

**MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE CONFERENCE ROOM OF THE NEIGHBORHOOD CLUB, 17150 WATERLOO, GROSSE POINTE, MICHIGAN ON MONDAY, NOVEMBER 18, 2019.**

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

OATH OF OFFICE

City Clerk Julie Arthurs administered the oath of office to Municipal Judge Russell Ethridge, Mayor Sheila Tomkowiak and Council Members Donald J. Parthum, Jr., John Stempfle and Terence A. Thomas.

ROLL CALL

Present: Mayor Tomkowiak, Council Members Parthum, Stempfle, Thomas, Walsh, Williams

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

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

CITY COUNCIL VACANCY

Mayor Tomkowiak reviewed the City Charter provisions for filling vacancies for the office of City Council Member. Ms. Tomkowiak indicated that the Council will evaluate the process and determine a consensus to appoint a candidate for the position.

CONSENT AGENDA

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

1. Minutes from the regular Council Meeting held on October 21, 2019 and the closed session meeting held on October 21, 2019.
2. Invoices
  - a) Florence Cement Company - 2019 Resurfacing Project, October 2019, \$104,941.27
  - b) Great Lakes Water Authority - Sewage Disposal, October 2019, \$74,500
  - c) Business Communication Systems, Inc.
    - New Facilities Phone System, Deposit, \$9,212.85
  - d) Fildew Hinks - Legal Services, September 2019, \$14,784.52
  - e) Anderson, Eckstein & Westrick, Inc.
    - 2019 Resurfacing Program, 9/16/19 – 10/13/19, \$18,116.05
  - f) Inland Waters Pollution Control, Inc.
    - Rathbone Storm Sewer Rehabilitation, October 2019, \$55,582.92
  - g) Michigan Municipal League - Workers Compensation, Installment #3, \$17,929
  - h) GFL - Recycling, November 2019, \$5,522
  - i) Bobcat - Bobcat, October 2019, \$50,722.92
  - j) Partners In Architecture - New Facilities, Installment #5, \$511,770.78
3. Approval of a three-month extension of the PEG Agreement with the Grosse Pointe War Memorial.

CONSENT AGENDA UNANIMOUSLY ADOPTED.

## RECOGNITION OF URBAN FORESTRY COMMISSION

Mayor Tomkowiak announced that the Urban Forestry Commission was awarded the Keep Michigan Beautiful Presidential Award for its accomplishments over the last three years to address the needs in preserving the trees and tree canopy in the City of Grosse Pointe. Brian Colter, the City's Forester, accepted the award on the City's behalf at a ceremony in Lansing. In 2017, the City Council established the Urban Forestry Commission which developed an Urban Forestry Master Plan, completed an inventory of city-owned trees and donations to plant trees in low-canopy areas.

The City Council congratulated members of the Urban Forestry Commission in attendance and thanked them for their continued work on preserving the City's trees.

The City Council convened as the Zoning Board of Appeals.

## PUBLIC HEARING – ZONING BOARD OF APPEALS – 379 LAKELAND

Mayor Tomkowiak indicated that this was the time set for a public hearing by the Zoning Board of Appeals to consider the variance request of Jay and Patty Fitzgerald, 379 Lakeland, for a variance from Section 90-351(3), side yard adjacent to a street.

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 made the following report:

The applicants hope to retain visual separation between their home and the new home under construction at 363 Lakeland Street. Currently, a six (6') foot cedar stockade fence and eight (8') foot brick wall abut their west neighbors and a six (6') foot brick wall and six (6') foot chain-link fence abut Lakeland Street to the east. The Maumee Avenue yard is the applicant's "exterior side yard" and the Lakeland yard from the building line off Maumee south to the property line is the "front yard", as defined by the fence standards in the ordinance. There is also a man-made pond in the yard. The applicant has expressed the need for a fence to ensure the safety of passersby who may be tempted to enter the pond. While the depth of the pond is not specified in the variance application, the owners desire to minimize risk to others and enhance the safety of this property by using a fence. The proposed fence location is defined under the fence ordinance as the front yard.

The proposed fence is six (6') feet tall rather than the required three (3') feet because of the applicant's desire for private yard space; the unique dwelling orientation does not permit a private rear yard that is enjoyed by similarly situated homes in the district. The unique conditions created by the placement of the home require special consideration. Whereas the ordinance provides for six (6') foot tall fencing in the rear yard to create private recreation space, the area on the subject property, "behind" the home facing Maumee Avenue, has a non-conforming barrier at the Lakeland Street sidewalk. Full conformance with the ordinance requirements would create a private recreation space with limited privacy from Lakeland, and strict application of the requirements limits the private outdoor space afforded to other residential properties. Additionally, the applicant proposes replacing an existing chain link fence with the stockade fence. Landscaping will shield the proposed fence from Lakeland Street; however, the stockade fence is proposed directly on the property line.

Based on existing codes and ordinances, and the findings herein, the City Planner recommends granting the requested variance for an increased fence height to six (6') feet in the front yard. Strict conformance with the Ordinance would make it difficult for the property owner to enjoy a reasonably private outdoor leisure area like those enjoyed by other owners in the district. Subject to any concerns raised in the public hearing, specifically the neighbors in the new home under construction to the south, it is recommended that the Zoning Board of Appeals approve the applicant's request, with the condition that if the subject property is ever divided, the

fences along Lakeland must conform to the ordinance requirements and match the fence placement of the home at 355 Lakeland.

Jay Fitzgerald, applicant and owner of 379 Lakeland, discussed his appeal and asked for a favorable consideration by the Zoning Board of Appeals.

Mayor Tomkowiak asked for public comment. Hearing none, public comment was closed.

The Board discussed the appeal and noted for the record that the adjacent neighbor, Stephen and Elizabeth Brooks, 355 Lakeland, are in favor of the fence.

Motion by Council Member Walsh, second by Council Member Thomas that the Zoning Board of Appeals finds that a practical difficulty exists and that the property owners should be allowed to build a six foot privacy fence in a front yard adjacent to an interior side yard, and that a variance be granted for 379 Lakeland, in an ER – Estate Residential District, with the condition that if the subject property is ever divided, the fences along Lakeland must conform to the ordinance requirements and match the fence placement of the home at 355 Lakeland.

UNANIMOUSLY ADOPTED.

BID AWARD – VILLAGE PARKING STRUCTURE LED LIGHTING

Public Service Director Randazzo made the following report:

As part of the maintenance and structural engineering report performed earlier this year, it was recommended that lighting replacement in the Parking Structure should be completed. The City received bids for a contract to complete the necessary repairs that were recommended in the 2019 Audit Report conducted by Rich and Associates. Nine bids were received which are noted below:

Eco Green Energy LLC	\$44,528.75	Est. rebate \$6,093.08
Shoreview Electric	\$49,000	Rebates not included
Edgewood Electric	\$49,320	Rebates not included
P and F Construction & Dev.	\$50,825	Est. rebate \$7,141.80
(Bid includes \$32,125 base, \$12,500 electrical conn., \$5,000 overhead, \$1,200 signage)		
Wade's Electric Inc.	\$62,991	Rebates not included
AOM Engineering Solutions	\$63,211.92	Rebates not included
Wright Energy Partners	\$64,562.74	Est. rebate \$7,524.80
Sawyer Services	\$75,193.50	Rebates not included
Rauhorn Electric Inc.	\$113,432.25	

Eco Green is a firm that has significant experience with installation of LED lighting fixtures in all Bedrock locations, the DSO, Ford Field and Grosse Pointe Farms. Eco Green is using a Cree light fixture that is recommended by SES, the parking structure's original electrical engineer, and is the lowest bidder. The proposed and recommended LED lights are whiter and brighter than the existing lights which will enhance the feeling of security and provide better clarity for security cameras in the facility.

Council discussion took place regarding how long the light fixtures will last and how savings from the installation will be tracked and monitored.

Motion by Council Member Stempfle, second by Council Member Williams to award the bid to Eco Green Energy LLC, for the amount of \$44,528.75; noting that after purchase and installation, the City will receive \$6,093.08 in rebates from DTE for installing energy efficient lighting.

UNANIMOUSLY ADOPTED.

RESOLUTION – SUPPORTING MAIN STREET GROSSE POINTE

City Manager Dame made the following report:

A group of volunteers, including members of the Grosse Pointe Village DDA Board, have been meeting to prepare an application to the State of Michigan for designating downtown Grosse Pointe as a Michigan Main Street community. The City Council voted unanimously to commit a minimum of \$25,000 and up to \$25,000 more, if matched by fundraising efforts.

As the fundraising efforts and volunteer pledges continue, both the City and the DDA are required to approve resolutions indicating their support for meeting the commitments and principles of the Main Street program. The proposed Council resolution, based on a sample provided by Michigan Main Street, is attached for approval. The DDA will consider their resolution at their December 2 meeting with the application deadline being December 6, 2019.

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

WHEREAS, The Village downtown is vital to our community's identity and quality of life;

WHEREAS, the City of Grosse Pointe supports improvements and enhancements to Downtown Grosse Pointe and has illustrated this by empowering the City of Grosse Pointe Downtown Development Authority; and

WHEREAS, it is the City's intent to attract, retain and expand businesses in the downtown district, and to work on the continued improvement, revitalization and development of The Village and to promote The Village; and

WHEREAS, The Michigan Main Street Center @ MEDC, formed in 2003, provides consulting services to communities that commit to the Main Street Four Point Approach (Design, Organization, Promotion and Economic Restructuring) to strengthen commercial activity and improve buildings in a community's downtown:

- **DESIGN** – capitalizing on the assets of the downtown's physical environment, such as historic buildings, and creating an inviting atmosphere through renovation and perhaps new construction, all the while developing sensitive design management systems and long-term planning for sustainability.
- **ECONOMIC VITALITY** – strengthening a community's existing economic base by helping existing businesses and recruiting new ones, thereby converting unused space into productive property.
- **PROMOTION** – the effort to market the downtown's unique characteristics to residents, visitors, investor and business owners through advertising, retail activities, events, and marketing campaigns.
- **ORGANIZATION** – the effort to involve all the downtown's stakeholders to work toward a common goal, and driving a volunteer-based Main Street Program under the direction of a governing board, standing committees, and the guidance of a paid program director; and

WHEREAS, The Main Street Approach to downtown revitalization has generated community-wide interest and support; and

WHEREAS, the City will apply to become a Michigan Main Street community and the Grosse Pointe Village Downtown Development Authority will become a Main Street organization to stimulate economic development and historic preservation of the downtown; and

WHEREAS, the City of Grosse Pointe recognizes and affirms its commitment to provide financial support to the local Main Street organization when established;

NOW, THEREFORE, BE IT RESOLVED:

1. The Community and its Local Main Street Program agree to the minimum participation standards set forth by the MMSC @ MSHDA including a full-time program director, active board of directors and committees, adequate funding and participation at required trainings and services.
2. The Community and its local Main Street Program will strive to meet the Ten Standards of Performance set by the National Trust for Historic Preservation's National Main Street Center.

UNANIMOUSLY ADOPTED.

#### PUBLIC COMMENT

Laurie Coplin, 863 University, thanked the City for their work on clearing snow during the recent snow event. Ms. Coplin suggested increasing the number of signs on leaf clearing day to notify people parking on the street to move their cars to facilitate leaf collection.

Stephen Thiel, 17130 St. Paul, asked about the City policy about public safety officers acting as process servers during work hours and in an official capacity. He asked for help to resolve his issue with the public safety department before he takes action in court.

Bob Morrow, 660 Washington, asked that the City extend the leaf collection by one week.

#### STAFF REPORTS

Public Service Director Randazzo reported that leaf pickup was temporarily suspended due to the recent snow event. Based on continued good weather, the leaf pickup could resume by the end of the week. Parks and Recreation Director Hardenbrook reported on the upcoming Village holiday events such as the Village tree lighting and Jingle and Mingle event set for November 22 at 5:30 pm; with the tree lighting at 6:00 pm.

#### COUNCIL COMMENT

The City Council commented on the following topics:

- The Council expressed appreciation to Christopher Boettcher for his 10 years of service as a Council Member and as Mayor; and wished Chris and his family continued health and happiness.
- The Council was encouraged by the election turnout and attendance at the meeting, and appreciated the community's involvement.
- Looking forward to working together on goals and building a consensus to fill the Council vacancy.
- Recognized the historical significance of the first African-American individual elected to office in all of the Grosse Pointe communities, and the second female Mayor in the City and all the Grosse Pointe communities.

On Motion, the meeting was adjourned at 7:36 p.m.

---

Julie E. Arthurs, City Clerk  
City of Grosse Pointe