

CITY OF GROSSE POINTE WOODS
Electronic Special/Regular Planning Commission Meeting Agenda
Tuesday, January 26, 2021
7:00 p.m.

The Grosse Pointe Woods Planning Commission will be conducting a meeting by video (Zoom) and telephone conference in accordance with the City of Grosse Pointe Woods City Council Resolution adopted November 16, 2020 establishing rules for remote attendance pursuant to Public Act 228. This notice is being provided to ensure that those wishing to participate in the meeting have an opportunity to do so. Additional instructions are listed below.

Join Zoom Meeting

<https://zoom.us/j/98765483699?pwd= SXBPTEhZMWYyLzh2T2hkNXAza2hXdz09>

Meeting ID: 987 6548 3699

Passcode: 541615

Join by phone:

Dial by your location

888 788 0099 US Toll-free

877 853 5247 US Toll-free

Meeting ID: 987 6548 3699

Passcode: 541615

FACILITATOR'S STATEMENT IS READ.

1.	CALL TO ORDER	
2.	ROLL CALL	
3.	ACCEPTANCE OF AGENDA	January 26, 2021
4.	RECOGNITION OF COUNCIL REPRESENTATIVES	
5.	APPROVAL OF MINUTES	December 8, 2020
6.	ELECTION OF CHAIR AND VICE-CHAIR/SECRETARY	
7.	ADOPTION OF RULES OF ORDER AND PROCEDURE	A. PC Excerpt – 01/28/2020 B. Rules of Order and Procedure – 01/28/2020
8.	INTRODUCE CITY ATTORNEY	Tim Tomlinson
9.	BUILDING OFFICIAL'S MONTHLY REPORT/s	BUILDING DEPARTMENT REPORT: December 2020
10.	COUNCIL REPORT/s	December 2020 – Bailey January 2021 – Bailey

11.	INFORMATION ONLY: COUNCIL REP FOR NEXT MEETING	February 1, 2021 – Fuller February 15, 2021 – Fuller
12.	NEW BUSINESS/PUBLIC COMMENT: A. Subcommittees	A. 1) 2020 Plan 2) Crosswalk/Pocket Park 3) Streetscape
13.	ADJOURNMENT	

Kevin Ketels, Chair
313 343-2426

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
POSTED AND COPIES GIVEN TO NEWSPAPERS

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services to individuals with disabilities. Closed captioning and audio will be provided for all electronic meetings. All additional requests must be made in advance of a meeting.

Instructions for meeting participation

1. **To join through Zoom:** The meeting may be joined by clicking on the link provided on the agenda at the start time posted on the agenda, enter the meeting identification number, and password. Zoom may provide a couple of additional instructions for first time use. As an alternative to using the link, accessibility to the meeting may be obtained by using the browser at join.zoom.us. If having trouble logging in, try a different browser e.g. Chrome.

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Meeting ID: 987 6548 3699

Passcode: 541615

2. **Join by telephone:** Dial the toll-free conferencing number provided and enter the meeting identification number, and password. Dial *9 to be heard under Public Comment.

Dial by your location

888 788 0099 US Toll-free

877 853 5247 US Toll-free

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In an effort to alleviate feedback and disruption of the meeting, choose one of the media options, either phone or Zoom, not both.

Meeting notices are posted on the City of Grosse Pointe Woods website home page at www.gpwmi.us and the on-line calendar, both containing a link to the agenda. The agenda contains all pertinent information including business to be conducted at the meeting, a hyperlink to participate using Zoom, and call-in telephone number with necessary meeting identification, and a password. Agendas will also be posted on six (6) City bulletin boards along Mack Avenue.

The following are procedures by which persons may contact members of the public body to provide input or ask questions:

1. To assist with meeting flow and organization, all public comment will be taken at the end of the meeting unless it is moved to a different location on the agenda upon a consensus of the Planning Commission;
2. The phone-in audience, when making public comment please state your name (optional) when called upon;
3. Audience participants will be muted upon entry and will have a chance to speak during the public comment portion of the meeting at the end of the agenda, at which time the microphones will be unmuted.
4. Those joining by Zoom will also be muted and may use the virtual raised “hand” to request to be heard under Public Comment.
5. Those joining by telephone need to dial in using the phone number provided on the agenda. When prompted, enter the meeting number and the password also located on the agenda. Dial *9 to be heard under Public Comment.
6. The published agenda invites participants from the community to provide written questions, comments, and concerns in advance of the meeting to any Commission Member or the Building Official regarding relevant City business and may be read under Public Comment. Emails may be sent to:

Kevin Ketels, Chair	Kevin.ketels@gmail.com	586 260-0845
George Bailey, Vice Chair	George@bailey-built.com	972 679-8829
Michael Fuller, Member	Michaeljfuller5@gmail.com	313 881-6681
Grant Gilezan, Member	Ggilezan@dykema.com	313 885-1360
Douglas Hamborsky, Member	Hamgroup2@gmail.com	313 881-2134
James Profeta, Member	Prof1126@aol.com	313 882-5042
Richard Rozycki, Member	Richard.rozycki@z-modular.com	313 469-7980
Thomas Vaughn, Member	Tvaughn@dykema.com	313 882-9573
John Vitale, Member	Jvitale@stuckyvitale.com	313 886-1253
Todd McConaghy, Council Rep.	Todd.mcconaghygpw@yahoo.com	313 447-5774
Gene Tutag, Building Official	Gtutag@gpwmi.us	313 343-2426

You may contact Building Inspector Gene Tutag at building@gpwmi.us should you have any questions prior to the meeting starting.

<p>NOTE TO PETITIONERS: YOU, OR A REPRESENTATIVE, ARE REQUESTED TO BE IN ATTENDANCE AT THE MEETING SHOULD COUNCIL HAVE QUESTIONS REGARDING YOUR REQUEST</p>
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THE CITY OF GROSSE POINTE WOODS PLANNING COMMISSION
UNAPPROVED MINUTES: DECEMBER 8, 2020, 7:00 P.M.
HELD REMOTELY VIA ZOOM



The meeting was called to order at 7:02 p.m. by Chair Ketels.

The Facilitator's statement was provided.

Roll Call: Chair Ketels
 Planning Commissioners: Bailey, Fuller, Gilezan, Hamborsky, Profeta, Vaughn, Vitale

Absent: Rozycki

Also Present: Council Member McConaghy, Council Member McMullen, City Attorney Berschback, Building Official Tutag, Josie Modrack, Deputy City Clerk/Facilitator Antolin

Motion by Fuller, seconded by Gilezan, that Commission Member Rozycki be excused from tonight's meeting.

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki

ACCEPTANCE OF AGENDA:

Motion by Vaughn, seconded by Gilezan, that all items on tonight's agenda be received, placed on file, and taken in order of appearance as presented.

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki

RECOGNITION OF COUNCIL REPRESENTATIVES:

Council Member McConaghy confirmed that Planning Commissioner members Bailey, Hamborsky, and Fuller all wish to accept re-appointment for another three years.

APPROVAL OF MINUTES:

The approved motion at the July 28, 2020 Planning Commission Meeting regarding Detroit Restaurant Solutions Corp. d/b/a Garrido's Bistro, 19605 Mack, request for a Special Land use to provide carry out alcoholic beverages was discussed. Clarification was presented on what this motion permits. See July 28, 2020 Regular Planning Commission Meeting minutes.

Motion by Profeta, seconded by Vitale, regarding Approval of Minutes, that the Regular Planning Commission Minutes of July 28, 2020 be approved as submitted.

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki

CLEARZONING DISCUSSION:

Building Official Tutag introduced Josie Modrack as the new Confidential Administrative Assistant to the Building Official.

Building Official Tutag provided an overview prior to the presentation. The Building Department asked Rod Arroyo from Giffels Webster to attend tonight's meeting and give a presentation on Clearzoning, a program that would update the City of Grosse Pointe Woods Zoning Ordinance to a user-friendly platform, among other things. Mr. Tutag has reached out to many communities who use Clearzoning and has heard only positive feedback.

Rod Arroyo from Giffels Webster began the presentation on Clearzoning (created and copy righted by Giffels Webster), providing information on cost and benefits, demonstrating how the program works in a local community. Questions and discussion among Planning Commissioners and Mr. Arroyo followed. Planning Commission Members thanked Mr. Arroyo and he exited the meeting.

Mr. Tutag recommended that the Planning Commission proceed with Clearzoning, and if it is the desire of the Planning Commission, seek the advice from Council Member McConaghy and City Attorney Berschback on moving forward. He would like to get feedback from the rest of the Planning Commission and Council Members who are in attendance tonight.

The Chair asked Commissioners to share feedback in order to come up with a consensus on whether the Planning Commission would like to recommend Clearzoning to City Council. Council Members in attendance and City Attorney Berschback also shared feedback.

PC ATTENDANCE FOR 2021 CITY COUNCIL MEETINGS:

Commissioners were provided with their meeting assignments for the year 2021 and told to notify the Building Department if any changes or trades to the schedule are needed.

BUILDING OFFICIAL'S MONTHLY REPORT:

Mr. Tutag reported on the following items for the months of August, September, November, and part of December 2020:

- Online permitting has been implemented – very successful particularly now that City Hall is closed to the Public for the second time due to COVID-19.
- Generator Ordinance and Solar Panel Ordinance are being worked on.
- Department has been busy with permits and inspections on the residential side, people are working from home and spending money to update their house.
- Regarding political signs and Code Enforcement: letters were sent to homeowner's with signs out but no tickets have been issued.
- Project at Mack and Hollywood (the old Hollywood Clinic) is underway, a few tenants have already signed there.
- Looking at economic development tools, working with businesses on Mack Ave. as much as possible.

COUNCIL REPORTS:

- Commissioner Profeta reported on the August 2020 Council Meetings.
- Council Member McMullen reported on the September 2020 Council Meetings.
- Commissioner Vaughn reported on the October 2020 Council Meetings.
- Commissioner Vitale reported on the November 2020 Council Meetings.
- Commissioner Bailey reported on the December 2020 Council Meeting.

COUNCIL REPRESENTATIVE FOR NEXT MEETING:

Commissioner Bailey will report on the remaining December 2020 Council Meeting and the January 2021 Council Meetings.

NEW BUSINESS – SUBCOMMITTEES:

- 2020 Plan** – Commissioner Hamborsky reported. Commissioner Bailey will prepare a revised budget proposal to present at the next Planning Commission meeting. Council Member McConaghy mentioned he would let Council know Planning Commission will have revised budget proposal to present before Council at the February Meeting.
- Branding** – Commissioner Profeta reported this subcommittee is no longer meeting and had been removed prior to COVID-19. Chair Ketels asked for it to be noted that the Branding Subcommittee is no longer, and if resurrection of the subcommittee is necessary, it can be talked about at a later time.
- Crosswalk/Pocket Park** – Commissioner Fuller reported that one of the next steps would be some engineering work to get a baseline on the work it would take to implement a crosswalk, but the Subcommittee has not proceeded to do that.
- Streetscape** – Commissioner Bailey reported that the “formal ask” and the revised budget proposal document discussed at the top of New Business is where they are at currently.

Chair Ketels asked City Attorney Berschback the status of the colonial recommendations. Mr. Berschback stated he is trying to write up the final draft of the ordinance and plans to submit for everyone’s review. Chair Ketels believes the draft would go directly to City Council.

NEW BUSINESS – CONTINUED:

City Attorney Berschback announced he is stepping down as Grosse Pointe Woods City Attorney. Starting in September of 2020, City Council began looking at replacement firms, and at the December 7, 2020 Meeting there were two separate firms officially appointed with designated areas of work. Mr. Berschback also mentioned he is planning on running for Grosse Pointe Farms Judge in fall of 2021 as well as continuing his private practice. Mr. Berschback expressed his appreciation on working with the City of Grosse Pointe Woods and the Planning Commission. Planning Commission Members expressed how Mr. Berschback will be missed and their appreciation for all the work he’s done with the City.

PUBLIC COMMENT:

Nobody wished to be heard under Public Comment.

ADJOURNMENT:

Motion by Profeta, seconded by Vitale, that the Planning Commission Meeting adjourn at 9:04 p.m.

Motion carried by the following vote:

YES: Bailey, Fuller, Gilezan, Hamborsky, Ketels, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki

Respectfully submitted,

Josie Modrack

Administrative Assistant to the Building Official



PLANNING COMMISSION EXCERPT
01-28-2020

The next item was regarding **Adoption of Rules of Order and Procedure.**

Motion by Vaughn, seconded by Bailey, that the Planning Commission approve and adopt the Rules of Order and Procedure as presented.

Motion carried by the following vote:

YES: Bailey, Fuller, Hamborsky, Ketels, Profeta, Vaughn, Vitale

NO: None

ABSENT: Gilezan, Rozycki



RULES OF ORDER AND PROCEDURE
OF
PLANNING COMMISSION
OF
GROSSE POINTE WOODS

1. The Planning Commission shall be constituted and shall have powers and perform such duties as are provided for in Section 1, Chapter 4, of the City Code of the City of Grosse Pointe Woods.
2. The officers of the Planning Commission shall be a Chair, and Vice Chair/Secretary. The Chair shall preside at all Planning Commission meetings, and in the Chair's absence, the Vice Chair/Secretary shall act in such place and stead.
3. The terms of office of the Chair and Vice Chair/Secretary shall be for a period of one (1) calendar year, or until their respective successors shall be elected and have qualified. At the first scheduled meeting of each calendar year, the Commission shall *elect* from among its members, a Chair and Vice Chair/Secretary who shall be seated at the next regularly scheduled meeting.
4. The City Clerk or the Clerk's agent shall record all proceedings of the Planning Commission.
5. The Planning Commission shall hold regular meetings on the fourth Tuesday in each month, except December, which shall be held on the second Tuesday, as such time and at such Planning Commission shall determine. The regular Planning Commission meetings will be scheduled at 7:00 p.m., unless otherwise posted (01/22/19).
6. Special meetings of the Planning Commission shall be called by the City Clerk upon the written request of the Chair, endorsed in writing of two other members, or in such absence, by the Vice Chair/Secretary, endorsed in writing by two other members; or the written request of any three members of the Planning Commission on at least twenty-four (24) hours written notice to each member of the Planning Commission served personally or left at the place of residence; or by a majority affirmative vote of those present at a Planning Commission meeting.
7. No business shall be transacted at any special meeting of the Commission unless the same shall have been stated in the notice of such meeting, provided that the provisions hereof may be waived by consent of the members of the Commission present and the written consent of the absent members.
8. All meetings, both regular and special, shall be open to the public.
9. The majority of the members of the Planning Commission in office shall constitute the

quorum for the transaction of business at any meeting thereof and in the event of a lack of quorum, the members of the Commission so present shall adjourn any such meeting to a later date.

10. The business of all meetings of the Commission shall be transacted, so far as possible, in the following order:

Roll Call
Approval of minutes
Matters appearing upon the Agenda
New Business

11. The presiding officer shall preserve order and decorum and shall speak to points of order in preference to other members. The presiding officer shall decide questions of order subject to appeal to the Commission, which appeal must be duly moved and seconded and sustained by majority vote of the Commission.

12. Before any member of the Commission, officers, or person in the audience may address the Commission, permission to do so must be obtained from the presiding officer, provided that any person having the floor shall not be interrupted unless ruled out of order by the presiding officer.

13. Approval of the Planning Commission shall be evidenced by a duly adopted motion or resolution of the Commission and by the execution of the "approval stamp" affixed to the front elevation of the building, the Plot Plan, the plat, the subdivision restrictions, the property use statement and other documents, as the case may be requiring approval by the Chair, or in the Chair's absence, by the Vice Chair/Secretary of the Commission, and when so approved the same shall be delivered to the City Clerk for further processing.

14. The Chair, in consultation with the Building Official, shall prepare an agenda of all matters which will be considered at each meeting, which agenda shall be distributed among the Commission members at least forty-eight (48) hours prior to the time of holding the meeting. Any matter not on the agenda shall not be acted upon without the unanimous consent of the members of the Commission present at such meeting, provided, if any matter is presented upon motion duly made and seconded, objection to action thereon shall be immediately voiced by any objecting members of the Commission before discussion is entered upon and, if no such objection is voiced, no objection shall thereafter be voiced to any action taken or proposed to be taken.

15. Upon request of a majority of the members of the Commission present, any question PROPERLY before the Commission shall be put to vote; such request for a vote shall be acted upon immediately without further discussion of the subject, and shall thereupon bring the question to a direct vote upon a motion to table, a motion to refer, a motion to amend, or upon the main question, in the order named.

16. At the request of a Commission member, any question shall be divided if such question, in the opinion of the presiding officer, is subject to division and shall be submitted as divided.

17. No motion or proposition different from that under consideration shall be admitted under cover of amendment, provided that a substitute motion may be submitted to cover the same subject matter and, if carried, shall result in determining the original motion out of order.

18. No motion shall be debated or put to a vote unless the same shall have been seconded and properly read by the Clerk, or summarized by the Chair.

19. A motion to reconsider any vote upon any question shall be in order at the following meeting of the Commission; provided that a member of the prevailing side intending to move to reconsider shall file a notice in writing of the Member's intention to do so with the Vice Chair/Secretary and the City Clerk within twenty-four (24) hours after the action to be reconsidered was taken. The same number of votes shall be required to reconsider any action of the Commission as is required to adopt the same.

Upon the filing of a Notice for reconsideration, the effect of the action to be reconsidered shall be suspended until action can be taken upon such consideration. Action upon the reconsideration shall be taken at the next regular Commission meeting or at a prior Special Meeting called for that purpose.

20. When any question is under debate, no motion shall be received except the following, and in the order named:

- Motion to adjourn
- Motion to table
- Motion for the question
- Motion to refer
- Motion to amend
- Substitute motion

21. A motion to adjourn shall always be in order except when a vote is being taken or when a member of the Commission has the floor. A motion to adjourn or to table shall be decided without debate.

22. These Rules of Order may be amended or altered by a majority vote of the Commission.

23. The Commission, by a majority affirmative vote of the Commission, may suspend the operation of any one of the aforementioned Rules for a single session, except Section 18.

24. Making of remarks by Commission members should be preceded by asking permission of the presiding officer.

25. Upon the City Clerk receiving a petition directed to the Planning Commission, which petition requires a public hearing under the provisions of the City Code, the City Clerk shall determine whether such petition contains all necessary information and, if so, the City Clerk may establish a date for a public hearing before the Planning Commission and publish any notices required and shall forward such petition to the Planning Commission which shall conduct the public hearing on the date established therefore.

26. **IMPORTANT:** If a Planning Commission Member will be absent for a meeting, the Member must notify the Chair of such anticipated absence as soon as possible prior to such meeting.

27. Except as above provided, Roberts "Rules of Order" shall govern.

28. The Chair shall prepare an annual report to be submitted to the City Council in accordance with the Planning Enabling Act. The report shall be submitted to the Planning Commission for approval in January of each calendar year to ensure that the report is submitted to the City Council for their budget deliberations. The report should summarize the Commission's operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.

29. **Conflict of Interest**

A. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. The member is disqualified from voting on the matter if a conflict exists.

B. Each member of the Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:

1. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
2. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
3. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
4. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
5. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her

household.

6. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:

- a) An applicant or agent of an applicant, or
- b) Has a direct interest in the outcome.

C. If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Commission.

D. When a conflict of interest exists, the member of the Commission, or committee, shall do all of the following as soon as possible.

- 1. Declare a conflict exists at the first available meeting of the Commission or committee;
- 2. Cease to participate at the Commission or committee meetings, or in any other manner, or represent one's self before the Commission, its staff, or others, provided however that the member may remain in the Council chambers during deliberation.

E. If a member of the Commission is appointed to another office, which is an incompatible office with his or her membership on the Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Commission. If a member of another office is appointed to the Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Commission, that shall result in an automatic resignation from the other office.

30. **Capital Improvement Review**

The Planning Commission will review information regarding appropriate capital improvement projects as provided to it by the Administration in order to comply with state law regarding the capital improvement review process.

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