

City of Lathrup Village
27400 Southfield Road
Lathrup Village, MI 48076
www.lathrupvillage.org | (248) 557-2600

TO: Mayor & City Council
FROM: Mike Greene – City Administrator
DATE: June 2, 2025
RE: Study Session

Sign Ordinance Amendment

A couple of months back, the City Council directed the City Attorney to work on minor sign ordinance updates, specifically related to electronic window signs (ex: open signs). Included in your packet are DRAFT updates to the sign ordinance for consideration. Based on feedback from the City Council, we can begin 1st readings during the July City Council meeting.

Temporary Sign Ordinance

City staff, along with a few Council members, have been contacted by businesses along Southfield Road, specifically those near the Southfield/696 area, to inquire about any flexibility the City can provide within its ordinances to assist them during the construction. One example is temporarily relaxing the sign ordinance for the commercial vehicular zone to allow for items such as flag signs.

This discussion is to see what the Council's appetite is for this type of business relief, while the community manages through this construction project.

Charter Amendment Ballot Proposal Language

The City has previously attempted to place a measure on the ballot to update the City's Charter to reflect changes in election laws. However, review timing from the state resulted in the proposal not being placed on the ballot. At the recommendation of Attorney Baker, the City should consider placing an additional proposal on the November 2025 ballot.

This discussion is to review the potential ballot language before formal Council consideration during the regular meeting.

Precinct Consolidation Ordinance

City staff have internally discussed the possibility of consolidating City voting precincts to increase the voting process efficiency and potentially reduce the cost to host elections. The City currently has two voting precincts, and changes to voting laws allow for the consolidation of precincts, permitting the number of voters per precinct up to 4,999.

MCL 168.658 requires that a consolidation of precincts must be made at least 120 days before an election, which is July 8th. That means that the Notice of Adoption would have to be published no later than June 29th, so a special meeting would have to be scheduled at the end of June in order for the 2nd reading and adoption to occur timely.

By consolidating precincts, the City could save an estimated \$2,000 - \$5,000 per election in wages, along with savings from election equipment replacement and required testing. It also grants more efficiency in the in-person voting process. It will make it easier for staff to provide a better flow for voters and deploy and retrieve equipment.

FY 25 Budget Amendments

Enclosed in your regular meeting packet are the proposed budget amendments for FY 25. This discussion is to answer any initial questions you may have.

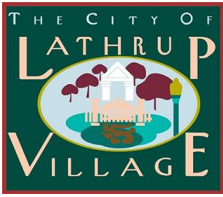
Kelly Garrett
Mayor

Bruce Kantor
Mayor Pro-Tem

Jalen Jennings
Council Member

Jason Hammond
Council Member

Maria Mannarino
Council Member



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Flag Flying Policy

The City has been inundated with requests over the past week for the City to raise specific flags on the flag pole in front of City Hall. Municipalities throughout the country regulate signs and set policy for flag-flying on public property. Done right, these are lawful functions of local government; done wrong, they can be First Amendment landmines. A recent U.S. Supreme Court decision refines the map to navigate this landscape.

Shurtleff v. City of Boston (Flags)

Shurtleff v. City of Boston involved a dispute over Boston’s denial of a request to fly a religious flag outside City Hall. Boston had allowed private groups to hold flag-raising ceremonies outside City Hall during which groups could replace the city flag with a flag of that group’s choosing. From 2005 to 2017, Boston approved the raising of approximately 50 unique flags at 284 ceremonies.

The case began after the director of an organization called “Camp Constitution” asked to fly the “Christian flag”—which, according to Court documents, displayed a red cross on a blue field against a white background—during an event that would commemorate the “civil and social contributions of the Christian community.” City staff denied the request, citing concerns that flying a religious flag at City Hall would violate the Establishment Clause and that the City had no precedent for flying such a flag. Camp Constitution sued, claiming that Boston’s denial violated the First Amendment’s Free Speech Clause. The District Court sided with Boston, holding that flying private groups’ flags on City Hall property constituted “government speech” under the First Amendment, which allowed Boston to refuse the flag request. The First Circuit affirmed.

The Supreme Court reversed, holding that the flag raisings in question amounted to private, not government, speech due to Boston’s “lack of meaningful involvement in the selection of flags or the crafting of their messages.” In support of this holding, the Court observed that Boston had no written policy or internal guidance regarding which flags non-municipal groups could fly and what message those flags might communicate. Instead, Boston had a “come one, come all” attitude toward private groups’ flags; the city had never denied a private group’s flag request before this case. Upon classifying the flag raisings as private speech, the Court concluded that Boston’s refusal to let Camp Constitution fly its flag violated the Free Speech Clause of the First Amendment.

The Court advised that Boston was free to change its policies to “make clear that it wished to speak for itself by raising flags.” Tellingly, the Court cited approvingly the flag policy adopted by San Jose, California. The Court liked that the San Jose policy includes language stating that San Jose’s “flagpoles are not intended to serve as a forum for free-expression by the public” and limited its approval of flags flown to those that constitute “an expression of the City’s official sentiments.” The Court’s quasi-endorsement of San Jose’s policy strongly suggests that local flag policies with these features would qualify as government speech, allowing a city to permit or reject flying of a flag consistent with the policies.

Next Steps and Takeaways

In light of the decision in *Shurtleff v. City of Boston*, municipalities desiring to exercise discretion regarding the flags flown (and not flown) by private groups on public property should enact local policies that, among other things, identify the flags that groups can and cannot fly and what those flags communicate (e.g., the city’s official sentiments).

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