

**MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS,
17145 MAUMEE AVENUE, GROSSE POINTE, MICHIGAN ON
MONDAY, JULY 18, 2016.**

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

ROLL CALL

Present: Mayor Scrace, Council Members Boettcher, Parthum, Stempfle, Turnbull, Walsh and Weipert

In Attendance: City Manager Dame, Attorneys Fildew and Kennedy, City Clerk Arthurs, Finance Director Kleinow, Public Safety Director Poloni, Public Service Director Huvaere, Public Service Supervisor Randazzo and City Planner Jackson.

CONSENT AGENDA

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

1. Minutes from the regular Council Meeting held on May 16, 2016 and minutes from the closed session Council Meeting held on May 16, 2016.
2. Invoices
 - a) Rizzo
 - Recycling, June 2016, \$5,768.00
 - Recycling, July 2016, \$5,768.00
 - b) Great Lakes Water Authority
 - Sewage Disposal, May 2016, \$70,700
 - Sewage Disposal, June 2016, \$70,700
 - c) City of Grosse Pointe Farms - Water Purchased, April – June 2016, \$169,940.03
 - d) McKenna
 - Planning Services, March 2016, \$5,442.25
 - Planning Services, April 2016, \$6,758.00
 - Planning Services, May 2016, \$12,314.00
 - e) Pro-Line Asphalt
 - 2016 Resurfacing Project, Estimate #1, \$167,366.98
 - 2016 Resurfacing Project, Estimate #2, \$100,453.04
 - f) City of Grosse Pointe Park - Dispatch Services, 4/1/16 – 6/30/16, \$24,052.21
 - g) Oakland County - Clemis, 4/1/16 – 6/30/16, \$5,261.25
 - h) Wayne County - Traffic Signal Maintenance, November 2015, \$5,437.86
 - i) Anderson, Eckstein and Westrick, Inc.
 - 2016 Resurfacing Project, 4/4/16 – 5/1/16, \$5,740.36
 - 2016 Resurfacing Project, 5/2/16 – 5/29/16, \$23,765.11
 - j) Corby Energy Services, Inc. - St. Paul Storm Water Lining, Invoice #1, \$13,880
 - k) DSS Corporation - Public Safety Equipment, 4/1/16, \$10,715
 - l) MML - Workers Compensation, Installment #1, \$31,674
 - m) Aquatic Source - Main Drain Replacement, 5/11/16, \$6,586.60
 - n) Viktor & Sons Masonry LLC - Block Wall Repair, 5/12/16, \$5,850
3. Approval of 2017 allocation of \$12,622 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. Authorized re-approval setting the total 2016 tax year rate at 11.8249 mills for City operations, .7404 for debt retirement, 2.4970 for road improvements, and 1.7734 for solid waste.
5. Approval of special event application for The Village Sidewalk Sale.

CONSENT AGENDA UNANIMOUSLY ADOPTED.

The City Council convened as the Planning Commission.

PUBLIC HEARING – SPECIAL APPROVAL FOR TEMPORARY OUTDOOR MERCHANDISE DISPLAY
17051 KERCHEVAL – MARAIS

The City Planner made the following report:

The applicant, proprietor David Gilbert, proposes an outdoor display to showcase and sell products from the food suppliers to his restaurant and does not intend to include any other retailers in the event. Mr. Gilbert is requesting a Special Use Permit, which is a requirement for outdoor sales and displays in the C-2 Central Business District.

The idea of providing outdoor retail along St. Clair is a positive effort of the applicant. The location between the water fountain and the Grosse Pointe Foundation's installation on the corner of St. Clair and Kercheval is an ideal temporary use of plaza space. The applicant's efforts to extend their sales area into the public sidewalk provides an opportunity for activity in the streetscape. One 10-foot by 20-foot tent with several wooden display tables will be located entirely within the tent. The design of the tables for display of merchandise will provide a setting for outdoor sales that is complementary to the character of the surrounding plaza and buildings. The tent top is proposed to be blue to match the branding of the restaurant. The tent and tables will be portable in nature, to be set up on the morning and removed at the end of the event each day. The applicant proposes hours of 9 am to 1 pm on Saturdays and Sundays during the spring, summer, and fall.

Based on the drawings provided, the proposed plan appears to leave ample room for pedestrian movement without causing congestion on all sides except along St. Clair Street. Flower pots between the tent and the curb cut walking space down to 2.5 feet and could encourage pedestrians to step into the road. We recommend that the tent be shifted closer to the building to have five (5) feet of clearance between the tent and the flower pots. The applicant needs to ensure during setup that there continues to be a minimum of five (5) feet clear along the sidewalks and entrance areas in order to contribute to the pedestrian experience and ensure safe access to the building.

The proposed use is not one that is likely to conflict with uses permitted in the C-2 District. Further, the Master Plan calls for sidewalks and open spaces to be used for public activities and events, continued support for street fairs, farmer's markets, activities that bring people to the Village, and the promotion of the Village as a fun and attractive place to shop. The proposed temporary outdoor displays are to be set out each Saturday and Sunday for a 9 am opening and will close the same day at 1 pm. It was determined that the intention is to set up the displays in the spring, summer, and fall. Applicant proposes that his restaurant staff will service trash bins in and around the tent to ensure cleanliness of the site. The City Planner recommended site plan and special use approval for the proposal from the owner of Marais to provide temporary outdoor display areas and conduct temporary outdoor sales, subject to the following conditions:

1. The tent should be located closer to the building to ensure that there is at least five (5) feet of clearance between the tent and the flower pots along St. Clair Street.
2. In accordance with Section 18-242 of the Code of Ordinances, the proposal must receive approval of the Director of Public Safety and the Building Inspector.
3. The Marais must provide staff and resources to maintain clean and sanitary conditions during and after the event.
4. Individual events occurring outside of the hours of 9 am – 1 pm on Saturday or Sunday must receive administrative approval in advance of setup time.

David Gilbert, applicant and owner of Marais, explained the proposed temporary outdoor display. Mr. Gilbert answered Commission questions regarding his plan, location and set up times. It was noted by Mr. Gilbert requested that hours of operation, including set up and breakdown of the display, be 8 am to 2 pm on Saturday and Sunday. It was further noted that the timeframe for the display is from April 1 to November 1 beginning in 2016.

Mayor Scrace asked for public comment regarding the special approval for Marais. Hearing none, public comment was closed.

Motion by Council Member Stempfle second by Council Member Turnbull to approve site plan and special use request for the temporary outdoor farmer's market display for Marais, 17051 Kercheval Avenue, with conditions noted, and the proposed special use permit drafted by and approved in final form by the City Attorney. Hours of operation shall be 8:00 am to 2:00 pm, Saturday and Sundays, April 1 to November 1.

UNANIMOUSLY ADOPTED.

PUBLIC HEARING – AMENDMENT TO SPECIAL USE PERMIT – FRESH FARMS MARKET – 355 FISHER

City Planner Jackson made the following report:

Fresh Farms Market has submitted an application to amend the special land use permit for a proposed business at 355 Fisher Road that will exceed 5,000 square feet in the NC, Neighborhood Commercial District. The City Council approved the Special Use Request in July 2015. The applicant is seeking to amend the height of the building and the parking lot configuration. All of the other aspects of the original approvals and conditions remain the same and in effect. City Planner Jackson reviewed his report dated July 15, 2016 in which the following proposed modifications were noted:

1. Eliminate basement and relocate 6,980 square feet of storage to second floor stock room (former "open to below").
2. Decrease useable floor area of the market from 28,600 feet to 27,560 square feet.
3. Increase building height from 30'-10" to 34'-0" (max building height permitted is 35')
4. Reconfigure parking lot to maintain 21 spaces on adjacent property.

The proposed retail and restaurant use will provide a compatible and complementary use to the neighboring residential and retail uses by bringing additional day-time customers to support surrounding retail and service uses and providing neighborhood serving retail and restaurant services.

Due to the increase in loading, delivery, and garbage removal activity in close proximity to a stable residential neighborhood, the previous approval was subject to the applicants extending the 8 foot decorative masonry wall for the entire length of the parking lot. This will help screen the larger vehicles entering the site and also screen the majority of activity associated with servicing the compactor. The applicant is responsible for completing this improvement. Further, it was noted that the project has been designed as a mixed use development with retail and restaurant on the first floor with office, training and event spaces on the second floor. While the proposal is a benefit in terms of the mix of uses, it presents a challenge with respect to the heavier deliveries associated with a market. In order to minimize the impact of truck traffic on adjacent residential neighborhoods, all delivery and service vehicles shall be directed to access the site from Fisher Road and exit the site via Maumee with a left turn only back to Fisher Road. Discussion took place regarding the proposed amendments to the special use application. The City Planner recommended special approval of the use as proposed subject to the following conditions:

1. The applicant shall be responsible for extending the 8 foot tall masonry screen wall for the entire length of the parking lot.
2. All delivery and service vehicles shall be directed to access the site from Fisher Road and exit the site via Maumee with a left turn only back to Fisher Road. 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 outdoor seating area will be limited to the hours of 7am and 10pm.
5. The outdoor display area shall be limited to the area designated on the site plan (approx. 320 sq. ft.)
6. The display fixtures shall be similar or better in quality and design to those indicated by the applicant.
7. The display area must be maintained in a clean and orderly manner and shall maintain a minimum clearance of five feet for pedestrian access.
8. The applicant shall provide details of all proposed site lighting for administrative review to ensure that the proposed lights do not adversely impact the adjacent residential area.
9. The applicant should increase the height of the second floor utility screening wall.
10. Site plan approval.

Mayor Scrace opened public comment. The following comments were made:

- Charlie McFeely, 380 Lincoln asked about the 8 ft. masonry screen wall and the proposed compactor and delivery noise.
- David Gesell, 377 Lincoln expressed concern regarding delivery schedules.

A written comment was received by the Planning Commission from Scott Smith, 350 Lincoln expressing concern regarding the driveway on Maumee west of the market, delivery times, noise and curbside parking spots on Maumee. Hearing no further comment, public comment was closed.

Council discussion took place regarding the proposed amendments including loading and unloading times, width of parking spaces and configuration of lot near Fisher Mews.

Motion by Council Member Parthum second by Council Member Stempfle to approve the amended special use request subject to the following conditions:

1. The applicant shall be responsible for extending the 8 foot tall masonry screen wall for the entire length of the parking lot.
2. All delivery and service vehicles shall be directed to access the site from Fisher Road and exit the site via Maumee with a left turn only back to Fisher Road. The applicant shall maintain the outdoor seating area clean and free of any litter and debris.
3. Loading and unloading hours are 7:00 am to 7:00 pm, 7 days a week.
4. All tables and chairs will be stored during winter months.
5. The outdoor seating area will be limited to the hours of 7am and 10pm.
6. The outdoor display area shall be limited to the area designated on the site plan (approx. 320 sq. ft.)
7. The display fixtures shall be similar or better in quality and design to those indicated by the applicant.
8. The display area must be maintained in a clean and orderly manner and shall maintain a minimum clearance of five feet for pedestrian access.
9. The applicant shall provide details of all proposed site lighting for administrative review to ensure that the proposed lights do not adversely impact the adjacent residential area.
10. The applicant should increase the height of the second floor utility screening wall.
11. Site plan approval.
12. Applicant shall sign a Special Use Permit drafted by and approved by the City Attorney.

UNANIMOUSLY ADOPTED.

SITE PLAN REVIEW – FRESH FARMS MARKET – 355 FISHER ROAD

City Planner Jackson made the following report:

Fresh Farms Market has submitted an application to amend the site plan for a proposed business at 355 Fisher Road that will exceed 5,000 square feet in the NC, Neighborhood Commercial District. The City Council approved the Site Plan in July 2015. The applicant is proposing a full-service grocery store and restaurant with a small outdoor seating area without full table service. The proposed uses are permitted within the Neighborhood Commercial district.

The site plan includes an extensive outdoor seating area located in front of the building on Fisher Road. The outdoor seating area is on private property and is not proposed to be altered as a result of the revised plan. The outdoor seating area is subject to all ordinance requirements as well as the conditions imposed on the original approval from July 2015. Loading times, trash enclosures and signage plan were discussed.

Patrons will access the building via two entrances along the Fisher Road façade, one at the southeast corner to the restaurant use and one at the northeast corner to the grocery market use. To shield the parking lots along Fisher Road, a three foot tall decorative wall must be installed between the parking lots and the road right-of-way.

As the use is within a NC district, parking is required onsite. The proposed uses (restaurant and retail) have two different calculation methods. For the retail use measuring 27,560 gross sq. ft., it yields 20,670 usable sq. ft. This result is then divided by 250 sq. ft. per space resulting in 83 required spaces for the retail use. The restaurant use yields 1,568 sq. ft. of usable space from its 1,960 gross sq. ft. The usable square feet is then divided by 100 sq. ft. per space plus one space per each four employees. With an estimated five employees per shift, the use requires 17 parking spaces. The development requires 100 off-street parking spaces while the site plan only illustrates 85 off-street parking spaces. With on-street parking available, the parking requirement may be reduced by 10 percent, reducing the required number of spaces to 90 spaces. The applicant illustrates an additional 21 spaces in a shared parking lot immediately to the north of the site resulting in an additional reduction of 10 percent of the required parking. This reduction lowers the number of parking spaces required to 80 spaces. Through the provision of on-site, on-street, and shared parking spaces, the applicant complies with the parking requirement.

The proposed site plan includes 21 spaces on the adjacent property. These spaces are 9'-0" which complies with the zoning ordinance. The easement agreement between the adjacent property owners illustrates 22 parking spaces. In the event the adjacent property owner is not willing to accept 21 – 9'-0" spaces, the City Council is requested to allow staff to review and administratively approve a revised plan with 22 parking spaces with the understanding that these spaces may be reduced in width. Council discussion took place with regarding to the width of parking spaces, configuration of the lot with different size parking spaces and the parking layout. The City Planner answered various questions regarding the parking within the site plan.

The City Planner recommend the City Council approve the site plan subject to the following items:

1. The execution of an amended special use permit satisfactory to the City and City Attorney.
2. The applicant shall extend the eight foot tall masonry screen wall to the end of the parking lot at their expense.
3. All delivery and service vehicles shall be directed to access the site from Fisher Road and exit the site via Maumee with a left turn only back to Fisher Road.
4. The outdoor café shall be subject to the conditions of the July 2015 approval.
5. The display fixtures and area shall be subject to the conditions of the July 2015 approval.
6. The final parking layout may be reviewed and approved administratively in the event the number of spaces in the adjacent lot must be increased due to the existing shared parking and access agreement.
7. All signage shall comply with the master sign plan including any projecting signage that shall comply with the City sign ordinance.
8. The applicant shall provide details of all proposed site lighting for administrative review to ensure that the proposed lights do not adversely impact the adjacent residential area.

Motion by Council Member Weipert second by Council Member Parthum to approve the amended site plan for Fresh Farms Market, 355 Fisher Road, with conditions 1-8 in the City Planner's report.

UNANIMOUSLY ADOPTED.

The Planning Commission reconvened as the City Council.


SITE PLAN REVIEW – MASTER SIGN PLAN – BEAUMONT HOSPITAL - 468 CADIEUX ROAD

City Planner Jackson made the following report:

The applicant, Phillips Sign and Lighting, has submitted an application for site plan review on behalf of William Beaumont Hospital for a Master Sign Plan for the hospital's Grosse Pointe campus. All new or replacement signs require City Council approval prior to the issuance of permits per Section 58-5 of the City Ordinance. Signage on this particular site requires additional levels of scrutiny to ensure the protection of adjacent residential property owners while still providing safe and accurate signage for emergency responders and

visitors alike. The Code of Ordinances does not directly address signage regulations in the HF Hospital Facilities District. Therefore, signage regulations from other districts has been used as a guide in establishing requirements for the applicant.

Mr. Jackson reviewed and discussed his July 14, 2016, written report submitted as part of the record describing new or replacement signs proposed, including wall signs, freestanding externally-focused directional signs, and regulatory and internally-focused directional signs and their proposed placement. The sign application Phillips Sign and Lighting was reviewed and submitted for the record. The Beaumont Hospital site is unique due to the campus-like quality of the buildings, parking facilities, and other infrastructure. This site poses interesting challenges and requires additional considerations due to the proximity to the adjacent residences, as well. We believe that the applicant has worked with the City's representatives to achieve a sign plan that meets much of the intent of the Ordinance. The proposal requires several considerations by the City. Specifically, the following items should be addressed to the satisfaction of the Council:

1. The 80 square foot wall sign on the hospital building and the 30 square foot wall sign on the Medical Center exceed the maximum permitted size for wall signs anywhere in the City.
2. Several of the directional signs are proposed to be internally lit in amounts that exceed the 25% maximum permitted in the Ordinance.
3. The replacement directional signs do not contain a brick base as they do today. Instead, the signs are proposed to be landscaped.
4. Sign BH-GP18, the Jefferson Avenue entrance currently signed only for parking, should include text and a directional arrow for the hospital entrance.
5. On the west-facing side of sign BH-GP17, at the corner of Cadieux Rd. and Jefferson, the hospital entrance arrow should read  indicate that the preferred entrance is not on Cadieux.

Per Section 58-5 (d) of the Ordinance, the Council may modify the standards for approval if it finds that the signs generally conform to the character of the neighborhood, achieve a purpose consistent with the intent of the Ordinance or the Master Plan, or if there is a practical difficulty preventing the applicant from meeting the standards. The City Planner recommended approval of the proposed Master Sign Plan for the Beaumont Hospital site located at 468 Cadieux Road, subject to the City Council's satisfactory findings for the items listed above.

Council discussion took place regarding the signage for the main entrance on Jefferson and the brightness of the internal illuminated proposed signs. The proposed landscaping for the directional signs was discussed.

Motion by Council Member Boettcher second by Council Member Walsh to approve the Master Sign Plan for William Beaumont Hospital, 468 Cadieux Road, with conditions noted above.

UNANIMOUSLY ADOPTED.

PURCHASE OF PUBLIC SERVICE VEHICLE

Public Service Director Huvaere made the following report:

The City of Grosse Pointe has used the Oakland County Purchasing Program since 1989 for pick-up truck acquisition. The Oakland County Purchasing Program awards contracts to the low bidder in a sealed bid process thereby satisfying the City's competitive bid requirements. Red Holman GMC in Westland is the winning dealership for the pick-up truck.

The vehicle that needs replacement is a 2005 GMC 1500 pick-up truck. The new truck would be a 2016 GMC 2500 series truck at a cost of \$27,384. When the truck is delivered to the department, lights are installed and an existing snow plow will be installed. This total additional cost will be \$600. The 2005 truck will be disposed of according to City policy. Cost for the pick-up truck with miscellaneous lights and installing snow plow would

total approximately \$28,000. Pricing was verified through MI Deal, the State of Michigan purchasing program for the equivalent vehicle.

Motion by Council Member Parthum second by Council Member Walsh to authorize the execution of an agreement to purchase a 2016 GMC pickup truck from Red Holman GMC through the Oakland County Purchasing Program.

UNANIMOUSLY ADOPTED.

PURCHASE OF MOTOROLA RADIOS

Public Safety Director Poloni made the following report:

The Public Safety Department is requesting the purchase of three Motorola APX6000 Portable Prep Radios. These will be replacing the original prep radios that are no longer being serviced by Motorola. The Department is continuing its plan to purchase three prep radios a year until the existing radios are replaced. Pricing is from the State of Michigan Contract and the purchase will be through ComSource Inc., who is the vendor that services the Grosse Pointe Radio System. The price for the radios and charging unit is \$11,465.10, plus freight.

Motion by Council Member Stempfle second by Council Member Parthum to approve the purchase of three Motorola APX6000 Portable Radios and charging units from ComSource, Incl. for a price not to exceed \$11,465.10, plus freight costs.

UNANIMOUSLY ADOPTED.

PURCHASE OF PUBLIC SAFETY VEHICLES

Public Safety Director Poloni made the following report:

The Department received a bid proposal for two new police vehicles, 2017 Police Interceptor Explorers, for an amount of \$52,610. The new vehicles will be assigned to the patrol division and will replace the two oldest vehicles. The price came from Gorno Ford which was the low bid under the State of Michigan Joint Purchasing Program and thereby satisfies the City's competitive bid requirements. The 2016-17 budget included \$60,000 for two new vehicles for patrol including the cost of the vehicle and the change over equipment. The actual price of each vehicle is \$26,305.

Motion by Council Member Parthum second by Council Member Stempfle to accept and approve the pricing from Gorno Ford for the amount of \$52,610 under the State of Michigan Joint Purchasing Program for two Ford Explorers.

UNANIMOUSLY ADOPTED.

PUBLIC COMMENT

Dave Fries from the Optimist Club asked for suggestions for ideas for the Optimist Club to make donations in the amount of \$5,000-\$10,000.

Joe Tate, candidate for State Representative introduced himself.

Christopher Profeta, candidate for Grosse Pointe Public School Board introduced himself.

George McMullen, candidate for Grosse Pointe Public School Board introduced himself.

STAFF REPORTS

Public Safety Director Poloni advised the Council on a voluntary pilot program assisting seniors and officers. An update was provided on upcoming Parks and Recreation events.

CLOSED SESSION

Motion by Council Member Turnbull second by Council Member Weipert to go into closed session on request of a public official for a performance evaluation.

ROLL CALL

Ayes: Boettcher, Parthum, Stempfle, Turnbull, Walsh, Weipert, Scrace
Nays: None
Absent: None

The Council met in closed session from 8:25 p.m. to 9:09 p.m. The City Council reconvened in open session at 9:10 p.m.

CITY MANAGER CONTRACT

Motion by Council Member Weipert second by Council Member Boettcher to amend the employment agreement for the City Manager to show an annual salary of \$117, 600, and a bonus of \$3,500 effective July 1, 2016. The City Attorney is directed to prepare the appropriate Agreement for the Mayor's signature.

UNANIMOUSLY ADOPTED.

On Motion, the meeting was adjourned at 9:12 p.m.

Julie E. Arthurs, City Clerk
City of Grosse Pointe