

MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE CONFERENCE ROOM OF THE NEIGHBORHOOD CLUB, 17150 WATERLOO, GROSSE POINTE, MICHIGAN ON MONDAY, JULY 15, 2019.

The meeting was called to order at 7:00 p.m.

ROLL CALL

Present: Mayor Boettcher, Council Members Parthum, Stempfle, Turnbull, Walsh, Williams

Absent: Council Member Tomkowiak

In Attendance: City Manager Dame, City Attorney Kennedy, City Clerk Arthurs, Finance Director Kleinow, Public Safety Director Poloni, Deputy Public Safety Director Alcorn, Public Service Director Randazzo, Parks and Recreation Director Hardenbrook and City Planner Jackson.

Motion by Council Member Parthum, Second by Council Member Williams, to excuse Council Member Tomkowiak for personal reasons.

UNANIMOUSLY ADOPTED.

The Mayor then led the Council in the Pledge of Allegiance.

CONSENT AGENDA

Motion by Council Member Parthum, second by Council Member Williams, to approve the Consent Agenda consisting of the following:

1. Minutes from the regular Council Meeting held on June 17, 2019
2. Invoices
 - a) GFL - Recycling, June 2019, \$5,912
 - b) Great Lakes Water Authority - Sewage Disposal, June 2019, \$74,100
 - c) McGraw Morris, P.C. - Legal Services, June 2019, \$10,380.96
 - d) Florence Cement Company
 - 2018 Resurfacing Project, Estimate #5, \$37,504.30
 - 2019 Resurfacing Project, Estimate #1, \$82,798.85
 - e) Fildew Hinks - Legal Services, May 2019, \$12,614.27
 - f) Gorno Ford - Police Vehicles, September 2018, \$50,570
 - g) State of Michigan - Fisher Streetscape, May 2019, \$49,365.26
 - h) Rapid Repair - Sweep Blade, June 2019, \$6,703.26
 - i) On-Site Building LLC
 - Marina Finger Pier Dock Risers, Installment #1, \$17,800.00
 - Marina Finger Pier Dock Risers, Installment #2, \$17,800.00
 - j) City of Grosse Pointe Park - Dispatch Services, 4/1/19 – 6/30/19, \$27,449.24
 - k) Arbor Pro - Tree and Stump Removal, June 2019, \$6,081
 - l) OHM - Maire School Safe Routes to School, December 2018, \$6,275
 - m) HMC, LLC - 2019 CDBG Sidewalk Ramp, Estimate #1, \$44,303.06
 - n) Garan Lucow Miller, P.C. - Flooding Settlement, Final Installment, \$500,000
 - o) Traffic & Safety - Annual Maintenance Contract, 7/1/19 – 6/30/20, \$31,830
 - p) Partners in Architecture - Facility Improvements, Installment #1, \$796,130.86
 - q) Michigan Municipal League - Workers Compensation, Installment #1, \$17,929

- r) Doetsch - Jetting and Vacuuming Storm Sewers, June 2019, \$12,225
- s) Enabled Enterprises - Electric Police Bikes, July 2019, \$5,950

3. Approval of 2020 allocation of \$13,919 in Municipal and Community Credit funds to Pointe Area Assisted Transportation System (PAATS) and authorize the Assistant City Manager/Clerk to execute the agreement.
4. Authorize purchase of AMT pump 5587-H6 with an engine and all hoses for \$13,105 from KG Power Systems.

CONSENT AGENDA UNANIMOUSLY ADOPTED.

PUBLIC HEARING – ZONING BOARD OF APPEALS - 753 LAKELAND

The Council convened as the Board of Zoning Appeals.

City Clerk Arthurs informed the Board that notice of public hearing had been given as required by PA 110 of the State of Michigan and Grosse Pointe City Ordinance, proof of which is on file in the official records of the City of Grosse Pointe.

City Planner Jackson presented his report. The applicant, Marta Gazda Auskalis, proposes to build a detached garage in an R-1B District. The homeowner recently acquired additional property to the east from the City. The applicant also demolished an obsolete detached garage. The existing single-family home at 744 Notre Dame is 874 square feet. The subject property previously measured 30' by 93.71' and contained 2,811 square feet. Even with the previous garage's removal, the existing lot coverage was at 31% before the applicant acquired the City's surplus land. The lot now measures 30' by 125.71' and contains 3,771.3 square feet. The proposed new garage increases the lot coverage up to 33%. The proposed garage use is of a similar size, location, and character of others in the vicinity and is appropriate in advancing the orderly development of the surrounding neighborhood. Although the 30' wide lot is narrow, other properties in the general neighborhood are similarly sized.

The subject property's small size and narrowness create a situation in which some flexibility in the form of a garage will allow for the most practical, usable design for the property. The zoning ordinance requires a garage and the footprint of the home is small. The proposed garage dimensions are a reasonable compromise in providing the required garage, yet not increasing the overall lot coverage by a substantial amount. The proposed variance is supportive of the intent of the Zoning Ordinance for the R-1B District, which is to encourage reinvestment in properties for single-family residences. The owner's desire to invest in the property and to bring the home into zoning compliance is recognized, and the variance will help achieve this with no significant impact to the neighborhood.

There was no Public Comment.

Motion by Council Member Turnbull, second by Council Member Parthum, that a practical difficulty exists to build a detached garage, and that a variance be granted to Section 90-351 of the Zoning Ordinance to allow 31% building lot coverage and Section 90-156(4) of the Zoning Ordinance allowing a 16 ft. x 22.6 ft. garage, at 744 Notre Dame, in an R-1B District.

UNANIMOUSLY ADOPTED.

Council reconvened as the City Council.

SITE PLAN REVIEW – OUTDOOR SEATING – MARAIS MARKET – 17051 KERCHEVAL AVENUE

City Planner Jackson made the following report:

The site plan for the proposed outdoor café at the existing Marais Market at 17051 Kercheval Avenue was reviewed. The applicant proposes four tables and sixteen chairs in an area within Kressbach Place along St. Clair. The proposal encloses the area with a wrought-iron look fence and gate. The proposal also shows three freestanding umbrellas that are a single bright blue shade with no graphics or other embellishments. The proposed area is 12' by 30' and about 20' away from the building front. The site is zoned C-2, Central Business District. Outdoor seating is a permitted use in the C-2 district subject to site plan review.

The applicant was previously approved for an outdoor seating area along the edge of the building. In addition, the applicant was also recently approved for outdoor seating and a farmers' market within Kressbach Place. The current proposed enclosed outdoor seating area, if approved, will replace the previously approved tables, chairs, and farmers' market. The fence enclosure must be removed each year, no later than the Friday immediately preceding Thanksgiving due to the number of holiday events that take place in and around Kressbach Place including the popular Christmas Tree lighting ceremony. The sidewalk adjacent to the building is almost 40' wide and there will be almost 20' separating the building entrance from the seating area. The proposed enclosure uses City property. As a result, the applicant must obtain the necessary permission for using publicly owned property. The City Planner recommends approval of the applicant's request for outdoor seating based on compliance with the applicable provisions of the zoning ordinance and the goals and objectives stated in the City's Master Plan. This recommendation is subject to the following conditions:

- 1) The proposed enclosed outdoor seating area, if approved, will replace the previously approved tables, chairs, and farmers' market.
- 2) The applicant shall maintain the outdoor seating area clean and free of any litter and debris;
- 3) All tables and chairs will be stored during winter months;
- 4) The operation will be limited to the hours of 7am and 11pm; and
- 5) The applicant shall obtain the necessary license from the City for use of public property.

Motion by Council Member Stempfle, second by Council Member Williams, to approve the site plan for an outdoor seating area for Marais Market, 17051 Kercheval Avenue, with the conditions stated in the City Planner's report dated July 12, 2019 and the proposed license drafted by and approved in final form by the City Attorney.

UNANIMOUSLY ADOPTED.

PURCHASE – TORO UTILITY VEHICLE

Public Service Director Randazzo made the following report:

The City of Grosse Pointe uses utility vehicles for rear yard service. Since 2014, the City started to convert its fleet to the Toro Workman utility vehicle because of its durability, tight turning radius, competitive pricing and parts availability. The two other Grosse Pointe municipalities that offer rear yard service have purchased the Toro Workman in recent years. City staff have been pleased with the Toro's performance to date and are satisfied with the service provided by Spartan Distributors. The City is able to purchase the utility vehicle from a schedule of already bid prices in the National IPA contract, through Omnia Partners, a national public sector procurement agency, in the amount listed below:

Spartan Distributors	\$35,283.40
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Motion by Council Member Parthum, second by Council Member Williams, to purchase one Toro Workman utility vehicle with dump box from Spartan Distributors for the amount of \$35, 283.40.

UNANIMOUSLY ADOPTED.

ORDINANCE FOR SMALL CELL WIRELESS FACILITIES

City Attorney Kennedy made the following report:

Over the last several years, wireless service providers have sought to install distributed antenna systems/small cell wireless facilities in the public right-of-way to enhance wireless service to commercial and residential customers. In March 2018, the City adopted an ordinance to regulate the installation of these types of equipment and provide for appropriate fees to compensate the City for the use of its right-of-way.

The Michigan Legislature and the Federal Communications Commission have now determined that ordinances like the City's ordinance place too high a burden on the expansion of wireless services. In December 2018, the Michigan Legislature substantially limited a local community's ability to regulate small cell wireless facilities. A city is still able to have some size limits on the facility, impose some aesthetic control, and require some physical separation between facilities, but the City is limited to verifying that the facility complies with the provisions of the new statute. Fees are also limited to a \$200 application fee and \$20 annual fee for an existing pole; \$300 application fee and \$125 annual fee for a new pole. (Currently \$2,500/\$600)

It is recommended that the Council replace the current ordinance with the attached proposed ordinance to comply with the new state law and adopt the maximum allowable fees as set forth in the proposed ordinance.

ORDINANCE ADOPTION

MOTION by Council Member Parthum, second by Council Member Williams, that the following ordinance be adopted:

ORDINANCE NO. 440

An Ordinance to amend and re-state Section 66-100 of the Code of Ordinances of the City of Grosse Pointe, small cell wireless facilities

(For complete text of Ordinance No. 440 - see Ordinance Book of the City of Grosse Pointe)

UNANIMOUSLY ADOPTED.

PUBLIC FACILITIES IMPROVEMENTS CONTRACT ADDENDUM

City Manager Dame made the following report:

During the period when the driveway and parking lot is torn up at the City's municipal complex on Maumee, it is recommended to replace a six-inch water line that has broken and leaked on several occasions in the last few years. The six-inch line is substandard and would be replaced with an 8-inch line with greater fire fighting capacity. This replacement will include a new hydrant that services the St. Clair Terraces, the City municipal complex, and the homes on Neff. It will be replaced in the same location during work expected to occur in August. It makes sense to add this to the existing contract for work already ongoing at the new Public Works location, using the civil engineer and contractor for the existing job. The guaranteed price is not to exceed \$118,336.

Motion by Council Member Williams, second by Council Member Turnbull, to authorize the execution of the amendment to the agreement with Partners In Architecture for the engineering, construction and oversight of the replacement 8-inch watermain off Maumee Avenue.

UNANIMOUSLY ADOPTED.

RESOLUTION – REDEVELOPMENT READY COMMUNITIES

City Manager Dame made the following report:

At the June Council meeting, the Michigan Economic Development Corporation representative for Wayne County gave a presentation on the Redevelopment Ready Communities (RRC) program. The City Manager has already undergone training and is certified as a Redevelopment Ready professional, but to proceed to the next steps in having the City as a whole certified, the City Council must approve a resolution expressing support for participation. The next step in the City certification process is a self-evaluation of the City's development processes. The evaluation would include assessing how the City measures up to the best practices MEDC has identified. Beginning the self-assessment is now a requirement for being considered for MEDC community revitalization program funds that are used for new developments as well as being involved in the Michigan Main Street program. There are also technical assistance grants of up to \$20,000 to help off-set costs that may be needed to achieve certification.

Motion by Council Member Parthum, second by Council Member Turnbull, that the following resolution be adopted:

WHEREAS, the City of Grosse Pointe wishes to promote future investment and redevelopment of the City; and

WHEREAS, opportunities for the redevelopment of existing parcels and buildings are the future for major investment in the City, as there is limited open space for new development within the City limits; and

WHEREAS, the City continues to strive for a streamlined and business-friendly planning and development process; and

WHEREAS, the Michigan Economic Development Corporation has created the Redevelopment Ready Community (RRC) program to assist communities in identifying and strengthening weak areas in a community's development process, improve the predictability of the development process, and highlight opportunities in the community; and

WHEREAS, the City of Grosse Pointe wishes to join the program and further refine our planning and development process for future opportunities; and

THEREFORE, BE IT RESOLVED, that the City Council supports the efforts by Staff to engage in the self-evaluation process of the RRC program and looks forward to the MEDC's feedback on how the City may improve our processes and procedures.

UNANIMOUSLY ADOPTED.

AUTHORIZE GRANT AGREEMENT FOR MACK AVENUE PLANNING STUDY

City Manager Dame made the following report:

In November of 2018, the City Council reviewed options presented by City Planner for a planning and zoning study of Mack Avenue. The Council directed staff to pursue a multi-community corridor study for both sides of Mack Ave. Since that time, City staff have been meeting with officials from the City of Detroit, Grosse Pointe Park, Grosse Pointe Farms to develop a scope for a multi-community planning study. All of the municipalities have been receptive and supportive of this initiative. During the course of the discussions, the City of Detroit, which is already conducting a planning corridor study on Warren, suggested involving the Eastside Community Network to help engage the Detroit community in the process. This would be an extension of the work and plans that ECN has already undertaken on Mack Avenue from Conner to Cadieux. Based on that previous work, it was agreed by all of the partners to now tackle the area from Cadieux to Moross. To offset the cost of this planning initiative, the City of Grosse Pointe submitted a grant application to SEMCOG to fund the study. The grant application was supported by representatives of all of the partner agencies that will be involved in the project, and recently approved.

The planning process will take approximately six months and involve the City of Detroit and the Detroit community, as well as the stakeholders (property owners, businesses and residents) of Grosse Pointe City, Farms and Grosse Pointe Park. The process to review plans for both sides of Mack from the proposed study area. Any zoning changes that might be contemplated to implement the study recommendations would take place after this study is completed.

This study is believed to be the first joint effort between the City of Detroit and any of its suburban bordering neighbors to engage in collaborative planning process to help chart the future. The goal is to improve and to strengthen the commercial corridor and the neighborhoods on both sides of Mack. It is expected this will build on the positive momentum on Mack underway with investments by the City of Grosse Pointe Park on streetscape on Mack, the City of Grosse Pointe's major investment of a new public facility at Mack and St. Clair, and private investment on new buildings or remodeling buildings on the corridor such as at Mack and Cadieux.

Motion by Council Member Williams, second by Council Member Stempfle, to authorize execution of grant agreement with SEMCOG for a multi-community Mack Avenue planning study and adopt the following resolution:

WHEREAS, the City of Grosse Pointe intends to conduct a multi-jurisdictional planning study on Mack Avenue from Cadieux Road to Moross Road in conjunction with the cities of Detroit, Grosse Pointe Farms and Grosse Pointe Park and the County of Wayne;

WHEREAS, the City of Grosse Pointe submitted an application to the SEMCOG for said project;

WHEREAS, the SEMCOG has given a grant commitment for the project to the City of Grosse Pointe;

NOW THEREFORE, IT IS RESOLVED BY THE CITY OF GROSSE POINTE AS FOLLOWS:

1. That the City of Grosse Pointe will certify that the authorized execution of the SEMCOG grant agreement.
2. That the City of Grosse Pointe commits to providing the required match and To carrying out the planning grant requirements.
3. That the City of Grosse Pointe authorizes Peter J. Dame to act as the agency's Agent for the grant agreement.

RESOLUTION UNANIMOUSLY ADOPTED.

EXERCISE OPTION TO EXTEND AUDITING SERVICES AGREEMENT

Finance Director Kleinow made the following report:

In 2016, after a Request for Proposal process, the City Council approved an agreement with Plante Moran to perform the financial audit for the City of Grosse Pointe for FY 2016, 2017 and 2018. This agreement included an option for a two-year extension at the cost of \$41,000 in FY 18-19 AND \$41,800 in FY 19-20. At this time, staff is requesting that the option with Plante Moran be exercised for FY 18-19 and 19-20. The contract prices included concessions negotiated that kept the auditing services with minor increases. The cost of the 2018-19 audit is only \$500 more than the 2014-15 audit. It was noted that Plante Moran is a recognized leader in the field of public accounting in Michigan, and the proposed team is highly skilled and impressive. Plante Moran has demonstrated it can complete a thorough audit of excellent quality according to the schedule required by the City.

Motion by Council Member Parthum, second by Council Member Williams, to extend the contract with the accounting firm of Plante Moran to perform the City's annual financial audit for the Fiscal Years ending June 30, 2019 and June 30, 2020.

UNANIMOUSLY ADOPTED.

PUBLIC COMMENT

Representatives from the Kiwanis Club addressed Council about their programs which serve children.

John Stevens, 3 Elmsleigh, discussed the high water levels on his street and expressed concern about standing water cleanliness and its effect on services to residents.

Kurt Buhler expressed concern about the slow progress of the Maumee construction project. He stated a schedule is needed and asked why driveway aprons were torn out before paving took place.

Kurt Strehlke stated that with the ongoing DTE project, why is Maumee being repaved? He suggested that a more thoughtful approach be used when paving to stage equipment and help residents navigate and park around the project. Better communication is needed.

A resident expressed concern with speeding at Waterloo and University. Director Poloni stated the police would increase patrols at that intersection and explained the use of the pole mounted speed monitor.

STAFF REPORTS

Chief Poloni commented on recent larcenies from autos and reminded residents to not leave items in their car and lock the doors. Director Hardenbrook noted that the swim team finals are upcoming, the annual Camp Out at the park is August 2 and risers in the marina have been installed. Public Service Director Randazzo updated Council on various projects include DTE and the City facilities.

COUNCIL COMMENT

Council expressed the need for continued communication with residents regarding ongoing projects and to use additional methods other than the City website.

Council expressed support for the Main Street Program.

Council expressed support for the outdoor Movie Night.

There was a general discussion of the issues relating to the DTE upgrade project.

Motion by Council Member Turnbull, second by Council Member Williams, to go into closed session to discuss collective bargaining issues.

ROLL CALL:

Aye: Boettcher, Parthum, Stempfle, Turnbull, Walsh, Williams
Nay: None

UNANIMOUSLY ADOPTED.

The Council met in closed session from 8:04 p.m. to 8:20 p.m.

PSO COLLECTIVE BARGAINING AGREEMENT

The City's Public Safety Officer union contract expired on Jun 30, 2019. Negotiations began in June after the unit of 14 employees held elections certified by the State of Michigan to change its union representation to the Michigan FOP.

A tentative agreement has been reached and is scheduled to be ratified on July 14. City Manager Dame discussed the key points of the contract.

Motion by Council Member Williams, second by Council Member Parthum, to approve the Public Safety Officer three-year collective bargaining agreement as presented by the City Manager.

UNANIMOUSLY ADOPTED.

On Motion, the meeting was adjourned at 8:22 p.m.

Julie E. Arthurs, City Clerk
City of Grosse Pointe