (a) prices for Products specified in the Order Confirmation do not include storage, handling, packaging or transportation charges; and (b) prices do not include any applicable federal, state, local or foreign duties or taxes.

4. Payment Terms.

Unless otherwise expressly stated in the Order Confirmation, all accounts are payable in U.S. currency thirty (30) days from the date of Seller's invoice. Credit and delivery of Products shall be subject to Seller's approval. The Purchaser shall pay Seller for Services performed in accordance with the rates and charges set forth in the Order Confirmation. If the Purchaser objects to any portion of an invoice, the Purchaser shall notify Seller, in writing, within fourteen (14) calendar days of invoice receipt, identify the cause of disagreement, and pay when due any portion of the invoice not in dispute. Failure to provide notification shall constitute acceptance of the invoice as submitted. If Purchaser fails to pay undisputed invoiced amounts within the thirty (30) calendar days of the invoice date, Seller may at any time, without waiving any other claim against the Purchaser (including lien rights) and without incurring any liability to the Purchaser, suspend or terminate the Order Confirmation. Purchaser is prohibited from and shall not setoff against or recoup from any invoiced amounts due or to become due from Purchaser or its affiliates any amounts due or to become due to Seller or its affiliates, whether arising under the Order Confirmation, any related purchase order or under any other agreement.

5. Shipping and Delivery.

All sales of Products are F.O.B. Seller's plant unless otherwise specified in the Order Confirmation. Responsibility of Seller shall cease upon delivery to and receipt of the Products by a common carrier at which point Purchaser will bear all risk of loss for the Products. Premium shipping expenses and/or other related expenses necessary to meet Purchaser's accelerated delivery schedules shall be the responsibility of Purchaser. Deliveries of orders placed by Purchaser may be changed, deferred or canceled only upon specific agreement in writing by Seller and Seller may condition such agreement upon Purchaser's assumption of liability and payment to Seller for: (a) a sum equal to the costs of work in process including costs accrued for labor and material; (b) any amount for which Seller is liable by reason of commitments made by Seller to its suppliers; and (c) any other loss, cost or expense of Seller as a result of such change, deferral or cancellation.

6. Proprietary Materials.

Seller shall have and retain all rights, title and interest, including all intellectual property rights, in and to all Products, Services and associated materials, including, without limitation, all related reports, specifications, designs and any other property, tangible or intangible, furnished by Seller in connection with or under the Order Confirmation or any related purchase order ("Proprietary Materials"). No Proprietary Materials created by Seller in connection with or pursuant to the Order Confirmation or any related purchase order shall be considered "works made for hire" as that term is used in connection with the U.S. Copyright Act.

7. Licenses.

Seller does not grant to Purchaser any license with respect to the Products, and any such license terms with respect to the Products shall be governed solely by the licenses, if any, provided solely by the third-party manufactures of such products.

8. Design.

Seller is not responsible for the design of the Products and will not, under any circumstances, have any warranty, indemnification or other liability or obligations with respect to Products to the extent related to or arising out of the design and/or specifications for such Products. Suggestions by Seller as to design, use and suitability of the Products are made in good faith; provided, however, Buyer assumes full responsibility for accepting and/or using such suggestions.

9. Warranty.

(a) Seller warrants, that at the time of delivery, the Products will conform to the specifications, if any, that are a part of the Order Confirmation. Purchaser understands and hereby expressly agrees that any claim for defective materials, defective manufacture, or any other claim with respect to the Products shall be made directly to the manufacturer of the Product and not the Seller. Seller makes no warranties, either express or implied, regarding defective materials, defective manufacture, or any other claim with respect to Products. Seller may, at its sole election, and as Purchaser's sole remedy, make an allowance, repair, or replace such quantity of the Products as shall prove to be defective, then Purchaser shall hold and make available for inspection and testing by Seller all Products claimed by Purchaser to be defective.

(b) Services provided by Seller under an Order Confirmation will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.

(c) THE SELLER DISCLAIMS, AND PURCHASER HEREBY EXPRESSLY WAIVES, ANY AND ALL OTHER WARRANTIES, WHETHER EXPRESS, IMPLIED OR STATUTORY, WITH RESPECT TO THE PRODUCTS AND/OR SERVICES, AND/OR THE RESULTS OBTAINED FROM THEIR USE BY PURCHASER AND/OR ITS USERS, INCLUDING, WITHOUT LIMITATION, ANY STATUTORY OR IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. SELLER SPECIFICALLY, BUT NOT BY WAY OF LIMITATION, DISCLAIMS ANY AND ALL LIABILITY FOR THE USE OR PERFORMANCE OF THE SERVICES AND/OR PRODUCTS SELECTED BY THE PARTIES HEREBY EXPRESSLY ACKNOWLEDGE AND AGREE THAT THE UNIFORM COMMERCIAL CODE AND ANY SPECIFIC STATE ADOPTIONS THEREOF SHALL NOT GOVERN THE RIGHTS AND OBLIGATIONS OF THE PARTIES UNDER THESE TERMS OR ANY ORDER CONFIRMATION.

10. Liability Limitation.

Specific performance shall not be available to Purchaser as a remedy in connection with Seller's providing of the Products and/or Services. Monetary damages against Seller shall be limited to the dollar amount charged to Purchaser for the applicable order placed by Purchaser and accepted by Seller for any of the Services and/or Products alleged to be the cause of any loss or damage, whether founded in contract, tort (including negligence), strict liability or otherwise, arising out of, or resulting from: (a) any order placed by Purchaser and accepted by Seller or Seller's performance or breach; or (b) the design, manufacture, delivery, sale, repair, replacement or use of any such Products. IN NO EVENT SHALL SELLER BE LIABLE TO PURCHASER FOR ANY SPECIAL, INDIRECT, EXEMPLARY, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES (INCLUDING, WITHOUT LIMITATION, LOSS OF ANTICIPATED PROFITS, LOSS OF USE, LOSS OF REVENUE AND COST OF CAPITAL) ARISING OUT OF OR RELATING TO THE ORDER CONFIRMATION, ANY RELATED PURCHASE ORDER, OR THE SERVICE AND/OR PRODUCTS. ANY AGREEMENT VARYING OR EXTENDING THE REMEDIES SPECIFICALLY STATED HEREIN WILL BE BINDING ON SELLER ONLY WHEN SPECIFICALLY AGREED TO IN WRITING BY SELLER AND SPECIFICALLY REFERENCING THIS SECTION.

11. Termination.

In the event that Purchaser fails to perform any of its obligations stated in the Order Confirmation or any related purchase order and fails to cure such breach within ten (10) days after receipt of written notice from the Seller specifying such breach, the Seller may at its option immediately terminate the Order Confirmation and/or any related purchase orders. Upon any such termination by Seller: (a) Seller shall be relieved of any further obligation to Purchaser (including, without limitation, any obligation with respect to delivery or transition of supply); (b) Purchaser shall be liable to Seller for the immediate payment of amounts then billed to date by Seller to Purchaser; (c) Purchaser shall purchase and pay Seller immediately for all raw materials, components, work in process and finished goods acquired by Seller in connection with the Order Confirmation and/or any related purchase orders; and (d) Purchaser shall immediately reimburse Seller for all other loss, cost or expense of Seller as a result of the termination of the Order Confirmation or any related purchase order.

12. Right of Entry.

If applicable, Purchaser shall provide for Seller's right to enter the property owned by the Purchaser and/or others in order for Seller to perform the Services in the Order Confirmation. The Purchaser agrees, to the fullest extent permitted by law, to indemnify and hold Seller and his or her subconsultants harmless from any claim, liability or cost (including reasonable attorneys' fees and costs of defense) for injury or loss arising or allegedly arising from procedures associated with testing or investigative activities or discovery of hazardous materials or suspected hazardous materials on said property.

13. Force Majeure.

Seller shall not be liable for any delay or failure to perform any obligation under this Agreement if such delay or failure is caused by circumstances beyond its reasonable control, including, without limitation, acts of God or public authority, riots or other public disturbances, labor disputes of any kind, electrical or power outages, utilities or telecommunications failures, earthquake, storms or other elements of nature, acts or orders of government, pandemics, acts of terrorism or war, or acts by third parties, failure of Purchaser to provide required information, or the change in cost or availability of raw materials, components or services based on market conditions, supplier actions or contract disputes ("Force Majeure Event"). During a Force Majeure Event, Seller's obligations under the Order Confirmation and any related purchase order shall be suspended and Seller shall not have any obligation to provide Purchaser with Services from other sources or to pay or reimburse Purchaser for any additional costs to Purchaser of obtaining substitute Services, nor shall Seller be liable for any damages to Purchaser arising from or related to a Force Majeure Event.

14. Employee Solicitation

Employee Solicitation. Purchaser agrees not to hire, attempt to hire, or retain as consultants or otherwise, employees and/or consultants of Seller directly or through a third-party entity during the employment or consulting period and for a period of one (1) year subsequent to the employee's and/or consultant's last day of work for Seller regardless of the circumstances surrounding employee's cause of termination of employment.

15. Indemnification.

Purchaser holds harmless, indemnifies, and will defend Seller and its related or affiliated entities including their respective officers, agents and employees against any claims, liabilities, expenses, charges, or fines including attorney's fees and expenses to the extent directly or indirectly caused by Purchaser's (including those acting on behalf of Purchaser) (a) negligent acts of omissions and involving property damage or bodily injury; (b) breach of the terms of the contract between the parties; or (c) violation of applicable law. This provision shall apply even if there is concurrent negligence but shall not apply to property damage or bodily injury arising solely from Seller's negligence. Liability per above is not limited by limits of workers compensation coverage.

16. Waiver.

Waiver by Seller of any of the terms or conditions of the Order Confirmation shall be effective only if in writing and signed by Seller, and shall not constitute a waiver of such terms as to any subsequent events or conditions, whether similar or dissimilar. No course of dealing or custom in the trade shall constitute a modification or waiver by Seller of any right.

17. Survival.

These Terms shall survive and continue in full force and effect following the expiration, cancellation or termination of an Order Confirmation and any related purchase order

18. Entire Agreement.

The Order Confirmation, including these Terms and any other attachments, exhibits or supplements specifically referenced in the Order Confirmation, constitutes the entire agreement between Seller and Purchaser with respect to the matters contained in the Order Confirmation and supersedes all prior oral or written representations and agreements. Except as otherwise provided in these Terms, the Order Confirmation may only be modified by a written agreement signed by Seller.

19. Applicable Laws.

Unless otherwise specified, the laws of the State of Michigan, except for its choice of laws provisions, shall govern these Terms.



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

AGENDA OF: July 20, 2020 **AGENDA #**

SUBJECT: 2019 Program Year Yard Services Update

DEPARTMENT: Technical & Planning – RMB

SUMMARY: At the June 15, 2020 regular meeting of the Oak Park City Council, the request to bid the 2019 Program Year Yard Services Contract, M-715 was approved. Unfortunately, we did not receive any bids to administer our Program Year 2019 CDBG Yard Services contract. We have been informed that OLHSA does not currently have the staffing levels to manage CDBG Yard Services. After exploring many alternatives, we have determined that if we want to continue the program, the best option will be to administer the Yard Services program internally. Administering a Federal Grant HUD CDBG program is very extensive and comprehensive. Even though this effort will be a major increase to T&P's work load, in order to maintain this service for our seniors in need, we are willing to take on this effort. Unfortunately, to execute this effort there will be about a one-month delay in resuming the mowing services to the seniors. Attached is a letter that OLSHA has sent to the effected seniors informing them that the City is going to deliver this service. We recently completed and advertised a RFP for a lawn service company for the City to manage for the eligible seniors. I expect to present a recommendation for award of this RFP at the August 10th City Council Meeting.

FINANCIAL STATEMENT: The 2019 Program Year Yard Services Contract is funded through the Community Development Block Grant, (CDBG). \$30,000.00 has been allocated for program year 2019.

RECOMMENDED ACTION: At this time there is no recommended action for the City Council, just this update.

APPROVALS:

City Manager: _____ ET _____

Department Director: _____ RB _____

Finance Director: _____

EXHIBITS: OLHSA letter



A Community Action Agency

HELPING PEOPLE. CHANGING LIVES.

Community Action Since 1964 

Susan Harding
Chief Executive Officer

Central Office

196 Cesar E. Chavez Avenue
P.O. Box 430598
Pontiac, MI 48343-0598

T 248.209.2600
F 248.209.2645
E info@olhsa.org

South Office

1956 Hilton Road
Ferndale, MI 48220-1719

T 248.542.5860
F 248.542.5897
E info@olhsa.org

Livingston Office

2300 E. Grand River
Suite 107
Howell, MI 48843-7574

T 517.546.8500
F 517.546.3057
E livingston@olhsa.org

FY 2020

Re: CDBG Chore Program Funds Expended

Dear OLHSA CDBG Chore Participant:

We are writing to confirm that as of June 30th, OLHSA's lawn mowing services in the City of Oak Park have ended. The City of Oak Park is taking over the administration of the program going forward.

The City of Oak Park anticipates starting to provide lawn mowing services in August 2020. In order to apply for these services, please contact the City of Oak Park at 248-691-7450.

In the meantime, we have included a list of lawn maintenance companies in your community that you may wish to call to arrange for service.

Finally, our Resource Advocates are available to help connect you to other services that you may need, so do not hesitate to call (248) 209-2622 or to email olderadults@olhsa.org. Thank you.

Sincerely,

Marie Verheyen, CPRP

Marie Verheyen, CPRP
Senior Program Support Manager



JADE Strategies

Leadership Coaching | Team Building | Organization Development

Analysis | Strategy | Impact

Strengthening the Organization through

Next-Level Strategic Communications

Proposal prepared for:
Erik Tungate, City Manager
City of Oak Park

July 2, 2020

PROPRIETARY/CONFIDENTIAL

Letter of Transmittal

July 2, 2020

Erik Tungate, City Manager
City of Oak Park
14000 Oak Park Blvd.
Oak Park, MI 48237

Dear City Manager Tungate:

This proposal replaces the proposal dated July 1, 2020. Based on our recent discussions, please find the attached proposal for the City of Oak Park submitted on behalf of JADE Strategies, Inc. (JSI) for a program contract in which JADE Strategies assumes responsibility for operating the City of Oak Park's Communications and Public Information Department.

Under contract, JADE Strategies consultants will staff two positions: a Director of Communications and Public Information and a Communications Specialist.

I look forward to reconnecting with you to discuss next steps. If you have any questions, please feel free to contact me at (248) 860-8858 or by email at Joscelyn@JADEStrategies.com.

Sincerely,



Joscelyn A. Davis
President & CEO
JADE Strategies, Inc.

Analysis | Strategy | Impact



Analysis

The well-defined relationship between JSI and the City of Oak Park is based on a track record of significant successes. Seven years ago, JSI played a prominent role in establishing the City's existing communication tools and protocols, which have been emulated by multiple, neighboring communities.

Since that time, the City continues to evolve through expanded economic development, increased stakeholder engagement, and the assembly of an experienced leadership team, which understands the vital role communication plays in sustaining progress. Today, the City of Oak Park operates from a solid foundation and is uniquely poised to further advance communication operations through innovative, research-based initiatives.

What is Next-Level Strategic Communication?

It is critical that the City continues to integrate communication functions throughout the organization, access the most innovative communication tools and practices available, and expand its brand to include thought leadership on a national level.

JSI's CEO Joscelyn A. Davis is well acquainted with the City of Oak Park, having previously served in the role of Director of Communications and Public Information under the direction of City Manager Erik Tungate. Davis was responsible for initiating the City's present-day communication functions, as well as facilitating the City's first strategic plan in 2015 with involvement from both, City Council and the executive team.



Strategy

In a contracted role, Joscelyn A. Davis will report directly to the City Manager serving as Director of Communications and Public Information. Additionally, JADE Strategies will contract with and direct a Communications Specialist to support department operations and maintain consistent presence at City Hall. Davis will work on behalf of the City primarily from an off-site, office location. Collectively, the JADE Strategies team will contract for a maximum of 25 hours per week over the contract term. Davis requires the assignment of a dedicated Communications Team to assist with project tasks, as well as review-and-approval authorization involving Communication Team projects.

Next-Level Strategic Communication involves coordination of five, key components:

- 1 Public relations:** manage and maximize a consistent strategy for daily operations and crisis communication protocols re: stakeholder engagement resources, including but not limited to, web site, eBlasts, robo-calls, cable stations, publications, and social media
- 2 Media relations:** promote the organization, coordinate outreach, and serve as gatekeeper for media contact
- 3 Professional writing:** draft City Manager/Council missives, and manage content for stakeholder marketing collateral
- 4 Marketing coordination:** assist departments with marketing; and facilitate and/or staff relevant events
- 5 Department leadership:** oversee department, including management of the City's staff videographer and budgeting; and mentor the Com Team based on a tactical development plan

Impact

The goal of this coordinated communications effort is to expand on the foundation upon which the Communications Department was built and promote the City of Oak Park as a national brand.



Historical Impact

The following, two pages detail the historical impact of JADE Strategies' contributions to progress in the City of Oak Park and set the stage for next-level communication initiatives.

March – June 2020: ISSUE MANAGEMENT (COVID-19 CRISIS)

- **Strategy re: COVID-19 communication response:** coordinated plan and timeline
- **Integrated communications approach with authorization to review and approve Com Team projects:**
 - **Professional writing & coordination:** CM's COVID-19 PSA video scripts, Preparedness & Response Plan CM's letter/cover design, Mayor's COVID-19 video script
 - **Video editing & coordination (16)** - "Meeting with the Manager" (special edition series); Mayor's Story Time; Department Update Series; Inspire
- **Additional projects beyond initial scope:**
 - **Stormwater Rate Change** – strategy coordination; City Council presentation; resident, business, and faith leader trifolds; public FAQ; Internal Talking Points
 - **FY 2020-21 Budget** – City Council presentation
 - **Antiracism movement** – City's statement (edited)
 - **Library communications** – initial strategy with library director and library board
 - **Quarterly Magazine** – Millage and Budget articles
 - **Mayor's Message** – Mayor's monthly eBlast communication (Apr, May, Jun)

2016 – 2019: COACHING/WORKSHOP FACILITATION

- **Customer Service** – all City employees (2016, 2019)
- **Emotional Intelligence: Interpersonal & Inter-Professional Relations** – all City employees (2016)
- **Culture, Workplace Policy & Zero Tolerance** – diversity, equity, and inclusion (DEI) training for DPW (2017)



Historical Impact

2013 – 2015: STRATEGIC COMMUNICATIONS

- **Initial development and management of the City’s communication strategy:**
 - **Community engagement** e.g., initiated eBlast and robo-calling, Branch and internal newsletters, Council presentations (e.g., budget, branding), web site content
 - **Collateral marketing material/professional writing** e.g., Community Resource Directory, Resident Handbook, Department Narratives, City Council proclamations/tributes, ghost articles, cable and social media postings, communications projects for all departments; and letters, memos, and announcements from the City Manager’s and Mayor’s offices
 - **Special event facilitation**, e.g., Municipal Complex Grand Opening, Fourth of July interview booths (in partnership with OPHS Video Club), State of the City programs, All-Employee Picnics, Town Halls
 - **New Municipal Complex brand strategy**, e.g., City seal, letterhead, tagline, lobby showcase design, signage
 - **Media relations**, e.g., press releases (New City Hall, Tavern Licenses, Fed Ex/CIA, Community Design Workshops, business roundtables), PSAs, editorial board meetings, interviews, internal talking points, FAQs, articles, advertising, PR boilerplate statement
 - **Cable OPTV 15 programming**, e.g., launched “Meeting with the Manager,” facilitated video editing
 - **Communication protocols (documents)** re: Crisis Communication Protocol, Media Policy, Volunteerism and Photography procedures (forms), Cable OPTV operating procedures, Internal style manual, EOM program
 - **Oak Park Communications Commission** re: re-engaged as staff liaison; training; and annual project planning
- **City’s first strategic planning process with City Council and executive staff resulting in a detailed five-year plan, mission, vision, core values, branding and tagline**
- **City Council training series in governance, leadership, and teambuilding**
- **Executive staff teambuilding retreat in Holly, Michigan**





Joscelyn A. Davis
President & CEO
JADE Strategies, Inc.



[Connect: Email](#)

Joscelyn A. Davis has served in several, significant leadership positions in the private, public, and nonprofit sectors for more than 25 years, in which she has been responsible for strategic planning, leadership coaching and employee development, strategic communications, and organizational change management. As Chief Strategist at JADE Strategies, Davis works closely with clients to execute approaches to complex challenges that align operations with mission, define stakeholder relationships, and result in operational efficiencies.

Davis is well-versed in leadership, organization, and management development. As an award-winning leadership coach, Davis has facilitated hundreds of workshops on strategic planning, leadership development, high-functioning teams, collaborative cultures, and emotional intelligence. She is certified internationally to facilitate [Personality Dimensions](#)[®] Awareness Workshops, designed to assess personal temperaments and strengthen teams. She most recently served as keynote speaker for the City of Detroit, Auburn Hills Chamber of Commerce, Alliance of Coalitions for Healthy Communities, the [Michigan Minority Supplier Development Council](#), Center for Financial Planning, and Purpose Summit. Davis also created of Mentoring LeadersSM, an advanced program for existing and emerging leadership teams.

Davis launched her first business in 1995 as principle of Hermès Communications, a public relations & marketing firm based in Phoenix, AZ. Prior to this, she led departments in New York, Bermuda, London, and Dublin as Corporate Communications Manager at Center Re, a Wall Street reinsurance firm and Zurich subsidiary. Davis is the former Director of Strategy for United Way Community Services, and Oakland County Director of Community Engagement for United Way for Southeastern Michigan.

Davis previously served as Vice Chair of the Oakland County Women’s Commission, responsible for strategic planning. She also served on the Oakland County Business Roundtable and was appointed to the Main Street Oakland County board of directors following publication of her position paper, “The Economic Value of the Public Library: Strengthening Pontiac through Literacy Partnerships.”

Davis is a graduate of the University of Michigan and University of New Haven, where she earned BA and MBA degrees, respectively. She is a recipient of the Andrews Hooper Pavlik PLC Women’s Leadership Award and currently serves on the board of directors of the Auburn Hills Chamber of Commerce. Davis is a certified Inforum Michigan executive leadership coach and an active member of the organization’s speaker’s bureau. She is also a former Leadership Oakland (XVI) board member.



About JADE Strategies

Established in March 2010, JADE Strategies, Inc., is a national consulting services firm based in Bloomfield Hills, Michigan, which specializes in customized leadership development and organizational change management programs derived from mentorship and training, the strategic planning process, and stakeholder engagement strategies.

As seasoned professionals, JADE Strategies consultants command diverse areas of expertise with the ability to customize programs that advance organizations in diverse industries.

Client industries include automotive, retail, human services, financial services, entrepreneurs, entertainment, health care, banking, government, K-12 and higher education, and business associations.



CLIENT REFERENCES

Thomas Tanghe, City Manager

City of Auburn Hills

(248) 370-9440 | ttanghe@auburnhills.org

Jean Jernigan, Executive Director

Auburn Hills Chamber of Commerce

(248) 853-7862 | jjernigan@auburnhillschamber.com

Greg Flynn, W. Bloomfield Fire Chief & Chairman

OAKWAY MABAS 3202

(248) 409-1505 | gflynn@wbtownship.org

Kimberly Hall-Wagner, Chief Policy & Planning Officer

City of Detroit

(313) 224-3180 | hall-wagner@detroitmi.gov



JADEstrategies.com

Certifications:



Personality
DIMENSIONS™



Relationship Notes

TERM: The term of this proposal as outlined is July 2020 through June 2021, with the Client's option to extend the contract or offer employment to the Consultant(s).

FEE: The consulting fee for this engagement is \$10,000 per month.

EXPENSES: The consulting fee includes department leadership, collateral development, teleconferencing, and local travel. The fee does not include long-distance travel or lodging, parking fees, faxes, copies, office supplies, and the fees and expenses of other vendors. The consultant will seek the client's approval in writing prior to incurring additional expenses.

INDEPENDENT CONTRACTOR: JADE Strategies is an independent contractor, solely responsible for managing all income, benefits, and employee-related taxes. JADE Strategies will provide the IRS W-9 form upon request.

INSURANCE: JADE Strategies agrees to provide Commercial General Liability, Worker's Compensation, Automobile Liability, and Professional Liability insurances.

STANDARD OF PERFORMANCE: In entering an agreement, the client may rely on the expressed credentials, expertise, and experience regarding the services to be provided by JADE Strategies. JADE Strategies represents and warrants that the scope of work provided by its employees shall be consistent with the professional standards of diligence, care, and skill currently recognized in its profession.

VALIDATON: This proposal as presented herein expires 30 days from the date submitted. A valid agreement will replace this proposal with confirmed scope of work and term.

CONFIDENTIAL & PROPRIETARY: This document contains the intellectual property of JADE Strategies, Inc. All ideas and concepts detailed in the enclosed proposal have been developed exclusively by JADE Strategies, Inc., for the **City of Oak Park on July 2, 2020**, and are considered by JADE Strategies, Inc., to be of a confidential and proprietary nature. The information included in this proposal is supplied on the understanding that it will not be disclosed to third parties, implemented, used, reproduced or disclosed under any circumstances without the express written permission of JADE Strategies, Inc. Unauthorized use of these ideas and concepts is strictly prohibited. All documents and materials shall be returned to JADE Strategies, Inc., or electronically deleted upon request.





JADE Strategies

Leadership Coaching | Team Building | Organization Development

Analysis | Strategy | Impact

Joscelyn A. Davis



President & CEO



Joscelyn@JADEstrategies.com



1+ (248) 860-8858



JADEstrategies.com

