



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**Regular City Commission Meeting
January 10, 2017**

Having been duly publicized, Mayor Metzger called the meeting to order at 7:31 p.m.

Present: Commissioners Foreman, Krzysiak, Perry, Scott, Mayor Metzger
Also Present: City Manager Breuckman, City Attorney Need, City Clerk Drealan
Absent: None.

Amend the Agenda

17-3285

Motion by Commissioner Foreman, second by Commissioner Krzysiak to amend the agenda to include appointments to the Historical Commission, Recreation Commission and the Planning Commission/Downtown Development Authority. Added to agenda as item 9A.

Adopted: Yeas: Commissioners Foreman, Perry, Krzysiak, Scott, Mayor Metzger
Nays: None.

Public Discussion

Ms. Sha Buikema, 20 Kensington, requested to use the kitchen at the Community Center to make soup to be delivered to homeless shelters. This request had been previously denied due to liability concerns. Commissioner Krzysiak presented information regarding requirements to combat foodborne illnesses. He also expressed support for the proposed activity. He asked that the request be considered and that specific reasons be expressed if the activity is not allowed. Assistant City Manager Pietrzak indicated that the long-standing policy has been to not rent out the kitchen independent of other city functions. The rental agreement contemplates that the kitchen be rented along with the use of the meeting room. Cooking in the Community Center does affect other areas of the Center. Ms. Buikema offered to execute a hold harmless agreement or waiver of liability for the City. City Manager Breuckman indicated that it was not the intent to use the kitchen to prepare food to be taken offsite. City Attorney Need addressed concerns about health department regulations. It was recommended that a meeting be scheduled to further discuss this issue.

Mr. Rob Sakat, 8 Fairwood, commended the Women's Club Lasagna Dinner.

Governmental Reports

Chief Kevin Sullivan, Ferndale Fire Department, indicated that the first female fire fighter has been hired. Another new fire fighter will start in about three weeks. A third hire will be finalized in the

near future. This holiday season was the first in many years with no serious emergencies. The department has been helping fight fires for other local communities.

Chief Kevin Nowak, Pleasant Ridge Police Department, noted that there has been an increase in drunk driving arrests recently. He cautioned citizens to avoid drinking and driving. There was also an increase in package thefts from porches. Recently a perpetrator was arrested with the aid of Troy Police. He recommended that citizens look into alternatives for safe package delivery.

Amy Butters, Ferndale Public School Board, thanked the Commissioners for purchasing raffle tickets for the Ferndale Fine Arts Boosters raffle to be held January 28th. The drawing will be held at the All-City Concert. February 1st will be the Kindergarten Open House at the Lower Elementary campus. February 2nd is the Preschool Open House at 6:00 p.m. at the Ferndale Early Childhood Center.

City Commission Liaison Reports

Commissioner Krzysiak reported on the Recreation Commission. He commended Commissioners Sue Terpak and Amanda Wahl for their many years of service. The Daddy/Daughter Dance will be February 3rd, at 6:30 p.m. Soccer Sign-up has begun. There is a need for teenage applications for camp counselors and life guards. The application deadline is March 2nd. Certification is not needed to apply for life guards, but must be acquired before the pools open.

Commissioner Foreman reported on Ferndale Public Schools. Detroit Concert for a Cure is upcoming on January 16th at Loving Touch with the cast from Phantom of the Opera. The program benefits Broadway Cares and the Ferndale Orchestra. Principal Roger Smith will be retiring at the end of the school year after 34 years of service. A special event honoring him will be held later this year. Kevin Deegan Krause attended his final School Board meeting on December 19, 2016. His service to the school and community was applauded. He will be replaced by Mike Davison at the next meeting - January 23, 2017, at the High School.

Commissioner Perry reported on the Planning Commission and DDA. They have not met since the last City Commission meeting. The next meeting will be January 23, 2017, at 7:00 p.m. at City Hall.

Commissioner Scott reported on the Historical Commission. He thanked the nine applicants for the vacant positions. The Home and Garden Tour is scheduled for June 10. The next meeting is February 1, 2017. (Later corrected to March 1, 2017)

Consent Agenda

17-3286

Motion by Commissioner Perry, second by Commissioner Foreman, that the Consent Agenda be approved as presented.

Adopted: Yeas: Commissioners Perry, Foreman, Krzysiak, Scott, Mayor Metzger.
 Nays: None.

Ordinance to amend Chapter 10 Animals, Sec 10-1, Definitions and Sec 10-5, Number of Household Pets Limited

City Manager Breuckman explained the background regarding this proposed amendment. City code limits the number of cats or dogs but is silent to other animals. Some problems have arisen regarding large numbers of other animals in homes. The code is only enforced when a problem is brought to the city's attention. Normally the homeowner is required to remove the excess number of pets from the home. The focus is the health and wellness issue caused by large numbers of animals in a house. City Attorney Need explained the process regarding the creation of the ordinance amendment. He relied on Michigan State University Law School resources regarding animal law. Those resources are posted on the City's website. A reasonable number limit on animals has been supported by case law. This is a more common and enforceable approach than a nuisance approach. He researched information regarding non-traditional household pets that led to new definition with a list of additional animals. Questions were raised regarding the inclusion of weight and length of animals, over and above the number of animals, as well as the size of aquariums.

Mayor Metzger opened the public hearing at 8:27 pm.

Mark McManus, 107 Cambridge, expressed concerns about infringement on private citizens' pursuit of hobbies. He owned a pet shop that carried non-traditional animals. He would rather see a list of things that would not be allowed - outdoor animals, for instance - rather than limiting what citizens can have in their home. He would prefer to see the use of a nuisance standard for indoor animals like has been done in the past. A discussion was held regarding standard ways to keep a reptile.

Sha Weber Buikema, 20 Kensington, showed a picture of her granddaughter's pet lizard. She thinks issue of weights and measures needs to be set aside. She thinks the community should be as accepting as possible while still being concerned about health and safety.

Mayor Metzger closed the public hearing at 8:40 pm.

17-3287

Motion by Commissioner Foreman, second by Commissioner Krzysiak, to postpone consideration of the proposed amendments to the ordinance to allow more time for study and revision. Further moved to form a subcommittee to work on that study and revision with a target date of Tuesday, February 14, 2017, to report back to the Commission. The subcommittee would consist of one member from the police department, one member from the city commission, the city attorney, one to two members from city staff, and up to three residents.

Adopted: Yeas: Commissioners Foreman, Scott, Krzysiak, Perry, Mayor Metzger.
 Nays: None.

Annual Meeting Schedule

17-3288

Motion by Commissioner Perry, second by Commissioner Scott, to approve the proposed annual meeting schedules for the City Commission, Historical Commission, Recreation Commission and the Planning Commission/Downtown Development Authority.

Commissioner Krzysiak raised concerns that there should be more meetings scheduled for the Recreation Commission. Some scheduled meetings are not held when there is no quorum. Motion by Commissioner Krzysiak to amend the schedule to include Recreation Commission meetings for the last Wednesday of every month except December. Commissioner Foreman agreed that the meeting schedule should not be changed to accommodate the fact that attendance is low. The Planning/DDA schedule is not driven by attendance but more due to the amount of business. The quarterly meeting schedule works well for Planning/DDA. Commissioner Krzysiak's friendly amendment to the motion was not accepted.

Adopted: Yeas: Commissioners Perry, Scott, Mayor Metzger.
Nays: Foreman, Krzysiak.

Historical Commission Appointments

17-3289

Motion by Commissioner Scott, second by Commissioner Perry, that the appointments to the Pleasant Ridge Historical Commission of Mr. Nicholas Kokotovich, to fill a partial term to expire December 31, 2018, and the appointment of Ms. Amber Herrick and Ms. Luran Howard, to fill full terms to expire December 31, 2019, be approved.

Adopted: Yeas: Commissioners Perry, Scott, Foreman, Krzysiak, Mayor Metzger.
Nays: None.

Recreation Commission Appointments

17-3290

Motion by Commissioner Krzysiak, second by Commissioner Perry, that the appointments to the Pleasant Ridge Recreation Commission of Mr. Mark Campbell and Ms. Wendy Schrag, to fill full terms to expire December 31, 2019, be approved.

Adopted: Yeas: Commissioners Perry, Scott, Foreman, Krzysiak, Mayor Metzger.
Nays: None.

Planning Commission/DDA Appointments

17-3291

Motion by Commissioner Perry, second by Commissioner Foreman, that the appointments to the Pleasant Ridge Planning Commission/Downtown Development Authority of Mr. Tom Wilkinson, to fill a partial term to expire December 31, 2017; Ms. Patricia Corrigan to fill a partial term to expire December 31, 2018; and Ms. Megan Martin-Campbell and Mr. Lawrence Stiffman to fill full terms to expire December 31, 2019, be approved.

Adopted: Yeas: Commissioners Perry, Scott, Foreman, Krzysiak, Mayor Metzger.
Nays: None.

City Manager's Report

Assistant City Manager Pietrzak addressed the issue of single stream recycling, which means that all recyclables can be put into one bin to be sorted at the Materials Recovery Facility. Residents will receive a large cart to put recycling in. These carts will replace the blue bins. 110,000 carts will be distributed to all SOCRRA communities. Cart delivery is scheduled to start in June and end in September. Part of the cost of the carts is covered by a grant. There was a discussion of what to do with the old bins. The city does not plan to collect them and it was suggested that citizens repurpose them.

Commissioner Foreman asked about key card system at the fitness center. The system should be rolling very soon. New pieces of cardio equipment are being delivered. This equipment is leased for three years. Before summer there will also be a new rubber floor installed.

City Manager Breuckman discussed energy efficiency upgrades to parking lot lights. The City is collaborating with other communities and received a grant to retrofit lights in the city hall offices. The City was also approved for DTE energy efficiency rebates to replace lights at the Community Center. Hanover and Norwich are being prepared for upgrades to be completed in 2017. Ridge and Indiana are targeted for improvement in 2018. The plan is to have all roads reconstructed in the next two to three years.

Other Business

Commissioner Krzysiak mentioned that the January book is "Salt: A World History," by Mark Kurlansky. It will be discussed on Tuesday, January 17, 2017 at 7:00 p.m. The perils of gerrymandering and legislative districts at both national and state levels was discussed. Mayor Metzger and Commissioner Perry are also very concerned about this issue. A meeting is scheduled with Kevin Deegan-Krause at the Community Center, Wednesday, February 1, 2017, at 7:00 p.m. to discuss this topic.

With no further business or discussion, Mayor Metzger adjourned the meeting at 9:35 p.m.

Mayor Kurt Metzger

Amy M. Drealan, City Clerk
/dleg

January 8, 2017

Dear Mayor Metzger and members of the City Council,

I am writing about the proposed ordinance regulating household pets that will be discussed at the City Council meeting on Tuesday January 10. As I will be out of town and unable to attend the meeting, I ask that you read these comments aloud and enter them into the record.

Let me be blunt: In my view, the proposed ordinance is poorly written, poorly thought out, and overly restrictive. The following are but a few of the many flaws in the language of the proposed ordinance:

- A quick look at the list of approved household pets shows several errors and omissions: There is no mention of amphibians such as toads, frogs, newts and salamanders. There is also no mention of Sugar Gliders (a marsupial) or any mention of invertebrates such as hermit crabs, tarantulas or ant farms. The list includes tropical fish but not goldfish (which are two distinct classifications) and refers to "poisonous" snakes rather than venomous snakes (There are no poisonous snakes). If a cursory examination of the approved list comes up with these errors and omissions, how many more will become apparent as time goes by? Are we to expect an amendment to the ordinance every time someone has a desire to keep a pet that is not on the list? To avoid such a scenario, I would suggest the ordinance include a "prohibited" list rather than an "approved" list. I believe it will be much less confusing in the long run.
- The limit of 5 pets per household is unrealistically low and does not take into account the varying sizes and maintenance requirements of different animals. As written the ordinance would allow someone to own five 59 pound pot belly pigs, but not 6 parakeets. Obviously this is just silly. It is not unusual for a family to have more than 5 small pets, and it certainly would not impact the community or the neighbors. For example, why should a family with three children not have a pair of hamsters for each child if they want?
- The ordinance spells out accepted measurements of pets, but does give instruction about how measurements are to be made. Typically small animals and birds are measured from the top of the head to the end of the hips rather than tip of the tail. This is an important distinction. If when measuring you include the tail you will have prohibited many parrots and reptiles that are really not very big. A 4 pound parrot can easily be 24 inches from head to tail.
- The ordinance prohibits aquariums over 70 gallons. What is the concern here? At the December meeting Mr. Need seemed to indicate that the weight of the water in the tanks was a potential issue which is nonsense. As the retired owner of an Aquarium Shop for over 30 years I can assure the council members and Mr. Need that I have never heard of a single incident where a fish tank posed a threat to a community. Unless a compelling reason is brought forth the language regarding aquariums should be stricken from the ordinance completely.
- There is no mention in the proposal of whether or not there will be a grandfather clause for people who are not currently in compliance. That needs to be plainly stated.

After watching the December meeting, I have two additional concerns that are not about the language of the ordinance, but are about the intent and execution of it:

- There was discussion of amending the ordinance after approving it to make it less restrictive and more appropriate to the reality of pet ownership in our community. I would ask why rush to approve and amend, why not come up with a well written ordinance that would stand the test of time and serve the community well.

- There was also discussion about only enforcing the ordinance when necessary. This concerns me greatly. Selective enforcement of the law is not something I believe our community should embrace. While I have complete confidence that the current administration and police department would use any ordinance responsibly and with good intent, there is no guarantee that this will always be the case. Any ordinance passed must be good law when the next generation interprets it.

In closing I would like to say that I understand Pleasant Ridge needs laws they can use to prevent unsanitary and unsafe conditions. An ordinance to address those issues directly, rather than restricting pet ownership across the board is more appropriate and will serve our community better in the long run than the proposal in question.

Thank you for listening, and thank you for your continued and excellent service to our wonderful city!

David Assemany