

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, MARCH 1, 2004, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:40 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke  
Council members: Chylinski, Dickinson, Granger, Howle, Reynolds, Spicher  
Absent: None

Also Present: City Administrator Bidigare  
City Attorney Berschback  
City Clerk Warnke  
Building Inspector Tutag  
Deputy City Clerk Hathaway

The following Commission members were in attendance:

Bonnie Fleming, Beautification  
Lisa Gaglio, Beautification  
Lee Allcut, Historical Commission/Board of Canvassers  
Grant Gilezan, Planning Commission

Also present was former Council Member Thomas Fahrner.

Motion by Dickinson, seconded by Granger, that all items on tonight's agenda be received, placed on file, and taken in order of appearance.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 7:42 P.M. FOR A BOARD OF APPEAL HEARING UNDER THE PROVISIONS OF CHAPTER 98, ZONING, ARTICLE XIV, SECTION 98-401 OF THE 1997 CITY CODE TO HEAR THE APPEAL OF **BRADLEY THOMPSON, 979 HIDDEN LANE**, WHO IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR 979 HIDDEN LANE, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO REAR YARD SETBACK REQUIREMENTS OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED (SECTION 98-73(F)).

Motion by Chylinski, seconded by Dickinson, that, for purposes of the Board of Appeal hearing, the following items be received and placed on file, Items 7a:

1. Application for Building Permit – 2/9/04
2. Mortgage Survey – 2/9/04
3. Letter – 2/19/04 – Bradley Thompson
4. Memo –2/25/04– Building Inspector
5. Aerial View – 2/24/03
6. Notice of Public Hearing – 2/24/04
7. Affidavit of Property Owners Notified – 2/24/04

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
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:

Brad Thompson  
979 Hidden Lane

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 Dickinson, seconded by Chylinski, that the public hearing BE CLOSED at 7:45 p.m. PASSED UNANIMOUSLY.

Motion by Howle, seconded by Granger, regarding Board of Appeal regarding Bradley Thompson, 979 Hidden Lane, who is requesting a 17' rear yard variance, in accordance with the mortgage survey dated February 9, 2004, that the City Council concur with the recommendation of the Building Inspector and grant a variance based upon the practical difficulty the petitioner faces in meeting the rear yard setback requirements caused by the property's location, size and shape, and because the proposed addition will not impact surrounding neighbors in a negative manner preserving and securing public welfare contingent upon the following:

- The additional construction have no effect on existing easements;
- Storm drainage generated on the site cannot be drained onto adjacent properties;
- Excavated material be removed from the site;
- No fill is approved;
- Construction shall commence within six months and complete within one year.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher

No: None

Absent: None

THE MEETING WAS THEREUPON OPENED AT 7:47 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **CONTOURS EXPRESS, INC., 20964 MACK**, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO SIGNAGE REQUIREMENTS OF THE 1997 CITY CODE. A FONT VARIANCE IS THEREFORE REQUIRED (SECTION 62-30(1)).

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

1. Memo – 1/20/04 – Building Inspector
2. Planning Commission Excerpt – 1/27/04
3. Letter – 2/16/04 – Deborah J. Lapp
4. Drawing w/ dimensions– 2/23/04
5. Certificate of Registration & Service Mark – 2/16/04

6. Aerial Photograph – 2/18/04
7. Notice of Hearing – 2/24/04
8. Affidavit of Property Owners Notified – 2/24/04

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
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:

Deborah Lapp  
20964 Mack

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 Reynolds, supported by Chylinski, that the public hearing BE CLOSED at 7:51 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Chylinski, regarding Public Hearing regarding Contours Express, Inc., 20964 Mack, which is requesting a variance for font used in signage, that the City Council grant a font variance contingent upon:

- Transformer amperage be limited to 30 ma;
- Colors as indicated on the submission be utilized;
- Begin construction within 30 days after approval by City Council, and complete within 90 days after approval by City Council.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
No: None  
Absent: None

The next item on the agenda was concerning **Liquor License Criteria for Mack Avenue**. Hearing no objections the following individuals were heard:

Toni DiClemente  
20455 Mack Ave.

Maxine Capaldi  
Maxine's Italian Cuisine  
20217 Mack

Carol Alfonsi  
Little Toni's Lounge In The Woods  
20513 Mack

Antonina Ferlito  
Ferlito's Family Dining & Pizza  
20745 Mack

Michael Mehr  
Mack Avenue Diner  
19841 Mack

Paul Szabo  
1525 Aline

Thomas Fahrner  
902 Woods Lane

Bonnie Fleming  
20608 Vernier Circle

Ken Poulos  
789 Briarcliff Dr.

John Lamia  
Lamia & Lamia  
19653 Mack Ave.

Phil Gaglio  
959 N. Renaud

Edwin Framalino  
Edwin Paul Salon  
20327 Mack Ave.

Motion by Chylinski, seconded by Dickinson, regarding **2004/05 McCann Ice Arena Agreement** between University-Liggett School and the City of Grosse Pointe Woods, that the City Council authorize the City Administrator to sign the 2004/05 Agreement at a cost of \$200 per hour (cost not to exceed \$10,800 per year), contingent upon receipt of proper insurance, and contingent upon approval and adoption of FY 2004/05 budget.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
No: None  
Absent: None

The Chair declared a recess at 8:32 p.m., and reconvened at 8:40 p.m.

Motion by Dickinson, seconded by Chylinski, that the City Council voice **NO OBJECTION** to the adoption of a Mayoral **Proclamation** regarding **Holocaust – Days of Remembrance**, naming the week of April 18, 2004 through Sunday, April 25, 2004 as the Days of Remembrance in memory of the victims, and the survivors of the holocaust.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
No: None  
Absent: None

Motion by Dickinson, seconded by Chylinski, that the City Council voice NO OBJECTION to the adoption of a Mayoral **Proclamation** regarding **Arbor Day** naming April 30, 2004 as Arbor Day in the City of Grosse Pointe Woods.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher

No: None

Absent: None

Motion by Granger, seconded by Howle, that the following statements from the City Attorneys BE APPROVED for payment:

Statement dated February 24, 2004 - City Attorney Don Berschback in the amount of \$9,060 for services rendered in February 2004;

Statement dated February 23, 2004 – City Attorney Charles Berschback in the amount of \$3,810 for services rendered in February 2004.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher

No: None

Absent: None

The following individual was heard regarding **storage of recreational vehicles (Section 98-1 of the City Code)**:

Steve Hamilton  
19766 E. Ida Lane

Motion by Chylinski, seconded by Reynolds, that the item regarding Storage of Recreational Vehicles, Section 98-1 of the City Code be referred to the Committee-of-the-Whole.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Granger, Howle, Novitke, Reynolds, Spicher  
No: None  
Absent: None

Hearing no objections, the following items were discussed under New Business:

- Children's Home funding;
- Planning Commission vacancy to be placed on the Committee-of-the-Whole Agenda;
- Complaints regarding refuse pick-up;
- Sidewalk along construction along Lochmoor and south Vernier, Fairway to Sunningdale. Administration directed to provide recommendation and cost.

The following individual was heard regarding sidewalk drainage on the west side of Morningside:

Steve Kerby  
482 Hidden Lane

Motion by Chylinski, seconded by Howle, that the City Council recess the regularly scheduled Council meeting at 8:56 p.m. and reconvene in CLOSED EXECUTIVE SESSION for the purpose of discussing pending labor negotiations at which time the City Council may or may not reconvene in regular session to address additional items as necessary, in accordance with the Open Meetings Act 1976 PA 267.

Motion carried by the following ROLL CALL vote:

Dickinson Yes  
Granger Yes  
Howle Yes  
Novitke Yes  
Reynolds Yes  
Spicher Yes  
Chylinski Yes

City Council reconvened in regular session at 10:16 p.m.

Motion by Reynolds, seconded by Chylinski, that tonight's meeting be adjourned at 10:17 p.m. PASSED UNANIMOUSLY.