

City Council MEETING - August 14, 2023
7:00 PM

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; Dan Kelly, City Attorney; James Bostock, Director of Public Safety; Ginger Moriarty, Finance Director/Treasurer; and Warren Rothe, Assistant City Manager.

PLEDGE OF ALLEGIANCE

ZONING BOARD OF APPEALS

Motion by Wiener, seconded by Gallagher to temporarily adjourn the City Council meeting and reconvene as the Board of Zoning Appeals.

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

NAYS: None

Motion Carried Unanimously

ZONING BOARD OF APPEALS:
EXCEPTION REQUEST: 895 BISHOP, FRONT YARD FENCE

The ZBA public hearing was opened at 7:03 P.M., a report was made by the City Planner and no additional public comments were made.

The hearing was closed at 7:05 PM.

Motion by Councilmember Wiener, seconded by Councilmember McMillan, to deny the exception request for an iron decorative gate and accompanying fence at 895 Bishop Lane.

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

NAYS: Councilmember Gallagher

Motion Carried

ZONING BOARD OF APPEALS:

EXCEPTION REQUEST: 677 MIDDLESEX, FRONT YARD FENCE

The ZBA hearing was declared open at 7:15 PM and comments were heard from the applicant, the City Planner, and four members of the public who spoke against approval of the exception request.

The hearing was closed at 7:31 PM.

Motion by Councilmember Wiener, seconded by Councilmember Brenner, to deny the exception request for front yard fencing and gates at 677 Middlesex.

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

NAYS: None

Motion Carried Unanimously

APPROVAL OF CONSENT AGENDA

Motion by Councilmember McMillan, seconded by Councilmember Wiener, to approve the consent agenda that includes the following items:

- Approval of July 10, 2023 Minutes
- Approval of July 31, 2023 Special Meeting Minutes
- Committee & Commissions Report
- Remodel and Upgrade the Public Safety Evidence Storage Area
- Purchase of Utility Truck
- Traffic Control Order #234
- Traffic Control Order #235
- Opt-In Walgreens Pharmacy National Opioid Settlement

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

NAYS: None

Motion Carried Unanimously

APPROVAL OF CONSENT AGENDA:
APPROVAL OF JULY 10, 2023 MINUTES

APPROVAL OF CONSENT AGENDA:
APPROVAL OF JULY 31, 2023 SPECIAL MEETING MINUTES

APPROVAL OF CONSENT AGENDA:
COMMITTEE & COMMISSIONS REPORT

APPROVAL OF CONSENT AGENDA:

REMODEL AND UPGRADE THE PUBLIC SAFETY EVIDENCE STORAGE AREA

APPROVAL OF CONSENT AGENDA:
APPROVE PURCHASE OF UTILITY TRUCK

APPROVAL OF CONSENT AGENDA:
TRAFFIC CONTROL ORDER #234

APPROVAL OF CONSENT AGENDA:
TRAFFIC CONTROL ORDER #235

APPROVAL OF CONSENT AGENDA:
OPT-IN WALGREENS PHARMACY NATIONAL OPIOID SETTLEMENT

PUBLIC COMMENT (AGENDA ITEMS)

At this point, the Council realized that a motion to reconvene as the City Council had not been made.

Motion by Councilmember Wiener, seconded by Councilmember Gallagher, to reconvene as City Council.

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

NAYS: None

Motion Carried Unanimously

The Mayor opened the Public Comment (Agenda Items) portion of the agenda. No public comments were given.

MANAGERS' REPORT/PUBLIC SAFETY

City Manager Nick Sizeland presented a brief overview of the following items: Invoice Cloud, pension grant, City Hall parking lot, Kercheval road status update, water pressure spike, signed FEMA grant agreement, marina survey, fee schedule, marijuana proposal, zoning ordinance update, union negotiations, Emergency Relieve Valve (EERV), Update, Senator Peters staff meeting, accountant position, Pipetek root treatment, pre-audit meeting, August Primary election, TIFA parking lot update, and an update on the Schaap Center.

Chief Bostock presented a brief overview of the following items: National Law Enforcement Officer's memorial in Washington DC, public safety women's locker room update, evidence room update, fire apparatus bay doors update, Medstar transition, Cost Recovery ordinance reimbursements, and crime arrest updates.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

NEW BUSINESS: DTE PRESENTATION

Representatives from DTE Energy presented on the electric utility infrastructure in Grosse Pointe Park and answered questions from the Council. A town hall will be hosted in September for an additional conversation with the community.

NEW BUSINESS: ORDINANCE #240: RETAIL FRAUD AND DISORDERLY PERSONS

Motion by Councilmember McMillan, seconded by Councilmember Gallagher, to adopt Ordinance #240.

Discussion occurred on the ordinance and a concern was raised over the wording of Section (a)(12) of the Proposed Section 16-31 *Disorderly Person*.

City Attorney Kelly suggested amending subsection 12 to state: "Any person who shall be drunk or intoxicated to the extent of causing a disruption to the peace and/or being disorderly in any public place, or any person who shall imbibe any intoxicating liquor, including beer and wine, in any public place not licensed to sell such liquor for consumption on the premises.

Motion by Councilmember Wiener, seconded by Councilmember McMillan to amend the previous motion to include the amended ordinance language proposed by the City Attorney.

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

NAYS: None

Attorney Kelly advised that two votes should be taken, one for each section of the proposed ordinance.

Council first voted on the original motion to adopt Ordinance #240 relative to retail fraud as presented in the packet.

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

NAYS: None

Motion Carried Unanimously

Council then voted on adopting Ordinance #240 relative to disorderly persons as presented in the packet with the addition of the language ""to the extent of causing a disruption to the peace and/or being disorderly" to the first sentence of subsection 12 of Section 16-31 between the word "intoxicated" and the phrase "in a public place".

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
FISCAL YEAR 2023 PROJECT CARRYFORWARDS & 401 CAPITAL PROJECTS FUND
CANCELLATION

Motion by Councilmember Wiener, seconded by Councilmember Relan, to adopt the resolution amending the Fiscal Year 2024 adopted budget for Fiscal Year 2023 carry-forwards and to reappropriate funding from the Fiscal Year 2024 Capital Projects Fund.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
CREDIT CARD & ELECTRONIC DEVICES RESOLUTION

Motion by Councilmember Wiener, seconded by Councilmember Gallagher, to approve the resolution to accept all electronic payment methods as allowed under Public act 280 of 1995, Section 129.223 by authorizing the City Comptroller to determine and accept various financial transactions through the electronic devices for the city's various point-of-sale locations throughout the city.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
BANK & FINANCIAL INVESTMENT DEPOSITORIES

Motion by Councilmember Gallagher, seconded by Councilmember Wiener, to adopt the resolution approving the deposit of public money into the financial institutions as outlined and attached within the resolution.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
SURPLUS INVESTMENT POLICY

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to adopt the resolution approving the City's Investment Policy in compliance with Public Act 20.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:

MICHIGAN CLASS A LOCAL GOVERNMENT INVESTMENT POOL - PUBLIC ACT 20

Motion by Councilmember Wiener, seconded by Councilmember McMillan, to adopt the resolution to join the Public Act 20 compliant Michigan CLASS Investment Pool.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:

CITY SPONSORED 457B DEFERRED COMPENSATION PROVIDER

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to adopt the resolution to approve the sole designated deferred compensation provider for the City of Grosse Pointe Park to MERS/Alerus to act as the fiduciary of the employee elective plan.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:

BS&A FINANCIAL SOFTWARE MODULES: SELF SERVICE & MISCELLANEOUS RECEIVABLES

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to adopt the resolution approving the purchase of BS&A Financial Software Systems and amend the Fiscal Year 2024 budget to complete the purchase.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
PRONEXUS ACCOUNTING SERVICE AGREEMENT

Motion by Councilmember Wiener, seconded by Councilmember Caulfield, to adopt the resolution approving an agreement with Pro Nexus for Accounting Services and amending the Fiscal Year 2024 budget accordingly.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
RESOLUTION APPROVING SALE OF ALTER ROAD PROPERTIES

Motion by Councilmember Wiener, seconded by Councilmember Relan, to approve the resolution for the sale of property.

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

NAYS: None

Motion Carried Unanimously

Motion by Councilmember Relan, seconded by Councilmember Gallagher, to approve the Listing Agreement with Mike Defauw of Sine and Monaghan and authorize the City Manager to sign it.

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

NAYS: None

Motion Carried Unanimously

NEW BUSINESS:
SHORT TERM RENTAL DISCUSSION

City Manager Sizeland discussed the short-term rental policy for the City of Grosse Pointe Park regarding dwellings being occupied for less than 28 days. Short-term rentals are currently not covered in the City Code. In 2021, the City Council passed a resolution proposing to the State of Michigan a zoning ordinance that would apply to all cities in Michigan, but the topic has been dormant in the State legislature. City Manager Sizeland proposed creating an ordinance to provide further clarity regarding short-term rentals. The City Administration was advised that further research be done to make sure any ordinance can be properly enforced and to forward the issue to the Planning Commission and the Community Engagement Committee to encourage a town hall meeting to encourage resident feedback.

NEW BUSINESS:

COUNCIL COMMENT

Councilmember McMillan discussed the tremendous progress over the last month, including interest earned, the pension grant, Kercheval paving challenges and progress, the FEMA grant for the public safety basement, and the EERV in September. He also praised City Manager Sizeland, City Administration, and the Infrastructure Committee for all their hard work.

Councilmember Gallagher thanked Clerk Meaghan Bachman for her time with Grosse Pointe Park and wished her well in her future endeavors. She will be missed.

Councilmember Caulfield thanked DPW Supervisor Tom Jenny and his team regarding the massive clean up caused by storm damage. Caulfield also reiterated that communications between all departments on things that are happening in our City to our residents needs to be increased by using all City forms of communications.

Councilmember Gallagher inquired whether all forms of communication could be used simultaneously and then shared onto all City Councilmembers' webpages. Councilmember Relan responded that each is a manual entry and also not all Councilmembers have their own webpages. Mayor Hodges suggested directing the communication issue to the Community Engagement Committee. Councilmember Brenner stated that this is the number one item on the agenda for the next meeting.

Mayor Hodges congratulated the Grosse Pointe Sail Club on celebrating 75 years, welcomed the new owners of Pointe Hardware and thanked the previous owners for all they've done, congratulated local businesses Brine and O'Flaherty's. Hodges also memorialized the passing of Carol Schaap Eugene Mulier.

PUBLIC COMMENT (NON-AGENDA ITEMS)

One public comment was made.

ADJOURNMENT

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

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

NAYS: None

With no further business, the meeting adjourned at 10:48 pm.