

MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, MAY 23, 2005, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 9 p.m. by Mayor Novitke.

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

Also Present: City Administrator Wollenweber  
City Attorney Don Berschback  
Executive Assistant to the City Administrator/  
Deputy City Clerk Hathaway

The following Commission members were in attendance:

Fred Petz, Cmty. Enhancement Fund Advisory Board, Senior Citizens Commission  
Rosemary Flanagan, Senior Citizens Commission  
Nancy Hames, Planning Commission  
Angelo DiClemente, Beautification Commission  
Lisa Gaglio, Beautification Commission  
Dan Curis, Local Officers Compensation Commission

Motion by Howle, 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 only item on tonight's agenda was concerning **acquisition of real property: 1879 Beaufait**. The City Attorney provided an overview regarding the property and processes and procedures. The City Attorney elaborated on documentation filed with the Wayne County Register of Deeds, specifically that documents reciting the consent of 51% of the property owners signed documentation consenting to the removal of the appropriate deed restrictions. Subsequently, an additional document was recorded at Wayne County Register of Deeds, by the same residents, indicating that many of the signatures on the prior recorded document were improperly obtained and that these names not be counted for the 51% requirement. Upon investigation and of the documents and the subdivision, the following was indicated:

- There are 184 lots in the subdivision in question.
- The first recorded document contains a total of 117 lots approving the removal of the deed restrictions.
- 39 of 117 lots were outside the subdivision involved, basically west of Canton.
- The required 51% approval of the deed restrictions of the 184 lots has not been met.
- If the approximately 39-40 lots that may have wanted to rescind their original signatures from the original 177 lots, approximately 55 lots remain, which is short the required signatures.
- The City is not currently named in a lawsuit filed with Wayne County Circuit Court.

City Attorney Berschback indicated the City Council has two options:

1. Authorize the City Administrator or City Attorney to notify sellers that they have not complied with their obligation to properly record the removal of the deed restrictions and notify them that the contract has been declared null and void.
2. Authorize the City Administrator and the City Attorney to continue negotiations with sellers and the potential purchase of those lots.

Motion by Granger, seconded by Howle, regarding acquisition of real property: 1879 Beaufait, that the City Council authorize the City Administrator or City Attorney to notify sellers that they have not complied with their obligation to properly record the removal of the deed restrictions and notify them that the contract has been declared null and void.

Hearing no objections, the following individuals wished to be heard:

Lisa and Bruce Haynes  
1915 Beaufait

Shirley Giller  
1961 Beaufait

Motion carried by the following vote:

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

Motion by Chylinski, seconded by Howle, that tonight's meeting adjourn at 9:30 p.m.  
PASSED UNANIMOUSLY.