

SPECIAL CITY COUNCIL MEETING – MAY 18<sup>TH</sup>, 2020  
7:00 P.M.

An electronic meeting through Zoom was held due to Governor Whitmer’s Stay Home Stay Safe Executive Order 2020-96 and to minimize the spread of COVID-19.

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

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

Also electronically present: Nick Sizeland, City Manager, Jane M. Blahut, Finance Director/Clerk, Jake Howlett, City Attorney, and Leah Smith, Assistant to the City Manager.

ADOPTION OF 2020-2021 DOWNTOWN DEVELOPMENT AUTHORITY (DDA) & TAX INCREMENT FINANCE AUTHORITY (TIFA) BUDGETS

Mayor Denner presented to Council for consideration the 2020-2021 budgets for the DDA and the TIFA. The Mayor stated that the TIFA budget presented was the same as the budget presented at the May 11<sup>th</sup> meeting. The DDA budget presented had been modified by taking out the parking lot line item and increasing the total amount for the business and marketing line item.

Motion by Mayor Denner, supported by Council Member Grano to approve the DDA and TIFA budgets as presented.

Mayor Denner stated City Administration and the City Attorney have been researching ways to utilize funds for COVID-19 response and relief. City of Royal Oak has created a business incubator fund within their DDA for COVID-19 relief purposes.

City Attorney Howlett stated that the statute allows for DDA to create that kind of program but no such allowance is present in the TIFA statute. Research is ongoing to look for ways to create a legal program for both boards.

Amendment to Motion by Mayor Denner, supported by Council Member Relan to add an additional \$50,000 from surplus to the TIFA budget and \$10,000 from surplus to the DDA budget for the creation of a COVID-19 relief fund.

Council Member Fluit questioned the amounts being added to the budget considering that the budget appeared to have \$500,000 of unspent funds. Finance Director Blahut clarified that in Fiscal Year 2020-2021, \$385,000 is being utilized out of fund reserves.

Council Member Robson asked for verification that the \$425,000 line item for residential improvements within the TIFA budget would remain untouched. City Manager Sizeland confirmed that the amount is correct and is remaining untouched at this time.

Council Member Relan stated that both the TIFA and DDA budget did not appear to address ongoing concerns within both districts such as sidewalk flooding, traffic hotspots, and sewer backups.

Council Member Read questioned what the assets listed inside the budget are. Finance Director Blahut stated that the assets are properties owned by the City that are placed into an asset account.

Council Member Read also questioned why the dates on the TIFA and DDA expenditure sheets posted on the City website do not reconcile with the activity shown in the budget handout. Finance Director Blahut explained that the numbers change daily as activity is charged to the fund.

Numerous Council Members expressed they would like to see more detail on budget line items included in the future.

Mayor Denner ended discussion and called for vote on the two motions on the table.

Amended Motion (To add an additional \$50,000 from surplus to the TIFA budget and \$10,000 from surplus to the DDA budget for the creation of a COVID-19 relief fund)

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

NAYS: None

Original Motion (to approve the DDA and TIFA budgets as presented)

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

NAYS: Councilmembers Relan and Fluitt

#### RULES OF THE CITY COUNCIL AND CODE OF CONDUCT

Mayor Denner presented the Rules of the City Council and Code of Conduct to council for discussion. The Mayor stated that this document has been a priority for City Manager Sizeland since his appointment as manager and has been in development for many months. The document required extensive research and includes resources from the Michigan Municipal League (MML), National League of Cities (NLC), and other Cities to glean best practices. It also references City Charter when necessary. The Mayor made it clear that this is the first draft made available to Council and that the agenda item is intended to be a workshop on the document with Administration and not adoption.

City Manager Sizeland worked through the document with City Council. The following changes were recommended:

Council Member Fluitt and Relan recommended that if 2 council members want an item added to the agenda, it should be added automatically. City Attorney Howlett stated that the process could be utilized with the recommendation that Council Members be mindful of discussions through email regarding agenda items because of the potential to trigger the OMA requirements.

Numerous City Council Members requested that the section of the City Charter being referenced be added to the body of the document where appropriate.

Council Member Fluitt stated that she would like to see draft minutes posted to the website at the same time the draft is available for the public to review. City Attorney Howlett stated he would not recommend publishing draft documents on the website.

Numerous Council Members voiced concern over the Chair calling on spokesperson for a group. Mayor Denner clarified and said that a spokesperson would only be utilized if desired by the public and not mandated by the Chair.

Mayor Denner stated that he would like the language changed regarding how Council Members can reach out to the City Attorney and expressed his desire for those requests to be coordinated with the City Manager. Council Member Grano stated that the Ordinance Review committee works closely with the City Attorney and would like to suggest that the committee is granted an exception to this requirement. City Attorney Howlett stated that this process was being presented for consideration to make sure that his time was being utilized wisely and efficiently.

Numerous Council Members stated that details needed to be added to define and clarify the role of a Council Representative on other City commissions and committees.

Council Member Read stated that she was uncomfortable with the language regarding the use of social media and that the City should not be restricting the way the Council can utilize social media, it is a first amendment right.

Numerous Council Members stated that they would be uncomfortable signing the document but would be willing to sign a stronger worded Code of Ethics document.

Discussion ended with City Manager Sizeland being directed to consider the suggestions and present a modified draft for the June 8<sup>th</sup> meeting.

#### FLAGS ON MUNICIPAL PROPERTY

Mayor Denner introduced the agenda item by stating that Council Member Fluitt had requested Council approve the flying of the Pride Flag during June for Pride month. The Mayor stated that he had requested the City Manager and City Attorney research the topic.

Mayor Denner stated that the motion he was going to make was focused on the role of government and that the motion should not be seen as an action against any group. He also noted that the City is actively working on an ordinance to protect rights of all residents against discrimination.

Motion made by Mayor Denner, second by Council Member Robson to approve the following resolution:

Resolved by the Council of the City of Grosse Pointe Park that the policy of the City of Grosse Pointe Park is that the only flags, banners or insignia permitted to be displayed in City Hall or on the grounds of Grosse Pointe Park municipal facilities are those of the United States of America, the State of Michigan, and the City of Grosse Pointe Park.

Councilmember Fluitt read a statement regarding the importance of Pride Month and the symbolism of flying the Pride flag for the entire community. Councilmember Fluitt also asked what the legal opinion is on the Pride flag.

City Attorney Howlett stated that the City likely has a right to free speech and can decide to a pride Flag. City Attorney Howlett did advise the Council to consider that such a decision could potentially open the door to political and legal issues and challenges.

Councilmembers Read and Grano both expressed disappointment in the lack of supporting information regarding the agenda item within the meeting packets.

Council member Grano suggested that the City draft a proclamation recognizing Pride Month.

Councilmember Relan stated that Pride Month is federally recognized and the flag should be seen as a sign of inclusion.

Motion by Council Member Relan, seconded by Council Member Read to move the discussion and vote regarding flags on municipal property to the June council meeting allowing more time for detailed discussion.

Motion to amend by Council Member Robson, seconded by Council Member Grano to move the discussion and vote regarding on flags on municipal property to the July council meeting to allow more time for public input and research.

Council Member Hodges stated that June is Pride Month so waiting until the July meeting would not be ideal.

Motion by Council Member Grano, seconded by Council Member Hodges, to direct Administration to draft a proclamation in support of Pride Month for adoption at the June meeting.

Mayor Denner ended discussion and called for vote on the four motions on the table.

Motion 4 (to direct Administration to draft a proclamation in support of Pride Month for adoption at the June meeting)

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

NAYS: None

Motion 3 (move the discussion regarding flags on municipal property to the July council meeting to allow more time for public input and research)

AYES: Councilmembers Grano and Robson

NAYS: Councilmembers Relan, Read, Hodges, and Fluitt, and Mayor Denner

Motion 2 (to move the discussion regarding flags on municipal property to the June council meeting allowing more time for detailed discussion)

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

NAYS: None

Original Motion (to approve a City policy that the only flags, insignia, or banners that can be hung at City Hall or on any municipal property can only be the flags of the United States of America, the State of Michigan, and the City of Grosse Pointe Park)

Vote postponed to June 8<sup>th</sup> Council Meeting

#### NEW/OLD BUSINESS

Councilmember Grano summarized an email Council received from Council Member Read about a potential conflict of interest rumor moving throughout the community. Council Member Grano suggested that documents be posted to the City website for transparency.

Mayor Denner stated that issue had been resolved and the City Attorney had reviewed the documentation and recommended that no further action needed to be taken on the matter.

Council Member Fluitt stated that the TIFA district should be looking at street closures for businesses to be able to extend their services outside and still be able to abide by social distancing recommendations. Council Member Fluitt also stated that various business owners within the TIFA district had told her that the Charlevoix Street Parties had been cut back.

City Manager Sizeland stated that the Charlevoix Street Parties were included in the budget and the City was waiting on further information regarding the COVID-19 pandemic before making any final decisions regarding holding or cancelling the events.

City Attorney Howlett stated that the Bodman Law firm will be granting a 20% reduction in rates for services regarding the TIFA and DDA. City Attorney Howlett also summarized that Bodman is working on a community outreach plan to provide pro-bono legal services for residents throughout the Jefferson-Chalmers neighborhood in Detroit and the City of Grosse Pointe Park to assist with COVID-19 related issues.

#### PUBLIC COMMENT

City Manager Sizeland stated that there were 4 written public comments that were submitted but would not be read because they did not follow the provided guidelines.

City Manager Sizeland read 16 written comments submitted by residents and 1 written comment submitted by a non-resident.

2 residents made verbal comments.

With no further business the meeting adjourned at 11:40 pm.