

COUNCIL MEETING – SEPTEMBER 23, 2019
7:00 PM

A regular meeting of the Council for the City of Grosse Pointe Park was held on Monday, September 23, 2019, and opened with the Pledge of Allegiance to the Flag.

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

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

MINUTES -AUGUST 26, 2019

Mayor Denner presented to Council for consideration the minutes of August 26, 2019, for approval.

Councilmember Read stated on page 32, "Special Council Meeting" she voted no and it was recorded as a yes vote.

Motion by Councilmember Robson, supported by Councilmember Clark, to approve the minutes of August 26, 2019, as presented.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

MINUTES – SEPTEMBER 4, 2019

Mayor Denner presented to Council for consideration the minutes of September 4, 2019, for approval.

Motion by Councilmember Grano, supported by Councilmember Read, to approve the minutes of September 4, 2019, as presented.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

JEFFREY GRAHAM RESOLUTION

Mayor Denner presented to Council for consideration adoption of a Resolution honoring Jeffrey Graham for his dedicated years of service to the City of Grosse Pointe Park.

The resolution reads as follows:

WHEREAS, Jeffrey Graham is a resident of 589 Pemberton in the City of Grosse Pointe Park since 1995, and he has been a registered voter since 1984, and

WHEREAS, Jeffrey Graham and his wife Susan raised three daughters in Grosse Pointe Park, and

WHEREAS, Jeffrey Graham attended Lawrence Technological University where he obtained a Bachelor of Science and a Bachelor of Architecture, and

WHEREAS, Jeffrey Graham is a licensed architect with his own business, Designtec, and he was a LEED'S Accredited Professional in Environmental Architecture, and

WHEREAS, Jeffrey Graham is a past President of Optimists International Local Chapter, and

WHEREAS, Jeffrey Graham served on the Board of Review from 1985 through 1989, and

WHEREAS, Jeffrey Graham served on the TIFA Board from 1987 through 1989, and

WHEREAS, Jeffrey Graham served on the Planning Commission for thirty years, from 1989 through 2019, and

NOW THEREFORE BE IT RESOLVED, Mayor Denner and Members of the Grosse Pointe Park City Council hereby recognize Jeffrey Graham for his long and exemplary service to the City of Grosse Pointe Park.

Motion by Mayor Denner, supported by Councilmember Robson, to recognize Jeffrey Graham for his dedicated years of service to the City of Grosse Pointe Park.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

Mayor Denner expressed his gratitude to Jeffrey Graham for his dedicated years of service to the City of Grosse Pointe Park and thanked his wife Susan for allowing the many hours Jeffrey was away from home on city business.

740-45 WHITTIER
BOATWELL REQUEST

Mayor Denner presented to Council for consideration, acting as the Zoning Board of Appeals, a request by Gary and Janet VanElslander of 740-45 Whittier to install a boat well.

Mayor Denner stated that City Attorney Levasseur must recuse himself because Bodman represents the homeowner of 740-45 Whittier and that Charles Kennedy, Grosse Pointe City Attorney, will stand in for this issue.

Motion by Mayor Denner, supported by Councilmember Clark, to excuse Dennis J. Levasseur, City Attorney, and appoint Charles Kennedy as Acting City Attorney solely for the matters pertaining to 740-45 Whittier.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

City Manager Sizeland stated the ordinance, Section 27-131, requires that residential lots or parcels having water frontage shall maintain the yard on the water side as an open unobscured yard, excepting that a boat well shall be permitted after review and approval by the Zoning Board of Appeals.

The petitioner presented their request and responded to questions from Council.

Mr. Gilbride, attorney, represented owners of 747 Whittier, immediate neighbor opposing approval of the boat well.

Council discussed the request considering that 745 Whittier is a vacant lot and that this would be an accessory use without a primary residence.

Motion by Councilmember Clark, supported by Councilmember Read, to deny the boat well request to the petitioner of 740-45 Whittier.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

740-45 WHITTIER
FENCE VARIANCE

Mayor Denner presented to Council for consideration, acting as the Zoning Board of Appeals, a request by Janet VanElslander of 740-45 Whittier for a variance from Section 27-100 (b) of the Zoning Ordinance, which prohibits fences in a front yard.

City Manager Sizeland stated the applicant wishes to erect a four-foot high fence in the front yard setback. This property is located on the lake front at the end of Whittier and must maintain a front yard setback. The ordinance prohibits fences in the front yard. Approval of this proposal would require that the Board of Zoning Appeals grant a variance.

The petitioner presented the variance request and responded to Council questions.

Mr. Gilbride, attorney, represented opposition to the variance request

Councilmember Clark stated the ordinance is clear, fences are prohibited in the front yard setback. The language is not subject to interpretation. The view is to enjoy unobstructed, doubly applied on the water.

Motion by Councilmember Clark, supported by Councilmember Read, to deny the variance for a fence for the lake front property located at 740-45 Whittier.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

Motion by Mayor Denner, supported by Councilmember Chouinard, to reimburse the request for a variance application fee to the petitioner for the property located at 740-45 Whittier.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

Mayor Denner thanked the petitioners for all the beautiful improvements made to their property.

RESOLUTION FOR DESIGNATION
OF STREET ADMINISTRATOR

Mayor Denner presented to Council for consideration designation of City Manager, Nick Sizeland, as the Street Administrator for the City of Grosse Pointe Park.

The resolution reads as follows:

WHEREAS, Section 13(9) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this Act."

THEREFORE, BE IT RESOLVED, that this Honorable Body designate Nick Sizeland, City Manager, as the single Street Administrator for the City or Village of Grosse Pointe Park in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Motion by Councilmember Robson, supported by Councilmember Detwiler, to appoint City Manager, Nick Sizeland, as the Street Administrator for the City of Grosse Pointe Park.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

PROPOSED DOG PARK

Mayor Denner presented to Council for consideration the proposal for a dog park to be located within Patterson Park. He stated this issue has been discussed by the Council over the past several years pertaining to location and funding.

Mayor Denner stated during the Master Plan process, it was determined that a dog park is a desirable amenity and should be pursued.

Councilmember Grano stated the proposed site is located at Patterson Park between the fountain area and property bordering Grand Marais. It is not just going to be a dog park, but a park of a botanical garden. It will have a double gate, require a key fob for registered residents for access in to the dog park and proof that the dog has been licensed by the City. The only way it will work is strict enforcement of

the proposed rules. Considerable thought was put in to the proposed plan. It is 50 feet from the back fence of the immediate neighbors. He noted he is strongly in favor of this proposed location for a dog park.

Mayor Denner stated the hours of operation will be limited and have yet to be set. It will be set by the Park Director consistent with the park hours. He noted irrigation and drainage will be included in the construction of the dog park.

Councilmember Read stated the process to allow citizen comment has not been met.

Mayor Denner stated the many emails has received over the last several years and discussion at City Council meetings is evidence of public involvement.

Councilmember Clark stated the issue of the dog park is not new. The Council never made a decision that was not in favor of a dog park. The issues were location and financing. At that time, Mack and Wayburn was considered for the proposed site.

Mayor Denner stated that the Mack Avenue and Wayburn location is no longer available due to development.

Councilmember Clark stated when a survey was distributed to all residents several years ago, a dog park was a desired amenity.

Councilmember Detwiler stated the funding for the proposed dog park would be from an anonymous donation.

Motion by Councilmember Read, supported by Councilmember Robson, to table this matter to allow further public involvement.

AYES: Councilmember Read

NAYS: Councilmembers Clark, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

Mayor Denner opened the floor for resident comment.

Several Grand Marais residents expressed opposition to the proposed dog park at Patterson Park.

Several residents throughout various streets in the City expressed support for a dog park to be located within Patterson Park.

Councilmember Chouinard stated there was no ideal spot for a dog park and came up with the area within Patterson Park and there is plenty of nearby parking available.

Councilmember Read stated there is no deadline to meet. We have not captured enough data to evaluate the need for a dog park as well as a location suitable to all residents. A survey could be circulated to acquire more information necessary to make a diligent decision.

Councilmember Grano stated there have been many public discussions over the years. Every resident in the City does not have to agree with it, but for the many residents who have asked for it, it is a great amenity. Another survey is not necessary.

Motion by Mayor Denner, supported by Councilmember Chouinard, to direct the Administration and the Parks and Recreation Commission to pursue the development of a dog park at Patterson Park and to use as a start the plan presented by the Parks and Recreation Commission and to further pursue public comment and input.

AYES: Councilmembers Clark, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: Councilmember Read

FINANCE REPORT – AUGUST, 2019

Councilmember for Finance Detwiler presented to Mayor and Council the invoices exceeding \$5,000 for the month of August, 2019 as presented.

<u>Vendor</u>	<u>Description</u>	<u>Payment</u>
Build Safe	Building Inspector – July	\$ 9,600
J & W Trees	City tree work	31,940
M.I Rental & Renovations	Pier 5 & platform work	9,500
Apcor Construction	Replace sundeck steps	10,000
Bodman, PLC	Pros. Atty. & retainer fee	10,000
Caniff Electric	Light Poles for Mack Ave.	25,560
Great Lakes Water	Water usage – June	122,351
Superior Sports	Tennis court resurface – Windmill	14,000
Great Lakes Water	Waste water – July	151,100
Spalding DeDecker	Construction engineering – grant	73,450
OHM Advisors	Road engineering	10,954
OHM Advisors	Cadieux-Kercheval-Mack grant	6,435
GP Clinton Refuse	Refuse disposal – June	10,735
Dean Marine	Breakwall & dock repairs	13,125
Green for Life	Recycle for August	11,564
Green for Life	Rubbish for August	36,189
Michigan Municipal League	Executive Search	17,000

Motion by Councilmember Detwiler, supported by Councilmember Chouinard, to approve the invoices exceeding \$5,000 for the month of August, 2019, for approval as presented in accordance with Section 2.249 of the Charter.

AYES: Councilmembers Clark, Read, Chouinard, Robson, Detwiler, and Grano, and Mayor Denner

NAYS: None

COMMITTEE REPORTS

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

Recreation:

Councilmember Chouinard presented an overview of the Recreation Commission meeting held on September 18, 2019. The meeting included the following information:

- Pool closing Labor Day weekend
- Tennis courts have been resurfaced
- Halloween in the Park is scheduled for 10-26
- Haunted house in the gym
- New classes added
- Upgrade the electrical in the marina
- Reflective pond converted to ice rink
- Pickle ball courts completed
- Kayak fencing replaced
- Reviewing kayak launching pad
- Farmers Market – vendors are requesting two per month, rather than one
- After 6 on Kercheval was a success
- Atrium sound system improvement
- Saturday Night Throw Back was a success
- Gazebo needs updating
- Styrofoam cups no longer being used at the concession stand
- Tree lighting to move from Windmill Pointe Park to Kercheval

Beautification:

Councilmember Read presented an overview of the Beautification Commission meeting held on September 11, 2019

- Welcomed new Commissioner Alicia Klein
- New appointments will be considered due to vacancies
- Discussed and finalized plans for the annual Beautification Awards ceremony scheduled for October 10th at the Tompkins Center. All winners have been notified and invited to the ceremony
- Fall perennial plant exchange at the Tompkins Center from 9:30 to 11:00 on Saturday, October 5, 2019. The event is open to all
- Park Place Market will receive the Presidential Award from Keep Michigan Beautiful and the Beautification Commission of Southeast Michigan at the annual conference in Lansing on October 18 & 19
- The next meeting is scheduled for November 6th at 7:30 PM in Council chambers

NEW/OLD BUSINESS

Resident of Pemberton inquired when the school curb walks were going to be repainted.

Director Poloni said they have all been completed.

Councilmember Robson commended the Public Safety Department for their efficient handling of a break in on Yorkshire.

With no further business, the meeting adjourned.