



# City Council Regular Meeting Minutes

Monday, June 17, 2024 at 7:30 PM

27400 Southfield Road, Lathrup Village, Michigan 48076

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1. **Call to Order** by Mayor Garrett at 7:30 PM

2. **Roll Call**

Present: Garrett, Kantor, Hammond, Jennings

Excused: Barksdale

Moved by Councilmember Hammond, seconded by Mayor Pro-Tem Kantor to excuse Councilmember Barksdale.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

3. **Pledge of Allegiance**

4. **Approval of Agenda**

Moved by Councilmember Hammond, seconded by Mayor Pro-Tem Kantor, to approve the agenda with the change in order of presentations, allowing 5B to precede 5A.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

5. **Presentations**

A. Congresswoman Rashida Tlaib - FY 2024 Community Project Funding

B. Commissioner Yolanda Smith Charles - 2024 Older Adult Award - Loretta DeLoach

6. **Public Comment on Agenda Items** (speakers are limited to 3 minutes)

Rick Wisz – Lathrup Village Women’s Club fee payment for use of Community Room.

Moved by Mayor Pro-Tem Kantor, seconded by Councilmember Jennings to adjourn the City Council meeting and convene as the Zoning Board of Appeals at 7:45 PM.

7. **Zoning Board of Appeals**

A. **Call to Order - Zoning Board of Appeals**

Present: Garrett, Kantor, Hammond, Jennings

Excused: Barksdale

**B. ZBA Public Hearing - 26415 Meadowbrook Way**

City Attorney Baker reviewed the application and variance requests. Attorney Baker reviewed the standards for considering the variance request and the findings of the City Planner from Giffels Webster.

- A. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship will result to the applicant if the strict letter of the regulations are carried out. Mere inconveniences or increased development costs shall not be deemed hardships under the terms of this provision. The subject site is a corner lot, and as such, has two property lines that require a setback of 40 feet.
- B. The factual circumstances upon which an application for a deviation is based are unique to the property for which the deviation is sought, and are not applicable to the city generally, or to other property within the same zoning classification.
- C. Any alleged practical difficulty or unnecessary hardship caused by this ordinance has not been created by any persons presently or previously having an interest in the property.
- D. The proposed deviation will not adversely affect the purpose or objectives of this ordinance, nor impair the adequate supply of light and air to adjacent property, nor increase the hazard from fire, flood, and other dangers of said property, nor diminish the marketable value of adjacent lands and buildings, nor increase the congestion in public streets.
- E. The proposed deviation will not otherwise impair the public health, safety, comfort, and general welfare.
- F. The benefit to the applicant will be real and substantial and any detriment to the neighboring property owners and occupants or the community at large is not substantial or is illusory. Benefits and detriments shall be determined in relation to the factors which impair the value and use of properties as related in D & E, above.
- G. The applicant is both willing and able to provide additional amenities beyond those minimally required by this ordinance and/or restrict the use of the property beyond those limitations placed on the property by this ordinance so that the fair market value of neighboring properties will be enhanced beyond the values which would accrue to them if the property were developed and used in strict conformity with the ordinance. Street view imagery from years' past show a number of tree and shrub removal from the Middlesex Avenue side of the property and/or right-of-way, eliminating much of the landscape screening of the property from the street. Should the Zoning Board of Appeals consider approving the requested variance, enhancing the streetscape appearance with additional landscaping, along the Middlesex Avenue right-of-way, may be considered as a condition of approval.

- H. The same or a substantially similar request shall not have been presented to the council in the form of a petition for a zoning amendment and been expressly denied and rejected after a public hearing. No similar variances had been requested at this site.
- I. Any special criteria listed for specific deviations in Sections 3.2.2, 4.1.4, and 5.13.15. This does not appear to apply for this situation.

Public Hearing:

Mr. McBroom – Full circle moment for knowing the City as a previous day laborer working within the City. Now a homeowner has the ability to improve his property and benefit his growing family. The goal of the uniqueness of the property is to enhance what is currently there. Has been inspired by the neighbors who have also made enhancements to their properties.

Public Hearing closed at 7:51 PM.

### **C. Request to Approve 26415 Meadowbrook Way Setback Request**

Mayor Pro-Tem Kantor – Question for Attorney Baker to see if the shape of the lot is enough justification to meet hardship requirements. Attorney Baker stated that the orientation of the home based on when it was built would meet the hardship requirements.

Councilmember Hammond – Asked even though the ordinances didn't exist when the home was built, would the approval of this contradict the ordinances that have been put in place. Attorney Baker stated that the applicant has identified a unique hardship that meets the requirements.

Councilmember Hammond – Stated that the addition proposed does not appear to have a negative impact on the neighbors.

Councilmember Jennings – Are there other properties throughout the City that would qualify for this type of hardship? Attorney Baker stated as it would be difficult to say but each individual property and appeal would have to meet the hardship requirements within the ordinance.

Moved by Councilmember Hammond, seconded by Mayor Pro-Tem Kantor to approve the 26415 Meadowbrook Way request for a dimensional variance to allow a new home addition to be setback 30 feet where there is a minimum required setback of 40 feet along Middlesex Avenue.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

### **D. Adjourn ZBA & Reconvene as City Council**

Moved by Mayor Pro-Tem Kantor, seconded by Councilmember Jennings to adjourn the Zoning Board of Appeals and reconvene as the City Council at 7:57 PM.

## 8. **Consent Agenda**

*All items listed under "Consent Agenda" are considered to be routine and non-controversial by the City Council and will be approved by one motion. There will be no separate discussion. If a discussion is desired, that item(s) will be removed from the consent agenda and discussed separately immediately after consent agenda approval in its normal sequence on the regular agenda.*

- A. Approval of Minutes
  - i. City Council Regular Meeting 5-20-24
  - ii. City Council Study Session 5-20-25
  - iii. City Council Special Meeting 6-3-24
- B. Building Department Report
- C. Disbursement Report
- D. Lathrup Village Police Department Monthly Reports

Moved by Councilmember Hammond, Seconded by Mayor Pro-Tem Kantor to approve the consent agenda with the removal of item 8C for discussion.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

## **Item 8C – Disbursement Report**

Moved by Mayor Pro-Tem Kantor, seconded by Hammond to approve Item 8C as presented.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

## 9. **Action Requests - For Consideration / Approval**

- A. **Request to Approve Intergovernmental Agreement for Lockup Services with the City of Berkley**

Moved by Councilmember Hammond, seconded by Mayor Pro-Tem Kantor to approve the intergovernmental agreement for Lockup Services with the City of Berkley.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

- B. **Request to Approve FY 2024-25 Fee Schedule**

Moved by Mayor Pro-Tem Kantor, seconded by Hammond to approve the Fiscal Year 2024-2025 Fee Schedule.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

**C. Request to Approve FY 2023-24 Budget Amendments**

Moved by Councilmember Hammond, seconded by Mayor Pro-Tem Kantor to approve the Fiscal Year 2023-2024 Budget Amendments as presented.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

**D. First Reading - Request to Amend Ordinance Chapter 14. Buildings and Building Regulations, Article VIII. Swimming Pools, Section 14-183 Fencing**

Moved by Councilmember Hammond, seconded by Jennings to schedule a second reading to Amend Ordinance Chapter 14. Buildings and Building Regulations, Article VIII. Swimming Pools, Section 14-183 Fencing.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

**E. First Reading - Request to Amend Ordinance Chapter 46. Miscellaneous Offenses, Provisions, Forfeitures and Penalties, Article XII. Parks and Recreation Protection**

Moved by Mayor Pro-Tem Kantor, seconded by Councilmember Jennings, to schedule a second reading to Amend Ordinance Chapter 46. Miscellaneous Offenses, Provisions, Forfeitures and Penalties, Article XII. Parks and Recreation Protection with a modification to the language in section 46-176E to include Council approval for noise that exceeds approved decibel levels.

Yes: Garrett, Kantor, Hammond, Jennings

No:

Motion Passed

**10. City Administrator Report**

Introduction of the City's new Community & Economic Development Director, Austin Colson.

**11. City Attorney Report – N/A**

## 12. Reports of Boards, Commissions, and Committees

### A. Downtown Development Authority

Meeting schedule for Friday, June 21 at 12:00 PM.

### B. Planning Commission

June 18, 2024 Meeting Canceled due to no action items.

### C. Parks & Recreation – N/A

### D. Tree Committee

Meeting schedule for June 18 at 4:30 PM.

### E. Southfield School Board

Councilmember Jennings thanks the Southfield School Board for welcoming the Council to the soft opening of the Adler Elementary renovations. Congratulations to the graduating seniors.

### F. Finance Review Committee

Held their first meeting two weeks ago.

## 13. Unfinished / New Business

## 14. Public Comment (speakers are limited to 3 minutes)

Ian Ferguson – Citizen-led petition is circulating the City. The petition is to place marijuana-related business language on the ballot.

## 15. Mayor and Council Comments

Mayor Pro-Tem Kantor

- Thank you to Councilmember Jennings and volunteers for putting together the Juneteenth event.
- Thank you to the Parks & Recreation committee and what they have done so far (ex: Food Truck Fridays)
- Wish the victims of the tragedy this past weekend a speedy recovery.
- Finance Review Committee Town Hall on 6/18 at 5:30 PM.

Councilmember Hammond

- Offer support to the victims and families of the gun violence that occurred this past weekend.

#### Councilmember Jennings

- Thank the residents and attendees who came out to the Juneteenth event. Thank you to Grace and family who helped put this event on. Thank you to the Councilmembers who attended, Parks & Recreation for supporting the event with games, and our Police Department who helped with the event.
- Offer support to the victims and families of the gun violence that occurred this past weekend.

#### Mayor Garrett

- Democratic right for individuals to propose a ballot initiative.
- Communication regarding tragedies – we are working on a communication plan, but there are avenues to official information on what is happening throughout the City. The Villager is not an official City Facebook page.
- Response to Mr. Wisz – there are numerous community organizations that contribute to the City and would not support free usage of Community spaces into perpetuity.
- The Children’s Garden is working on volunteers and as a 501©3 can receive donations to support their cause.

#### 16. **Adjourn**

Moved by Councilmember Hammond, seconded by Mayor Pro-Tem Kantor to adjourn at 8:36 PM.