

CITY OF GROSSE POINTE PARK  
CITY COUNCIL MEETING MINUTES  
MAY 8, 2023

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor Hodges and opened with the Pledge of Allegiance to the Flag. The meeting convened at the Council Chambers of the Municipal Building, 15115 E. Jefferson, Grosse Pointe Park, Wayne County, Michigan 48230.

ROLL CALL

PRESENT MEMBERS: Councilmembers Brenner, Gallagher, Caulfield, Wiener, Relan and McMillan, and Mayor Hodges.

ALSO PRESENT: Nick Sizeland, City Manager; Meaghan Bachman, City Clerk; Morgan McAtamney, City Attorney; James Bostock, Deputy Director of Public Safety; Warren Rothe, Assistant City Manager, Ginger Moriarty, Finance Director.

APPROVAL OF CONSENT AGENDA

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to approve the consent agenda consisting of the April 24, 2023 minutes, April 26, 2023 budget workshop meeting minutes, committee and commissions report, finance report, and addendum to the Fire Automatic Mutual Aid Agreement.

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

NAYS: None

Motion Carried Unanimously

PUBLIC COMMENT (AGENDA ITEMS)

No public comment on agenda items

PRESENTATION:  
PROCLAMATIONS FOR ARBOR DAY POSTER WINNERS

Pat Deck of the Beautification Commission spoke of the Arbor Day Poster Contest. She noted the City Council and Beautification Commission established April 24, 2023 as Arbor Week. The Beautification Commission, in recognition of Arbor Week, established an Arbor Week Poster Contest for fourth grade students. The purpose of the awards is to promote community awareness and The judging was for one (1) winner and two (2) runners-up. Kim Clextan thanked Pat for all her hard work organizing the Arbor Poster contest.

|                              |                           |
|------------------------------|---------------------------|
| 1 <sup>st</sup> Place Winner | Jean Marc Paines-Franklin |
| Runner-up                    | Grace Williams            |
| Runner-up                    | Sarah Maxwell             |

MANAGERS' REPORT/PUBLIC SAFETY

City Manager Nick Sizeland presented a brief overview of the following items: He noted the upcoming DDA meeting with Jima Studios to review concept drawings and campus area around City Hall; The City of Grosse Pointe Park will have a Primary Election on August 8, 2023; The city solicited for Auditor RFPs and received three back; He noted the project plan for the Drinking Water Revolving Fund was resubmitted the EGLE; The Schaap Center had one wall removed; and finally spoke of the DPW Open House and encouraged all to attend.

Deputy Director of Public Safety Jim Bostock presented a brief overview of the following items: Deputy Chief Bostock spoke of the grant application that was submitted for the COPS Grant; A grant for Assistance to Firefighters should be available soon; May is Law Enforcement Appreciation Month; He gave an update on the home invasion that took place and noted the arraignment was held.

UNFINISHED BUSINESS:  
PUBLIC HEARING: RESOLUTION TO VACATE ALLEYWAY

The Public Hearing opened at 7:29 PM.

No public comments were made.

The Public Hearing closed at 7:29 PM.

## UNFINISHED BUSINESS: RESOLUTION TO VACATE ALLEYWAY

Motion by Councilmember McMillan, seconded by Councilmember Wiener, to approve the resolution to vacate the alley as follows:

**WHEREAS**, MCL 117.4h provides that a Home Rule City may, in its Charter, provide for the “use, regulation, improvement and control of the surface of its streets, alleys and public ways, and of the space above and beneath them;” and

**WHEREAS**, the City of Grosse Pointe Park is a Home Rule City, the Charter of which provides that “Council action to vacate, discontinue or abolish any highway, street, lane, alley or other public place or part thereof shall be by resolution,” City Charter, at § 7.6(a); and

**WHEREAS**, the Charter further requires that the Council shall “appoint a time when it shall meet and hear objections” to a proposed vacation, and “notice of the time, place and purpose of such meeting shall be published either separately or as part of any published proceedings of the Council,” City Charter, at § 7.6(a); and

**WHEREAS**, the City’s Tax Increment Financing Authority (“TIFA”) has purchased two (2) adjacent parcels of property located at 1166 Maryland and 1167 Lakepointe; and

**WHEREAS**, the Council finds that the Property includes an unused portion of a North-South Alleyway legally described on the attached Exhibit A (“Unused North-South Alleyway”), and that vacating Unused North-South Alleyway is necessary for the TIFA to utilize the property as a public parking lot; and

**WHEREAS**, the TIFA has agreed to continue to allow ingress and egress into the parking lot from the South to ensure that traffic is not impeded; and

**WHEREAS**, notice of this Council meeting was given in the manner prescribed by the Open Meetings Act, Act No. 267, Public Acts of Michigan 1976, as amended;

### **NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City shall hear any objections to the proposed vacation of Unused North-South Alleyway at its next regularly scheduled council meeting, on May 8, 2023 at 7:00 PM;
2. After the public hearing is held, a vote will be held on this Resolution at the Council meeting to be held on May 8, 2023 at 7:00 PM; and
3. That the City Council, pursuant to the authority granted to it by MCL 117.4h and Section 7.6 of the City Charter, hereby vacates Unused North-South Alleyway as legally described on the attached Exhibit A.
4. Pursuant to MCL 560.257, the City Council hereby reserves to itself and its successors a perpetual, nonexclusive easement within the whole of the Unused North-South Alleyway for the retention, construction, repair, and maintenance of any public utilities (present and/or future) by the City and other public utility entities including but not limited to public

water, telecommunications, gas, electric, storm sewer, and sanitary sewer.

5. The City Clerk is hereby authorized and directed to record a certified copy of this Resolution with the Wayne County Register of Deeds pursuant to MCL 560.256.
6. The City Clerk is hereby authorized and directed to send a certified copy of this Resolution with the Director of the Michigan Department of Licensing and Regulatory Affairs (LARA) (successor to the Department of Energy, Labor, and Economic Growth) pursuant to MCL 560.256.

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

NAYS: None

Motion Carried Unanimously

#### NEW BUSINESS:

##### APPROVE RIGHT OF WAY ACCESS AND MAINTENANCE AGREEMENT

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to approve the Access and Maintenance Agreement with the TIFA as presented and authorize the City Manager and City Clerk to sign the agreement.

The TIFA and Grosse Pointe Park Business District Improvement Foundation have executed a Development Agreement to construct a parking lot in the 1100 block of Maryland and Lakepoint. One component of the design requires approval from the City Council. Specifically, a five-foot encroachment in the alley right-of-way. The alleyway will be resurfaced with brick pavers and the width will be reduced by five feet. This will create a more pedestrian-friendly space, while still allowing for vehicular traffic. The Encroachment Area as it is called in the Agreement will specifically contain a variety of trees, plants, and other greenery along with required curbing and hard scape features.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
ORDINANCE #239: BUILDINGS AND BUILDING REGULATIONS

Motion by Councilmember Caulfield, seconded by Councilmember Wiener, to approve Ordinance #239 - Building and Building Regulations.

The Ordinance Committee has reviewed proposed Ordinance #239 which serves as a complete revision of Chapter 7 of the City Code which governs Buildings and Building Regulations. The following serves as a summary of the ordinance. View the full ordinance by following this [link](#).

Article 1: In General - This Article serves as our incorporation and enforcement of the Stille-Derossett-Hale Single State Construction Code Act. (the "Act")

Article 2: Building Code Board of Appeals - This Article creates a new board. Currently, the role of Building Code Board of Appeals is filled by the City Council. However, the Act requires that boardmembers must be qualified by experience or training to perform the duties of a board member. After the adoption of this ordinance, a new Board will have to be appointed.

Article 3: Property Maintenance Code:

- Sections 7-8 through 7-12 are new and serve to codify our longstanding practices of enforcing the International Property Maintenance Code (IPMC). It has been extensively reviewed by our various trade inspectors.
- Section 7-13 has been modified for clarity as well as a removal of a loophole in which house flippers were able to buy, renovate, and sell a house in less than a year and were not required to obtain a C of O after the renovations are completed.
- Sections 7-14 through 7-16 are unchanged.
- Sections 7-17 and 7-18 are the existing downspout disconnection ordinance. The Construction Board of Appeals will now serve as the downspout appeals board. (which has never been required to meet).
- Section 7-19 is language on enforcement regarding the IPMC and downspout disconnection sections.
- Section 7-20 is the recently adopted Demolition of Large Structures ordinance. It is unchanged.

Article 4: Vacant Buildings - This section carried over language with a few minor housekeeping edits for clarity.

Article 5: Violations and Penalties - This article is new language prepared by the City Prosecutor to allow for efficient and uniform prosecution. The current penalty for violations of Chapter 7 is a misdemeanor. This ordinance changes that to a municipal civil infraction.

On April 4th the Ordinance Committee met to review the ordinance and unanimously voted to recommend it be adopted by the City Council.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
RESOLUTION TO APPLY FOR PROTECTING MI PENSION GRANT PROGRAM

Motion by Councilmember McMillan, seconded by Councilmember Gallaher, to approve the resolution to apply for Protecting MI Pension Grant Program.

In 2022, the State of Michigan created the "Protecting MI Pension Program" to assist underfunded municipal pension systems. Grosse Pointe Park maintains its defined benefit pension system with the Municipal Employees Retirement System of Michigan (MERS) and has annually fully funded its Annual Required Contribution (ARC) payment. Under Public Act 202 of 2017, any defined benefit plan with a funding level less than 60% is considered "underfunded." The one-time grant program was designed to provide payments in the amount it would have taken a plan to reach 60% funding using the funding level reported as of December 31, 2021.

As of December 31, 2021, the City's pension plan had assets of \$28.72 million and liabilities of \$52.8 million, with a funding level of 54.5%. The grant payment the City expects to receive is approximately \$2.9 million. Applications will be reviewed by the MI Department of Treasury and notification of awards are expected on July 17th. Payments are due to awardees by August 30, 2023. Funds will be paid directly to MERS. In the coming months, the City will speak with MERS to determine the most beneficial way to apply the grant funds against the plan's liability. The proposed resolution authorizes the City Manager to submit the grant and sign any related documents. The following resolution was adopted:

**WHEREAS**, the City of Grosse Pointe Park maintains a defined benefit pension program with the Michigan Employees Retirement System (MERS); and,

**WHEREAS**, the City of Grosse Pointe Park has made all its Annual Required Contribution (ARC) payments while part of MERS; and,

**WHEREAS**, the State of Michigan has acknowledged the fiscal impact of legacy costs such as defined benefit pension systems by creating the Protecting Michigan Pension Grant Program for systems funded at 60% or less as of December 30, 2021; and,

**WHEREAS**, the State of Michigan's Pension Grant program has the goal of raising all municipal defined benefit pension systems to 60% based on their valuations as of December 31, 2021; and,

**WHEREAS**, the City of Grosse Pointe Park's Pension Actuarial report shows that the defined benefit system was 54.5% funded as of December 31, 2021; and,

**WHEREAS**, the City of Grosse Pointe Park qualifies for the Protecting Michigan Pension Grant Program and the funding will help bolster the funding level of the City's MERS program.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Grosse Pointe Park hereby authorizes the City Manager, the Chief Administrative Officer as designated by the City Charter, to apply to the Protecting Michigan Pension Grant Program.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:

APPROVE WATER MAIN PROJECT AGREEMENT WITH ST. CLARE OF MONTEFALCO

Motion by Councilmember McMillan, seconded by Councilmember Wiener, to approve the Water main project agreement with St. Clare of Montefalco.

At its May 9 2022, meeting, the City Council approved a Memorandum of Agreement (Agreement) with the St. Clare of Montefalco Parish and the Archdiocese of Detroit regarding a public and private infrastructure project occurring on St. Clare property. The Agreement called for the City to cover the costs of replacing the existing public water main on the property. St. Clare is responsible for designing and permitting the water main, subject to review and approval from the City Engineer. The water main is part of additional infrastructure improvements associated with the replacement of the parking lot and storm sewer improvements across the property. These additional items will be completed by St. Clare at its sole cost and expense.

Since the Agreement was approved last year, St. Clare has completed the design, permitting, and bidding, and the City has given all required approvals. During the last year, St. Clare obtained sole ownership of the property from the Archdiocese of Detroit. St. Clare wishes to enter into a new agreement that:

1. Removes the Archdiocese as a party.
2. Makes additional changes reflecting the current status of the project, such as acknowledging the design, permitting, and bidding work that has been accomplished.
3. Restructured the payment process in which the City will now pay the contractor directly for the water main work being performed, rather than reimbursing St. Clare for the expenses.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:

APPROVE SEWER CLEANING AND ROOT TREATMENT PROPOSAL

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to approve the sewer cleaning and root treatment proposal with Pipetek Infrastructure Service for an amount not to exceed \$250,000. The service will be paid for through the Water and Sewer fund.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
APPROVE PROPOSAL FOR LAVINS CENTER SUNDECK REPAIRS

Motion by Councilmember McMillan, seconded by Councilmember Relan, to approve the Lavins Center sundeck repairs in the amount of \$245,279.00 by Ram Construction Services of Livonia, Michigan.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
APPROVE CITY HALL CONCRETE WALKWAY REPAIRS

Motion by Councilmember McMillan, seconded by Councilmember Relan, to approve the City Hall concrete walkway repairs in the amount of \$9,230 with the work being completed by Asphalt Control Corporation.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
PUBLIC HEARING: 2023-2024 ANNUAL BUDGET

The Public Hearing opened at 8:04 PM and Mayor Hodges allowed for public comment.

No public comment was made.

The Public Hearing closed at 8:04 PM.

NEW BUSINESS:  
2023 TAX RATE REQUEST

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to approve the City of Grosse Pointe Park's 2023 Tax Rate Request and authorize the City Clerk and City Manager to sign the L-4029 and submit the tax rate form to Wayne County prior to September 30, 2023. The purpose of the form is to establish the tax rate that will be levied on the summer and winter tax rolls for fiscal year 2024; tax year 2023.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
ADOPTION OF FISCAL YEAR 2023-2024 ALL FUND'S BUDGET

Motion by Councilmember Caulfield, seconded by Councilmember Wiener, to approve the Fiscal Year 2023-2024 budget for all funds for the City of Grosse Pointe Park.

- Approve the 2023-2024 General Fund Budget,
- Approve the 2023-2024 Special Revenue Budgets,
- Approve the 2023-2024 Debt and Capital Projects Budgets,
- Approve the 2023-2024 Proprietary Budgets.

AYES: Councilmembers Brenner, Caulfield, Wiener, Relan and McMillan, and Mayor Hodges

NAYS: Gallagher - Councilmember Gallagher stated she voted against the motion because of the staffing situation in Public Safety.

Motion Carried 6-1

NEW BUSINESS:  
ADOPTION OF WATER & SEWER RATES FOR FISCAL YEAR 2024

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to approve the adoption of Water & Sewer Rates for Fiscal Year 2024 as presented.

GLWA charges for fiscal year 2024 are anticipated to increase by \$52,800 for sewer charges and \$71,300 for water charges for a total increase of \$124,100. As proposed by Baker Tilly at the April 24 City Council meeting, and further discussed at the budget workshop on April 26, a 3% increase in the Great Lakes Water Authority Charge, Sewer Charge, Water Flow Rate Charge, and the Capital Projects Charge is being requested for fiscal year 2024. Baker Tilly estimated that the 3% increase to all water/sewer rates would generate \$163,226 in additional revenue. This number is partially contingent on meeting expected flows. This increase would cover the expected increase in GLWA rates with about \$39,126 to go towards the remainder of the fiscal year 2024 budget.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
ADOPT FY2023-2024 ANNUAL CURBSIDE RECYCLING RATES PER HOUSEHOLD

Motion by Councilmember Wiener, seconded by Councilmember McMillan, to approve the adoption of Fiscal Year 2023-2024 Annual Curbside Recycling Rates Per Household as presented and as follows:

Recognize GFL contract increase and to approve the annual Curbside Recycling rate per household for FY2023-2024 of \$3.06:

- Recycling services are invoiced to our residents on a bi-monthly basis and sent to households as part of the utility water/sewer bill,
- The Green For Life (GFL) annual contract for fiscal year 2023-2024 with the City of Grosse Pointe Park has a built in rate increase of 5%, for curbside recycling services,
- The bi-monthly rate for these services will increase from \$11.20 per billing cycle (or \$5.60 per month) to \$11.71 per billing cycle (or \$5.94 per month),
- The annual invoice per homeowner in FY2022-2023 was \$67.20 per year and will adjust to \$70.26 per year for FY2023-2024,
- The total annual household increase will be \$3.06,
- The rate change results in an additional \$0.51 per billing cycle or \$0.255 per month per homeowner.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
APPROVE & AUTHORIZE THE SPECIAL ASSESSMENT ROLL

Motion by Councilmember McMillan, seconded by Councilmember Caulfield, to approve and authorize the Treasurer/Finance Director to place property tax liens for unpaid bills on the summer tax roll as a special assessment plus the special assessment service charge, in accordance with Section 20.12 of the City Charter.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:  
COUNCIL COMMENT

Councilmember McMillan commented on the following: he reminded residents to shop local; congratulated Deputy Chief Bostock on throwing the first pitch at the Little League game; Councilmember McMillan spoke of National Police Week; Councilmember McMillan noted he felt good about the budget that was presented.

Councilmember Brenner commented on the following: He noted the DPW is having an open house on May 22, 2023, from 4:00 - 6:00 PM; He reminded residents that on May 24, 2023, at 5:00 PM a Trombly School listening session will be held and this will be an opportunity to voice your thoughts.

Mayor Hodges commented on the following: she congratulated the 2023 graduates; The Mayor spoke of the respect for law breakfast, along with the prayer breakfast.

Councilmember Gallagher commented on the following: She presented an update on the Trombly School survey that she mailed out to residents and noted a 50% response had been received. Councilmember Gallagher spoke of the survey results that were received.

Councilmember Relan commented on the following: He asked if public comments could be moved before the closed session as noted in the above resolution; he thanked Councilmember McMillan and the Little League team for arranging the Parade; Councilmember Relan spoke of the Run/Walk/Roll to benefit C.S. Mott Children's Hospital and noted it takes place on June 17, 2023 and also Pride March in the Village on the same day; He spoke of Moms Demand Action Against Gun Violence and what we can do including wearing orange on June 2-4, 2023. Councilmember Relan congratulated the Phoemale Adult Prom and noted \$25,000 was raised along with additional information on the event.

During the Council Comments, Councilmember Relan asked if Public Comment could be moved to occur before the Closed Door Session. The Mayor called the question and proposed the following motion:

Motion by Councilmember Relan, seconded by Councilmember Gallagher, RESOLVED, to approve the request to amend the agenda and move Public Comment before the Closed Door Session.

BE IT FURTHER RESOLVED, to amend the original motion to add an additional public comment before the Closed Door Session rather than moving the public comment; the motion maker and supporter agreed to the amendment and a roll call vote was taken.

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

NAYS: None

Motion Carried Unanimously

## PUBLIC COMMENT

Six members of the public spoke.

### NEW BUSINESS:

#### CLOSED DOOR SESSION-- TO CONSIDER MATERIAL EXEMPT FROM DISCUSSION OR DISCLOSURE BY STATE OR FEDERAL STATUE PURSUANT TO MCL 15.268(H)

Motion by Councilmember Wiener, seconded by Councilmember McMillan, to convene into Closed Door Session to consider material exempt from discussion or disclosure by state or federal statue pursuant to MCL 15.268(h).

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

NAYS: None

### RECONVENE INTO OPEN SESSION

Motion by Councilmember Caulfield, seconded by Councilmember Relan, to reconvene back to the Regular City Council Meeting at 10:15 PM.

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

NAYS: None

Motion Carried Unanimously

### VOTE ON CLOSED SESSION ITEM

Please note, a separate set of Closed-Door Session Minutes has been recorded with the contents of the minutes kept confidential.

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to authorize the City Manager to continue negotiations on the sale of property.

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

NAYS: None

Motion Carried Unanimously

PUBLIC COMMENT (NON-AGENDA ITEMS)

No members of the public spoke.

ADJOURNMENT

Motion by Councilmember McMillan, seconded by Councilmember Relan, to adjourn the City Council Meeting.

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

NAYS: None

With no further business, the meeting adjourned at 10:16 pm.

Presiding Member: \_\_\_\_\_  
Michele Hodges, Mayor

Respectfully submitted by: \_\_\_\_\_  
Meaghan Bachman, City Clerk