

March 30, 2005

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

SUBJECT: Designation of Limited Public Forums  
(Revised from March 21, 2005 Green Memo)

At the March 7, 2005 Council meeting, Council directed City staff to select a site as a place for public gathering and develop proposed language for governing these gatherings. City Management has selected a portion of the parking lot northwest of the Community Center site that has frontage on Town Center Drive as the place for public gathering; same parking lot where the skateboard park is. Please know that these public gatherings would not be approved by City Council, as requests would be channeled to the Parks and Recreation Department. This is because the limited public forum is available to all parties on equal terms.

I believe it's important to distinguish the public forum area from ceremonies held on Veterans Plaza which are sponsored in whole or in part by the City of Troy, i.e. Veterans Day, Memorial Day, Police Memorial Day, holiday lighting. Of course, these events along with any other event sponsored in whole or in part by the City would continue to be held on the Veterans Plaza.

Attached are more comprehensive memoranda from staff covering this topic.

As you know, Council speaks through its resolutions. And the current resolution indicates that management selects a site for a limited public forum. However, from your table discussions on March 21, 2005 and then again at the special meeting of March 28, 2005, there's a possibility that Council may wish to select the public forum site when this matter comes before you on April 4, 2005. Given this possibility, I've drafted two resolutions for your consideration. Resolution A is structured to conform with your existing directive. This means that selection of the parking lot northwest of the Community Center as the area for a "limited public forum" is a given and Council is being asked to approve management's recommended policy for governing public gatherings. In Resolution B, the limited public forum area is not a given, and Council would need to designate the limited public forum area in Veterans Plaza or some other location.

The Honorable Mayor and City Council  
**Designation of Limited Public Forums (Revised from March 21, 2005 Green Memo)**

March 30, 2005

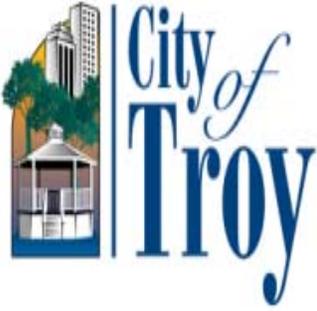
Page Two

For ease in reviewing this matter, I'm resubmitting copies of emails previously sent to you which have salience to the limited public forum discussion.

As always, please feel free to contact me should you have any questions.

JS/mr\AGENDA ITEMS\2005\04.04.05 – Designation of Limited Public Forums

c: Carol Anderson, Parks and Recreation Director  
Lori G. Bluhm, City Attorney  
Laura Fitzpatrick, Acting Assistant City Manager/Services  
Carolyn Glosby, Assistant City Attorney  
John M. Lamerato, Assistant City Manager/Finance & Administration  
Joe Malla, Chairman, Troy Veterans Committee  
Brian P. Murphy, Assistant City Manager/Services  
Cynthia Stewart, Community Affairs Director  
Mark Stimac, Director of Building and Zoning



**TO:** Mayor and Members of Troy City Council  
**FROM:** Lori Grigg Bluhm, City Attorney  
Carolyn F. Glosby, Assistant City Attorney  
**DATE:** March 30, 2005  
**SUBJECT:** National Day of Prayer

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This memorandum addresses the issue of site selection for the City's proposed limited public forum on its property, for use by private entities for expressive purposes.

It is important to first note that "the First Amendment does not guarantee access to property simply because it is owned or controlled by the government." U.S. Postal Serv. v Council of Greenburgh Civic Assn's, 453 US 114, 129, 101 S.Ct. 2676, 69 L.Ed.2d 517 (1981). A government facility not committed to public communicative activity may regulate speech by the general public so long as the regulation is reasonable, and not based upon opposition to a particular viewpoint, because the government "may legally preserve the property under its control for the use to which it is dedicated." *Id.* at 131, *quoting* Lamb's Chapel v Ctr. Moriches Union Free Sch. Dist., 508 US 384, 390, 113 S.Ct. 2141, 124 L.Ed.2d 352 (1993). Simply allowing access to government property does not transform it into a public forum. Greer v Spock, 424 US 828, 836, 96 S.Ct. 1211, 1216, 47 L.Ed. 505, 513 (1976). Nor are the "mere physical characteristics of the property" dispositive of this question. US v Kokinda, 497 US 720, 727, 110 S.Ct. 3115, 3120, 111 L.Ed.2d 571 (1990).

Courts have historically characterized government property such as parks, streets, and sidewalks as "traditional public forums". Perry Educ. Assn. v Perry Local Educators' Assn, 460 US 37, 45, 103 S.Ct. 948, 954-55, 74 L.Ed.2d 794, 804. These venues have historically been considered completely open to the public, "constitute...a necessary conduit in the daily affairs of a locality's citizens" (Kokinda, *supra*, 497 US at 727) or "traditionally serve as a place for free public assembly and communication of thoughts by private citizens" (Greer, *supra*, 424 US at 838).

Under these criteria, it does not appear that the Veterans' Memorial Plaza (the "Plaza") at Troy City Hall would constitute a traditional public forum. The Plaza is not a park, nor has it ever been deemed or designated as completely open to the public at all times and under all circumstances. Nor can it be reasonably compared to a street or other thoroughfare where citizens could freely assemble and communicate concerning any variety of topics. To the contrary, the Veterans' Memorial Plaza was created by the City, in conjunction with its Veterans' Committee, "in honor of all the men and women who have served our country" (Resolution of August 20, 2001, Troy City Council) and has been centrally used for observances related to Veterans' Day, and other activities honoring the contributions and sacrifices of military veterans, in keeping with the purpose for its origin.

Furthermore, the past practice of allowing some intermittent speech activities on the Veterans' Memorial Plaza does not by itself transform it into a public forum, whether traditional or limited. As the US Supreme Court held in Cornelius v NAACP Legal Defense & Educational Fund, Inc., a government "does not create a public forum by...*permitting* limited discourse, but only by intentionally opening a non-traditional forum for public discourse" of a general nature. 473 US 788, 802, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985).

The proposed creation of a limited public forum in the vicinity of the City's Community Center would constitute such an "intentional opening of a non-traditional forum for public discourse." In contrast to a traditional public forum, such as parks, streets, or sidewalks, which would exist irrespective of governmental intent, the City may opt to create a limited public forum on its property for purposes of expressive activity. Arkansas Educational Television Comm. v Forbes, 523 US 666, 678, 118 S.Ct. 1633, 140 L.Ed.2d 875 (1998). As this action would be at the City's option, there is no requirement that any particular area be so designated.

We would be pleased to respond to any questions.

March 30, 2005

TO: The Honorable Mayor and City Council Members

FROM: John Szerlag, City Manager  
Lori Grigg Bluhm, City Attorney  
Carol Anderson, Director of Parks and Recreation  
Mark Stimac, Director of Building and Zoning  
Laura Fitzpatrick, Assistant to the City Manager

SUBJECT: Designated Limited Public Forum (Revised from Green Memo contained in the 3/21/05 Agenda)

### **Assignment**

Per Resolution #2005-03-115 at the March 7, 2005 meeting, City Staff has prepared this report to select a site as a place for public gatherings and to propose language for governing public gatherings. In legal terms, this type of space is referred to as a "limited public forum."

### **A Limited Public Forum on Civic Center Grounds**

In accordance with City Council resolution, City Staff has identified a public forum area in the parking lot north of the Community Center (in which the skate park is located). The site has ample parking, easy access, and good visibility. We recommend that this limited public forum be available to all parties on equal terms and be subject to rules and procedures similar to those that govern park shelter use (see below and attached).

### **Park Shelters**

It is worth noting that there are park shelters located in our City parks that serve as gathering spaces for groups. These shelters are available May 1<sup>st</sup> through October 1<sup>st</sup>. Reservations are made through the Parks and Recreation Department and are approved administratively on a first come-first serve basis. Community service groups, church groups and family groups have utilized these shelters for gatherings. As long as the group requesting a shelter is a Troy non-profit group, there is no requirement that the 75% residency requirement be met. Note that all six shelters are available on May 5, 2005, the date of the National Day of Prayer event request.

### **Veterans Plaza**

City Administration recommends adopting rules for Veterans Plaza, which permit only City-sponsored or City co-sponsored events. These events include, but are not limited to:

Police Memorial Service, Veterans' Day Memorial Service, Memorial Day Service, and the Holiday Tree Lighting.

Limiting the events that take place at the Troy Veterans Plaza accomplishes three things:

1. Prevents the *appearance* of the City endorsing an event, which it is not endorsing (i.e., a KKK assembly displayed in a newspaper photo in front of Troy City Hall).
2. Ensures that the Veterans Plaza is reserved for desired purposes (i.e., A designation as a limited public forum where all uses are on a first-come, first serve basis would mean that the Plaza could be used by anti-war demonstrators on Veterans' Day.).
3. Minimizes disruption to business activities at City Hall: A limited use of the Veterans Plaza ensures that front step access to City Hall is unimpeded, there is ample parking for City Hall visitors and noise and interruption is kept to a minimum.



# City of Troy

**DRAFT**

**Parks & Recreation Department**  
3179 Livernois, Troy, 48083  
248.524.3484

<i>Office Use Only</i>	
Taken by: _____	Date: _____
Number in Parking Lot: _____	
Mail: _____	Pick-up: _____

## DESIGNATED LIMITED PUBLIC FORUM APPLICATION

Name of Individual/  
Company/Group: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Function: \_\_\_\_\_ Number of Users: \_\_\_\_\_

Event Time\*: Begin: \_\_\_\_\_ End: \_\_\_\_\_

\*Note: Due to lack of restroom facilities on this site, this site is intended for events of a short duration (1 to 2 hours)

Permits are subject to all policies, rules and regulations as listed on the back of this form. Please read these carefully before completing your application. The undersigned hereby verifies that they:

- 1) Have the authority to sign this application for the above named organization, group or company.
- 2) Have read the rules and regulations on the back of this form and agree to abide by all rules stated therein.
- 3) Will perform the necessary clean up of the area following its use.

The undersigned further understands that failure to comply with all policies, rules and regulations herein stated or falsification of any information called for in this application will be grounds for denial of this or any future permits.

Signature of applicant: \_\_\_\_\_

Please print/type name of contact person: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of alternate contact person: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Approved Parks & Recreation: \_\_\_\_\_ Date: \_\_\_\_\_

To be completed by Park Supervisor: Please indicate condition of area: Clean:  yes  no

Damage:  yes  no Remarks: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

White Copy: Office

Yellow Copy: Applicant

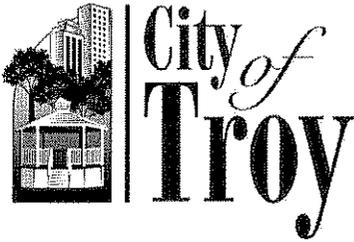
### **Procedures for reserving Designated Limited Public Forum Area:**

1. Obtain permits at the Parks and Recreation office in the Troy Community Center, 3179 Livernois, Monday-Friday from 8:00 am to 11:00 pm and Saturday 9:00 am to noon.
2. A forty dollar (\$40.00) reservation fee must accompany each application.
3. Proof of residency, employment, or membership in a sponsoring Troy organization must be furnished upon request.

### **Rules Governing Designated Limited Public Forum Area:**

1. Reservation must be made in person at the Parks and Recreation office during regular office hours. No phone reservations are accepted.
2. 75% of the group must be Troy residents, work in Troy for the company having the function, or be a bonafide member of the sponsoring Troy organization. A roster of those attending may be required.
3. All vehicles must be confined to parking areas.
4. Permits must be retained at all times by user group and presented upon request.
5. The permit is good for the listed reservation time only. (There are no rain dates.)
6. No refunds are granted for permit fees.
7. The group is responsible for leaving the area clean and orderly.
8. **NO TENTS** are allowed without written authorization.
9. No rides, amusements, petting zoos, inflatable games, dunk tanks, generators, concessions, hot or cold air balloons are allowed.
10. *No amplified live music or bands are permitted. Sound systems, speakers, and DJ's are allowed with written authorization ONLY.*

## Memorandum



To: John Szerlag, City Manager

From: Barbara A. Holmes, Deputy City Clerk *Bah*

Date: March 30, 2005

Re: Requests Made to City Council for Special Events Held on Civic Center Grounds

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Prior to the renaming of City Hall Plaza to Veteran's Memorial Plaza in August 2001, events such as *National Day of Prayer* and requests from the Veterans Memorial Committee to hold a special event were typically approved by City Council requesting the event be held on "Civic Center Grounds" with no specific site indicated. For requests received from groups such as *March of Dimes "WalkAmerica"*, approval was given by City Council to permit the placement of tents, food tables, rides, etc. at specific sites located on city property. Note that during this period, there were no requests made or City Council approvals given for events to be held specifically on the plaza area.

However, after the renaming of City Hall Plaza to Veteran's Memorial Plaza and beginning in April 2002, a request to hold a special event on "Civic Center Grounds" specifically requested that the event take place on the "front plaza at City Hall". Subsequently, all requests for similar types of events ask that the event be held on a specific site such as the Veteran's Memorial Plaza site and/or on the front lawn of City Hall. For example, the Greater Detroit Chapter of the Anti-Discrimination Committee received approval to hold an event on the front lawn of City Hall in May 2002.

In regard to other types of requests, proposed resolutions now include a specific site on Civic Center grounds such as the request to display the *Ten Commandments* in the east parking lot of City Hall.

Please advise if you need further information from our office.

## Mary F Redden

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**From:** Louise Schilling [000schilling@ameritech.net]  
**Sent:** Monday, March 28, 2005 1:47 PM  
**To:** John Szerlag  
**Subject:** Fw: Limited Public Forum

----- Original Message -----

**From:** <donald.schenk@us.army.mil>  
**To:** "Cristina Broomfield" <talk2cristina@aol.com>; "Dave Lambert (E-mail)" <dave@lambert.net>; "David J. Eisenbacher" <david@eisenbacher.org>; "Jeanne M. Stine" <stinejm@wwnet.net>; "Louise Schilling" <000schilling@ameritech.net>; "Martin Howrylak (E-mail)" <mflowryl@umich.edu>; "Robin Beltramini (E-mail)" <rbeltram@wideopenwest.com>  
**Sent:** Monday, March 28, 2005 1:07 PM  
**Subject:** Limited Public Forum

Mayor Schilling  
Mayor Pro Tem Beltramini  
Councilwoman Broomfield  
Councilman Eisenbacher  
Councilman Howrylak  
Councilman Lambert  
Councilwoman Stine

**SUBJECT:** Limited Public Forum

I am writing to urge your approval of the recommendation by City Management to establish a limited public forum in the parking lot north of the Troy Community Center.

The designation of a limited public forum separate from City Hall and the Troy Veteran's Plaza is in the best interest of the City of Troy for the following reasons.

Due diligence in this matter must be given in consideration of the implication of designation of any City of Troy property sites as a limited public forum. Because the business of government is governing, care in the selection of a site must be given to evaluate second- and third-order impacts of this decision as well as deliberate attention to future ramifications of the decision. An unregulated public display, observance, or demonstration—either for or against an issue—when conducted on the steps of City Hall could give the uninformed the impression that the City of Troy

endorses the views espoused by demonstrators, whether this is true or not. The unintended consequences of such an association, whether from a legal, a political, or a public relations perspective are impossible to predict in their entirety. It is, however, easy to envision the circumstance of a newspaper photograph or broadcast journalist's interview of the leader of a special interest group before the backdrop of City Hall implying endorsement by the City of Troy—and by extension all of the many and diverse citizens of Troy—of the views expressed by such a special interest group leader. City Council and City Management can easily become embroiled in an issue of national interest that will divert their attention from their first priority—good governance.

We must always ensure that we make decisions that ensure efficiency and effectiveness in government. Additionally, such decisions must represent consistency of policy and purpose, and they must be supported by clearly articulated policies that cannot be misunderstood as meaning, interpretation, or enforcement. Designation of a site for use as a limited public forum that is physically separated from City Hall and the further development and publication of the rules of use contributes to these objectives by:

- 1) reducing or eliminating the potential for impediments to or interruption of the conduct of city government by the actions of people exercising their protected rights to free expression,
- 2) preventing inadvertent endorsement by the City of Troy, its management and staff, and the City Council of public displays, observances, or demonstrations which, as dedicated professionals sworn or empowered to effect the will and desires of the citizens of Troy, they are duty bound to avoid while in the pursuit of their governing responsibilities, and
- 3) preventing the diversion of precious resources of staff time and expertise to address specious and/or spurious claims brought about by the mere appearance of endorsement of a position.

Actions taken by the City Council must always be taken to enable and to foster an environment wherein Troy City Management is protected from being placed in a situation where a real or perceived conflict of interest is presented. A conflict of interest can arise in any situation where it appears the City Manager and City Staff are in any way associated with unregulated displays, observances or demonstrations of any special interest groups while in the conduct of professional duties and responsibilities. City Council has both an obligation and responsibility to support City Management when it develops policies and procedures that allow free exercise of Constitutional rights while at the same time ensuring performance of the business of governing in the most effective manner possible. Troy City Management has carefully considered the needs of the community in its

proposed site on city property within the Troy Civic Center.

The alternative suggestion of establishing Troy Veterans' Plaza as a limited public forum should and must be rejected. Troy Veterans' Plaza was established and dedicated in part as a very visible physical manifestation of the city's long-standing recognition of the contribution of Veterans to the defense of our freedom. This plaza honors all veterans from all wars. The manner in which Veterans of the Army, Navy, Air Force, Marine Corps, Coast Guard, and Merchant Marine are all included within its embrace is one the City of Troy would do well to preserve in any decision concerning the public good.

As you know, bricks can be purchased and laid to honor or memorialize the contributions of any Veteran whether a resident of Troy or associated with Troy in some fashion. Troy Veterans' Plaza is a monument to our Veterans, their contributions, and the ideals and freedoms which they gallantly served, fought for, and in many cases died to protect. Key to their willingness to do this was their belief that America is a special place that includes all; that America is a place that celebrates and embraces diversity of culture, politics, and religion; and that America and its passion for liberty, justice, and equality is worth giving the last full measure of devotion to preserve and protect. This area is considered by most Veterans to be sacred ground.

As a citizen of Troy and a Veteran—one who served as a Soldier for 33 years, whose father is memorialized at this plaza, and who was called upon to lay to rest one of Oakland County's young men killed in action in Iraq and subsequently honored with a memorial brick in our plaza—I consider it my obligation to speak up for those whose names are emblazoned on those many bricks. As a Veteran, I desire that the City of Troy adopt measures that will prevent the Veterans' Plaza from being desecrated or otherwise marginalized from its intended and distinctive purpose. I believe other Veterans feel as I feel on this matter. We must speak for those no longer able to speak, and we must ensure their contributions are never relegated to a secondary position. Action by City Management that established a limited public forum in a place separate from Troy Veterans' Plaza achieves these ends.

I urge your unanimous approval of the recommendation of City Management to establish a limited public forum away from City Hall, but still within the general area of the Troy Civic Center.

DONALD F. SCHENK  
Brigadier General, US Army (Retired)  
4613 Heatherbrook Drive

## Mary F Redden

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**From:** Cynthia A Stewart  
**Sent:** Friday, March 25, 2005 10:33 AM  
**To:** John Szerlag  
**Subject:** FW: Message from Michael Silverstein on two subjects.

-----Original Message-----

**From:** Michael Silverstein [mailto:MSilver@Comcast.net]  
**Sent:** Friday, March 25, 2005 9:31 AM  
**To:** 000schilling@ameritech.net; Dave Lambert; Robin Beltramini; Talk2Cristina@aol.com; david@eisenbacher.org; Mfhowryl@umich.edu; Jeanne M. Stine  
**Cc:** Cynthia A Stewart; ptadepalli@comcast.net; Aaron Starr  
**Subject:** Message from Michael Silverstein on two subjects.

Good Morning everyone,

I will not be able to attend the meeting on March 28 and since the April 4 discussion has been moved forward, I wanted you to have my thoughts on the "National Day of Prayer" discussion.

First of all, I think that moving this discussion forward is a mistake. The public was given the date of April 4, way back on March 7 and there were many activities that were planned that were working with that time frame. It is interesting to me that there was a hue and cry when the Stadium issue was moved ahead to a special meeting, but many of those that were screaming the loudest will have no issue with using the same tactic in regards to the "National Day of Prayer." In the big picture, I think that you should revisit the use of a "special" meeting request and perhaps agree on a better definition of what constitutes the need for a "special" session. I don't think that gaining a political edge should be reason enough for anyone to call a "special" session. I also think that you all should have learned from past experiences that you can't condense a complicated issue into 30 minutes.

I was pleased to attend a meeting yesterday with John Szerlag, Laura Fitzpatrick, Joe Malla, Don Schenk, and Rabbi Aaron Starr regarding the establishment of a limited public forum. At the end of the meeting, I saw a document that read that Lori Wagner and her group had agreed to be part of the interfaith activities if they were scheduled for 12 to 1 and to then do their "Christian only" ceremony at 5 o'clock. Since it is well known that this group is willing to be a part of the bigger event, it is even more clear to me that moving this meeting forward had no real merit. (By the way, you should be aware that even though Lori and her Pastor have indicated that they will take part in the interfaith portion of the day, they still have not given the courtesy of a response to any one of many communications that Padma has put forth on behalf of the coalition that is planning the interaction.)

The coalition that is going to put together the inclusive activity is growing. We have over 10 different congregations and clergy working with us and we are still actively seeking more. We are meeting on Sunday, April 3 to start planning our activities and we chose this date so that we would have something substantive to report to council on April 4.

One more very important item. I was honored to be a part of the discussion yesterday regarding the limited public forum. While I am still opposed to the use of city property for these types of activities in general, I am aware that they are going to occur and that a space is eventually going to be established. That having been said, I am in complete support of the site that is being recommended by the City Manager's staff. I think that the parking lot next to the skate park meets all of the criteria in terms of size, location, parking, accessibility, being low maintenance, and being paved.

I hope that you will not choose an area that is in front of city hall, because I believe that no matter what we say as a disclaimer, that kind of a location gives a feeling of "official" designation to any activities that are held there.

3/30/2005

I was truly honored to hear the thoughts of Dan Schenk and Joe Malla in regards to the Veterans Plaza and I truly hope that you all will honor them and the wishes of the groups they represent in regards to the use of that sacred ground. They have given so much for all of us, and I look forward to seeing how their comments and direction will be received by all of you.

I applaud our City Staff for planning and executing that meeting and I was sorry that once again Lori Wagner turned down an opportunity to bring a guest and to sit down to share in regards to an issue of importance to many people here in the city.

In conclusion, I am sorry that I will not be able to join you on either March 28 or April 4 (Some Mondays are definitely better than others). I look forward to seeing how these issues play out and to see the direction that you will provide.

When we all look back on the amount of time that we have spent in regards to the issue of religious displays on public property and now the current dialogue regarding these other religious activities, I wonder if it is all worth it? Is this good government to go down these paths that take so much time and energy, but provide us with questionable results.

I look at all of the real challenges that face us as a community, and I wonder how the designation of a space for public displays and how this current discussion about defining religious tolerance and the separation of church and state, and the designation of a "limited public forum" will move us toward being a better community. I realize that there are many agendas that are out there, but I hope you will all take a long hard look at the use of our resources (and your time) and the messages that we send both inside and to the world outside of Troy.

I hope that you all have a satisfying holiday, each in your own way.  
Thank you for your time.

Sincerely.....Michael Silverstein (1-248-761-2041)

## Mary F Redden

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**From:** Victor Lenivov [vlenivov@lycos.com]  
**Sent:** Monday, March 28, 2005 11:48 AM  
**To:** Tonni L Bartholomew; John Szerlag; Christina Broomfield; Dave Eisenbacher; Dave Lambert; Jeanne Stine; L Schilling; Martin Howrylak; Robin Beltramini  
**Cc:** Carol K Anderson; S Armbruster; Lori G Bluhm; Jim Kuffa; John M Lamerato; Mike Martindale; Brian P Murphy; Megan Pennefather  
**Subject:** National Day of Prayer location



A Proposal For  
Designating A ...

Please find a letter attached that discusses the creation of a public forum area at the southeast corner of Town Center Drive and Civic Center Drive on the Troy Civic Center site. Please send me any questions or concerns.

Thank you.

Victor Lenivov

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NEW! Lycos Dating Search. The only place to search multiple dating sites at once.  
<http://datingsearch.lycos.com>

## A Proposal For Designating A Public Forum Area

I propose that the area at the southeast corner of Town Center Drive and Civic Center Drive be designated the Public Forum area for public gatherings. It would be bound on the south by the drain, on the east by the parking lot, on the north by Town Center Drive and on the west by Civic Center Drive. That location currently has the Thinking Head Statue donated by K-Mart.

The rules that would apply would be the same rules that apply to the city's current parks. If necessary, a sign could be posted as are posted to the entrances of existing parks. Should a group desire to reserve an area for their gathering, a reservation would need to be obtained pursuant to the rules currently in place for reserving pavilions at existing parks. Until the diversity plaza is in place (a proposal discussed later on), the City will designate a portion(s) of the site that can be reserved for such gatherings.

We have been discussing developing the Civic Center site for many years and have done very little. What has been done has been done on a piecemeal basis. Let this be the next piece of the puzzle that will be used to complete the development of the site.

This proposal has the following benefits:

- The rules for use are already in place
- This will reduce the amount of time spent by council discussing these issues
- Parking for gatherings are close and more than sufficient
- This location makes gatherings possible during the day without parking conflicts
- It will promote the use of the Civic Center for public gatherings with a designated area

Designating this location as a Public Forum area would be just the first step. Step Two would be to develop this area. I propose that the plaza concept developed by the Ethnic Issues Advisory Board when given the responsibility to develop a plan for a Public Display area, be revisited and incorporated into the development for this area. In addition, the area should provide locations for benches, sculptures, flowerbeds and other appropriate items. Guidelines should be established for accepting donations to provide for or to maintain these items on a volunteer basis.

Yes, this will cost money, but then so will any development cost money. We have been recently talking about accepting a "Gift" of a minor league baseball stadium. But that proposal contained more out of pocket expenses than this proposal. I would recommend that a fundraising group be created (or an existing fundraising group take on the activities) to solicit donations to cover the costs of the plaza proposed. Bricks in the plaza floor and wall could recognize corporate and individual sponsors. The Detroit Zoological Society can be contacted to obtain the process they used to accomplish this. The Veterans Memorial and Peace Garden are local examples on a smaller scale. (If a new group is created, I would submit my name for consideration to be part of this group).

I hope that you seriously consider this proposal. This proposal could be implemented today and provide the location on public property located in the Civic Center for the National Day of Prayer celebrations before you today. Veterans Plaza should be reserved for City sponsored events, such as Veterans Day and Memorial Day celebrations.

*Victor Vlenivov*

**(248) 879-0967**

Vlenivov@Lycos.com

**Mary F Redden**

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**From:** Cynthia A Stewart  
**Sent:** Friday, March 25, 2005 10:34 AM  
**To:** John Szerlag  
**Subject:** FW: Establishment of Limited Public Forum Area

-----Original Message-----

**From:** Joejmalla@aol.com [mailto:Joejmalla@aol.com]  
**Sent:** Friday, March 25, 2005 9:35 AM  
**To:** 000schilling@ameritech.net; dave@lambert.net; rbeltram@wideopenwest.com; talk2cristina@aol.com; david@eisenbacher.org; Mfhowryl@umich.edu; stinejm@wwnet.net  
**Cc:** Cynthia A Stewart  
**Subject:** Establishment of Limited Public Forum Area

Honorable Mayor and City Council:

I am writing to urge the council to approve the establishment of a Limited Public Forum Area for use by groups who seek permission to use city owned property to further their own causes. It is my belief that the Veterans Plaza should only be used for city sanctioned events such as Memorial Day, Police Memorial Day, Veterans Day and Holiday lighting. I am mindful of all the work and sacrifice that the city and members of the Veterans Monument Committee of Troy have endured to make the Veterans Plaza a very special place, and a focal point for the City of Troy. While the right of assembly is guaranteed by the Constitution, I do not think that it is proper for any group to be able to use the backdrop of our monument or of the City Hall to advance an agenda that may or may not conform to the values of our citizens and community. Please preserve the sanctity of the Veterans Plaza by supporting the establishment of a limited public forum area.

Respectfully

Joseph J. Malla  
Chairman of the Veterans Monument Committee of Troy.