



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

**Public Hearings and Regular City Commission Meeting
November 12, 2019**

Having been duly publicized, Mayor Metzger called the meeting to order at 7:30 p.m.

Present: Commissioners Krzysiak, Perry, Scott, Wahl, Mayor Metzger
Also Present: City Manager Breuckman, City Clerk Allison, City Attorney Need
Absent: None

Public Discussion

(None)

Ferndale Public Schools

Ms. Dania Bazzi, Ferndale Public Schools Superintendent, introduced Jamie Stottlemyer, Director of Operations. They presented information regarding two ballot proposals that will be on the March 2020, ballot. The district has adopted a new five-year strategic plan. They were recognized as a 2019 Equity Innovator and at the Model Schools Conference in Washington D.C. for its social/emotional curriculum. Stottlemyer presented a summary of the 2020 bond proposal. He noted that there would be no new taxes and the bond would generate \$53 million in 2020, \$35.5 million in 2023 and \$36 million in 2026. The three series approach allows the district to fund a long-range plan. Projects would include building a new elementary school, renovating all existing classrooms, converting one pool at the high school into a fitness room, new tennis courts, rebuilding the stadium, new theater addition, and new music room. There will also be a Headlee Override on the ballot. This will not change the current millage rate. They recommend voting yes on both proposals. More information can be found at FerndaleForward.com. CASA will be moved to Roosevelt.

Public Hearing Regarding Request by Whistle Stop I, LLC, to amend the Class C Liquor License and Operating Agreement

Breuckman gave an overview of the process. The restaurant has been expanded which requires increasing the seating capacity allowed by the liquor license.

Metzger opened the public hearing at 7:51 p.m.

Allison indicated that five comments had been received; four were in favor and one was opposed.

Tom Greenwood, 29 Sylvan, spoke in favor of the amendment.

With no further comments or discussion, Metzger closed the public hearing at 7:52 p.m.

Krzysiak and Metzger commented that the restaurant has been a good partner with the city and that the expansion will improve the parking situation at that location.

19-3443

Motion by Commissioner Perry, second by Commissioner Wahl, to approve the amendment to the liquor license operating agreement as presented.

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

Public Hearing Regarding Condemnation of the Property Commonly Known as 71 Devonshire, Pleasant Ridge, Michigan

Breuckman noted that the condemnation process is primarily used to enforce action from the homeowner to bring their property up to code. There have been problems at this house for many years and several citations have been issued. On October 14th, 2019, complaints of noxious odors were filed and the police, city manager and city clerk inspected the property. No improvements had been made in response to previous citations and, in fact, the property had continued to deteriorate. No major progress has been made as of the time of this meeting. There have been four additional complaints filed since the October meeting. The motion to condemn contains a timeline: a report from a structural engineer regarding the outside of the property is due by December 12, 2019; all exterior renovations must be complete by January 13, 2020; all interior renovations must be complete by February 10, 2020. Bi-weekly progress inspections will be conducted. If the homeowner does not comply, the city will take steps to abate the issue up to and including demolition. Sale of the home to a non-related buyer will reset the timeline for compliance. Allison noted that the homeowner did obtain a permit in August, 2019 for a kitchen and bathroom remodel. No trade permits were pulled although the homeowner was instructed to obtain them. There has been no inspection and that permit is due to expire. Two additional comments from the public have been received requesting that the condemnation move forward.

Metzger opened the public hearing at 8:02 p.m.

Brittany Flowers, owner of 71 Devonshire, indicated that she has entered into a contract to repair the stairs. No timeline has been given due to weather, but the project should be completed in the next couple of weeks. The trees should also be removed in that time and they are shopping for new windows and doors. The drywall is installed but needs to be taped and mudded. The kitchen and bathroom projects will then be completed. The interior of the house was unlivable and large amounts of trash have been removed. The new owners plan to live in the home once it is habitable. They are willing to make cleaning the outside a priority. They informed the building inspector of their plans regarding renovation of the kitchen and bath. They were not aware that inspections were necessary throughout the project. There was discussion regarding the need for trade permits for electrical, HVAC and plumbing. They would all need to have been inspected prior to the installation of any drywall. Krzysiak commented that pulling down the drywall would be burdensome to the homeowners. Allison indicated that the building official could determine what level of inspections were necessary at this point in the project. The homeowners would have 90 days to remedy the issues raised by the condemnation motion. Attorney Need confirmed that condemnation would not result in the city owning the property. The ultimate remedy, if the property is not brought to code within the time allowed, would be demolition. Any costs incurred by the city will be a lien on the property.

The homeowners indicated that they think they can meet the timeline but are not sure. There was discussion regarding the possibility of brief extensions to the timeline if significant progress has been made. There was discussion regarding how best to communicate throughout the process.

Kristopher Kopchick, 15 Maplefield, inquired whether weather conditions were factored into the timeline. Brueckman noted that accommodations can be made if some steps cannot be completed due to weather.

With no further comments or discussion, Metzger closed the public hearing at 8:17 p.m.

There was discussion that any work on carpentry, drywall, electrical, HVAC or plumbing would have to be done by a licensed contractor. Those contractors would have to pull permits for their work. Krzysiak expressed concern regarding the cost to the homeowner of not being able to do the work themselves. Brueckman discussed the fact that any demolition requires that work be done up to code. He further encouraged strong communication throughout the process to make sure completed work does not have to be removed to accommodate the necessary inspections. The homeowners indicated that they had relied on information from the building official as to how to proceed.

19-3444

Motion by Commissioner Perry, second by Commissioner Scott, to proceed with condemnation of the property commonly known as 71 Devonshire as presented.

Adopted: Yeas: Commissioners Perry, Scott, Wahl, Mayor Metzger
 Nays: Krzysiak

Public Hearing Regarding 2020 Community Development Block Grant

Allison explained that funds from the grant are used for senior services. Between 80 and 100 seniors benefit from the programs.

Metzger opened the public hearing at 8:29 p.m.

With no comments or discussion, Metzger closed the public hearing at 8:30 p.m.

19-3445

Motion by Commissioner Wahl, second by Commissioner Scott, to approve the application and subrecipient agreement and to authorize the Mayor to sign the agreement.

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

Ordinance to Amend Chapter 78 to add Section 78-74 Regarding Trimming or Cutting Trees Susceptible to Oak Wilt

Brueckman explained the need for the ordinance. Oak wilt transfers through the roots and so can affect large numbers of trees, particularly red oaks, very quickly. It is best treated by maintaining trees while the disease is dormant which is between November 1 and March 31. The ordinance would prohibit working on oak trees between April 1 and November 1. Krzysiak inquired regarding cleaning up trees damaged by storm. Brueckman explained that trimming and wound sealing needs to be done to any damaged trees within 48 hours. There was discussion regarding what would cause a tree to

need to be completely removed and the cost involved to remove an entire tree. Breuckman noted that the ordinance does not call for ordering tree removal, only wound repair.

Metzger opened the public hearing at 8:38 p.m.

Jamie Leyerle, 33 Norwich, inquired regarding disposal of wood from these trees. Breuckman responded that the ordinance requires chipping to less than three inches or removal to an appropriate disposal site. There was discussion as to whether limbs from infected trees can be placed at the curb for trash pickup.

Rob Sakat, 8 Fairwood, discussed DTE's tree trimming program which included trimming the oaks in October. He supports the ordinance so that oak trees are trimmed at the appropriate time.

With no further comments or discussion, Metzger closed the public hearing at 8:41 p.m.

19-3446

Motion by Commissioner Perry, second by Commissioner Wahl, to adopt the ordinance as presented.

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

City Commission Liaison Reports

Commissioner Scott reported on the Historical Commission. The tree lighting ceremony will be December 2nd. The Historical Museum will be open during the ceremony. The 2020 Home and Garden Tour will be September 12th. He displayed the Pewabic tile commemorating the city's 100-year anniversary. There are four or five left for sale for \$50 each. Allison noted that some pre-ordered tiles have not been picked up.

Commissioner Wahl reported on the Recreation Commission. Approximately 200 people participated in the hayride and haunted house. She emphasized the importance of registering for events so that they do not get cancelled for lack of participation. Breakfast with Santa is December 14th. Letters to Santa are due by 11:00 a.m. on December 14th as well. Gingerbread house making is December 23rd. Meadowbrook Hall Tour and Lunch is December 18th. Over 500 pounds of candy was collected to send to troops overseas.

Commissioner Krzysiak reported on Ferndale Public Schools. The Superintendent's Excellence Awards went to Kyra Newman and Morgan Carnick. Districtwide enrollment is 3,084. FHS Golden Eagle marching band placed second at the state championships.

Commissioner Perry reported on the Planning Commission/DDA. There was a public hearing regarding a zoning ordinance amendment to address air condition compressor and generator placement and noise control. It was unanimously agreed to recommend the amendment to the city commission. The next meeting will be January 27, 2020.

Certification of Election Report for the November 5, 2019, General Election

Allison indicated that 697 votes were cast; 348 in Precinct 1 and 349 in Precinct 2. Christopher Budnik received 510 votes for the open commissioner seat and Commissioner Perry received 611. The library

millage renewal passed overwhelmingly; 630 yes to 65 no votes. Oakland Community College renewal passed 589 yes to 106 no votes. Positive comments were received regarding the electronic poll books. There will only be one precinct for the March, 2020, election.

19-3447

Motion by Commissioner Perry, second by Commissioner Scott, to receive and file the certification of the election report.

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

The oath of office was administered to Commissioners Anne Perry and Christopher Budnik.

Governmental Reports

Sergeant Ried, Pleasant Ridge Police Department, reported that officers attended active shooter training. Body cams are operating and in-car cameras will be installed in December and synced with the body cams. Some noise complaints have been received regarding snow removal in the early morning hours.

Consent Agenda

19-3448

Motion by Commissioner Perry, second by Commissioner Wahl, to approve the consent agenda as presented.

Adopted: Yeas: Commissioners Perry, Wahl, Budnik, Scott, Mayor Metzger
 Nays: None

Schedule Public Hearing Tuesday, December 10, 2019, to Solicit Public Comment on an Ordinance to Establish a Maximum Sound Level for Mechanical Equipment in Residential Areas and Regarding Location of Air Conditioners and Generators in the Side Yard

Breuckman noted that the Planning Commission voted to recommend this proposal to the full city commission. He indicated that staff needed more clarification and specificity in order to resolve neighbor disputes regarding issues arising from this type of equipment. The proposed ordinance would require that air conditioner compressor units and generators be located in a rear yard unless approval is granted by the adjacent neighbor. Specific noise standards would also be added to the current nuisance noise ordinance. The sound limit would be set at 60 decibels for air conditioner compressors. The ordinance is modeled after similar ordinances in Huntington Woods and Farmington. There are separate provisions for locations that may have ambient noise above 60 decibels due to noise from the freeway.

19-3449

Motion by Commissioner Perry, second by Commissioner Scott, to schedule a public hearing Tuesday, December 10, 2019, at 7:30 p.m. to solicit public comment regarding maximum sound levels for

mechanical equipment in residential areas and regarding location of air conditioners and generators in the side yard.

Adopted: Yeas: Commissioners Perry, Scott, Budnik, Wahl, Mayor Metzger
Nays: None

City Manager's Report

Breuckman commented regarding the City Commission Chambers renovations. He discussed the problems with leaf collection due to the snow and cold weather. It is possible that leaves will not be collected this year. Residents can bag the leaves and put them out for curb pick up through December 15. Construction has begun on Woodward Avenue which may also be delayed due to weather. Traffic calming measures on Woodward Heights will begin in the spring.

Other Business

Perry noted that salt delivery is the third Tuesday of every month. Five-gallon buckets can be put at the curb to be filled with salt. The buckets should be kept covered. Unbundled brush pick up is every third Tuesday year round.

Wahl reported that Ferncare, which provides free health care for the uninsured, is having a fundraiser at Leon's and Lulu's.

Krzysiak noted that this month's Book Club book is *Beneath the Tamarind Tree*. The book club meets the third Wednesday of every month. He expressed his pride and pleasure in having served on the Commission the last eight years.

Allison reported that there will be a presidential primary on March 10, 2020. Voters have to declare their party for this election. There are collection boxes at the Community Center and City Hall for Coats for the Cold. There are two openings on the Recreation Commission. Applications are available online and at City Hall.

Mayor Metzger stated that Ameriprize Financial boxes for Toys for Tots will be out after Thanksgiving.

With no further business or discussion, Mayor Metzger adjourned the meeting at 9:20 p.m.

Mayor Kurt Metzger

Amy M. Allison, City Clerk

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