

# Oak Park

## City Council Agenda

September 8, 2020





**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**38<sup>th</sup> CITY COUNCIL**  
**OAK PARK, MICHIGAN**  
**September 8, 2020**  
**7:00 PM**

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**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF AGENDA**

**4. CONSENT AGENDA**

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

- A. Regular Council Meeting Minutes of August 17, 2020
- B. Request to approve the Calendar Year 2021 Free Garage Sale dates
- C. Arts and Cultural Diversity Commission Meeting Minutes of July 9, 2020
- D. Traffic Safety Commission Meeting Minutes of December 4, 2019, January 8, 2020, February 12, 2020, March 11, 2020, July 9, 2020 and August 13, 2020
- E. Library Board Meeting Minutes of August 18, 2020
- F. Request to approve proposed Change Orders No. 6, 7, & 8 in the amount of (\$53,141.60) and Payment Application No. 10 (final) for \$83,445.13 to Frank Rewold & Sons, Inc for the 2018 45th District Court Renovation Project, M-684
- G. Request to approve proposed Change Order No. 1 in the amount of (\$6,221.00) and Payment Application in the amount of \$88,173.83 to Doetsch Environmental Services of Warren, MI for the 2019 Sewer & Catch Basin Cleaning & TV Inspection Project, M-700
- H. Request to approve Payment Application No. 1 in the amount of \$131,306.46 to Michigan Joint Sealing, Inc. of Farmington Hills, MI for the 2020 Joint and Crack Sealing Project, M-698
- I. Request to approve an agreement with the Road Commission for Oakland County for winter maintenance on Greenfield Road from Eight to Eleven Mile Roads and on Ten Mile Road from Greenfield to Woodward
- J. Parks and Recreation Commission Meeting Minutes of July 15, 2020
- K. Licenses New and Renewals submitted for September 8, 2020

**5. RECOGNITION OF VISITING ELECTED OFFICIALS**

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

**7. PUBLIC HEARINGS:** None

**8. COMMUNICATIONS:** None

**9. SPECIAL LICENSES:** None

**10. ACCOUNTING REPORTS:**

- A. Approval for payment of invoices submitted by Garan, Lucow, Miller, P.C. for legal services in the total amount of \$14,089.31

**11. BIDS:** None

**12. ORDINANCES:**

- A. Second reading and adoption of an ordinance to amend Section 14-2, Charge or Custody of Animals, and add Section 14-6, Humane Acquisition, of Chapter 14, Article I, of the Code of Ordinances, City of Oak Park
- B. Second reading and adoption of an ordinance to amend Section 14-5, and add Sections 14-7, Chapter 14, Article I, Domestic Chickens Pilot Program, of the Code of Ordinances, City of Oak Park
- C. Second reading and adoption of an ordinance to amend Section 14-26 and Section 14-29, and add Sections 14-33 and 14-34, Chapter 14, Article II, Dangerous Animals, of the Code of Ordinances, City of Oak Park
- D. Second reading and adoption of an ordinance to amend Section 14-49, Fees, Chapter 14, Article II, Division 2, License, of the Code of Ordinances, City Of Oak Park
- E. Second reading and adoption of an ordinance to amend Section 14-54, Kennel Licenses, and add Section 14-55, Violations, Chapter 14, Article II, Division 2, License, of the Code of Ordinances, City of Oak Park

**13. CITY ATTORNEY:**

**14. CITY MANAGER:**

**City Clerk**

- A. Resolution scheduling the 2021 Regular City Council Meeting dates

**Department of Public Works**

- B. Request to approve a proposed adjustment from OHM Advisors in the amount of \$17,520.00 and invoices from OHM Advisors for bridge enhancements and Safe Routes to School preliminary engineering for the total amount of \$17,680.00
- C. Request to authorize the Public Works Department to participate in the Omnia Partners pre-bid contract for the purchase of solid waste carts and communications through the Rehrig Pacific Company for the not to exceed amount of \$512,325.00.

**Economic Development and Recreation**

- D. Business Showcase at the Farmers Market

**15. CALL TO THE AUDIENCE**

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

**16. CALL TO THE COUNCIL**

**17. CLOSED SESSION**

Pursuant to Section 8 of the Open Meetings Act, to discuss attorney-client privileged communication and pending litigation regarding Oak Park Crown Pointe, LLC v City of Oak Park and Bonfire Northend Ventures LLC v. City of Oak Park

**18. APPROVAL OF CLOSED SESSION MINUTES**

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

**20. ADJOURNMENT**

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



**CITY OF OAK PARK, MICHIGAN  
REGULAR COUNCIL MEETING OF THE  
38<sup>th</sup> OAK PARK CITY COUNCIL  
August 17, 2020  
7:00 PM**

**MINUTES**

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

**PRESENT:** Mayor McClellan, Mayor Pro Tem Burns, Council Member Radner, 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-08-232-20 (AGENDA ITEM #3) ADOPTION OF THE AGENDA AS AMENDED – APPROVED**

Motion by Weiss, seconded by Radner, CARRIED UNANIMOUSLY, to approve the agenda with the following addition:

- Item #6 – Presentation by Judge Friedman Appel

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

**MOTION DECLARED ADOPTED**

**CONSENT AGENDA:**

**CM-08-233-20 (AGENDA ITEM #5A-F) CONSENT AGENDA - APPROVED**

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

- A. Regular Council Meeting Minutes of August 3, 2020 **CM-08-234-20**
- B. Special Council Meeting Minutes of August 3, 2020 **CM-08-235-20**
- C. Request to approve Change Order No. 1 for the amount of (\$32,909.54) and Payment Application No. 2 for the amount of \$98,070.97 to Z Contractors of Shelby Township, MI for the 2019 Bridge Enhancement Project, M-670 **CM-08-236-20**
- D. Request to declare the listed vehicles surplus and sold by sealed bid, public auction, or disposal at the lowest expense to the City in accordance with City policy **CM-08-237-20**
- E. Parks and Recreation Commission Meeting Minutes of June 17, 2020 **CM-08-238-20**
- F. Licenses New and Renewals submitted for August 17, 2020 **CM-08-239-20**

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

**MOTION DECLARED ADOPTED**

**RECOGNITION OF VISITING ELECTED OFFICIALS: None**

**SPECIAL RECOGNITION/PRESENTATIONS:**

Judge Friedman Appel presented information regarding court activities during the pandemic and a special eviction diversion program.

**PUBLIC HEARINGS: None**

**COMMUNICATIONS: None**

**SPECIAL LICENSES:**

**CM-08-240-20                   (AGENDA ITEM #9A) SPECIAL EVENT REQUEST – ALBANY STREET BLOCK PARTY – APPROVED**

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

<b>Name</b>	<b>Event</b>	<b>Fee</b>
Shantal Hanna 10450 Albany St.	Albany Street Block Party August 30, 2020 10:00 a.m. – 8:00 p.m.	Application fee waived

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

**MOTION DECLARED ADOPTED**

**CM-08-241-20                   (AGENDA ITEM #9A) SPECIAL EVENT REQUEST – STREET CORNER MUSIC, LTD – APPROVED**

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

<b>Name</b>	<b>Event</b>	<b>Fee</b>
Street Corner Music, LTD 26020 Greenfield	Albany Street Block Party August 29, 2020 9:00 a.m. – 7:00 p.m.	Application fee paid

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

**MOTION DECLARED ADOPTED**

**ACCOUNTING REPORTS:**

**CM-08-242-20 (AGENDA ITEM #10A) APPROVAL FOR PAYMENT OF INVOICES SUBMITTED BY GARAN, LUCOW, MILLER, P.C. FOR LEGAL SERVICES IN THE TOTAL AMOUNT OF \$12,667.04 - APPROVED**

Motion by Radner seconded by Burns, CARRIED UNANIMOUSLY, to approve payment of invoices #543178, #543179 and #543180 by Garan, Lucow, Miller P.C., for legal services rendered through July 31, 2020 in the total amount of \$12,667.04.

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

**MOTION DECLARED ADOPTED**

**BIDS: None**

**ORDINANCES:**

**CM-08-243-20 (AGENDA ITEM #12A) FIRST READING OF AN ORDINANCE TO AMEND SECTION 14-2, CHARGE OR CUSTODY OF ANIMALS, AND ADD SECTION 14-6, HUMANE ACQUISITION, OF CHAPTER 14, ARTICLE I, OF THE CODE OF ORDINANCES, CITY OF OAK PARK - APPROVED**

Motion by Weiss, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend Section 14-2, Charge or Custody of Animals, and add Section 14-6, Humane Acquisition, of Chapter 14, Article I, of the Code of Ordinances, City of Oak Park.

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

**MOTION DECLARED ADOPTED**

**CM-08-244-20 (AGENDA ITEM #12B) FIRST READING OF AN ORDINANCE TO AMEND SECTION 14-5, AND ADD SECTIONS 14-7, CHAPTER 14, ARTICLE I, DOMESTIC CHICKENS PILOT PROGRAM, OF THE CODE OF ORDINANCES, CITY OF OAK PARK - APPROVED**

Motion by Radner, seconded by Edgar, CARRIED, to approve the first reading of an ordinance to amend Section 14-5, and add Sections 14-7, Chapter 14, Article I, Domestic Chickens Pilot Program, of the Code of Ordinances, City of Oak Park.

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

**MOTION DECLARED ADOPTED**

**CM-08-245-20           (AGENDA ITEM #12C) FIRST READING OF AN ORDINANCE TO AMEND SECTION 14-26 AND SECTION 14-29, AND ADD SECTIONS 14-33 AND 14-34, CHAPTER 14, ARTICLE II, DANGEROUS ANIMALS, OF THE CODE OF ORDINANCES, CITY OF OAK PARK - APPROVED**

Motion by Radner, seconded by Edgar, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend Section 14-26 and Section 14-29, and add Sections 14-33 and 14-34, Chapter 14, Article II, Dangerous Animals, of the Code of Ordinances, City of Oak Park.

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

**MOTION DECLARED ADOPTED**

**CM-08-246-20           (AGENDA ITEM #12D) FIRST READING OF AN ORDINANCE TO AMEND SECTION 14-49, FEES, CHAPTER 14, ARTICLE II, DIVISION 2, LICENSE, OF THE CODE OF ORDINANCES, CITY OF OAK PARK - APPROVED**

Motion by Radner, seconded by Burns, to approve the first reading of an ordinance to amend Section 14-49, Fees, Chapter 14, Article II, Division 2, License, of the Code of Ordinances, City Of Oak Park.

Motion by Weiss, seconded by Edgar, CARRIED UNANIMOUSLY, to amend the ordinance to include “or cat” in Section 14-49 (a)(4) which allows temporary foster cats to qualify for a waiver of licensing fees.

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

The amended first reading of the ordinance to amend Section 14-49, Fees, Chapter 14, Article II, Division 2, License, of the Code of Ordinances, City Of Oak Park was approved with the following vote:

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

**MOTION DECLARED ADOPTED**

**CM-08-247-20 (AGENDA ITEM #12E) FIRST READING OF AN ORDINANCE TO AMEND SECTION 14-54, KENNEL LICENSES, AND ADD SECTION 14-55, VIOLATIONS, CHAPTER 14, ARTICLE II, DIVISION 2, LICENSE, OF THE CODE OF ORDINANCES, CITY OF OAK PARK - APPROVED**

Motion by Burns, seconded by Radner, CARRIED UNANIMOUSLY, to approve the first reading of an ordinance to amend Section 14-54, Kennel Licenses, and add Section 14-55, Violations, Chapter 14, Article II, Division 2, License, of the Code of Ordinances, City of Oak Park.

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

**MOTION DECLARED ADOPTED**

**CITY ATTORNEY: No report**

**CITY MANAGER:**

**Administration**

**(AGENDA ITEM #14A) MOGo Update.** City Manager Tungate provided an update on the MoGo bike share program, and reported that of the five participating communities, Oak Park has the top two stations with the highest ridership.

**CM-08-248-20 (AGENDA ITEM #14B) REQUEST TO APPROVE A RETIREMENT AND CONSULTING AGREEMENT WITH VICKY BROOKS - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to approve a Retirement and Consulting Agreement with Vicky Brooks.

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

**MOTION DECLARED ADOPTED**

**City Clerk**

**(AGENDA ITEM #14B) Resolution scheduling the 2021 Regular City Council Meeting dates.**

There was a general agreement that the proposed dates should be reviewed for conflicts with religious holidays and to consider the resolution at the next meeting.

**CM-08-249-20 (AGENDA ITEM #14B) REQUEST TO RESCHEDULE THE NOVEMBER 2, 2020 REGULAR CITY COUNCIL MEETING - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to reschedule the November 2, 2020 City Council meeting to Tuesday, November 10, 2020.

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

**MOTION DECLARED ADOPTED**

**Public Safety**

**CM-08-250-20           (AGENDA ITEM #14E) REQUEST TO ALLOW OFFICER DONALD HOFFMAN TO PARTICIPATE AS A MEMBER OF THE OAKLAND COUNTY SHERIFF’S SWAT TEAM - APPROVED**

Motion by Burns, seconded by Edgar, CARRIED UNANIMOUSLY, to allow Officer Donald Hoffman to participate as a member of the Oakland County Sheriff’s SWAT Team.

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

**MOTION DECLARED ADOPTED**

**Department of Public Works**

**CM-08-251-20           (AGENDA ITEM #14F) REQUEST TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO PARTICIPATE IN THE STATE OF MICHIGAN (MIDEAL) AND MACOMB COUNTY PRE-BID CONTRACTS FOR THE PURCHASE OF THREE VEHICLES TOTALING \$271,341.28 - APPROVED**

Motion by Burns, seconded by Weiss, CARRIED UNANIMOUSLY, to authorize the Public Works Department to participate in the State of Michigan (MiDeal) and Macomb County pre-bid contracts for the purchase of the following vehicles totaling \$271,341.28:

Vehicle:	Department:	Amount: (Pre-Bid Contract)	Account:
John Deere 544L High Lift Wheel Loader	Public Works	Total Cost: \$183,195.08 (\$195,000 budgeted) (MiDeal Contract #071B7700090)	<u>Major Streets:</u> 202-18.479-970 <u>Local Streets:</u> 203-18.479-970 <u>Water / Sewer:</u> 592-18.550-970
Bandit 250XP Brush Chipper	Public Works	Total Cost: \$54,606.20 (\$70,000 budgeted) (MiDeal Contract #171-190000000302)	<u>Major Streets:</u> 202-18.479-970 <u>Local Streets:</u> 203-18.479-970

2021 Ford Explorer 4WD	Public Safety	Total Cost: \$33,540 (\$31,000 budgeted) (Macomb County #21-18) and (MiDeal Contract #071B7700180)	<u>Motor Pool:</u> 654-18.875.970 101-17-345-864
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Roll Call Vote:      Yes:            McClellan, Burns, Weiss, Edgar  
                             No:                None  
                             Absent:          Radner

**MOTION DECLARED ADOPTED**

**(AGENDA ITEM #14G)** City Manager Tungate introduced Human Resources Director Megan Burke.

**CALL TO THE AUDIENCE:**

Kenneth Sherman, expressed concerns about recent water main breaks and thanked the Public Safety Department for addressing the speeding issue on Jerome Street.

Deb Maltz provided additional information regarding the Eviction Diversion Pprogram and encouraged anyone interested to contact [communityhousingnetwork.org](http://communityhousingnetwork.org).

**CALL TO THE COUNCIL:**

**Mayor Pro Tem Burns** thanked everyone for watching and encouraged them to be safe.

**Council Member Edgar** wished everyone a good night.

**Council Member Weiss** thanked everyone who supported her in the Primary Election for the 27<sup>th</sup> House District and to participate in the 2020 Census.

**Mayor McClellan** congratulated winners of the August 4, 2020 Primary Election. She reminded everyone about the upcoming November General Election and to consider applying to work as a Precinct Election Inspector. She also reported on recent activity of Boards and Commissions.

**ADJOURNMENT:**

There being no further business to come before the City Council, Mayor McClellan adjourned the meeting at 9:00 P.M.

\_\_\_\_\_  
T. Edwin Norris, City Clerk

\_\_\_\_\_  
Marian McClellan, Mayor



BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN

**AGENDA OF: September 8, 2020**

**AGENDA # \_\_\_\_\_**

**SUBJECT:** Calendar Year 2021 Free Garage Sale Dates.

**DEPARTMENT:** City Clerk

**SUMMARY:** Since 1993 City Council has authorized free garage sales during certain months of the year and has waived the requirements for permits and fees for those sales. The free garage sales tradition recognizes the importance of garage sales to the residents and is also an attempt to minimize the overall disruption of these events to once a month.

**FINANCIAL STATEMENT:** Minimal Loss of \$10.00 per Garage Sale Permit

**RECOMMENDED ACTION:** The City Council consider designating the following weekends of March, April, May, June, July, August, September and October of calendar year 2021 for Free Garage Sales and waive the requirements for permits and fees for those sales. The Free Garage Sale dates would be as follows:

Thursday, March 25	Friday, March 26	Saturday, March 27	Sunday, March 28
Thursday, April 22	Friday, April 23	Saturday, April 24	Sunday, April 25
Thursday, May 20	Friday, May 21	Saturday, May 22	Sunday, May 23
Thursday, June 24	Friday, June 25	Saturday, June 26	Sunday, June 27
Thursday, July 22	Friday, July 23	Saturday, July 24	Sunday July 25
Thursday, Aug. 26	Friday, Aug. 27	Saturday, Aug. 28	Sunday, Aug. 29
Thursday, Sept. 23	Friday, Sept. 24	Saturday, Sept. 25	Sunday, Sept. 26
Thursday, Oct. 14	Friday, Oct. 15	Saturday, Oct. 16	Sunday, Oct. 17

It is also recommended that all of the participants in the Free Garage Sales be required to comply with the regulations for approved garage sales as outlined below:

- 1) No sale shall be conducted before 9:00 A.M. or after 7:00 P.M.
- 2) No outside display of merchandise to be sold will be permitted on any street, sidewalk, or any area between the street and sidewalk, and any such display of merchandise to be sold shall be located at least three feet back from the sidewalk.
- 3) Sale is for owner or occupant only and no merchandise shall be brought in to supplement the sale.
- 4) Signs shall not occupy any part of the right-of-way and shall not be posted on any utility pole or similar fixture anywhere within the City of Oak Park. No more than Two (2) signs totaling Six (6) sq. ft. shall be placed within the property lines to be used to advertise a garage sale and one additional sign at the end of the street with the permission of the property owner.

**This item is being submitted for the City Council’s consideration at this time with the expectation that if favorable action is taken, the dates as outlined above can be included in the Oak Park 2021 Calendar.**

**APPROVALS:** City Manager: \_\_\_\_\_

Director: \_\_\_\_\_ EN \_\_\_\_\_

Finance Director: \_\_\_\_\_ N/A \_\_\_\_\_

**EXHIBITS:** None.



**b. New Business:**

We created a pledge to read for our video for the Oak Park Residents  
We brainstormed on this project to have Bennie create us a video with us  
making a pledge about being safe. We will all participate in this video. We  
discussed having residents participate and we would give a prize.

**6. COMMISSIONER REPORTS**

Sudha reports her virtual graduation on Saturday at 4:30 p.m.

**7. ITEMS FOR NEXT MONTH'S AGENDA**

a. To be determined

**8. ADJOURNMENT**

a. **Next Meeting:** Thursday, August 13, 2020

b. **Time of Adjournment:** 7:45 p.m.

## Traffic Safety Commission Meeting 12/4/2019

**In attendance:** John Klein, Aaron Tobin, Mark Holdsworth, Regina Weiss, Joe Jenkins (staff), Mike Pinkerton (staff)

Members conducted introductions.

- Traffic on Balfour has been cut down by over 50%
- Residents know their corners better than the city officials
- John has access to traffic engineers at Wayne State
- Roanoke and Kenwood is a problem intersection
- No signage for private school at Balfour and Coolidge

Discussion on the purpose of this board:

- Address individual complaints
  - Four-way intersection at Balfour and Kipling was very successful
- Do we want to study sections of the city?
  - Look at crash reports
- Need to have a holistic view of what we want to do with the city to make it a safer place to drive
  - Identify what the problems are
    - Signage
  - Electronic survey for residents

Ideas on issues to address right away:

- Roanoke and Kenwood stop signs
- Green arrow at OPBVD and Coolidge
- Create electronic survey for residents
- School Zone signage by Balfour and Coolidge

What is our goal going to be?

- Go section by section
- Address individual intersections
- Improve signage
- Come up with a comprehensive report for the City, start w/ quarterly report.

### **Elections:**

Aaron moves that John be elected Chair and Arron be elected vice chair. John seconds. Motion carries.

John moves that Regina we elected secretary. Aaron seconds. Motion carries.

Next steps before next meeting:

- Read and review TIA Fact Sheets
- John will put together an agenda for next month and a calendar for the year.
- Members should submit agenda items to John by January 1st.

Next meeting will be on January 8th at 7pm in the Executive Conference Room of City Hall

Motion to adjourn: Regina moves. Mark seconds. Adjourns at 7:59.

## Traffic Safety Commission Meeting 1/8/2020

**In attendance:** John Klein, Aaron Tobin, Mark Holdsworth, Nour Almahameed, Regina Weiss, Joe Jenkins (staff), Mike Pinkerton (staff)

Motion to approve minutes from 12/4: Aaron Tobin moves. John Klein seconds. Motion carries.

Motion to approve agenda. Regina Weiss moves. Mark Holdsworth seconds. Motion carries.

Mandate:

- What is the scope of what we can impact?
  - For example, do we have any jurisdiction on county roads?
- Start with focus on side streets.
- Pinkerton: We should establish geographic areas to focus on.
- Tobin: We should all go to block club meetings and ask residents if there are any problem areas that need to be addressed.
  - Questions to ask:
    - Are there dangerous intersections in your neighborhood?
    - What is the number one traffic issue in your neighborhood?
    - Do you see pedestrian concerns in your neighborhood?

Discussion about TIA Fact Sheet:

- Fact sheet shows that stop signs don't control speeding.
- TIA Fact Sheet wasn't written about this area. Aaron believes that four way stops are very effective in our area.
- Will ask TIA to come to one of our future meetings to give more information. We should have specific questions ready when they come in.
  - Visibility as a factor in determining the need for stop signs could be a potential question asked.
- Will also ask the City Attorney to come and address the board about traffic liability issues.

Signage:

- a. Possible changes to signs at the intersection of Roanoke and Kenwood:
  - i. Creating a four way stop. Visibility in the area is poor. Mail trucks and cars block views.
  - ii. Could create a pinch point at the intersection to slow traffic down.
  - iii. There was a traffic study done, but the traffic patterns have changed since then because of the closure of the Sherman as a through street.
  - iv. We should all visit the intersection before the next meeting.
  - v. Joe will send the traffic study report to the board.
- b. Improvements to signage for 9 Mile Rd. Diet.
  - i. Both projects came in under budget.
    1. Larger back-in angle parking signs.
    2. Investigate possibility of installing flexible barrier system on bike lanes on 9 Mile.
    3. Should distribute back-in angle parking brochures to businesses on 9 Mile.
- c. Yike signs along Kipling and adjoining streets:
  - i. Bring it up to TIA at next meeting
- d. School Crossing signs at Kipling and Balfour
  - i. **Motion to recommend school zone signage be installed for private school near Kipling and Balfour. John moves. Regina seconds. Motion carried unopposed.**

e. Alternatives to stop signs: watch video on addendum on agenda.

5. Distracted driving ordinances: Do they make sense for Oak Park?

- Hands free law will likely be implemented by the state.

6. Matters Arising

- For the next meeting: add to the agenda curb painting near fire hydrants and no parking areas.
- When in areas of schools, look at signage to see if there are other areas.
- Doors will be open from 6:45-7:30.

Meeting adjourned at 8:32

## Traffic Safety Commission Meeting 2/12/2020

**In attendance:** John Klein, Aaron Tobin, Mark Holdsworth, Nour Almahameed, Regina Weiss, Joe Jenkins (staff), Mike Pinkerton (staff), Patrick Cawley (TIA Guest)

**Call to Order:** 7pm

Motion to approve minutes from 1/8: Aaron Tobin moves. Mark Holdsworth seconds. Motion carries.

TIA Presentation by Patrick Cawley:

- Transportation Improvement Association:
  - Purpose of TIA:
    - Created in 1967 due to traffic fatality rate in Oakland County.
    - Vision: Zero traffic deaths or injuries
    - Mission: Reduce traffic deaths and injuries in Michigan
    - Crash data is evaluated through GIS data in TCAT (Traffic Crash Analysis Tool)
      - City can get access to that data on request
    - Traffic Engineering Advice:
      - Collects data on traffic safety issues and traffic counts.
    - Enforcement Grants: Distribute grant funds to different communities for alcohol and seatbelt enforcement
    - Education - speaker and training events
      - Distracted driving awareness campaign video
      - High school billboard design contest
      - Strive for a safer drive - teen driving program
  - Michigan Vehicle Code (MVC):
    - Portion of MI law that specifies that local governments use State Manual for traffic control
      - Michigan manual on Uniform traffic control devices
        - Michigan's version of the Federal manual
        - Covers installation of signs, markings, and traffic signals.
        - Latest version was adopted in 2011.
    - Importance of following Michigan Vehicle Code (257.610)
      - Liability
      - Promotes uniformity across cities, state, and the US
    - Traffic Control Devices should:
      - Fulfill a need
      - Command attention
      - Convey a clear, simple meaning
      - Command respect
      - Give adequate time for proper response.
    - Stop and Yield Signs:
      - Vehicles w/ less than 2000 vehicles per day, and/or 20 pedestrians per hour
      - Generally place traffic control on the minor approach (low traffic volume)
      - Yield or Stop signs shall not be used for speed control
    - All way stop criteria:
      - Warrant to determine need of signalization
      - Minimum volumes (~6,000 cars per day)

- Crash history:
  - Five in a twelve month period.
- Combination of volumes (80% of both values)
- Optional criteria for two residential streets of similar nature, and will be operationally improved (w/ similar volumes of traffic).
- Yield Signs:
  - Can be done if there is a good sight distance.
  - Consideration should first be given to using less restrictive measures such as Yield signs.
- Consequences of stop signs:
  - Driver expectations not met
  - Promotes disrespect for traffic control device, rolling stops common
  - Increases rear-end crashes
  - Excessive noise from braking
  - Increased emissions and fuel consumption.
- Speed Control Tools:
  - Enforcement - very expensive and intermittent impact
  - Radar feedback signs
  - Traffic Calming: Physical measures to slow traffic
    - Chokers / curb bumpouts
    - Speed tables / raised intersections
    - Speed “humps”
      - Modern speed humps are about 12’ wide and 4” high
    - Traffic circles
    - Drawbacks:
      - Will not please all parties
      - Reduced emergency response time
      - Maintenance (plowing, landscaping)
- On Balfour and Kiping the four-way stop seems to be working, though it does not meet the four-way stop criteria.
- Roanoke and Kenwood stop sign was switched because of recommendations outlined above from TIA after traffic study
- Can you get a TAP grant for traffic calming devices? - Joe will follow up about it.
- There will be a traffic hump at Lincoln and Marlow (part of the Safe Routes to School grant).

#### Continuing Discussion of the Intersection at Roanoke and Kenwood

- Board needs to decide what we consider to be a “good” traffic safety road as a standard.

#### Next Steps:

1. Create rubric to determine severity of traffic issues.
  - a. Everyone should send recommendations for criteria to John
2. Create a survey to determine where problem traffic issues:
  - a. Everyone should send 3-5 question suggestions to John before the next meeting.
3. Create an online survey on traffic and safety concerns.
  - a. Before we solicit for suggestions we need to come up with criteria with how we consider

- b. Would like to give residents feedback a lot more gravity.
- 4. We can also pull crash data on specific streets we know about.

Matters Arising:

- Correspondence: Regina received two traffic safety concerns. One was in regards to speeding and reckless driving
- Signage on 9 Mile: There will be more signage going in to raise awareness about back-in angle parking and bike lanes
- Joe will follow-up about the right turn only sign concern on island by Pita Cafe plaza and Greenfield.

Meeting adjourned at 8:58.

## Traffic Safety Commission Meeting 3/11/2020

**In attendance:** Aaron Tobin, Mark Holdsworth, Nour Almahameed, Regina Weiss, Joe Jenkins (staff)

**Call to Order:** 7:08pm

**Motion to approve minutes** from 2/12: Regina Weiss moves. Mark Holdsworth seconds. Motion carries.

### Discussion about Decision Making Rubric:

- Joe has done research into what other communities are doing. Could not find a rubric.
  - Things to consider:
    - How will it affect the immediate area (traffic, drainage, etc.)
    - How will it affect the surrounding area (traffic, drainage, etc.)
    - Look at reported traffic accidents (crash counts)
    - TIA warrants
      - Traffic flow
      - Pedestrian usage
    - Citizen complaints - Aaron says it should be a priority.
    - Proximity to school zones
    - Emergency routes / city service effects
  - Will have to consult City Attorney prior to implementing rubric.
  - Possibility of using bump-out crossings and speed tables
    - Aarong will call the City of Lynchburg to see how their speed tables are working (they installed them in 2014).

### Discussion of Traffic Survey Questions:

- Which options for traffic control would you be willing to use on your street?
  - Stop signs
  - Speed bumps
  - Increased signage
  - Permanent radar signage
  - Road calming devices
  - Increased enforcement
  - All of the above
  - None of the above
    - Should include images of each so that residents know what it looks like
- John started a Survey Monkey with survey questions.
- Increase education about 25MPH speed limit

### Matters Arising:

- Review Handouts
- Next meeting will be first Wednesday in April

**Motion to Adjourn:** Regina Weiss moves. Nour Almahameed seconds. Motion adjourns 7:47

## Traffic Safety Commission Meeting 7/9/2020

**In attendance:** Aaron Tobin, Mark Holdsworth, Nour Almahameed, Regina Weiss, John Klein, Joe Jenkins (staff), Mike Pinkerton (staff)

**Call to Order:** 7:07pm

**Motion to approve minutes** from 3/11: Aaron Tobin moves. Mark Holdsworth seconds. Motion carries.

### **Discussion about Ferndale bump outs:**

- Aaron doesn't like the aesthetic look of it
- We have questions regarding how draining would be impacted
- Concern that residents near bump outs may be upset
- Concern that bicyclists may not be able to easily pass it
- Regina is going to get some information from Ferndale and bring it to the next meeting.
- Joe mentioned that Oak Park is working on bump outs at Lincoln and Marlow and will share the plans at the next meeting.

### **Rubric for Evaluating Survey Concerns:**

- John will create a spreadsheet and share it with us so that we can edit and add things to it.
- We are still working on what will go into it.

### **Survey:**

- We went through the draft that John created and offered the following edits:
  - Question 2:
    - Clarify types of signs
    - Add road narrowing under traffic calming
  - Question 4:
    - Add section of roads and cross streets
  - Question 5:
    - Vehicles ignoring stop signs
    - Make it a ranking question
  - Question 7:
    - Change it to morning, mid-day, afternoon, evening
  - Add a question for if people have additional comments, questions, or concerns.

**Motion to approve survey** pending suggested changes. Aaron moves. Regina seconds. Motion carries.

### **Matters Arising:**

- Public Safety purchased a new radar trailer that will be up and running in a few days
- John mentioned that it is rare that people don't stop at the stop sign at Balfore. There's still speeding, but not people running the stop sign. There are fewer delivery trucks.

**Motion to Adjourn:** Aaron Tobin moves. Regina Weiss seconds. Motion adjourns 7:45pm

## Traffic Safety Commission Meeting 8/13/2020

**In attendance:** Aaron Tobin, Mark Holdsworth, Nour Almahameed, Regina Weiss, John Klein, Joe Jenkins (staff), Mike Pinkerton (staff)

**Call to Order:** 7:01pm

**Motion to approve minutes** from 7/9/2020: Mark Holdsworth moves. Nour Almahameed seconds. Motion carries.

### Discussion about the Case of Traverse City:

- Traverse City has a traffic safety commission that has existed for about 10 years.
- TC has already produced a rubric that we could use and modify it.
  - We might not need to use volume criteria for low volume areas, or modify it.
  - Discussion around if we want to use anecdotal evidence to determine accidents. We determined that we would just use accident reports, but would add a criteria for the number of citizen complaints and make it worth 5 points.
  - Add sidewalks to pedestrian concerns.
- Resident questionnaire is similar to our survey, though our survey is more detailed.
- TC has a traffic calming guidebook
  - We could produce our own guidebook:  
<https://www.traversecitymi.gov/downloads/trafficcalmingguidebookattach2.pdf>

### Continued Discussion - Traffic Survey Questions:

- For question 2, move “other signs” to the second option
- For question 3, add in parentheses (for example, speed bumps)
- For question 5, add “high traffic volume”
- Move question 4 to question 2
- Make question 5 question 3
- Regina will share survey with City Manager Tugnate, Director Cooper, Kevin Yee, Dave Decoster, and City Council and ask them to fill it out and provide feedback. Will bring that feedback to the next meeting to finalize.

### Matters Arising:

- John travels Kipling a lot and thinks that foliage obscures stop signs. We can submit a complaint to public works.
- 9 Mile signage: Joe had a meeting about it yesterday. There will be 10 more signs added to back in angle parking areas with diagrams. OHM is designing a sign to put no right turn in the bike lane.
- Hold off on sending it out externally until we get internal approval.

**Motion to Adjourn:** Aaron Tobin moves. Regina Weiss seconds. Motion adjourns 7:50pm



# 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 Library Board Meeting

Tuesday, August 18 at 6:30 PM  
Via ZOOM

### Minutes

- I. Call to Order at 6:31
- II. Roll Call
  - a. Carolyn Burns Present
  - b. Jina Sawani Present
  - c. Zakiya Hollifield Present
  - d. Linda Moragne Present
  - e. Max Milstein Present
  - f. Sharon Chudnow Absent
- III. Approval of Agenda
  - a. Zakiya moved adding appointment of interim president after approval of minutes, election of other officers put off until September, seconded by Linda, passed unanimously. Approval of agenda as amended moved by Zakiya, seconded by Jina, passed unanimously. Discussion of further officer elections put off until September
- IV. Approval of Minutes Moved by Jina, seconded by Zakiya, passes unanimously.
- V. Election of interim president – Zakiya thanked LaTanya for her work as president, is not able to give the duties of president their attention they need at this time. Suggested Jina become president and Zakiya to remain vice president until full board elections held. Moved by Linda, seconded by Carolyn, passes unanimously.
- VI. Linda moves that September meeting include election of new officers, seconded by Jina, passes unanimously.

- VII. City Manager Report – Board and Commission appointments will be made on September 7, so our next meeting will include the new members. City is applying for Covid economic relief, some of which would go to aid library. Says to plan for another lockdown. Megan Burke has started as city HR manager, though Vicky Brooks is also sticking around for 3 months in transition.
- VIII. Library Director Report
- i. Budget/Bills – \$5487.39 for August bills. New bills always coming in, but that represents what’s been approved. Board must still approve payment. Moved by Jina, seconded by Linda, Linda: aye, Carolyn: aye, Zakiya: aye, Jina: aye, Max aye. Carolyn asks for actual bills to be provided for future meetings, Karen will do this.
  - ii. Changes of opening hours Wants to open both Saturday and Sunday, on alternating weeks, to accommodate all communities, and because by alternating weekends it shouldn’t change the budget. Max notes worry about alternating weekends, but is supportive of re-opening on Saturdays. Karen says she will seek approval when ready to fully pursue this
  - iii. Technology Update Michael Daniels gives the update: Has been working on the library web page. In the process of adding library videos. Encourages us to visit the library page. Erik notes that we can change the library page even though it’s connected with the city. City’s communications consultant is looking at rebidding entire city webpage, just wanted to let us know.
  - iv. Library happenings – reopening and Exotic Zoo Reopened last Monday. Discussed sanitation in light of Covid, and discussed hours. Reopening is going well, though moving slowly in case there’s a second shutdown. Royal Oak is the only other library that’s re-opened. Zakiya notes things are going very well.
- IX. Old Business Max reminds people to think if they want to run for board positions. Linda asks about bylaws, Zakiya notes that that conversation will happen next month.
- X. New Business
- XI. Friends of the Library Update Cheryl Daniel spoke about used book sale, and discussed work to advertise library functions and need for the millage to pass. Requested that a member of the friends be a part of strategic planning conversation. Erik brings up new communications director and her background

in strategic planning, feels she might be willing to help with that process. Also mentions that millages passed, including library millage. Carolyn Burns echoes praise for new communications director, and Karen notes she has met with her already. Zakiya mentions adding a thank you to the website to the community for supporting the millage.

XII. Public Comment – 2 to 3 minutes

- a. Ken Sherman asks Karen about book delivery, Karen had thought about it and continues to consider it, but doesn't quite have staff capacity for it. Ken suggests volunteers.
- b. Cheryl Weiss notes things that other libraries offered during first shutdown, and requests more virtual events from OP in the event of another shutdown. Karen notes that they're 'stockpiling' potential virtual events.

XIII. Adjournment moved by Linda, seconded by Jina, passes unanimously at 7:15

**Next Meeting:      Tuesday, September 15, 2020 – 6:30PM**



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

**AGENDA OF:** September 8, 2020

**AGENDA #**

**SUBJECT:** Proposed Change Orders No. 6, 7, & 8 and Payment Application No. 10 (final) for the 2018 45th District Court Renovation Project, M-684.

**DEPARTMENT:** Public Works

**SUMMARY:** Attached are proposed Change Orders No. 6, 7, & 8 and Payment Application No. 10 (final) for the 2018 45th District Court Renovation Project, M-684. The proposed Change Orders is an overall reduction of \$53,141.60 due to final balancing of quantities but does include some additions such as adding HVAC controls and technology upgrades. Through the period ending August 30, 2020, the project is 100% complete.

**FINANCIAL STATEMENT:**

Original Contract Amount:	\$1,532,301.00
Previously Approved Change Orders (No. 1-5):	\$67,616.54
Proposed Change Order No. 6:	\$0.00
Proposed Change Order No. 7:	\$0.00
Proposed Change Order No. 8:	(\$53,141.60)
Final Contract Amount:	<u>\$1,546,775.94</u>
Total Completed to Date:	\$1,546,775.94
Less Retainage:	\$0.00
Net Earned:	\$1,546,775.94
Payments to Date:	<u>\$1,463,330.81</u>
<b>Amount Due to Frank Rewold &amp; Sons, Inc.:</b>	<b>\$83,445.13</b>

**RECOMMENDED ACTION:** It is recommended that proposed Change Orders No. 6, 7, & 8 for the 2018 45th District Court Renovation Project, M-684, to Frank Rewold & Sons, Inc., be approved for the amount of (\$53,141.60). It is further recommended that Payment Application No. 10 (final) for the same be approved for \$83,445.13. Funding is available in the Court Building Fund (470-70.900-970), Case Flow Assistance Fund (256-50.136-956), and Building Maintenance Capital Outlay Fund (101-18.265-970).

**APPROVALS:**

City Manager: \_\_\_\_\_ *ET*

Department Director: \_\_\_\_\_ *KJY*

Finance Director: \_\_\_\_\_ *SC*

Budgeted:

Legal: \_\_\_\_\_

**EXHIBITS:** Change Orders No. 6, 7, & 8 and Payment Application No. 10 (final)

## Change Order

**Project:**

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

**Job#:** 10579

**Change Order:** 6

**Date:** 8/14/2019

**Architect's Project:**

**To Contractor:**

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

**The Contract is changed as follows:**

Contract changes per approved CORs.

26 Provide and install fixed benches and table for In-Custody room	\$0.00
38 Owner/user requested items	\$0.00
39 Found conditions	\$0.00
40 Found conditions	\$0.00
<b>Total:</b>	<b>\$0.00</b>

The original Contract Amount was	\$1,532,301.00
Net change by previously authorized Change Orders	\$67,616.54
The Contract Amount prior to this Change Order was	\$1,599,917.54
The Contract will be increased by this Change Order in the amount of	\$0.00
The new Contract Amount including this Change Order will be	\$1,599,917.54

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

**ARCHITECT**

OHM Advisors  
 34000 Plymouth Road  
 Livonia, MI 48150

**CONTRACTOR**

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

**OWNER**

City of Oak Park  
 13600 Oak Park Boulevard  
 Oak Park, MI 48237

(Signature)



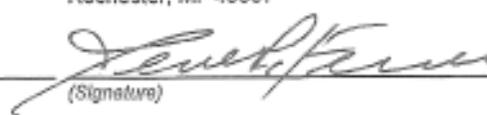
Misty Raatz

By

August 19, 2019

Date

(Signature)



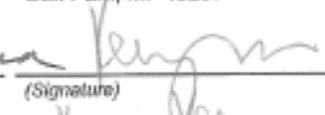
Gene P. Ferrera

By

8-14-19

Date

(Signature)



Kevin De

By

8/20/19

Date

## Change Order

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

**Job#:** 10579  
**Change Order:** 7  
**Date:** 9/30/2019

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

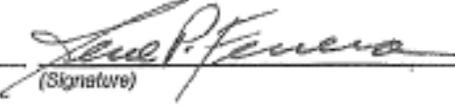
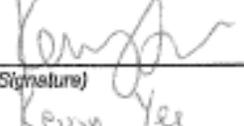
**Architect's Project:**

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

41 Bulletin 12 Modify jury box and oppsiote sidewall (as approved by 45th D C)	\$0.00
42 45th D C requested security revisions to scope.	\$0.00
43 Replacement of deteriorated roof sumps	\$0.00
44 ADA controls and new door operator at front vestibule	\$0.00
<b>Total:</b>	<b>\$0.00</b>

The original Contract Amount was	\$1,532,301.00
Net change by previously authorized Change Orders	\$67,616.54
The Contract Amount prior to this Change Order was	\$1,599,917.54
The Contract will be increased by this Change Order in the amount of	\$0.00
The new Contract Amount including this Change Order will be	\$1,599,917.54

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

<p><b>ARCHITECT</b>                  OHM Advisors                  34000 Plymouth Road                  Livonia, MI 48150</p>	<p><b>CONTRACTOR</b>                  Frank Rewold And Son, Inc.                  303 East Third Street - Suite 300                  Rochester, MI 48307</p>	<p><b>OWNER</b>                  City of Oak Park                  13600 Oak Park Boulevard                  Oak Park, MI 48237</p>
 (Signature)	 (Signature)	 (Signature)
By <u>Misty Raatz</u> Date <u>09/30/19</u>	By <u>Gene P. Ferrera</u> Date <u>9.30.19</u>	By <u>Kevin Yee</u> Date <u>10/1/19</u>



### Change Order

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

**Job#:** 10579  
**Change Order:** 8  
**Date:** 1/14/2020

**Architect's Project:**

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

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

45 Contingency uses and credits	\$-39,426.48
46 Allowance uses and credits	\$-13,715.12
<b>Total:</b>	<b>\$-53,141.60</b>

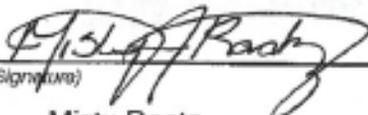
The original Contract Amount was	\$1,532,301.00
Net change by previously authorized Change Orders	\$67,616.54
The Contract Amount prior to this Change Order was	\$1,599,917.54
The Contract will be increased by this Change Order in the amount of	\$-53,141.60
The new Contract Amount including this Change Order will be	\$1,546,775.94

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

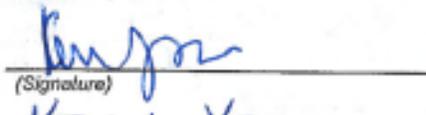
**ARCHITECT**  
OHM Advisors  
34000 Plymouth Road  
Livonia, MI 48150

**CONTRACTOR**  
Frank Rewold And Son, Inc.  
303 East Third Street - Suite 300  
Rochester, MI 48307

**OWNER**  
City of Oak Park  
13600 Oak Park Boulevard  
Oak Park, MI 48237

  
(Signature)

  
(Signature)

  
(Signature)

By **Misty Raatz**

By **Gene P. Ferrera**

By **KEVIN YEE**

Date **1/15/2020**

Date **01-14-2020**

Date **5/1/20**

APPLICATION AND CERTIFICATE FOR PAYMENT

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

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

Invoice: 1067910  
Application 10  
Invoice date: 2/27/2020  
Period from date:  
Period to date: 2/29/2020  
Contract date: 12/11/2018

ATTENTION:

FROM(CONTRACTOR): Frank Rewold & Sons Inc.  
303 East Third Street - Suite 300  
Rochester, MI 48307-2081

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Changes approved in previous months by Owner	204,546.73	-190,071.79
Total approved this Month		
TOTALS	204,546.73	-190,071.79
NET CHANGES by Change Order	14,474.94	

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

1. Original Contract Sum .....	1,532,301.00
2. Net change by Change Orders .....	14,474.94
3. Contract Sum to Date (lines 1+2).....	1,546,775.94
4. Contract completed to date.....	1,546,775.94
5. Less retainage.....	0.00
6. Total Earned Less retainage.....	1,546,775.94
7. Less Previous Certificates For Payment .....	1,463,330.81
8. Current Payment Due.....	83,445.13
9. Balance to Finish plus Retainage .....	0.00

See Attached Schedule for summary of Change Orders

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

CONTRACTOR: Frank Rewold & Sons Inc.

By: [Signature] Date: 2-29-2020

State Of Michigan  
County Of Oakland

Subscribed and sworn to before me this 29<sup>th</sup> day of February, 2020

Notary Public: [Signature]

Acting in Oakland County  
My commission expires: 6/20/21

ARCHITECT'S CERTIFICATE FOR PAYMENT

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

AMOUNT CERTIFIED ..... \$ 83,445.13  
(Attach explanation if amount certified differs from the amount applied for )  
ARCHITECT: OHM Advisors

By: [Signature] Date: March 6, 2020

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



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

Invoice: 1057910  
 Invoice Date: 2/27/2020

Draw: 1057900010  
 Period To: 2/29/2020  
 Architect: OHM Advisors

Item ID	Description	Orig Schedule Value	Approved Changes	Total Schedule Value	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage
17-009.01	Courtroom Monitor	4,000.00	-4,000.00								
17-010.01	Existing Ceiling Work	7,500.00	-7,500.00								
17-011.01	Dust Control	1,000.00	-1,000.00								
17-012.01	Temporary Signage	1,000.00	-1,000.00								
17-013.01	Restoration	2,000.00	-2,000.00								
17-014.01	Security	1,000.00	-889.48	110.52	110.52			110.52	100		
17-015.01	Parta-John	3,000.00		3,000.00	3,000.00			3,000.00	100		
17-016.01	Mechanical Distribution	1,500.00	-1,500.00								
17-017.01	Floor Patch/Prep	1,500.00	-1,123.82	376.18	376.18			376.18	100		
17-018.01	General Wall Patch/PSint Pre	2,000.00	-1,940.88	59.12	59.12			59.12	100		
17-019.01	Temporary Protection	7,500.00	-6,904.24	595.76	595.76			595.76	100		
17-020.01	Concrete X-Ray	1,500.00	-1,500.00								
17-021.01	Additional Supp Moving Labo	5,000.00	-5,000.00								
17-022.01	Updated Switch	1,500.00	-1,500.00								
17-023.01	Final Cleaning	3,500.00	-3,458.78	40.22	40.22			40.22	100		
17-024.01	Roofing Breakout Correction	-37,851.00	37,851.00								
17-025.01	In-Custody Room		981.90	981.90	981.90			981.90	100		

Totals	1,532,301.00	14,474.94	1,546,775.94	1,532,171.59	14,604.35		1,546,775.94	100		
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**BUSINESS OF THE CITY COUNCIL, OAK PARK, MICHIGAN**

**AGENDA OF:** September 8, 2020

**AGENDA#**

**SUBJECT:** Proposed Change Order No. 1 and Payment Application No. 3 for the 2019 Sewer & Catch Basin Cleaning & TV Inspection Project, M-700.

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

**SUMMARY:** Attached are Proposed Change Order No. 1 and Payment Application No. 3 for the 2019 Sewer & Catch Basin Cleaning & TV Inspection Project, M-700. The Proposed Change Order is a reduction of \$6,221.00 due to the final, as constructed measurements. This project is cleaning and televising sewers for inspection in the areas shown on the attached map. This project is currently 99% complete.

<b><u>FINANCIAL STATEMENT:</u></b>	Original Contract Amount:	\$317,825.00
	Proposed Change Order No.1:	<u>(\$ 6,221.00)</u>
	New Contract Amount:	\$311,604.00
	Total Completed to Date:	\$311,604.00
	Less Retainage:	\$ 5,000.00
	Net Earned:	\$306,604.00
	Deductions:	\$ 0.00
	Balance:	\$306,604.00
	Payments to Date:	<u>\$218,430.17</u>
	Amount Due Doetsch Env. Services:	\$ 88,173.83

**RECOMMENDED ACTION:** It is recommended that Proposed Change Order No. 1 for the 2019 Sewer & Catch Basin Cleaning & TV Inspection Project, M-700 be approved to Doetsch Environmental Services of Warren, MI. for the amount of (\$6,221.00). It is further recommended that Payment Application for the same be approved in the amount of \$88,173.83. Funding is available in the Water and Sewer Fund No. 592-18-550-930.

**APPROVALS:**

City Manager:           ET           Department Director:           KJY          

Director of Finance:           SC           Legal:           NA          

Budgeted:

**EXHIBITS:** Proposed Change Order No.1, Payment Application No. 3, map

**CHANGE ORDER**

PROJECT: 2019 SEWER & CATCH BASIN CLEANING & TV INSPECTION PROJECT JOB NUMBER: M-700  
 OWNER: CITY OF OAK PARK, MICHIGAN CHANGE ORDER NO.: 1  
 CONTRACTOR: DOETSCH ENVIRONMENTAL SERVICES PAGE: 1  
 21221 MULLIN AVENUE  
 WARREN, MI 48089

**TO THE CONTRACTOR:**

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

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

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	TOTAL Amount
1	Medium 8" Sewer Cleaning & TV Inspection	1,000	LFT	\$1.50	266	1,266	\$399.00
2	Medium 10" Sewer Cleaning & TV Inspection	9,500	LFT	\$1.50	512	10,012	\$768.00
3	Medium 12" Sewer Cleaning & TV Inspection	40,000	LFT	\$1.50	1,035	41,035	\$1,552.50
5	Medium 18" Sewer Cleaning & TV Inspection	22,300	LFT	\$1.75	1,658	23,958	\$2,901.50
7	Medium 24" Sewer Cleaning & TV Inspection	10,400	LFT	\$1.75	278	10,678	\$486.50
9	Medium 30" Sewer Cleaning & TV Inspection	6,200	LFT	\$2.00	534	6,734	\$1,068.00
13	Medium 48" Sewer Cleaning & TV Inspection	2,400	LFT	\$4.00	850	3,250	\$3,400.00
<b>TOTALS</b>							<b>\$10,575.50</b>

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

Item No.	Description	Original Bid Quantity	Unit	Unit Price	Increased Quantity	Quantity to Date	TOTAL Amount
4	Medium 15" Sewer Cleaning & TV Inspection	24,100	LFT	\$1.50	-2,517	21,583	-\$3,775.50
6	Medium 21" Sewer Cleaning & TV Inspection	9,500	LFT	\$1.75	-905	8,595	-\$1,583.75
8	Medium 27" Sewer Cleaning & TV Inspection	3,100	LFT	\$1.75	-5	3,095	-\$8.75
10	Medium 33" Sewer Cleaning & TV Inspection	1,400	LFT	\$2.00	-524	876	-\$1,048.00
11	Medium 36" Sewer Cleaning & TV Inspection	5,500	LFT	\$2.00	-401	5,099	-\$802.00
12	Medium 42" Sewer Cleaning & TV Inspection	2,000	LFT	\$4.00	-88	1,912	-\$352.00
14	Medium 54" Sewer Cleaning & TV Inspection	1,900	LFT	\$4.00	-276	1,624	-\$1,104.00
15	Catch Basin Lead Cleaning & TV Inspection	22,100	LFT	\$1.50	-2,775	19,325	-\$4,162.50
16	11 Mile Parking Lot CB Lead Cleaning & TV Inspection	1,000	LFT	\$10.00	-58	942	-\$580.00
17	Catch Basin Structure Cleaning	800	EA	\$40.00	-82	718	-\$3,280.00
18	Sewer Lateral Protruding Lead Cutting	10	EA	\$10.00	-10	0	-\$100.00
<b>TOTALS</b>							<b>-\$16,796.50</b>

**SUMMARY**

Total Increase \$10,575.50  
 Total Decrease -\$16,796.50  
 Total for Change Order No.1: -\$6,221.00

---

Contract Amount \$317,825.00  
 Change Order No. 1: -\$6,221.00  
 New Contract Amount: \$311,604.00

  
 Doetsch Environmental Services 8-20-20  
 Date

  
 Joseph Jenkins, Assistant City Engineer 9-1-2020  
 Date

PAYMENT APPLICATION

PROJECT: 2019 SEWER & CATCH BASIN CLEANING & TV INSPECTION PROJECT  
 OWNER: CITY OF OAK PARK, MICHIGAN  
 CONTRACTOR: DOETSCH ENVIRONMENTAL SERVICES  
 21221 MULLIN AVENUE  
 WARREN, MI 48089

JOB NUMBER: M-700  
 APPLICATION NO.: 3  
 PERIOD ENDING: 8/11/2020

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY		UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Medium 8" Sewer Cleaning & TV Inspection	1,000	LFT	\$1.50	810	\$1,215.00	1,266	\$1,899.00
2	Medium 10" Sewer Cleaning & TV Inspection	9,500	LFT	\$1.50	1,016	\$1,524.00	10,012	\$15,018.00
3	Medium 12" Sewer Cleaning & TV Inspection	40,000	LFT	\$1.50	4,892	\$7,338.00	41,035	\$61,552.50
4	Medium 15" Sewer Cleaning & TV Inspection	24,100	LFT	\$1.50	2,295	\$3,442.50	21,583	\$32,374.50
5	Medium 18" Sewer Cleaning & TV Inspection	22,300	LFT	\$1.75	2,063	\$3,610.25	23,958	\$41,926.50
6	Medium 21" Sewer Cleaning & TV Inspection	9,500	LFT	\$1.75	1,129	\$1,975.75	8,595	\$15,041.25
7	Medium 24" Sewer Cleaning & TV Inspection	10,400	LFT	\$1.75	2,918	\$5,106.50	10,678	\$18,686.50
8	Medium 27" Sewer Cleaning & TV Inspection	3,100	LFT	\$1.75	0	\$0.00	3,095	\$5,416.25
9	Medium 30" Sewer Cleaning & TV Inspection	6,200	LFT	\$2.00	691	\$1,382.00	6,734	\$13,468.00
10	Medium 33" Sewer Cleaning & TV Inspection	1,400	LFT	\$2.00	0	\$0.00	876	\$1,752.00
11	Medium 36" Sewer Cleaning & TV Inspection	5,500	LFT	\$2.00	831	\$1,662.00	5,099	\$10,198.00
12	Medium 42" Sewer Cleaning & TV Inspection	2,000	LFT	\$4.00	284	\$1,136.00	1,912	\$7,648.00
13	Medium 48" Sewer Cleaning & TV Inspection	2,400	LFT	\$4.00	0	\$0.00	3,250	\$13,000.00
14	Medium 54" Sewer Cleaning & TV Inspection	1,900	LFT	\$4.00	0	\$0.00	1,624	\$6,496.00
15	Catch Basin Lead Cleaning & TV Inspection	22,100	LFT	\$1.50	18,137	\$27,205.50	19,325	\$28,987.50
16	11 Mile Parking Lot CB Lead Cleaning & TV Inspection	1,000	LFT	\$10.00	0	\$0.00	942	\$9,420.00
17	Catch Basin Structure Cleaning	800	EA	\$40.00	652	\$26,080.00	718	\$28,720.00
18	Sewer Lateral Protruding Lead Cutting	10	EA	\$10.00	0	\$0.00	0	\$0.00

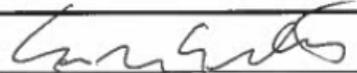
Period Total Amount: \$81,677.50 Amount to Date: \$311,604.00

Original Contract Amount: \$317,825.00  
 Change Order No.1: -\$6,221.00  
 New Contract Amount: \$311,604.00

Earnings This Period: \$81,677.50  
 Total Earnings to Date: \$311,604.00  
 Less Retainage: \$5,000.00  
 Net Earned: \$306,604.00  
 Deductions: \$0.00  
 Balance: \$306,604.00  
 Payments to Date: \$218,430.17

AMOUNT DUE DOETSCH ENV. SERVICES: \$88,173.83

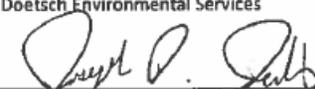
Accepted By:

  
 Doetsch Environmental Services

Date:

8-20-20

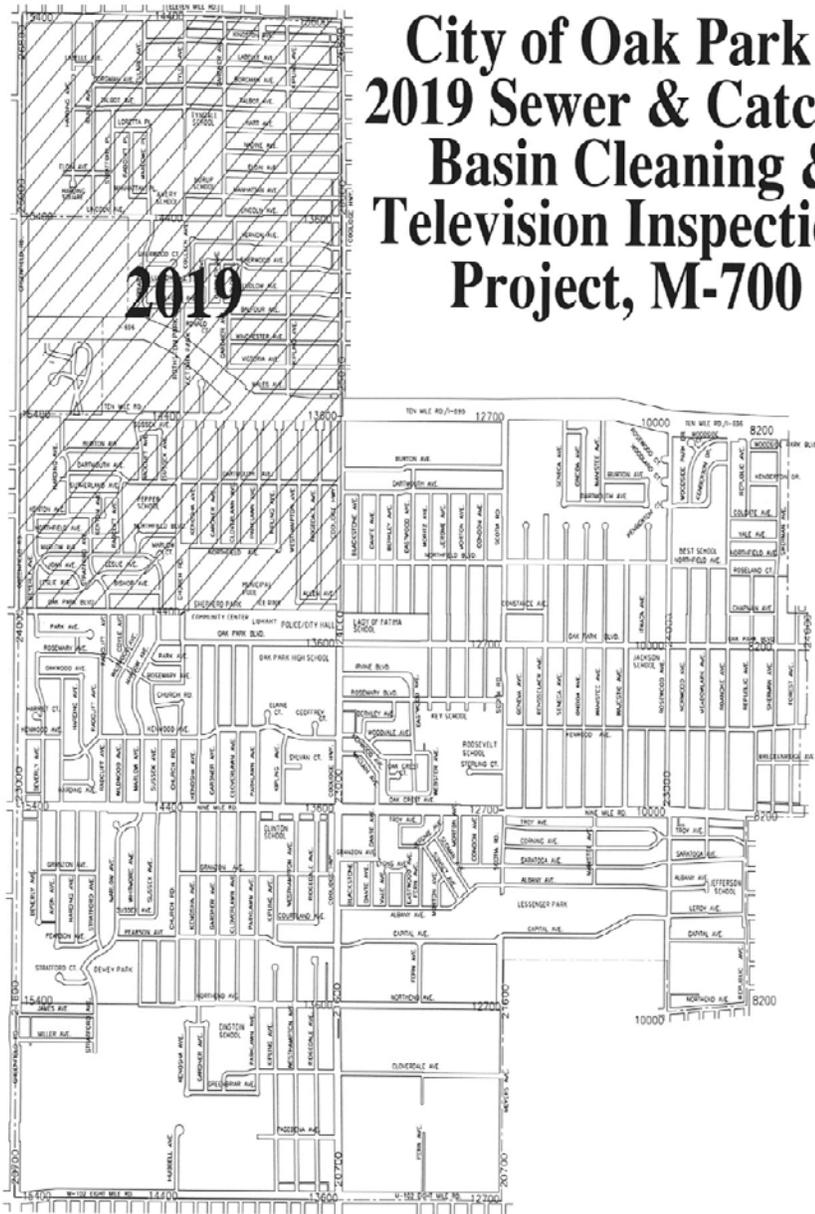
Approved By:

  
 Joseph Jenkins, Assistant City Engineer  
 City of Oak Park, Michigan

Date:

9-1-2020

# City of Oak Park 2019 Sewer & Catch Basin Cleaning & Television Inspection Project, M-700





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

**AGENDA OF:** September 8, 2020

**AGENDA #**

**SUBJECT:** Payment Application No. 1 for the 2020 Joint and Crack Sealing Project, M-698.

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

**SUMMARY:** Attached is Payment Application No. 1 for the 2020 Joint and Crack Sealing Project, M-698. This project helps to preserve the pavement by preventing surface water from infiltrating the pavement, which adds longevity to the roads. This project is 95% complete.

<b><u>FINANCIAL STATEMENT:</u></b>	Original Contract Amount:	\$144,331.45
	Total Completed to Date:	\$ 138,523.03
	Less Retainage:	\$ 7,216.57
	Net Earned:	\$ 131,306.46
	Deductions:	\$ 0.00
	Balance:	\$ 131,306.46
	Payments to Date:	\$ 0.00
	Amount Due Michigan Joint Sealing, Inc.:	\$ 131,306.46

**RECOMMENDED ACTION:** It is recommended that Payment Application No. 1 for the 2020 Joint and Crack Sealing Project, M-698 be approved to Michigan Joint Sealing, Inc. of Farmington Hills, MI for the amount of \$131,306.46. Funding is available in the Local Streets Fund for this project. (No. 203-18-479-970)

**APPROVALS:**

City Manager: \_\_\_\_\_ *ET* \_\_\_\_\_

Department Director: \_\_\_\_\_ *KJY* \_\_\_\_\_

Director of Finance: \_\_\_\_\_ *SC* \_\_\_\_\_

Budgeted:

**EXHIBITS:** Payment Application No. 1, Area Map



PAYMENT APPLICATION

PROJECT: 2020 JOINT & CRACK SEALING PROJECT

JOB NUMBER: M-698

OWNER: CITY OF OAK PARK, MICHIGAN

APPLICATION NO.: 1

CONTRACTOR: MICHIGAN JOINT SEALING, INC.  
28830 WEST EIGHT MILE RD.  
FARMINGTON HILLS, MI 48336

PERIOD ENDING: 5/8/2020

ITEM	DESCRIPTION	ORIGINAL BID QUANTITY	UNIT	UNIT PRICE	PERIOD QUANTITY	PERIOD AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE
1	Rout & Seal Joints & Cracks, Modified SP	193,455	LFT	\$0.61	179,743	\$109,643.23	179,743	\$109,643.23
2	Joint Sealing Compound, Modified SP	42,990	LBS	\$0.61	47,180	\$28,779.80	47,180	\$28,779.80
3	Minor Traffic Devices, Modified SP	1	LSUM	\$100.00	1	\$100.00	1	\$100.00
<b>Period Total Amount:</b>						<b>\$138,523.03</b>	<b>Amount to Date:</b>	<b>\$138,523.03</b>

Current Contract Amount: \$144,331.45

Earnings This Period: \$138,523.03

Total Earnings to Date: \$138,523.03

Less Retainage: \$7,216.57

Net Earned: \$131,306.46

Deductions: \$0.00

Balance: \$131,306.46

Payments to Date: \$0.00

AMOUNT DUE MICHIGAN JOINT SEALING INC.: \$131,306.46

Accepted By:

Michigan Joint Sealing Inc.

Date: 5-19-2020

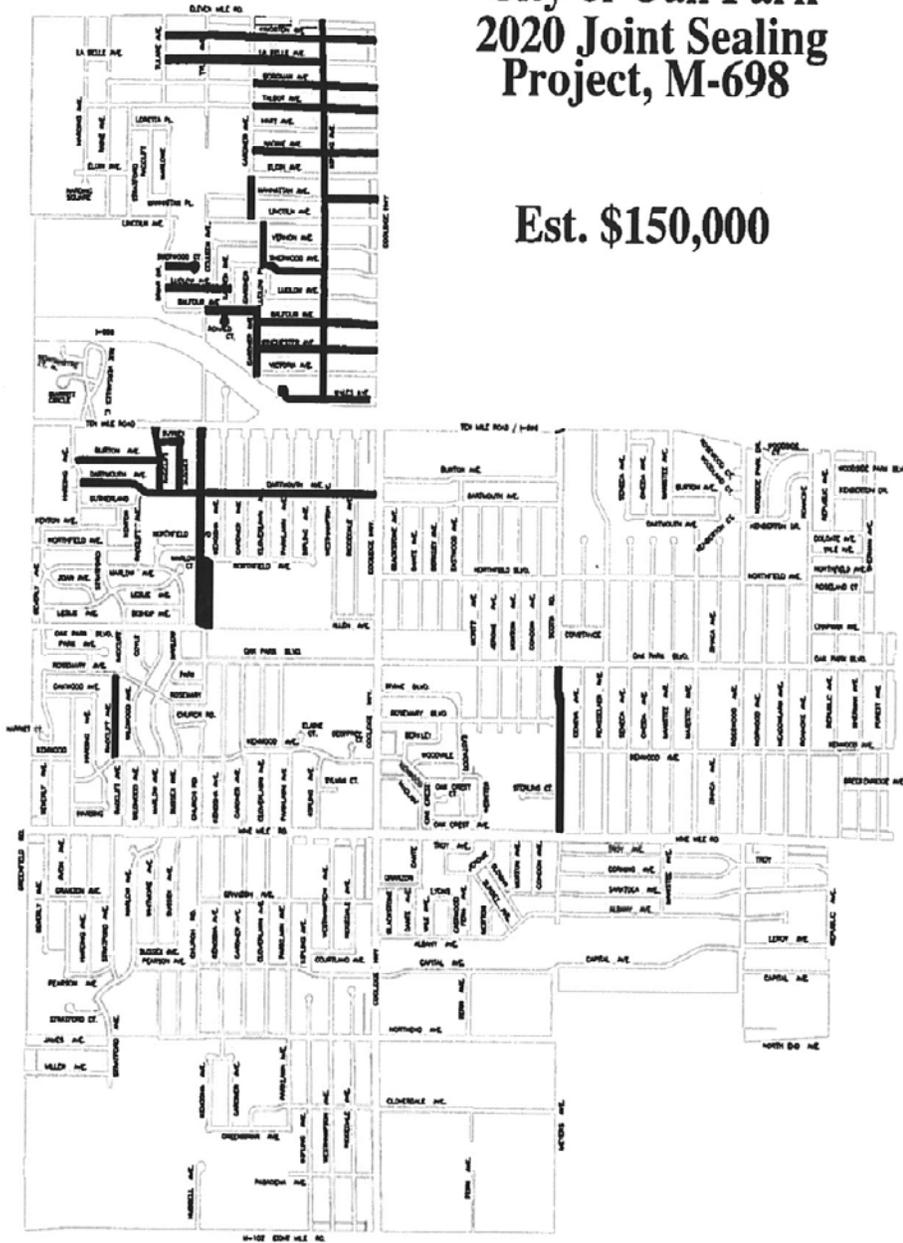
Approved By:

Joseph R. Jenkins - Assistant City Engineer  
City of Oak Park, Michigan

Date: 5-29-2020

# City of Oak Park 2020 Joint Sealing Project, M-698

Est. \$150,000





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

**AGENDA OF:** September 8, 2020      **AGENDA #**

**SUBJECT:** Maintenance agreement with the Road Commission for Oakland County for winter maintenance on Greenfield Road from Eight to Eleven Mile Roads and on Ten Mile Road from Greenfield to Woodward.

**DEPARTMENT:** Department of Public Works - *KJY*

**SUMMARY:** The Road Commission for Oakland County has offered to compensate the City of Oak Park \$48,703.19 for winter maintenance on Greenfield Road from Eight to Eleven Mile Roads and on Ten Mile Road from Greenfield to Woodward. This contract includes a 2.5% price increase from last year (\$47,515.30). If executed, this will require our City crews to plow and salt these sections of roadway as needed throughout the winter.

**FINANCIAL STATEMENT:** N/A

**RECOMMENDED ACTION:** It is recommended that the City Council approve the attached agreement with the Road Commission for Oakland County for winter maintenance on Greenfield Road from Eight to Eleven Mile Roads and on Ten Mile Road from Greenfield to Woodward upon review from the City Attorney's office.

**APPROVALS:**

City Manager: \_\_\_\_\_ *ET* \_\_\_\_\_

Department Director: \_\_\_ *KJY* \_\_\_\_\_

Finance Director: \_\_\_\_\_ *SC* \_\_\_\_\_

Budgeted:

Legal: \_\_\_\_\_

**EXHIBITS:** Agreement



QUALITY LIFE THROUGH GOOD ROADS:  
ROAD COMMISSION FOR OAKLAND COUNTY  
"WE CARE."

**Board of Road Commissioners**

**Ronald J. Fowkes**  
Commissioner

**Gregory C. Jamian**  
Commissioner

**Andrea LaLonde**  
Commissioner

**Dennis G. Kolar, P.E.**  
Managing Director

**Gary Plotrowicz, P.E., P.T.O.E.**  
Deputy Managing Director  
County Highway Engineer

Highway Maintenance  
Department

2420 Pontiac Lake Road  
Waterford, MI 48328

248-858-4881

FAX  
248-858-7607

[www.rcocweb.org](http://www.rcocweb.org)

August 24, 2020

Mr. Kevin Yee  
Assistant City Manager, Director of Public Works  
City of Oak Park  
10600 Capital  
Oak Park, MI 48237

RE: 2020-2021 Winter Maintenance Agreement

Dear Mr. Yee

Attached are two copies of a Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Oak Park.

This 2020-2021 agreement has an increase of 2.5%, which increases the amount from \$47,515.30 to \$48,703.19.

If this agreement is satisfactory, please return the two-signed copies and the resolution of approval by your Board. One fully signed copy will be returned to you upon approval by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your personnel for the fine work that has been done. We will continue to cooperate in any way to provide our citizens with the best road system possible.

We request that your signed agreement be returned to us no later than the end of November, so that we may present the agreement to our Board prior to the end of the year, which will allow RCOC to make payments per the agreement.

Sincerely,

Darryl M. Heid, P.E.  
Director of Highway Maintenance

/gg

Attachment

2020-2021 WINTER MAINTENANCE AGREEMENT  
CITY OF OAK PARK

Under 1951 PA 51, As Amended

This Winter Maintenance Agreement ("Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, 2020, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the "Board," and the City of Oak Park, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the "City."

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain winter maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City will perform Winter Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. "Winter Maintenance," herein required to be performed by the City, shall mean snow removal and ice control, on all roads listed in Exhibit A, as follows: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel, and ice control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel, together with such other work and services, such as recordkeeping and insurance, required by this Agreement. All Winter Maintenance work and services performed by the City shall be in accordance with the Board's maintenance guidelines, including the Board adopted Winter Maintenance Guidelines, the Board's standard practices and this Agreement.

II

The City shall keep accurate and uniform records of all Winter Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Winter Maintenance by the City, the Board hereby agrees to pay to the City the sum of \$48,703.19, as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

50% in December 2020  
50% in March 2021

The making of said payments shall constitute the Board's entire obligation in reference to Winter Maintenance.

#### IV

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local units(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Winter Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

During that part of the year that the City is providing Winter Maintenance under Section I, the City agrees to promptly notify the Board as soon as possible, but not longer than 5 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Winter Maintenance subject to this Agreement.

#### V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

#### VI

The City further agrees to comply with all applicable laws and regulations, including without limitation, laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

#### VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status; or because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of this covenant may be regarded as a material breach of this Agreement.

VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Winter Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2020 and shall continue in full force and effect until a subsequent Winter Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Winter Maintenance agreement has not been executed by the parties hereto on or before September 1, 2021, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of \_\_\_\_\_, and by the City by authority of a resolution of its governing body, adopted \_\_\_\_\_, (copy attached as Exhibit C).

Witnesses:

CITY OF OAK PARK  
A Municipal Corporation

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

Its: \_\_\_\_\_

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

Its: \_\_\_\_\_

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF OAKLAND,  
A Public Body Corporate

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

Its: \_\_\_\_\_

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

Its: \_\_\_\_\_

WINTER MAINTENANCE  
2020-2021

CITY OF OAK PARK

EXHIBIT A

10 MILE ROAD

Extending from Woodward Avenue to Greenfield

<u>Miles</u>	<u>Cost Per Mile</u>		
4.92	\$3,989.29	\$	19,627.31
0.53	\$6,981.28	\$	<u>3,700.08</u>
		\$	23,327.39

GREENFIELD ROAD

Extending from Eight Mile Road to Eleven Mile Road

<u>Miles</u>	<u>Cost Per Mile</u>		
0.28	\$6,981.28	\$	1,954.76
2.72	\$8,610.68	\$	<u>23,421.05</u>
		\$	25,375.81

Total Miles

8.45

TOTAL \$ 48,703.19

TWO LANES (\$3,989.29 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>		
4.92	\$3,989.29	\$	19,627.31

FOUR OR FIVE LANES (\$6,981.28 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>		
0.81	\$6,981.28	\$	5,654.84

SIX OR MORE LANES (\$8,610.68 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>		
2.72	\$8,610.68	\$	23,421.05

Total Miles

8.45

TOTAL \$ 48,703.19

50% in December 2020 \$ 24,351.60

50% in March 2021 \$ 24,351.59

\$ 48,703.19

**EXHIBIT B**

**2020-2021 WINTER MAINTENANCE AGREEMENT**

**ROAD COMMISSION FOR OAKLAND COUNTY**

**INSURANCE PROVISION  
(CITY)**

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. Worker's Compensation and Employer's Liability Insurance: The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

Each Accident	\$1,000,000
Disease – Each Employee	\$1,000,000
Disease – Policy Limit	\$1,000,000

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. Bodily Injury and Property Damage: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

- 1. Bodily Injury and Property Damage Other Than Automobile: The minimum limits of property damage and bodily injury liability covering each contract shall be:

Bodily Injury and Property Damage Liability:	or: Combined Single Limit:
Each Person \$1,000,000	Aggregate \$2,000,000
Each Occurrence \$1,000,000	
Aggregate \$2,000,000	

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury and Property Damage Liability: Each Person           \$1,000,000 Each Occurrence     \$1,000,000	or: Combined Single Limit: Each Occurrence:   \$1,000,000
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Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- a. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- b. The City shall provide for and in behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner’s Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City’s General Liability Insurance.
- c. Notice – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30-day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- d. Reports: The City or its insurance carrier shall promptly report to the Road Commission all of the following events each time as they occur: Claims received, claims investigations made, and disposition of claims.

See provisions of the maintenance agreement to which this Exhibit B is attached.



# CITY OF OAK PARK

## Department of Recreation

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

### Parks and Recreation Commission

## PARKS AND RECREATION COMMISSION REGULAR MEETING: July 15, 2020, Zoom Meeting

- I. Meeting called to order at 7:03 p.m. by Vice Chair – Andrew Cissell.
- II. Members present: Andrew Cissell, Juanita Bell, Mickey Alderman, Diane Spiller, Theresa Henderson, Beverly Wiggins, Alexander Simpson, and Dwight Thomas  
Members absent:, Patrick North  
Staff members present: Laurie Stasiak  
Councilmembers present: Councilmember Edgar
- III. Approval of Agenda for July 15, 2020.  
Motion by Diane Spiller to ACCEPT.  
Seconded by. Beverly Wiggins  
PASSED.
- IV. Approval of minutes of Parks and Recreation Commission Meeting of June 17, 2020.  
Motioned by Mickey Alderman to ACCEPT.  
Seconded by Dwight Thomas  
Passed
- V. Council updates – Discussion on the rescinding of the ban on open fires in Oak Park. Amending the existing ordinance would allow recreational fires and portable outdoor fireplaces using clean woods as otherwise permitted by the international fire protection code. Councilmember Edgar asked for the Commissioners input on this change.

Discussion on the development of a dog park. There is \$150,000 dedicated to the development of a dog park in the capital improvement fund for the budget year 23/24. It was added that the Parks and Recreation Commission should take this on as the lead in spearheading this project.

Other discussion the mention of a Splash Pad – Yr. 23/24 \$400,000 dedicated to the project

- VI. Recreation Updates – Laurie Stasiak, Recreation Director
    - a. Recreation Office – As of July 6, the Recreation Office is open for Shelter and Field Reservations. One staff member has returned from furlough, Administrative Clerk, Danielle Fracassa. Our Recreation Coordinator, David Pitts is still on furlough, but will return on August 3.
- Programs – and events for the summer have been cancelled due to COVID

Forgotten Harvest – will continue every Wednesday from 9 am – 1 pm, one of the biggest food distribution sites with 400 – 500 cars each week.

**Programs that are OPEN** –SMART Transportation pickups for essential trips – doctors, pharmacy and grocery store. Senior food pickup and drop offs Forgotten Harvest on Wednesdays. We have been scheduling our seniors on our SMART bus since mid- June. No more than 4 riders per bus. Each rider is called a minimum of 24 hours in advance to answer a health ridership form that we use for SMART. Busses are wiped down prior to ridership, after departure and then when parking bus for the day.

Farmers Market returned on July 1 – Sept. 30, hours: 9 am – 2 pm Location: Oak Park HS parking lot – near track entrance HUMANA is back as signature sponsor

Our market has numerous signs advising of the mask requirement, limited touching of produce. Music is instrumental or pre-recorded. No actual singing allowed at this time. Hand washing stations are located at each designated entrance to the market. Sanitizer is available at the OP Rec tent and most vendor tables. All vendors must wear masks/face coverings while at the market with the exception of when they are eating away from the vending area. Vendors take the same questionnaire that we take prior to entering the building.

13-14 vendors at the market this year

Beaumont not able to provide the B/P readings and nutrition Ed until possibly Sept.

Vendors state they like the new location better as it is easier to set up, it is easier for shoppers to get around. Many vendors state that they are very pleased with the sales to date.

We have **three new programs** that are tied to the market:

**Power of Produce for Kids**

**Power of Produce for Adults**

Fun, interactive activities for kids and seniors a like. Earn \$3/week at the market for having fun and exploring new tastes.

### **Project Play:**

This is an “at home “sport play program sponsored by the Community Foundation of SE Michigan. It was deemed extremely important since due to Covid 19, all summer camps, pools, most summer organized sports were canceled for 2020. This program was deemed so important to Humana that they approached the Oak Park Recreation Department to see if we were willing to participate. If so, **Humana would fully finance Oak Park’s participation.** We of course jumped at the opportunity! We can accommodate 75 families for a 4 week program. Families register either in advance or at the farmers market, and receive an equipment bag with at least 4 pieces of sporting equipment / materials TO KEEP!

Project WIC will be onsite July 29 and August 5 for their 265 families to collect their \$25 book of coupons to use at the market. Senior market day has a tentative date of late Sept. 2020

b. Community Center currently closed for classes and meetings

c. Field Rentals started on July 8: Come Play Detroit and Detroit Social Club with proper social distancing criteria

d. Parks – shelters are open on a first come first serve basis unless rented (groups 100 or less) Bathrooms, play equipment and picnic areas are open. No Basketball – due to social distancing

e. 3 Millage Renewals on the August 4 ballot – No Tax Increases

**Recreation Millage Renewal:** The proceeds from this millage renewal will be used for general operating costs for the Oak Park Recreation Department. This includes equipment purchases, facilities, staffing and maintenance. The millage also supports recreation programming for residents including quality senior programs, youth summer camps and athletics, community pool and special events, including the 4<sup>th</sup> of July Parade and FunFest, Concerts in Park, Summer Blast, Boo Bash, and Winterfest.

**Public Safety Millage Renewal:** This millage has helped the City make significant, and meaningful investments in the Public Safety Department. For important initiatives like community policing, including community resource officers the citizens academy, the public safety open house as well as investments in equipment like bullet proof vests and firetruck maintenance.

**Library Millage Renewal:** This millage has helped fund the many Library programs and amenities offered over the years including: Sunday concerts, adult computer classes, movie nights, game nights, story time, the public computer lab, the teen center, and the always expanding collection of literature.

VII. Old Business - none

VIII. New Business

1. Dog Park Discussion

Tours of area dog parks were scheduled:

July 22 – Ferndale and Hazel Park

August 5 – Royal Oak, Troy and Red Oaks in Madison Heights

2. Other - none

IX. Announcements – Dwight Thomas is now retired!!!! Congratulations!

X. Motion to ADJOURN meeting by Dwight Thomas.  
Seconded by Juanita Bell  
Motion APPROVED.

Meeting ADJOURNED at 8:04 p.m.

Respectfully submitted by Laurie Stasiak.

Next meeting: August 19, 2020, at 7 p.m.

**MERCHANT'S LICENSES - SEPTEMBER 8TH, 2020**

(Subject to All Departmental Approvals)

<b>NEW MERCHANT</b>	<b>ADDRESS</b>	<b>FEES</b>	<b>BUSINESS TYPE</b>
J & K MATTRESSES	26001 COOLIDGE	\$ 150.00	RETAIL MATTRESSES
RAINBOW	26100 GREENFIELD	\$ 150.00	RETAIL

<b>RENEWALS</b>	<b>ADDRESS</b>	<b>FEES</b>	<b>BUSINESS TYPE</b>
QUALITY RESTAURANT EQUIPMENT	8700 CAPITAL	\$ 187.50	RESTAURANT EQUIPMENT WHOLESALE
M. BESHARA	10020 CAPITAL	\$ 150.00	PRINTING
PERSONAL UNIFORM SERVICE	10100 CAPITAL	\$ 150.00	INDUSTRIAL LAUNDRY
APOLLO HEATING TREATING AND PROCESSING	10400 CAPITAL	\$ 150.00	HEAT TREATING AND PROCESSING OF STEEL BARS
MICHIGAN DESSERT CORP	10750 CAPITAL	\$ 150.00	FOOD MANUFACTURING
FISCHER AUTO PARTS	13380 CAPITAL STE 101	\$ 150.00	WHOLESALE RETAIL AUTO PARTS AND ACCESSORIES
SPECIALTIES SHOWROOM	13220 CLOVERDALE	\$ 150.00	APPLIANCE WAREHOUSE
AUTOBAHN COLLISION	20850 COOLIDGE	\$ 150.00	AUTO BODY COLLISION REPAIR SHOP
ORCHARD DISTRUTORS LLC	21000 COOLIDGE	\$ 150.00	WAREHOUSE STORAGE
SB IMPORT & EXPORT LLC	21000 COOLIDGE A	\$ 150.00	TOBACCO WHOLESALE
SR AUDIO	21070 COOLIDGE	\$ 187.50	AUDIO, LIGHTING & VIDEO PRODUCTION
INTEGRA CONTRACTORS	21410 COOLIDGE	\$ 187.50	CONTRACTOR, LAND BALANCING, EXCAVATION, DEMO
9 OAKS GRILL	22110 COOLIDGE	\$ 150.00	RESTAURANT AND CARRY OUT
HENDERSON AUTOMOTIVE	14600 W. EIGHT MILE	\$ 150.00	USED CAR SALES
HENDERSON TOWING	14600 W. EIGHT MILE	\$ 150.00	TOWING COMPANY & AUTO REPAIR SHOP
FORGOTTEN HARVEST	21800 GREENFIELD	\$ 187.50	FOOD RESCUE

**SIDEWALK SALE LICENSES - SEPTEMBER 8TH, 2020**

(Subject to All Departmental Approvals)

Weave World Wholesalers	24725 Coolidge Hwy	\$ 10.00
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1155 Brewery Park Blvd, Ste 200  
Detroit, Michigan 48207  
313-446-1530  
Tax I.D. 38-1879991

**Invoice 544698**

**September 2, 2020**

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

*Re: In Re: City of Oak Park*

*Client 7406  
Matter 1*

**Statement for City Attorney Legal Services**

For Legal Services Rendered Through Monday, August 31, 2020

**\$12,083.34**

**Fee Total**

**Costs Advanced:**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
08/10/20	Fee to Attorney Conference for Telephone call from Mary Burton regarding legacy	16.72
08/10/20	Fee to Attorney Conference for Telephone call with Director Barrett and D. Fairless regarding strategy for pursuing nuisance action against owner of dangerous dog	8.95
<b>Total Costs Advanced</b>		<b>\$ 25.67</b>

**Total Fees and Disbursements: \$12,109.01**



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

**Invoice 544699**

**September 2, 2020**

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

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

*Client 7406  
Matter 42*

**Statement for City Attorney Legal Services**

For Legal Services Rendered Through Monday, August 31, 2020

**\$ 105.00**

**Fee Total**

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**Total Costs Advanced**

**\$ 0.00**

**Total Fees and Disbursements: \$ 105.00**

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



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

**Invoice 544700**

**September 2, 2020**

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

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

*Client 7406  
Matter 24*

**Statement for City Attorney Legal Services**

For Legal Services Rendered Through Monday, August 31, 2020

**\$1,875.00**

**Fee Total**

**Costs Advanced:**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
08/17/20	Reproduction Charges 1 @ 0.15	0.15
08/17/20	Reproduction Charges 1 @ 0.15	0.15
<b>Total Costs Advanced</b>		<b>\$ 0.30</b>

**Total Fees and Disbursements: \$1,875.30**

*Invoices for legal services are due upon receipt. To ensure proper application of your payment,*

[Proposed 9-8-2020]

**CITY OF OAK PARK  
RESOLUTION REGARDING SECOND READING OF PROPOSED  
AMENDMENT TO SECTION 14-2, AND ADDITION OF SECTION 14-6 TO CHAPTER 14,  
ARTICLE I, 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 Tuesday, September 8, 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 add additional guidelines in Chapter 14 of the Code of Ordinances to ensure the humane treatment of dogs in the City of Oak Park by requiring adequate shelter, requiring tethers to be a minimum of 10 feet; and prohibiting unattended dogs outdoors between the hours of 12:00 am and 7 a.m., or during times when the National Weather Service has issued any weather related warning;

WHEREAS, the City of Oak Park is furthering its efforts towards the humane treatment of animals by adding Sec. 14-6, the Humane Acquisition Ordinance, providing for a broad prohibition against puppy mills and similar sales of dogs, cats, ferrets, and rabbits.

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 14-2 is hereby approved in substantially the form attached hereto.
2. The second reading of the proposed addition of Section 14-6 is hereby approved in substantially the form attached hereto.

Roll Call Vote:       Yes,  
                              No,  
                              Absent,

*RESOLUTION DECLARED ADOPTED*

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T. Edwin. Norris  
City Clerk

Dated: September 8, 2020

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

**ORDINANCE NO. O-14-**

**AN ORDINANCE TO AMEND SECTION 14-2, CHARGE OR CUSTODY OF ANIMALS, AND ADD SECTION 14-6, HUMANE ACQUISITION, OF CHAPTER 14, ARTICLE I, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.**

**ARTICLE I.- In General**

**Division 1. – Generally**

**Sec. 14-2.- Charge or custody of animals; prohibited conduct**

(a) An owner, possessor, or person having the charge or custody of an animal shall not do any of the following:

(1) Fail to provide an animal with adequate care and shelter. Shelter means adequate protection from the elements and weather conditions suitable for the age, species and physical condition of the animal so as to maintain the animal in a state of good health. Shelter for a dog shall include one or more of the following:

(i) The residence of the dog's owner or other individual.

(ii) A doghouse that is an enclosed structure with a roof of appropriate dimensions for the breed and size of the dog and large enough for a dog to stand, turn around, and lie comfortably. The doghouse shall have dry bedding when the outdoor temperature is or is predicted to drop below freezing. Housing a dog inside a garage or shed is not considered adequate shelter and is banned within the city.

(2) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked, or beaten.

(3) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport or in any other cruel and inhumane manner.

(4) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.

(5) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are temporarily vacated for the protection of human life during a disaster. An animal that is lost by an owner or custodian while traveling, walking, hiking or hunting shall not be regarded as abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

(6) Willfully or negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain.

(7) Tether a dog unless the tether meets the following requirements:

(i) The tether is at least three times the length of the dog as measured from the tip of its nose to the base of its tail, but not less than ten feet in length, and is attached to a harness or nonchoke collar designed for tethering.

(ii) The tether and collar, harness, or other type of collaring device when taken together, do not weigh more than one-eighth of the dog's body weight and do not, due to weight, inhibit the free movement of the dog;

(iii) The manner of tethering prevents injury, strangulation, or entanglement on fences, trees, or other manmade or natural obstacles or objects;

(iv) The collar, harness or any other type of collaring device being used is designed for that purpose and made from material that prevents injury to the dog.

(8) Leaving a a dog of any breed or size unattended outdoors between the hours of 12:00 a.m. and 7:00 a.m.

(9) Housing or leaving a dog of any breed or size outdoors at any time when the National Weather Service has issued any weather related warning including, but not limited to, severe weather warning, a heat advisory, wind chill warning, and winter storm warning.

(b) A person who violates subsection (a) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or community service for not more than 200 hours, or any combination of these penalties and the cost of prosecution.

## Sec. 14-6 Humane Acquisition Ordinance

### (a) For purposes of this section, the following definitions shall control:

*Animal control shelter* means a facility operated by a municipality for the impoundment and care of animals that are found in the streets or at large animals that are otherwise held due to violations of a municipal ordinance or state law, or animals that are surrendered to the animal control shelter.

*Animal Protection Shelter* means a facility operated by a person, humane society, a society for the prevention of cruelty to animals, or another nonprofit organization for the care of homeless animals.

*Cat* means an animal of the Felidae family or the order Carnivora.

*Certificate of origin* means a document declaring the source of the animal sold or transferred by the retail seller. The certificate shall include the name and premises address of the source of the animal.

*Dog* means an animal of the Canidae family of the order Carnivora.

*Existing pet store* means any pet store or pet store operator that displayed, sold, delivered, offered for sale, offered for adoption, bartered, auctioned, gave away, or otherwise transferred live animals in the City of Oak Park on the effective date of this article and complied with all applicable provisions of the Code of Ordinances, City of Oak Park.

*Ferret* means a domesticated animal of any age of the species *Mustela furo*.

*Large reptiles* mean members of the class reptilian including, but not limited to, monitor lizards, alligators, pythons, boa constrictors, venomous reptiles and constrictor snakes that grow to more than 72 inches long.

*Long-lived birds* mean any bird whose life expectancy is expected to exceed 25 years, including, but not limited to, cockatoos, macaws and amazons.

*Off-site retail sale* means the exchange of consideration for an animal, regardless of age of the animal at a location other than where the animal was bred.

*Pet store* means a place where animals are sold or offered for sale, exchanged or transferred.

*Pet store operator* means a person, sole proprietorship, limited liability company, or other corporate entity who owns or operates a pet store, or both.

*Rabbit* means a long-eared short-tailed lagomorph mammal with long hind legs of the Leporidae family.

*Retail sale* means an offer for sale, offer for adoption, barter, auction, give away, display for commercial purposes or otherwise transfer of any animal that is not bred on the premises.

*Zoological Park* means any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of non-domesticated animal operated by a person, sole proprietorship, limited liability company, or other corporate entity or government agency and certified by the Association of Zoos and Aquariums.

**(b) Prohibitions.**

1. No pet store shall offer for sale, offer for adoption trade, barter, auction, give away or otherwise transfer dogs, cats, ferrets, or rabbits.
2. No person or business entity shall offer for sale, offer for adoption trade, barter, auction, give away, or otherwise transfer dogs, cats, ferrets, or rabbits on a roadside, public right-of-way, commercial parking lot, outdoor special sale, swap meet, plea market, or other similar event.
3. No person or business entity shall hold off-site retail sales of animals at a location other than where dogs, cats, ferrets, or rabbits were bred.
4. An pet store shall not sell or transfer any live animal without providing disclosure through a certificate of origin prior to the sale or transfer.

**(c) Exceptions.** This article shall not apply to the following:

1. A person or business entity that sells, offers for sale, offers for adoption, barter, gives away, delivers or otherwise transfers or disposes of dogs, cats, ferrets, rabbits, long-lived birds, or large reptiles that were bred and reared on the premises of the person or business entity.
2. A publicly operated animal control shelter, animal protection shelter or zoological park.
3. A private, charitable, nonprofit humane society or animal rescue organization.
4. A publicly operated animal control agency, nonprofit humane society, or nonprofit animal rescue organization that operates out of or in connection with a pet store.

- (d) **Existing pet store.** An existing pet store may continue to display, offer for sale, offer for adoption, barter, auction, give away or otherwise transfer dogs, cats, ferrets, rabbits, long-lived birds, or large reptiles until January 1, 2021.
- (e) **Adoption of shelter and rescue animals.** Nothing in this article shall prevent a pet store or its owner, operator or employees from providing space and appropriate care for animals owned by an animal control shelter, animal protection shelter, nonprofit humane society, or nonprofit animal rescue agency and maintained at the pet store for the purpose of adopting those animals to the public.
- (f) **Severability.** If any section, subsection, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this article, and such holding shall not affect the validity of the remaining portions of this section.
- (g) **Enforcement.** A violation of any provision of this section by any person shall be a misdemeanor which, upon conviction, shall be punished by a fine not to exceed \$500.00 or imprisonment for a term not to exceed 90 days in jail, or both, plus costs of prosecution, and remediation, if required, for each violation.

**EFFECTIVE DATE**

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

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

\_\_\_\_\_  
**MARIAN MCCLELLAN, Mayor**

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

[Proposed 9-8-2020]

**CITY OF OAK PARK  
RESOLUTION REGARDING SECOND READING OF PROPOSED  
AMENDMENT TO SECTION 14-5, AND ADDITION OF SECTION 14-7 TO CHAPTER 14,  
ARTICLE I, 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 Tuesday, September 8, 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 prohibition against the keeping of domesticated fowl codified in Sec. 14-5 and add Sec. 14-7 to implement a pilot program allowing residents to apply for a permit to obtain a maximum of three (3) hens, with a maximum of five annual permits to be issued by the City during the pilot program on a first come, first served basis;

WHEREAS, the pilot program allowing annual a maximum of three (3) hens per R-1 zoned residential lot will be automatically repealed on August 3, 2021 unless City Council takes legislative action to amend or extend this section of the Code of Ordinances.

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 14-5 is hereby approved in substantially the form attached hereto.
2. The second reading of the proposed addition of Section 14-7 is hereby approved in substantially the form attached hereto.

Roll Call Vote:      Yes,  
                             No,  
                             Absent,

*RESOLUTION DECLARED ADOPTED*

\_\_\_\_\_  
T. Edwin Norris  
City Clerk  
Dated: September 8, 2020

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

**ORDINANCE NO. O-14-\_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 14-5, AND ADD  
SECTIONS 14-7, CHAPTER 14, ARTICLE I, DOMESTIC  
CHICKENS PILOT PROGRAM, OF THE CODE OF  
ORDINANCES, CITY OF OAK PARK.**

**ARTICLE I.- In General  
Division 1. – Generally**

**Sec. 14-5. - Keeping of animals and fowl.**

The keeping of household pets, including dogs, cats, rabbits, fish, birds, hamsters, certain reptiles, and other animals generally regarding as household pets is permitted as an accessory use in any Residential District. The keeping of animals not normally considered domesticated including, but not limited to, pigs, horses, sheep, cattle and wild, vicious, and exotic animals, is prohibited in all zoning districts, except the temporary keeping of live poultry by any lawfully established live poultry market incidental to the normal course of business, or as permitted by Sec. 14-7 of the Code of Ordinances.

**Sec. 14-7- Domestic Chickens**

(a) Definitions.

- (1). “Owner”- A person or a group of persons that owns, controls, harbors, keeps, or has a property interest in any animal.
- (2). “Person”- An individual, employee, corporation, partnership or association.
- (3). “Chickens”- Common domestic fowl (*Gallus gallus domesticus*) including all hens/ egg-laying hens.
- (4). “Rooster”- An adult male domestic chicken.

- (5). "Fowl"- A bird of any kind.
  - (6). "Backyard"- means that portion of a lot enclosed by the property's rear lot line and the side lot lines to the points where the side lot lines intersect with an imaginary line established by the rear of the single family structure and extending to the side lot lines.
- (b) Generally. Any person residing in a single-family detached dwelling on residential zoned one family dwelling district property (R-1), after obtaining an annual permit from the city, may keep, per household, not more than three hen (female) chickens for personal use only and not for any business or commercial use. Chickens may be kept as family pets or to lay eggs for personal consumption only. Slaughtering of any chickens on the property is prohibited.
- (c) Licensing and Inspections.
- (1). Completed permit applications shall be submitted to the Department of Technical and Planning along with the fee which shall be established by city council resolution. The application shall include any drawings or other information required by the department. Approved permit holders shall schedule an inspection within 30 days of permit issuance. Failure to schedule an inspection shall result in an automatic suspension of the permit. If an inspection identifies noncompliance with any of the requirements set forth in this article, the permit holder shall have 14 days after being served with written notice of non-compliance to achieve compliance with the requirements, or the department of technical and planning may revoke the permit or cite the violation as a municipal civil infraction.
  - (2). No permit shall be issued to a person unless the owners of all residentially zoned adjacent properties consent in writing to the permit

- (3). Permits shall be valid for up to one year, shall be non-transferable, site-specific and shall expire on December 31 of the next calendar year. A person who wants to continue keeping chickens must obtain a new permit prior to expiration of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements applicable at the time a person applies for a new permit.
  - (4). After an initial inspection, permitted coops shall be inspected at least one additional time during the permit term.
- (d). Notwithstanding this section, private restrictions on the use of property shall remain enforceable. Private restrictions include but are not limited to deed restrictions, leases, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restrictions is the sole responsibility of the private parties involved.
- (e). A person who keeps chickens shall comply with the following requirements:
- (1). Keep no more than three hen chickens at any time; and
  - (2). Roosters or male chickens or any other type or class of fowl or poultry are prohibited.
  - (3). Slaughtering of any chickens at the property is prohibited.
  - (4). Chickens shall be maintained in a fully enclosed structure or a fenced enclosure at all times. Fully enclosed and fenced enclosures are subject to all fence provisions and restrictions contained in Section 1703, Appendix A-Zoning, in the Oak Park Code of

Ordinances. Enclosed structures shall be constructed of permanent materials and shall be properly maintained in accordance with the International Property Maintenance Code most recently adopted by the city. Fenced enclosures may be wire mesh with openings no larger than  $\frac{1}{4}$  inch.

- (5). No enclosed structure or fenced enclosure shall be located within any front yard, side yard, and must comply with Sec. 1600.- Height, bulk, density, area, setback and lot coverage by district and Sec. 1703.- Accessory buildings and structures. An enclosed structure or fenced enclosure shall not be located closer than thirty feet to any residential structure on adjacent property.
  - (6). All structures and enclosures for the keeping of chickens shall be constructed and maintained to prevent rats, mice, or other rodents or vermin from being harbored underneath or within the walls of the structure or enclosure. A zoning or building permit will be required.
  - (7). All feed and other items associated with the keeping of chickens likely to attract rats, mice, or other rodents or vermin shall be secured and protected in sealed containers.
  - (8). Chickens shall be kept in compliance with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices for the Care of Farm Animals, as it relates to egg laying chickens, as amended, except as otherwise provided in this section.
- (f). Any violation of any of these provisions may be prosecuted as provided in Section 14-55 of the Oak Park Code of Ordinances.
- (g). Limitation on permits.

The City will limit the number of annual permits issued and outstanding to a maximum of five, and permits will be available on a first-come-first-served basis.

(h). Domestic Chicken Pilot program.

A pilot program is hereby established which shall continue for a pilot period of one year from the effective date of this section. Unless the city council takes legislative action to amend or extend this article before the end of the pilot period, the provisions of this article shall be automatically repealed on August 3, 2021.

Secs. 14-8—14-25. - Reserved.

#### **EFFECTIVE DATE**

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

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

\_\_\_\_\_  
**MARIAN MCCLELLAN, Mayor**

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

[Proposed 9-8-2020]

**CITY OF OAK PARK  
RESOLUTION REGARDING SECOND READING OF PROPOSED  
AMENDMENTS TO SECTIONS 14-26 AND 14-29, AND THE ADDITION OF SECTIONS 14-33  
AND 14-34 TO CHAPTER 14, ARTICLE II, 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 Tuesday, September 8, 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 amend sections 14-26 and 14-29, while adding sections 14-33, and 14-34 to remove ambiguity in the ordinance concerning the adjudication of dangerous dogs, and ensure consistency with changes to state law requiring a Judge to make a determination following a hearing that a dog is dangerous as codified in MCL 287.321 et seq.

WHEREAS, the proposed additions and revisions to Chapter 14 of the Code of Ordinances conform to state law by incorporating a procedure for the adjudication of dangerous dogs whereby a Judge may order the removal of a dangerous dog, in addition to considering other mitigation options such as escape proof fencing, insurance requirements, and any other action appropriate to protect the public under the circumstances.

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 amendments to Sections 14-26 and 14-29 are hereby approved in substantially the form attached hereto.
2. The second reading of the proposed additions of Sections 14-33 and 14-34 are hereby approved in substantially the form attached hereto.

Roll Call Vote:      Yes,  
                             No,  
                             Absent,

*RESOLUTION DECLARED ADOPTED*

---

T. Edwin. Norris  
City Clerk

Dated: September 8, 2020

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

**ORDINANCE NO. O-14-**

**AN ORDINANCE TO AMEND SECTION 14-26 AND SECTION 14-29, AND ADD SECTIONS 14-33 AND 14-34, CHAPTER 14, ARTICLE II, DANGEROUS ANIMALS, OF THE CODE OF ORDINANCES, CITY OF OAK PARK.**

**ARTICLE II.- Dogs and Cats**

**Sec. 14-26. - Definitions.**

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

- (1) Dangerous dog shall mean and include: (a) any dog that bites or attacks a person or domestic animal without provocation; (b) any dog that bites or attacks and causes serious injury or death to another domestic animal while the domestic animal is on the property or under the control of its owner, (c) any dog with a known propensity, tendency, or disposition to attack or to otherwise endanger the safety of people or other domestic animals; or (d) any dog deemed a dangerous dog by a court of law. An animal shall not be considered dangerous solely because it has bitten or attacked a person or any animal attacking its owner or its owner's family nor shall an animal be considered dangerous if it bites or injures a person who has, without justification, provoked it or its young, or a person who is trespassing on the property of the dog's owner.
- (2) Foster dog. A dog that has come from an organization such as an animal shelter, humane society, animal protection shelter or other such facility for the purpose of being temporarily housed in a residence or dwelling unit until a permanent placement can be found for a period not to exceed one hundred eighty (180) days.
- (3) Noise nuisance. Barking, howling, meowing, squawking or making other sounds, frequently or for a continued duration, which annoys,

endangers, injures or disturbs a person of normal sensitivities on premises other than that occupied by the owner of the animal. After 10:00 p.m. and before 7:00 a.m., animal noises audible beyond the property line of the property where the animal is located are presumed to be an annoyance and disturbance and are presumed to constitute a nuisance.

- (4) *Owner* means every person, firm or corporation having a right of property in a dog or cat, and anyone who keeps, harbors or has such dog or cat in their care, and anyone who permits such dog or cat to remain on or about any premises occupied by them for a period of five (5) days or more.
- (5) *Provoke and Provocation* means to perform a willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an ordinary dog or other animal.
- (6) *Reasonable control* means keeping a dog on a suitable leash and keeping a cat on a suitable leash or harness while off the premises of the owner or custodian, unless the dog or cat is confined in a closed vehicle or shipping receptacle.
- (7) *Running at Large* shall mean and include: permitting any dog to leave the premises of its owner without being on a leash and under the control of a person physically able to control the dog or any dog on private property not enclosed, restrained, or kept in such a manner so as to prevent such dog from entering upon a street, public place or premises of another.
- (8) *Sanitation nuisance* means unsanitary conditions resulting from animal droppings, food waste, debris, or any other thing to cause vermin infestation, odors, or disease hazards.
- (9) *Serious injury* shall mean and include any physical injury that results in broken bones or lacerations that require sutures, cosmetic surgery, or other medical care and treatment.
- (10) *Vicious animal* means an animal which meets any of the following criteria:

- a. Has killed a person or caused a person serious bodily injury, including, but not limited to, injuries resulting in hospital confinement or reconstructive surgery.
- b. Is owned, possessed, harbored or trained for the purpose of animal fighting.
- c. Repeatedly bites or in any way injures people.

**Sec. 14-29. - Offenses.**

The owner of any dog or other animal shall be guilty of a violation of this Chapter if the owner does any of the following:

- (1). Harbors and/or owns a vicious or dangerous dog as defined within this Article.
- (2). Permits a dog to run at large as defined within this Article.
- (3) Harbors or keeps any dog that is not licensed pursuant to the requirements of this Chapter.
- (4) The dog is at any time not under reasonable control.
- (5) The animal causes a sanitation nuisance.
- (6) The dog (except for leader dogs for the blind) discharges its feces on property other than that of its owners and the owner does not immediately remove such feces.
- (7) The animal is vicious.
- (8). The dog is at a location other than as specified in a confinement order issued pursuant to this Chapter.
- (9) The animal has symptoms of rabies or has bitten or been bitten by another animal showing symptoms of rabies and the owner fails to notify an Animal Control Officer of that fact.
- (10) The owner fails to comply with all of the terms of a confinement order.
- (11) The owner fails to provide the animal with proper food, drink, or shelter from the weather.
- (12) The owner fails to provide the animal with medical attention necessary to prevent the animal from suffering.

Unless otherwise provided in MCL 287.323, a person who violates this Article is guilty of a civil infraction punishable by a fine of not more than \$500.00, or imprisonment for not more than 30 days, and costs of

prosecution, plus any cost to abate, or by both such fine, costs and imprisonment in the discretion of the court.

**Sec. 14-33- Judicial Proceedings regarding dangerous dogs.**

- (a) Upon a sworn complaint that a dog is a dangerous animal and the dog has caused serious injury or death to a person or has caused serious injury or death to a domestic animal, a district court magistrate, district court, or other municipal court shall issue a summons to the owner ordering him or her to appear to show cause why the animal should not be destroyed.
- (b) Upon the filing of a sworn complaint as provided in section (a), the court or magistrate shall order the owner to immediately turn the dog over to a proper animal control authority, an incorporated humane society, a licensed veterinarian, or a boarding kennel, at the owner's option, to be retained by them until a hearing is held under this section of the complaint and order. The expense of the boarding and retention of the dog is to be borne solely by the owner. The dog shall not be returned to the owner until it has a current rabies vaccination and a license as required by law.
- (c) After a hearing, the magistrate or court shall order the destruction of the dog, at the expense of the owner, if the dog is found to be a dangerous dog that caused serious injury or death to a person or a domestic animal. After a hearing, the court may order the destruction of the dog, at the expense of the owner, if the court finds that the dog is a dangerous dog that did not cause serious injury or death to a person but is likely in the future to cause serious injury or death to a person or in the past has been adjudicated to be a dangerous dog.
- (d) If the court or magistrate finds that a dog is a dangerous animal but has not caused serious injury or death to a person, the court or magistrate shall notify the animal control authority for the county in which the complaint was filed of the finding of the court, the name of the owner of the dangerous dog, and the address at which the dog is kept at the time of the finding of the court. In

addition, the court or magistrate shall order the owner of that dog to do one or more of the following:

1. If the dog that has been found to be a dangerous dog is of the *canis familiaris* species, have an identification number tattooed upon the dog at the owner's expense, by or under the supervision of a licensed veterinarian. The identification number shall be assigned to the dog by the Michigan Department of Agriculture and shall be noted in its records pursuant to Act No. 309 of the Public Acts of 1939, being sections 287.301 to 287.308 of the Michigan Compiled Laws. The identification number shall be tattooed on the upper inner left rear thigh of the dog by the means of indelible or permanent ink.
2. Take specific steps, such as escape proof fencing or enclosure, including a top or roof, to ensure that the dog cannot escape or unauthorized individuals cannot enter the premises.
3. Have the dog sterilized.
4. Obtain and maintain liability insurance coverage sufficient to protect the public from any damage or harm caused by the dog.
5. Take any other action appropriate to protect the public.

**14-34.- Ordinance Supplementary to state law.**

It is not the intention that this article supersede the provisions of Public Act No. 339 of 1919 (MCL 287.261 et seq.), but shall be construed to be supplementary thereto.

**Secs. 14-35—14-45. - Reserved.**

**EFFECTIVE DATE**

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

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

\_\_\_\_\_  
**MARIAN MCCLELLAN, Mayor**

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

[Proposed 9-8-2020]

**CITY OF OAK PARK  
RESOLUTION REGARDING SECOND READING OF PROPOSED  
AMENDMENT TO SECTION 14-49 TO CHAPTER 14 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 Tuesday, September 8, 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 amend section 14-49 of Chapter 14 of the Code of Ordinances to provide for a waiver of animal licensing fees for guide or leader dogs; dogs used by public law enforcement agencies; and temporary fosters for a period not to exceed 180 days.

WHEREAS, at the time of the first reading on September 17, 2020, Council requested a further revision to Sec. 14-49(a)(4) to allow a waiver of licensing fees for temporary foster cats, in addition to dogs, for a period not to exceed 180 days.

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 14-49 is hereby approved in substantially the form attached hereto.

Roll Call Vote:      Yes,  
                              No,  
                              Absent,

*RESOLUTION DECLARED ADOPTED*

---

Edwin T. Norris

City Clerk

Dated: September 8, 2020

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

**ORDINANCE NO. O-14-\_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 14-49, FEES,  
CHAPTER 14, ARTICLE II, DIVISION 2, LICENSE, OF THE  
CODE OF ORDINANCES, CITY OF OAK PARK.**

**ARTICLE II.- Dogs and Cats  
DIVISION 2. - LICENSE**

**Sec. 14-49. - Fees.** The fees which shall be charged and collected for licenses required by the provisions of this article shall be as determined by the city council by resolution.

(a) A dog or cat is not subject to any fee for licensing if any of the following apply:

1. The dog is used as a guide or leader dog for a blind person, a hearing dog for a deaf or audibly impaired person, or a service dog for a physically limited person.
2. The dog is owned by a partnership, corporation, or other legal entity who trains dogs for use as a guide or leader dog for blind persons, hearing dogs for deaf or audibly impaired persons, or service dogs for physically limited persons.
3. The dog is owned and/or used by a law enforcement officer to carry out the law enforcement officer's official duties.
4. Any foster dog or cat for a period not to exceed 180 days.

(b) Any dog or cat that meets the above criteria shall be counted against the maximum of three (3) animals permitted per section Sec. 14-54. - Kennel licenses

(c) As used in this section:

1. Audibly means audibly impaired as defined in section 1 of Public Acts No. 82 of 1982 (MCL 752.61).
2. Blind person means a blind person as defined in section 1 of Public Act No. 260 of 1978 (MCL 393.351).
3. Deaf person means a deaf person as defined in section 1 of Public Act No. 82 of 1971 (MCL 752.61).
4. Person with disabilities means a person who is audibly impaired, blind, deaf, or otherwise physically limited.

**EFFECTIVE DATE**

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

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

\_\_\_\_\_  
**MARIAN MCCLELLAN, Mayor**

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

[Proposed 9-8-2020]

**CITY OF OAK PARK  
RESOLUTION REGARDING SECOND READING OF PROPOSED  
AMENDMENT TO SECTION 14-54, AND ADDITION OF SECTION 14-55 TO CHAPTER 14,  
ARTICLE II, 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 Tuesday, September 8, 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 amend Sec. 14-54 of Chapter 14 of the Code of Ordinances to correct ambiguities in the ordinance and ensure consistency with state law limiting residents to three dogs or three cats, or any combination thereof at one premises. State law, MCL 287.270, requires a kennel license to maintain more than three dogs at a single residential home;

WHEREAS, the City of Oak Park desires to add Sec. 14-55 to Chapter 14 of the Code of Ordinances to provide for a uniform enforcement mechanism for all alleged violations of this Chapter.

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 14-54 is hereby approved in substantially the form attached hereto.
2. The second reading of the proposed addition of Section 14-55 is hereby approved in substantially the form attached hereto.

Roll Call Vote:      Yes,  
                             No,  
                             Absent,

*RESOLUTION DECLARED ADOPTED*

---

T. Edwin Norris  
City Clerk

Dated: September 8, 2020

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

**ORDINANCE NO. O-14-\_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 14-54, KENNEL  
LICENSES, AND ADD SECTION 14-55, VIOLATIONS,  
CHAPTER 14, ARTICLE II, DIVISION 2, LICENSE, OF THE  
CODE OF ORDINANCES, CITY OF OAK PARK.**

**ARTICLE II.- Dogs and Cats  
DIVISION 2. - LICENSE**

**Sec. 14-54. - Kennel licenses.**

No person shall keep more than three dogs or three cats, or any combination thereof of six months of age or over without first obtaining a kennel license from the county Treasurer as provided in 1972 PA 349, as amended, being MCL 287.270, provided that any person who runs a lawfully established dog kennel, licensed by the county Treasurer, need not apply for individual dog licenses under this article. For purposes of this section, where more than one (1) owner or person shall reside at any one (1) address or premises, it shall be lawful for such owners or persons to have more than three dogs or three cats, or any combination thereof six months of age or over at any such address or premises.

The keeping of more than three (3) dogs on one premises shall be deemed to be a kennel and must follow the regulations set forth in Article 5, Division 3 Special Land Use.

**Sec. 14-55.- Violations**

Unless stated otherwise within a section, violation of any provision of this chapter shall be a civil infraction punishable by a fine of not more than \$500.00, or imprisonment for not more than 30 days, or by both such fine and imprisonment, plus costs of prosecution and remediation, if applicable. For convenience of the public and economic in enforcement, public safety is hereby authorized to issue violation tickets to offenders hereunder. The form of such tickets shall be approved by the district judge and the chief of public safety. On the basis of the issued violation ticket, a

complaint shall be filed and the alleged violator shall be duly tried therein in the District Court.

**EFFECTIVE DATE**

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

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

\_\_\_\_\_  
**MARIAN MCCLELLAN, Mayor**

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

\_\_\_\_\_  
**T. EDWIN NORRIS, City Clerk**

**A RESOLUTION ADOPTING THE 2021 REGULAR MEETING  
SCHEDULE OF THE OAK PARK CITY COUNCIL**

WHEREAS, the **Home Rule Charter for the City of Oak Park, Michigan** in **Chapter 7** captioned **The Council: Procedure and Miscellaneous Powers and Duties** in **Section 7.1** entitled **Regular meetings**, specifies that the council shall provide by resolution for the time and place of its regular meetings and shall hold at least two regular meetings each month.

WHEREAS, the City of Oak Park City Council Rules of Procedure, in Section 2 captioned City Council Meetings, Subsection A entitled Regular Meetings specifies that the Regular meetings of the City Council will be held on the first and third Mondays of each month, unless that day is a holiday or holiday eve.

WHEREAS, the City of Oak Park City Council Rules of Procedure, in Section 2 captioned City Council Meetings, Subsection A entitled Regular Meetings further specifies that before the end of the year, the Council will approve by resolution the Regular meeting schedule for the following calendar year, including exceptions to the first and third Monday meetings.

WHEREAS, the **Michigan “Open Meetings Act” (MCL 15.261 et. seq.)** in **Section 5, Subsection (2)** provides that for regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year a public notice stating the dates, times, and places of its regular meetings.

NOW, THEREFORE, BE IT RESOLVED that the regular meetings of the Oak Park City Council for calendar year 2021 shall be held in the Council Chambers at the Oak Park City Hall, 14000 Oak Park Boulevard, Oak Park, Michigan, telephone number (248) 691-7544, at 7:00 P.M. on the following dates:

**January 4 and 19** (On Monday, January 18, 2021 City Offices are closed in observance of Martin Luther King Jr. Day)  
**February 1 and 15**  
**March 1 and 15**  
**April 5 and 19**  
**May 3 and 19** (Religious Holiday on Monday May 17, 2021)  
**June 7 and 21**  
**July 6** (On Monday, July 5, 2021 City Offices are closed in observance of the 4<sup>th</sup> of July)  
**July 19**  
**August 2 and 16**  
**September 7** (On Monday, September 6, 2021 City Offices are closed in observance of Labor Day) **and 20**  
**October 4 and 18**  
**November 1**  
**November 8** (Organizational Meeting)  
**November 15**  
**December 6 and 20**

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to give public notice of the forgoing regular dates and times for City Council meetings and the place at which meetings are to be held consistent with the requirements of **Section 5, Subsection (2)** of the **“Open Meetings Act”**.

I hereby certify that the forgoing constitutes a true and complete copy of a resolution adopted by the City Council of the City of Oak Park, County of Oakland, State of Michigan, at a regular meeting held on September 8, 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the **Open Meetings Act, being Act 267 of the Public Acts of 1976**, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

---

T. Edwin Norris, City Clerk



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

**AGENDA OF:** September 8, 2020

**AGENDA #**

**SUBJECT:** Proposed adjustment request from OHM Advisors for additional time spent for the Bridge Enhancement Project and payment request for Engineering Consulting Services.

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

**SUMMARY:** Attached is a request from OHM Advisors for additional compensation for the Bridge Enhancement Project. The request is based on the days spent on inspection. Our original contract called out 4 weeks (24 inspection days). The contractor bid the project indicating they needed 34 days to construct the project. They actually spent 42.25 days working on the project. We deducted the amount from the construction contract as well as liquidated damages for the time spent beyond the contract schedule (\$27,920 deduction). OHM is requesting they be compensated for the 42.25 days they were actually on site, which amounts to \$17,520. This amount is included in the invoices from OHM Advisors for the projects as listed below:

Project	This Period	Prior Billings	To Date	Current Contract	Account Number
Bridge Enhancements	\$17,520.00	\$90,699.75	\$108,219.75	\$90,700.00	202-18-479-801
Safe Routes to School Preliminary Eng.	\$160.00	\$78,836.75	\$78,996.75	\$79,000.00	202-18-479-970
<b>Totals</b>	<b>\$17,680.00</b>	<b>\$169,536.50</b>	<b>\$186,919.50</b>	<b>\$169,700.00</b>	

**RECOMMENDED ACTION:** It is recommended that the proposed adjustment request from OHM Advisors be approved in the amount of \$17,520. It is further recommended that the invoices from OHM Advisors for the above listed projects be approved for the total amount of \$17,680.00. Funding is available in the above listed account.

**APPROVALS:**

City Manager: \_\_\_\_\_ *ET* \_\_\_\_\_ Department Director: \_\_\_\_\_ *KJY* \_\_\_\_\_

Finance Director: \_\_\_\_\_ *SC* \_\_\_\_\_ City Attorney: \_\_\_\_\_ *N/A* \_\_\_\_\_

Budgeted

**EXHIBITS:** Invoices



## memorandum

**Date:** August 21, 2020

**To:** Kevin J. Yee, P.E.  
Assistant City Manager  
City of Oak Park

**cc:**

**From:** James C. Stevens, P.E.

**Re:** Coolidge Bridge Enhancements  
Construction Observation Days

At your request, we are providing this memorandum to reconcile the Construction Observation Days on the above-mentioned project.

At the start of the project, our office was requested to include both a design and construction services budget. Our professional services agreement included construction observation for a construction duration of 4 weeks or 24 crew days (6 working days \* 4 weeks). At \$960 per day, a total budget of \$23,040.

The awarded contractor bid 34 crew days at \$960.00 per day for a total construction observation budget of \$32,640.

The contractor used 42.25 crew days to complete the project for a total amount of \$40,560.

A change order was executed by the Contractor and the City deducting 8.25 days (42.25 - 34) at \$960.00 per day for a deduction of \$7,920 in the amount due to the Contractor.

The attached invoice reflects the final reconciled amount of crew days included in our original agreement vs the actual amount used by the contractor. The invoice amount of \$17,520 is the difference between the \$40,560 actual used - \$23,040 previously included.

Said amount has been reconciled between the City and the Contractor.

Please feel free to call with any questions.

---

**OHM Advisors**

2365 PONTIAC RD, SUITE 201  
AUBURN HILLS, MICHIGAN 48326

T 248.751.3100  
F 248.257.4201

[OHM-Advisors.com](http://OHM-Advisors.com)



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**10600 Capital Ave.**  
**Oak Park, MI 48237**

**Invoice Date:** 07/23/2020  
**Invoice #:** 325888  
**Project:** 0037-16-0021

**Project Name:** Bridge Enhancements

---

**For Professional Services Rendered through:** 7/11/2020

TASK 1: Bridge Construction Documents & Bid Materials	0.00
TASK 2: Bidding & CA/CE	17,520.00
TASK 3: Water Tower Branding	0.00
TASK 4: Redesign	0.00
	<hr/>
<b>Amount Due This Invoice **</b>	<b>17,520.00</b>

---

<b>REVIEW DATE:</b>	_____
<b>ACCOUNT NUMBER:</b>	_____
<b>APPROVED:</b>	_____
<b>FOR PAYMENT</b>	_____

**REMIT TO:**

**OHM Advisors**  
34000 PLYMOUTH RD  
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711  
F 734.522.6427

OHM-Advisors.com



CITY OF OAK PARK  
Attn: Kevin Yee, City Engineer  
10600 Capital Ave.  
Oak Park, MI 48237

Invoice Date: 07/23/2020  
Invoice #: 325888  
Project: 0037-16-0021

---

**TASK 2: Bidding & CA/CE**

**Fixed Rates Labor**

<i>Classification</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Technician III	146.00	120.0000	17,520.00
<b>Total TASK 2: Bidding &amp; CA/CE</b>			<b>17,520.00</b>

---

**Total Project: 0037160021 - Bridge Enhancements** **17,520.00**

**REMIT TO:**

**OHM Advisors**

34000 PLYMOUTH RD  
LIVONIA, MICHIGAN 48150-1512

T 734.522.6711  
F 734.522.6427

OHM-Advisors.com



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**10600 Capital Ave.**  
**Oak Park, MI 48237**

**Invoice Date:** 05/28/2020  
**Invoice #:** 214496  
**Project:** 0037-19-0022

**Project Name:** Safe Routes to School - Design

**For Professional Services Rendered through: 5/16/2020**

<i>Description</i>	<i>Fee</i>	<i>Prior Billed</i>	<i>Total Available</i>	<i>Current Billing</i>
Survey	19,210.75	19,047.50	163.25	160.00
Cadd	13,212.25	13,212.25	0.00	0.00
Transportation	33,544.50	33,544.50	0.00	10,908.75
Municipal	12,482.50	12,482.50	0.00	65.00
Subconsultant	550.00	550.00	0.00	0.00
Contract Overage	0.00	0.00	0.00	-10,973.75
Invoice subtotal				11,133.75
Invoice adjustment				-10,973.75
<b>Amount Due This Invoice **</b>	<b>79,000.00</b>	<b>78,836.75</b>	<b>163.25</b>	<b>160.00</b>

**REMIT TO:**

**OHM Advisors**  
 34000 PLYMOUTH RD  
 LIVONIA, MICHIGAN 48150-1512

T 734.522.6711  
 F 734.522.6427

OHM-Advisors.com



**CITY OF OAK PARK**  
**Attn: Kevin Yee, City Engineer**  
**10600 Capital Ave.**  
**Oak Park, MI 48237**

**Invoice Date:** 05/28/2020  
**Invoice #:** 214496  
**Project:** 0037-19-0022

<b>Survey</b>			
<b>Fixed Rates Labor</b>			
<i>Classification / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Professional Surveyor III ANDREW W. SCHRIPSEMA	1.00	160.0000	160.00
<b>Total Survey</b>			<b>160.00</b>
<b>Transportation</b>			
<b>Fixed Rates Labor</b>			
<i>Classification / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Graduate Engineer II LUCAS MANHICE	30.00	130.0000	3,900.00
Professional Engineer/Architect II RANDALL WILSON	2.00	150.0000	300.00
Sr. Associate MARK R. LOCH	22.50	195.0000	4,387.50
Technician III ANDREW SHERWOOD	18.50	120.0000	2,220.00
Technician IV JEREMY MARCERO	0.75	135.0000	101.25
<b>Fixed Rates Labor subtotal</b>			<b>10,908.75</b>
<b>Total Transportation</b>			<b>10,908.75</b>
<b>Municipal</b>			
<b>Fixed Rates Labor</b>			
<i>Classification / Employee Name</i>	<i>Hours</i>	<i>Rate</i>	<i>Amount</i>
Project Specialist I JOHN DESLIPPE	0.50	130.0000	65.00
<b>Total Municipal</b>			<b>65.00</b>
<b>Total Project: 0037190022 - Safe Routes to School - Design</b>			<b>11,133.75</b>

**REMIT TO:**

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

**AGENDA OF:** September 8, 2020

**AGENDA #**

**SUBJECT:** Request authorization to participate in the Omnia Partners (formerly US Communities) pre-bid contract for the purchase of solid waste carts as well as communications through the Rehrig Pacific Company.

**DEPARTMENT:** Public Works - *KJY*

**SUMMARY:** The Public Works Department is requesting authorization to participate in the Omnia Partners pre-bid contract for the purchase of solid waste carts as well as communications through the Rehrig Pacific Company. Rehrig will provide communications, via postcard, to all single family homes providing a choice of either a 95 gallon cart, 65 gallon cart, or no cart. A website will also be provided for residents to choose their cart size.

**FINANCIAL STATEMENT:** This project is budgeted in the FY 20/21 Solid Waste fund (226-18-528-956). Pricing for this project is as follows:

- Solid Waste Carts: \$498,000.00
- Communications: \$14,325.00

Due to the size option with the carts, this project is recommended to be awarded at a not to exceed amount of \$512,325.00. There is \$600,000 budgeted for this expenditure.

**RECOMMENDED ACTION:** It is recommended that City Council authorize the Public Works Department to participate in the Omnia Partners pre-bid contract for the purchase of solid waste carts and communications through the Rehrig Pacific Company for the not to exceed amount of \$512,325.00. Funding is available in the Solid Waste Fund 226-18-528-956.

**APPROVALS:**

City Manager: \_\_\_\_\_ *ET*

Director of Public Works: \_\_\_\_\_ *KJY*

Director of Finance: \_\_\_\_\_ *SC*

Budgeted:

Legal: \_\_\_\_\_

**EXHIBITS:** None



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

**AGENDA OF:** September 8, 2020

**SUBJECT:** Business Showcase at the Farmers Market

**DEPARTMENT:** Economic Development & Recreation

**SUMMARY:**

The Recreation Department created a special event for the upcoming September 23<sup>rd</sup> Farmers Market to assist our local businesses as they recover. The first Business Showcase at the Farmers Market will be limited to the first 12-15 businesses that apply. We will be promoting this event to all businesses with a physical location in our commercial districts. There is no cost to attend and we encourage the businesses to apply early and our residents to attend this special event.

**FINANCIAL STATEMENT:** N/A

**RECOMMENDED ACTION:** No action necessary.

**APPROVALS:**

City Manager: \_\_\_\_\_ *ET* \_\_\_\_\_

Department Director: \_\_\_\_\_ *KM* \_\_\_\_\_

Director of Finance: \_\_\_\_\_

Budgeted:

Legal: \_\_\_\_\_

**EXHIBITS:**