

Oak Park

City Council Agenda

August 3, 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 20, 2020

B. Arts and Cultural Diversity Commission Meeting Minutes of May 14, 2020 and June 11, 2020

C. Library Board Meeting Minutes of January 22, 2020, February 5, 2020, February 18, 2020, April 30, 2020 and June 3, 2020

D. Licenses New and Renewals submitted for August 3, 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: None

11. BIDS: None

12. ORDINANCES:

A. Second reading and adoption 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. Second reading and adoption 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. Second reading and adoption 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. Second reading and adoption 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:

14. CITY MANAGER:

Administration

A. Request to appoint Mayor Pro Tem Burns as the Council Representative to the Library Board

Economic Development and Communications

B. Obsolete Property Rehabilitation Act (OPRE) Policy Update and approval

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. 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 20, 2020
7:00 PM**

MINUTES

Mayor McClellan called the virtual meeting to order at 7:03 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, Council Member Weiss, Council Member Edgar

ABSENT: None

OTHERS

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

APPROVAL OF AGENDA:

CM-07-199-20 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS PRESENTED – APPROVED

Motion by Radner, seconded by Burns, 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-07-200-20 (AGENDA ITEM #5A-D) CONSENT AGENDA - APPROVED

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

- A. Regular Council Meeting Minutes of July 6, 2020 **CM-07-201-20**
- B. Parks and Recreation Commission Meeting Minutes of February 19, 2020 **CM-07-202-20**
- C. Planning Commission Meeting Minutes of June 8, 2020 **CM-07-203-20**
- D. Licenses New and Renewals submitted for July 20, 2020 **CM-07-204-20**

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

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: None

ACCOUNTING REPORTS:

CM-07-205-20 (AGENDA ITEM #10A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$16,855.23 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve payment of invoices #541142, #541143 and #541144 by Garan, Lucow, Miller P.C., for legal services rendered through June 30, 2020 in the total amount of \$16,855.23.

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

MOTION DECLARED ADOPTED

BIDS:

CM-07-206-20 (AGENDA ITEM #11A) 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 - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, 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.

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

MOTION DECLARED ADOPTED

Assistant City Manager Yee indicated that the request to bid the 2020 Catch Basin Line Replacement Project, M-712 was approved at the June 15, 2020 regular meeting of the Oak Park City Council (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 the city not worked with this company in the past. All references stated that Great Lakes performed great work. There is \$223,000 budgeted in the 2019-20 Water and Sewer No. 592-18-550-970 for this expenditure.

ORDINANCES:

CM-07-207-20 (AGENDA ITEM #12A) FIRST READING OF AN ORDINANCE TO AMEND THE CITY OF OAK PARK ZONING ORDINANCE, ARTICLE XVIII, SIGNS, SECTIONS 1805, 1807, AND 1814 THAT CORRECTS REFERENCE ERRORS AND ADDS REGULATIONS - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend the City of Oak Park Zoning Ordinance, Article XVIII, Signs, Sections 1805, 1807, and 1814 that corrects reference errors and adds regulations.

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

MOTION DECLARED ADOPTED

CM-07-208-20 (AGENDA ITEM #12B) 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 - APPROVED

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the 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.

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

MOTION DECLARED ADOPTED

CM-07-209-20 (AGENDA ITEM #12C) FIRST READING OF AN ORDINANCE TO AMEND THE CITY OF OAK PARK ZONING ORDINANCE, ARTICLE XVIII, SIGNS, SECTIONS 1805, 1807, AND 1814 THAT CORRECTS REFERENCE ERRORS AND ADDS REGULATIONS - APPROVED

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the 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.

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

MOTION DECLARED ADOPTED

CM-07-210-20 (AGENDA ITEM #12D) 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) - APPROVED AS AMENDED

Motion by Weiss, seconded by Edgar, 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 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).

Motion by Weiss, seconded by Edgar, CARRIED, to amend the ordinance by changing the minimum distance requirement from 20 feet to 25 feet.

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

Motion to approve the first reading of the amended ordinance that amends Section 62-42, Chapter 62, Article II, Division I, Burning, of the Code of Ordinances, City of Oak Park.

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

MOTION DECLARED ADOPTED

CITY ATTORNEY:

City Attorney Duff indicated the reason for the Closed Session (Agenda Item #17) is to discuss pending litigation regarding Oak Park Crown Pointe, LLC v. City of Oak Park, MTT #18-003490-TT.

CITY MANAGER:

Administration

CM-07-211-20 (AGENDA ITEM #14A) REQUEST TO APPROVE THE APPOINTMENT OF ALYSSA KLEIN, AISHA TYLER AND KRISTIE PRICE TO THE OAK PARK YOUTH ASSISTANCE BOARD - APPROVED

Motion by Edgar, seconded by Weiss, CARRIED UNANIMOUSLY, to approve the appointment of Alyssa Klein, Aisha Tyler and Kristie Price to the Oak Park Youth Assistance Board.

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

MOTION DECLARED ADOPTED

Economic Development and Communications

CM-07-212-20 (AGENDA ITEM #14B) REQUEST TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVE DISTRIBUTION OF THE DRAFT MASTER PLAN UPDATE - APPROVED

Motion by Edgar, seconded by Burns, CARRIED UNANIMOUSLY, to accept the recommendation of the Planning Commission and approve distribution of the Draft Master Plan Update.

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

MOTION DECLARED ADOPTED

Department of Public Works

CM-07-213-20 (AGENDA ITEM #14C) 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 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, 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.

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

MOTION DECLARED ADOPTED

(AGENDA ITEM #14D) Assistant City Manager Yee provided an update regarding the fence project on 9 Mile road and at City Hall.

City Clerk

(AGENDA ITEM #14E) Election Director Vecchio gave an update on the upcoming August 4, 2020 Primary Election.

Department of Technical and Planning

(AGENDA ITEM #14F) Director Barrett provided an update on the 2019 Program Year Yard Services Program. He indicated there were no bidders for the program and that services will be delayed until someone is found to administer the program.

Communications

CM-07-217-20 (AGENDA ITEM #14G) REQUEST TO APPROVE A PROFESSIONAL SERVICES PROPOSAL FROM JADE STRATEGIES FOR COMMUNICATIONS CONSULTING SUBJECT TO REVIEW BY THE CITY ATTORNEY - APPROVED

Motion by Weiss, seconded by Edgar, CARRIED, to approve a professional services proposal from Jade Strategies for communications consulting subject to review by the city attorney.

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

MOTION DECLARED ADOPTED

CALL TO THE AUDIENCE:

There were no members of the audience wishing to speak.

CLOSED SESSION

CM-07-218-20 (AGENDA ITEM #14G) REQUEST TO CONVENE A CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING OAK PARK CROWN POINTE V. CITY OF OAK PARK MTT #18-003490-TT - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to convene a Closed Session to discuss pending litigation regarding Oak Park Crown Pointe v. City of Oak Park MTT #18-003490-TT.

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

MOTION DECLARED ADOPTED

APPROVAL OF CLOSED SESSION MINUTES

CM-07-219-20 REQUEST TO APPROVE THE CLOSED SESSION MINUTES OF JULY 20, 2020 - APPROVED

Motion by Weiss, seconded by Radner, CARRIED UNANIMOUSLY, to approve the Closed Session minutes of July 20, 2020.

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

MOTION DECLARED ADOPTED

ADDITIONAL CITY COUNCIL BUSINESS IF NEEDED

CM-07-220-20 MOTION TO REJECT CROWN POINTE'S SETTLEMENT OFFER REGARDING OAK PARK CROWN POINTE V. CITY OF OAK PARK MTT #18-003490-TT - APPROVED

Motion by Weiss, seconded by Burns, CARRIED UNANIMOUSLY, to reject Crown Pointe's settlement offer to dismiss the 2018 appeal and for a 2019 final true cash value of \$7,314,200 and SEV/TV of \$3,657,100.00.

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

MOTION DECLARED ADOPTED

CM-07-221-20 MOTION TO AUTHORIZE THE CITY ATTORNEY'S OFFICE TO SUBMIT A COUNTER-OFFER OF SETTLEMENT TO OAK PARK CROWN POINTE UNDER THE FOLLOWING TERMS: DISMISSAL OF THE 2018 APPEAL AND 2019 AND 2020 FINAL TRUE CASH VALUE OF \$9,500,200, AND SEV/TV OF \$4,750,100.00 - APPROVED

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to authorize the City Attorney's office to submit a counter-offer of settlement to Oak Park Crown Pointe under the following terms: Dismissal of the 2018 appeal and 2019 and 2020 final true cash value of \$9,500,200, and SEV/TV of \$4,750,100.00.

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

MOTION DECLARED ADOPTED

ADJOURNMENT:

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 9:16 P.M.

T. Edwin Norris, City Clerk

Marian McClellan, Mayor



CITY OF OAK PARK
COMMUNITY ENGAGEMENT
DEPARTMENT OF PUBLIC INFORMATION

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

AGENDA
MEETING MINUTES
CITY OF OAK PARK ARTS AND CULTURAL DIVERSITY COMMISSION
THURSDAY, MAY 14, 2020, 7:00 P.M.
THE INTERNET via ZOOM
Meeting ID: 851 1267 3042
Password: 937624

1. **CALL TO ORDER**
 - a. Time: 7:11 P.M.

2. **ROLL CALL**
 - a. **City Council:**
Council Member Solomon Radner A
 - b. **Commissioners:**

Leona Burns <u>X</u>	Stephanie Crawford <u>X</u>	Sarah Davidson <u>A</u>
Stacey Jackson <u>X</u>	Rosetta Kincaid <u>X</u>	Terri McQueen <u>X</u>
Sudha Chandra Sekhar <u>A</u>	Avi Snider <u>X</u>	Michele Stevenson <u>X</u>
Lonnie K. Tabb-Upshaw <u>X</u>	Carla Wallace <u>X</u>	
 - c. **City Liaisons:**
Director Crystal VanVleck X
 - d. **Guests:**

3. **APPROVAL OF AGENDA**
 - a. Date May 14, 2020 Motion: Voice not clear Seconded Terri Approved All

4. **APPROVAL OF MINUTES**
 - a. Date February 13, 2020 Motion: Never completed approval due to discussing January minutes
 - b. Date December 12, 2019 Motion: Carla Seconded Rosetta Approved All

5. **MATTERS FOR CONSIDERATION**
 - a. **Old Business:**
Misc: January minutes not available, Stephanie will send them to Crystal

Art Gallery: We discussed reviewing Artwork from applicants We will have to review it via email and Crystal will send us what each applicant submitted via email. We have 3 new applicants; Justin Bean, Richard Halprin, and Tiffany Pugmire.

We must pick 2 new pieces from our previous applicant Markham.

We will vote on the artwork at our next meeting 6/11/2020.

Any reception for an artist will be postponed for now.

City Hall re-opens on 6/8/2020

b. New Business:

Crystal commented/questioned if anyone knew what other commissions in other areas may be doing and maybe we should check to see what they are doing.

Stacey shared that Farmington Hills cancelled their Art Festival and the Arts, Beats & Eats may be cancelled as well.

Terri shared that Ann Arbor did an online Art Festival

Someone shared that our Art Applicant Tiffany Pugmire is the person responsible for the sidewalk chalk art throughout the city.

Avi suggests doing a mask design competition and he stated we have money in our budget to provide a prize for such an event

Crystal commented that maybe we could provide supplies for mask assembly and have supplies available for 6/8/2020 when City Hall re-opens

Stephanie felt that it is a creative type thing and people may want to use their own supplies because of all the different things you could use to make a mask

She also suggested highlighting our essential workers in the community on the City's web page Crystal and Avi shared that the city is already working on that

Leona suggests putting pictures of the mask online and letting people vote or submitting their mask online and allow us to vote on our favorites

Stacey noticed people decorated their homes with positive images, messages and thought maybe we could give some type of recognition to them

She also suggests we come up with some sort of virtual activity

Someone commented about acknowledging the open businesses in Oak Park

We all think Facebook will be the best way to promote our mask design competition event

We discussed 2 new Projects: 1) Face Mask Competition 2) Exterior Home Decorating with having a gift card as a prize for the winner

Crystal will talk to finance about how we can go about using ACDC funds to purchase gift cards.

6. COMMISSIONER REPORTS

Carla shared how to make a homemade face shield and that COVID-19 had an impact on her family

Avi shared how this was his strangest Passover ever

Leona shared with us that she lost her brother-in-law

Michelle shared with us that she did get out to walk on a nice day

Terri shared with us that she lost her Dad and several other family members and that she released some music and dedicated it to her family members that passed away.

7. ITEMS FOR NEXT MONTH'S AGENDA

- a. Review Art Applications
- b. Discuss potential contests/competitions Crystal will provide feedback from the Communications Dept

8. ADJOURNMENT

- a. **Next Meeting:** Thursday, June 11, 2020
- b. **Time of Adjournment:** 7:55 P.M.



CITY OF OAK PARK
COMMUNITY ENGAGEMENT
DEPARTMENT OF PUBLIC INFORMATION

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

MINUTES
REGULAR MEETING
CITY OF OAK PARK ARTS AND CULTURAL DIVERSITY COMMISSION
THURSDAY, JUNE 11, 2020, 7:00 P.M.
THE INTERNET via ZOOM
Meeting ID: 892 8693 4857
Password: 096412

1. CALL TO ORDER

a. Time: __7:10 p.m.__

2. ROLL CALL

a. City Council:

Council Member Solomon Radner A

b. Commissioners:

Leona Burns X Stephanie Crawford X Sarah Davidson X
Stacey Jackson X Rosetta Kincaid X Terri McQueen X
Sudha Chandra Sekhar X Avi Snider X Michele Stevenson X
Lonnie K. Tabb-Upshaw X Carla Wallace X

c. City Liaisons:

Director Crystal VanVleck X

d. Guests:

3. APPROVAL OF AGENDA

a. Date June 11, 2020 Motion Michelle Seconded Sudha Approved All

4. APPROVAL OF MINUTES

a. Date May 14, 2020 Motion Sudha Seconded Rosetta Approved All

5. MATTERS FOR CONSIDERATION

a. Old Business:

- i. How are you all doing? *Everyone shared how they were doing*
- ii. Art Gallery – discussion of artwork and scheduling- *We voted to have Markum for the 3rd quarter, Justin for the 4th quarter and for 2021 1st quarter Tiffany and Halprin for the 2nd quarter. The motion was made by Leona, seconded by Stacey and approved by all. We selected the*

Beatles and the Space/Moon pictures for the 2 additional pieces of artwork for Markum. We approved all of the artwork submitted by Justin, Tiffany and Halprin to hang as space permits. We decided going forward to just pick the artwork we approve of and let that be it without further explanation to artist, that is how it was done in the past and we agree that would be the simplest way. We also agreed that a spot for the date should be added to the application.

- iii. *Facemask/window decorating contest-We will postpone until next meeting*

b. New Business:

- i. Meeting location going forward – continue on Zoom? *We discussed meeting outdoors and meeting via Zoom the majority opted to continue on Zoom as long as we can. Someone asked if the meeting is being posted on Social Media or if the Zoom link is posted since our meeting is a open meeting.*

6. COMMISSIONER REPORTS

7. ITEMS FOR NEXT MONTH'S AGENDA

- a. *Facemask/Window decorating contest/Gift Card*

8. ADJOURNMENT

- a. **Next Meeting:** Thursday, July 9, 2020 via Zoom
- b. **Time of Adjournment:** _____ 8:10 p.m.

Oak Park Library Board
 January 22, 2020 6:30 PM
 City Council Chambers

- I. Call to Order at 6:30pm
- II. Roll Call
 - a. Sharon Chudnow – absent but arrived at 6:36.
 - b. Linda F
 - c. Latanya
 - d. Zakiya
 - e. Jina
 - f. Linda M
 - g. Ben
 - h. Max
 - i. Marian
- III. Approval of Agenda
 - a. Movement of board training to immediately after law firm presentation
 - b. Approval as amended moved by Marian, seconded by Zakiya, approved unanimously
- IV. Approval of Minutes
 - a. Moved by Marian, seconded by Zakiya, approved unanimously
- V. Law Firm Presentations
 - a. Hans Rentrop, with Adkison, Need, Allen, Rentrop, small firm in Bloomfield Hills
 - i. Main practice is municipal, land use, and liquor law. Some exposure to library law, including Baldwin Library in Birmingham. Has also represented Friends of the Library groups. Personal involvement with Romeo and Commerce Township library (notes that Romeo is a District library). Different fee structure for different clients, but municipal clients generally receive a reduced rate. Hans charges \$255/hour, but other attorneys in firm can handle certain matters and charge less. No retainer, straight hourly rate. Tries to stay on top of the law. Tries to be responsive. 8 lawyers total, 4 partners. Operating since 1995. Hopefully small enough to be responsive but big enough to be able to deal with anything.
 - b. Andrew Richner, with Clark Hill
 - i. Large firm, largest firm based in Michigan. Offices across the country, and a few foreign offices. Full service firm. Sees role as ‘team leader’, making sure his team handles the library’s issues. Size of firm allows issues to be put in front of attorney with most extensive expertise. Andrew is in governmental practice group, including library and municipal clients. Also takes clients who have issues in front of government. Works closely with the nonprofit group, and that’s an area with a lot of overlap. Has worked on library issues since joining Clark Hill, including Detroit Public Library. TLN is a client, as is the suburban library coop. Municipal clients usually pay discounted rates, but could also be a combo of a fixed rate and an hourly rate. Would like to come up with a fee proposal. Partner rates between \$400-500 an hour, undiscounted, and associates billing \$250-350/hour, undiscounted. Can get back to us with a number tomorrow. Has worked with PA 164 libraries.
 - c. Discussion of pros and cons of each
 - d. Ben moves to hire Adkison, Need, Allen, and Rentrop, as the firm to represent the board. Seconded by Marian. Passes unanimously, except Linda F abstains.
- VI. Finance Committee Report
 - a. Ben didn’t have updated figures but the only changes were specific bills paid in prior month. Has been approving bills as needed. Major expenses are books and copying fees.
 - b. Max notes that negotiations over employee lease agreement and building agreement are ongoing.
- VII. Old Business
 - a. State Aid Application
 - i. Some information missing from the State Aid report, Vicki and Latanya to work on this.

- b. Erik notes no place on the agenda to schedule a second round of interviews. Erik notes there are top candidates and would ask those candidates to come in next week, possibly at a special meeting. Board recommends questions to be asked in advance. Erik has scoring sheets to pass out of top candidates. Discussion of scores for interview candidates.
 - c. Vicki notes that second round scoring is different.
 - d. Jina notes an unavailability on the 30th.
 - e. Marian suggests January 28 for the meeting, at 6:30, Erik suggests 28th and 29th if a candidates can't make the 28th.
 - f. Marian moves for special meeting to be held on January 28 at 6:30 with additional time on the 29th as needed, Max seconds it as amended. Passes unanimously.
 - g. Board members should submit questions through Vicki. Sooner the better for when to get questions in by.
- VIII. New Business
- a. Library Reopening
 - i. Aiming to reopen on Sunday. Because a vote was needed to close, a vote is needed to reopen. Marian moves to re-open starting the first Sunday in February, February 2, Seconded by Ben. Vicki confirms staffing levels are adequate for Sunday openings. Passes unanimously.
 - b. Interim Library Section Coordinator
 - i. Currently Stuart is either performing these duties or would be capable of handling those duties. Asking that he be allowed to act in that position, and that the relevant pay raise be retroactive to prior board meeting. Asks for approval until a new director is in place, at which time he'll return to regular duties. Rate of pay, per union contract, must be at the highest rate for the job, which would be a roughly \$7/hour pay raise. Pay would be retroactive to December 17. Linda M moves, Zakiya seconds. Passes unanimously, Stuart made some comments.
 - c. Library Board Training – Clerk's Office
 - i. Lisa (training was contained in a separate document)
- IX. Other
- a. Latanya comments on moving forward.
 - b. Marian comments on moving forward.
 - c. Linda F asks about Employee lease agreement, some discussion of adding that discussion to special meeting Agenda.
- X. Call to Public
- a. Rena Marie Thomas, a student at Oak Park High School, mentions ties to Oak Park, and wanted to express gratitude to the community and to the library. , and need for community center to cater to teens, not library. Wants teens to have their own space in the community center. Says a lot of teens want a teen advisory board and a dedicated space.
 - b. Ayanna Cox talks about library as a place that teens go just to hang out and wind down, and people get kicked out for being too loud. Asks why so little space allocated to teens when that's a significant part of the library's clientele.
 - c. Question from Kenneth Sherman, who asks about next week's interviews.
 - d. Linda F asks about submission of questions to Director candidates, and asks if public can ask questions.
 - e. Ben expresses concern that public questions could violate rules about what we are and are not allowed to ask.
 - f. Linda M presents on Detroit Public Library events.
 - g. Stuart also makes some comments on teen programming.
 - h. Zakiya mentions number of junior high and elementary school kids coming to library unattended.
- XI. Adjournment
- a. Marian moves to Adjourn, seconded by Ben, approved unanimously



CITY OF OAK PARK

LIBRARY

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

AGENDA

**City of Oak Park
Special Library Board Meeting
February 5, 2020
6:30pm
City Hall**

- I. Call to Order – at 6:30
- II. Roll Call
 - a. Latanya - present
 - b. Marian - present
 - c. Zakiya - present
 - d. Linda M - absent
 - e. Sharon - absent
 - f. Jina - present
 - g. Ben - present
 - h. Max - present
- III. Approval of Agenda – moved by Marian, seconded by Zakiya, approved unanimously
- IV. Library Director Interviews
 - a. Trista Reno – 6:30pm – members took individual notes
 - b. Karen Owens-White – 7:30pm – members took individual notes
- V. Call to Public
 - a. Zakiya notes Sunday at 3 is the library Jazz concert

- b. Members of audience thought the interview process went well, noted that Karen had director experience and was more comfortable with her stepping in as director.
 - c. Regina notes both candidates were strong and it was a good interview process. First candidate had a strong youth background, but second candidate had relevant experience and would need less support.
 - d. Max notes Trista's strengths but agrees that Karen is probably better for the library's current needs.
 - e. Ben thought both were good communicators.
 - f. Zakiya agrees with Regina on both Trista's youth experience and Karen's background. Notes Karen's answer on wanting to do more as a librarian than her current role allows for.
 - g. Jina notes Karen's confidence.
 - h. Marian notes Trista's outreach work.
 - i. Erik comments on the interview process. Feels Karen is the obvious/clearer choice. Notes board can drive things like technological needs, youth librarianship, and the need for a succession plan.
 - j. Latanya notes upcoming strategic planning meeting.
 - k. Vicki reports scores: Karen: 110, Trista: 104.5.
 - l. Marian moves to make an offer to hire Karen Owens-White at a salary to be negotiated between 70k and 80k, seconded by Jina. Roll call: Zakiya Y, Marian Y, Latanya Y, Max Y , Ben Y, Jina Y, .
- VI. Adjournment – Max moves to adjourn, seconded by Zakiya, passes unanimpously

Next Regular Meeting Tuesday, February 18, 2020



CITY OF OAK PARK

Library

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

AGENDA **City of Oak Park** **Library Board Meeting** **February 18, 2020** **6:30pm** **City Hall**

- I. Call to Order at 6:30
- II. Roll Call
 - a. Latanya - present
 - b. Zakiya - present
 - c. Linda M - present
 - d. Jina - present
 - e. Max - present
 - f. Sharon - absent but arrived at 6:32
 - g. Ben - present
 - h. Marian - present
- III. Approval of Agenda – Addition of City Manager’s Report after Approval of minutes. Marian moves to accept agenda as amended, Linda seconds. Approved unanimously.
- IV. Approval of Minutes – moved by Marian, seconded by Ben, approved unanimously.
- V. City Manager report – Karen White-Owens has been extended an offer, but she’s verbally accepted the offer at 75k annually. Is in the background screening process, which should be complete by the end of the week. Target start date is March 2.
 - a. Budgeting process for the city has begun, including budgeting report for all library employees. Budgets are for 3 years, city is hoping to improve credit rating with this budget cycle. Library is likely to have a fund balance, will have cost increases but we’ll be taking a surplus into next budget year.

- i. Brief discussion of Elsie Watson trust.
 - b. Library security: no major issues since security has been on-site.
 - c. Marian asks a question about Michigan Humanities Trust grant, asks whether library could use this. Erik notes we haven't in the past. Marian notes the grant could be used to cover some of the library's performances, and library may want to apply.
- VI. Finance Committee Report
 - a. Invoice Payments
 - i. This was discussed with the attorney. Erik notes that director will be responsible for this going forward.
 - ii. Discussion of who needs to be signing off before invoices get paid.
 - iii. Discussion of how the system can be improved once there's a full-time director.
 - b. Balance Sheet
 - i. Discusses balance report from city, and hopes to have a more routine procedure for disseminating report to the board next month.
 - ii. Most expenses are non-discretionary. Large fund balance, mostly due to lower expenses on employment related expenses (salary and benefits). Vickie notes that Oak Park always over-budgets on health insurance, but for technical reasons the money shouldn't be counted on or spent.
 - iii. Erik notes he thinks the library is being over-charged for water, and that that expense is likely to come down. Ben notes that this is an area where we are far over budget.
 - iv. Currently have spent 46% of budgeted amount, when we should be closer to 58% based on calendar, leading to likely surplus going into next year.
- VII. Old Business
 - Employee Lease Agreement Update
 - Finance committee met with attorney, who recommended changes. Reports that it was a good meeting, and attorney is going to recommend another round of changes based on input from committee about nature of city-library relationship. Hope to have a revised agreement to approve at the next meeting.
 - Legal expense estimate of \$2000-\$4000 to get things finalized.
- VIII. New Business
 - Attorney – Contact Procedures, etc.

- Latanya notes that Ben has been primary contact person. Needs to still have a procedure in place, but Ben doesn't want to be exclusive contact person. Ben suggests questions all go through finance committee. Suggests next round of changes be discussed among the board, then we go to attorney.
- Library Updates
 - Sunday Hours
 - Going very well, fully staffed. Jazz concert went well.
 - Zakiya thanks Vickie for her work on the jazz concert. Discussion of what it would take to record future similar events.
 - Vickie notes that the city receives donations for Friends of the Library. Marian notes that treasurer duties for the Friends is being transitioned.
 - Personnel
 - Badges and uniforms for staff discussed. Not all staff wear badges.
 - Ben speaks in favor of some sort of uniform or marking to show library employees.
 - General consensus on need for display of badges, some disagreement on further library employee uniforms.
 - Vickie notes that Ajilon expenses will sunset soon as library is at full staffing and outside temp employee is no longer needed.
 - Question about whether adult librarian will be replaced. This question will be addressed by new director.
 - Discussion of succession plan and hopes for an 'Assistant director,' Vickie notes that the role Stuart was put into was essentially this role. Whether to fill it again after Stuart is moved to his old position will again fall to the new director.
 - Security: there is an alarm system at the library that isn't being used. Vickie is having city maintenance look at the alarm to see what needs to be done. Vickie is unsure who has keys, and believes the locks should be changed because things weren't tracked properly the past year. Hope is to add a numerical code lock, but that would run \$400 or so dollars, for employee entrance only. Marian moves to spend the required money to install new digital lock on the employee entrance to the library. Seconded by Sharon. Sharon aye Max aye Jina aye Ben aye Latanya aye Zakiya aye Linda aye Marian aye.
 - Marian has comments on security guards.
 - Office Cleanup

- Director's office is currently messy. Very cluttered. Asks if the board can help clean it up. Jina says she's willing to help with this on the weekend.
 - Technology – TLN Proposal for Services
 - Computers in the library have not been maintained. Came up with full list of things needed to get things in order. Full cost is about \$5000. Max inquires about prior tech update expenses authorized by the board, Vickie notes that these expenses were never paid out.
 - Ben moves that money be spent out of TLN budget line to meet the outlined expenses. Seconded by Zakiya. Marian aye Linda aye Zakiya aye Latanya aye Ben aye Jina aye Max aye Sharon aye
 - Library Board By-Laws
 - Will be appointing a new committee on bylaws to address issues. Latanya, and Marian volunteer for the committees. Mr. Sherman says he'd consider being on such a committee as well (then later says yes!). Discussion of a potential meeting time. Friday at 5:30 discussed, though Sharon notes she'd be unavailable. March 5 at 5:30 discussed
- IX. Other
- a. Linda asks for a roster of names, addresses, and phone numbers of board members. Vickie has that info and will share it with the board.
- X. Call to Public
- a. Mr. Sherman speaks on a few relevant points. Notes that Library website is very outdated. Mentions IT issues, and discusses vacancies.
- XI. Adjournment – moved by Linda, seconded by Zakiya, passed unanimously at 8:08pm

Next Meeting Tuesday, March 17, 2020



CITY OF OAK PARK

Library

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

AGENDA City of Oak Park Library Board Meeting April 30, 2020 4:00pm ZOOM CALL

- I. Call to Order at 4:05pm
- II. Roll Call
 - a. Ben Present
 - b. Jina absent – Marian moves to excuse absence for seconded by Linda, motion carries
 - c. Linda present
 - d. Zakiya present
 - e. Max present
 - f. Marian present
 - g. Sharon absent
 - h. Latanya absent
 - i. Also present: Karen White-Owens and Crystal and Vicki Brooks from the city, Erik Tungate, and Leslye Richie, head of Friends of the Library
- III. Approval of Agenda – moved by Marian, seconded by Linda, approved unanimously
- IV. Fiscal year 2021 Budget Erik notes that it's Library Director White-Owens' first meeting, and that she's had to take over during a crisis and has handled it well.

Erik discusses upcoming budget, and Karen discussed amount budgeted for particular line items, little change from last year besides increase in health care costs, and increase in salaries as Karen makes more than prior

director. Mentions is looking for a dedicated child librarian. Salary difference does not account for potential furloughs to be discussed later.

Motion to approve budget by Marian, seconded by Linda, approved unanimously.

- V. Book Sale – Another source of revenue, usually two book sales but may only be able to do one this year: one is usually in April. This will be a loss of revenue for the Friends of the Library.
- VI. New Business
 - a. Temporary Library Employee Furloughs – moved by Marian, seconded by Linda
 - b. Max questions whether all furloughed employees will get the same under unemployment, some might not, though Erik notes most will and may make more from unemployment. Karen doesn't think any employees will make less from unemployment
 - c. Motion approved unanimously.
- VII. Other – Marian asks what Library staff has been doing. Karen she has come in to check mail and handle returns, and staff who have begun planning for fall programming. Worried about 6-foot distancing, will be doing as much online/facebook programming, and encouraging patrons in library to come in to get books. Erik notes that library employees actually cannot come to the building under executive order. Leslye asks about getting Friends mail from the library, Karen will try to get her in touch with Stuart, who has been in on Wednesdays. Dropping mail on Leslye's doorstep discussed, due to distancing.
 - a. Marian discusses upcoming Millage, need to look at what other libraries are offering during this time. Karen mentions the calls she's been receiving and returning. Discusses facebook engagement. Marian wants a bit more outreach.
 - b. Max notes next meeting is June 16, not 17.
 - c. Erik notes City summer event cancellations, extensively, and more broadly impact of COVID-19 on the City
- VIII. Call to Public
- IX. Adjournment – moved by Linda, seconded by Marian, approved unanimously at 4:59pm

Next Meeting Tuesday, June 17, 2020



CITY OF OAK PARK

Library

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

Oak Park Public Library Special Library Board Meeting

Wednesday, June 3 at 6:30 PM
Via ZOOM

Agenda

- I. Call to Order at 6:35
- II. Roll Call
 - a. Jina Present
 - b. Zakiya Present
 - c. Linda Joined at 6:44
 - d. Max Present
 - e. Marian Present
 - f. Latanya Present
 - g. Sharon Absent
- III. Approval of Agenda: Moved by Zakiya, seconded by Jina, adopted unanimously
- IV. City Manager Update: Introduces Joscelyn Davis, who will be handling communications for the city
 - a. City COVID-19 Plan: As of Monday, city will be opening certain facilities on June 15 (not to include the library). Employees return on June 8 to prep. County has relinquished order closing parks and park equipment.
 - b. Crystal discusses staggered plan for bringing employees back. Staggering the week of June 8, but all employees will be brought back by that Friday.
 - c. Opened for questions: When things are reopened, members of the public will enter through one door and exit through another.

- d. Zakiya asks about availability of hand disinfectant and disinfectant wipes.
 - e. Oak Park has plateaued in terms of # of cases. If it starts to go back up city can reconsider
- V. Library Director Update and Report: Library remains closed. Will begin providing services again June 22, open doors at some point after that. Mentions need for website redesign, and possibility of hiring someone to help with in maintenance. Wants to have someone help maintain 6 foot distance and aid in putting out videos, which will be a big part of the library's communications going forward. Goal is to reopen doors to the public August 1.
- a. Clarifies on hiring tech lead will be soon, but will stay on after library re-opens. Temp position, 20-25 hours a week, \$25-28 per hour. Can be done via hiring or contracting.
 - b. Another \$28 position was recently eliminated, but that money came out of the Contracted Services budget.
 - c. Board was supportive
 - d. Erik and Joscelyn discuss communications vs tech requirements of the position, and the cost. Joscelyn thinks the amount is good for a short term need, but unlikely to lead to a long time hire.
 - e. Motion to proceed with planning for this position, including hiring. Zakiya moves, seconded by Linda
 - i. Max requests more information on budget impact before moving forward
 - ii. Zakiya withdraws the motion, to be renewed at the June 16 meeting when Karen and Vicki will have more information.
 - f. New glass partitions will go in on library front desk and reference desk, those will be permanent.
 - g. Erik notes that the library will lose some revenue due to crisis and save some from furloughs, and some of the savings from furloughs will need to be banked to make up for shortfalls elsewhere.
 - h. Is waiting until late July to move material for the 6 foot distancing, to wait and see if requirements will relax further
- VI. Library Operations curing COVID-19 & Reopening Strategy
- i. Reopen Date: Opening for curbside and deliveries on June 22, employees will start in the 15th.
 - ii. Hours:10-5 for open hours until the library reopens fully. Curbside will be a few hours in the morning, a few in the afternoon. Would reserve a book online or through phone, then call when you're parked outside.

- iii. Staffing: Adult and Children's librarians will come back. 2 Clerks, and 1 Page, on June 15
 - iv. Safety precautions: Discussed sanitization needs, and quarantining of returned items. Library will backdate returns so that books turned in near deadline aren't marked checked in late. Will have gloves, wipes, hand sanitizer, and aforementioned glass for the desks. Cloth reusable masks will be provided for staff.
 - v. Communications: City will be communicating how things will be different, new needs, new curbside services, etc.
- VII. Summer Programming Discussion
- a. Summer reading online. The week summer reading starts, planning a car parade where families can honk their horn if they're taking part in summer reading. Starts June 22, car parade on June 25.
 - b. Current online readings: 4 recorded Monday through Thursday, Friday is a live reading aimed at seniors. Board thinks this is a great offering and we'd like it to stay after library re-opens.
 - c. Work on submitted ideas will start soon.
 - d. Regular entrance will be used, but exit near the study rooms will be the official exit.
 - e. Brief discussion of library card renewals
- VIII. Comments from Erik
- a. Ballot millage is on the August ballot, at half a mill raising \$250,000 per year. City will let library board know about how the city will be communicating on all 3 millages.
 - b. Erik met with the schools superintendent, who has hired a team of professionals to support her in administration. Very encouraged about the future of Oak Park Schools. Planning a teen hangout center. Karen White-Owens mentions a 'Community Journal' she wants to start with the school system, and a one-day writing program for teens.
 - c. Joscelyn had to leave but talked about how she wants to help with library communications. Karen talks about promoting reference services.
 - d. Latanya mentions that meetings in the future will include a report from the Friends of the Library.
- VIII. Adjournment Moved by Zakiya, seconded by Jina.

MERCHANT'S LICENSES - AUGUST 3RD, 2020

(Subject to All Departmental Approvals)

NEW MERCHANT	ADDRESS	FEES	BUSINESS TYPE
MOBILELINK WESTERN MICHIGAN	23035 COOLIDGE	\$ 150.00	RETAILERS OF CELL PHONES, SIM CARDS & ACCESSORIES
FRENCH KIDZ	24721 COOLIDGE	\$ 150.00	KIDS CLOTHING STORE
A & W DRIVER EDUCATION SCHOOL	21700 COOLIDGE	\$ 150.00	DRIVER EDUCATION
TULIPS WAXING	23300 GREENFIELD	\$ 150.00	FULL BODY WAXING
PAISLEYS PARLOR	10780 W. NINE MILE	\$ 150.00	MAKEUP/LASHES
PLANET PROPANE	21815 REPUBLIC	\$ 150.00	PROPANE WHOLESALE
EZ LAUNDRY EXPRESS	13221 W. 10 MILE	\$ 150.00	SELF-SERVICE LAUNDROMAT
RENEWALS	ADDRESS	FEES	BUSINESS TYPE
ERNIES MARKET	8500 CAPITAL	\$ 187.50	SANDWICH SHOP
DETROIT AUTO ELECTRIC	21040 COOLIDGE	\$ 187.50	FLEET MAINTENANCE, TRUCK REPAIR SERVICE
TOBACCO IMPORT USA	21060 COOLIDGE	\$ 150.00	HOOKAH, HOOKAH TOBACCO, ACCESSORIES AND DISTRIBUTION
OAK PARK PHARMACY	21675 COOLIDGE 1A	\$ 150.00	PHARMACY
CITIZENS BANK	23067 COOLIDGE	\$ 225.00	BANK
SALON KLS	23300 GREENFIELD 115	\$ 187.50	HAIR SALON
REHABILITATION INSTITUTE OF MI	25900 GREENFIELD 110	\$ 187.50	PHYSICAL THERAPY, OCCUPATIONAL THERAPY
BREAD BASKET DELI	26052 GREENFIELD	\$ 225.00	DELI
GLR OF OAK PARK	26500 HARDING	\$ 187.50	ELECTRONIC RECYCLING
NEIGHBOR OAK PARK	8600 NINE MILE	\$ 150.00	



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 Building front setback	Store size in square feet		
	Less than 10,000	10,001 to 50,000	Over 50,001
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 of 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 8-2-2020]

**CITY OF OAK PARK
RESOLUTION REGARDING SECOND READING OF PROPOSED
AMENDMENT TO SECTION 62-42 TO CHAPTER 62, ARTICLE II, DIVISION 1, 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, August 2, 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.

WHEREAS, at the time of the first reading on July 20, 2020, Council requested a further revision to Sec. 42-6(e)(3) and (f) pursuant to the recommendation of the fire marshal to require that portable outdoor fireplaces be located at least 25 feet from the nearest structure, and to require residents to obtain permits from the department of public safety, not the department of Technical and Planning.

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

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

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 25 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 Public Safety. 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: August 3, 2020

SUBJECT: Obsolete Property Rehabilitation process update and approval

DEPARTMENT: Economic Development

SUMMARY:

The Economic Development Department is recommending to City Council a few minor changes to their policy for granting Obsolete Property tax incentives.

FINANCIAL STATEMENT: N/A

RECOMMENDED ACTION: Request that city council approve the recommended changes to the Obsolete Property Rehabilitation process.

APPROVALS:

City Manager: _____ *ET* _____

Department Director: _____ *KM* _____

Director of Finance: _____

Budgeted:

Legal: _____

EXHIBITS: process

CITY OF OAK PARK

Obsolete Property Rehabilitation Act

Procedure and Guidelines for Tax Exemption Application

Section A - OPRA Tax Exemption Certificate Application Guidelines

Introduction

The intent of this document is to outline the procedures and guidelines adopted by the City of Oak Park regarding the rehabilitation of properties considered obsolete through the Obsolete Property Rehabilitation Act (PA 146 of 2000).

The City of Oak Park's heritage and culture present the community with a unique opportunity to encourage and support sustainable economic development. The City is committed to working closely with entrepreneurs, business owners and developers to provide a business-friendly climate while meeting the needs of the Oak Park community.

OPRA Facts

This incentive is designed to assist in the redevelopment of older buildings in which the facility is contaminated, blighted, or functionally obsolete. Certificates may be given for eligible projects that take place on an obsolete property and result in a commercial or commercial housing building project.

The community freezes the existing taxable value on a designated facility no less than 1 year and no more than 12 years. This creates an incentive for the property owner which allows the rehabilitation to be property-tax free, with the exception of school taxes.

Through application materials, applicants must demonstrate that completion of the rehabilitation will lead to increased commercial activity, the creation or retention of jobs, or an increase in residency. It must also be demonstrated by the applicant that "but for" the exemption, the rehabilitation would not occur.

The City of Oak Park, in an ongoing spirit of cooperation and collaboration, expects all applicants to be current in their property tax payments, hold no liens against their property, have no outstanding fines, and be in compliance with all city codes.

The period of time for OPRA certificates is determined by City Council based upon the guidelines contained in this policy.

Oak Park City Council retains discretionary power for final determination and is not bound to using the information included in these Guidelines when acting on a request for OPRA Certificates.

The city will forward the application to the State Tax Commission for final approval or disapproval.

Eligible Facilities

A granted exemption covers only the specific project that is the subject of the application.

A facility eligible for OPRA must be a commercial property or a commercial housing property, located within the boundaries of the City of Oak Park, that meet the definition of "blighted" or "functionally obsolete" as defined by the Brownfield Redevelopment Financing Act of 1996.

"Blighted", as defined by the Brownfield Redevelopment Financing Act of 1996 means that the structure:

- 1) Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.
- 2) Is an attractive nuisance to children because of physical conditions, use, or occupancy.
- 3) Is a fire hazard or is otherwise dangerous to the safety of persons or property.
- 4) Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
- 5) Is a tax reverted property owned by the City of Oak Park, Oakland County, or the State of Michigan.
- 6) The current state of the property makes it unfit for its intended use.
- 7) A building that is "functionally obsolete" is unable to be used for what it was originally intended due to a substantial loss in value. Factors responsible for the loss in value include overcapacity, changes in technology, deficiencies or superadequacies in design or other similar factors that affect the property itself or the property's relationship with other surrounding property.

Application Process

- 1) A written request is made from the applicant to the City regarding the creation of an OPRA District.
- 2) Creation of OPRA District by the City.
- 3) Notice is given by certified mail to property owners within the proposed district.
 - A public hearing is held regarding the proposed district.
 - A resolution to create the OPRA district is adopted by City Council.

- 4) Application, fee of \$650 or 2% of the total amount of taxes abated over the life of the certificate, whichever is lower; and supporting materials are submitted to the City Clerk's office.
 - City Council holds a public hearing for the exemption certificate application.
 - City Council takes action on the application within 60 days after receipt by the Clerk.
 - Once the application is approved, it is sent to the State True Commission, and is acted upon within 60 days (either approved or disapproved).

Revocation

If at any time during the abatement period the terms and conditions are violated, the exemption may be revoked. The abatement holder is required to keep all property truces current to receive true abatement. This shall include real and personal property assessed to the abatement holder at all locations within the City of Oak Park.

Questions?

Contact the Economic Development Department at (248) 691-7404 with further questions regarding OPRA certificates.

Section B - Criteria for Granting OPRA Tax Exemption Certificates

Priority will be given to applicants whose proposed projects can meet or exceed the City's criteria for granting tax abatements. Supporting evidence for any application must demonstrate that:

- 1) There are no outstanding back taxes, fines, or liens owed to the City.
- 2) Upon completion of the project, a Certificate of Occupancy has been obtained.
- 3) The applicant will offer employees a living wage who work on the improvement or expansion of the facility, and to other employees of the applicant working in the workplace or location receiving the abatement.
- 4) The applicant, contactors, sub-contractors and tenants will make a concerted effort to employ residents of the City of Oak Park.
- 5) The project will use context sensitive design in building development with special attention to storm water management and energy efficient design.

- 6) Preferably, new projects represent new economy businesses, green technologies, and/or innovative business models.
- 7) The implementation of a project has not begun prior to the establishment of the Obsolete Property Rehabilitation District and tax abatement approval.
- 8) The applicant is an equal opportunity employer.
- 9) The project is in compliance with the OPRA, City and State Law, as applicable.
- 10) The tax abatement is required for the success of the project. This evidence will be in the form of a written statement addressed to City Council as well as a site plan submitted with application materials.
- 11) Careful consideration will be taken in reviewing and approving tax abatement requests when the total of tax abatement granted in Oak Park reaches or exceeds 5% of taxable value.
- 12) Compliance of the applicant in meeting previous obsolete property rehabilitation requirement, and employment goals and investment projections (if relevant).
- 13) The impacts on public right of way and general circulation patterns.
- 14) General site improvements such as paving, parking areas, increases in landscaping ground vegetation, and signage improvements.
- 15) The value of the rehabilitation must include improvements aggregating 10% or more of the true cash value of the property at the commencement of the rehabilitation of the obsolete property.
- 16) The impact on property values in the general area of the project. ...
- 17) In determining the number of years to grant an exemption, Council will consider the amount of the total investment in the project and the number of years to complete the project.
- 18) Other considerations considered unique or of benefit to the Oak Park community.

Applications will further be considered in light of the following general economic development/redevelopment goals of the City of Oak Park:

1. Promoting the growth and expansion of existing businesses and the growth and development of local entrepreneurs.
2. Encouraging the adaptive reuse of historic and underutilized buildings including properties that are currently tax exempt, and supporting Brownfield cleanup and redevelopment.
3. Attracting businesses that diversify the city's commercial and industrial base and contribute to the economic and social well-being of the community.
4. Supporting and attracting businesses that further develop the local workforce by increasing the personal income of residents, diversifying the job base, and creating new jobs.
5. Promoting energy efficiency in building renovations and rebuilds.
6. Continuously improving the quality of life in Oak Park.

Section C - Duration of Obsolete Property Rehabilitation Exemption Certificate

After review, the City shall determine the eligibility of the application. If the applicant is eligible, the City Assessor and/ Economic Development Director shall recommend to Council the duration of the Obsolete Property Rehabilitation Exemption Certificate based on the following:

Personal Property:

- I. The amount of investment and a thorough analysis of the life expectancy and/or the State Tax Commission's Standard Depreciation Schedule of the personal property.
2. An additional one (1) year may be granted for every five (5) years that the firm has been located within the City of Oak Park.
3. An additional one (1) year may be granted for every twenty-five (25) **additional** employees hired as a result of the project.

Certificates shall not be issued for a term longer than an existing lease on the real property.
Certificates shall not be issued for a term longer than twelve (12) years.

Real Property:

- I. New real property investments may receive a (6) year certificate for an initial investment of **\$1,000,000**.

2. An additional one (1) year may be granted for every five (5) years that the firm has been located within the City of Oak Park.
3. An additional one (1) year may be granted for every twenty-five (25) employees hired as a result of the project.
4. An additional one (1) year may be granted for every \$500,000 of investment over the initial minimum investment of \$500,000.

Any portion of the procedures and guidelines outlined may be waived by the City Council if it is in the best interest of the City and in accordance with State law. The City of Oak Park also reserves the right to consider additional goals and criteria that are consistent with the interests of the City.

Section D - OPRA Tax Exemption Certificates Applicant Checklist of Documents and Attachments

Four copies of each of the following materials should be submitted to the City:

- I. Statement of interest regarding creation of an OPRA district.
2. Complete OPRA application submitted to City Clerk's Office with required filing fee.
3. A complete list of renovation or construction costs.
4. A detailed statement outlining why OPRA is needed for the project. The statement should address the project in relation to the City criteria for granting OPRA certificates and economic development goals (found in these Guidelines), as well as why you feel that the project is eligible for this exemption.
5. A site plan for the proposed project (if applicable).

It is the burden of the applicant to provide sufficient materials to support an application. The City of Oak Park holds no responsibility in the submission of an application or supporting materials. Incomplete applications will not be considered.