COUNCIL MEETING – JULY 13TH, 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 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.

MINUTES – JUNE 8TH, 2020

Mayor Denner presented to Council for consideration the minutes of June 8th, 2020 for approval as presented.

Motion by Councilmember Grano, support by Councilmember Hodges, to approve the meeting minutes of May 7th, 2020 with changes on pages 3, 11, and 27.

Councilmember Fluitt inquired as to the lack of details regarding public comment within the minutes.

City Manager Sizeland stated that the meetings are recorded and available on the website and the minutes reflect compliance with the Open Meetings Act, minimizing statements made by the public.

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

NAYS: None

MANAGERS REPORT

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

- Public Safety Hazard Pay and April/May Payroll Reimbursement Applications
- FEMA COVID-19 Relief
- City Pool
- City Master Plan
- TIFA Meeting
- Extended Space Permit
- Business Outreach
- DTE update
- Safe Routes to School
- Michigan Small Business Restart Program

Councilmember Robson inquired regarding the signage being developed for Nottingham and Balfour as part of the work with the School District.

City Manager Sizeland confirmed that is correct.

Councilmember Read reiterated the recommendation for Park Businesses to start a Grosse Pointe Park business association to provide a unified voice to the City and also provide the City an easier path for business communications.

City Manager Sizeland agreed and said he would propose the idea at the TIFA meeting on July 15th.

PUBLIC COMMENT ON AGENDA ITEMS

Three residents made verbal comments.

Mayor Denner reminded participants that the first public comment period should be utilized for items on the agenda only and any general comments need to be made during the later public comment period moving forward.

SUSAN LARSEN INTRODUCTION LIBRARY BOARD APPOINTEE

Mayor Denner introduced Ms. Susan Higman Larsen, the new Library Appointee. Ms. Larsen will be representing the City of Grosse Pointe Park on the Library Board and was formally appointed at the City Council meeting on June 8th.

Ms. Larsen thanked Mayor Denner and the Council for the opportunity to serve the community on the Library Board. She stated that she has served the Galleries, Library, Archives. and Museums (GLAM) sector for the last 35 years and that within the GLAM sector, libraries are really at the forefront for the most creative possibilities in programming. The Grosse Pointe Library system is no exception and she is excited to work with the Library to continue to increase opportunities and access for all.

SCHAAP CENTER BRIEFING

Mayor Denner stated that the Schaap Center project team has begun to brief various community groups on the plans for the Schaap Center, also known as the art center. He and administration felt like it was appropriate to have the spokesperson provide the same briefing that other community groups were receiving. He reminded attendees that this presentation was not a dry run of the presentation that will take place in front of the Planning Commission. The Planning Commission presentation will be more detailed and complete. Mayor Denner introduced Ms. Jaime Rae Turnbull, the spokesperson representing the Schaap Center to complete the presentation.

Ms. Turnbull provided a broad overview of the Schaap Center project including the following highlights:

- Urban Renewal Initiative Foundation (URIF) was organized in 2012 as a 501(c)(3) and is responsible for the construction of the Schaap Center
- The Grosse Pointe Park Council for the Arts (GPPCA) will be developed by the URIF and will own and operate the Schaap Center once construction is completed.

- The Schaap Center will serve as a long-term performance home for two community programming partners: the Grosse Pointe Theatre and the Grosse Pointe Symphony Orchestra. Other potential programming partners include the Detroit Institute of Arts, Detroit Medical Orchestra, Detroit Symphony Orchestra, Mosaic Youth Theatre of Detroit, and Wayne State University Concert Chorale.
- The Schaap Center is expected to host 50,000 guests annually with a potential economic impact of $1.778 million dollars annually for the community.
- The facility will include a 400-seat state of the art theatre and serve as the home of the Richard and Jane Manoogian Art Gallery.
- The capital campaign for the construction will be $25 million with a $10 million dollar endowment. To date, $21 million has been raised.
- The endowment fund will provide annual operating support of approximately $500,000 a year for the first five years. $5 million dollar has already been secured with the goal of raising the additional $5 million within one year of the center opening.
- The current agreement between the URIF and the City of Grosse Pointe Park currently states that the City agrees to provide the following services during construction and operation: ancillary police services; general maintenance including snow removal, ice protection, and landscaping; all and any appropriate actions needed to complete the vacation of Wayburn Avenue between Jefferson Avenue and Hampton Avenue.
- The current understanding between the URIF and the Downtown Development Authority (DDA) includes: funding and construction of a parking lot in front of the Ewald Library; funding the demolition of the old DPW facility; and annual operating support of $75,000 for the Schaap Center.

Councilmember Fluitt asked for clarification regarding exactly what type of programming will take place in the facility.

Ms. Turnbull stated there are currently 26 weeks of planned programming between the two committed programming partners. The facility will only be open when being utilized by programming partners.

Councilmembers Fluitt, Read, and Relan all raised concerns regarding the lack of a business plan, the long-term sustainability of the operations of the space, the parking plan including the number of on-street spaces expected to be utilized, and that the City did not research what the best purpose of that land would have been.

Councilmember Relan asked for verification on how the land for the center was acquired.

Mayor Denner stated that all the land for the center had been acquired at fair market value over time and that none of the land was gifted.

Councilmember Read stated that she would like to see more benefit for City Residents as a whole that is above and beyond the community benefit, like discounted tickets.

Councilmember Robson inquired about how residents could find information regarding the proposed project?

Ms. Turnbull responded that the URIF currently has an RFP out for a design partner to design the logo and the website in addition to branding. Once the website is built, all information will be hosted there.

Mayor Denner reiterated that the presentation to Planning Commission will be more detailed and include all requirements including a detailed business plan and a parking plan.

ELIMINATION OF PEG FEES

Mayor Denner requested City Manager Sizeland introduce the topic to Council for consideration.

City Manager Sizeland stated that for the past ten years, the Grosse Pointes and Harper Woods had an agreement with the Grosse Pointe War Memorial that gave all collected PEG fees to the war memorial for their community programming channel. When that agreement ended, the communities released an RFP for services and the only submission received was from the Grosse Pointe Public School District. However, due to the new Federal Communication Commission (FCC) rules, an agreement could not be finalized with the School District. These FCC rules also override Michigan's Uniform Franchise Act which had been used to provide the funds to the War Memorial by dictating that PEG fees would not be used for anything other than certain equipment. The School's proposal was almost entirely a service that would fund operation costs of providing the service. Under the new FCC rules, cable companies would be allowed to deduct PEG fees not used for certain equipment from cities' franchise fees that are paid for the companies use of the public right of way. City Administration recommended that the PEG fees on all Comcast and AT&T resident subscribers cable bills be eliminated as soon as the companies can implement the change. The City of Grosse Pointe and City of Grosse Pointe Woods have already taken this action.

City Manager Sizeland requested authorization to execute amendments to the Uniform Video Service Local Franchise agreements between the City and Cable Providers to eliminate PEG fees.

Motion by Mayor Denner, support by Councilmember Read, to authorize City Administration to execute amendments to the Uniform Video Service Local franchise agreements between the City of Grosse Pointe Park, Comcast, and AT&T to eliminate the collection of PEG fees to subscribers within the City of Grosse Pointe Park.

Councilmember Read inquired about what happens with the fees the cable companies have already collected.

City Manager Sizeland responded that all fees collected from March 2020 to present are being held by the City and will be returned to AT&T and Comcast once the PEG fees are eliminated. Any fees that were collected before March of 2020 will be directly sent to the War Memorial.

Councilmember Hodges inquired on if the previously collected fees could be used to assist with the expense of streaming meetings moving forward.

City Manager Sizeland stated that would be not an allowed expense under the FCC rules.

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

NAYS: None

APPROVAL OF GLWA INDUSTRIAL PRETREATMENT PROGRAM RULES

Mayor Denner requested City Manager Sizeland introduce the topic to Council for consideration.

City Manager Sizeland stated that all member communities of the Great Lake Water Authority (GLWA) received an email requesting the adoption of the Industrial Pretreatment Program (IPP) Rules. Federal Law requires GLWA, as part of its lease of Detroit Water and Sewerage Department, to have an Industrial Pretreatment Program. This program is meant to manage industrial water entering the Water Resource Recovery Facility (WRRF) and federal law requires communities that send flow to the WRRF adopt the GLWA rules. Member communities had previously adopted IPP rules provided under DWSD. However, the GLWA Board of Directors did approve the updated IPP Rules in November 2019 and the City needs to adopt the updated rules. City Administration is recommending adoption of the resolution provided by GLWA as is.

Motion by Mayor Denner, support by Councilmember Robson, to adopt the resolution as provided by Great Lakes Water Authority.

Mayor Denner commented that this action is pro forma for the City and is being completed to allow Great Lakes Water Authority to complete their due diligence process. The impact on the City will be very minimal because the rules are aimed at industrial users.

Councilmembers Grano and Hodges inquired if the City Attorney had reviewed the GLWA contract.

City Attorney Howlett stated that he had not reviewed the proposed new rules but will and make a recommendation after his review.

Councilmember Hodges stated that she had noted that PFAS is utilized in firefighting foam and is called out in the GLWA rules. She then inquired if the firefighting foam the City utilizes has PFAS in it and if the remedies required under the new rules would have a budgetary impact that we should be planning for.

City Manager Sizeland stated that he would need to discuss with Chief Poloni and provide a follow up answer through email.

Motion made by Councilmember Read, support by Mayor Denner, to table the vote on the motion until the August 24th meeting pending review by the City Attorney and input by Public Safety.

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

NAYS: None

REVIEW OF CITY HALL RENOVATION ARCHITECTURAL FIRMS

Mayor Denner requested City Manager Sizeland introduce the topic to Council for consideration.

City Manager Sizeland stated that the City has received proposals from three Architectural firms: Quinn Evans, Stuckey Vitale, and Spicer Group for the rehabilitation of City Hall. The City went out for construction bonds in the fall of 2019 after an estimate was provided to the City by Apcor Construction.

The City last had a major renovation on the building in 1997 and since this time HVAC, roofing, water/sewer, paint, carpet, windows, tuckpointing, landscaping, security and IT upgrades need attention in City Hall, Public Safety, and the Pump Station.

Public Safety Director Poloni stated that the Public Safety portion of City Hall needs to be addressed immediately; walls are coming down and the ceiling has collapsed in some areas. There are places where the windows have rotted through, allowing bugs to come into the facility easily. There are substantial water leaks throughout the area which has led to damage and loss of equipment including computers.

Mayor Denner stated that the scope of work was developed with Apcor previously and that the funds to complete the project were authorized through a bond issue that was approved by Council in July 2019. The bond has been sold and this is a step in the process of utilizing the funding to complete the project.

Mayor Denner requested a recommendation from City Manager Sizeland regarding which architectural firm should be hired.

City Manager Sizeland stated that after his review with the City's building official, engineer, and Public Works supervisor which included an interview, a walk through on site, and evaluation of the proposals submitted including consideration of responsiveness and timeliness, his recommendation was to hire Spicer Group for these services. City Manager Sizeland's formal recommendation for the project is to hire Spicer Group.

City Manager Sizeland stated that Spicer Group was being recommended for the following reasons:

1) they were the most responsive
2) their lead architect has historical knowledge regarding previous City Hall renovations;
3) the background of projects the Firm has worked on in the past including fire stations;
4) the project staffing which includes architects, structural engineer, electrical engineer, mechanical engineer, and civil engineers;
5) they understood the scope of the project the best based on their proposal and included the cost of an economic feasibility versus operational costs to help with heating and cooling and other like expenses.

Mayor Denner stated support for City Manager Sizeland's recommendation and agreed that the Spicer Group proposal was the most complete.

Councilmember Hodges inquired as to why the Spicer Group proposal appeared to be considerably more than the other two proposals submitted; potentially up to 8% of the total project cost which would be approximately $200,000.

City Manager Sizeland stated that the other two proposals only included architectural fees and no engineering fees, which the Spicer Group proposal did include. After conversation with the City Building Official, it was determined that once all of the additional engineering fees were included in the final price, all three would end up being comparable in costs.

Councilmembers Hodges, Relan, and Fluitt all inquired about the RFP process that was followed and stated that it would have been helpful to see the RFP the proposals were in response to. City Manager Sizeland stated that the City solicited bids through MIDEAL, which is a state system for looking at

contracts. A formal RFP for the project was not utilized and direct solicitations were sought from Spicer Group, Quinn Evans, and Stucky Vitale.

Councilmembers Read, Fluitt, and Relan all stated that based on the proposals, Quinn Evans appeared to have the most experience with historic buildings and felt that should be highly considered considering that City Hall is an historic building.

City Manager Sizeland stated that experience with historic building was considered in the proposal reviews and while Quinn Evans has worked on a considerable amount of historic buildings in other communities, the team felt that the Spicer Group employees had stronger historic knowledge based on resumes.

Councilmember Relan inquired why the proposals came to City Council before Planning Commission since the planning commission have more expertise in the subject.

Mayor Denner stated that it is not the role of Planning Commission to provide technical expertise. Technical expertise in specific areas comes from Administration and other City departments.

Councilmember Relan inquired on the timeline of the project and if the Council had to make a decision today.

City Manager Sizeland stated that he would strongly urge the City Council to move forward with the Spicer proposal today based on the designs and maintenance that needs to be done on the building. If the process is delayed further, the project could end up costing more.

Motion by Mayor Denner, support by Councilmember Grano, to award the bid to the Spicer Group for architectural services for the renovations of City Hall and the Department of Public Safety facilities.

Councilmember Fluitt requested verification that the project is for repair and renovations only.

City Manager Sizeland stated that was correct and that the majority of the work to be done is within the existing building structure.

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

NAYS: Councilmembers Relan, Read, and Fluitt

SOCIAL DISTRICT RESOLUTION AND REVIEW

Mayor Denner requested City Manager Sizeland introduce the topic to Council for consideration.

City Manager Sizeland stated that on Thursday, July 2nd, Governor Whitmer signed into law two bills that allows for the sale of cocktails-to-go and alcohol consumption in established Social Districts. Municipalities now have the authority to establish Social Districts within the common areas that multiple on-premises licensees can use to increase sales via permit until December 2024. The City recognizes the negative impact of COVID-19 on local businesses and has determined that the creation of a social district can assist local businesses with recovery. City Administration would like to establish a

Social District with commons areas on both Kercheval and Charlevoix that includes all restaurants and bars in those areas. Restaurants and Bars that want to participate must obtain a special license from the Michigan Liquor Control Commission. The Northwest Tax Increment Finance Authority board will be considering ways to cover certain expenses associated with compliance of Michigan law, such as marketing, and logos on containers.

City Manager Sizeland also provided a brief overview of the proposed Operations and Maintenance plan which included:

- Definition of the Social District
- Explanation of the difference between the Social District and Commons Areas
- Qualified Licensee Definition
- Outlines the City and Business process
- Operations plan
- Maintenance plan including how the district can be dissolved and requirements of permit holds
- Maps of the whole Social District, Kercheval Commons Area, and Charlevoix Commons Area

The Commons Area will be open from 5:00 pm – 10:00 pm Sunday through Thursday, and from 5:00 pm – 11:00 pm Friday and Saturday. The Commons Area will be closed on the following US Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas.

City Manager Sizeland recommended that City Council adopt the Social District Resolution and Operations & Maintenance plan and authorize City Administration to send to the Michigan Liquor Control Commission for approval.

Councilmember Read stated that at the top of the resolution provided, the House Bill numbers should be replaced with Public Act 124 of 2020 because it should cite to the statute and not the bill.

City Manager Sizeland stated that the resolution would be corrected.

Councilmember Read requested verification that a resident cannot buy a drink from one bar and then walk into another establishment with that drink in their hand. The resident can only be outside with the beverage.

City Manager Sizeland stated that was correct.

Councilmember Fluitt inquired as to why the Charlevoix Commons Area is only on one side of the street unlike the Kercheval Commons Area which is on both?

City Manager Sizeland stated it is because of the physical locations of the potentially participating businesses.

Councilmember Fluitt inquired as to why the Commons Area would be closed on Labor Day weekend because it appears like it could be a heavy weekend for the local businesses.

City Manager Sizeland stated that he would look into keeping the Commons Area open during that day.

Councilmember Fluitt stated that she would strongly recommend that the TIFA board use the money set aside by Council for COVID-19 relief to fund the purchase of the cups, parklets, tables, chairs, and umbrellas. She also stated her desire for recyclable cups and recycling containers.

City Manager Sizeland confirmed that the expenses Councilmember Fluitt outlined were part of what will be presented to the TIFA Board for approval at their July 15th meeting.

Councilmember Fluitt also voiced concerns regarding the new state wide mask mandate and social distancing, including inquiring how it would be enforced.

City Manager Stated that he and Chief Poloni have discussed these concerns and that the Public Safety Officers will assist in enforcement of the new mandates.

City Manager Sizeland also stated that he will be requesting that the Businesses remain responsible and make sure they are asking their patrons and staff to follow the rules and stay safe.

Councilmember Grano inquired as to why Mack Avenue was not included in the Social District. City Manager Sizeland stated that there are challenges associated with Mack Avenue being a county road including the inability to close it if desired.

City Manager Sizeland also vocalized concerns about safety with the ongoing construction on Mack Avenue.

Councilmember Fluitt also stated that the businesses on Mack Avenue are not contiguous which is laid out in the Michigan Liquor Control Commission guidelines.

Councilmember Robson inquired if it was the City's intent to utilize the trolly within the district.

City Manager Sizeland stated that the trolley would not be in operation this year but could potentially be utilized in the future.

Councilmember Robson requested stricter requirements for the businesses who are not complying with the mask mandate or enforcing social distancing within their business.

Councilmember Read inquired that it appeared like the only recourse that could be taken with the Social District would be for the City to dissolve the district.

City Attorney Howlett stated that the Governors order could be enforced and we could fine the business or write a ticket, same with the commons area. There is the ability to enforce it but from a practical standpoint, it might be difficult to enforce while trying to help the businesses.

Councilmember Hodges inquired if there was a way to create the district on a temporary basis first and then make it permanent.

City Attorney Howlett stated that the statute would not allow for that and does end in December 2024 but Council could place a sunset date in its resolution to terminate the social district earlier than the expiration of the statute.

Mayor Denner stated that a lot of the concerns being raised by Council were related to the current pandemic and would hopefully not be applicable to the District moving forward.

Councilmember Read inquired if the Operations and Maintenance plan could be changed after approval was granted by the Michigan Liquor Control Commission.

City Attorney Howlett stated that the rules could still be amended after approval without issues as long as the changes aligned with statute.

Motion by Councilmember Grano, support by Councilmember Read, to approve the resolution creating the City of Grosse Pointe Park Social District. The resolution reads as follows:

CITY OF GROSSE POINTE PARK
WAYNE COUNTY, MICHIGAN

Resolution Creating a Social District within the City of Grosse Pointe Park

WHEREAS, the State of Michigan has adopted legislation via Public Act 124-2020 that allows Local Governments to create Social Districts for consumption of alcoholic beverages in designated areas; and

WHEREAS, the City of Grosse Pointe Park recognizes the negative economic impact of the COVID-19 pandemic and has determined that creation of a social district can assist local businesses with recovery; and

WHEREAS, On Kercheval Avenue, the boundaries of the Social District shall be on Kercheval Avenue from the border of the City of Detroit between Alter Road and Wayburn Street to Nottingham Street on both the north and south sides of Kercheval Avenue and continuing on Charlevoix Avenue, from the border of the City of Detroit between Alter Road and Wayburn Street on the north side of Charlevoix Avenue to the west side of Nottingham Street; and

WHEREAS, The commons area of Kercheval shall be from the east side of Wayburn Street to the half way point between Beaconsfield and Nottingham Streets; The commons area of Charlevoix shall be on the north side only of Charlevoix Avenue from the boundary of the City of Detroit to Beaconsfield Street and on the south side of Charlevoix from Beaconsfield Street to Lakepointe Street; and

WHEREAS, the City of Grosse Pointe Park has written an operations and maintenance plan that meets the Michigan Liquor Control Commission requirements; and

WHEREAS, The City Manager and Director of Public Safety are hereby permitted to create the Social District and enforce the rules and regulations of the Social District in accordance with State law and permit requirements; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that:
The City of Grosse Pointe Park City Council creates the City of Grosse Pointe Park Social District within the boundaries included above or within boundaries otherwise approved and approves the operations and maintenance plan as presented.

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

NAYS: None

ETHICS ORDINANCE #219

Mayor Denner asked Councilmember Grano to present the Ethics Ordinance for consideration.

Councilmember Grano stated that there have been various drafts of the Ethics Ordinance; this presented version is the final version approved at the last Ordinance Review Committee meeting. The final version based on the Birmingham, Michigan ordinance, which the Ordinance Review Committee felt met many of the same objectives the City is trying to achieve. This version does have additions, like addressing Council being on boards and if those boards have relationship with the City. The only outstanding issue is how the board of ethics seats are going to be filled. The majority of the Ordinance Review Committee would follow the same process as other board appointments with appointment by the Mayor and confirmation by Council. The other option presented was to have a hearing of the interested applicants in front of City Council at public meetings.

Motion by Councilmember Grano, support by Councilmember Hodges, to adopt the Ethics Ordinance as written.

Councilmember Read stated that the more public appointment recommendation process for the Ethics Board under Section 2.6 (a)(1) was made so that the Residents know that this is a completely independent board. Thus, the appointment process should be different then the process followed for other boards. She stated that her recommendation would be to have an open and public process before Council and it is different than the other boards because this board will be responsible for potentially adjudicating matters that involve any members of Council and Administration.

Councilmember Fluitt agreed with Councilmember Read and suggested that when the positions are advertised and when the applications are accepted, that everyone on council be allowed to review the applications and provide their top two or three recommendations for interview. That way, everyone has access to the applications and everyone is involved.

City Attorney Howlett responded that the reason for the recommendation of the Mayor appointed, Council confirmation process is because that is the process is outlined in the City Charter. Since it is a board that is being appointed to provide recommendations for action to Council, it would be appropriate to treat the appointments of the members using the same process utilized for the other Boards, but another process could be utilized.

Councilmember Grano stated that the Birmingham process does include rules and policies but most of them were put in place by the Ethics Board after they were appointed.

Councilmember Relan inquired about utilizing a third-party Attorney as the non-voting member instead of the City Attorney.

City Attorney Howlett stated that the same concerns had been brought up by citizens and it had been discussed at length by the Ordinance Review Committee. Everyone agreed that it made sense to have the City Attorney serve as a non-voting member because the Board is carrying out a quasi-legal proceeding. The City Attorney will be there to serve in a procedural advisory capacity and does not present a conflict of interest because the City Attorney serves the Council as a whole, not individual council members. City Attorney Howlett also stated that utilizing a third attorney on a regular basis could be costly to the City and if the complaint was ever against the City Attorney, a third-party attorney would be brought in at that point.

Mayor Denner stated that he did agree to a public interview process to fill the first three seats with guidelines in place.

Councilmember Read suggested following Councilmember Fluitt's process, with everyone ranking their top three and the top three or more from the shared rankings be interviewed. Council appeared to be accepting of this proposed process.

Mayor Denner also stated that the various empty dates throughout the document would be filled in with specific dates once the Board Members are appointed, and when the terms of office expire.

Councilmember Read stated that the recently adopted ordinance relating to when terms begin and end should be utilized to set the dates in question.

Councilmember Robson inquired about the process that would be followed for filing the complaints.

City Attorney Howlett stated that that process will be set by the Ethics Board Members once they are appointed.

Councilmember Fluitt stated that she would like section 2.4(2) to be amended and include the sale of City Property in addition to the usage clause.

City Attorney stated that the sale of City property is covered by the language already included.

Councilmember Fluitt stated that she would like section 2.5(13) be amended to three years instead of one; three years does not seem long enough. Mayor Denner stated that one year creates a clear break.

City Attorney Howlett stated that by making the number of years longer, it could hinder an individual in their personal life. An example would be not being able to get a job.

Councilmember Fluitt stated that she would like to see section 2.5(12) be amended. The ordinance should include language that Council should not vote or do any business with the City on behalf of any boards they sit on, including boards where there is no financial benefit or gain for the individual Council Member.

Councilmember Grano and Mayor Denner voiced concern over the impact that kind of clause would have on City business with the Grosse Pointe Park Foundation.

Councilmember Read stated there is a difference between giving money to the Foundation and voting as a Foundation Board Member. By voting as a member on the Foundation Board, the Council Member has already publicly stated their opinion on a project and it would be a conflict of interest for the same Council Member to vote on the project when it comes in front of Council.

Motion by Councilmember Fluitt, support by Councilmember Read, to amend section 2.5(12) to include that City Council Members recuse themselves from voting on initiatives that derive from another organization or board on which they currently serve.

Councilmember Fluitt inquired under section 2.6(13) what disciplinary actions would be available.

City Attorney Howlett stated that the disciplinary actions available to Council would be decided by and at the discretion of Council in accordance with state law and that decisions on sanctions would be for Council and not the Ethics Board, which is an advisory board.

AYES: Councilmembers Relan, Read, Hodges, Robson, and Fluitt.

NAYS: Councilmember Grano and Mayor Denner.

Vote on Original Motion (approving the Ordinance as amended)

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

NAYS:

The adopted, amended ordinance read as follows:

Ordinance No. 219

City of Grosse Pointe Park

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GROSSE POINTE PARK BY ADDING SECTIONS 2-1 TO 2-7, TO ARTICLE I, TO ESTABLISH STANDARDS OF ETHICAL CONDUCT FOR CITY OFFICIALS AND EMPLOYEES AND ESTABLISH AN ETHICS COMMITTEE,

THE CITY OF GROSSE POINTE PARK ORDAINS:

Section 1. Article I to Chapter 2 of the Code of the City of Grosse Pointe Park is amended to add the following Sections 2-1 through 2-7 entitled "Standards of Ethical Conduct."

A. Sec. 2-1. - Public policy.

Public office and employment are public trusts. For government to operate properly, each city official, employee, or advisor must earn and honor the public trust by integrity and conduct.

The city hereby declares that all city officials and employees must avoid conflicts between their private interests and the public interest. Public officials and employees must:

(1) Be independent, impartial and responsible to the people;

(2) Make governmental decisions and policy in the proper governmental channels;

(3) Not use public office for personal gain.

To enhance public trust, the city must provide its officials and employees with adequate guidelines for separating their roles as private citizens from their roles as public servants.

This Code sets minimum standards of ethical conduct for all city officials and employees, elected or appointed, paid or unpaid. It proscribes actions incompatible with the public interest and directs disclosure of private financial or other interests in matters affecting the city.

B. Sec. 2-2. - Responsibilities of public office.

City officials and employees are bound to uphold the Constitution of the United States and the Constitution of the state and to carry out impartially and comply with the laws of the nation, state, and the city. City officials and employees must not exceed their authority or breach the law or ask others to do so. City officials and employees are bound to observe in their official acts the highest standards of morality and to discharge the duties of their offices faithfully, regardless of personal consideration, recognizing that their conduct in both their official and private affairs should be above reproach.

All city officials and employees shall safeguard public confidence by being honest, fair and respectful of all persons and property with whom they have contact, by maintaining non- partisanship in all official acts, and by avoiding conduct which may tend to undermine respect for city officials and employees and for the city as an institution.

C. Sec. 2-3. - Definitions.

City official or *employee* means a person elected, appointed or otherwise serving in any capacity with the city in any position established by the City Charter or by city ordinance which involves the exercise of a public power, trust or duty. The term includes all officials and employees of the city, whether or not they receive compensation, including consultants and persons who serve on advisory boards and commissions. The term does not include election inspectors and student representatives appointed to city boards or commissions.

Consultant means a person who gives professional advice or services regarding matters in the field of his or her special knowledge or training.

Compensation means any money, property, thing of value or benefit conferred upon or received by any person in return for services rendered or to be rendered to himself or herself or any other party.

Financial interest means any interest in money, property or thing of value or benefit.

Immediate family means a city official or employee, his or her spouse, parents or children.

Official duties or *official action* means a decision, recommendation, approval, disapproval or other action or failure to act, which involves the use of discretionary authority.

Personal interest means an interest arising from blood or marriage relationships or any business association.

Private gain means any interest or benefit, in any form, received by a city employee or official.

Substantial shall mean considerable in quantity or significantly great.

D. Sec. 2-4. - Intention of code.

It is the intention of section 2-5 below that city officials and employees avoid any action, whether or not specifically prohibited by section 2-5, which might result in, or create the appearance of:

(1) Using public employment or office for private gain;

(2) Giving or accepting preferential treatment, including the use of city property or information, to or from any organization or person;

(3) Losing complete independence or impartiality of action;

(4) Making a city decision outside official channels; or

(5) Affecting adversely the confidence of the public or the integrity of the city government.

The code of ethics is intended to be preventative and not punitive. It should not be construed to interfere with or abrogate in any way the provisions of any federal or state statutes, the City Charter, the city ordinances, or any rights and/or remedies guaranteed under a collective bargaining agreement.

This declaration of policy is not intended to apply to contributions to political campaigns, which are governed by state law.

E. Sec. 2-5. - Promulgation.

(a) Conflict of interest—General.

(1) No official or employee of the city shall divulge to any unauthorized person, confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.

(2) No official or employee of the city shall represent his or her personal opinion as that of the city.

(3) Every official or employee of the city shall use personnel resources, property and funds under his or her official care and control solely in accordance with prescribed constitutional, statutory and regulatory procedures and not for personal gain or benefit.

(4) No official or employee of the city shall directly or indirectly, make, solicit, or accept any gift or loan of money, goods, services or other thing of value for the benefit of any person or organization, other than the city, which tends to influence the manner in which the official or employee or any other official or employee performs his or her official duties.

(5) Gratuities do not include fees for speeches or published works on legislative subjects and, except in connection therewith reimbursement for expenses for actual expenditures for travel, and reasonable subsistence, for which no payment or reimbursement is made by the city, invitations to such events as ground breakings, grand openings, charitable or civic events, or inconsequential gifts from established friends.

(6) No official or employee of the city shall engage in a business transaction in which he or she may profit because of his or her official position or authority or benefit financially from confidential information that he or she has obtained or may obtain by reason of such position or authority.

(7) No official or employee of the city shall engage in or accept employment or render services for any private or public interest when that employment or service is incompatible or in conflict with the discharge of his or her official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of his or her official duties.

(8) This section shall not prohibit a part-time elected or appointed city official from engaging in private employment or business on his or her own time as a private citizen and where city business is not involved, subject to his or her disclosing such private employment or business on the public record for any matter on which he or she may be called upon to act in his or her official capacity. He or she shall refrain from voting upon or otherwise participating in debate on any such matter.

(9) No official or employee of the city shall participate, as an agent or representative of the city, in the negotiation or execution of contracts, granting of subsidies, fixing of rates, issuance of permits or certificates, or

other regulation or supervision, relating to any business entity in which he or she has, directly or indirectly, a financial or personal interest.

(10) No official or employee of the city shall use, or attempt to use, his or her official position to secure, request or grant unreasonably any special consideration, privilege, exemption, advantage, contract or preferential treatment for himself, herself, or others, beyond that which is available to every other citizen.

(11) It is recognized that various boards and committees are part of the plan of government for the city. As such, it is further recognized that by virtue of the various requirements for membership of the board, a member may be placed in the position of participating in a decision that may directly or indirectly affect his or her financial or personal interests. Therefore, those members of the various boards and committees in the city, as they may be established from time to time, may participate in such decisions provided that they act:

a. In furtherance of the public good;

b. In compliance of the public good;

c. In a manner consistent with subsection (8) of this section.

(12) Determination of conflict of interest. A conflict of interest exists if:

a. The city official or employee has any financial or personal interest, beyond ownership of his or her place of residence, in the outcome of a matter currently before that city official or employee, or is associated as owner, member, partner, officer, employee, broker or stockholder in an enterprise that will be affected by the outcome of such matter, and such interest is or may be adverse to the public interest in the proper performance of said official's or employee's governmental duties, or;

b. The city official or employee has reason to believe or expect that he or she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity, or;

c. The public official has any other prohibited interest as defined by state statutes relating to conflicts of interest.

d. A city council member is a member of a board of directors of an organization that has a financial or other direct interest in the outcome of a matter currently before the city council, that will be affected by the outcome of such matter, and such interest is or may be adverse to the public interest in the proper performance of said Council Members governmental duties.

(13) Subsequent conflict of interest. No official or employee of the city shall acquire any financial interest in or accept any employment concerning any project which has been granted approval by the city or any council, board, department or employee thereof within one year of the official's or employee's participation in any manner in considering or recommending the approval or disapproval of said project.

(b) Full disclosure.

(1) Responsibility to disclose. It shall be the responsibility of the official or employee to disclose the full nature and extent of his or her direct or indirect financial or personal interest in a matter before him or her.

No official or employee of the city shall participate, as an agent or representative of the city, in approving, disapproving, voting, abstaining from voting, recommending or otherwise acting upon any matter in which he or she has directly or indirectly a financial or personal interest. The official or employee shall, in such circumstances, recuse himself or herself from the matter before him or her.

(2) Disclosure of conflict of interest and disqualification.

a. Any city official or employee who has a conflict of interest, as defined herein, in any matter before the city shall disclose such fact on the appropriate record of the city prior to discussion or action thereon and shall refrain from participating in any discussion, voting or action thereon, as follows, provided that such exceptions shall be observed as are permitted by law:

1. A city councilmember shall disclose any conflict of interest and the nature and extent of such interest on the record of the city council;

2. A member of any city board, council or committee shall disclose any conflict of interest and the nature and extent of such interest on the records of said board, council or committee;

3. A city employee who has a financial or other interest in a matter before the city council or any city board, commission or committee and who participates in discussion with, or gives an official opinion to the city council, or to such other city board, commission or committee relating to such matter, shall disclose on the records of the city council or such other

city board, commission or committee, as the case may be, any conflict of interest and the nature and extent of such interest.

b. Otherwise, any appointed city official or employee shall address such a disclosure to the supervisory head of his or her department, and any elected city official shall address such a disclosure to the general public.

c. If a city official, councilmember or employee who has a conflict of interest, as defined herein, in any matter before the city, and who discloses that conflict on the appropriate records but who refuses to refrain from discussion, deliberation or voting thereon, the matter under consideration shall be immediately referred to the board of ethics for a final determination as to the conflict in question and whether the official, councilmember or employee must refrain from discussion, deliberation, action or voting thereon.

d. Within 20 days after election, employment, appointment, or the effective date of this ordinance, or any change in the facts set forth in the city official's or employee's previously filed disclosure statement, each city official and employee shall file with the city clerk an affidavit and disclosure statement. The city clerk shall provide each city official or employee with the required affidavit and disclosure statement form immediately upon his or her election, employment or appointment. The affidavit and disclosure statement does not apply to part-time and temporary employees of the city. Additionally, the disclosure requirements on this section do not apply to regular full-time employees below the level of assistant department head, except at the discretion of the city manager.

F. Sec. 2-6. - Violation, enforcement and advisory opinions.

(a) Board of ethics.

(1) The Mayor, with the confirmation of city council, shall appoint a board of ethics, consisting of three voting members, as an advisory body for the purpose of interpreting this code of ethics. The members of the advisory board shall be comprised of qualified members of the community. The City Attorney shall serve on the ethics advisory board as an ex-officio, non-voting member. If the City Attorney is the subject of an ethics complaint, he or she will recuse themselves from the ethics board proceedings related to that complaint and a suitable attorney replacement will be appointed to serve on that particular matter.

(2) The initial three community members of the board of ethics shall be appointed for one-, two-, and three-year terms of office respectively, which shall begin on the date of appointment or another date so set by

Council. Initial terms of office shall expire on the anniversary of appointment of the respective years above.

(3) Thereafter, all members shall be appointed to three-year terms, so that only one member's term expires each year. A member shall hold office until his or her successor is appointed. The Mayor with the consent of council shall fill a vacancy by an appointment for the unexpired term only. Members shall be permitted to serve a maximum of two consecutive three year terms.

(4) The board of ethics shall be made up of residents of the city who have legal, administrative or other desirable qualifications.

(5) The members of the board of ethics shall serve without compensation, and shall not be elected officials, persons appointed to elective office, full-time appointed officials or city employees, nor shall they be currently serving on any other city board or council.

(6) The board shall select its own presiding officer from among its members.

(7) The board shall establish such rules and procedures it deems necessary or appropriate to perform its functions as set forth in this article.

(b) *Functions of the board of ethics.* When there is a question or a complaint as to the applicability of any provision of this code to a particular situation, that question or complaint shall be directed to the board of ethics. It shall then be the function of the board of ethics to conduct hearings and/or issue an advisory opinion, as applicable.

(1) Hearings. The board of ethics shall follow the following hearing procedure:

a. The board shall, within seven days after any matter is brought to its attention, set a date certain for hearing said matter.

b. The board shall, at least 28 days before the hearing date, send notice of such hearing, accompanied by a concise statement of the alleged breach of this code of ethics, to any person requested to appear before them, by certified mail, return receipt requested, to addressee only.

c. Any person requested to appear before a board of ethics hearing may request one extension for a period not to exceed 28 days. Extensions thereafter will be granted only under extreme circumstances.

d. Any person requested to appear before a board of ethics hearing may be accompanied by his or her attorney.

e. All hearings at which any person shall be requested to appear shall be subject to the Open Meetings Act.

f. All findings of board hearings shall be published in permanent form and communicated to the city council and the public, subject to the requirements of the Open Meetings Act.

g. If the board determines that a filed complaint is willfully false or frivolous, the board shall recommend to council that council, in its discretion, recommend or impose a civil infraction and fine on the person making the false or frivolous complaint or refer the matter to the prosecutor for potential prosecution.

(2) Advisory opinions. All advisory opinions so issued shall also be published in permanent form and communicated to the city council and the public, subject to the requirements of the Open Meetings Act.

(3) After the board of ethics' advisory opinions and/or hearing findings have been published:

a. The city council shall be responsible for imposing any sanction for a violation of this Code on one of its members or any person appointed by the council to any city board.

b. If it becomes necessary to seek the removal of a city official after the board of ethics' advisory opinion and/or hearing findings, the city shall follow the requirements for removal of a public official in accordance with the laws of the state.

c. The city manager shall be responsible for imposing any discipline for a violation of this Code on any employee of the city.

G. Sec. 2-7. - Affidavit and disclosure statement.

Immediately following an election, employment or appointment of a city official, or employee, and on the one-year anniversary of such election, employment or appointment, the city clerk shall provide the individual with an affidavit and disclosure statement form. Within 20 days after election, appointment, employment or any change in the facts set forth in the city official's or employee's previously filed affidavit and disclosure statement, all city officials or employees shall file with the city clerk an affidavit and disclosure statement including the following:

A. A disclosure statement responding in detail to the following questions:

1. To the best of your knowledge, do you or any members of your immediate family own any interest in real property, other than a primary residence, located within the City of Grosse Pointe Park, in land contiguous to the City of Grosse Pointe Park, or in any area covered by a 425 Agreement to which the City of Grosse Pointe Park is party?

2. If your answer to question 1 is affirmative, to the best of your knowledge state the following information for each such interest owned:

a. The nature of your interest in the real property;

b. The location of the real property (for improved property, provide the street address; for unimproved property state its location in relation to existing streets), and;

c. The property's permanent real estate tax identification number.

3. To the best of your knowledge, do you or members of your immediate family own five percent (5%) or more of any business entity located in the City of Grosse Pointe Park?

4. If your answer to question 3. is in the affirmative, state the following, to the best of your knowledge:

a. The name of the entity;

b. The address of the entity;

c. The nature of your relationship to the entity, and;

d. The date relationship commenced.

5. To the best of your knowledge, do you or any members of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Grosse Pointe Park from which you or they derive direct compensation or financial benefit that is not reported in the prior answers.

6. To the best of your knowledge, have you or any members of your immediate family given or received any gifts, other than from immediate family members, the value of which exceeds $50.00, within the last year, or since the effective date of this code, whichever time period is shorter, to or from any person or business or other legal entity doing business with the City, other than legal campaign contributions? If so, list the names and addresses of each donor or done of each such gift and the date upon which it was made and the nature of the gift.

7. To the best of your knowledge, do you or any members of your immediate family belong to, serve on or otherwise participate on any boards of any organizations that have any current, direct financial or other dealings with the City of Grosse Pointe Park that would require a vote by City Council on action directly related to the organization for which you are involved as described herein.

8. If your answer to question 7 is in the affirmative, state the following, to the best of your knowledge:

a. The name of the entity;

b. The address of the entity;

c. The nature of your relationship to the entity, and;

d. The date relationship commenced.

B. An affidavit in which the City official or employee states: "I have read and I understand the Code of Ethics of the City of Grosse Pointe Park and, to the best of my knowledge, I am not in conflict with its provisions."

Dated:

Subscribed and sworn to before me this
_____ day of _____, 20___
Notary Public, _____ County, Michigan
Acting in _____ County, Michigan
My Commission Expires: _____

RULES OF THE CITY COUNCIL AND CODE OF CONDUCT

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

City Manager Sizeland highlighted key changes that were made due to suggestions from Council at the previous Council meeting. Those changes include:

- requirements of special and closed meeting notices
- addition of public comment for agenda items
- approval of consent and regular agendas
- administration reports including Public Safety, Public Works, and Parks and Recreation Departments
- Setting meeting agendas, including how Council Members can request to have an item added to the regular agenda.
- Posting unapproved draft minute meetings online within 8 business days of the meeting
- Clarification was provided around City Council and retaining the City Attorney for personal matters
- Communication process including when the City Manager needs to be copied on email responses
- Authorization of who can directly contact the City Attorney
- The general provisions and compliance section were modified
- City Charter was added to the reference page.

Motion by Mayor Denner, second by Councilmember Robson, to adopt the Rules of the City Council and Code of Conduct document as written.

Councilmember Read inquired when the City Manager needs to be copied on emails and that copying the City Manager on all emails will only fill the City Manager email with unnecessary clutter.

City Manager Sizeland responded the City Manager only needs to be copied on a response when an email includes all of City Council.

Councilmember Read stated that on page 10, under Council Conduct, paragraph 2, second to last line, she would recommend changing the word unless to until.

Both the motioner and the second accepted the change.

Councilmember Read stated that she wanted the compliance section and signature requirement removed, stating that she believes requiring signature contradicts the Oath of Office for elected officials.

Motion by Councilmember Read, support by Councilmember Fluitt, to eliminate the compliance section and signature line from the document.

Councilmember Fluitt stated that pertaining to page 5 under the agenda, an agenda item should be added if a councilmember requests it to be added.

Mayor Denner stated that it is important to give City Administration time to research and be prepared to support the discussion, which the proposed process allows.

Mayor Denner also stated that the process does allow for other items to be added to the agenda through a vote with majority support.

Councilmember Fluitt stated she was concerned that by taking an item to a vote, it would never come up for discussion or research again.

Motion by Councilmember Fluitt, second by Councilmember Relan, to remove the last sentence of the second paragraph on page 5 under setting a meeting agenda.

Councilmember Read stated that not all added agenda items need to be action items, they can be added as discussion items that are not for public comment or falling under new/old business.

Councilmember Grano stated that according to Roberts Rules of Order which Council operates under, it is clear that the Mayor sets the agenda. The process laid out in Roberts Rules is that if a member of the Council wanted something put on the agenda, they would approach the Mayor who could deny the request. The Councilmember could bring the agenda item up again in new and old business and ask to have it added to a future meeting again. Councilmember Grano stated that setting up a policy that goes outside Roberts Rules of Order frustrates the process.

Councilmember Fluitt inquired if the draft proposed meeting agenda that is made available to Council would also be available to the public five days in advance.

City Manager Sizeland stated that it would only be the agenda and that it would be made available only to Council. It is to provide Council time to ask comments and questions on the proposed agenda.

Councilmember Fluitt stated that she would like to have more time with the meeting packet and would like to have the agenda and all meeting materials to Council and on the website at least three business days in advance of the meeting.

City Manager Sizeland stated that Administration would be committed to getting all of the meeting materials out to Council and the Public as early as possible but would request to have the ability to still add emergency items to the agenda at the last minute if necessary.

Mayor Denner suggested adding wording that it would be the objective of the Administration to make meeting materials available to Council and the public three business days in advance of the meeting without making it a rule.

City Manager Sizeland proposed making meeting materials available to the Council and to the Public on Thursday, two business days before the meeting. In other communities, it is a Thursday or Friday when the City Council agenda and supporting documentation is made available.

Motion by Councilmember Fluitt, support by Councilmember Grano, to make the proposed meeting agenda and supporting documents available to Council and published online two business days in advance of the meeting. Emergency items can be added to the agenda after two business days if necessary.

Councilmember Fluitt inquired why according to page 9 of the document, under Authorization to Contact the City Attorney, she would need to go through the City Manager to be able to contact the City Attorney.

Mayor Denner stated that it is in the Charter for the City Attorney to coordinate with the City Manager which is why the process was put in this way. It was also included to be able to manage the City Attorneys time more efficiently and that at certain times, there are more requests then hours in the day.

Motion by Mayor Denner, second by Councilmember Fluitt, that a Councilmember or Chair makes such requests to the City Attorney and copies the City Manager on such requests with the exception of Ordinance Review committee.

Councilmember Hodges inquired as to why there is not a requirement to stream meetings included within the document.

Mayor Denner stated that until the process is figured out, putting it in the rules may be premature.

Councilmember Hodges inquired why per item number 2 on page 7, closed session meeting minutes are only retained for a year and that it seemed to short of a time period to retain and protect the minutes. Councilmember Read stated that they are only kept a year because of the Open Meeting Act requirements and everyone responded that was correct.

Amendment 4 – that a Councilmember or Chair makes such requests to the City Attorney and copies the City Manager on such requests with the exception of Ordinance Review committee.

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

NAYS: None

Amendment 3 – to make the proposed meeting agenda and supporting documents available to Council and published online two business days in advance of the meeting. (Top of page 6) Emergency items can be added to the agenda after two business days if necessary.

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

NAYS: None

Amendment 2 – to remove the last sentence of the second paragraph on page 5 under setting a meeting agenda.

AYES: Councilmembers Relan, Read, Hodges, and Fluitt.

NAYS: Councilmembers Grano and Robson, and Mayor Denner.

Amendment 1 - to eliminate the compliance section and signature line from the document

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

NAYS: None

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

NAYS: None

The adopted Rules of the City Council and Code of Conduct reads as follows:

City of Grosse Pointe Park
Rules of the City Council and Code of Conduct

Statement of Purpose

The residents and businesses of Grosse Pointe Park are entitled to have a fair, ethical, and accountable municipal government which has earned the public's full confidence for integrity. The City of Grosse Pointe Park's strong desire to fulfill this mission requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City of Grosse Pointe Park has adopted these Rules of the City Council and Code of Conduct for elected officials and members of appointed boards, commissions and committees to promote public confidence in the integrity of local government and its effective and fair operation.

Council-Manager Government

The City of Grosse Pointe Park functions under the Council-Manager form of government, the fastest growing form of government in the United States today. According to surveys by the International City/County Management Association (ICMA), this form of government has grown from 48% usage in 1996 to 55% usage in 2006. It is also the most prevalent for populations over 10,000 and is used by more cities, villages, townships, and counties than any other form. The roots of the Council-Manager form of government dates as far back as the early 1900s.

The Council-Manager form of government is based on the separation of roles and responsibility between the City Council and the City Manager for the effective and efficient investigation, deliberation, and delivery of services. The City's goals are best achieved when there is an open, dynamic, and cooperative working relationship built on trust between the City Council as a body, the City Council Members as individuals, and the Manager. This relationship is further enhanced by the understanding that each person is conducting themselves in their role in a reasonable, responsible, and accountable manner while working together in the best interest of the citizens of Grosse Pointe Park. It is important that everyone involved has a shared understanding of the roles of each involved person and body.

City Council

The City Council legislates through ordinances and resolutions but may not exceed the scope of authority the body is granted through the City's charter and state law. In a council-manager government, the mayor and council members are the leaders and policy makers elected to represent the community. The Mayor acts as the Chair of the body but does not have veto power and is considered a voting member of the body like the other council members. The City Council acts as policy makers and long-term and short-term goal setters. They focus on policy issues that are responsive to citizens' needs and wishes. The City Council is also responsible for approving the City's budget and all capital improvement plans.

A City Council member is a goal setter who helps develop a vision for the community and helps establish goals and milestones. Council members must remember they are elected to make decisions as a collective body, not to act as individuals or apart from the council as a whole.

City Manager

The City Manager is the chief administrative officer for the City of Grosse Pointe Park. Major responsibilities include oversight of preparation of the annual budget and long-range financial planning, supervision of all City departments, coordination and development of programs and services and the implementation of City Council's strategic priorities and policy decisions. The City Manager is also responsible for recruiting, hiring (unless approval of a position is by the City Charter), and supervising staff; and serving as the council's chief adviser.

The City Manager may make policy recommendations to the council, but the council may or may not adopt them and may modify the recommendations. The City Manager also provides regular reports and

updates to the City Council on these items. The manager is bound by whatever official action is taken by the Council.

The City Manager reports to and is appointed by the City Council under the Council-Manager form of government.

Regular Meetings

1. Regular meetings of the City Council will be held on the second or fourth Monday of each month beginning at 7:00 p.m., local prevailing time, in the Council chambers, City Hall, 15115 E. Jefferson Ave., Grosse Pointe Park, Michigan, unless special circumstances, e.g. holidays, closing of City Hall, etc., warrant otherwise.

2. All meetings shall be governed by and subject to all applicable provisions of the City Charter and relevant Michigan Statutes, including, but not limited to, the Open Meeting Act, MCL 15.261 et seq.; MSA 4.1800 (1) et seq. as amended.

3. Mayor and City Council have a reasonable knowledge of the rules and conduct the council has adopted. This will keep the meeting moving smoothly and efficiently, with a clear indication of each item's disposition.

4. The rules of parliamentary procedure as contained in Robert's Rules of Order, most recent edition, shall govern Council meetings in all cases to which they are applicable, provided they are not in conflict with these Rules, the Ordinances and Charter of the City of Grosse Pointe Park, and/or any applicable state or federal law.

5. The Mayor shall preserve order and decorum and may speak to points of order in preference to other councilmembers. The Mayor shall decide all questions arising under this parliamentary authority, subject to appeal and reversal by a majority of the councilmembers present.

6. Any member may appeal a ruling of the chair to the council. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and the chair may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be, "Shall the decision of the chair be sustained?" If the majority of the members present vote "aye," the ruling of the chair is sustained; otherwise it is overruled.

7. The Mayor, or in his/her absence or direction, the Mayor Pro Tem shall at the fixed time take the Chair for the convening of the City Council to order. Upon the appearance of a quorum, the Council shall be in session. In the event that both the Mayor and Mayor Pro Tem are absent from a meeting, the Council person having served the longest uninterrupted term of office as a Council member shall take the Chair for the purpose of calling the Council to order.

Requirements for Regular, Special and Closed Door Meetings

1. Within 10 days after the December meeting of City Council, a public notice stating the dates, times and places of the regular monthly council meetings for the following calendar year will be posted at the City Offices and the City's website.

2. By Charter Section 6.2. Special meetings. Special meetings shall be called by the Clerk on the written request of the Mayor, the City Manager or any two members of the Council on at least twenty-four hours written notice to each member of the Council served personally or left at his usual place of residence; but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing. State law reference-Open meetings Act, MCL 15.261 et seq., MSA 4.1800(,11) et seq

Closed Meetings Purpose

Meeting in closed session – a public body may meet in a closed session only for one or more of the permitted purposes specified in section 8 of the OMA. The limited purposes for which closed sessions are permitted include, among others:

(1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.

(2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.

(6) To consider material exempt from discussion or disclosure by state or federal statute.52 But note – a board is not permitted to go into closed session to discuss an attorney's oral opinion, as opposed to a written legal memorandum.

A closed session must be conducted during the course of an open meeting – section 2(c) of the OMA defines "closed session" as "a meeting or part of a meeting of a public body that is closed to the public." Section 9(1) of the OMA provides that the minutes of an open meeting must include "the purpose or purposes for which a closed session is held."

Calling Closed Meetings

At a regular or special meeting, the Council may call a closed session under the conditions outlined in Section 1, above. The vote and purpose(s) for calling the closed meeting shall be entered into the minutes of the public part of the meeting at which the vote is taken.

Agenda

The following shall be the form of the agenda for Council meetings:

I. Roll Call of Council
II. Pledge of Allegiance
III. Approval of Consent Agenda (if applicable)
IV. Approval of Regular Agenda
V. Public Comment (Agenda Items)
VI. Administration Reports (If applicable)
VII. Committee and Commission Reports
VIII. Unfinished Business
IX. New Business
X. Public Comment (Non Agenda Items)
XI. Closed Session
XII. Adjournment

Setting a Meeting Agenda

An agenda serves as the guide for conducting an official business meeting of the City Council or any other duly constituted body. The persons responsible for setting the agenda is the Mayor in consultation with the City Manager.

City Council Members can request to have an item added to a city council meeting agenda at least 7 business days in advance of a scheduled meeting by contacting the Mayor and City Manager with an email request. ~~After consulting with the Mayor the City Manager will respond to that Council Member.~~

The draft proposed meeting agenda will be sent to council 5 business days in advance for review and comments. The meeting agenda and all supporting documents will be made available to Council and published online two business days in advance of the meeting. Emergency items can be added to the agenda after two business days if necessary~~.~~

As part of every Council meeting, the City Council will set the Regular Agenda at the beginning of the meeting after the Consent Agenda has been approved and voted on. At that time, Council Members can request that a topic of discussion be added to the agenda and if it gets a second and approved by a majority of the council, that agenda item will be added to the next council meeting.

By placing the approved added agenda item to the next meeting, the City Manager and City Attorney can research the pros and cons and provide any required legal opinion, as well allowing the public to be in attendance for that agenda item for those who so choose to listen and or participate during public comment of agenda items.

Consent Agenda

1. A consent agenda may be used to allow the Council to act on numerous administrative or non-controversial items at one time. Included on the agenda can be non-controversial matters such as approval of minutes, payment of bills, approval of recognition resolutions, etc. The consent agenda will be provided to Council 5 business days before the scheduled meeting where the consent agenda will be used.
2. Upon request by any member of the council, an item shall be removed from the consent agenda and placed on the regular agenda for discussion. In order to move an item to the regular agenda, the request must be made via email to the Mayor, City Manager, and Clerk by 10am the Friday before the meeting.

Voting and Discussion

1. A vote upon all ordinances and resolutions, and all subsidiary motions applied thereto, shall be taken by a roll call vote.

2. In all roll call votes, the names of the members of Council shall be called.

3. In all cases where a vote is taken, the Chair shall declare the result.

Minutes

1. The highlights of the discussion after a motion has been made and seconded do not have to be recorded. However, many recorders find it appropriate for future reference as well as politically practical to record both the points in favor of and against a motion. The minutes should comply with the basic requirements of the Open Meetings Act and not be overly detailed. When the pros and cons are recorded, the discussion should be summarized and the minutes should reflect the amount of discussion on each side, both in content and length. The recorder should not attempt to record remarks exactly as stated. The record should reflect what was said without bias, prejudice, or opinion of the recorder.

1. Unapproved minutes of regular or special meetings shall be available for public inspection not more than eight business days after such meeting at City Hall and on the City website. Approved minutes shall be available for public inspection and posting on the City's website not later than five business days after the meeting at which the minutes were approved.

2. Minutes of closed meetings are a separate set of minutes and shall be taken by the Clerk or the designated secretary of the Council at the closed meeting. These minutes will be retained by the

clerk for one year, shall not be available to the public, and shall only be disclosed if required by a civil action, as authorized by the Open Meetings Act.

Citizen Participation

1. All public comments before the City Council shall be limited in length to three minutes per member of the public. The Clerk will maintain the official time and notify the speakers when time is up. Additional time may be granted by a majority vote of the Council Members present.

2. Persons addressing the City Council shall state their name and street.

3. The Council welcomes and encourages the public to speak during the public comment and public hearing portions of the agenda. However, Council policy is to hear the public comment, but not to act on the public comment at the same meeting. Matters of public concern brought before the Council during the Public Comment portion of the meeting will be referred to the City Manager for action, if any. If, after communicating with the City Manager, no resolution is reached, the concern will be elevated to the Mayor and then eventually to the Council for action.

4. Persons addressing the City Council shall refrain from making personal, disrespectful, slanderous or profane remarks. Debates among the public at meetings are not permitted. To preserve the order and decorum of Council meetings, the audience shall refrain from interrupting others, cheering, applauding or similar actions during the course of the meeting.

5. Members of the audience shall address all remarks to the Mayor and Council and shall not hold conversations or discussions with other members of the audience.

6. During a public hearing (Zoning Board of Appeals, Outside Presentation), all presentations shall be limited to ten minutes. The City Clerk shall maintain the official time. Additional time may or may not be granted. When there are numerous individuals desiring to express unanimous support or opposition, the Mayor may acknowledge a spokesperson be designated to address the public hearing before Council.

Disorderly Conduct

1. The Chair may call to order any person who is being disorderly by speaking out of order or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time or speaking vulgarities. Such person shall be seated until the Chair determines whether the person is in order.

   If the person shall continue to be disorderly and disrupt the meeting, the Chair may order the sergeant at arms to remove the person from the meeting. No person shall be removed from a

public meeting except for an actual breach of the peace committed at the meeting or otherwise in accordance with the law.

Committee Assignments

1. The Mayor may assign Council Members to any committee and designate a Chairperson as is deemed necessary, with the approval of the Council.

2. As provided in the City's Charter, Council Members responsibilities will be generally limited to policy and not the administration of a department or the activities of the administration.

3. Committees of the City Council shall be advisory only (unless given specific authority for particular purposes by the City Council) and no committee shall have budget or spending authority to incur costs, expenses, or purchases of any goods or services. Committees may however, make recommendations to the City Council or administrative officers of the City. Such recommendations may result in the incurring of costs, expenses, purchases of goods and services, and the budgeting and appropriation of funds by the City Council.

4. The City Manager and Department Heads may request the presence of a Council representative at any meeting they deem necessary. A Council representative should be requested to attend meetings where other elected governmental representatives are to be present.

5. Committee Chairs shall provide a report to the City Clerk for minute records.

City of Grosse Pointe Park Code of Conduct

Public Relations

1. Members of Council shall not debate with a member of the public at Council meetings since these debates seldom resolve concerns and many times inflame feelings at a public meeting.

2. Avoid debating with citizens at a public hearing. The purpose of the hearing is to receive their information and/or opinion. You will have your opportunity later to state your position and rebut any information or argument you may feel needs it. Give the appearance— and feel it, too—of encouraging individuals to express themselves. You can help by looking directly at the person talking and by using nonverbal cues such as nodding affirmation and physically leaning in the direction of the speaker. At the same time, avoid such negative nonverbal cues as scowling, reading, checking your phone messages, talking to another trustee, or using facial expressions that suggest ridicule or contempt.

3. The Mayor is the designated representative of the Council to present and speak on the City's official positions. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.

City Council Relations with City Staff/Officials

City Council policy is implemented through professional administrative staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully and efficiently.

1. Council Members shall not debate with staff during a Council meeting or general business meetings. Any concerns by a Council Member over the conduct, performance or work of a City employee during a Council meeting or publicly through casual conversation, email and social media should be directed to the City Manager privately to ensure the concern is resolved.

2. All questions or requests for information by individual Council Members shall be directed to the City Manager who shall determine whether or not the question or request relates to City business. All questions or requests determined by the City Manager to be related to City business shall be handled as a question or request made by the Council, as set forth above.

3. Council Members and Mayor shall not coerce or attempt to influence staff in the processing of applications, the granting of licenses or permits, the hiring of personnel, or any other decision made by staff. The City Council should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the City Council.

4. Council Members and the Mayor shall not retain the City Attorney or any member or associate of the City Attorney's law firm for legal representation in any personal matter during their tenure on City Council unless there is a special circumstance and a waiver has been approved by City Council.

5. Council Members do not attend meetings with City staff unless requested by the City Manager and or Department Head. Even if the Council Member does not say anything at a City staff meeting, a Council Member's presence may imply support or opposition, show partiality, intimidate staff, and/or hamper the staff's ability to do their job objectively.

6. Mail that is addressed to the Mayor and City Council shall be delivered to the City Manager. If a response is required, the City Manager will respond and may confer with Council if necessary.

7. Incoming mail shall not be opened when addressed to individual Council Members or Staff.

8. Council Members may respond to any person or business who has written to all of city council electronic communication. In response for a request of comment

    a. Such correspondence by the Council Member shall state the City Council's position, if there is one, on the given issue.

b. No Council Member will state a position contrary to that of City Council's unless the member states the position of City Council first and, then identifies his or her position as being personal and not that of adopted policy. For example, "While I voted against, X, the City Council voted in support of."

c. All such correspondence in 8, 8(a), and 8(b) shall be copied to the City Manager with the exception of social media.

9. **Authorization for contacting the City Attorney**. The following officials (by title) are authorized to contact the city attorney regarding city administration matters:

City Manager

Director of Public Safety

City Clerk

To the extent a council member or committee chair requires legal advice from the City Attorney, the Council member or chair shall make the~~such~~ request and copy~~through~~ the City Manager on their request to the City Attorney with the exception of the Ordinance Review Committee. Afterwards the City Attorney and or City Manager shall communicate to the council the matter at hand.

Council Conduct with One Another

1. Use formal titles. Council Members shall refer to one another formally during public meetings as Mayor, Mayor Pro-tem, or Council Member followed by the individual's last name.

2. During the council discussion and debate, no member shall speak until recognized for that purpose by the chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone and avoid interjecting a personal note into debate. No member shall speak more than once on the same question until ~~unless~~ every member desiring to speak to that question shall have had the opportunity to do so.

3. Practice civility and decorum in discussions and debate with council and the public. Difficult questions, and tough challenges to a particular point of view are to be expected as are criticism of ideas. That is democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, and/or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

4. Respect the role of the Chair in maintaining order. It is the responsibility of the Chair to keep Council Members on track during public meetings. Council Members should respect efforts by the Chair to

focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following the rules outlined in parliamentary procedure.

5. Avoid personal comments that could offend other Council Members. If a Council Member is personally offended by the remarks of another Council Member, the offended Council Member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Council Member to justify or apologize for the language used. The Chair will maintain control of such discussions.

City Council Relationship with City Commissions and Committees, and Council Member Representation to Other Agencies and Groups

1. Members of the City Council shall not influence commission or committee recommendations including DDA and TIFA boards, or influence or lobby individual commission or committee members on any item under their consideration, with the exception of a council member who is part of such board, committee or commission with voting rights. It is important for commissions and committees to be able to make objective and independent recommendations to the City Council. Members of Council who influence commission positions on an item may prejudice or hinder their role in reviewing the commission's recommendation as a member of the City Council.

2. Council Members shall have the right to attend meetings of other City commissions and committees, but are cautioned about becoming involved in the meeting's discussions.

3. If a City Council Member represents the City before another governmental agency or organization, the Council Member shall first indicate the opinion of the Council. Personal opinions and comments may be expressed only if the Council member clarifies that these statements do not represent the position of the City Council.

General Provisions

1. The text herein shall constitute the entire Rules of the City Council. These rules supersede and/or render void any and all prior written and/or oral Rules of Council relating in any manner whatsoever to the subject matter contained herein unless contained in the City Charter or Code of Ordinances.

2. In any provision, or any portion thereof, contained in these rules is held to be unconstitutional, invalid or unenforceable, the remaining rules or portions thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

3. These rules of the council will be placed on the agenda of the first meeting of the council following the seating of newly elected councilmembers for review and adoption. A copy of the rules adopted

shall be distributed to each councilmember. The council may alter or amend its rules at any time by a vote of a majority of its members after notice has been given of the proposed alteration or amendment.

4. The Mayor shall be responsible for enforcing the Rules of the City Council contained herein, as well as the Code of Conduct.

5. These rules may be suspended for a specified portion of a meeting by majority of the Council Members present.

~~**Compliance**~~

~~The City of Grosse Pointe Park Rules of City Council and Council Code of Conduct expresses standards of conduct expected for members of the Grosse Pointe Park City Council. Members themselves have the primary responsibility to assure that standards are understood and met, and that the public can continue to have full confidence in the integrity of government.~~

~~As a member of the Grosse Pointe Park City Council, I agree to uphold the Rules of City Council and Council Code of Conduct for elected and appointed officials adopted by the City Council and conduct myself in a professional manner:~~

_____

~~Date~~

_____

~~Council Member~~

Robert's Rules of Order Reference Sheets

Action	What to Say	Can interrupt speaker?	Need a Second?	Can be Debated?	Can be Amended?	Votes Needed
Introduce main motion	"I move to…"	No	Yes	Yes	Yes	Majority
Amend a motion	"I move to amend the motion by…." (add or strike words or both)	No	Yes	Yes	Yes	Majority
Move item to committee	"I move that we refer the matter to committee."	No	Yes	Yes	No	Majority
Postpone item	"I move to postpone the matter until…"	No	Yes	Yes	No	Majority
End debate	"I move the previous question."	No	Yes	Yes	No	Majority
Object to procedure	"Point of order."	Yes	No	No	No	Chair decision
Recess the meeting	"I move that we recess until…"	No	Yes	No	No	Majority
Adjourn the meeting	"I move to adjourn the meeting."	No	Yes	No	No	Majority
Request information	"Point of information."	Yes	No	No	No	No vote
Overrule the chair's ruling	"I move to overrule the chair's ruling."	Yes	Yes	Yes	No	Majority
Extend the allotted time	"I move to extend the time by ___ minutes."	No	Yes	No	Yes	2/3
Enforce the rules or point out incorrect procedure	"Point of order."	Yes	No	No	No	No vote
Table a Motion	"I move to table…"	No	Yes	No	No	Majority

Verify voice vote with count	"I call for a division."	No	No	No	No	No vote
Object to considering some undiplomatic matter	"I object to consideration of this matter…"	Yes	No	No	No	2/3
Take up a previously tabled item	"I move to take from the table…"	No	Yes	No	No	Majority
*Reconsider something already disposed of	"I move to reconsider our action to…"	Yes	Yes	Yes	Yes	Majority
Consider something out of its scheduled order	"I move to suspend the rules and consider…"	No	Yes	No	No	2/3
Close the meeting for executive session	"I move to go into executive session."	No	Yes	No	No	Majority
Personal preference-noise, room temperature, distractions	"Point of privilege"	Yes	No	No	No	No vote

References

- *Handbook for Municipal Officials*, Michigan Municipal League; July 2015; https://www.mml.org/pdf/resources/publications/ebooks/HMO%20-%20complete%20book.pdf
- *Handbook for General Law Village Officials*, Michigan Municipal League; November 2017; http://www.mml.org/pdf/resources/publications/ebooks/GLV%20Handbook%20-%202017.pdf
- *Meetings: Agenda and Minutes A handbook for municipal officials*, Michigan Municipal League; 2017; http://www.mml.org/pdf/resources/publications/ebooks/Meeting%20Agendas%20And%20Minutes.pdf
- *Michigan Open Meetings Act Handbook*, State of Michigan; 2018; https://www.michigan.gov/documents/ag/OMA_handbook_287134_7.pdf

- *Robert's Rules of Order Cheat Sheet for Nonprofits* by Nick Price, Boardeffect.com; April 13, 2018; https://www.boardeffect.com/blog/roberts-rules-of-order-cheat-sheet/
- City of Grosse Pointe Park City Charter
- National League of Cities
- ICMA
- Grand Ledge, Portland, Davison, Traverse City, Port Huron, and Grosse Pointe City

COMMITTEE REPORTS

Ordinance Review:
Councilmember Grano provided an update on the Ordinance Review Committee meeting held on June 30th. The only business was the Ethics Ordinance that was previously adopted earlier in this meeting. Councilmember Grano also stated that he has asked City Attorney Howlett and City Manager Sizeland to continue researching any ordinance that would be needed in response to the COVID-19 pandemic and will update Council.

Communications Committee:
Councilmember Read provided an update on the Communications Committee meeting held on June 25th. City administration will be exploring options for livestreaming of meetings which include the possibility of using the current courtroom cameras or web-based platforms such as YouTube. With the elimination of PEG fees and the opportunity for cable-supported community programming, administration will be consulting with communities that do not have cable to determine other options that may be available. The committee's priority list includes a capability to stream via the city website as opposed to social media platforms, cost efficiency, and archival abilities.

The committee is recommending stronger communication and process for board and commission appointments in order to attract a broad and qualified pool of candidates. This includes communicating terms and vacancies through the website, email, social media and the Park Communicator. The committee recommended establishing a timeline/deadline for applications, along with an expiration for existing applications; two years. The committee also recommended a revised application and by reference cited the City of Northville's online board and commission service application. Finally, the committee would like an acknowledgment process to indicate receipt of applications.

The committee reviewed the website issues and concerns. In general, Leah Smith is working with our vendor, Revize, to streamline the website, make it more user friendly and fix broken links. Administration has added a drop-down phone list to the website banner for frequently called numbers, including the 24-hour nonemergency number and the parks and recreation direct number. The committee discussed expansion of Nixle for use beyond public safety, including DPW. Administration advised that this was previously a free service, but as of July 1 there will be $5000 annual subscription cost.

Councilmember Robson inquired about the $5,000 fee related to Nixle and if that money was available in the budget and if the City planned on pursuing it.

City Manager Sizeland stated that yes, the City was going to pursue it and that the fee was imposed due to the increased usage during COVID-19. The expense is budgeted for and Chief Poloni is currently working with Nixle to bring it back to the City.

SEMCOG General Assembly:
Councilmember Read provided an update on the Southeast Michigan Council of Government General Assembly meeting, which she attended on June 18th. She stated that the principle purpose of SEMCOG is to help local governments improve and maintain Southeast Michigan's transportation systems, environmental quality, economic interests, and infrastructure. There are currently 175 community members comprised primarily of cities, townships in Southeast Michigan. SEMCOG compiles regional demographic data and offers a multitude of other resources, educational, and training opportunities to its municipal members. For the City purposes, the general assembly focused on the CARES Act. The Michigan Legislature and the Governor reached an agreement on Wednesday, June 17 on SB 690, which will distribute $880 million of the more than $3 billion received by the state under the federal CARES Act program. The city manager's report includes application for reimbursement for allowable expenses, most notably nearly $800,000 in public safety payroll expenses.

The legislative update included:

- Michigan Reopening discussion, which has been ever-evolving since the June 18th meeting
- Voting Absentee: Secretary of State Jocelyn Benson will mail all of Michigan's 7.7 million voters an absentee voter application for both the August and November elections.
- Multi-billion Budget Deficit. The Consensus Revenue Estimating Conference (CREC) reported an estimated loss of $6.28 billion between the current fiscal year and the 2021 fiscal year. There is an estimated General Fund and School Aid Fund loss of nearly 10% in 2020 and a projected revenue growth of 4.0% in 2021 and 5.3% in 2022.

Finally, from August 8th to 16th, the state will celebrate Great Lakes and Fresh Water Week. SEMCOG will commemorate this week by promoting stewardship of our water resources through the One Water public education campaign.

School District Ad Hoc Committee:
Councilmember Read provided an update on the Board of Education ad hoc committee. The committee continues to follow school board activity as it relates to Grosse Pointe Park and Trombly in particular. The plans for return to school remain in flux due to the Covid-19 pandemic.

On June 29th, the Board of Education passed a resolution as it relates to Trombly:

1. *The District will run the ECC at Trombly until June 30, 2021.*
2. *If there is no donor agreement in place to fund the expansion of the ECC at Trombly by September 1, 2020, the District will provide notice to the community that the ECC at Trombly will end on June 30, 2021.*
3. *The Administration will deliver a plan no later than October 30, 2020 that repurposes Trombly with funding to maintain the building without using money from the general fund or 2019 bond or otherwise eliminates the maintenance costs by sale or lease.*
4. *If the minimum number of students is below 30 by a cutoff date of July 1, 2020, those classes will be moved to another location.*

With the above in mind, the committee recommends that administration review and assess allowable uses for the Trombly property. Once a return to school plan is announced, the committee recommends that administration be prepared to manage the impacts of the consolidation of Defer and Trombly, particularly budgetary impacts and pedestrian and vehicular traffic safety. We will continue to monitor the situation and update council and city administration as it develops.

Beautification Commission:
Councilmember Relan provided an update on the Beautification Commission meeting that took place on June 9th. The committee is fully focused on the Beautification Award selections, which will be wrapped up this week. The committee will then try to determine how to deliver the awards safely. The committee is also still working on the Centennial Award or Century Club Award for houses over 100 years old that are still maintaining amazing qualities and upkeep.

FINANCE REPORT

Councilmember for Finance Hodges presented to Mayor Denner and Council for consideration the invoices exceeding $5,000 for the month of June, 2020 as presented. The two following invoices were not previously anticipated and are not routine costs: Process Piping and OHM Advisors. However, there are funds available within the enterprise budget to cover these expenses. All other invoices are routine and budgeted for.

Vendor	Description	Payment
Bodman PLC	Pros. Atty. & retainer fee	$10,000
Build Safe	Building Inspector – March	9,600
GP Clinton Refuse	Refuse Disposal – Feb, April, May	41,083
Ford Motor Company	2019 Police Interceptor	8,364
Great Lakes Water	Waste Water – April & May	112,734
Green for Life	Recycling for May	18,756
Green for Life	Rubbish for May	36,848
Apollo Fire Equipment	Hurst Tools	21,000
Kennedy Industries	Pumps/Controls – Lift Station	35,289
Process Piping	Emergency Repairs – Storm Pump #5	17,928
Resa Power	Switchgear testing – pump stations	6,200
OHM – Advisors	Windmill Pointe Marina Survey	7,156

Motion by Councilmember Hodges, supported by Councilmember Read, to approve the invoices exceeding $5,000 for the month of June, 2020, in accordance with Section 2.249 of the Charter. Councilmember Robson inquired about the 2019 Police Interceptor payment and if it was a lease payment. Finance Director Blahut confirmed it was and that there would be one more payment made and then it would be paid off.

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

NAYS: None

NEW/OLD BUSINESS

Councilmember Grano stated concern regarding the concrete kayak ramp located at Patterson Park. The ramp is currently covered in algae, making it very slippery and unsafe. Councilmember Grano is concerned that it could be a liability issue for the City in the future.

Councilmember Read stated that she has been contacted by numerous residents who have voiced concern regarding the marina and that she is specifically concerned with how unsafe the electrical is on pier 4. She requested that City Administration give the marina extra attention and make it a priority.

Councilmember Fluitt inquired when the next Planning Commission meeting will be held.

Mayor Denner stated that it is tentatively scheduled for August 4th.

Councilmember Fluitt stated that August 4th is the same day as the primary election.

City Manage Sizeland stated that Administration would reevaluate.

Councilmember Fluitt stated that the Beaupre construction site appears to be unsafe without barricades and fencing up and requested for the City Manager to ensure that everything is as it should be at the site.

Councilmember Relan inquired on if the City has a process for Landlord upkeep ordinance compliance and if there are any assurances that the City is keeping track of the strikes against Landlords who are not maintaining homes they own.

City Manager Sizeland stated that there is history of the property within the building system which includes all ordinance violations.

Councilmember Relan inquired on the status of the Janet's Lunch space on Kercheval.

City Manager Sizeland stated that the Developers are planning on starting construction on the space in the Fall.

Councilmember Relan inquired if the demolition of the Beaupre building was approved by Planning Commission.

City Manager Sizeland stated that the Owners do have an approved building permit for construction and it did not have to go through Planning Commission.

Councilmember Relan inquired on if we have an email address to email all City Council at once instead of residents having to type all Councilmember email addresses in one at a time.

City Manager Sizeland stated that he would look into with the City's IT provider.

PUBLIC COMMENT NEW/OLD BUSINESS

City Manager Sizeland read one written comment.

Three residents made verbal comments.

Motion by Councilmember Grano, support by Councilmember Read, to adjourn the meeting at 12:25 am.

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

NAYS: None