

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, OCTOBER 15, 2001, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:35 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke  
Council members: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Steiner  
Absent: None

Also Present: Acting City Administrator/City Comptroller Maison  
City Attorney Berschback  
City Clerk Warnke  
Director of Public Works Ahee  
Building Inspector Tutag  
Deputy City Clerk Hathaway

The following Commission members were in attendance:

Grant Gilezan, Planning Commission  
Ken Gutow, Recreation Commission  
Steve Vassallo, Senior Citizen Commission  
Mary Kay Ferry, Historical Commission  
Lee Allcut, Historical Commission/Board of Canvassers

Motion by Steiner, supported by Dansbury, that all items on tonight's agenda be received, placed on file, taken in order of appearance.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Fahrner, supported b Granger, that the City Council voice NO OBJECTION to the following appointment to the Board of Canvassers:

Susan Morkut  
2065 Lancaster  
Term Expiration: 12/31/03

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Hearing no objections, the following corrections were directed be made to various minutes:

Committee-of-the-Whole minutes dated 09/24/01 correction as follows:

- Page 1, change "the Mayor, to Committee;
- Page 2, last paragraph, remove "Dewey Henry and Dave Tyler . . . project", and change to "Wayne County for objections."

Finance Committee Minutes dated 10/01/01 correction as follows:

- Page 1, Committee Comments, second bullet, remove "Unless a change order is an emergency,"

THE MEETING WAS THEREUPON OPENED AT 7:44 P.M. FOR A BOARD OF APPEAL HEARING TO HEAR THE APPEAL OF **ANN BENTSON & STUART HOPKINS, 2216 HAMPTON**, WHO ARE APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR 2216 HAMPTON, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO FRONT YARD SETBACK REQUIREMENTS OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED SECTION 98-73(B).

Motion by Chylinski, supported by Dickinson, that, for purposes of the Board of Appeal hearing, the following items be received and placed on file:

1. Ltr 9/24/01 – A. Bentson & S. Hopkins
2. Mortgage Survey – 9/26/01
3. Memo 10/10/01 - Building Inspector
4. Ltr 9/18/01 – Building Inspector
5. Photographs (2)
6. Memo 9/28/01 – Director of Public Works
7. Aerial View 9/26/01

8. Notice of Hearing
9. Affidavit of Property Owners Notified

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

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

Ann Bentson  
2216 Hampton

Richard Gillespie  
2153 Hampton

Ray Gerling  
2223 Hampton

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. The following individuals were heard:

Mr. and Mrs. Steve Bednarchik  
2208 Hampton

John Patterson  
2203 Hampton

Patricia Fulmer  
2217 Hampton

Jeff Cook  
2222 Hampton

Motion by Dansbury, supported by Steiner, that the public hearing BE CLOSED at 8:11 p.m. PASSED UNANIMOUSLY.

Motion by Steiner, supported by Granger, regarding Board of Appeal #12-2001 regarding Ann Bentson & Stuart Hopkins, 2216 Hampton, front yard setback, in accordance with the mortgage survey dated September 26, 2001, that the City Council deny this variance.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

The Chair declared a recess at 8:36 p.m., and reconvened at 8:50 p.m.

THE MEETING WAS THEREUPON OPENED AT 8:51 P.M. FOR A BOARD OF APPEAL HEARING TO HEAR THE APPEAL OF **GROSSE POINTE HUNT CLUB, 655 COOK**, WHO IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR 655 COOK, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO PERMITTED USE REQUIREMENTS OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED SECTION 98-72.

Motion by Chylinski, supported by Granger, that, for purposes of the Board of Appeal hearing, the following items be received and placed on file:

1. Council Excerpt 8/6/01
2. Ltr 10/03/01 – Grosse Pointe Hunt Club
3. Memo 10/10/01 - Building Inspector
4. Photographs
5. Aerial View
6. Notice of Hearing
7. Affidavit of Property Owners Notified
8. Proposed Addition 10/03/01
9. Supporting Letters

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

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

Steven C. Brownell  
President, Board of Directors  
Grosse Pointe Hunt Club

Val Temrowski  
Director, Grosse Pointe Hunt Club

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

Motion by Dansbury, supported by Dickinson, that the public hearing BE CLOSED at 9:02 p.m. PASSED UNANIMOUSLY.

Motion by Granger, supported by Fahrner, that the following document be received and placed on file:

- Letter dated 10/11/01 – Mr. and Mrs. Cavanaugh, 660 Cook Road

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Dansbury, supported by Chylinski, regarding Board of Appeal #13-2001 regarding Gross Pointe Hunt Club, 655 Cook, permitted uses, in accordance with the elevations received October 3, 2001, that the City Council concur with the recommendation of the Building Inspector and approve a variance for the addition of a 30' x 30' addition to the temporary barn based on unnecessary hardship, contingent upon the following:

- Temporary structure be removed and the site restored within 13 months
- Temporary structure be approved by the City Administrator.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 9:06 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **MICHAEL WELCH, 681 HAWTHORNE**, GROSSE POINTE WOODS, FOR PERMISSION TO ERECT A 6' SOLID VINYL **PRIVACY FENCE** ALONG THE EASTERN PROPERTY LINE OF THE PROPERTY AT 681 HAWTHORNE.

Motion by Dansbury, supported by Granger, that for purposes of the public hearing the following items be received and placed on file:

1. Ltr 10/9/01 – Michael & Gina Welch
2. Fence Style
3. Kimberly Fence Proposal – 9/21/01
4. Memo 10/10/01 - Building Inspector
5. Photographs
6. Aerial View
7. Notice of Hearing
8. Affidavit of Property Owners Notified

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
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:

Michael Welch  
681 Hawthorne Road

Fabian E. Bendel  
681 Hawthorne

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

Motion by Dansbury, supported by Chylinski, that the public hearing BE CLOSED at 9:09 p.m. PASSED UNANIMOUSLY.

Motion by Chylinski, supported by Dansbury, regarding the public hearing: FENCE VARIANCE – Michael Welch, 681 Hawthorne, that the City Council GRANT the request to install a 6' solid vinyl privacy fence contingent upon:

- First section of fence north of the garage be angled to allow for greater sight line for vehicles existing the garage;
- Removal of existing fencing;
- Supporting framework be installed facing Petitioner's property;
- Begin construction within six months, complete within one year.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 9:10 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **FRANK PALAZZOLO, 854 MOORLAND**, GROSSE POINTE WOODS, FOR PERMISSION TO ERECT A 4.5' – 5' SOLID MASONRY **PRIVACY FENCE** ALONG THE EASTERN PROPERTY LINE OF THE PROPERTY AT 854 MOORLAND.

Motion by Dansbury, supported by Chylinski, that for purposes of the public hearing the following items be received and placed on file:

1. Application for Fence Permit – 9/12/01
2. Memo 10/10/01 w/attachments - Building Inspector
3. Aerial View
4. Notice of Hearing
5. Affidavit of Property Owners Notified
6. Proposed Addition 10/10/01
7. Mortgage Survey 12/18/97

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
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:

Frank Palazzolo  
854 Moorland

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

Motion by Dansbury, supported by Steiner, that the public hearing BE CLOSED at 9:11 p.m. PASSED UNANIMOUSLY.

Motion by Granger, supported by Fahrner, regarding the public hearing: FENCE VARIANCE – Frank Palazzolo, 854 Moorland, that the City Council GRANT the request to install a 4.5-5' masonry privacy fence in accordance with the mortgage survey dated December 18, 1997, contingent upon the following:

- Construction commence immediately and be complete within 60 days.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Steiner, supported by Dansbury, that the financial section of the **Monthly Report** of the City Administrator for the month of September 2001, BE REFERRED to the Finance Committee for review.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Steiner, supported by Granger, that the Council concur with the recommendation of the Acting City Administrator and Director of Public Safety, regarding the proposed **transfer of liquor license** for the following establishment:

Lazco, Inc. (Robusto's)  
19271 Mack Ave.  
Grosse Pointe Woods, MI 48236

in that the Michigan Liquor Control Commission be advised the Council of the City of Grosse Pointe Woods DENY the transfer of the Class C liquor license to be located at the above address from Robusto's, Inc, David Bergamo, 1471 Oxford, to Robusto's, Lazar and Zaklina Djordjevski, 43488 Leelanau, Sterling Heights.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Granger, supported by Dickinson, regarding **modification to Supreme Heating Contract – boiler installation**, that the City Council concur with the Acting City Administrator, City Engineer, and Director of Public Works and authorize installation of a temporary heating system at no cost to the City, and to extend the Boiler Contract with Supreme Heating to November 30, 2001.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Granger, supported by Chylinski, regarding **Modification to Bricco Excavation Contract – Marter Road and Anita Watermain Replacement**, that the City Council concur with the recommendation of the Acting City Administrator, City Engineer, and Director of Public Works and authorize extension of the above stated contract to June 15, 2002.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Chylinski, supported by Granger, regarding a **Resolution - Wayne County Solid Waste Management Plan 2000 Update**, that the City Council refer this item to the Committee-of-the-Whole with a Special City Council Meeting immediately following, to be held October 22, 2001.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Dickinson, supported by Granger, regarding **Asphalt Construction project Over-Runs, Barrett Paving**, that the City Council concur with the recommendation of the Committee-of-the-Whole in their minutes dated October 8, 2001, and approve a Change Order to Barrett Paving, in the amount of \$104,583.75, (AEW Project 160-174), for the 2001 Pavement Resurfacing Program.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Motion by Chylinski, supported by Dansbury, regarding the **2001-02 Milk River Drain Levy, Certification Resolution of the Milk River Drainage District (M.M.R.D.)**, that the Mayor and City Council hereby adopt the following resolution:

Whereas: the Mayor and City Council directs that the millage levy consisting of 3.4600 mills be established for the operational and maintenance costs related to the Milk River Pumping Facility, the administration, replacement and maintenance of the City of Grosse Pointe Woods sanitary sewer/drain system and for installment #10 of the principal and interest costs of the Milk River Inter-County Drain System and

Whereas: that the Drain/Milk River Debt millage be levied upon such assessments as certified by the Assessor of the City of Grosse Pointe Woods and

Whereas: that the following amounts be collected from the assessments levied as follows:

1)	Milk River Operations	\$ 789,500.00
2)	Milk River Drain Installment #10 Principal and Interest	1,229,500.00
	Total Inter-County Drain Assessments	<u>\$2,019,000.00</u>
3)	Grosse Pointe Woods Administration/ C.S.O. Drain System Improvements	<u>758,000.00</u>
	Total Funds Required	<u>\$2,777,000.00</u>
	Total Funds required from 2001-02	\$2,382,000.00
	Transfer of Sanitary Overflow Charge	<u>395,000.00</u>
		<u>\$2,777,000.00</u>

It is further resolved that the City Clerk certify the Drain/Milk River Debt Levy to the Wayne County Board of Supervisors for spreading the 3.4600 mills as Drain/Milk River Debt Levy upon the 2001-02 Grosse Pointe Woods tax roll.

Motion carried by the following vote:

Yes: Chylinski, Dansbury, Dickinson, Fahrner, Granger, Novitke, Steiner  
No: None  
Absent: None

Upon proper motion, meeting was adjourned at 9:21 p.m.

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Robert E. Novitke  
Mayor

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Lisa Kay Hathaway  
Deputy City Clerk

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Louise S. Warnke  
City Clerk

