

COUNCIL MEETING – June 14th, 2021
7:00 P.M.

An electronic meeting was held through Zoom due to the Wayne County Public Health Order and to continue decreasing the spread of COVID-19.

The meeting was called to order by Mayor Denner and opened with the Pledge of Allegiance to the Flag.

The following were electronically present: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner.

Also electronically present: Nick Sizeland, City Manager; Jane M. Blahut, Finance Director/Clerk; Jake Howlett, City Attorney; Bryan Jarrell, Director of Public Safety; Jim Bostock, Public Safety Lieutenant; and Leah Smith, Assistant to the City Manager.

APPROVAL OF CONSENT AGENDA

Mayor Denner presented the consent agenda for approval.

Motion by Councilmember Read, supported by Councilmember Fluitt, to approve the consent agenda as presented.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

PUBLIC COMMENT (AGENDA ITEMS)

City Manager Sizeland read two written comments submitted by two residents.

One resident made a verbal comment.

MANAGERS REPORT

City Manager Sizeland presented a brief overview of the status of issues since the last meeting:

- Coffee with a Cop
- Public Safety Facebook Page
- Grosse Pointe Park Business Association
- TIFA COVID Support
- DDA COVID Support
- City Tree Trimming
- Social District
- DTE
- Building Department
- Recycling
- Public Works Building
- City Hall Building

COMMITTEE AND COMMISSION REPORTS

Planning Commission

Councilmember Hodges stated that the Master Plan Update Community Open House was held on May 25th with two sessions available for residents to attend. Attendees had the ability to provide feedback and ideas regarding various topics including land use, redevelopment, and capital improvements. MKSK will use the feedback from the community open house, as well as the visioning session and community survey, to complete a draft of the updated master plan. The draft will be presented to the public for additional feedback in late summer/early fall. Additionally, internal review of the Wayburn development continues as the City works with the developer to address the concerns raised during the initial site plan review.

Beautification Commission

Councilmember Relan stated that the Beautification Commission met on June 2nd to hold their summer kickoff potluck meeting. The Commission also set the process for the 2021 Beautification awards with five groups of commissioners responsible for walking the City and identifying potential winners. Residents can also nominate neighbors who they believe should be considered for an award. Note that a previous winner who has won within the last four years cannot win again. 2021 award winners will be announced in August.

Tax Increment Finance Authority (TIFA)

City Manager Sizeland stated that the TIFA Board met on June 8th to hold their first informational session for 2021 and hold a special meeting. The informational meeting included an update on activities throughout the TIFA that have taken place since the November 2020 informational meeting. The special meeting was held for the sole purpose of formally adopting the FY 2021-2022 budget. The next TIFA meeting will take place in July and the agenda is expected to include an update on the parking study and the introduction of the Business Improvement and Residential Improvement grant programs.

Downtown Development Authority (DDA) Board

Mayor Denner stated that the DDA Board met on June 9th to also hold an informational session and a special meeting. The informational meeting included an update on DDA activities since November 2020. The special meeting was held to formally adopt the budget for the 2021-2022 fiscal year. The next meeting will be held in August.

Eastside Community Network

Councilmember Hodges stated that the ECN is responsible for overseeing the Mack Avenue Strategy Committee that includes reps from the Detroit, Mack Avenue adjacent Grosse Pointe communities, Wayne County, and others. The committee's current work has included submitting a formal request to Representative Tate for a portion of the federal funding to be utilized for Mack Avenue Improvements, zoning changes along Mack Avenue being approved by City of Grosse Pointe, Grosse Pointe Farms investigating the walkability of Mack Avenue, a summer marketing campaign, and discussion about potentially holding a fall festival.

UNFINISHED BUSINESS:
4-WAY TRAFFIC STOP DISCUSSION

Public Safety Director Jarrell stated that the intersections of Westchester and Avondale and Westchester and Fairfax are part of the Safe Route to School plan and are not currently designated as 4-way stops. The City can either follow the Michigan Manual Uniform of Traffic Control Devices Multi-Way Stop requirements which have already been met through the Safe-Routes plan or City Council can make a motion to designate the two intersections as 4-way stops. Administration is recommending the second option.

Motion by Councilmember Hodges, supported by Councilmember Relan, to approve the four-way traffic stops at the intersections of Westchester and Avondale and Westchester and Fairfax.

Councilmember Robson asked if other intersections would be considered for approval as 4-way stops due to resident requests.

Director Jarrell stated that if the Council wants Public Safety to move forward with considering additional intersections for potential 4-way stops, Council should direct Administration to work with the Traffic Improvement Association to have them complete traffic studies done for those additional locations and then solid data can be provided to City Council to utilize for determining if 4-way stops are needed.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

UNFINISHED BUSINESS:
COUNCIL COMMENT

Councilmember Relan requested an update on the TIFA/DDA Director and the Assistant City Manager position.

City Manager Sizeland stated that the job description for the TIFA/DDA Director position is being finalized and should be posted soon. The Assistant City Manager position will need to wait until the 2022/2023 fiscal year before being pursued further.

NEW BUSINESS:
PRIDE MONTH PROCLAMATION

Mayor Denner stated the pride month proclamation began last year and is being continued to this year to show support for all residents throughout the City.

Motion by Councilmember Read, supported by Councilmember McConnell, to approve the resolution as presented.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

Mayor Denner read the following resolution:

CITY OF GROSSE POINTE PARK
PROCLAMATION DESIGNATING
JUNE AS LGBTQ PRIDE MONTH

Whereas, the City of Grosse Pointe Park supports the rights of every citizen to experience equality and freedom from discrimination; and

Whereas, all people regardless of age, gender identity, race, color, religion, marital status, national origin, sexual orientation, or physical challenges have the right to be treated on the basis of their intrinsic value as human beings; and

Whereas, in support of the city's commitment, a Non-Discrimination Ordinance was adopted by the City Council on June 8th, 2020 making these rights the law of the city; and

Whereas, the City of Grosse Pointe Park accepts and welcomes people of diverse backgrounds and believes a diverse population leads to a more vibrant community; and

Whereas, the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) communities contribute to the cultural, civic and economic successes of the City of Grosse Pointe Park; and

Whereas, US Presidents from both major parties, the Federal government, the State of Michigan, and multiple municipalities have, over the last 20 years, regularly recognized June as LGBTQ Pride Month

Now, therefore, be it resolved, I, Mayor Denner and the members of the Grosse Pointe Park City Council hereby proclaim June 2021 as LGBTQ Pride Month in Grosse Pointe Park, Michigan and encourage our residents to reflect on the ongoing struggle for equality members of the LGBTQ community face and celebrate the contributions that enhance our city.

NEW BUSINESS:
FINANCE REPORT

Mayor Denner stated that the finance report was moved from the consent agenda to the regular agenda at the request of Councilmember Fluitt.

Councilmember Fluitt asked what DWSRF stands for as part of the OHM Advisor line item.

City Manager Sizeland stated that it stands for Drinking Water State Revolving Fund and the proposed project will be discussed in detail at the June 28th special meeting.

Councilmember Fluitt asked why a \$500 invoice for the TIFA was included in the supporting documentation given to Council.

Finance Director Blahut stated that \$500 was charged to the TIFA and the reason it was included was because the report reflects the total amount paid to a vendor.

Councilmember Fluitt inquired on why the other two OHM invoices that were included had art center written on the top and asked for an explanation of what the Maryland City parking lot line item included.

City Manager Sizeland stated that as part of the Schaap Center project, the City has been utilizing OHM to complete utility and engineering review. Any work that is being completed by OHM that is related to the Schaap Center is being charged back to the Schaap Center as part of their building permit fee.

Motion by Councilmember Read, supported by Councilmember Fluitt, to approve the finance report.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

NEW BUSINESS:
ADOPTION OF ORDINANCE NO. 224

City Manager Sizeland stated that the proposed changes are to reflect the current status of residents' who hold dog walking passes for Patterson and Windmill Pointe Park. This ordinance will allow pass holders to continue to walk their dogs daily during the times reflected. The previous ordinance only addressed the weekends. The changes also clarify that once the dog park is completed at Patterson Park, dog walking passes will be available for Windmill Pointe Park only.

Councilmember Read recommended to eliminate the word weekend from paragraph B-4 3 to avoid confusion.

Motion by Councilmember Read, supported by Councilmember McConnell to adopt the ordinance with the amendment proposed by Councilmember Read included.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

The ordinance reads as follows:

**CITY OF GROSSE POINTE PARK
Ordinance No. 224**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE
PARK BY REVISING AND AMENDING CHAPTER 17, SECTION 17-18, OF
THE CODE OF THE CITY OF GROSSE POINTE PARK RELATING TO DOGS IN
THE PARKS,**

THE CITY OF GROSSE POINTE PARK ORDAINS:

Section 1. Section 17-18 of Chapter 17 of the Code of the City of Grosse Pointe Park is amended to read as follows:

Sec. 17-18. Dogs.

(a) [Unchanged]

(b) Exceptions.

1.-3. [Unchanged.]

4. Effective upon the opening of the Patterson Park Dog Park, dog walking passes will only allow for the walking of dogs at Windmill Pointe Park. Owners who have received a dog-walking pass from the Parks & Recreation Department may walk their dogs at Windmill Pointe Park during the following time periods:

(i) January 1 until the Friday before Memorial Day - daily, during park hours;

(ii) Memorial Day weekend through Labor Day, daily - prior to 9:00 a.m.;

(iii) and after Labor Day until December 31 - daily, during park hours.

Dog walking pass holders shall comply with the rules and regulations promulgated by, and that are in the sole discretion of, the Parks and Recreation Department and the City Manager. Prior to the Dog Park opening, these requirements, rules, days and times will also apply to Patterson Park.

5.-6. [Unchanged.]

NEW BUSINESS:
ADOPTION OF ORDINANCE 225

City Manager Sizeland stated that Chief Jarrell proposed the ordinance change because Chapter 16, section 2 was unconstitutional according to the US Court of Appeals Circuit Court. The proposed ordinance for panhandling, if adopted, would put the City in compliance with the Court ruling.

Motion by Councilmember Read, supported by Councilmember Fluitt, to adopt ordinance 225 as presented.

Councilmember Fluitt requested that the word insure be replaced with ensure in the second to the last line on page two.

Mayor Denner stated that the Clerk would make sure the word was changed before publishing.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

The ordinance reads as follows:

**CITY OF GROSSE POINTE PARK
Ordinance No. 225**

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE
PARK BY REVISING AND AMENDING CHAPTER 16, SECTION 2, OF THE
CODE OF THE CITY OF GROSSE POINTE PARK RELATING TO THE OFFENSE
OF PANHANDLING,**

THE CITY OF GROSSE POINTE PARK ORDAINS:

Section 1. Section 16-2 of Chapter 16 of the Code of the City of Grosse Pointe Park is amended to read as follows:

Sec. 16-2. – Panhandling.

- (a) Except as otherwise provided in this code of ordinances, or as otherwise authorized by law, no person shall beg or solicit for the immediate payment of money or goods from another person under any of the following circumstances:
 - (1) Within twenty (20) feet of a bank or automated teller (ATM) machine.
 - (2) By soliciting a patron at a sidewalk café without first having obtained the permission of the operator of the café.
 - (3) By knowingly making a false and misleading representation in the course of a solicitation.
 - (4) In a manner that would constitute aggressive begging, which shall mean any of the following:
 - (i) Touching the solicited person without that person's consent;
 - (ii) Blocking the path of the person being solicited, or the entrance to any building or vehicle;
 - (iii) Engaging in repeated requests after a refusal by the person being solicited;
 - (iv) Following behind, alongside or ahead of a person who walks away from the solicitor after having been solicited; or
 - (v) Using abusive language, either during the solicitation or following the refusal to donate, and making any statement, gesture, or other communication that would cause a reasonable person to be fearful or feel compelled to make a donation.

- (b) This provision is intended to protect persons from threatening, intimidating, or harassing behavior, to keep public places safe for use by all members of the community, and to maintain and preserve public places as places where all of the community can interact in a peaceful manner. This provision is also intended to facilitate the free flow of pedestrian and vehicular traffic on streets and sidewalks within the City. While the City finds that aggressive acts associated with solicitation and begging can interfere with the free flow of traffic and intimidate persons in public places, it is not the intent of the City to limit persons from exercising their constitutional right to solicit funds or engage in other constitutionally protected activities. The provision is intended to protect the First Amendment rights of all people within the City, as well as the rights of non-participating people and their property, and to ensure they will be free from duress and/or fraud to the extent possible

State Law reference— Such person defined as a disorderly person, MCL 750.167(1)(h).

NEW BUSINESS:
FEE SCHEDULE ADOPTION

City Manager Sizeland stated that he has been working with the City’s new building official, Terry Brennan, in reviewing the building and public service departments processes including permits and fees. Through review and comparison with the other Grosse Pointe communities, administration identified that the Park has historically been on the lower end of its fees. The proposed fee schedule will align the City’s fees with the other Grosse Pointe communities and help the building department make sure that all customers are paying the correct fees for the services being provided across the City.

Motion by Councilmember Read, supported by Councilmember Relan, to approve the fee schedule as presented.

Councilmember Read requested that language be added to the last page about changes being subject to approval by Council per City Ordinance Section 27-148.

Mayor Denner stated that he would ask administration to include her change as requested.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

NEW BUSINESS:
HOUSE DEMOLITION DISCUSSION

Mayor Denner asked Councilmember Relan to introduce the topic as the requestor.

Councilmember Relan stated that through discussion with the City Manager, it was identified that the City has nothing formal in code that addresses house or commercial building demolitions. He stated that

to better serve the residents and to be able to enforce any requirements, an ordinance should be created that outlines the requirements for demolition including building and safety code checklists.

City Manager Sizeland stated that there is an ordinance in regard to construction fencing however, it does need to be updated to comply with best practices.

Mayor Denner stated that he would like Administration to draft a recommendation and then work with the Ordinance Review committee on finalizing a proposal to present to City Council.

NEW BUSINESS:
COUNCIL COMMENT

Councilmember Read stated that she wanted to remind residents and Council that the Michigan Independent Citizens Redistricting Commission is holding public meetings and has an online portal to gather public feedback on how the state should be redistricted.

Councilmember Relan stated that the Grosse Pointe League of Women Voters will be holding a candidate forum on June 24th for the city council candidates.

PUBLIC COMMENT (NON-AGENDA ITEMS)

City Manager Sizeland stated no written comments were received.

Three residents made verbal comments.

Motion by Councilmember Robson, supported by Councilmember Relan, to adjourn the meeting.

AYES: Councilmembers Relan, Read, McConnell, Hodges, Robson, and Fluitt, and Mayor Denner

NAYS: None

With no further business, the meeting adjourned at 9:30 PM.