

**MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD VIRTUALLY VIA THE ZOOM VIDEO AND PHONE CONFERENCE PROGRAM ON MONDAY, JUNE 15, 2020.**

The meeting was called to order at 7:01 p.m.

ROLL CALL

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

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

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

ROLL CALL VOTE

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

Nays: None

MOTION CARRIES.

SETTING AGENDA

City Manager Dame requested that a Council Resolution be added to the agenda. Mayor Tomkowiak added the proposed resolution as Item 4e.

CONSENT AGENDA

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

1. Invoices
  - a. Arbor Pro – Tree Trimming, June 2020, \$5,376
  - b. McGraw Morris PC – Legal, February 2020, \$8,998.86
  - c. Robotronics, Inc. – Fire Prevention, March 2020, \$5,149.40
  - d. City of Grosse Pointe Farms – Water Purchased, January-March 2020, \$93,103.27
  - e. GFL – Recycling, June 2020, \$9,186
  - f. Art Tucker – Lead Water Service, December 2019, \$6,565
  - g. Great Lakes Water Authority – Sewer Charges, May 2020, \$74,500
  - h. Anderson, Eckstein & Westrick, Inc. – 2020 Joint Sealing Program, May 2020, \$5,728.26
  - i. Partner in Architecture Design Build, LLC – New Buildings, April 2020, \$1,101,292.63
2. Minutes from the regular and closed meeting held on May 11, 2020 and minutes from the regular meeting held May 18, 2020.
3. Adoption of the Wayne County Permits, Annual Maintenance, Annual Pavement Restoration and Special Events Resolutions.

ROLL CALL VOTE

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

Nays: None.

MOTION CARRIES.

## ELWORTHY TOT LOT COMMUNITY BUILDING CONCEPTUAL APPROVAL

City Manager Dame made the following report:

The Rotary Club of Grosse Pointe has proposed construction and donation of a year-round community building for Elworthy Field, adjacent to the Tot Lot renovation project, that is currently under construction. The community building, to be located on Waterloo, would replace the underutilized outdoor pavilion with a multi-purpose community space, with bathrooms accessible from the exterior and interior. It is a one room building the perfect size for small events like birthday parties, indoor picnics, tennis teams/tournaments, and potentially for a platform tennis warming area for platform tennis players in the winter. It is not a large facility that would handle banquets or weddings.

The School District owns the property and the Grosse Pointe Board of Education will have to approve the facility. As such, the Michigan Department of Education must also approve the facility. The goal is to raise funds this year and plan for construction in 2021. The Grosse Pointe School District is not in a position to operate or maintain the facility, which would be available for public use by reservation. The City of Grosse Pointe currently bears the cost to operate and maintain all of Elworthy Field, including the ball fields, storage buildings, the tot lot, tennis courts, pavilion and platform tennis facilities under 50-year agreement that expires in March 2021. Regardless of the expiration or extension of that agreement in any form, the City of Grosse Pointe is being requested to guarantee that it will maintain and operate this facility as part of the Parks and Recreation Department.

Michael Carmody, Chairman of the Tot Lot Project, provided an overview of the project and updated Council on fundraising efforts. Marc Chamberlin, project architect, described the building designs, specifications and color renderings of the proposed structure. A recent topographical study and an illustrated placement of the building superimposed over the current shelter structure for placement were reviewed.

City Planner Connochie reviewed the concept for a new recreation community building at Elworthy Field and reviewed details of the Planner's Report dated June 11, 2020. The building is a one and a half story traditional-style building made of durable, high-quality materials that are consistent with those found on other structures in the park. The building will provide restrooms, a drinking fountain, kitchenette, and space for gatherings and parties of up to 20 people, as well as shelter from the elements in cold or inclement weather. It is proposed to replace the existing picnic pavilion and will be located in approximately the same spot. It will create an additional, year-round amenity for all park users, including those using the nearby tennis courts, tot lots, and baseball fields. The tot lot will maintain the outdoor picnic tables for those who wish to have outdoor gatherings. It was noted that the entire building will be ADA compliant and barrier free, including the restrooms. It was noted that the Planner review is based on preliminary concepts and is meant to be informative, not a determination of compliance. Planner comments speak to how the project will fit in with its surrounding context and promote sound planning principles, which the Council may find useful when considering the Rotary Club's proposal. Should the City Council give approval to proceed, staff will continue to work with the applicant to guide the project through the next steps. The City Planner finds the proposed structure will create a positive amenity for park users and minimally impact the surrounding residential property owners. The year-round nature of the use and addition of restrooms are particularly positive additions to Elworthy Field. The building is a substantial improvement over the existing park pavilion, is high-quality in its design, and is consistent with the land use and architectural character of the surrounding area.

Council discussion took place regarding the addition of restrooms, or more specifically restrooms designated as "family" restrooms would be an important improvement to Elworthy Field. Discussion took place regarding the operational costs of the facility, the City's responsibility, the design concept and the related long-term lease agreement with the Grosse Pointe Public School District. The Council commended and thanked the Rotary Club for the excellent job developing the project.

Motion by Council Member Stempfle, second by Council Member Parthum, that the City approve the community building concept and agree to accept operational and maintenance responsibility of it upon completion, contingent upon Grosse Pointe Board of Education approval of the building, and approval of the final building plans.

ROLL CALL VOTE

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

MOTION CARRIES.

EXTENSION OF 2<sup>ND</sup> QUARTER PARKING PERMITS

City Manager Dame made the follow report:

Due to the COVID-19 Pandemic, City parking operations came to a standstill as only essential workers were kept working. Parking equipment was covered as it could not be regularly sanitized, nor collected, nor equipment repaired if needed. Finally, lack of commercial activity made parking collection enforcement unnecessary. While parking fees were not waived, it was not possible to pay them. However, just before the Stay at Home order was issued, the City had sent out parking permit renewals for the second quarter permits for the period of April through June. In the first quarter, the City received about \$32,500 in quarterly parking permit renewals, but only about \$25,000 were received for the second quarter.

Given that most permit holders did not actually receive full benefit of their payment for the second quarter permits, City staff is recommending an extension of the second quarter permits so that they are also valid for the 3rd quarter. That means that any second quarter permit holders (who did not request a refund) would have their permit automatically extended to also cover the 3rd quarter without additional payment. It is the City's intent to have a new revenue control system implemented by the end of the 3rd quarter in the City's parking structure and permit lots at which time all long-term parkers will be required to have a paid permit in order to continue parking there. While there will be a significant short-term financial impact to this extension, it is hoped that this action will assist employers and employees as businesses start to reopen.

Motion by Council Member Parthum, second by Council Member Williams, to approve the proposed 2<sup>nd</sup> Quarter parking permit extension.

ROLL CALL VOTE

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

MOTION CARRIES.

ELIMINATION OF PEG FEES FROM CABLE FRANCHISES

City Manager Dame made the following report:

In February, the agreement with the Grosse Pointe War Memorial to provide community programming and PEG channel support on the cable systems serving Grosse Pointe ended. The Grosse Pointes and Harper Woods communities that were a part of that 10-year agreement did have discussions with the Grosse Pointe School District about providing a similar service to replace that of the War Memorial. However, due primarily to new FCC rules, an agreement was not able to be reached. Those FCC rules override Michigan's Uniform Franchise Act which had been used to provide funds to the War Memorial by dictating that PEG funds cannot be used for anything other than equipment. The school's proposal was almost entirely a service that would have gone to operational costs of providing the service. Additionally, under these new FCC rules, cable companies can deduct any PEG fees not used for equipment from cities' franchise fees that are paid for the companies' use of the public's right of way. The School District has continued to operate its own educational access channel as it

long has. Staff recommends that instead of collecting a 1.15% PEG fee from all Comcast subscribers and 2% from all AT&T U-Verse subscribers, those fees shall be eliminated from their bills as soon as the cable companies can implement this change. Grosse Pointe Woods has already taken this action.

Discussion took place regarding when the elimination of the fees would be effective, and how reimbursements to subscribers would be implemented.

Motion by Council Member Parthum, second by Council Member Thomas, to authorize the execution of amendments to the Uniform Video Service Local franchise agreements between the City of Grosse Pointe and Comcast of Grosse Pointe, and between the City of Grosse Pointe and AT&T, to eliminate the collection of PEG fees to subscribers within the City of Grosse Pointe.

ROLL CALL VOTE

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

MOTION CARRIES.

EXTENSION OF RECYCLING CONTRACT

City Manager Dame made the following report:

The recycling contract for curbside recycling for the collective cities of Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Shores, and Harper Woods with Rizzo Services expires at the end of June. Last year, the Grosse Pointe recycling coalition of cities extended its agreement with GFL for one year. This reflected the fact that the recycling market had been undergoing a significant change in the market. On behalf of the coalition, the City of Grosse Pointe Farms has negotiated a 15-month extension. For the first three months, there is no cost increase, and then a 2% cost increase for the remainder of the term.

City staff recommends approval of the contract extension. GFL is doing a good job handling the City's recycling pickups. The pandemic and resulting economic reversal caused uncertainties in the recycling market. Staff does not believe it would be advantageous to bid out these services at this time. However, the coalition has hired a solid waste and recycling firm to craft an RFP. The cities do intend to bid out these services by the end of this extension. Discussion took place regarding recycling practices and how much of recyclables are actually recycled.

ROLL CALL VOTE

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

MOTION CARRIES.

COUNCIL RESOLUTION - CONDEMNING RACISM, RACIAL INJUSTICE AND SUPPORTING DIVERSITY AND INCLUSION

Mayor Tomkowiak read the following resolution:

Be it resolved and affirmed by the City Council of the City of Grosse Pointe:

We share in the outrage and grief expressed in multiple protests, here and elsewhere, over the wrongful death of George Floyd and other African-Americans who have died in police custody.

We condemn and oppose racism, racial injustice and discrimination in any and all forms in Grosse Pointe and elsewhere.

We declare that the City of Grosse Pointe is committed to fostering a welcoming and inclusive community for all people, where everyone is treated equally, with justice, dignity and respect. We commit the City of Grosse Pointe to equity, diversity and inclusion because these values are proper and just, and they result in a stronger community. We believe that engagement, interaction and fair treatment of all people fosters unity, increases understanding, and promotes respect for differences. We believe in a community where everyone belongs and everyone matters.

We pledge to be open to all voices in the community, to hear and understand concerns about racial injustice, systemic racism, and the excessive use of force by police in society.

We commit to taking action, in collaboration with the community, to examine and address concerns that are raised. We will make every possible effort to combat inequalities and increase trust by and among all members of the community, its government officials, staff and public safety officers.

Motion by Council Member Parthum, second by Council Member Thomas, to adopt the Resolution as presented.

#### ROLL CALL VOTE

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

Nays: None.

MOTION CARRIES.

#### PUBLIC COMMENT

Laura Sullivan – 320 Washington stated she received the notice about the lot split request late and could not find the minutes from the meeting at which the request was discussed. She expressed concern that a multi-family structure would be built on the lot, instead of a single-family home.

Robert Hindelang, 235 Lincoln requested that the Council reconsider and reverse its decision to approve the lot split at 250 Washington. A written public comment was submitted in accordance with the public comment guidelines prior to the meeting and the written public comment was distributed to the City Council.

Sandra Fischer, 16 Alger, expressed concern about the lot split at 250 Washington and allowing a driveway onto Jefferson and the impact on traffic. She stated that it is important to cherish the home styles in the area.

#### STAFF REPORT

Public Service Director Randazzo provided an update of ongoing facilities construction and City Hall parking lot construction. He provided an update on recent storm damage. Parks and Recreation Director Hardenbrook provided a review of the status of gate attendants at Neff Park, park pass issuance hours, park maintenance and pool cleaning, swim reservations and park facility rentals. He noted that the marina has two boat slips remaining for the season. Public Safety Director Poloni provided an update on COVID-19 and protests regarding racial injustice and discrimination. City Manager Dame reported that City Hall reopened on Monday, June 15, with COVID-19 precautions in place. City Manager Dame asked that if residents can conduct City business online, by mail or email or phone, please continue to do so. Residents are encouraged to use the newly installed drop box at the entrance to City Hall to simply drop off payments, absentee ballots, or other documents and applications. There is a seven-person visitor limit. Visitors and City staff must maintain 6-foot distances and wear masks. Counter shields are in place. Meetings with a staff person are by appointment in advance.

## COUNCIL COMMENT

The City Council commented on the following topics:

- Appreciation was expressed to Council Member Thomas for taking the lead on the Council Resolution condemning racism, racial injustice and supporting diversity and inclusion.
- Appreciation was expressed to Chief Poloni for his work during this difficult time. Teamwork and resiliency of all council members, and City staff has been outstanding.
- Appreciation was expressed to Project Bloom for their hard work in planting flowers in The Village and at Neff Park.
- Community members were encouraged to continue to be patient, wear face coverings, practice social distancing and support local businesses.

On Motion, the meeting was adjourned at 8:12 p.m.

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Julie E. Arthurs, City Clerk  
City of Grosse Pointe