

COUNCIL MEETING – JULY 8, 2019  
7:00 PM

A regular meeting of the Council for the City of Grosse Pointe Park was held on Monday, July 8<sup>th</sup>, 2019, and opened with the Pledge of Allegiance to the Flag.

The following were present: Councilmembers Read, Robson, Grano, and Mayor Denner

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

Also present: Nick Sizeland, Interim Manager, Jane M. Blahut, Finance Director/Clerk, and Steve Poloni, Director of Public Safety, and Dennis J. Levasseur, City Attorney

MINUTES – JUNE 10, 2019

Mayor Denner presented to Council for consideration the minutes of June 10, 2019, for approval.

Motion by Councilmember Read, supported by Councilmember Robson, to approve the minutes of June 10, 2019, as presented.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

BEAUTIFICATION BOARD APPOINTMENT

Mayor Denner presented to Council for consideration the appointment of Alicia D. Klein to the Beautification Commission for a two-year term.

Motion by Mayor Denner, supported by Councilmember Read, to appoint Alicia D. Klein to the Beautification Commission for a two-year term.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

M.D.O.T. RESOLUTION

Mayor Denner presented to Council for consideration adoption of a resolution authorizing Nick Sizeland, Interim Manager, and Mayor Robert W. Denner, to sign the contract regarding Cadieux with the Michigan Department of Transportation as the authorized signers on behalf of Grosse Pointe Park.

The resolution reads as follows:

BE IT RESOLVED THAT, Contract No. 19-5312, Control Section STU 82000, Job Number 203501CON by and between the Michigan Department of Transportation and the City of Grosse Pointe Park is hereby accepted the following City officials are authorized to sign the said contract:

Robert W. Denner, Mayor  
Nick Sizeland, Interim City Manager

Motion by Mayor Denner, supported by Councilmember Grano, to appoint Nick Sizeland, Interim Manager, and Mayor Robert W. Denner, to sign the Cadieux contract with the Michigan Department of Transportation as the authorized signers on behalf of Grosse Pointe Park.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

#### 14927 CHARLEVOIX – LCC APPROVAL

Mayor Denner presented to Council for consideration, the request by High Fives for Everyone, LLC., also known as The Charlevoix GP, to host an event on August 10<sup>th</sup>, that will serve alcohol. The LLC requires the City of Grosse Pointe Park approve this event.

Motion by Mayor Denner, supported by Councilmember Robson, to approve the LLC request to High Fives for Everyone, LLC, located at 14927 Charlevoix for an event that will be hosted on Saturday, August 10<sup>th</sup>, on Charlevoix.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

#### MEMORANDA OF UNDERSTANDING

##### ART CENTER

Mayor Denner presented to Council for consideration the Memorandum of Understanding (MOU) between the City of Grosse Pointe Park, the City of Detroit, and the Urban Renewal Initiative Foundation (URIF) in order to cooperate and coordinate their respective activities in furtherance of the construction of a non-profit community center for the arts, (The A. Paul and Carol C. Schaap Center for the Performing Arts and the Richard and Jane Manoogian Art Gallery), a bus turnaround, and parking area for DDOT busses.

Mayor Denner stated the URIF has raised pledges to support the building of the proposed art center. All funding of this project is supported by URIF. The City of Grosse Pointe Park is to make parcels available and in-kind services to be provided, including snow removal, janitorial services and landscape maintenance.

Mayor Denner stated the MOU regarding Kercheval and Wayburn at Alter represents a significant development which will be substantially in Detroit, opening Kercheval to two-way traffic. The MOU allows for periodic closure of the area for special events to bring the two cities together.

Councilmember Read stated she has several questions about the MOU for the proposed art center. She stated she requested specific information from city hall including the governing documents, conflict of interest policy, and financial statements for URIF, and a list of the Board members, and was informed Grosse Pointe Park does not maintain the URIF records.

Mayor Denner stated Grosse Pointe Park has provided in kind services which will be supported by the Downtown Development Authority. He stated the K-line trolley was coordinated with the help of Grosse Pointe Park. The former City Manager provided financial support for the Art Center. In 2018, URIF appointed Plante Moran to provide financial advice.

Councilmember Read stated she requested specific information and it was not made available.

Mayor Denner stated the information would need to be requested through URIF as they are an independent non-profit corporation and maintains its own records. Councilmember Read noted that, according to the tax filings, the URIF is a public charity and its records are on file at city hall and open for public inspection.

Mayor Denner stated modifications at the island at Jefferson have been started and permits are in process for cutting into the curb to provide a staging area.

Councilmember Read stated no where in the MOU does it eliminate bus schedules on Maryland, Hampton or Charlevoix.

Mayor Denner stated the focus was to provide a safer turn around for the busses.

Councilmember Read stated she receives complaints from a resident who resides on Hampton and said busses travel down Hampton routinely.

Mayor Denner requested specific times and dates of the busses that travel down Hampton so the administration may report the specifics to DDOT to rectify the situation.

Councilmember Read inquired if there are engineering plans available. Her major concern is the cost, it is difficult to approve when we do not know the cost.

Mayor Denner stated the DDA will support the in-kind services provided, which is a separate budget. He noted this will be a great project for the region. This project has not been a secret by any means. Everything in the MOU has been discussed in open meetings for the past two years. Councilmember Read stated that DDA funds are public tax dollars and she wants the residents to have confidence in the integrity of the process.

Councilmember Read stated more time is needed to properly evaluate the documents, the cost involved and more information regarding the URIF and noted that the MOU set forth deadline is December 31, 2019.

Mayor Denner stated once completed, the URIF will be managing the Art Center. Grosse Pointe Park will contribute in kind services funded through the DDA.

Councilmember Read stated she thinks more citizen input is necessary to weigh in on the overall project.

Mayor Denner stated what the Council does this evening determines the outcome. If it not voted favorably, it will be viewed very negatively. This is a great economic development for our region and it will serve as home for the Grosse Pointe Theater.

Councilmember Read inquired as to the purpose of the building and its use.

Mayor Denner stated there is a wide range of performing arts, Grosse Pointe Theater activities, and some of Manoogian art will also be displayed. This project is a win-win from a cultural stand point and it allows us to work closely with Detroit.

City Attorney Levasseur stated he was advised by the City of Detroit's counsel that wanted to present the MOU Tuesday morning to the Detroit City Council. The Economic Development, Planning and Engineering Department and Law Department has reviewed this document for some time.

Councilmember Read stated she is not prepared to vote and would like to spend more time to review.

Mayor Denner stated time is of the essence.

Councilmember Grano stated he is supportive of this project. He stated he has served on the Council since 2005 and the bus turn around has been discussed for many years. The area is improving. He stated he would like to commend former Mayor Heenan, former Mayor Theokas and Mayor Denner and the philanthropic endowment of \$20,000,000. He noted this project will be funded by the Schaap and Manoogian families as well as other donors. He noted he is not concerned about the cost (in the area of \$50,000) for a curb cut. This is a major improvement for the entrance to Grosse Pointe Park.

Mayor Denner stated it is a great development for Detroit and Grosse Pointe Park.

Councilmember Robson inquired if the City can opt out.

City Attorney Levasseur stated the City may opt out up until December 31, 2019, only if the City of Detroit does not approve it.

City Attorney Levasseur stated that technically you do have until December 31, 2019, however, realistically you don't. This is tied in with Kercheval MOU. If the MOU's are not approved by the City, that the rejection will be viewed negatively.

Councilmember Robson stated there were good points made by everyone. Unfortunately, we need to vote on this issue and more information can be provided going forward.

Mayor Denner stated the building will be in Grosse Pointe Park. The property needs to be assembled and is time sensitive.

Councilmember Read stated she did not see where the second MOU is tied to the first MOU.

City Attorney Levasseur stated technically they are not, however, politically they are.

Councilmember Read stated going back to the Jefferson property that most of it is in the City.

City Attorney stated it is located in Grosse Pointe Park.

Mayor Denner stated the City of Detroit has a very important role, the interest on the MOU's are conceptually tied politically.

Mayor Denner stated Councilmember Clark was unable to be in attendance due to a brother who is terminally ill and requested that his support of the MOU's be conveyed.

Councilmember Read stated she is not prepared to vote on these issues because the information regarding the URIF was not made available for her review.

City Attorney Levasseur stated he is not concerned from a legal stand point.

Mayor Denner stated the URIF has supported many projects. The MOU holds each party responsible. He stated that the City believes that the URIF has the finances to complete the Art Center and has a solid track record.

Councilmember Read stated there has not been an opportunity for public input.

Mayor Denner stated at the end of the day, we have a responsibility to make decisions on behalf of our residents, and that is what we were elected to do. This is the biggest economic development for Grosse Pointe Park and Detroit collectively and will be a wonderful project. It would be a disservice if the project is not approved.

Councilmember Read inquired if traffic reports have been undertaken.

Interim Manager Sizeland stated Stan Tec Engineering has performed traffic studies, however, does not have the information with him.

Councilmember Robson stated the configuration of the island has been completed.

Director of Public Safety Poloni stated there have not been complaints regarding the configuration.

Councilmember Read inquired if the Board of Directors of the URIF is the body that is making the decisions.

Mayor Denner stated there are representatives from the URIF, and representatives from the City and the philanthropists agree with that.

Resident of Berkshire inquired with the Mayor if his serving on the Board for URIF is a conflict of interest.

Mayor Denner stated he is an advocate for Grosse Pointe Park and has no financial interest. His interest is solely for the best interest for Grosse Pointe Park serving as the Mayor. URIF asked for the Mayor and City Manager to represent the best interests for the City of Grosse Pointe Park.

City Attorney Levasseur stated the Mayor and City Manager serving on the Board of URIF was a requirement of URIF.

Resident of Westchester inquired about the lack of parking.

Mayor Denner stated that a parking study was undertaken, including that St. Ambrose has an agreement with URIF to make the parking lot available during performances. The majority of the parking will be made off of Jefferson.

Resident of Westchester inquired if consideration was given to account for parking with conflicts that include the library and council meetings.

Mayor Denner stated the Art Center events will primarily take place on the weekends and there should be minimum conflict.

Resident of Pemberton stated this is a great project and a great gateway project, but was concerned about zoning, the master plan, public input and other details.

Mayor Denner stated this is a critical step, until this agreement is in place, it is conceptual.

Mayor Denner stated going forward more information will be made available. We need to get the base agreements in place, this is a critical point.

Resident of Balfour stated she is an idealist and very excited about this project. The philanthropists in our community have done an amazing job and amazing projects in Detroit. She complimented the Mayor and Council for a well-run city and has trust in them. She noted she is not concerned of the details, and recommended going forward with it.

Resident of Bishop stated this has been sprung on the residents suddenly and it does not seem fair, what exactly are we committing to.

Mayor Denner stated the only truly immediate issue is the bus turn around. There will be opportunities to discuss the Art Center.

Resident of Nottingham stated this process fundamentally is flawed. Once this MOU is in place, there is no going back.

Resident of Buckingham stated she does not trust the Council after the events regarding Kercheval Avenue. That issue caused a lot of dissension with the City of Detroit.

Mayor Denner stated the roundabout has worked successfully to manage traffic flow and is a good way to control and calm traffic. He agrees with the City of Detroit that the roundabout be opened to two-way traffic between our cities.

Resident of Pemberton stated the URIF lists the former city manager as the Treasurer with city hall address.

Mayor Denner stated the address will be changed.

Resident of Pemberton stated they heard the parking was going to be in front of the library and inquired if the updated Master Plan addresses the issue of parking at the art center.

Mayor Denner stated the parking plan suggests that parking will be provided in front of the library.

Mayor Denner stated the Master Plan does not address specific solutions. He stated there is no intent to conceal information. At this point we are moving forward.

Resident of Pemberton inquired if it was possible to include a day care center at the art center.

Mayor Denner stated that is off topic, but the City is working on areas for a day care center.

Resident of Devonshire stated Councilmember Read does not want to appear as an obstructionist, she is doing her due diligence and offered a compromise.

Resident of Westchester recommended an Ad-hoc committee be appointed to provide more citizen input.

Mayor Denner stated the MOU

Mayor Denner stated the MOU needs to be put in place and without that we cannot move forward. There are professionals working on all the details and it is important to trust the people putting these agreements into place. Some things will get tweaked along the way. He stated there will be public information sessions. He stated his position has not changed and feels it is time to vote.

Motion by Mayor Denner, supported by Councilmember Robson to approve the Art Center MOU between the City of Grosse Pointe Park, the City of Detroit, and the Urban Renewal Initiative Foundation in order to cooperate and to coordinate their respective activities in furtherance of the construction on a non-profit community center for the arts.

AYES: Councilmembers Robson, Grano, and Mayor Denner

NAYS: Councilmember Read

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

#### KERCHEVAL MOU

Mayor Denner presented to Council for consideration the MOU for Kercheval between the City of Grosse Pointe Park and the City of Detroit. This MOU will bring the two communities closer together. The only cost will be to cut out concrete for a traffic lane from the roundabout into Detroit.

Motion by Mayor Denner, supported by Councilmember Grano, to approve the MOU for Kercheval between Grosse Pointe Park and the City of Detroit.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

ORDINANCE NO. 211

Mayor Denner presented to Council for consideration Ordinance No. 211, regulation of fireworks in the City of Grosse Pointe Park for adoption.

The resolution reads as follows:

**Ordinance No. 211**

**City of Grosse Pointe Park**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE PARK BY REVISING AND AMENDING CHAPTER SIXTEEN, SECTION 16-125, OF THE CODE OF THE CITY OF GROSSE POINTE PARK TO REGULATE THE USE OF FIREWORKS IN THE CITY OF GROSSE POINTE PARK.

**THE CITY OF GROSSE POINTE PARK ORDAINS:**

Section I. The City of Grosse Pointe Park Code of Ordinance, Chapter 16, Section 16-125, Fireworks, is amended as follows:

**Sec. 16-125.**

**(a) Definitions.**

*Consumer fireworks* means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low-impact fireworks, as defined below.

*Display fireworks* means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.

*Firework or fireworks* means any composition or device, except for a starting pistol, a flare gun, or a flare, designated for the purpose of producing a visible or audible effect by combustion,

deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.

*Low-impact fireworks* means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

*Novelties* means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

- (i) Toy plastic or paper caps for toy pistols in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cup.
- (ii) Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph (i) of Section 16-125(a) are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.
- (iii) Flitter sparklers in paper tubes not exceeding 1/8 inch in diameter.

**(b) Prohibition on use of consumer fireworks.**

- 1. Except as provided in this Section, a person shall not ignite, discharge, or use consumer fireworks at any time.
- 2. A person may ignite, discharge, or use consumer fireworks on the following days during the following hours:
  - 1. Between 11:00 am on December 31 and 1:00 am on the immediately following January 1.
  - 2. Between 11:00 am and 11:45 pm on the Saturday immediately preceding Memorial Day.
  - 3. Between 11:00 am and 11:45 pm on the Sunday immediately preceding Memorial Day.
  - 4. Between 11:00 am and 11:45 pm on June 29, June 30, July 1, July 2, July 3 and July 4.
  - 5. Between 11:00 am and 11:45 pm on July 5, if that day is a Friday or a Saturday.
  - 6. Between 11:00 am and 11:45 pm on the Saturday immediately preceding Labor Day.

7. Between 11:00 am and 11:45 pm on the Sunday immediately preceding Labor Day.
3. A minor shall not possess consumer fireworks.
4. A violation of this Section is a civil infraction, punishable by a fine of \$1,000.

**(c) Public Displays.**

Upon application in writing by any individual, association or entity for the public display of fireworks, the City Council may grant permission for such display on any day, subject to such conditions as the City Council may impose to properly safeguard the public, all in accordance with MCL 28.466.

**(d) Enforcement.**

The Chief of the City's Department of Public Safety, his/her designee(s), public safety and sworn officers are authorized to enforce the provisions of this Ordinance.

**(e) Violations, Fines and Penalties.**

Each violation of Section 16-125(b) shall result in a civil fine of \$1,000 and \$500 of said fine shall be remitted to the Grosse Pointe Park Department of Public Safety. The fines described in this Section shall be in addition to cost assessments, expenses and/or damages assessed under the law.

Councilmember Grano stated the State has limited fireworks to July 4<sup>th</sup>, Labor Day, New Year's Eve, and New Year's Day.

Motion by Councilmember Grano, supported by Councilmember Read, to adopt Ordinance No. 211, regulation of fireworks.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

ORDINANCE NO. 212

Mayor Denner presented to Council for consideration Ordinance No. 212,

Ordinance No. 212  
City of Grosse Pointe Park

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE PARK BY REVISING AND AMENDING CHAPTER FIFTEEN, SECTION 15-6, OF THE CODE OF THE

CITY OF GROSSE POINTE PARK TO REQUIRE THAT RESIDENTIAL CONSTRUCTION AND DEMOLITION SITES ADJACENT TO EXISTING RESIDENTIAL DWELLINGS AND PUBLIC STREETS AND SIDEWALKS IN THE CITY OF GROSSE POINTE PARK BE SECURED.

**THE CITY OF GROSSE POINTE PARK ORDAINS:**

Section I. The City of Grosse Pointe Park Code of Ordinance, Chapter 15, Nuisances is amended to add Section 15-6 as follows:

**Sec. 15-6.**

**(a) Purpose.**

The purpose of this Section 15-6 is to require single-family and multi-family residential construction sites and demolition sites that are adjacent to existing residential dwellings and/or public streets and sidewalks to be secured.

**(b) Standards for securing construction sites.**

All single-family and multi-family residential construction sites and demolition sites that are adjacent to existing residential dwellings shall comply with the following standards while a building or structure is being erected, altered, repaired, removed or demolished under a valid permit for construction or demolition. Failure to comply is grounds for the Building Official to issue an order to stop work on the construction or demolition.

1. Fencing. All construction sites (either existing or in the future) shall be enclosed with a stable chain-link fence not less than six feet in height. Any gates shall open inward, so as not to obstruct the public right-of-way. When there is not active construction on the site, the gate shall be secured. Temporary fencing may be removed after a complete insulation inspection has been approved. All temporary fencing (including the foundation) shall be removed prior to the issuance of a conditional certificate of occupancy.
2. Silt Fencing. Silt fencing must be installed at construction sites where earth disruption has occurred and must be properly maintained until its removal as approved by the Building official.
3. Signage. Prior to the commencement of construction or demolition, signage prepared by the City shall be attached to the required fencing with the permit holder's name and telephone number, and contact information for the City's Building Department. One sign shall be provided per street frontage.
4. Right-of-way maintenance. Any activity expected to impact the public right-of-way, including but not limited to a tree within the right-of-way or an adjoining sidewalk, must first receive a permit under Article 21 of the City's Code.

5. Portable toilets. Any portable toilets on site shall be located within the construction site and no less than 15 feet from any existing structure on adjacent property.
6. Excavation. Excavations on a site shall not be open for more than 60 days.
7. Exemptions. This section shall not apply to the following:
  - (1) New developments that have been through subdivision or site condominium approvals.
  - (2) All renovations enclosed within the original building or structure.
  - (3) Additions of less than 50% of the square footage of the original building or structure.
  - (4) Detached accessory structures.

**(c) Violations and penalties.**

- A. A person violating this article for the first time is responsible for a municipal civil infraction and is subject to payment of a civil fine of not less than \$250, plus costs.
- B. A person violating this article for the second time is responsible for a municipal civil infraction and is subject to payment of a civil fine of not less than \$500, plus costs.
- C. A person violating this article for the third or subsequent time is guilty of a misdemeanor, punishable by a fine of not more than \$500 or imprisonment for not more than 90 days, or to both such fine and imprisonment in the discretion of the court.
- D. In addition to any penalties provided for herein, the court shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin further violation of this article.

Councilmember Grano stated it is the consensus of the Ordinance Review Committee to adopt the proposed ordinance for safety.

Motion by Councilmember Grano, supported by Councilmember Read, to adopt Ordinance No. 212 amending the code of the City of Grosse Pointe Park by revising and amending chapter fifteen, section 15-6, of the code of the City of Grosse Pointe Park to require that residential construction and demolition sites adjacent to existing residential dwellings and public streets and sidewalks in the City of Grosse Pointe Park be secured.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

BOND RESOLUTIONS

Mayor Denner presented to Council for consideration the publication of the notice of intent to issue capital improvement bonds for capital improvements to the City Hall, Public Safety Building, Pump Station, certain City Department of Parks and Recreation facilities, and related equipment and furnishings; acquisition of a fire department of pumper truck and related equipment and apparatus; and other capital improvement items, and notice of right of referendum on the issuance of the bonds. Mayor Denner stated the infrastructure is in need of major repair and the funds will be generated by the general fund.

The resolution reads as follows:

CITY OF GROSSE POINTE PARK  
WAYNE COUNTY, MICHIGAN

RESOLUTION AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS FOR CAPITAL IMPROVEMENTS TO THE CITY HALL, PUBLIC SAFETY BUILDING, PUMP STATION, CERTAIN CITY DEPARTMENT OF PARKS & RECREATION FACILITIES, AND RELATED EQUIPMENT AND FURNISHINGS; ACQUISITION OF A FIRE DEPARTMENT PUMPER TRUCK AND RELATED EQUIPMENT AND APPARATUS; AND OTHER CAPITAL IMPROVEMENT ITEMS, AND NOTICE OF RIGHT OF REFERENDUM ON THE ISSUANCE OF THE BONDS

WHEREAS, the City desires to implement certain capital improvements, which may include improvements to the City Hall, public safety building, pump station, certain City Department of Parks & Recreation facilities, and related equipment and furnishings; acquisition of a fire department pumper truck and related equipment and apparatus; other capital improvement items; and related engineering, other professional and administrative services (collectively, the “Project”); and

WHEREAS, all or a portion of the costs of the Project, and the costs of the issuance of bonds, will be financed by City through the issuance of capital improvements bonds pursuant to the Revised Municipal Finance Act, as amended, Public Act 34 of 2001, MCL 141.2101 *et seq.* (“Act 34”) in an amount not to exceed \$2,635,000 (the “Bonds”); and

WHEREAS, the primary source of revenues to pay the principal of and interest on the Bonds will be the general fund of the City; and

WHEREAS, Act 34 requires the publication of a “Notice of Intent” which would provide the electors of the City a 45-day referendum period with respect to the issuance of the Bonds; and

WHEREAS, this Resolution would authorize the publication of the Notice of Intent.

NOW THEREFORE, be it resolved by this City Council as follows:

1. The publication of the Notice of Intent, generally in the form attached hereto as Attachment A, in the *Grosse Pointe News*, which is a newspaper which has general circulation in

City, is hereby authorized with such insubstantial modifications as recommended by the law firm of Bodman PLC. The Notice of Intent shall not be less than ¼ page in size in such newspaper.

2. The City Clerk/Treasurer is authorized and directed to take such actions as may be necessary or desirable to implement this Resolution.

3. This Resolution shall become effective immediately upon its passage.

Motion by Mayor Denner, supported by Councilmember Read, to approve the resolution authorizing the issuance of capital bonds to undertake the necessary improvements as listed.

AYES: Councilmembers Read, Robson, and Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

## BOND RESOLUTION

CITY OF GROSSE POINTE PARK

WAYNE COUNTY, MICHIGAN

Mayor Denner presented to Council for consideration the resolution declaring official intent to reimburse project expenditures with proceeds of bonds relating to certain capital improvements.

The resolution reads as follows:

### RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH PROCEEDS OF BONDS RELATING TO CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, the City of Grosse Pointe Park, Wayne County, Michigan (“City”) intends to finance all or a portion of the costs of the Project (as defined below) and related issuance costs (as defined in Treas. Reg. § 1.150-1(b)) through the issuance of tax-exempt bonds (the “Bonds”);

WHEREAS, the primary source of revenues to pay the principal of and interest on the Bonds will be funds transferred from the City’s general fund to the City’s capital improvements fund; and

WHEREAS, it is anticipated that City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advances to be reimbursed from the proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Treas. Reg. §1.150-2 (the “Reimbursement Regulations”) specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds and City intends by this Resolution to qualify monies so advanced to pay expenses of the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

IT IS RESOLVED BY CITY THAT:

- (i) The “Project” shall mean and consist of capital improvements, which may include improvements to the City Hall, public safety building, pump station, certain City Department of Parks & Recreation facilities, and related equipment and furnishings; acquisition of a fire department pumper truck and related equipment and apparatus; other capital improvement items; and related engineering, other professional and administrative services (collectively, the “Project”), and issuance costs for the Bonds.
- (ii) The maximum principal amount of debt expected to be issued to pay costs of the Project, including issuance costs for the Bonds, is \$2,635,000.
- (iii) City declares its official intent to have Bonds issued on its behalf to finance all or a portion of the costs of the Project and declares that it reasonably expects to be reimbursed from the proceeds of such Bonds for advances made for the Project as anticipated by this Resolution.
- (iv) The advances for the costs of the Project will be sources from one or more of the following accounts or funds of City: funds transferred from the City’s general fund to the City’s capital improvements fund.
- (v) All prior resolutions and parts of resolutions, insofar as they may be in conflict with this Resolution, are rescinded.

6. This Resolution shall become effective immediately upon its passage.

Motion by Mayor Denner, supported by Councilmember Read, to adopt the resolution authorizing reimbursement for capital expenses with proceeds of bonds relating to certain capital improvements as presented

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

ABSENT: Councilmembers Clark, Chouinard, and Detwiler

FINANCE REPORT – JUNE, 2019

Mayor Denner presented to Council for consideration the invoices exceeding \$5,000 for the month of June, 2019, for approval as presented.

<u>Vendor</u>	<u>Description</u>	<u>Payment</u>
Bodman, PLC	Pros. Atty. & retainer fee	\$ 10,000.00
Build Safe	Building Inspector – May	9,600.00
J & W Tree Artisans	Trim & remove city trees	17,160.00
Great Lakes Water	Water usage – April	108,722.00
Green for Life	Recycling for June	11,546.00
Green for Life	Rubbish for June	36,189.00
Signature Ford, L-M	2019 Ford F550	32,083.00
Truck & Trailer	Dump body for F550	9,433.00

Canfield Equipment	Install equip. PS Cars	5,758.00
Great Lakes Water	Waste water- May	150,100.00
Grunwell-Cashero	Resealing ice rink	5,900.00
Jos. Kutchev & Sons	Light pole planters	8,001.00
Josh Giordano	Pier platform work	17,900.00
Macomb Power Sports	Balance for Mules	29,901.00

Motion by Mayor Denner, supported by Councilmember Read, to approve the invoices exceeding \$5,000 for the month of June, 2019, as presented in accordance with Section 2.249 of the Charter.

AYES: Councilmembers Read, Robson, Grano, and Mayor Denner

NAYS: None

Excused Absence: Councilmembers Clark, Chouinard, and Detwiler

#### COMMITTEE REPORTS

Mayor Denner presented to Council the committee reports for the meetings since the Council last met.

Ordinance Review:

Councilmember Grano stated the Ordinance Review Committee met and recommended the approval of Ordinance No. 211 and No. 212.

#### NEW/OLD BUSINESS

Resident of Maryland stated she has a tree in the front of her property where the roots have damaged the sidewalk and has recently received a notice indicating she must replace the sidewalk.

Interim Manager Sizeland stated he has talked to the City Forester who believed that the tree is healthy. The Forester recommended cutting the roots around the sidewalk and placing a moon shaped piece of cement to eliminate the new cement from being damaged.

Resident stated she would like the tree removed.

Mayor Denner directed the Interim Manager to follow up on this issue, talk to the City Forrester on the same, maybe remove the tree and replace it with a smaller one.

With no further business, the meeting adjourned.