

A special meeting of the Royal Oak City Commission was held on Monday, July 11, 2016, in room 309 of city hall, 211 Williams, Royal Oak. The meeting was called to order by Mayor Ellison at 6:30 p.m. Present were Mayor Ellison, Mayor Pro Tem Fournier, Commissioner Douglas, Commissioner Mahrle, Commissioner Paruch and Commissioner Poulton. Also present were City Manager Johnson, Interim City Attorney Liss and City Clerk Halas.

Adjourned to Closed Session

Moved by Commissioner Mahrle  
Seconded by Commissioner Paruch

BE IT RESOLVED that the city commission hereby adjourns to closed session for purposes of attorney/client privilege and collective bargaining.

ROLL CALL VOTE

AYES: Mayor Pro Tem Fournier, Commissioners Paruch, Poulton, Douglas, Mahrle and Mayor Ellison

ABSENT: Commissioner DuBuc

MOTION ADOPTED

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A regular meeting of the Royal Oak City Commission was held on Monday, July 11, 2016, in the city hall, 211 Williams, Royal Oak. The meeting was called to order by Mayor Ellison at 7:33 p.m.

Commissioner Poulton gave the Invocation. Everyone present gave the pledge of allegiance.

ROLL CALL	PRESENT	ABSENT
Mayor	Ellison	
Mayor Pro Tem	Fournier	
Commissioners	Douglas	DuBuc
	Mahrle	
	Paruch	
	Poulton	

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#### **PUBLIC COMMENT**

Mr. Dan Cassidy, 1127 N. Altadena, confirmed that he didn't want historic designation for his home and requested that it be removed from the ordinance, which was item 7G on the consent agenda.

Ms. Ruth Cleaveland, 402 N. Troy, thanked Commissioner Paruch for recommending Maggie from the animal shelter many years ago. She recently passed away, but she wanted to thank her.

Mr. Ron Wolfe, 333 N. Troy, wanted the restaurant association or the DDA to pay for printing discount cards for seniors. He wanted a downtown city park but didn't think they'd get one. He encouraged people to vote against the public safety millage renewal.

Ms. Mitzi Hoffman, 2236 Cummings, represented the library board of trustees. She gave an update on upcoming events. They're also listed on the website at [www.ropl.org](http://www.ropl.org).

Ms. Rachel Lombardo read a statement from Representative Townsend regarding SB577.

Ms. Alice Reed, Royal Oak Manor, would like to see the police create a department whose purpose was to visit schools and teach kids what to do when stopped by an officer. They should also have an anonymous line to report bullying. She showed a display of changes she would like to see at Wagner Park.

Mr. Scott Hill, 1224 S. Main, distributed a diagram of possible changes to his business that he asked the commission to look at regarding parking in front of his building.

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### APPROVAL OF AGENDA

Item 6 was removed from the agenda, items 15 Ratification of Agreement with SEIU and 16 Discussion Main Floor Covering were added to the agenda.

Moved by Commissioner Douglas  
Seconded by Commissioner Paruch

BE IT RESOLVED that the city commission hereby approves the agenda for the July 11, 2016 meeting as amended.

AYES: Commissioners Douglas, Poulton, Mayor Pro Tem Fournier and Mayor Ellison

NAYS: Commissioners Mahrle and Paruch

MOTION ADOPTED

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### CONSENT AGENDA

Moved by Commissioner Douglas  
Seconded by Commissioner Mahrle

BE IT RESOLVED that the city commission hereby approves the consent agenda as follows:

- A. BE IT RESOLVED that the city commission minutes of June 13, 2016 are hereby approved.
- B. BE IT RESOLVED that the claims of June 27, July 5 and 8, 2016 audited by the department of finance are hereby approved.
- C. Be it resolved, the city commission approves the following requisitions/purchase orders for fiscal year 2016-17:

Requisition #	R004285
Vendor:	Hallahan & Associates PC
Requesting approval for:	\$65,000
Price Source:	preferred vendor based on expertise
Budgeted:	\$65,000
Department / Fund:	assessor/general
Description:	assessing legal work contracted services

Requisition #	R004286
Vendor:	IDS.com

Requesting approval for: \$12,000  
Price Source: quote  
Budgeted: \$12,000  
Department / Fund: assessors/general  
Description: postage

Requisition # R004287  
Vendor: Dell Service Sales  
Requesting approval for: \$31,130  
Price Source: bid by another entity/cooperative purchase  
Budgeted: \$31,130  
Department / Fund: info systems, police/public safety, elections  
Description: new computers, police laptops, election laptops

Requisition # R004290  
Vendor: BS&A Software  
Requesting approval for: \$84,100  
Price Source: in a multiyear contract  
Budgeted: \$84,100  
Department / Fund: info systems  
Description: BS&A software licensing and support maintenance for sixteen modules and one upgrade (business license)

Requisition # R004289  
Vendor: Kerr Russel  
Requesting approval for: \$15,000  
Price Source: preferred vendor  
Budgeted: \$15,000  
Department / Fund: attorney/general  
Description: legal services – development related

Requisition # R004291  
Vendor: Rehmann  
Requesting approval for: \$54,000  
Price Source: in a multiyear contract  
Budgeted: \$54,000  
Department / Fund: general fund/administration fees  
Description: 2016 audit services and GASB 67 reporting

D. Be it resolved, the city commission declares the above property surplus and authorizes the disposal of those items by auction. Any net proceeds from the sale of items listed under “general” will be deposited into the general miscellaneous revenue account 101.000.67100. Any net proceeds from the sale of items listed under “motor pool” will be deposited into the motor pool fund gain on sale of fix assets account 661.000.69301 or miscellaneous revenue account 661.000.67100.

E. Be it Resolved, The Royal Oak City Commission agrees to be a sub-recipient of the 2016 Medical Marihuana Operation and Oversight Grant and authorizes the mayor to sign the sub-recipient agreement with Oakland County.

F. Be it resolved, the city commission hereby approves the filling of the full-time geographical information system (GIS) coordinator position in the information technology department.

G. Whereas, the Royal Oak Historic District Study Committee has completed its study of the proposed L.A. Young Historic District; and

Whereas, the Royal Oak Historic District Study has determined that the buildings within the proposed historic district merit preservation and restoration; and

Whereas, based on a thorough review of the Royal Oak Historic District Study Committee's report, public comments and statements of interested parties, the Royal Oak City Commission determines that the properties described are eligible for local historic designation under the guidelines established by Chapter 82, Article I of the City of Royal Oak Code of Ordinances, the Historic District Study Committee Ordinance; and

Whereas, the city commission approved the ordinance amendment on first reading at their meeting on June 27, 2016;

Whereas, since the first reading the homes at 1045, 1106 and 1127 North Altadena Avenue have been removed from the proposed district at the request of their current owners, the L. A. Young Historic District will be comprised of eleven (11) homes on North Altadena Avenue;

Now therefore be it resolved, the L.A. Young Historic District Ordinance (Exhibit A) is approved on second reading and the ordinance will take effect in ten-days from the date of this second reading.

H. Whereas, the City of Royal Oak acknowledges that emergencies requiring a large number of trained public safety personnel and specialized emergency equipment sometimes exceed the ability of any community to cope effectively with them; and

Whereas, the Mutual Police Assistance Agreements Act, 1967 PA 236, MCL 123.811, et. seq., as amended, the Urban Cooperation Act, 1967 PA 7 (Ex Sess), MCL 124.501 et seq., as amended, and the Intergovernmental Contracts between Municipal Corporations Act, 1951 PA 35, MCL 124.1 et seq., as amended, provide that communities may enter into agreements to provide mutual police assistance to each other in case of emergencies, and for certain standards to be included in such agreements; and

Whereas, the Oakland County Association of Chiefs of Police wishes to replace the Oakland County Law Enforcement Mutual Aid Agreement dated June 1988, and make the benefits of such an agreement available to all Oakland County communities, including local community colleges and public universities that have a campus and public safety department in Oakland County; and

Whereas, the Oakland County Association of Chiefs of Police has adopted the Oakland County Law Enforcement Mutual Aid Agreement dated May 11, 2016, and recommends that all Oakland County communities agree to participate therein.

Be it resolved, the City of Royal Oak hereby agrees to participate in the Oakland County Law Enforcement Mutual Aid Agreement dated May 11, 2016, and to give effect to its provisions to the best of its ability. An original of this resolution shall be sent to the president of the association.

I. Be it resolved, the city commission approves a one-year extension of the current agreement with Suburban Sports Enterprises.

J. Be it resolved, the city commission hereby approves the attached license agreement with Le Crêpe at 317 South Washington Avenue permitting an encroachment into the public right-of-way of South Washington Avenue for purposes of an outdoor seating area; and

Be it further resolved, the mayor and city clerk are authorized to execute said license agreement when prepared.

- K. Be it resolved, the city commission hereby adopts the ordinance repealing and amending portions of the Property Maintenance Ordinance at Chapter 556, in order to encourage and set rules for the use of alternative landscaping options that support the use of native plants on second reading.

#### ORDINANCE 2016-07

#### THE CITY OF ROYAL OAK ORDAINS:

Section 1. STATEMENT OF PURPOSE. An ordinance repealing and amending portions of the Property Maintenance Ordinance at Chapter 556, in order to encourage and set rules for the use of alternative landscaping options that support the use of native plants.

Section 2. AMENDMENT. Chapter 556 of the Code of the City of Royal Oak, Property Maintenance, Section 556-4, Additional amendments to standards, is amended to add:

R. Section 302.4 of the International Property Code is repealed in its entirety and amended to read as follows:

302.4 All premises and exterior property shall be maintained free from plant growth in excess of eight inches; excluding trees, shrubs, cultivated flowers, gardens and planned natural landscaping.

302.4.1 Upon failure of the owner or agent having charge of a property to maintain it in compliance with Section 302.4 and after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, and duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and bring the property in compliance with Section 302.4, and the costs shall be paid by the owner or agent for the property.

302.4.2 "Native plants" are those plants identified as native plant species in southern lower Michigan by Michigan State University Native Plants and Ecosystem Services, a copy of which shall be maintained at the city.

302.4.3 "Planned natural landscaping" is a planned, intentional and maintained landscaping or cultivation, of native plants, ornamental grasses and groundcovers, rain gardens, shrubs and trees. Non-native plants and invasive species of plants are prohibited. Planned natural landscaping is not intended to allow a property owner to ignore lawn care duties.

302.4.4 Planned natural landscaping shall be cut back, at least annually, to remove dead or unmaintained growth. A person who is an owner of real property shall cut or remove any dead or unmanaged growth on his or her property, including a planned natural landscaping.

302.4.5 Planned natural landscaping shall be designed not to attract rats.

Section 3. REPEAL. Chapter 556 of the Code of the City of Royal Oak, Property Maintenance, Section 556-2, Adoption of Standards, subsection C, stating, "In Section 302.4, insert: 'eight inches'" is repealed.

Section 4. REPEAL. Chapter 757, Section 5, Cutting of scrub brush, scrub trees and long grass, is repealed.

Section 5. SEVERABILITY. If any Section, subsection, clause, phrase or portion of this ordinance 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 ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. SAVINGS. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 7. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 8. EFFECTIVE DATE. This ordinance shall take effect ten (10) days after the final passage thereof.

ADOPTED UNANIMOUSLY

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**DUGGAN'S IRISH PUB, 31501 WOODWARD AVENUE  
REQUEST TO TRANSFER OWNERSHIP**

Moved by Commissioner Paruch  
Seconded by Mayor Pro Tem Fournier

Be it resolved, the request to transfer ownership of a Class C and SDM Liquor Licenses with Sunday Sales (AM and PM), Entertainment Permit and two additional Bar Permits and from Duggans Ltd. located at 31501 Woodward Avenue, Royal Oak, Michigan to TKJH Hospitality, Inc., doing business as Duggan's is approved, for the following reasons:

- Impact of the establishment on surrounding businesses and neighborhoods,
- Policing requirements,
- Business history,
- Business experience,
- Liquor Control Commission violation history,
- Overall benefit of the plan to the City of Royal Oak, and
- Other unspecified factors having a positive effect on the health, safety, welfare or best interests of the community.

Be it further resolved, the proposed Plan of Operation for TKJH Hospitality, Inc, d/b/a Duggan's dated May 10, 2016, is hereby approved.

ADOPTED UNANIMOUSLY

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**PUBLIC HEARING  
BROWNFIELD PLAN FOR 31786 WOODWARD AVENUE**

Mayor Ellison opened the public hearing. There being no one who wished to speak the public hearing was closed.

Moved by Commissioner Douglas  
Seconded by Commissioner Paruch

Whereas, the City of Royal Oak has a brownfield redevelopment authority pursuant to Public Act 381 of 1996, the Brownfield Redevelopment Financing Act, as amended; and

Whereas, the brownfield redevelopment authority has determined that it is necessary for the achievement of the purposes of Act 381 to adopt bp 16-06-01, a brownfield plan for 31786 Woodward Avenue (parcel no. 25-06-428-001); and

Whereas, in accordance with Act 381, the brownfield redevelopment authority has recommended adoption of bp 16-06-01, a brownfield plan attached hereto dated June 14, 2016, to the city commission for approval following a public hearing; and

Whereas, the city commission conducted a public hearing on July 11, 2016, on bp 16-06-01, a brownfield plan attached hereto dated June 14, 2016.

Now, therefore, be it resolved:

1. The city commission concurs with the resolution adopted by the brownfield redevelopment authority on June 14, 2016, and hereby approves bp 16-06-01, a brownfield plan attached hereto dated June 14, 2016.
2. BP 16-06-01, a brownfield plan for 31786 Woodward Avenue (parcel no. 25-06-428-001) constitutes a public purpose, and that:
  - a. The brownfield plan meets the requirements set forth in Public Act 381 of 1996, as amended.
  - b. The proposed method of financing costs of eligible activities in the brownfield plan is feasible and the brownfield redevelopment authority has the ability to arrange financing.
  - c. The costs of eligible activities in the brownfield plan are reasonable and necessary to carry out the purposes of act 381 of 1996, as amended.
  - d. The amount of captured taxable value estimated to result from the adoption of the brownfield plan is reasonable.
  - e. The brownfield plan is in reasonable accord with the master plan for the City of Royal Oak.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution shall be and the same are hereby rescinded.

AYES: Commissioners Douglas, Paruch, Mayor Pro Tem Fournier and Mayor Ellison

NAYS: Commissioners Mahrle and Poulton

MOTION ADOPTED

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**REQUEST TO EXTEND EXCLUSIVE DEVELOPMENT PERIOD  
600 AND 700 SOUTH MAIN STREET PROJECT**

Mr. Larry Goss, representative of Burton Katzman stated they would support a compromise if they haven't broken ground by May 2018, they would be willing to allow the ABE event at the location for 2018. That being said, they plan on breaking ground in the fall of 2017.

Moved by Commissioner Douglas  
Seconded by Commissioner Mahrle

Be it resolved, the city commission hereby extends Burton-Katzman's request to be designated the preferred developer of 600 and 700 S. Main for an additional period of three months; and

Be it further resolved, city staff shall be prohibited from marketing 600 and 700 South Main Street during this additional three-month period; and

Be it further resolved that upon expiration of this three-month period (October 24, 2016), this Resolution is rescinded and the City of Royal Oak and Burton-Katzman shall have no obligations to each other with respect to 600 and 700 South Main Street.

ADOPTED UNANIMOUSLY

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### **CONDITIONAL REZONING OF 326 OAKLAND AVENUE, FIRST READING**

Moved by Commissioner Mahrle  
Seconded by Commissioner Douglas

Whereas, the planning commission held a public hearing on April 12, 2016, and recommended approval of a proposed amendment to the zoning map of the City of Royal Oak for the purpose of conditionally rezoning 326 Oakland Avenue (parcel no. 25-16-477-021) from one family residential to multiple family residential; and

Whereas, the city commission has determined that the zoning map amendment is consistent with the goals and objectives of the master plan and has received the record of public comments taken at the public hearing held at the planning commission meeting of April 12, 2016.

Therefore, be it resolved, ordinance 2016-08, entitled an ordinance to amend the zoning map of the City of Royal Oak, is hereby adopted on first reading.

The City of Royal Oak ordains:

Section 1 ordinance. Pursuant to the provisions of the Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended, and pursuant to all applicable provisions of law, the zoning map of the City of Royal Oak is hereby amended to conditionally rezone 326 Oakland Avenue, being parcel number 25-16-477-021, from one family residential multiple family residential, and sp 16-04-07, a site plan to construct 6 multiple-family dwelling units at 326 Oakland Avenue, being parcel number 25-16-477-021, is hereby approved, subject to the associated "conditional zoning agreement."

Section 2 severability. If any section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or portion of this ordinance 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 ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 3 savings. As proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 4 repealer. All ordinance or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 5 effective date. This ordinance shall be published in a newspaper of general circulation in the City of Royal Oak and shall become effective ten (10) days after publication, as provided by law.

Be it further resolved, the city commission directs staff to prepare a "conditional zoning agreement" for consideration by the city commission as part of the required second reading of ordinance 2016-08.

ADOPTED UNANIMOUSLY

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**PROPOSED BALLOT AND CHARTER LANGUAGE FOR  
POLICE, FIRE AND EMERGENCY MEDICAL SERVICE MILLAGE RENEWAL**

Moved by Commissioner Douglas  
Seconded by Commissioner Poulton

Be it resolved, the city commission adopts with an affirmative vote of at least 3/5 of its members (5 of 7) the suggested changes to the Charter as specified below; and

**CURRENT CHARTER LANGUAGE:**

Chapter 8. General Finances, Section 11.

(a) The total amount of general ad valorem taxes imposed upon real and tangible personal property in the City in any one year, for the purpose of defraying the general expenses and liabilities of the City, exclusive of levies necessary for payment of principal and interest on any bonded indebtedness of the City, shall not exceed 11 mills on each dollar of the assessed valuation of such property, except as otherwise permitted by law or by this Charter.

(b) In addition to the amount set forth in Subsection (a) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period not to exceed five years up to 1.00 mill, said tax to be assessed and spread beginning on the first day of July, 2012, pursuant to the provisions of Chapter Eleven of this Charter.

(c) In addition to the amount set forth in Subsections (a) and (b) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for police, fire and emergency medical services, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period of not to exceed five years up to 3.975 mills, said tax to be assessed and spread beginning on the first day of December, 2012, pursuant to the provisions of Chapter Eleven of this Charter.

**IF ADOPTED BY THE ELECTORS:**

Chapter 8. General Finances, Section 11.

(a) The total amount of general ad valorem taxes imposed upon real and tangible personal property in the City in any one year, for the purpose of defraying the general expenses and liabilities of the City, exclusive of levies necessary for payment of principal and interest on any bonded indebtedness of the City, shall not exceed 11 mills on each dollar of the assessed valuation of such property, except as otherwise permitted by law or by this Charter.

(b) In addition to the amount set forth in Subsection (a) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for refuse collection, disposal and for a curbside recycling program, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period not to exceed five years up to 1.00 mill, said tax to be assessed and spread beginning on the first day of July, 2012, pursuant to the provisions of Chapter Eleven of this Charter.

(c) In addition to the amount set forth in Subsections (a) and (b) above, the City may, for the sole purpose of defraying the general expenses and liabilities of the City for police, fire and emergency medical services, raise by a general tax upon the assessed value of all real estate and personal property in the City, a millage for a period of not to exceed five years up to 3.975 mills, said tax to be assessed and spread beginning on the first day of December, 2017, pursuant to the provisions of Chapter Eleven of this Charter.

Be it further resolved, the city clerk shall transmit a copy of the proposal and this resolution to the Governor and to the Attorney General of the State of Michigan for review and approval; and

Be it further resolved, the city clerk shall also publish the current text of the sections of the Charter proposed for amendment or deletion and the proposed text of the Charter amendments and changes in accordance to Michigan law; and

Be it further resolved, once approved by the Governor, the proposed Charter amendment proposal be placed before the electors at a Special Election scheduled for Tuesday, November 8, 2016:

## **CHARTER PROPOSAL**

### **Proposal A**

**PROPOSED AMENDMENT TO CHAPTER 8, SECTION 11 OF THE ROYAL OAK CITY CHARTER TO ALLOW FOR A POLICE, FIRE AND EMERGENCY MEDICAL SERVICE MILLAGE RENEWAL.**

The proposed amendment to Chapter 8, Section 11 of the Royal Oak City Charter, if approved, would allow the City to renew the millage levy for a period not to exceed five (5) years of up to 3.975 mills, to defray the costs for police, fire and emergency medical services starting December 1, 2017.

The levy renewal, if approved, would defray the general expenses and liabilities of the City for police, fire and emergency medical services only and will allow Royal Oak to maintain core services and staffing levels.

Shall the proposal be adopted?

Yes   
No

### **ROLL CALL VOTE**

**AYES:** Commissioner Douglas, Mayor Ellison, Mayor Pro Tem Fournier, Commissioners Poulton, Mahrle and Paruch

**NAYS:** None

**ABSENT:** Commissioner DuBuc

ADOPTED UNANIMOUSLY

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**PUBLIC SAFETY MILLAGE RENEWAL INFORMATIONAL LETTER**

Moved by Commissioner Mahrle  
Seconded by Mayor Pro Tem Fournier

Be it resolved, the city commission authorizes the city manager's staff to prepare an informational letter regarding the renewal of public safety millage for direct mailing to all registered voters in the City of Royal Oak.

ADOPTED UNANIMOUSLY

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**DISORDERLY CONDUCT §278-35 ORDINANCE AMENDMENT, FIRST READING**

Moved by Commissioner Poulton  
Seconded by Mayor Pro Tem Fournier

Be it resolved, that the following amendment to add the following language to the Disorderly Conduct Ordinance of the Code of the City of Royal Oak at Chapter 278, Section 35, is adopted on first reading:

**ORDINANCE NO., 2016-09**

AN ORDINANCE TO AMEND THE CHAPTER 278, SECTION 35, THE DISORDERLY CONDUCT ORDINANCE OF THE CODE OF THE CITY OF ROYAL OAK, PROHIBITING SOUND EQUIPMENT IN MOTOR VEHICLES FROM GENERATING NOISE THAT IS AUDIBLE AT 50 FEET WHILE THE VEHICLE IS IN A PUBLIC AREA.

It Is Ordained By The City Of Royal Oak:

SECTION 1. Chapter 278, Section 35 is amended to add:

P. Vehicle sound equipment noise and vibration. It shall be unlawful for any person to be in possession or control of a parked or moving vehicle with a stereo, disc player, cassette player, speakers, or other similar equipment that is producing sound on a street, driveway, publicly patrolled parking lot or public place at or with a level, volume, intensity, frequency, or other attribute that is perceptible at a distance of fifty (50) feet or more, either by hearing the sound by the human ear or by feeling the sound in the form of vibrations associated therewith. This section shall not be applicable to sound emanating from emergency vehicles, vending vehicles, or publicly sponsored or permitted concerts, sporting events, activities, or gatherings. A violation of this subsection is a civil infraction punishable by a fine of \$100.00.

Q. Loud Vehicles. The operation of any automobile, truck, motorcycle or other vehicle so out of repair or so loaded or constructed as to cause loud and unnecessary grating, grinding, rattling or other unreasonable noise, including the noise resulting from exhaust, which is plainly audible at a distance of 50 feet from the vehicle and unreasonably disturbing to the quiet, comfort or repose of other persons. A violation of this subsection is a civil infraction punishable by a fine of \$100.00.

SECTION 2. SEVERABILITY.

If any section, subsection, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portion of this ordinance.

**SECTION 3. SAVINGS.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

**SECTION 4. REPEALER.**

All or parts of other ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

**SECTION 5. EFFECTIVE DATE.**

This ordinance shall take effect ten days after its final passage.

ADOPTED UNANIMOUSLY

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**RATIFICATION OF AGREEMENT WITH SEIU**

Moved by Commissioner Douglas  
Seconded by Commissioner Paruch

BE IT RESOLVED, that the City Commission hereby approves the proposed tentative agreement with the SEIU Local 517M through June 30, 2019.

ADOPTED UNANIMOUSLY

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**DISCUSSION OF MAIN FLOOR COVERING**

After a brief discussion no action was taken.

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Upon motion of Commissioner Mahrle, seconded by Mayor Pro Tem Fournier, and adopted unanimously, the regular meeting was adjourned at 9:02 p.m.

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Melanie Halas, City Clerk

The foregoing minutes of the regular meeting held on July 11, 2016, having been officially approved by the city commission on Monday, July 25, 2016, are hereby signed this twenty-fifth day of July 2016.

\_\_\_\_\_  
James B. Ellison, Mayor

Exhibit A

**ORDINANCE NO. 2016-05**

**AN ORDINANCE TO CREATE THE L.A. YOUNG HISTORIC DISTRICT UNDER THE GUIDELINES ESTABLISHED BY THE CITY OF ROYAL OAK CODE OF ORDINANCES, § 82-1 AND SEQUENCE, THE HISTORIC DISTRICT STUDY COMMITTEE ORDINANCE.**

THE CITY OF ROYAL OAK ORDAINS:

Section 1. TITLE. This ordinance shall be known and may be cited as the “L.A. Young Historic District Ordinance.”

Section 2. PURPOSE. The purpose of this ordinance is to provide for the preservation and/or rehabilitation of the buildings and properties at the historic site of the L.A. Young Historic District comprised of 14 homes on North Altadena Avenue, in the City of Royal Oak, Michigan, also known more specifically as:

**T1N, R11E, SEC 15 GOLF HOMES SUB N 16FT OF LOT 55 AND ALL OF LOT 56 (1016 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 52 (1021 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 61 (1036 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 44 (1107 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 66 (1110 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 43 (1111 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 67 (1114 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 42 (1115 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 68 (1118 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 69 (1122 North Altadena Avenue)**  
**T1N, R11E, SEC 15 GOLF HOMES SUB LOT 40 (1123 North Altadena Avenue)**

Section 3. ELIGIBILITY. The Royal Oak City Commission determines that the property described above is eligible for local historic designation under the guidelines established by City of Royal Oak Code of Ordinances § 82-1, *and sequence*, the Historic District Study Committee Ordinance.

Section 4. DESIGNATION. The Royal Oak City Commission hereby designates the property described in Section 2 as a historic district pursuant to City of Royal Oak Code of Ordinances § 82-1, *and sequence*, the Historic District Study Committee Ordinance.

Section 5. CERTIFICATE OF APPROPRIATENESS. The owners of the properties or portions of the properties described in Section 2 are required to apply for and obtain a certificate of appropriateness before commencing any work in the historic site. When considering an application, the Historic District Commission will be guided by the standards for rehabilitation set forth by the United States Secretary of the Interior at 26 CFR part 67 and the City of Royal Oak Code of Ordinances § 82-13, *and sequence*.

Section 6. SEVERABILITY. If any section, subsection, clause, phrase or portion of this ordinance 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 ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 7. SAVINGS. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time of this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

Section 8. REPEALER. All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 9. EFFECTIVE DATE. This ordinance takes effect ten (10) days after its final passage.