

MINUTES OF THE RESCHEDULED CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 9, 2024, IN THE COUNCIL-COURTROOM OF THE ROBERT E. NOVITKE MUNICIPAL CENTER, 20025 MACK PLAZA DR., GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:02 p.m. by Mayor Bryant.

PRESENT: Mayor Bryant
Council Members: Brown, Gafa, Granger, Koester, McConaghy
ABSENT: None

Also Present: City Administrator Schulte
Assistant City Administrator Como
City Attorney Walling
City Treasurer/Comptroller Schmidt
City Planner Wolf
Confidential Administrative Assistant Miotto

Council, Administration, and the audience Pledged Allegiance to the U.S. Flag.

The following Commission members were in attendance:

- Catherine Dumke, Senior Citizens' Commission
- Donna O'Keefe, Planning Commission
- Dan Curis, Local Officer's Compensation Commission

Motion by McConaghy, seconded by Brown, that all items on tonight's **agenda be received, placed on file, and taken in order of appearance.**

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: None

Motion by Granger, seconded by Gafa, that all items (6A-6E) on the **Consent Agenda be approved as presented.**

A. Appointment

1. Beautification Advisory Commission (BAC) - Term to Expire: 12/31/25
 - a) Biographical Sketch - Jeannette Rogers
 - b) Beautification Advisory Commission Minutes Excerpt 08/14/24

B. Approval of Minutes

1. Council 08/19/24
2. Beautification Advisory Commission 07/10/24

C. Bids/Proposals/Contracts

1. Purchase - Scag 61" Turf Tiger Riding Mower
 - a) Memo 08/16/24 - Director of Public Services Kowalski
 - b) Quote 47289 08/16/24 - Billings Lawn Equipment
2. SMART Municipal and Community Credits Contract 2025
 - a) Memo 09/05/24 - City Administrator Schulte
 - b) Proposed Contract

D. Proclamation

1. Patriot Day and National Day of Service and Remembrance (9/11)
2. Prostate Cancer Awareness Month (September)

E. Claims and Accounts

1. Anderson, Eckstein & Westrick, Inc. (AEW) - City Engineers
 - a) Sewer System Evaluation - Invoice No. 152341 - Proj. No. 0160-0449 - 08/08/24 - \$876.40.
 - b) GPW SS4A Grant Application - Invoice No. 152350 - Proj. No. 0160-0483 - 08/08/24 - \$2,538.54.
 - c) 2024-2025 General Engineering - Invoice No. 152351 - Proj. No. 0160-0484 - 08/08/24 - \$780.00.
 - d) 2024-2025 GIS Maintenance - Invoice No. 152352 - Proj. No. 0160-0485 - 08/08/24 - \$4,871.52.
 - e) Water System CDSMI - Invoice No. 152355 - Proj. No. 0160-0461 - 08/08/24 - \$1,693.19.
 - f) SRF Project Plan Preparation - Invoice No. 152356 - Proj. No. 0160-0462 - 08/08/24 - \$348.20.
 - g) Roslyn Rd. Water Main & Resurface (Mack/Marter) - Invoice No. 152357 - Proj. No. 0160-0464 - 08/08/24 - \$4,443.69.
 - h) 2023 Misc. Concrete Repair Program - Invoice No. 152358 - Proj. No. 0160-0466 - 08/08/24 - \$2,373.31.

- i) Torrey Rd. Pump Station Generator - Invoice No. 152359 - Proj. No. 0160-0473 - 08/08/24 - \$5,371.65.
 - j) 2024 Sewer Rehab by Full Length CIPP LIN - Invoice No. 152376 - Proj. No. 0160-0475 - 08/09/24 - \$18,431.59.
 - k) 2024 Miscellaneous Concrete Program - Invoice No. 152377 - Proj. No. 0160-0477 - 08/09/24 - \$31,904.20.
 - l) 707 N. Renaud Plot Plan Review - Invoice No. 152545 - Proj. No. 0160-0474 - 08/15/24 - \$137.20.
 - m) 2024 Concrete Pavement Repair Program - Proj. No. 0160-0477 - Pay Estimate No. 1 - Mattioli Cement Co. LLC - 08/15/24 - \$61,696.89.
 - n) Vernier Rd. Water Main Replacement (West City Limit to Mack Ave.) - Proj. No. 0160-0446 - Final Pay Estimate - Fontana Construction, Inc. - 09/03/24 - \$127,455.00.
 - o) Roslyn Rd. Water Main & Resurfacing Project - Proj. No. 0160-0464 - Pay Estimate No. 7 (Fiscal Year End) - Pamar Enterprises, Inc. - 08/23/24 - \$27,423.25.
2. Keller Thoma – Legal Services – Invoice No. 12446 – August 2024 – 09/01/24 - \$131.25.
 3. McKenna - Building/Planning Services
 - a) Invoice No. 21849-94 - Building Services - July 2024 - 08/26/24 - \$48,883.30.
 - b) Invoice No. 22-064-29 - Planning Services - July 2024 - 08/11/24 - \$1,192.50
 4. WCA Assessing - Assessing Services - Invoice No. 081924 - September 2024 - 08/19/24 - \$7,175.58.
 5. York, Dolan & Tomlinson, P.C. - Legal Services - Invoice No. 219 - August 2024 - 09/03/24 - \$1,767.00.

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: None

Mayor Bryant presented a proclamation to John Agnello for his recent act of heroism at Lake Front Park.

THE MEETING WAS THEREUPON OPENED AT 7:09 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF BCM RESTAURANTS, LLC, 20195 MACK AVENUE, GROSSE POINTE WOODS, WHICH IS REQUESTING A NEW CLASS C LIQUOR LICENSE.

Motion by McConaghy, seconded by Brown, that for purposes of the public hearing the following items be received and placed on file:

- 1) Memo 09/04/24 - City Attorney Walling
- 2) Memo 09/05/24 - City Planner Wolf
- 3) On-Premises Retailer License & Permit Application (LCC-100a)
- 4) Report of Stockholders, Members, or Partners (LCC-301)
- 5) On-Premises Retailer License & Permit Application - Checklist
- 6) Article of Organization
- 7) Limited Liability Company Agreement of BCM Restaurants, LLC
- 8) Letter of Intent to Purchase 06/25/24 - Branden McRill
- 9) Lease Agreement - 20195 Mack Avenue
- 10) Credit Card Authorization Form (LARA)
- 11) Live Scan Fingerprint Background Check Request
- 12) Site Plan - 20195 Mack Avenue
- 13) Floor Plan - 20195 Mack Avenue
- 14) Receipt of Payment
- 15) Affidavit of Property Owners Notified and Map
- 16) Affidavit of Legal Publication
- 17) Concept Inspiration - Lola's Taco Bar

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: None

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The following individual was heard:

- Branden McRill, 565 Lochmoor, and applicant, spoke in support of the project, Lola's Taco Bar, by providing his history in hospitality, his ties to the Grosse Pointe community, and the unique nature of the concept he's proposing. Due to connectivity issues, his power point presentation could not be projected.
- Leo Nouhan, 1326 Yorkshire, Grosse Pointe Park, spoke in support of McRill and the project.
- Jon Gandelot, former Hampton resident, spoke in support.

- Yanni Dionisopoulos, Grosse Pointe Park, and Greektown restaurateur, spoke in support.
- Brandon Zarb, Pleasant Ridge, and Lola’s Executive Chef, spoke in support.
- Mel Fuechtmann, 565 Lochmoor, McRill partner, and Managing Director for Lola’s, spoke in support.

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. No one wished to be heard.

The Chair closed the public hearing at 7:30 p.m.

Questions and answers ensued around Lola’s possible participation in the Social District, Lola’s anticipated hours of 10 am – 10 pm, seven days a week, the site plans which won’t require any variances, the existing structure will not be changed, and parking.

THE MEETING WAS THEREUPON OPENED AT 7:33 P.M. FOR A SECOND PUBLIC HEARING TO HEAR THE APPLICATION OF DAILY JAM GP, LLC, 20710 MACK AVENUE, GROSSE POINTE WOODS, WHICH IS REQUESTING A NEW CLASS C AND SPECIALLY DESIGNATED MERCHANT (SDM) LIQUOR LICENSES.

The following items were received and placed on file:

- 1) Memo 09/04/24 - City Attorney Walling
- 2) Memo 09/05/24 - City Planner Wolf
- 3) Cover Letter 07/09/24 - Mark J. Burzych (representing Daily Jam GP, LLC)
- 4) Introduction/Overview
- 5) Tab 1 - Proof of Financial Responsibility
- 6) Tab 2 - Construction Schedule
- 7) Tab 3 - Demolition Floor Plan
- 8) Tab 4 - Existing Site Plan & Vicinity Map
- 9) Tab 5 - Floor Plan
- 10) Tab 6 - Menu
- 11) Tab 7 - Map - Proposed Location
- 12) Tab 1 - Member/Employee Chart
- 13) On-Premise Retailer License & Permit Application (LCC-100a)
- 14) Motor City Jam, LLC - Member Information
- 15) Curis Jam, LLC - Member Information
- 16) ZGR Holdings, LLC - Member Information
- 17) Schedule A - Licenses, Permits, & Permissions
- 18) Contact Information

- 19) Tab 2 - Daily Jam GP, LLC - Report of Stockholders, Members, or Partners (LCC-301)
- 20) Motor City Jam, LLC - Report of Stockholders, Members, or Partners (LCC-301)
- 21) Curis Jam, LLC - Report of Stockholders, Members, or Partners (LCC-301)
- 22) ZGR Holdings, LLC - Report of Stockholders, Members, or Partners (LCC-301)
- 23) Tab 3 - Articles of Organization - Daily Jam GP, LLC
- 24) Operating Agreement of Daily Jam GP, LLC
- 25) Tab 4 - Article of Organization - Motor City Jam, LLC
- 26) Operating Agreement for Motor City Jam, LLC
- 27) Tab 5 - Article of Organization - Curis Jam, LLC
- 28) Operating Agreement of Curis Jam, LLC
- 29) Tab 6 - Certificates of Amendment/Formation - ZGR Holdings, LLC
- 30) Operating Agreement of ZGRowth Acquisitions 3, LLC
- 31) Tab 7 - Draft Lease Agreement - 20710 Mack Avenue
- 32) Existing Site Plan & Vicinity Map
- 33) Receipt of Payment
- 34) Affidavit of Property Owners Notified and Map
- 35) Affidavit of Legal Publication
- 36) Power Point Document

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The following individual was heard:

- Mark J. Burzych, attorney representing Daily Jam GP, LLC, and General Counsel to the Michigan Restaurant and Lodging Association, presented a power point presentation, background on the project, background on the long-term relationship of the Ansara and Curis families and the ZGR group, and their long running history in the hospitality business and in the Grosse Pointe community. The project, The Daily Jam, will be a neighborhood gourmet breakfast, lunch and brunch concept, with hours of 10 am – 3 pm.
- Anthony Kilimas, owner of Someday Brewing, spoke in support.

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. No one wished to be heard.

The Chair closed the public hearing at 7:56 p.m.

Questions and answers ensued around the timeframe of each project, and when the liquor license would be required. The Daily Jam is working on the plans and will submit them when the decision by Council is done. They would work on the renovation while the application is in the State of Michigan approval process, which is currently taking about 6 months. They anticipate opening around the first of 2025.

Lola’s Taco Bar is in a 30-day due diligence process on the property, and is working on the renovation plan and expects the renovations would cost about \$600 thousand dollars and would be a 4-month process.

As the City has one available liquor license, alternatives for a second license were discussed. Both applicants would be budgetarily challenged by purchasing a liquor license from an escrow account, which can run \$70-\$80 thousand dollars. McRill stated it would be very challenging to move forward without a liquor license due to the cost of buying one out of escrow, and due to their 60-40% food to beverage ratio, it would be very hard to operate the business on food service alone. They would have significantly decreased gross revenue without the license, and the margin variances would be significant. Victor Ansara stated that liquor is a very important component of the Daily Jam concept and they would not move forward with the concept without a liquor license. The additional cost of a license would have a significant impact on their budget and make it more difficult. Council members discussed options of the City obtaining a 12th liquor license. City Attorney Walling will look into this. Planner Wolf explained that establishing a redevelopment or development district (in one instance it would be a DDA, but there are other instances of redevelopment districts) allows exemptions for businesses in the district from the liquor license quota, if the business can commit to a threshold of investment of around \$70 thousand dollars. The establishment of one of these redevelopment districts, which does not have to be a DDA, or a tax entity, is a process and cannot be done within the timing needed by these projects

Motion by McConaghy, seconded by Granger, to table the decision until each applicant pursues site plan approval, special land use recommendation, and a recommendation from the Planning Commission before deciding who will be granted the final Class C license from the City. More information is requested from City Attorney Walling and Planner Wolf on the topics brought up tonight to see if we can find a solution.

The motion was amended by McConaghy, with continued Granger support, to state that this process be expedited and be done as soon as possible.

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: None

Under New Business, the following individual(s) was heard:

- The Chair addressed the Seniors’ Commission Minutes Recommendation, dated July 16, 2024, that existing \$1,800 funds be spent on the September 18, 2024, Senior Picnic.

Motion by Koester, seconded by Gafa, **to approve the expenditure of \$1,800 for the 2024 Senior Picnic.**

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: None

Under Public Comment, the following individuals were heard:

- Greg Van Natter, 589 Anita requested that the late fee on his tax bill be refunded as he did not get the bill in the mail.

Discussion ensued around whether City Council has the authority to take action, and if taking action will set a precedent for future requests. City Manager Schulte stated that this topic comes up every year. Treasurer/Comptroller Schmidt advised the resident that automatic withdrawal of taxes is an option. Attorney Walling will research the city's ability to refund the late fee and report back. City Council will follow up with Mr. Van Natter.

- Brad Pettiford, 725 N. Rosedale Ct, introduced himself as an interested City Council applicant.

Motion by Granger, seconded by Koester, **to adjourn tonight's meeting** at 8:38 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Gretchen Miotto
Confidential Administrative Assistant

Arthur W. Bryant
Mayor