COUNCIL MEETING – AUGUST 24TH, 2020
7:00 P.M.

An electronic meeting through Zoom was held under Governor Whitmer’s Executive Order 2020-154 and to minimize 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 Grano, Relan, Read, Hodges, Robson, and Fluitt, and Mayor Denner.

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

APPROVAL OF CONSENT AGENDA

Mayor Denner presented to Council for consideration the approval of the consent agenda as presented.

The consent agenda included the following items:
- Approval of July 13th meeting minutes
- Finance Report
- FY 19/20 Budget Amendment
- GLWA Resolution Approval
- Social District Permit Application Approval for Businesses Resolution

Motion by Councilmember Read, support by Councilmember Robson, to approve the consent agenda as presented.

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

NAYS: None

APPROVAL OF REGULAR AGENDA

Mayor Denner presented to Council for consideration the approval of the regular agenda as presented.

Motion by Councilmember Relan, support by Councilmember Fluitt, to approve the regular agenda as presented.

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

NAYS: None

PUBLIC COMMENT (AGENDA ITEMS)

City Manager Sizeland read six written comments submitted by residents.
Sixteen residents made verbal comments.

MANAGERS REPORT

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

- 2020 Road Program
- Water Main Road/Sidewalk Repairs
- Westchester/Somerset Crossing on Jefferson
- Dog Park
- City Master Plan
- TIFA Meeting
- Social District
- TIFA COVID Support
- DDA
- DTE update
- Commission Application
- Grant Applications: FEMA and Michigan Treasurer
- Public Works Building
- Public Works Department Update

Councilmember Read inquired about when the new Ethics Board would be appointed.

Mayor Denner stated that the process for the Ethics Board appointments will begin in September with the appointments in place this fall.

COMMITTEE AND COMMISSION REPORTS

Planning Commission:

Councilmember Grano stated that the Planning Commission met on August 12th to approve amended bylaws and the Schaap Center site plan. Numerous residents made comments and the Schaap Center plan was approved by the Commission as presented.

Personnel Review Committee:

Councilmember Robson stated that the Personnel Review Committee met on August 6th to discuss City Manager Sizeland’s 2020 goals and objectives and to identify and set new goals and objectives moving forward. As part of the review process, the committee has requested a written update on the status of the 2020 goals and objectives from City Manager Sizeland which can include additional matters that required attention since the original goals were set. Once the summary is received, it will be distributed to the rest of City Council for review and comment. Additionally, City Council still needs to complete a performance review of the City Manager and City Clerk and the committee is hoping to have that completed by the end of the year.

Michigan Municipal League (MML):
Councilmember Fluitt stated that as the Council Representative to the MML, she will be attending the fall conference, which will be virtual this year due to COVID-19.

Sustainability Committee:

Councilmember Fluitt provided an update on recent actions being undertaken by the Sustainability Committee. Even though the committee has not formally met since the COVID-19 pandemic began, the committee has been working towards releasing an RFP to have a sustainability audit completed on City processes. There have already been some proposals received.

Councilmember Fluitt inquired as to the role of the Real Estate Development Committee.

Mayor Denner stated that the Real Estate Development Committee has been dormant for some time. It was most active during the time right after the recession in evaluating distressed properties for potential City acquisition and the rehab, resell, or demolition of such properties. It is not an active committee at the moment.

UNFINISHED BUSINESS:
MASTER PLAN CONSULTANT REVIEW AND RECOMMENDATION TO PLANNING COMMISSION

Mayor Denner asked City Manager Sizeland to present the topic for Council consideration.

City Manager Sizeland stated that the City released an RFP for the Master Plan Update on June 24th with proposals being due July 31st. The City held a public bid opening and eight bids were received. City Manager Sizeland stated that himself and Assistant to the City Manager Smith initially reviewed and scored all eight proposals utilizing 9 criteria questions with 0-3 points possible per question. Through the initial scoring process, four proposals had the highest average score: Beckett & Raeder, OHM Advisors, MKSK, and McKenna. Three top questions were identified and utilized in a second, more in-depth review of the top four proposals. The three questions utilized were:
1. Knowledge of Grosse Pointe Park and the surrounding areas.
2. Relevant Experience
3. Public Outreach Plan. This is all outreach to residents and interested parties outside of required meetings with the Planning Commission and/or City Council. Is the public outreach plan creative, does it utilize multiple platforms, etcetera.

City Manager Sizeland provided a brief summary of the analysis conducted on the top four proposals and provided a formal recommendation that the proposals from OHM Advisors, MKSK, and McKenna be forwarded from City Council to Planning Commission for review and selection.

Mayor Denner reminded City Council that there is fifty-thousand dollars allocated in the current fiscal year budget to complete this project. He also stated that there is legal recommendation from City Attorney Howlett for the Planning Commission to make the final selection for the consultant because the Planning Commission is responsible for completing the update.

Motion by Mayor Denner, support by Councilmember Robson, that the three firms and their proposals recommended by the Administration, McKenna, MKSK, and OHM Advisors be referred to the Planning Commission for their final selection and completion of a Master Plan update.
Councilmember Read inquired about why the top scoring proposal, Beckett and Raeder, was not included in the recommendation to the Planning Commission.

City Manager Sizeland stated that lack of direct knowledge of the Grosse Pointe area was why the proposals was not in the top three.

Motion by Councilmember Read, support by Councilmember Relan, to amend the motion to send the top four proposals to Planning Commission to include the three recommended by City Administration and Beckett & Raeder.

AYES: Councilmembers Grano, Relan, Read, Hodges, Robson, and Fluitt, and Mayor Denner
NAYS: None

Vote on Original Motion

AYES: Councilmembers Grano, Relan, Read, Hodges, Robson, and Fluitt, and Mayor Denner
NAYS: None

UNFINISHED BUSINESS: COUNCIL COMMENT

Councilmember Fluitt requested clarification on the process for the approval of the new DPW facility including all aspects of resident engagement.

City Attorney Howlett stated that he would investigate and provide an answer outlining the process.

NEW BUSINESS:
PRESENTATION FROM GROSSE POINTE SCHOOL SYSTEM OF SAFE ROUTES TO SCHOOLS GRANT

Mayor Denner asked City Manager Sizeland to introduce the next topic for council consideration.

City Manager Sizeland stated that the School System is working on grant applications for the north and south cluster of schools with the City representing the south cluster. There are different grants available under the major grant program and mini-grants available for smaller projects. The School System has been working through the process for over a year with the City, residents, parents, and school staff.

City Manager Sizeland introduced Melissa Kalnasy from Carlisle Wortman Associates as the School representative to complete the presentation.

Ms. Kalnasy stated that she is a planner for the firm Carlisle Wortman Associates, who has been hired by the Grosse Pointe School System to assist with the implementation of the Safe Routes to Schools program, which includes potential funding assistance through grants. Highlights of the presentation include:

- Data collection through student and parent surveys to determine current transportation utilized
- Completion of walking audits to identify improvements needed to make walking to school safer for students
- Summary of volunteer opportunities to encourage various transportation methods to school including corner captains, bike rodeo, and walking school buses.
- Fall preparation including updated school route maps, recommended driving maps, enhanced crossings, signage additions and updates, increase enforcement measures, and the addition of safety patrols, corner captains, and crossing guards as necessary.
- Completing all required information for the major grant applications for improvements at Defer Elementary and Pierce Middle Schools. If awarded, each project could receive two hundred and twenty thousand dollars for a grand total of four hundred and forty thousand dollars.

Ms. Kalnasy concluded her presentation by stating that a resolution by the City Council supporting the applications from the School District would be helpful in getting an award.

Councilmember Robson inquired on if the COVID-19 pandemic has impacted the project.

Ms. Kalnasy stated that they have not seen a negative impact related to the COVID-19 pandemic.

Councilmember Relan inquired on if there was going to be outreach regarding the encouraged route to school and the drop off process due to the increased students due to the closure of Trombly.

Ms. Kalnasy stated that there will be temporary wayfinding signage installed to help highlight the safest routes.

Councilmember Hodges inquired on the timeline following an award decision and when the full project could be implemented.

Ms. Kalnasy stated that the project would be implemented as soon as an award decision was made if successful.

Motion by Councilmember Read, support by Councilmember Relan, that the City of Grosse Pointe Park is in support of the Grosse Pointe School System walkability program and Safe Routes to Schools grant application as presented at the August 24th, 2020 meeting of the City Council.

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

NAYS: None

NEW BUSINESS:
SCHAAP CENTER REVIEW

Mayor Denner presented the next topic for council consideration.

Mayor Denner stated that the Planning Commission approved the proposed site plan for the Schaap Center at their August 12th meeting. The Schaap Center team accurately referenced previous votes of City Council: one vote was in July 2019 to approve a three-way agreement between the City, the City of Detroit, and the Urban Renewal Initiative Foundation (URIF) and the second vote was in October 2019 to approve an agreement between the URIF and the City to construct and operate the building that would become the Schaap Center.
Mayor Denner stated that he has been advised by City Attorney Howlett that based on the actions already taken, additional approval of the Schaap Center plan by City Council is not necessary. Additionally, any steps taken by the City outside of the already existing contracts could put the City at legal risk.

City Attorney Howlett stated that the legal opinion being provided is in response to two questions considered. The first question being what is the question or questions that the Council wants to vote on and the second question being what is the potential implication of that decision to vote. As of now, there have been legal contracts that have been entered into that are enforceable as well as approval of these agreements by City Council. The project was properly submitted to the Planning Commission where it belongs based on the City ordinance and zoning code, evaluated, and voted on. With the Planning Commission process as followed, the City Council should be cautious about voting on a project that has already been voted by. There is no legal justification for the project to come to City Council for approval and a vote, which is why there was not a specific question included on the meeting agenda. The implications of unwinding the process would be potentially placing the City in legal jeopardy.

Councilmember Read stated, based on provided documentation and the history of the project, that the URIF is willing to make changes requested by the City and that is an avenue worth pursuing to find a solution to please all parties.

Motion by Councilmember Relan, support by Councilmember Fluitt, that the City Council approaches URIF to come back to the table to address the feedback that was received by our residents to truly make this a project that puts GPP residents first including the GP Theatre, the GP Symphony Orchestra and anyone else the URIF has included.

Councilmembers Relan and Fluitt stated that the biggest concern they would like to see addressed is the lack of resident engagement and feedback.

City Manager Sizeland stated that currently, the City has seven Public Safety Officers on shift at one time. The City does not anticipate additional cost or overtime based on similar services already provided when there has been a performance at Pierce Middle Schools. If the City did determine that overtime was necessary, the appropriate party would have to pay those expenses.

Councilmember Relan raised concerns over the Schaap Center being a privately funded entity and not having to pay for the service, unlike the School District which is publicly funded.

City Manager Sizeland stated that the parking requirement was met per City code, which would require 126 spots. The Schaap Center included 160 spots between various lots and a traffic or parking study is not required per City review and requirements.

Councilmembers Read, Relan, and Fluitt all raised concerns regarding the impact on residential areas in close proximity to the Schaap Center especially when overlapping events occur.

Councilmember Robson inquired if the Schaap Center would meet the 126-parking spot requirement without the St. Ambrose lot.

City Manager Sizeland stated that the 126-spot requirement is met without the St. Ambrose lot.
Councilmember Grano and Mayor Denner stated that it did not appear appropriate to require the developer to pay for a parking and traffic study now when the project has already been approved without it.

Councilmember Read and Fluitt both stated concern over the lack of documentation related to the project.

City Attorney Howlett reminded Council that asking the developer to consider doing something would be appropriate but requiring it could become problematic because there could be legal ramifications.

Councilmember Relan stated concerns regarding the classification of the Schaap Center as a public building.

City Attorney Howlett and Councilmember Grano stated that per Michigan Statute, a building that is open to the public can be classified as a public building even if the building is operated by a private entity.

Councilmember Read inquired as to why this was the first project, she has seen approved by Planning Commission since sitting on Council.

City Manager Sizeland stated that the majority of building projects are reviewed and approved by the Chief Building Official and does not require Planning Commission approval.

Councilmember Relan and Fluitt stated concern that the City utilized an employee to provide guidance regarding zoning and ordinance enforcement related to the Schaap Center and the appearance that guidance was utilized as a work-around to get the project approved. They also stated that this appeared to be a potential ethical concern as well.

Mayor Denner stated that there was a professional recommendation provided by the Chief Building Inspector.

City Manager Sizeland stated that he requested Chief Building Official Ron Supal to attend the Planning Commission meeting to answer any questions or provide clarification regarding his recommendation about the project. Chief Building Official Supal is licensed through the State of Michigan and has been working for the City in his current role for over ten years.

City Attorney Howlett stated that he wanted to caution Council that any HR matters or anything related to the management of employees should not be addressed at a public meeting.

Amendment by Councilmember Read, support by Councilmember Fluitt, to modify the original motion to include the following language: direct Administration to request that the parties come back to the table to request reasonable sunset on fundraising, request that the URIF retain an independent firm to perform a traffic and parking study to include solutions that do not adversely impact and congest the surrounding neighborhoods, and that the URIF employ green and sustainability design and construction practices in particular in relation to the hardscapes surrounding the development.

City Attorney Howlett stated that the motion on the floor is properly phrased and is legally acceptable.
Vote on Amendment

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

NAYS: None

Vote on Original Motion (that the City Council approaches URIF to come back to the table to address the feedback that was received by residents)

AYES: Councilmembers Grano, Relan, Read, Hodges, Robson, and Fluitt, and Mayor Denner
NAYS: None

Motion by Councilmember Grano, support by Councilmember Relan, that no additional City resources be committed for the building or operations of the Art Center outside of what is already committed in the agreements in place.

Councilmember Read inquired on if the motion included any commitments made by the Downtown Development Authority (DDA) Board in their minutes that are not solidified with a formal agreement.

City Attorney Howlett stated that the motion can only be applied to the City and not imply any kind of restriction on the DDA Board because the DDA is a separate body under statute.

Councilmember Relan and Read requested a list be provided specifying the commitments already in place excluding the DDA commitments.

City Manager Sizeland stated that the current City commitments include police services, landscaping including tree trimming and lawn mowing, snow removal, salt, and office space in City Hall for one person.

Councilmembers Fluitt, Relan, and Read also stated that the DDA commitments appear to include the one-hundred thousand seven thousand dollar for the bus turn around, the seventy-five-thousand-dollar ongoing contribution, and the demolition and site prep of the old DPW facility site.

Councilmember Robson stated concerns with dictating future actions that could be taken by a future City Council and City Administration and let them address the problem if or when it arises.

Vote on Motion

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

NAYS: Councilmember Robson

Councilmember Fluitt stated concern regarding the actions of the Planning Commission members during the most recent Planning Commission meeting.

NEW BUSINESS: COUNCIL COMMENT
Councilmembers Read and Hodges both expressed gratitude for the Public Safety Department with their fast response on a fire on Maryland.

Mayor Denner stated that an updated boards and commission application is being finalized and that a list of when terms are expiring for each commission will be posted on the website. Terms coming to an end in September include 2 positions on the Planning Commission, three positions on the Downtown Development Authority (DDA) board, and one vacancy on the Parks and Recreation Commission. The incumbents from the Planning Commission and DDA will be considered along with new applicants.

Councilmember Robson expressed gratitude with the timely and consistent work of the Public Services team for their work throughout the City.

Councilmember Relan thanked Public Safety Chief Poloni and City Manager Sizeland for their work on the Safe Routes to School program.

Councilmember Relan also stated the importance of the upcoming School System election coming and that there are Grosse Pointe Park residents running.

Councilmember Fluitt and Relan both expressed gratitude for the donors and reiterated their concerns with the lack of transparency throughout the Schaap Center approval process.

Councilmember Relan inquired on the status of the Janet’s lunch project and stated that there are residents concerned with the safety of the building.

City Manager Sizeland stated that the current owner is looking for a tenant for the space and are still hopeful that construction can begin this fall.

PUBLIC COMMENT (NON-AGENDA ITEMS)

City Manager Sizeland read three written comments submitted by residents.

One resident made verbal comments.

Motion by Councilmember Relan, support by Councilmember Grano, to adjourn.

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

NAYS: None

With no further business, the meeting adjourned at 11:55pm.