



# City Council Regular Meeting

Monday, July 15, 2024 at 7:30 PM

27400 Southfield Road, Lathrup Village, Michigan 48076

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1. **Call to Order** by Mayor Garrett 7:30 pm
  2. **Roll Call**

Present: Mayor Garrett, Mayor Pro-Tem Kantor, Councilmember Hammond

Absent: Councilmember Jennings, Councilmember Barksdale

Moved by Councilmember Hammond and Seconded by Mayor Pro-Tem Kantor, to excuse Councilmember Barksdale and Councilmember Jennings.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

3. **Pledge of Allegiance**
4. **Approval of Agenda**

Moved by Mayor Pro-Tem Kantor, Seconded by Councilmember Hammond to remove items: G, H, I, and K, from the agenda, because there were not enough Council members present for a Quorum, and to add Item L to appoint a Board of Review member.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

5. **Public Comment for Items on the Agenda** (speakers are limited to 3 minutes)

Karen Miller – Items 7B & 7 C – Challenge the validity of the petition signatures that were submitted.

6. **Consent Agenda**
  - A. Approval of Minutes
    - i. June 17, 2024 - Regular Meeting
    - ii. June 17, 2024 - Study Session
  - B. Police Department Monthly Reports
  - C. Community & Economic Development Department Report
  - D. Building & Code Enforcement Reports
  - E. Finance Department Reports
  - F. Request to Appoint Members of the MML Workers' Compensation Fund

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor to approve the consent agenda.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

## 7. Action Requests - For Consideration / Approval

### A. Request to Approve Encroachment License Application - 27680 Lathrup Blvd.

Moved by Mayor Pro-Tem Kantor, Seconded by Hammond, to approve the Encroachment license for 27680 Lathrup Boulevard.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

### B. Request to Approve Resolution #2024-09 - Establishing Ballot Language for Referendum Petition Received Regarding Charter Referendum

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor to approve Resolution #2024-09, establishing Ballot Language for Referendum Petition Received regarding Charter referendum.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

### C. Request to Approve Resolution #2024-10 - To Submit the Proposal Provided For in the Initiative Petition to the Electors & Establishing the Ballot Language -- or -- Request to Approve Resolution #2024-11 - To Adopt the Ordinances Submitted by an Initiative Petition and to Schedule the Second Reading of Said Ordinance

Moved by Mayor Pro-Tem Kantor, Seconded by Councilmember Hammond to approve Resolution #2024-10 to submit the proposal provided for in the Initiative Petition to the electors, and establish ballot language.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

### D. First Reading - Request to Amend City Ordinances by Addition of, Chapter 46 - Miscellaneous Offenses, Provisions, Forfeitures and Penalties, Article XIII. Nuisance Parties

Moved by Mayor Pro-Tem Kantor, Seconded by Councilmember Hammond to schedule the second reading of an update to the City Ordinances, by addition to Chapter 46, Miscellaneous Offenses, ties Article XIII. Nuisance Parties.

Yes: Garrett, Kantor, Hammond  
No: N/A  
Absent: Jennings, Barksdale  
Motion Carried.

**E. Second Reading - Request to Adopt an Update to Ordinance Chapter 46. Miscellaneous Offenses, Provisions, Forfeitures and Penalties, Article XII. Parks and Recreation Protection.**

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor, to adopt update Chapter 46. Misc Offenses, Provisions, Forfeitures, and Penalties, Article XII. Parks and Recreation Protection.

Yes: Garrett, Kantor, Hammond  
No: N/A  
Absent: Jennings, Barksdale  
Motion Carried.

**F. Second Reading - Request to Adopt an update to Ordinance Chapter 14. Buildings and Building Regulations, Article VIII. Swimming Pools, Section 14-183 Fencing.**

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor, to adopt an update to Ordinance Chapter 14. Buildings and Building Regulations, Article VIII. Swimming Pools, Section 14-183 Fencing.

Yes: Garrett, Kantor, Hammond  
No: N/A  
Absent: Jennings, Barksdale  
Motion Carried.

- ~~G. Request to Approve DPS Pickup Truck Purchase~~
- ~~H. Request to Approve DPS Lawn Mower Purchase~~
- ~~I. Request to Approve Council Chambers Camera Upgrade~~

**J. Request to Approve the Uniform Video Service Local Franchise Agreement with Comcast**

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor to approve the Uniform Service Local Franchise Agreement with Comcast Cable LLC., with a provider fee of five percent.

Yes: Garrett, Kantor, Hammond  
No: N/A  
Absent: Jennings, Barksdale  
Motion Carried.

- ~~K. Request to Approve Emergency Contract with ServPro of West Sterling Heights~~

L. Request to Appoint Board of Review Alternate

Moved Mayor Pro-Tem Kantor, Seconded by Councilmember Hammond, to approve Amy Parsons to the Board of Review as an Alternate.

Yes: Garrett, Kantor, Hammond

No: N/A

Absent: Jennings, Barksdale

Motion Carried.

8. **City Administrator Report**

City Administrator Greene announced the launch of the updated City of Lathrup Village website and the City of Lathrup Village mobile app.

9. **City Attorney Report**

10. **Reports of Boards, Commissions, and Committees**

- A. Downtown Development Authority – Meeting on Friday, July 19, 2024, at Noon
- B. Planning Commission – Meeting Canceled tomorrow (7/16), but there will be one in August.
- C. Parks & Recreation – N/A
- D. Tree Committee – Meeting on July 16, 2024 at 4:30 pm
- E. Southfield School Board – N/A
- F. Finance Review Committee – The recent meeting was productive, but resident turnout was low, and the committee encouraged resident input during the meetings. Plante Moran gave a presentation on potential revenue options to consider. The next meeting is July 16, 2024, at 5:30 PM.

11. **Unfinished / New Business** none

12. **Public Comment** (speakers are limited to 3 minutes)

Leslie Burton – Concern about the upsurge in block parties. Hoping the newly proposed ordinance gives the Police Department the tools necessary to limit incidents like what happened on Margate.

Josh Curt – 27465 California – Discussed the high-water bill letter that was received; parties in the park and parking on the easement

Adam Laurie – Lathrup Village Music Festival on August 10<sup>th</sup>, 2024 from 12:00 PM to 11:00 PM.

Autumn Sousanis – Discussed the high-water bill letter that was received

Ian Ferguson – Thanked residents who signed the petitions

Andre Campbell – Thanked the City Council, for approving his encroachment license application.

Laurie Kunz – Noted the meeting was not streaming on Facebook; asked that Council do not whisper to each other during the meeting; discussed police staffing and reasons why the City may be losing officers.

### 13. Mayor and Council Comments

Mayor Pro-Tem Kantor read a letter from Kim Hodge and other residents:

This is a statement for the upcoming City Planning Session on Monday, 7/15. Sorry I'm unable to attend on that date.

My name is Kim Hodge and I live at 27580 California Dr. SE. I am writing today to ask Council not to allow loud music and noise in the rental agreement for the pavilion and gazebo area. I am a huge music lover and supporter, but sometimes it just gets way too loud. Just to be clear, I am not talking about music during the Wednesday night concerts or the Lathrup Village music festival or other Lathrup Village events. I'm talking about rentals here.

I understand that the current decibel limit is set at 65 and you are considering raising it to 85 or some similar number. That is probably a reasonable limit. However, that limit is not adhered to. I am sometimes unable to sit in our own backyard or even in our house with the windows open without getting blasted with loud music (and pounding deep bass).

Last summer I had had enough after listening to loud music for 4 hours. I walked over to the gazebo and saw that speakers were pointed away from the pavilion, into my direction and very, very loud music was being played. Same thing happened within the last 2 months, with loud music for hours. This was, I'm sure, way above the allowed decibel limit and I should've called the police at that time, but I didn't. I'd like to avoid such situations in the future.

Could you please make sure that City staff emphasize the decibel limit to the person renting when you rent the outside space? And make sure that the police are aware of and enforcing the limits? We should not have to go inside our houses or close the windows in order to live comfortably when someone is renting the facilities.

Thank you for your attention to this matter.  
Kim Hodge and Tom Brodzik

In support are the following neighbors:

•Gary W. Roberts & Kevin Bryant, 27474 California Dr SE

"Our issues are with the private rental parties in the Park which is right across the street. In many instances the music far exceeds the volume of the City organized Music in the Park and City events. Both the music and in between voice broadcasts at private events in the Park are extremely loud. Also some of these private parties have gone on past 10 pm, which is a very long duration of their intrusively loud music. I recommend NOT raising the volume on private rental parties. Also I think the LV Police should have the equipment to measure the volume and check it randomly (at least twice) to confirm it is within the terms of the rental contract."

•Brian Margosian, 27560 California SE

"I echo all of the above. We love our proximity to the park for LV live music where sound levels seem to be better controlled, however during some of these private events we have also noticed similar issues to our neighbors' above.

I will remind others as well that the decibel scale is logarithmic, so an increase from 65 to 85dB is a 10x increase in perceived sound pressure level.”

•Phyllis Windham, 27530 Sunset Blvd E

“I agree. I live right across the street from the park (across from the Children’s Garden) and I should not have to close my windows during the rentals. I’ve also heard loud swearing on the microphone. People in attendance often block my mailbox and park on the edge of my lawn.”

•Chris Smith, 27460 California SE

It also bothers him when people park on the berm in front of their house, leaving tire marks.

•Shannon Burke, 27411 Lathrup Blvd.

“I second the request to publicize and enforce the decibel limits, and to encourage groups renting the gazebo to avoid pointing their speakers at homes. If I can identify the song from half a yard away and sing along, it's probably too loud.”

•Resident from Lathrup Blvd

“Lathrup Boulevard is typically a quiet street, but over the past three years, we have often heard loud parties put on at the park. We often wondered if it was a community event due to the noise. We would investigate only to find out they were private parties. We can hear the music well into the evening, which can be disruptive to a young family with a toddler. As a wedding and event planner who works with venues much less residential than our pavilion (Cushing Field House & Shepherds Hollow), these venues currently have noise ordinances set at no higher than 99 decibels and are strongly adhered to.

I feel that the current sound limit of 65 decibels has not been adhered to and we request that you do not increase the allowed sound decibels before monitoring more closely to see what parties are currently playing music before making a final decision.”

•Sandy Schwartz, 27610 California SE

Sandy thinks the loudness is noise pollution and she is very sensitive to loud noises.

•Sabrina, 27561 California SE

Please let me know what action is taken regarding this issue. Thank you, in advance.

Mayor Garrett:

- Responded to Ms. Burton, saying she is deeply saddened by what happened, especially in proximity to you and in our Community. In the big scheme of things, we do have a relationship, because the City of Southfield, did come to assist with that incident. She agrees that parties that go past the 11:00 pm, Ordinance on the Weekend, should follow the rules and the new Ordinance should help with this.
- Responded to Mr. Burke, noise level is being addressed, and noise level meters will be used. There will be information given at the counter to those renting about how loud the music can be, how long, and in what direction the speakers can be pointed.
- Responded to Adam, thank you for the LVMF information.
- Responded to Ms. Sousanis, thanking Autumn for the presentation.
- Responded to Mr. Ferguson, thanking him for the information on petition signatures.

- Welcomed Andre Campbell to Lathrup Village.
- Responded to Ms. Kunz – no live stream during this meeting due to Facebook issues; requested Ms. Kunz could provide the whispering information in the Open Meetings Act; noted that the Police Department is over 50% of the General Fund budget.
- Responded to Ms. Miller – Noted the signatures are reviewed through the Qualified Voter File (QVF) maintained by the State.
- Reiterated that the Villager Facebook page is not an official City of Lathrup Village Facebook page and if you want someone to be in contact with you, you can write on the City of Lathrup Village Facebook page, or call or email Mike Greene, the City Administrator.

#### Mayor Pro-Tem Kantor

- The Council meeting is still recorded and will be available on YouTube.
- Welcomed Andre Campbell to Lathrup Village.
- Responded to Ms. Burton noting that the City does have a mutual aid agreement with Southfield and other communities for public safety.
- Thanked Josh for comments on the water billing and for park clean-up efforts.
- Water Billing
  - Regarding water, billing we had an error in our software that occurred around 2020, that affected 65 residents, billing error, really impacted those with 1 ½” meters, some have 5/8” but 1 ½” is usually used for those using a lot of water.
  - We found this during their water loss investigation, we had a big water loss issue for years, we were losing hundreds of thousands of gallons a day, and it wasn’t showing up anywhere, we looked internally, with the billing system, and through that process, they found some issues. We have recouped nearly \$85,000 in underbilling, and we found the issue impacting the sixty-five clients, it went on for over 14 months before we noticed it.
  - Mayor Pro-Tem noted that one customer was getting a bill consistently of about \$250, and then it dropped down to the bare minimum, of \$56 a month, for 14 months. Nobody called and asked what was going on with their bills. The investigation found that the last digit of the read was getting dropped, so the system did the math wrong and only charged 1 unit, which was the minimum use
  - Noted that payment plan options are available and residents should contact staff.
- Responded to Ms. Sousanis regarding spikes in water billing.
- Responded to Ms. Kunz regarding Police staffing levels.
- Noted those volunteers who handled the hanging baskets throughout the DDA did a wonderful job.
- Welcomed residents to the next Financial Review Committee Meeting.

#### Councilmember Hammond

- Welcomed Andre Campbell to Lathrup Village
- Discussed the Nuisance Party Ordinances and the abilities it gives the Police Department
- Applauded Ms. Sousanis’s research, but encouraged residents to include the City in the context of their research to ensure all sides are covered

#### 14. Adjourn

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor, to adjourn at 8:47 pm.