

CITY COUNCIL MEETING - August 15, 2022
7:00 PM

CALL TO ORDER

The meeting was called to order by Mayor Hodges and opened with the Pledge of Allegiance to the Flag. Popcorn was provided to the City Council by local business Cabbage Patch Saloon and iced tea was provided by local business O'Flaherty's.

ROLL CALL

The following were present: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

Excused Absence: Councilmember Relan.

Also present: Nick Sizeland, City Manager; Jane M. Blahut, Finance Director/Clerk; Erica Shell, Assistant City Attorney; Bryan Jarrell, Director of Public Safety; Patrick Droze, OHM Advisors, City Engineer; Warren Rothe, Assistant City Manager; and Courtney Delmege, Deputy Clerk.

APPROVAL OF CONSENT AGENDA

Motion by Councilmember Wiener, seconded by Councilmember Brenner to approve the consent agenda consisting of the following: July 18, 2022 minutes; committee and commissions report; and the finance report; and the budget report including invoices paid through July.

AYES: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

NAYS: None

EXCUSED: Councilmember Relan

PUBLIC COMMENT (AGENDA ITEMS)

There were no public comments.

MANAGERS' REPORT/PUBLIC SAFETY

City Manager Sizeland presented a brief overview of the status of issues since the last meeting: City Master Plan; DPW building update; Parks & Recreation update; Alley paving and separating; August primary election update; proposal for water main project at next meeting; FEMA Funding; FEMA Grant update; and infrastructure update.

Public Safety Director Jarrell presented a brief overview on the following: Crossing Guards; alley safety; child safety seat technicians; babysitting class on September 17, 2022; SEMCOG meeting for crossing on Kercheval between Defer Elementary and Pierce Middle school; Public Safety open house on September 25, 2022; staffing update; and cost recovery ordinance.

UNFINISHED BUSINESS

OHM SEWER UPDATE

City Engineer Patrick Droze presented a storm progress report including: sewer televising and manhole condition assessment; coordination with EGLE; St. Clare Montefalco Church; sewer relief system at Patterson Park (aka EERV); downspout disconnections; model development – hydrology & hydraulics; flow metering; 2023 projects; and future project development.

COUNCIL COMMENT

Councilmember Gallagher commented on the following: why is the proposed millage for only 10 years instead of 20 years to cover costs of lead service line replacement; what happens to residents who have already replaced their own lead service lines; why was consideration of fees for millage based on property value instead of lot frontage.

Councilmember Brenner responded with the following: the millage is for 10 years in hopes that there will be grants available to help with costs.

Councilmember Caulfield also brought forth that the millage will provide time to properly allocate funds from Baker Tilly, who is looking at our capital improvement plan.

Councilmember Wiener responded with the following: the infrastructure is in dire need of a lot of work across the board; multiple avenues are being pursued to achieve funding; repairs are consuming reserve funds; time to update and replace instead of patching; millage is the least-burdensome financial request of residents compared to a bond where the City is paying interest; millage also allows for a longer term action plan; and Infrastructure committee is also looking into other avenues in the event the millage does not pass.

Mayor Hodges responded with the following: Great questions being asked to be incorporated into the FAQ; City Council approved putting the infrastructure millage proposal on the ballot to put the decision in the hands of the voters and it was also a recommended avenue by Baker Tilly.

NEW BUSINESS

GLWA WATER SERVICES CONTRACT AMENDMENT NO.1

City Manager Sizeland presented GLWA water services contract amendment number 1, which would: establish an annual volume of 58,000 million cubic feet; reduce the maximum daily volume from 3.23 million gallons per day (MGD) to 3.09 MGD; and maintain the maximum peak hour volume from 5.31 MGD.

CITY OF GROSSE POINTE PARK WAYNE COUNTY, MICHIGAN RESOLUTION AUTHORIZING GLWA WATER CONTRACT AMENDMENT

WHEREAS, GLWA leases, operates, and maintains the public water supply system owned by the City of Detroit (“System”); and

WHEREAS, On March 24, 2021, the Parties entered a Water Service Contract (“Contract”)

reflecting the terms and conditions governing the delivery and purchase of potable water, as subsequently amended and assigned; and

WHEREAS, GLWA has determined that its charge methodology renders irrelevant the “minimum take or pay” terms of Section 5.06 of the Contract; and

WHEREAS, Article 15 of the Contract permits the Parties to amend the Contract by mutual agreement; and

WHEREAS, In consideration of the mutual undertakings of the Parties and for the benefit of the public, it is the mutual desire of the Parties to enter this Amendment to amend the Contract.

NOW, THEREFORE, BE IT RESOLVED, that Mayor Hodges and the City Council of Grosse Pointe Park on August 15, 2022 authorizes Amendment No.1 to Water Service Contract between the Great Lakes Water Authority and the City of Grosse Pointe Park.

Motion by Councilmember Wiener, seconded by Councilmember Gallagher to approve the resolution authorizing GLWA contract amendment.

AYES: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

NAYS: None

EXCUSED: Councilmember Relan

RESOLUTION DECLARED ADOPTED

BID PROPOSAL FOR ALLEY RESURFACING

In June of 2022, OHM solicited bids on BidNet (an online, electronic bidding platform) for the milling and paving of 5 alleys throughout the City of Grosse Pointe Park. The proposed fixes included milling off 1.5-3.0 inches of pavement and replacing with MDOT 5E1 HMA. Failed concrete pavement beneath will be removed and replaced with HMA where necessary. An emulsion-based asphaltic binder will be placed between existing and new pavement, as well as between any lifts greater than 3 inches, to ensure proper adhesion. The work also includes replacement of sanitary sewer manhole covers to reduce stormwater inflow. While 19 vendors viewed the bid, the City did not receive any bids for the work.

In 2021, the City requested estimates for future road planning in 2022 as the funds for 2021 had been allocated to other road resurfacing projects. 2021 estimates ranged in value from \$87,656.40 to \$181,567.00 with Hutch Paving being the low bidder.

Due to the lack of bids received for 2022 work, OHM contacted the three bidders from 2021 and requested updated pricing and interest in the project. To date, pricing has only been obtained from Hutch Paving (the low bidder in 2021), which is now quoted at \$141,000. Jeffrey and Allied are not interested. The increase is due to the well documented cost escalation of material, labor costs and petroleum.

Motion by Councilmember Wiener, seconded by Councilmember Gallagher to approve the bid proposal for alley resurfacing from Hutch Paving for \$141,000.

AYES: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

NAYS: None

EXCUSED: Councilmember Relan

FIRE CODE ORDINANCE #232

The Ordinance Committee has prepared the following ordinance that amends Chapter 7 of the City Code by formally adopting the International Fire Code, 2021 Edition. This is the most up-to-date fire code available, and its adoption is intended to provide effective and continuing safeguards against the hazards of fire and to thereby protect public health, safety and welfare. The adoption of the International Fire Code reinforces existing Building Code requirements. The City Attorney's Office believes that, as presented, the Ordinance brings the City's Code up to the most current standard for fire safety. The Public Safety Director and Building Official will work together to enforce these requirements and related ordinances.

**CITY OF GROSSE POINTE PARK
Ordinance No. 232**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE PARK BY AMENDING CHAPTER 7 RELATING TO BUILDINGS

TABLE OF CONTENTS: THE CITY OF GROSSE POINTE PARK ORDAINS:
ARTICLE 1 – In General

Sec. 7-3. International Fire Code Adopted. The International Fire Code, 2021 Edition, as published by the International Code Council, printed copies of which are on file in the office of the City Clerk, is hereby adopted as the fire prevention code of the City, in order to provide effective and continuing safeguards against the hazards of fire and to thereby protect the public health, safety and welfare. The City hereby automatically incorporates subsequent editions of the International Fire Code, as published and updated by the International Code Council from time to time, as the fire prevention code of the City. Such code, as amended from time to time, shall be in full force and effect in the city as if set out in full in this section, subject to the revisions prescribed in Section 7-4.

Sec. 7-4. Revision.

The following section of the adopted International Fire Code, 2021 Edition, is hereby revised as follows:

Sec. 101.1 Title. These regulations shall be known as the Fire Code of the City of Grosse Pointe Park, hereinafter referred to as "this Code."

Sec. 7-5. Enforcement Officer.

The fire prevention code shall be enforced by the director of the department of public safety or the director's designee. The director may assign appropriate aspects of the enforcement

requirements to the City building official or the building official's designee. The designated enforcement officer of such code is referred to as the "code official."

Sec. 7-6. Modifications.

(a) The director of public safety shall have the power to modify any of the provisions of the fire prevention code upon application, in writing, by the owner or lessee, or a duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done.

(b) The particulars of such modification, when granted or allowed, and the decision of the office of the director of public safety on such modification shall be entered upon the record of the department of public safety, and a signed copy shall be furnished to the applicant.

Sec. 7-7. Appeals.

Whenever the office of the director of public safety shall disapprove an application, refuse to grant a permit applied for or where it is claimed that the meaning of the fire prevention code has been misconstrued or wrongly interpreted, the applicant may appeal the decision to the City Council within 30 days from the date of the decision appealed.

Motion by Councilmember McMillan, seconded by Councilmember Gallagher to adopt ordinance 232 relating to the fire code as presented.

AYES: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

NAYS: None

EXCUSED: Councilmember Relan

SET PUBLIC HEARING TO VACATE WAYBURN

In 2019, the City entered into a purchase agreement with the Urban Renewal Initiative Foundation ("URIF"), under which it agreed to convey certain property on Jefferson Avenue between Alter Road and Maryland Avenue for development by URIF as a non-profit community center for the arts (the "Schaap Center"). That property is the present location of the City's Department of Public Works ("DPW") facility. Under the Purchase Agreement, the City is required to convey the property within ninety (90) days of the date the URIF provides documentation that it has met its funding targets. URIF has provided those documents to the City, and the City is preparing to convey the property.

The property to be conveyed to URIF includes an unused segment of Wayburn north of Jefferson Avenue. To comply with its obligations under the Purchase Agreement, City Administration proposes the vacation of this segment of Wayburn, as described in the attached resolution. URIF is unable to begin construction of the Schaap Center until the City relocates the current DPW facility and conveys legal ownership of the property to URIF.

Motion by Councilmember Wiener, seconded by Councilmember Gallagher to set a public

hearing date of September 19, 2022 for approving the resolution to vacate Wayburn.

AYES: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

NAYS: None

EXCUSED: Councilmember Relan

COUNCIL COMMENT

Councilmember McMillan commented on the following: Excited to see residents applying for boards and commissions and encouraged more residents to do so.

Councilmember Gallagher commented on the following: Councilmembers are not to be interrupted except by a point of order or point of privilege; received correspondence from the Mayor regarding management of the previous meeting and desire to professionalize and be most productive; emails including two scenarios, one where there is no limit on debate and one with a limit on debate and if needed, the council rules and code of conduct can be amended; a motion to end the debate was made which is not on the rules of order; and Councilmember Gallagher does not want a limit on debate.

Councilmember Wiener responded to Councilmember Gallagher on the following: Commended Mayor Hodges on running tight, organized meetings; when running for Council, one of the platforms that both Councilmember Wiener and Councilmember Gallagher ran on was that micromanagement was a problem; meetings were four or five hours with not a lot to show for it; there is an effective way to debate; no questions were sent to anyone on infrastructure; there is a very big difference on constructive action and constructive dialogue and commiseration between a group; inappropriate to suggest that Mayor Hodges is doing anything untoward and it was an unfounded attack and accusation.

Mayor Hodges responded to Councilmember Gallagher on the following: Remains committed to working with Councilmember Gallagher and has since the last meeting, reached out and asked to meet, which Councilmember Gallagher declined; both City Manager Sizeland and Mayor Hodges reached out for her questions and she declined to submit; organizational culture is really important; and importance of efficiency in meetings.

Councilmember Caulfield commented on the following: It is part of the Council's job to make the time to review the consent agenda and council packet, everyone is busy but it must be done.

PUBLIC COMMENT (NON-AGENDA ITEMS)

There were two public comments made.

ADJOURNMENT

Motion by Councilmember Wiener, seconded by Councilmember McMillan, to adjourn the meeting.

AYES: Councilmembers Brenner, Gallagher, Caulfield, Wiener, and McMillan, and Mayor Hodges.

NAYS: None

EXCUSED: Councilmember Relan

With no further business, the meeting adjourned at 8:48 p.m.