

MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD VIRTUALLY VIA THE ZOOM VIDEO AND PHONE CONFERENCE PROGRAM ON MONDAY, JULY 20, 2020.

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

ROLL CALL

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

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

CONSENT AGENDA

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

1. Invoices
 - a) Bruce Diver - Check Valve, June 2020, \$5,600
 - b) Michigan Joint Sealing, Inc. Joint and Crack Sealing, Estimate #1, \$26,155.13
 - c) Michigan Municipal League - Workers Compensation, Installment #1, \$23,525
 - d) City of Grosse Pointe Park
 - Cadieux Charlevoix Project, June 2020, \$60,137.28
 - e) GFL - Recycling, July 2020, \$9,121
 - f) Art Tucker - Check Valve, June 2020, \$5,460
 - g) Tri-County International Trucks, Inc. - Refuse Truck Repairs, June 2020, \$27,488.70
 - h) Great Lakes Water Authority - Sewer Charges, June 2020, \$74,500
 - i) Ferguson Waterworks
 - Meter Reading System, June 2020, \$7,534.25
 - Meter Reading System, June 2020, \$29,958.90
 - j) DTE - Public Works Building, June 2020, \$13,887.34
2. Minutes from the regular meeting held on June 15, 2020.
3. Approval of granting a permanent easement to DTE for use of the City owned property at 17147 Maumee Avenue for utilities.
4. Approval to award the bid for the 2020 Sidewalk Replacement Project to Asphalt Control Corp. in the amount of \$7,731.25.

ROLL CALL VOTE

Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
Nays: None.

MOTION CARRIES.

The City Council convened as the Planning Commission

SITE PLAN REVIEW – FAÇADE RENOVATION – 16906 KERCHEVAL AVENUE

City Planner Connochie made the following report:

The applicant, Kercheval Company LLC, has proposed façade improvements for 16906 Kercheval Avenue. This building has frontage on Kercheval Street and Kercheval Place in the C-2 Central Business District. The applicant proposes to provide a modern renovation to the building façade. The building is currently vacant.

Section 90-74(o) of the Zoning Ordinance requires site plan review and approval by the Planning Commission for façade renovations that are substantial in nature. The proposed improvements represent a significant change from the existing façade.

The proposed façade will include a modern update of the existing building, including white decorative Azek base and large storefront windows. Above the storefront windows and door, straight-edge panel Hardy Board plank shingles in either Monterey Taupe or Grey Slate color (see attached images), and white Azek cornices are proposed. Either color is in compliance with the Village Design Guidelines and C-2 District Development Standards, which requires a neutral palette compatible with the surrounding buildings. Details regarding light fixtures have not been proposed as part of this site plan, however the applicant has provided correspondence regarding the type of lighting to be installed, including dark bronze downward facing decorative wall lights pictured in this report. Location of lighting details must be provided prior to issuance of a building permit. Details regarding signage were not submitted as part of the site plan. The improvements that are proposed for the front of the building will result in a façade that matches the character of adjacent and nearby buildings that have been updated and bring the façade into closer compliance with the development standards for the C-2 district.

The applicant has not disclosed drawings of any proposed alterations to the rear façade as a part of this site plan review, however, the applicant provided correspondence that stated he plans to repaint the rear façade the same color as the proposed front façade, as well as potential replacement of shutters. The rear façade changes are solely aesthetic improvements and do not require site plan review. However, the applicant will need to provide confirmation on color and material details for any changes to the rear façade.

Council discussion took place regarding the proposed façade improvement. It was noted that the improvements are a positive step in contributing to the quality appearance of the Village. There are no structural changes that will increase the building footprint or impact adjacent properties. The City Planner recommended site plan approval subject to the outstanding items to be addressed below:

1. Provide specs and location of proposed lighting prior to issuance of a building permit.
2. Provide signage details and calculations for Administrative Review.
3. Confirmation of any alterations to the rear façade.

James Bellanca, of Kercheval Co., the applicant, stated that the proposed renovations will improve the building to help attract a tenant. Mr. Bellanca noted that F45 Fitness was proposed to use the building but due to pandemic regulations of travel between Canada and the United States, the business has been unable to proceed and open.

Motion by Council Member Stempfle, second by Council Member Williams, to approve the site plan for the façade renovations at 16906 Kercheval Avenue, subject to the conditions specified in the City Planner's Report dated July 13, 2020.

ROLL CALL VOTE

Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
Nays: None.

MOTION CARRIES.

PUBLIC HEARING – PLANNING COMMISSION – MORATORIUM ON DEMOLITION AND NEW BUILDING PERMITS IN THE E-R ESTATE RESIDENTIAL DISTRICT

City Manager Dame provided an overview of the proposed moratorium. Mr. Dame stated that out of concern for retaining the historic character of the neighborhoods in residential zoning district E-R, City staff is recommending a moratorium on issuance of demolition permits for primary dwellings and coach houses in that district. Staff also recommends that the moratorium extend to issuance of new dwelling building permits. A six-month moratorium will allow the City Council time to evaluate whether to establish a historic district that would be intended to preserve

the large historic homes found in the E-R District. It would also allow the City Council to evaluate whether design standards should be adopted.

There are recent and/or pending sales of several historic estate homes in the E-R District and there are also vacant lots in the E-R District available for construction. As recently discussed by City Council during the approval of a recent lot split, the City's zoning code does not have any restrictions on tear downs of a home that may contribute to the historic character of the E-R district, nor does the City have control of the design appearance. The City's control of new buildings in the E-R district does assure that only single-family homes can be constructed and but there is no assurance that new homes built in this district will complement the traditional character of the neighborhood. Give the importance of the City's Master Plan stated goal of maintaining the historic character of the area since designated by zoning as the Estate Residential District (E-R), the City should temporarily preclude any of the historic estate homes from being torn down and from being replaced with new homes that are not in keeping with the traditional character of that district. Irreparable harm could occur if a moratorium is not put in place.

City Planner Connochie summarized her written reports as follows:

For the last 15 years, the current planning policy and zoning has been successful in preserving the character of the E-R District. Special zoning provisions regarding building height, lot size and coverage, and setbacks were developed to reflect the unique characteristics of homes in this district and facilitate reinvestment. However, as time has gone on and local conditions have changed, additional tools are needed to achieve the planning policies established in the Master Plan. Without more robust tools, the City cannot effectively enforce the purpose and intent of the E-R District. While the City reevaluates what the best tool(s) are, it has the ability to put a moratorium on specific activities within the E-R District into place. A moratorium puts a temporary stop to a specific activity to allow time for the municipality to develop and adopt proper regulations concerning the activity. It is typically used when a municipality feels it needs time to catch its ordinance up to address emerging or ongoing land use issues. The main benefit of implementing a zoning moratorium within the E-R District is that it would allow the City to halt any demolition or construction activity for a temporary period of time to review the existing district regulations and adopt more appropriate standards.

The City must identify a governmental interest for enacting the moratorium, best argued through identifying threats to public health, safety, or welfare that result from a lack of existing standards. These reasons are clearly stated in the moratorium resolution included with the Planner report, but are based upon the following:

- The E-R District is unique within Grosse Pointe, and home to the majority of its remaining, original historic assets. A lack of preservation tools threatens to deteriorate this history.
- Standards that encourage preservation, investment, and stability of the E-R District come with significant cultural and economic benefits. These benefits to public welfare and property values are threatened when there is a lack of standards to encourage such activities.

The Planner stated that contemplated projects would irrevocably change the character of current homes in the proposed historic district.

Details regarding the potential steps to the creation of a Local Historic District and the creation and development of Estate Residential Design Guidelines were discussed. It was noted that while the City is exploring options in the district, it may also consider other tools that will encourage maintenance and preservation of, and investment in, properties within the E-R. Those include:

1. Incentives: Tax abatements or matching grants that provide property owners direct incentives to invest in certain activities, such as restoration, renovation, or rehabilitation.
2. Creative solutions: Properties within the E-R District are large, and as a result are expensive to buy and maintain. Creative solutions, such as permitting accessory dwelling units (ADUs) in carriage houses would give homeowners other options for offsetting costs. This would also provide additional housing choice within the area without significantly changing neighborhood character.

Planning Commission discussion took place regarding the proposed moratorium, steps to create a historic district, a designated process for review in the historic district, exterior renovations with the district would require special approval in a historic district, and fair and consistent application of proposed design guidelines across the district.

Motion by Council Member Parthum, second by Council Member Thomas, that the Planning Commission recommends that the City Council adopt a resolution establishing a moratorium on total and partial demolition permits for primary dwellings and coach house and building permits for new dwellings in the Estate Residential E-R District.

ROLL CALL VOTE

Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
Nays: None.

MOTION CARRIES.

The Planning Commission reconvened as the City Council.

Mayor Tomkowiak opened the public comment for the proposed Moratorium on Demolition and New Building Permits in the E-R Estate Residential District. There were two written comments received and distributed to the City Council in accordance with the public comment guidelines for virtual meetings. The following comments were made:

Laura Sullivan, 320 Washington, supports a historic district and the moratorium. She feels historical preservation benefits the community and will add value to homes in the district.

Matt Rigotti, 223 Washington, not in favor of the moratorium because standards are currently in place that can be enforced. A historical district causes a financial burden on homes in the district.

Rebecca O'Reilly, 354 Washington, strongly supports the moratorium to preserve historical properties in the district.

Patrick Ahearn, 17680 E. Jefferson, a historic district is important to protect homes and allow homeowners in the district to modernize their homes to be more liveable but preserve the historical character and nature of the home.

John Doerer, 300 Washington, is interested in the rehabilitation credit incentive in a historical district and supports the moratorium.

Kevin Hinman, 281 Washington, supports the moratorium in the E-R District.

Dale Scrace, 559 Lincoln, supports the moratorium to allow the Council and Planning Commission time to see what is needed to support the district.

Carol and Larry Marantette, 305 Washington, supports the moratorium and historical district; which will enhance and preserve the architecture in the district.

Hearing no further comments, Mayor Tomkowiak closed public comment.

Motion by Council Member Williams, second by Council Member Parthum, to approve and adopt the Resolution establishing a six-month moratorium on demolition permits, in whole or in part, for primary dwellings and coach houses and building permits for new dwellings in the E-R, Estate Residential Zoning District based on the record and recommendation of the City Planner and the Planning Commission.

ROLL CALL VOTE

Ayes: Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
Nays: None.

Recusal: Juip

MOTION CARRIES.

MAIN STREET GROSSE POINTE DDA BYLAWS

City Manager Dame made the following report:

The Council heard a presentation from MEDC officials at the June 2019 Council meeting and agreed to pursue designation as Michigan Main Street community for The Village. The DDA was selected as the logical organization to house the functions of the Main Street program as it had already been established as an entity to promote marketing and development of The Village. The Grosse Pointe Village DDA then established a large group of interested people who worked as a Main Street Steering Committee over the next eight months to raise support and awareness of the Main Street program and the benefits, proven nationwide, of its four-point approach to revitalizing downtowns. After an application process and presentation to the MEDC, the City of Grosse Pointe was notified in May that it was selected as one of two new Michigan Main Street communities for 2020.

The Main Street program requires a change in how the DDA operates. The first major change is that this will be a working board. All the board members will need to commit to actually driving the Main Street operations and volunteering for committees and events. The second major change is that Main Street requires hiring of a full-time director to help coordinate the Main Street Board activities. These revised bylaws reflect those changes as well as incorporate the Four-Point Main Street approach to be clear of the goals for Main Street to the new Main Street Board as it is reconstituted.

The draft bylaws were developed over the course of the last several months by a Main Street bylaws committee of the DDA, City staff and attorneys, Michigan Main Street officials. The bylaws were presented at the June meeting of the DDA and unanimously approved at the July 13 DDA Board meeting. Both the City Council and the DDA have to adopt identical bylaw revisions to become effective.

The intent of the DDA is for the current Board and City staff support to continue until a new Main Street Grosse Pointe DDA board is appointed and a full-time DDA director is hire by the new board. The plan is for the DDA Board to make recommendations from interested people to the Mayor and then for the Mayor to present appointments for approval by the Council at the August 2020 meeting. The first meeting of the new Main Street Board is proposed for the beginning of September; at which time the MEDC would begin providing technical assistance and support to The Village through the Main Street Grosse Pointe organization. Council discussion took place regarding the proposed bylaws.

Motion by Council Member Thomas, second by Council Member Stempfle, to approve the Main Street Grosse Pointe DDA Bylaws as presented.

ROLL CALL VOTE

Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
Nays: None.

MOTION CARRIES.

STAFF REPORT

City Clerk Arthurs provided an update on preparation for the August 4, 2020 Primary Election. Clerk Arthurs noted that absentee ballot requests are over 1,600 which is four times higher than normal, due to changes in election law and the ongoing COVID-19 pandemic.

COUNCIL COMMENT

The City Council commented on the following topics:

- Appreciation was expressed to the Parks and Recreation Director for his work on dealing with ongoing changes affecting usage of Neff Park pool.
- Appreciation was expressed to the City Clerk for her work on the election and dealing with a large increase in absent voter ballots and procedural changes pertaining to the pandemic.
- The moratorium will provide Council time to develop a course of action to preserve the intent and character of the E-R District.

CLOSED SESSION

Motion by Council Member Stempfle, second by Council Member Parthum, to go into closed session for a performance evaluation requested by a public official.

ROLL CALL

Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak

Nays: None

MOTION CARRIES.

The Council met in closed session from 8:14 p.m. to 8:49 p.m. The City Council reconvened in open session at 8:50 p.m.

MANAGER CONTRACT

Motion by Council Member Parthum, second by Council Member Williams, to approve a 3% raise in base pay for the City Manager effective July 1, 2020, and also to approve a bonus in the amount of \$7,500 to be paid by July 31, 2020. The City attorney was instructed to prepare an amended employment agreement with these new terms and all other terms as historically agreed to.

ROLL CALL

Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak

Nays: None

MOTION CARRIES.

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On Motion, the meeting was adjourned at 8:54 p.m.

Julie E. Arthurs, City Clerk
City of Grosse Pointe