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

ROLL CALL
Present: Mayor Tomkowiak, Council Members Juip, Parthum, Stempfle, Thomas, Walsh, Williams
All Council Members indicated their physical location as: Grosse Pointe, Michigan

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 and City Planner Connochie.

CONSENT AGENDA

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

1. Minutes from the regular Council Meeting held on February 8, 2021.
2. Invoices
   a) Michigan Municipal League - Workers Compensation, Installment #4, $23,526
   b) McKenna - Planning Services, December 2020, $5,511.25
   c) Doetsch - Sewer Cleaning, January 2021, $8,700
   d) Great Lakes Water Authority
      - Sewage, January 2021, $75,400
      - Sewage, February 2021, $75,400
   e) Anderson, Eckstein, & Westrick, Inc.
      - Loraine Sewer & Paving – Waterloo to Mack, 12/21/20 – 1/17/21, $6,656
      - 2021 Street Improvement Program, 12/21/20 – 1/17/20, $10,098
   f) City of Grosse Pointe Farms - Water Purchased, 10/1/20 – 12/31/20, $105,606.17
   g) GFL - Recycling, March 2021, $10,200
   h) Pointe Alarm - Public Safety Access System, January 2021, $25,484.87
   i) Partners In Architecture - New Facilities, Payment #18, $937,622.05
   j) BS&A - Remote Building Program, February 2021, $5,100
4. Approved the rejection of the bid for the sewer replacement bid from Pamar Enterprises.
5. Approved resolution allocating FY 2021 CDBG funds in the amount of $20,000.
6. Authorize the Mayor to sign and approve the renewal of the CLEMIS Agreement.

ROLL CALL VOTE
Ayes: Juip, Parthum, Stempfle, Thomas, Walsh, Williams, Mayor Tomkowiak
Nays: None.
Abstain: Council Member Thomas abstained with regard to the approval of the allocation of CDBG funds.

MOTION CARRIES.

The City Council convened as the Planning Commission.

SITE PLAN AMENDMENT – SAROS BUILDING – 17108 MACK AVENUE

City Planner Connochie made the following report:
Saros Real Estate has submitted to the Planning Commission an amended site plan for 17108 Mack Avenue, the Saros Building. The request for amendment is primarily seeking to substitute EIFS instead of the approved cast stone on the turret. The revised site plan also removes the gateway arch on the eastern side of the building that was required in the final site plan approval but never constructed. When it was approved in July 2017, it was with the understanding that it would be a marquee building for years to come, and as a result it was to be of high-quality in both design and materials. The turret design in particular is the key point of interest for the building and was to be constructed from cast stone with architectural detailing. This was very explicitly discussed and outlined in writing at multiple stages in the approval and building process including:

1. Original building plans submitted by Saros for site plan approval.
2. The site plan as approved by the City Planning Commission.
3. The building permit plans submitted by Saros for City Chief Building Official approval.
4. The building permits issued by the City Chief Building Official.
5. The temporary occupancy permit issued by the City Chief Building official, conditioned upon replacement of the EIFS material installed without permission of the City with the required cast stone material within 18 months. This was guaranteed by a letter of credit supplied by Saros to complete the project as submitted.

The City Planner provided the Commission with background on the how the unapproved materials were introduced and constructed. It was noted that during the construction process, the City inspected the project, discovering the incorrect materials, and contacted the owner to address the issue. In an email sent in January 2019, Mr. Saros noted that timing played a key role in the decision to proceed and requested approval for the alternative façade material. The City Building Official denied Mr. Saros’s request to approve the alternative façade material administratively after it was improperly installed, and suggested that Mr. Saros consider posting a letter of credit with a set schedule for replacement of the approved cast stone. On April 5, 2019, a Conditional Certificate of Occupancy was issued, conditioned upon the installation of “Cast Stone” to exterior turret area as approved by City Council, and as shown on approved plans (pages A5-00 Dated 7-10-2017, A5-01 Dated 4-2-2018).” The terms of the Conditional Certificate of Occupancy gave Mr. Saros 18 months to bring the property into compliance, and Saros supplied the letter of credit to guarantee the work could be done by the City if not completed by Saros. The property owner was issued a notice of violation on December 22, 2020 noting that the 18 months had expired and giving them an additional month to comply. To date, the property still had not been brought into compliance. Instead, in February of 2021, Saros submitted this request for consideration by the Planning Commission. Closer inspection of the building shows several deviations from the originally-approved site plan. In addition, the “gateway arch” on the eastern edge of the building requested as a condition of site plan approval was not built. The requested site plan amendment addresses these issues.

Saros Real Estate Services submitted a site plan amendment (dated February 17, 2021) with an intention to maintain the alternative building material EIFS and reintroduce design elements originally approved by City Council. Whereas the initially approved work proposed a cast stone turret, the applicant has constructed a turret comprised of EIFS with significantly lessened architectural interest. The applicant now proposes to strip the EIFS material that was installed and reapply EIFS with the stacked stone and details underneath the turret windows to attempt to “match” the original site plan. As proposed, the Planning Commission would allow the deviation from the originally approved cast stone but ultimately gain similar architectural features that were originally approved. The memo from the Building Official dated March 9, 2021 noting and discussing a number of deficiencies in the use ofEIFS was reviewed and discussed.

The plan amendment requests formal approval of a second major deviation from the original site plan - the removal of the gateway arch (noted in the previous section) on the eastern side of the building. This is agreeable as the gateway is not essential to the building function or appearance. However, the question of material substitution is a significant quality issue. And, not only was the substitution of EIFS made without contacting the City, the owner made an additional guarantee to replace the cast stone as a condition of the issuance of the Temporary Certificate of Occupancy.

Several options for action regarding the requested site plan amendments were reviewed and discussed.
The City Planner recommended denying the request for material substitution as inappropriate for what was intended to be a marquee building, based on not only the conditions of site plan approval, but the guarantee of the property owner to provide the approved cast stone materials as a condition of his Certificate of Occupancy.

Jimmy Saros, applicant, provided background on how the material substitution was made based on advice of a contractor and also discussed his perspective on the building, site plan and materials.

Commission discussion took place regarding the materials substituted on the building and its high visibility location, contacts with the applicant both before and after the issuance of the Certificate of Occupancy, setting a precedent and the impact on future projects on Mack Avenue. The importance of the building being constructed in accordance with the original approved site plan was also discussed. An additional action option was proposed by a Commissioner.

Motion by Council Member Williams, second by Council Member Parthum, to require construction of the gateway arch from the original approved site plan and approve material modifications (allowing EFIS) with added architectural features for the upper stories, but require installation of cast stone with the original architectural features on the first story of the building to address issues with durability and high-visibility on the pedestrian level. Articulation between the first and second story is required.

The Mayor asked for discussion on the motion. Discussion took place.

Motion by Council Member Williams, second by Council Member Parthum, to call to question and vote on the previous motion.

ROLL CALL VOTE
    Ayes:    Parthum, Thomas, Walsh, Williams, Mayor Tomkowiak
    Nays:    Juip, Stempfle.

MOTION CARRIES.

Motion by Council Member Williams, second by Council Member Parthum, to require construction of the gateway arch from the original approved site plan and approve material modifications (allowing EFIS) with added architectural features for the upper stories, but require installation of cast stone with the original architectural features on the first story of the building to address issues with durability and high-visibility on the pedestrian level. Articulation between the first and second story is required.

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

MOTION CARRIES.

PRELIMINARY REPORT – HISTORIC DISTRICT STUDY COMMITTEE

City Manager Dame made the following report:

To protect investments in properties and the character of the estate neighborhoods of the City, the City Council approve a moratorium on demolition and new construction in the Estate zoning district in July 2020. City Council also authorized an investigation of whether a local historic district should be created in those areas. The moratorium was extended by six months in January 2021 to allow historic district review work to continue. Establishing a local historic district is the only available tool for municipalities to preclude demolition of historic buildings. Historic districts also review exterior improvements and new construction on all properties in a district to ensure changes are appropriate for the neighborhood.
A summary of the Historic District Study Committee was made and it was noted that the committee adopted a preliminary report that found a subset of the study area to be eligible for a historic district. The district investigator process is now in the public and technical review stage, as directed in State law, where citizens and agencies with interest in the topic can weigh in before the Study Committee makes a formal recommendation.

City Planner Connochie submitted and reviewed a summary dated March 12, 2021 regarding the Planning Commission’s consideration of the preliminary Historic District Study Committee Report adopted February 15, 2021. The Planner summary discussed report, its relationship to the Grosse Pointe Master Plan and future land use plan and policies. Commission discussion took place regarding the preliminary report. It was the consensus of the Commission that based on Commission discussion and feedback received by residents that establishing a Historic District is not beneficial to the City at this time.

The Planning Commission reconvened as the City Council.

Motion by Council Member Walsh, second by Council Member Stempfle to discontinue support of establishing a Historic District in the City of Grosse Pointe.

**ROLL CALL VOTE**

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

**MOTION CARRIES.**

Motion by Council Member Walsh, second by Council Member Stempfle, that Council resolves to terminate the moratorium prohibiting demolition or new building permits in the Estate Residential zoning district.

**ROLL CALL VOTE**

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

**MOTION CARRIES.**

**AGREEMENT WITH MEDC – MICHIGAN MAIN STREET PROGRAM**

City Manager Dame made the following report:

To participate in the Michigan Main Street program, the City of Grosse Pointe and the City of Grosse Pointe DDA, which is the legal entity that will serve at the Main Street Grosse Pointe organization, must both enter into the attached five-year agreement with the State of Michigan’s economic development arm, MEDC. The agreement spells out the obligations of each party in order to stay involved. One item of note is that the agreement requires the City of Grosse Pointe to continue to be active with the MEDC’s Redevelopment Ready Communities program. The agreement also outlines the activities that Main Street Grosse Pointe must pursue and follow to continue to be considered a Main Street participant.

In return, the document outlines the assistance that the MEDC, through the Michigan Main Street program, will provide to The Village. Much of help is delivered through expert technical assistance provided at no charge such as retail market assessments. Even though the City has just received this document to execute, Michigan Main Street has already been fulfilling their technical assistance role as promised. This included assistance throughout the hiring process for the new Main Street Grosse Pointe Executive Director Cindy Willcock. Main Street Grosse Pointe has already adopted this agreement at its February 1, 2021 meeting.
Motion by Council Member Parthum, second by Council Member Williams, to approve executing the Michigan Main Street Agreement with MEDC.

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

MOTION CARRIES.

COOPERATION AGREEMENT WITH MAIN STREET GROSSE POINTE

City Manager Dame made the following report:

The cooperative agreement between the City of Grosse Pointe and Main Street Grosse Pointe (City of Grosse Pointe DDA), spells out the obligations of each entity over the five-year course of the State’s Main Street program for The Village. This agreement authorizes the City to provide Main Street Grosse Pointe with $40,000 in this fiscal year as budgeted, and up to $50,000 in the subsequent four years if Main Street fundraising objectives are met, as promised by the City Council during the Fall of 2019, when the City applied for participation in the Michigan Main Street program. It also commits an additional $50,000 for three years from the Capital Project Fund for capital improvements that are mutually agreed to and identified by the Main Street transformation strategy that will soon be under development. In addition, the City will provide a wide range of assistance to the Main Street Grosse Pointe organization so that it does not have to expend community donations on doubling up on back-end administrative systems to be provided by the City such as payroll and accounts payable. The agreement also memorializes understandings of the ongoing relationship between the two organizations. Mr. June Lee, a member of the Main Street Grosse Pointe Executive Committee, was appointed by the Main Street Grosse Pointe Board, to work with City staff to draft the agreement in this agreed upon form. Once this agreement is approved by the City Council, the Main Street Grosse Pointe Board will also need to adopt it.

Motion by Council Member Parthum, second by Council Member Williams, to approve executing the Cooperation Agreement with Main Street Grosse Pointe.

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

MOTION CARRIES.

LOCAL EMERGENCY DECLARATION FOR COVID-19

City Manager Dame made the following report:

Last year the State legislature passed, and the Governor signed, a law allowing public bodies to meet virtually due to the pandemic to protect everyone’s safety. This blanket permission ends on March 31, 2021. Under that law, municipalities can extend permission to hold virtual meetings by declaring a local emergency. There is pending legislation in Lansing that may extend the March 31 blanket permission to hold public meetings virtually, but at this time it is unknown whether it will be approved. To preserve the City’s ability to hold virtual meetings, the proposed declaration would need to be approved.

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

The State of Michigan has determined that a novel coronavirus commonly known as COVID-19 can result in respiratory disease that can result in serious illness or death. The virus easily spreads from person to person through close human contact, even through individuals that are asymptomatic. The virus is known to be present in the Detroit Metro area.

In recognition of the actual and potential harm that can be caused by this virus, the City of Grosse Pointe finds that a state of emergency exists in Grosse Pointe such that holding in person Council meetings will risk the personal health and safety of members of the public, the public body and City employees. City Council meetings will be held virtually during 2021 pending further Resolution of the Council.

ROLL CALL VOTE

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

MOTION CARRIES.

RESOLUTION DECLARED ADOPTED.

PRESENTATION OF ANNUAL PUBLIC SAFETY REPORT

Public Safety Director Alcorn presented his written 2020 Public Safety Report.

Overall crime in Grosse Pointe City was down 33% in 2020. Part I Index crimes were down from 84 in 2019 to 48 in 2020. Part II Non-index crimes were down from 118 in 2019 to 104 in 2020. Calls for service were down as well from 4,983 in 2019 to 3,482 in 2020. The year 2020 saw a slight decrease in firefighting activities from 403 total calls in 2019 to 378 in 2020. Those numbers also include the City’s 12 responses to requests for mutual aid. Grosse Pointe City works with Medstar Ambulance to handle requests for ambulance service. This relationship was formed in 2017 and continues to be a successful partnership. Medstar personnel should be commended for a seamless transition into Pandemic protocol as the public safety world learned best practices to stay healthy.

Chief Alcorn discussed the investigative division, calls for service, firefighting operations, fire loss breakdown and S.A.L.E. (Seniors and Law Enforcement) program. Chief Alcorn answered various Council questions regarding the report. The Council thanked Director Alcorn and the Public Safety Department for the exceptional service to the community, during a challenging year.

RECEIVE AND FILE.

DISCUSSION – 5-YEAR FINANCIAL PROJECTION

The Finance Director presented 5-year financial projections. Discussion took place regarding the decline in General Fund balance and pension and retiree health care costs and contributions. The City will need to make pension plan and retiree healthcare contributions in the coming budget year. It was requested that returning to clearing sidewalks, with less than two inches of snow accumulation, be considered during the budget process. It was noted that a report will be submitted to Council regarding clearing sidewalks in the near future. The Council discussed the budget projections.

RECEIVE AND FILE.

DISCUSSION – PRIORITIES FOR CITY OF GROSSE POINTE FOUNDATION

City Manager Dame made the following report:
The City of Grosse Pointe Foundation is an independent charitable organization that helps to fund projects that supplement activities that benefit the goals of the City but are beyond the reach of the City of Grosse Pointe’s annual budget. The City Foundation has undertaken a bevy of projects that beautify and support improvements in the quality of life for residents of the City of Grosse Pointe. The City and the Foundation typically work together to undertake and implement approved projects throughout the City. For example, last year, the City Foundation supported the creation of the Public Safety Plaza in front of the new station on Mack Avenue with a substantial donation.

For purposes of initiating discussion of future priorities for the Foundation, City staff has listed a number of potential projects for the Council to review to request the Foundation to consider. The Foundation, when it has selected a project, raises donations for and/or allocates resources toward completion of it. In many cases, City staff actually help carry out the projects and are reimbursed by the Foundation for the expenses.

The project list was reviewed and discussed by City Council. The City Manager answered various Council questions regarding the suggestions. It was noted that a final list of projects, which are in line with the Council’s initiatives for the City, be submitted to the Foundation for their consideration. Foundation representatives will be invited to attend a future Council meeting to discuss the project/priorities list.

PUBLIC COMMENT

Peter Huebner, 349 Lincoln thanked Council for listening to residents regarding the Historic District and for deciding not to pursue the district. He appreciated the Council’s work and involvement in the issue.

Chris Boettcher, 537 Rivard stated that using technology to send out the Main Street Grosse Pointe survey was important to let residents know what is happening in the City. He feels the survey creates more transparency and that good feedback will be received.

STAFF REPORTS

City Manager Dame provided an update on Main Street Grosse Pointe. Parks and Recreation Director Hardenbrook reported on the Spring Stroll through Neff Park for children 14 and under on March 28, 2021, from 2:00 to 4:00 pm. Pre-register for this event to get your picture professionally taken with Peter Cottontail, pick up a candy bag, and collect a balloon! COVID-19 protocols will be in place during the event.

COUNCIL COMMENT

The City Council commented on the following topics:

- The Council encouraged shopping local.
- Appreciation was expressed to those that attended this meeting, and expressed their views, both written and verbally, regarding the Historic District. Residents are encouraged to stay engaged.
- Appreciation was expressed to Parks and Recreation for their work to continue seasonal traditions and events while incorporating pandemic safety protocols for participants.

On Motion, the meeting was adjourned at 9:10 p.m.

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