
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 Alcorn, Public Service Director Randazzo, Parks and Recreation Director Hardenbrook, Main Street Grosse Pointe Director Willcock and City Planner Jackson.

The Boy Scouts in attendance at the meeting led the Council in the Pledge of Allegiance.

CONSENT AGENDA

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

1. Minutes from the regular Council Meeting held on May 17, 2021.

2. Invoices
   a) Pointe Alarm
      - Court Camera System, May 2021, $8,700
      - Lot 3 Camera System, April 2021, $7,750
      - Lot 2 Camera System, April 2021, $9,300
   b) McKenna
      - Planning Services, 2/1/21 – 2/28/21, $6,191.39
      - Planning Services, 1/1/21 – 1/31/21, $5,218.00
      - Planning Services, 4/1/21 – 4/30/21, $6,198.75
   c) Detroit Salt Company - Salt, December 2020, $5,096.54
   d) Great Lakes Water Authority - Sewage, May 2021, $75,400
   e) Anderson, Eckstein, & Westrick, Inc.
      - 2021 Street Improvement Program, 4/12/21 – 5/9/21, $20,790.00
   f) City of Grosse Pointe Farms - Water, 1/1/21 – 3/31/21, $95,206.78
   g) GFL - Recycling, June 2021, $9,875
   h) Oakland County - Clemis, Jan - Mar 2021, $5,108.62
   i) Midwest Public Safety - Cloud Services, June 2021, $5,933.16
   j) ISCG - Court Furniture, Balance, $23,147.79
   k) Grosse Pointe Lawn Sprinklers - Sprinkler System Turn ons, April 2021, $5,944.65
   l) Partners in Architecture - New Facilities, Payment 19, $659,600.58
   m) 5 Alarm - Uniform, May 2021, $6,547.63

3. Approval of the Agreement with The Helm, acting as a contractor to PAATS, to operate the community transportation service for elderly and disabled individuals.

4. Approve and adopt bylaws for the Zoning Board of Appeals and the Planning Commission for the City of Grosse Pointe.

5. Approve the contract with Plante Moran to perform the City’s annual financial audit for the fiscal years ending June 30, 2021 through 2025.

6. Adopt the Resolution regarding Decennial Redistricting.

7. Approve the purchase of one Toro Workman utility vehicle with dump box from Spartan Distributors in the amount of $37,922.40.


CONSENT AGENDA UNANIMOUSLY ADOPTED.

The City Council convened as the Planning Commission.
PUBLIC HEARING – SPECIAL USE REQUEST – YOGA SHELTER – 17020 KERCHEVAL AVENUE

Mayor Tomkowiak indicated that this was the time set for a public hearing regarding a special use request as noted above. City Clerk Arthurs informed the Commission 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.

Kercheval Owners, LLC and Yoga Shelter, LLC, have submitted an application for special use approval to relocate their existing yoga studio to 17020 Kercheval Avenue. The proposed use is an expansion of an existing yoga studio located on the second floor of Kercheval Place. The project is being proposed for development under Section 90-298. Permitted Uses After Special Approval of the City of Grosse Pointe Zoning Ordinance, which allows fitness centers on the ground floor, such as yoga studios, in the C-2 district, subject to special approval.

City Planner Jackson made the following report:

The proposed site is a 2,9098 square foot first floor commercial unit located within the Kercheval Place mixed-use development, with main entrances at Kercheval Avenue between St. Clair and Notre Dame. The commercial unit will consist of a merchandise area with dressing rooms, a hot yoga studio, a Zen studio and two gender specific bathrooms and a shower room. The applicants indicate that 30% of the floor plan is dedicated to retail and will be staffed throughout business hours. The City Planner reviewed his memorandum dated June 16, 2021.

Mayor Tomkowiak opened public comment. Hearing no comments, the Mayor closed public comment.

Motion by Council Member Parthum, second by Council Member Williams, to approve the Special Use Request for 17020 Kercheval Avenue subject to execution of a Special Use Permit and subject to all conditions set forth in the Planner’s Report.

UNANIMOUSLY ADOPTED.

SITE PLAN REVIEW – YOGA SHELTER – 17020 KERCHEVAL AVENUE

City Planner Jackson made the following report:

Versa, the owner of Kercheval Place, has submitted an application for site plan approval for relocating and expanding the Yoga Shelter from the second floor of 17000 Kercheval to two vacant spaces at 17020 Kercheval on the first floor. The new location will feature a dedicated retail area consistent with the City’s requirements for fitness centers on the first floor. The use, setbacks, architectural features, parking and vehicular/pedestrian access to the site were discussed. It was noted that exterior lighting details were not provided. Any proposed lighting will have to be external or backlit as permitted by the City’s design guidelines and sign ordinance. Signage will be submitted separately through a sign permit application.

Motion by Council Member Stempfle, second by Council Member Parthum, to approve the site plan for Yoga Shelter at 17020 Kercheval Avenue.

UNANIMOUSLY ADOPTED.

The Planning Commission reconvened as the City Council.

PUBLIC HEARING – REQUEST TO VACATE THE DEAD END OF GOETHE AT UNIVERSITY PLACE

Mayor Tomkowiak indicated that this was the time set for a public hearing regarding a request to vacate the dead end of Goethe at University Place. City Clerk Arthurs informed the Council that notice of public hearing had been given as required, proof of which is on file in the official records of the City of Grosse Pointe.

When Lakeland between Mack and Charlevoix was developed in the 1950’s, the platted path of Goethe Street was interrupted. In 1990, the City of Grosse Pointe approved a request to vacate the dead end of Goethe Street that had been created at Neff Road. Now the City has received an updated request from the owners of the adjacent private properties to vacate the dead end created at University Place. The requestors are Rick and Melissa Lucassian, 823 University Place and Tim and Elizabeth Kruse, 809 University Place. A public hearing on this matter was held in 2017 but was tabled.

To vacate a public street, a public hearing must be held. Under state law, the property is vacated to the adjacent properties in the original subdivisions. The adjacent private property owners would divide the street and it would become part of their existing private lots.
The City would retain easement and access rights to, and retain ownership of, the sanitary sewer system at the rear of the lot. The stormwater catch basins within the dead end of Goethe and the stormwater pipes would be vacated and the private property owners would become responsible for them as the City Engineer has determined those drains are not required for street drainage of University, which has its own catch basins. The City would no longer be responsible for maintaining or plowing the vacated street as it would be private property. The concept and configuration for the vacation was reviewed. The City Manager stated that the property that is proposed to be vacated is not necessary for public purposes and agrees with the proposed vacation.

Mayor Tomkowiak opened public comment. Hearing no comments, the Mayor closed public comment.

Motion by Council Member Juip, second by Council Member Williams, to approve the vacation of Goethe Street and authorize the execution and adopt the following resolution:

RESOLUTION
TO VACATE A PORTION OF GOETHE STREET

WHEREAS on June 21, 2021, the Grosse Pointe City Council held a hearing to consider the proposed vacating of Goethe Street at University and heard objections thereto; and

WHEREAS those persons wanting to raise objections have been given the opportunity to do so; now, therefore, it is

RESOLVED that the following described portion of the street located in the City of Grosse Pointe, Wayne County, Michigan, is hereby vacated:

That portion of Goethe Street (58.91 feet wide) from the Westerly line of University Pl. (60 feet wide) to the Westerly line of the Grosse Pointe Colony Subdivision of Lots 28-29 and 30 as recorded in Liber 34, Page 46, and the Westerly line of the Grosse Pointe Colony Subdivision of Lots 16, 27, 33, 34 & 35, as recorded in Liber 31, Page 97, Wayne County Records, reserving and retaining an easement on, over, along, across, under, above and through the westerly 15 feet of the above described vacated street for public utility purposes including use for sewers, sewer manhole, utility mains, conduits and poles, together with an easement for access for the maintenance and/or installation thereof but not for public travel or transportation.

IT IS FURTHER RESOLVED that, ownership of the storm water catch basin and storm water pipes in the vacated area will be abandoned by the City, and the “Property Owners”, Richard and Melissa Lucassian and Timothy and Elizabeth Kruse, will be responsible for maintaining or removing them.

IT IS FURTHER RESOLVED that, the City and the adjacent Property Owners have agreed to the following:

(a) The City will remove the street signal adjacent to the vacated street at City cost when the vacated street is reconfigured with driveways.

(b) Until reconfigured, the Property Owners are required to install “Do Not Enter” or “Private Driveway” signs and/or physical medians or barriers at the entrance to the vacated street to prevent public traffic from entering private property.

(c) Upon removal of the vacated street, curbs on University and the sidewalk for University will be extended to the driveways and in between the driveways for a continuous curb and sidewalk in accordance with City standards. The cost of these improvements will be borne by the Property Owners, jointly and severally, and the final construction shall be subject to inspection and approval by the City.

(d) Final re-development plans, that will conform generally to the attached conceptual plans, Exhibit A, will be submitted to the City for approval. Specific written approval is required for all work in the City right-of-way.

IT IS FURTHER RESOLVED that the Council of the City of Grosse Pointe, pursuant to Section 257 of the Subdivision Control Act [MCL 560.257], determines that it is necessary for the health, welfare, comfort and safety of the people of the City of Grosse Pointe, Michigan, to discontinue ownership of the described portion of Goethe Street; and

IT IS FURTHER RESOLVED, that pursuant to Sections 256 and 257 of the Subdivision Control Act [MCL 560.256 and 257], the City Clerk of the City of Grosse Pointe is directed to, and shall, within thirty (30) days, record a certified copy of this Resolution with the Wayne County Register of Deed and send a copy thereof to the State Treasurer.
Adopted by the following vote:

AYES: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
NAYS: None

RESOLUTION DECLARED ADOPTED.

PROPOSED MASTER PLAN UPDATE – SCOPE AND SCHEDULE

An update to the City’s Master Plan is recommended as part of the MEDC Redevelopment Ready Communities actions. Last updated in 2012, the Michigan Planning Act recommends an update or new plan every five years. With the recent completion of the Mack Avenue commercial corridor rezoning recommended in the last Master Plan update, it is now time to start the process for a Master Plan update. The scope of the Master Plan update is intended to not only meet the requirements of the Michigan Planning Act, but to ensure the updated Master Plan includes items deemed a best practice by the RRC program. The “Essentials” level of certification was discussed along with requirements to achieve the RRC’s highest certification.

City Planner Jackson provided details on the scope and schedule to conduct a five-year update of the Master Plan to incorporate the needed changes identified by staff and the MEDC. Mr. Jackson discussed the various steps proposed and public participation, public engagement and community outreach. The proposed adoption schedule was reviewed and discussed. Mr. Jackson described the complete street policy. Discussion took place regarding what level of certification the City was currently at and the funding for the update.

It was the consensus of the City Council that the City proceed with the scope and schedule for a Master Plan Update as presented.

APPROVAL OF CHANGE ORDER AND AMOUNT – PIA FACILITIES CONTRACT

City Manager Dame made the following report:

In 2018, the City entered into a Guaranteed Maximum Price contract with Partners in Architecture to design and construct three needed public facilities for a single guaranteed price. This creative arrangement allowed for the City to adjust the plans and designs for all three buildings, Public Safety, Public Works and Court/Council Chambers, depending on actual bid out costs for construction or changes in plans. Plans did have to be adjusted to reflect change in location for the Public Works building, the cost of construction in the Public Safety building due to steel tariffs, and the rising costs of construction for the Court due to the time it took to finish the two other facilities and COVID-19. The change order relating to the water main branching off Maumee was discussed and it was noted that the change order amount was reimbursed by the Water and Sewer Fund. It was noted that for the rest of the project, it was agreed by the City that the project team would simply charge the actual design, engineering, and construction oversight costs for the project, rather than go through the change order process with its standard markup fees set in the original contract. Mr. Dame discussed the multiple unexpected changes in design and scope and their related costs. Despite these higher contingency costs, the overall project was managed in a way to ensure that the guaranteed maximum price was still not only met, but reduced. Consequently, to reflect that the three projects in total came under the GMP, a second change order is needed to reflect the savings and the final contract price.

The Council thanked the City Manager, Partners in Architecture, DeMaria staff, and City staff for the diligent work on the three facilities and for keeping the project under budget despite many challenges.

Motion by Council Member Parthum, second by Council Member Thomas, to approve Change Order #2 reducing the contract cost by $96,676 resulting in a Final Contract Amount of $12,627,938.16.

UNANIMOUSLY ADOPTED.

MAIN STREET GROSSE POINTE – REQUEST AND PURCHASE OF NEW BENCHES

Main Street Grosse Pointe had adopted a request that the $50,000 in Capital Project Funds the City committed to use in The Village at Main Street Grosse Pointe’s discretion be used for replacement of as many benches as possible. The City’s budget also includes funds for replacement of benches and garbage cans, and the Grosse Pointe Boat Club and the City of Grosse Pointe Foundation each have been raising funds for bench replacement in the marina. City staff and Main Street Grosse Pointe have worked together to find suitable replacement benches and three companies have provided proposals
for new six-foot benches. All three companies were asked to provide proposals based on $50,000 for the Village and ten additional benches for Neff Park. Discussion took place regarding the style and material of the benches and the local distributor.

Keystone Ridge Designs, Butler, PA  $62,428
Includes 10 benches for Neff Park and 37 for Village  ($1,328 per bench)

Penchura, LLC of Brighton, MI  $63,394
Includes 10 benches for Neff Park and 37 for Village  ($1,348 per bench)

Landscapeforms.com of Kalamazoo, MI  $71,810
Includes 10 benches for Neff Park and 22 for Village  ($2,244 per bench)

Motion by Council Member Walsh, second by Council Member Thomas, to authorize the purchase of benches from Keystone Ridge Designs for the amount of $62,428.

UNANIMOUSLY ADOPTED.

STAFF REPORTS

Parks and Recreation Director Hardenbrook provided an update on park facilities, swim team and swim lessons.

COUNCIL COMMENT

The City Council commented on the following topics:

- The City Council welcomed the Boy Scouts to the meeting and encouraged them to stay engaged with their local government.
- Appreciation was expressed to all those involved in the facilities project and for keeping the costs under budget.
- The City Council was grateful to be meeting in person again in a beautiful, new Council Chamber.

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 7:45 p.m. to 8:12 p.m. The City Council reconvened in open session at 8:13 p.m.

MANAGER CONTRACT

Motion by Council Member Juip, second by Council Member Parthum, to approve a 2.5% raise in base pay for the City Manager effective July 1, 2021, and also to approve a bonus in the amount of $5,500 to be paid by July 31, 2021. The City attorney was instructed to prepare an amended employment agreement with these new terms and all other terms as historically agreed to.

UNANIMOUSLY ADOPTED.

On Motion, the meeting was adjourned at 8:16 p.m.

________________________________
Julie E. Arthurs, City Clerk
City of Grosse Pointe