

MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, 17145 MAUMEE AVENUE, GROSSE POINTE, MICHIGAN ON MONDAY, OCTOBER 15, 2018.

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

ROLL CALL

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

In Attendance: City Manager Dame, Attorney Kennedy, City Clerk Arthurs, Finance Director Kleinow, Public Service Director Randazzo, and Parks and Recreation Director Hardenbrook.

Motion by Council Member Walsh, second by Council Member Tomkowiak, to excuse Council Member Parthum from the meeting for personal reasons.

UNANIMOUSLY ADOPTED.

CONSENT AGENDA

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

1. Minutes from the regular Council Meeting held on September 17, 2018.
2. Invoices
 - a) Jorgensen Ford - Water Department Ford F-150, September 2018, \$24,568
 - b) GFL - Recycling, October 2018, \$5,912
 - c) G2 Consulting Group - 2018 Resurfacing Inspections, August 2018, \$7,539
 - d) State of Michigan - Fisher Road Streetscape, August 2018, \$30,104.57
 - e) Oak Construction - Backflow Gate Replacement Project, Estimate #5, \$16,100
 - f) Great Lakes Water Authority - Sewage, September 2018, \$74,100.00
 - g) Anderson, Eckstein & Westrick, Inc.
 - 2018 Resurfacing Program, 7/23/18 – 8/19/18, \$25,957.63
 - Fisher Road Streetscape, 7/23/18 – 8/19/18, \$31,921.57
 - h) Bricco Excavating Co - Washington Watermain Project, Estimate #7, \$77,430.49
 - i) Warren Contractors & Development, Inc. Fisher Road Streetscape, Estimate #3, \$7,566.65
 - j) Florence Cement Company - 2018 Resurfacing Program, Estimate #3, \$128,459.76
 - k) Plante & Moran, PLLC - Annual Audit, Progress Bill #1, \$32,000
 - l) Fildew Hinks - Legal Services, August 2018, \$5,126.18
3. Approval of 2019 allocation of \$13,717 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. Approval of Special Event Application from the Chamber of Commerce to hold the Grosse Pointe Santa Claus Parade on November 23, 2018.
5. Approval of the waiver of parking fees for the Village off-street parking lots on the four weekends (all day Saturday and Sunday) between Thanksgiving and Christmas.

CONSENT AGENDA UNANIMOUSLY ADOPTED.

PRESENTATION – WAYNE COUNTY COMMUNITY COLLEGE

Mary Ellen Stempfle, Chairperson of the Wayne County Community College Board of Trustees, presented information regarding the upcoming WCCC millage proposal on the November 2018 ballot. Mrs. Stempfle discussed various programs offered by the college and how aspects of the temporary millage and permanent millage would affect taxpayers.

PRESENTATION – GROSSE POINTE PUBLIC LIBRARY

Jessica Keyser, Library Director, presented a PowerPoint presentation discussing the renewal proposal on the November 2018 ballot. Ms. Keyser discussed some of the most used programs such as story time and live streaming. She noted that an email newsletter and outreach librarians have been implemented to help drive traffic to the Library. Ms. Keyser answered various Council questions regarding the proposal millage renewal.

GUARANTEED MAXIMUM PRICE CONTRACT FOR CITY FACILITIES IMPROVEMENTS

City Manager Dame made the following report:

On August 8, 2017, Grosse Pointe City voters approved financing up to \$12.96 million in bonds to fund new Public Safety and Public Works facilities and to renovate the existing Public Safety building for the Municipal Court. In the Fall of 2017, the City Council voted to purchase the properties at the corner of Mack and St. Clair in the City for the new Public Safety building, and completed that purchase earlier this year. At the December 18, 2017, meeting the Council also voted to direct staff to bring back a design/build agreement with Partners in Architecture (PIA), an architectural firm that specializes in building public facilities, including schools, city halls, public works buildings, police, fire, and court facilities, to serve as architect and lead for the Public Works and Public Safety and Municipal Court facilities projects. The design/build process with a Guaranteed Maximum Price (GMP) contract was adopted to ensure that the City could complete all of the projects within the amount of the bond authorized by the voters.

In January of 2018, the base AIA design/build contract was approved, which began the process to turn the original conceptual designs into final designs. When the City of Detroit reversed its approval later that month and denied the City from using the Canyon site in Detroit, Partners in Architecture worked with the City to come up with alternate designs for Public Works. These discussions occurred at Council meetings throughout most of 2018. In August, the City Council approved the site plan and design for the Public Safety Building, followed by the Public Works and Court site plan at the existing site last month.

David Gassen and Lauren Lee of Partners in Architecture, provided a PowerPoint presentation covering the GMP for the Municipal Buildings Project. Mr. Gassen reviewed the Design-Build Contract process, the contract components, and the project schedule. The total project costs and preliminary contract fee were summarized. Mr. Gassen and Ms. Lee answered various Council questions regarding the project schedule, contingencies, allowances, subcontracts and how any cost savings are shared.

The proposed contract with PIA amends the base contract approved in January to reflect the revised location of the Public Works facility. It names the builder partner as DeMaria after reviews of five prequalified construction companies. It includes the description of the designs for the projects, and provides the guaranteed price at which the PIA/DeMaria team will construct the project. DeMaria will act as the project manager and serve in a capacity similar to a construction manager. While DeMaria may perform some construction work, about 90% is expected to be subcontracted out. This will be done using competitive bids which will be reviewed and approved by the design/build team including the City. If the bids come in lower, or if savings are found in how to construct the project, the design/build team shares in the savings with most of the savings going to the City. The overall cost of the project is guaranteed, with the exception of costs beyond the control of the team.

The Guaranteed Maximum Price to complete all three projects is \$12,627,250. The costs include everything related to the development of construction documents, project management and actual construction of these projects. With the conclusion of the design phase, PIA will be now be paid the \$120,000 design fee contained in the base contract. Note that the construction costs do not include furnishings, estimated at \$110,000, which will be budgeted separately from the Capital Projects Fund, from remaining contingency, or potentially from shared design/build savings gained during the bidding process. The GMP amount does allow the project to be completed within the financing approved by voters.

Motion by Council Member Williams, second by Council Member Stempfle, to approve the updated design build agreement with PIA and associated exhibits including a GMP of \$12,627,250, subject to acceptance and approval by the City Attorney of the language and form of the contract documents.

UNANIMOUSLY ADOPTED.

VILLAGE PARKING STRUCTURE ENGINEERING INSPECTION

Public Service Director Randazzo made the following report:

In order to maintain and preserve the Village's municipal parking structure, every five years, an engineering report is recommended for proper sustainability. The City received three proposals to conduct a complete inspection and engineering audit for the municipal parking structure. The proposal included site observation to identify areas of concern for maintenance, architectural and engineering, to provide recommendations for new parking equipment, a lighting analysis of the structures lighting system, and prepare a report of the findings to the City from the evaluation and discuss recommendations and outline the deficiencies that should be corrected. The proposals are as follows:

Rich and Associates	\$12,700
WGI	\$14,310
Walker Consultants	\$14,850

Rich and Associates is a parking company located in Southfield, MI specializing in parking structure design. Rich and Assoc. designed the structure completed in 2008 and they conducted the conditions report in 2013. They are the recognized leader in the field in southeast Michigan having designed many of the parking structures in and around Detroit. Due to their familiarity and experience, they are highly recommended.

Motion by Council Member Turnbull, second by Council Member Williams, to approve the proposal from Rich and Associates for the amount of \$12,700, for the parking structure inspection and audit services.

UNANIMOUSLY ADOPTED.

ENGINEERING AGREEMENT – OHM – MAIRE SCHOOL SAFE ROUTES TO SCHOOL GRANT

City Manager Dame made the following report:

In February the City of Grosse Pointe submitted a grant application with Council approval for a grant to improve pedestrian and bike safety at and around Maire School. For about two years, the City of Grosse Pointe worked with a Maire School Safe Route to School Committee to come up with a plan to improve the safety of students and encourage children to walk and bike to school. The Committee included representatives of Maire school, residents from Grosse Pointe and Grosse Pointe Park, the City of Grosse Pointe and the City of Grosse Pointe Park. The plan consists largely of improved signage and crosswalks on the streets around the block on which Maire School is located. It would add a pedestrian timer countdown at the Cadieux/Waterloo signal crossing. The plan also includes more bike racks at the school, and relocating the sidewalk in front of Maire School on

Cadieux away from the curb to promote safety (but still with the public ROW). Another component of the plan is educational, in which the Maire School administration increases the promotion of walking and biking by its students. See the attached description of the physical aspects of the plan.

The City has received word from MDOT that the State of Michigan has conditionally approved this project. If finally approved, the City will act as the fiduciary for the grant and oversee its administration. The work is intended to be completed in conjunction with the resurfacing of Cadieux from Kercheval to Mack in the Summer of 2019 by the City of Grosse Pointe Park. The Park received a grant of federal funds through Wayne County for the resurfacing project. That resurfacing project will include ADA accessible ramps and crosswalk markings on Cadieux that had originally been proposed to be included in the Safe Walk to School Plan. The City of Grosse Pointe Park has hired OHM, a firm with significant experience in federal aid road construction projects, to engineer the Cadieux grant funded resurfacing project. To integrate the project, the City recommends hiring OHM as well. The total construction cost of the project is estimated at \$100,000. The grant would cover all of the costs except for engineering. The Grosse Pointe School District has agreed to split the cost of the engineering with the City of Grosse Pointe. The cost of this engineering contract is \$12,000, half of which will be reimbursed by the Grosse Pointe Schools.

Motion by Council Member Walsh, second by Council Member Tomkowiak, to approve the engineering agreement for the Safe Routes to School Grant for Maire School with OHM.

UNANIMOUSLY ADOPTED.

PURCHASE OF CENTER PLAY FEATURE – NEFF PARK BABY POOL

Parks & Recreation Director Hardenbrook made the following report:

SUMMARY: The Neff Park baby pool just completed its seventeenth season. In 2016 it received a newly re-pebbled pool surface. It is now time to replace its faded, broken down play features in order to complete the baby pool's refreshed life expectancy.

The center feature, known as a Star Burst, has a faded surface that is unaesthetically pleasing. Due to the years of use and exposure to chemicals and weather, the features have been stripped of their protective coating, exposing bare fiberglass below the distinct water lines. Five of the six Star Burst features do not work properly due to rusted valves, broken gaskets or missing parts. The remaining surrounding the play features will also need replacement for similar reasons. The Star Burst play feature is a sole source manufactured piece from Rain Drop Products LLC. The replacement of this feature must be the exact same feature in order to have proper alignment for connecting six supply mounts located in the surface of the pool's bottom.

Rain Drop was asked to quote the play feature because they are the original manufacture of the current play feature(s). This would be a specialized purchase, replacing the old feature with an exact same new feature. The City obtained a written proposal from Rain Drop Products, LLC for the replacement of the center Star Burst at the Neff Park baby pool. With proper maintenance, the life expectancy of this replacement will be another 15 to 20 years. Based on research of competitive companies with water features comparable in size, the City feel that the Rain Drop Quote of \$25,107 is reasonable and recommend that their proposal be accepted. It would require substantial retrofitting to put any alternative center feature there, rendering alternative options financially unfeasible.

Motion by Council Member Turnbull, second by Council Member Walsh, that the proposed central "Star Burst" play feature be purchased from Rain Drop Products LLC in the amount of \$25,107 and that formal bidding requirement be waived due to the sole source availability to replace this product.

UNANIMOUSLY ADOPTED.

SPECIAL EVENT APPLICATION – GROSSE POINTE FOUNDATION FAMILY JINGLE AND MINGLE

City Manager Dame made the following report:

The City has received the attached special event request for a City of Grosse Pointe Foundation Family Jingle and Mingle public party and fundraiser proposed to be held on Friday, November 16, 2018 starting at 6:30 p.m., immediately following the City's Village Aglow Tree Lighting. The Foundation, a separate 501(c)3 non-profit organization, proposes to hold this new event on St. Clair across Kercheval from the tree lighting. There will be a large tented area and space heaters provided. City policy is that non-profit sponsored events must reimburse the City for any costs above \$500. Given that City staff will already be in place for the tree lighting, additional staff costs are expected to be minimal but would be reimbursed by the Foundation.

Motion by Council Member Stempfle, second by Council Member Turnbull, to approve the Special Event Request of the City of Grosse Pointe Foundation contingent upon the following items:

- Rent of \$500 for use of street (which would be offset by the \$500 "credit" given to non-profits).
- Certificate of insurance listing the City of Grosse Pointe as an additional insured.
- Compliance with the Michigan Liquor Control Act including providing proof of state licensing and special liquor insurance as may be required.
- Provide or pay for extra garbage pickup.
- Enclose the area around the tent.
- Provide or pay for security/extra police.
- Agree to fix any damage to City property.
- Provide porta-potties.
- A written statement that the Foundation will indemnify and hold the City harmless for any damages.

UNANIMOUSLY ADOPTED.

PUBLIC COMMENT

Margaret Greene, 520 St. Clair, reviewed and summarized a written statement regarding the incomplete site plan review application for the Public Works building and inaccurate drawings of record. She described the submittal deficiencies and stated that the project architect failed to provide accurate information. The statement was submitted to the City Clerk for the record.

Mickie Verdebar, 520 Neff, expressed concerns about the property being used for a commercial function and expressed concern about contamination of the site. She asked if MDEQ has been asked to review the property and any underground tanks.

Steven Nadeau, owner of 484 St. Clair, lives in Grosse Pointe Woods, that this building will be a drain on property values no matter what the design is and he is opposed to an industrial building. It is not right for the community. This building is encumbering future Councils with debt. He asked that Council put the issue to a vote again.

Barry Dickson, 37 Cranford Lane, stated that any contamination of the Public Works site is a danger to residents and tests should be done.

Betty Smith, 518 St. Clair, that this project conflicts land use designated in the Master Plan and discussed the residential building code. She discussed components of a Public Works building project done in Oak Park, IL with similar circumstances.

STAFF REPORTS

Parks and Recreation Director Hardenbrook reported on The Village Trick or Treating event on October 31 from 3:30-4:45 pm. Clerk Arthurs reported on November election preparations. Clerk Arthurs also reported that the Beautification Commission had an Awards Ceremony on October 11 awarding 10 homes a Beautification Award. Public Service Director Randazzo stated that leaf collection started on October 15 and provided details on the ongoing DTE upgrade project in the City.

COUNCIL COMMENT

The City Council commented on the following topics:

- The importance of moving forward with the Municipal Buildings Project to create the best and most cost-effective facilities that have the least amount of impact on adjacent neighbors so that City employees can provide the services that residents expect.
- The Village Tree Lighting is November 16, with the City of Grosse Pointe Foundation Family Jingle and Mingle event immediately following.

CLOSED SESSION

Motion by Council Member Turnbull, second by Council Member Stempfle, to go into closed session to consider a memorandum of the City Attorney regarding ongoing litigation.

ROLL CALL

Ayes: Stempfle, Tomkowiak, Turnbull, Walsh, Williams, Boettcher

Nays: None

Absent: Parthum

The Council met in closed session from 9:01 p.m. to 9:18 p.m. The City Council reconvened in open session at 9:19 p.m. There was no further action taken by Council.

On Motion, the meeting was adjourned at 9:20 p.m.

Julie E. Arthurs, City Clerk
City of Grosse Pointe