



**CITY OF GARDEN CITY
REGULAR COUNCIL MEETING MINUTES
June 21, 2021**

The Mayor and Council of the City of Garden City met in Regular Session Monday, June 21, 2021, at 7:00p.m. in the Council Chambers of the Civic Center, 6000 Middlebelt Road, Garden City, Michigan.

REGULAR MEETING

Present were Mayor Walker, Mayor Pro-Tem Kerwin. Councilmembers DiMichele, Jacobs, and Lynch. Councilmembers Squires and Earle were absent and excused.

Also present were City Manager Dougherty, City Clerk Miller, and City Treasurer Marciniak,

- ❖ **Item #21-06-092 - Moved by Lynch; supported by DiMichele :**
RESOLVED: To approve the meeting agenda as presented.

The agenda consisted of the following:

1. Ordinance Amendment - Division of Platted Lots (remove from table)
2. 80/20 Employee Healthcare Opt-Out
3. 2020-2021 Budget Amendment #2
4. Division of Platted Lot – 30451 Dawson
5. Ordinance Amendment – Mobile Food Vendors call Public Hearing

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

Recognition, Presentations, Community Announcements, Comments from State & County Officials, and Petitions & Communications

- Barry Patterson, Girls Softball Coach, Garden City High School was presented a plaque for 800 career wins as head coach of the Garden City Cougar Varsity Softball Team.
- Mayor Walker, read a communication from City Treasurer Marciniak regarding the mailing of 2021 Summer tax bills. (tax bills will be mailed on July 1st and due August 31st)
- Mayor Walker gave information regarding response from GFL regarding recent issues with garbage pickup (if trash is not picked up on regularly scheduled day leave on curb and it should be picked up next day)

- ❖ **Item #21-06-093 - Moved by Lynch; supported by DiMichele :**
RESOLVED: To approve the consent agenda as presented.

1. Approve Council Meeting Minutes of 6/7/21
2. Receive, Note, and File: Invoices Paid May 2021
3. Receive, Note, and File: City Financial Report Month of May 2021

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

❖ **Item #21-06-094 - Moved by DiMichele ; supported by Jacobs :**

RESOLVED: Motion to remove the ordinance amendment to Chapter 152.107 Division of Platted Lots from the table.

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

❖ **Item #21-06-095 - Moved by DiMichele ; supported by Jacobs :**

RESOLVED: Motion to approve the proposed amendment to Chapter 152.107 Division of Platted Lots as attached.

ORDINANCE NO: 21-007

ORDINANCE

AN ORDINANCE OF THE CITY OF GARDEN CITY PROVIDING FOR AMENDMENTS TO §152.107 (DIVISION OF PLATTED LOTS); PROVIDING FOR REPEAL OR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

THE CITY OF GARDEN CITY ORDAINS: THE FOLLOWING SECTIONS OF THE CITY OF GARDEN CITY CODE OF ORDINANCES BE AMENDED AS FOLLOWS TO READ:

CHAPTER 152.107 DIVISION OF PLATTED LOTS

§ 152.107 DIVISION OF PLATTED LOTS.

A platted lot may be divided in accordance with the following provisions.

(A) The City Council may permit the division of lots as follows.

(1) Outlots, or parts thereof consisting of ten acres or less, into not more than four parts.

(2) A platted lot into not more than four parts as separate parcels, or divided and combined with an adjacent lot, outlot, acreage, or parts thereof, provided that each of the resulting parcels contain no less than 7,200 square feet and a minimum width of 60 feet. The resultant parcels for the construction of new homes shall comply with Chapter 154.024 Residential Design Standards.

(3) A platted lot into not more than two parts for the purpose of combining each of the parts with adjacent lots where the resulting parcels exceed the area and width of original platted size.

(B) Application shall be made to the City Assessor by submission of the following.

(1) Written request signed by all parties in interest showing the legal description of the resultant parcels of the requested real property division.

- (2) Two plot plans each showing dimensions of platted and resultant parcels.
 - (3) A fee charged in accordance with the Comprehensive Fee Schedule in Chapter 12 of this Code for each of the resultant parcels.
 - (4) Evidence of ownership or interest in property to be divided.
- (C) Prior to submission to the City Council, the City Assessor shall obtain or prepare the following.
- (1) A tax memo from the City Treasurer showing tax status of all lots involved.
 - (2) A memo from the City Assessor stating whether or not the parcel or parcels to be divided contain any improvements.
 - (3) If any improvements are contained thereon, a memo from the Director of the Building Division stating whether the proposed division would reduce required yard space or off-street parking space below minimum limits required in the zoning code.
- (D) In no event shall a division of platted lots be authorized where there are any due and unpaid taxes or special assessments, or if improvements are contained thereon, the division would reduce the required yard space or off-street parking space below the minimums required by the Zoning Code.
- (E) In no event shall division of property be considered until a finding by the City Attorney that the parties signing the request have the necessary interest in the property to request the division thereof.
(‘83 Code, § 151.62) (Ord. 72-007, passed 5-1-72; Am. Ord. 89-004, passed 6-19-89) Penalty, see § 10.99

SECTION II. SEVERABILITY

If any clause, sentence, section, paragraph or part of this Ordinance, or the application thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalid the remainder of this Ordinance. It is hereby declared to the legislative intent of this body that the Ordinance is severable, and that the Ordinance would have been adopted had such invalid or unconstitutional provision not have been included in this Ordinance.

SECTION III. REPEAL.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION IV. SAVINGS CLAUSE.

All rights and duties which have matured, penalties which have been incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance.

SECTION V. PUBLICATION.

The Clerk for the City of Garden City shall cause this Ordinance to be published in the manner required by law.

SECTION VI. EFFECTIVE DATE.

This Ordinance, as amended, shall take full force and effect upon publication as required by law.

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

❖ **Item #21-06-096 - Moved by Lynch ; supported by Kerwin:**

RESOLVED: Motion to adopt a resolution for the Opt-Out exemption as required by the Publicly Funded Health Insurance Contribution Act - Public Act 152.

AYES: Lynch, Kerwin, Walker, Jacobs
ABSTAIN: DiMichele
ABSENT: Squires, Earle

Motion Passes 4-0

❖ **Item #21-06-097 - Moved by Jacobs ; supported by Lynch:**

RESOLVED: Motion to approve Budget Amendment #2 to the 2020-2021 FY Budget.

CITY OF GARDEN CITY

ORDINANCE NO. A21-005

AN ORDINANCE TO PROVIDE FOR A MID-YEAR BUDGET AMENDMENT FOR THE CITY OF GARDEN CITY, WAYNE COUNTY, MICHIGAN, FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2020, AND ENDING ON JUNE 30, 2021.

THE CITY OF GARDEN CITY ORDAINS:

SECTION 1: MID-YEAR BUDGET AMENDMENT.

The following adjustments, representing various budgetary centers of the Fiscal Year 2020/2021 Budget as defined by Public Act 621 of 1978, as amended, are hereby adopted for the City of Garden City, Wayne County, Michigan, for the Fiscal Year 2020/2021 as shown below in the budget amendment document:

Fund	Proposed Amendment to Revenues	Proposed Amendment to Expenditures	Net
General Fund (101)	\$951,800 increase	\$391,800 increase	Net \$560,000 increase to General Fund fund balance
This amendment is the result of the City's analysis of activity to date. The most significant components of this amendment are: <ul style="list-style-type: none"> • Significant increase in Grant Revenue from various sources related to COVID-19. • Increase in Building Department Permits and Fees. • Increase PEG Fee Revenue for renegotiated Cable TV contracts. • Additional costs associated with COVID-19 related grants and activities. • Previously unbudgeted retiree healthcare for new retiree. • Additional HVAC Maintenance Costs for aging system. • Increase Contractual Services related to increase Building Department Permits and Fees. 			
Major Street Fund (202)		\$623,000 increase	Net revenues/expenditures of (\$623,000)
<ul style="list-style-type: none"> • Additional road projects, equipment purchases and DPW building improvements. 			
Local Street Fund (203)		\$499,400 increase	Net revenues/expenditures of (\$499,400)

<ul style="list-style-type: none"> Additional road projects, equipment purchases and DPW building improvements. 			
Police Drug Confiscation (264)	\$100,000 increase	\$10,000 increase	Net revenues/expenditures of \$90,000
<ul style="list-style-type: none"> Residual revenue from a special task force dissolving. Additional expenditures for new K-9. 			
Fund	Proposed Amendment to Revenues	Proposed Amendment to Expenditures	Net
Capital Projects (401)	\$62,500 increase	\$347,000 increase	Net revenues/expenditures of (\$284,500)
<ul style="list-style-type: none"> Additional General Fund transfer. Additional Technology purchases. Decrease in Police vehicle (3) purchases not delivered. Additional Fire equipment and station improvements. Completion and payment of City-Wide parking lot project Additional Parks & Rec walking trail repavement. 			
Capital Projects – Roads (405)	\$4,256,100 increase	\$4,834,200 increase	Net revenues/expenditures of (\$578,100)
<ul style="list-style-type: none"> Record Sale of 2021 Road Bonds Additional Road Projects 			
Court Building Fund (436)		\$275,000	Net revenues/expenditures of (\$275,000)
<ul style="list-style-type: none"> Court Renovation Projects. 			

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

- ❖ **Item #21-06-098 - Moved by Jacobs; supported by Kerwin:**
RESOLVED: Motion to approve the lot split and combination of 30451 Dawson - Parcel #35-006-02-0662-000 and 30485 Dawson - Parcel #35-006-02-0660-002.

**Original Descriptions
Parcel 1**

The South 1/2 of Lot 660 and all of Lot 661 of FOLKERS GARDEN CITY ACRES NO. 4 being a subdivision of the East 1/2 of the Southwest 1/4 of Section 11, T. 2 S., R. 9 E., Nankin Township (now City of Garden City), Wayne County, Michigan as recorded in Liber 48 of Plats, Page 5, Wayne County Records.

Parcel 2

Lot 662 of FOLKERS GARDEN CITY ACRES NO. 4 being a subdivision of the East 1/2 of the Southwest 1/4 of Section 11, T. 2 S., R. 9 E., Nankin Township (now City of Garden City), Wayne County, Michigan as recorded in Liber 48 of Plats, Page 5, Wayne County Records.

New Descriptions

Parcel 1

The South 1/2 of Lot 660, all of Lot 661 and the South 1/2 of Lot 662 of FOLKERS GARDEN CITY ACRES NO. 4 being a subdivision of the East 1/2 of the Southwest 1/4 of Section 11, T. 2 S., R. 9 E., Nankin Township (now City of Garden City), Wayne County, Michigan as recorded in Liber 48 of Plats, Page 5, Wayne County Records.

Parcel 2

The North 1/2 of Lot 662 of FOLKERS GARDEN CITY ACRES NO. 4 being a subdivision of the East 1/2 of the Southwest 1/4 of Section 11, T. 2 S., R. 9 E., Nankin Township (now City of Garden City), Wayne County, Michigan as recorded in Liber 48 of Plats, Page 5, Wayne County Records.

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

❖ **Item #21-06-099 - Moved by DiMichele ; supported by Lynch:**

RESOLVED: Motion to approve calling a public hearing for Monday, July 26, 2021 at 7:00 p.m. to consider an ordinance amendment to Chapter 111 Food & Drink Regulations.

AYES: Unanimous
ABSENT: Squires, Earle

Motion Passes 5-0

Mayor Walker announced it was time for public comment.

- Josephine Graham, Middlebelt Road, spoke regarding, parking tickets issued to vehicles parked overnight in City Hall parking lot.
- Dennis Devac, Middlebelt Road, spoke regarding lack of handicap parking spots at Garden City Tower and asked what the definition of overnight parking is.
- Maxine, Middlebelt Road, spoke regarding Garden City Tower parking at City Hall.
- Patricia Schuh-Harris, Middlebelt Road, spoke in regards to lack of available parking at Garden City Tower.
- Kim Poma, Garden City Library, spoke regarding upcoming summer programs at Garden City Library.
- Mike Jones, Garden City, gave compliments to the recent Music in the Park event.

There being no further business before Council, the meeting was then adjourned at 7:55 p.m.

Matthew K. Miller
City Clerk