

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, DECEMBER 19, 2011, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:33 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke  
Council members: Bryant, Granger, Ketels, Koester, McConaghy, Shetler  
Absent: None

Also Present: City Administrator Fincham  
City Attorney Don Berschback  
City Clerk Hathaway  
Building Inspector Tutag  
Director of Public Services Ahee

Council, Administration, and the audience Pledged Allegiance to the Flag.

The following Commission members were in attendance:

Mike Fuller, Planning Commission  
George McMullen, Board of Review  
Mary Rose Nelson, Senior Commission

Motion by Bryant, seconded by Ketels, 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: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

The Mayor presented Lisa Pinkos Howle with a commemorative vase, for having served more than two terms as Council Member, and a Certificate of Service.

The Mayor presented Joseph Sucher with a Certificate of Service.

Motion by Bryant, seconded by Ketels, regarding **Proclamation**, that the City Council voice no objection to the Mayoral proclamation for Christopher Jenkins, Eagle Scout.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

The Mayor presented Christopher Jenkins with the proclamation.

Motion by Granger, seconded by Bryant, regarding the **Beautification Commission**, that Council voice no objection to the following mayoral re-appointments with terms expiring 12/31/14:

- William Allemon
- Christine Briggs
- Angelo DiClemente
- Janet Hagen
- Kelly Martin-Rahaim
- Sally Sterr

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Granger, regarding the **Citizens Recreation Commission**, that Council re-appoint the following individuals with terms to expire 12/31/14:

- Gib Heim
- Barbara Janutol
- Richard Rozycki

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Koester, seconded by Bryant, regarding the **Community Tree Commission**, that Council voice no objection to the following mayoral re-appointments with terms to expire 12/31/14:

- Stephen Chan
- Christopher DiCicco
- Robert Greening
- Jeffrey Profeta
- Wilson Rogers

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Bryant, seconded by Ketels, regarding the **Historical Commission**, that Council voice no objection to the following mayoral re-appointments with terms expiring 12/31/14:

- Colleen D'Agostino
- Mary Kaye Ferry
- Gordon Michaelson
- Sean Murphy
- John Parthum Jr.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Ketels, seconded by Bryant, regarding the **Planning Commission**, that Council voice no objection to the following mayoral re-appointments with terms expiring 12/31/14:

- Ross Richardson
- Thomas Vaughn
- John Vitale

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Shetler, regarding the **Senior Citizens Commission**, that Council voice no objection to the following mayoral re-appointments:

| Name             | Term Expiration |
|------------------|-----------------|
| Sharon Maier     | 12/31/14        |
| Mary Mitts       | 12/31/14        |
| Mary Rose Nelson | 12/31/12        |
| Mary Lou Solomon | 12/31/14        |

And, regarding **Senior Citizens Commission vacancies**, that the City Council voice no objection to the following mayoral appointments:

| Name              | Term Expiration |
|-------------------|-----------------|
| Ann Marie Gattari | 12/31/12        |
| Mary F. Hyduk     | 12/31/13        |
| Donald Witt       | 12/31/13        |

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

The Mayor noted that the re-appointment of Despina Kypros, with a term of December 31, 2012, will be postponed until the January 9, 2012, City Council Meeting.

Motion by Granger, seconded by Bryant, regarding the **Board of Review**, that Council re-appoint the following individuals with terms expiring 12/31/14:

- Shari Lombardo
- Jan Ryndress McLellan
- George McMullen

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler

No: None

Absent: None

Motion by Bryant, seconded by Ketels, regarding the **Construction Board of Appeals**, that Council voice no objection to the following mayoral re-appointments with terms expiring 12/31/13:

- Walter Kiehler
- John Vitale

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler

No: None

Absent: None

Motion by Bryant, seconded by Granger, that the following minutes be approved as corrected:

1. City Council Minutes dated December 5, 2011.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler

No: None

Absent: None

Motion by Granger, seconded by Bryant, that the following minutes be approved as submitted:

1. Committee-of-the-Whole and Closed Executive Session minutes dated December 5, 2011.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Granger, seconded by Bryant, that the following minutes be approved as submitted:

1. Committee-of-the-Whole minutes dated December 12, 2011.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Granger, regarding **class fee schedule**, that the City Council concur with the recommendation of the Committee-of-the-Whole at their meeting on December 12, 2011, and set class fees as indicated in the Recreation Supervisor's memo dated November 4, 2011, effective for the 2012 summer season.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Bryant, that the following minutes be approved as submitted:

1. Committee-of-the-Whole minutes dated November 28, 2011.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 8:12 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **FARM BUREAU INSURANCE – COLLEEN DYER AGENCY, 20879 MACK AVENUE**, WHICH SEEKS AUTHORITY TO INSTALL A WALL SIGN. THE SIGN SIZE IS NONCOMPLIANT WITH CHAPTER 32, SIGNS, SECTION 32-13(F) WALL SIGN. A VARIANCE IS THEREFORE REQUESTED.

Motion by Bryant, seconded by Granger, that for purposes of the hearing the following items be received and placed on file:

1. Planning Commission Excerpt 11/22/11
2. Letter 12/15/11 – City Attorney, w/attachments
3. Memo 11/16/11 – Building Official
4. Sign Permit Application 09/27/11
5. Letter 11/18/11 – C. Dyer
6. Plan 11/18/11
7. Photo

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

The Building Official provided an overview.

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

Mark Gibson  
Majestic Signs  
32432 Dequindre  
Warren, MI

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. Nobody wished to be heard.

Motion by Granger, seconded by Bryant, that the public hearing BE CLOSED at 8:16 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Ketels, regarding sign appeal – Farm Bureau Insurance – Colleen Dyer Agency, 20879 Mack Avenue, Grosse Pointe Woods, that the City Council concur with the Planning Commission's recommendation at their meeting on November 22, 2011, and allow an exception of the provisions of Chapter 32 of the City Code as it would be in the best interest of the City and not against the spirit and intent of Chapter 32 for the following reasons:

- The 25 square foot proposed sign on the north wall is within a reasonable scale to the 115 foot wall and other buildings;
- The north elevation of the building is adjacent to the parking lot giving the same view of the wall if the building were on the corner facing Ridgemon;
- The proposed sign is of a level necessary to identify the business and its product;
- This sign could be located on the front elevation, which is 20 feet in length as opposed to 115 feet without a variance.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 8:18 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **TELLY'S PLACE, 20791 MACK AVENUE**, WHICH SEEKS AUTHORITY TO RETAIN FOUR SIGNS, WHICH ARE NONCOMPLIANT WITH CHAPTER 32, SIGNS, SECTIONS 32-17(A) COMBINATION OF SIGNS, AND 32-13(C) WALL SIGNS. VARIANCES ARE THEREFORE REQUESTED.

Motion by Granger, seconded by Bryant, that for purposes of the hearing the following items be received and placed on file:

1. Planning Commission Excerpt 11/22/11
2. Letter 12/15/11 – City Attorney, w/attachments
3. Memo 11/16/11 – Building official
4. Sign Permit Application 08/2/11

5. Letter 08/09/11 – E. Tellegadas
6. Photos (4)

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

The Building Official provided an overview.

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

Evans Tellegadas  
20791 Mack Avenue

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 Granger, seconded by Bryant, that the public hearing BE CLOSED at 8:22 p.m. PASSED UNANIMOUSLY.

Motion by Ketels, seconded by Shetler, regarding sign appeal: Telly's Place, 20791 Mack Avenue, Grosse Pointe Woods, which seeks authority to retain two previous signs and two additional signs (5'6" in height), that the City Council allow an exception of the provisions of Chapter 32 of the City Code as it would be in the best interest of the City and not against the spirit and intent of Chapter 32, and approve the variance request with the following provisions:

- The wall color on the front of the building remain the same;
- The signs remain un-illuminated; and
- The graphics and messaging on the signs remain the same.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 8:26 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **BLUE BOOK/TOWAR PRODUCTIONS, 19803 MACK AVENUE**, WHICH ARE NONCOMPLIANT WITH CHAPTER 32, SIGNS, SECTIONS 32-17(A) COMBINATION OF SIGNS, AND 32-13(C) WALL SIGNS. VARIANCES ARE THEREFORE REQUESTED.

Motion by Granger, seconded by Bryant, that for purposes of the hearing the following items be received and placed on file:

1. Planning Commission Excerpt 12/13/11
2. Letter 12/15/11 – City Attorney, w/attachments
3. Memo 12/06/11 – Building Official
4. Letter 12/06/11 – Embree Sign Co.
5. Sign Permit Application 12/05/11
6. Plan
7. Photos (3)

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

The Building Official provided an overview. The Petitioner agreed to bring the sign into compliance with respect to size leaving one variance request for combination of signs.

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

Dave Embree  
Embree Sign Company  
22312 Harper  
St. Clair Shores, MI

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 Bryant, seconded by Ketels, that the public hearing BE CLOSED at 8:31 p.m. PASSED UNANIMOUSLY.

Motion by Bryant, seconded by Shetler, regarding sign appeal: Blue Book/Towar Productions, 19803 Mack Avenue, Grosse Pointe Woods, which is seeking two variances to allow four signs that exceed three feet in height, that the City Council approve the variances, granting an exception to Chapter 32 as it would be in the best interest of the City and not against the spirit and intent of Chapter 32-32.

Motion failed by the following roll call vote:

Bryant: Yes  
Granger: No  
Ketels: No  
Koester: No  
McConaghy: No  
Novitke: No  
Shetler: Yes

Motion by Ketels, seconded by Granger, regarding sign appeal: Blue Book/Towar Productions, 19803 Mack Avenue, Grosse Pointe Woods, which is seeking two variances to allow four signs that exceed three feet in height, that the City Council deny the variance request to have four (4) signs on the building as this exception of the provision of Chapter 32 of the City Code would not be in the best interest of the City and would be against the spirit and intent of Chapter 32.

Motion carried by the following vote:

Yes: Granger, Ketels, Koester, McConaghy, Novitke  
No: Bryant, Shetler  
Absent: None

Motion by McConaghy, seconded by Bryant, regarding **Application for Permit/License – Refuse Vendor**, that the City Council approve Seyfudich Livadich, 23167 Gladhill Lane, St. Clair Shores, Michigan, for a 2012 refuse vendor license.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Granger, seconded by McConaghy, regarding **Application for Permit/License – Refuse Vendor**, that the City Council approve Ronald M. Hirth, 19380 Elkhart, Harper Woods, Michigan, for a 2012 refuse vendor license.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Shetler, regarding **Ghesquiere Park Baseball Diamond Use: Grosse Pointe North**, that the City Council authorize Grosse Pointe North High School to use Ghesquiere Park Marsteller Baseball Diamond from March 12, 2012, through Friday, May 24, 2012, from 3:30 p.m. to 6:00 p.m. contingent upon:

- Appropriate insurance be provided;
- School observes the city's parks guidelines;
- Clean debris in the area, including dugouts and fields;
- School coordinate with Babe Ruth on the use of the diamond;
- Adult coach be present at all times.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Granger, regarding **budget amendment: engineering**, that the City Council authorize a transfer from the FY 2011/12 General Fund fund balance in the amount of \$20,000.00 into the following accounts:

- DPW Contractual Services Account No. 101-441-818.000 - \$5,000.00;
- Water/Sewer Contractual Services Account No. 592-537-818.000 - \$15,000.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Granger, regarding the Financial Report of the City Administrator for the month of November 2011, be referred to the Finance Committee for review.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Koester, seconded by Granger, regarding **Alternative Routing – 911 Overflow Calls**, that the City Council adopt the alternative/overflow rerouting as proposed.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by Granger, seconded by McConaghy, regarding **Wayne County Annual Permits (3)**, that the City Council adopt the following permits, authorize the Director of Public Works to sign the permits, and authorize the City Clerk to forward documentation to Wayne County:

1. Permit to Construct, Operate Use and/or Maintain-Maintenance;
2. Permit to Construct, Operate, Use and/or Maintain – Pavement Restoration;
3. Permit to Construct, Operate, Use and/or Maintain – Special Events.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler  
No: None  
Absent: None

Motion by McConaghy, seconded by Granger, regarding **Labor Attorney**, that the City Council approve the following statement dated December 1, 2011:

1. Labor Attorney Keller Thoma - \$547.10.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler

No: None

Absent: None

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

- Mayor Novitke wished everyone a happy holiday season.

Motion by Ketels, seconded by Bryant, to adjourn tonight's meeting at 9:04 p.m.  
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway  
City Clerk