

**CITY OF GROSSE POINTE WOODS**  
**20025 Mack Plaza**  
**Regular City Council Meeting Agenda**  
**Monday, September 12, 2011**  
**7:30 p.m.**

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. RECOGNITION OF COMMISSION MEMBERS
5. ACCEPTANCE OF AGENDA
  
6. MINUTES
  - A. Council 08/15/11, w/correction
    1. Letter 08/23/11 – City Attorney
  - B. Planning Commission 07/26/11
  
7. COMMUNICATIONS
  - A. Michigan Municipal League – Annual Meeting Notice
    1. Letter 08/10/11 – MML
  
8. BIDS / PROPOSALS/  
CONTRACTS
  - A. Contract – 2011 Pavement Joint and Crack Sealing Program
    1. Memo 08/26/11 – Director of Public Works
  - B. 2011/12 Property and Liability Insurance
    1. Memo 09/07/11 – City Administrator/Treasurer-Comptroller
    2. Letter 09/06/11 – City Attorney, w/attachment
  - C. Emergency Generator Replacement – Engine 5
    1. Memo 09/08/11 – Director of Public Safety
    2. Apollo Fire Apparatus Repair, Inc. – Quote
    3. LTM Fire Equipment & Sales – Quote
  
9. RESOLUTIONS
  - A. Grosse Gratiot/Milk River Drain Winter Tax Levy 2012
    1. Memo 09/08/11 – City Administrator/Treasurer-Comptroller
    2. Budget Revenue Analysis – Grosse Gratiot Drain FY 2011/12
    3. Budget Worksheet – Grosse Gratiot Drain FY 2011/12
    4. Proposed Resolution
  
10. ORDINANCES
  - A. Second Reading: An Ordinance Amending Chapter 8, Buildings and Building Regulations, by Adding Article XV, Alarm Systems, Establishing a Registration Fee for Alarm Systems; Regulating All Alarm Systems; Controlling Exterior Lighting and Sound and Providing for Cost Recovery Relating to Repeated False Alarms
    1. Letter 08/30/11 – City Attorney

2. Proposed Ordinance

- B. Second Reading: An Ordinance To Amend Chapter Two, Administration, Article VII Finance, Division Six Cost Recovery, by Adding Subdivision IV Cost Recovery for Traffic Accidents, by Providing Procedures for Reimbursement for Emergency Responses for Traffic Accidents, Establishing Liability for Those Expenses, and Procedures for Collection of Expenses
  - 1. Letter 08/30/11 – City Attorney
  - 2. Proposed Ordinance
- C. Second Reading: An Ordinance to Amend Chapter 42 Traffic and Vehicles, Article VI Stopping, Standing and Parking by Adding Sec. 42-271 to Include Double Parking as a Civil Infraction Violation, and Sec. 42-272 to Provide a Fee Schedule Based on Council Resolution
  - 1. Letter 08/01/11 – City Attorney
  - 2. Proposed Ordinance
  - 3. Proposed Fines

11. CLAIMS/  
ACCOUNTS

- A. Labor Attorney
  - 1. Keller Thoma, Invoice #95290 08/01/11
- B. City Attorney
  - 1. Don R. Berschback 08/31 /11
  - 2. Charles T. Berschback 08/31/11

12. NEW BUSINESS

13. ADJOURNMENT

**Lisa Kay Hathaway, MMC**  
**City Clerk**

**IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)**  
**POSTED AND COPIES GIVEN TO NEWSPAPERS**

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to a meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or call the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2440 or Telecommunications Device for the Deaf (TDD) 313 343-9249.

<p><b>NOTE TO PETITIONERS: YOU, OR A REPRESENTATIVE, ARE REQUESTED TO BE IN ATTENDANCE AT THE MEETING SHOULD COUNCIL HAVE QUESTIONS REGARDING YOUR REQUEST</b></p>
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MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, AUGUST 15, 2011, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:44 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke  
Council members: Bryant, Granger, Howle, Ketels, McConaghy, Sucher  
Absent: None

Also Present: City Administrator Fincham  
City Attorney Don Berschback  
City Attorney Chip Berschback  
Treasurer/Comptroller Irby  
City Clerk Hathaway  
Director of Public Works Ahee  
Recreation Supervisor Sharp

Also in attendance was Dr. Suzanne Klien, Superintendent – Grosse Pointe Public Schools.

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

The following Commission Members were also in attendance:

Mary Nelson, Senior Commission  
Tom Vaughn, Planning Commission  
Richard Shetler Jr., Senior Citizens Commission  
George McMullen, Board of Review

Motion by Ketels, 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: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

The next item discussed on tonight's agenda was regarding a presentation to the Grosse Pointe Woods Lifeguards. Hearing no objections, the item regarding **proclamation – Grosse Pointe Woods Lifeguards** and presentations were taken out of order.

Motion by Granger, seconded by Howle, regarding proclamation – Grosse Pointe Woods Lifeguards, that the City Council voice no objection to issuing this Mayoral proclamation in recognition of the life saving efforts of the Grosse Pointe Woods Lifeguards.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Mayor Novitke presented the proclamations to the Lifeguards.

The Chair declared a recess at 8:00 p.m., and reconvened at 8:07 p.m.

The City Council recessed the Regular City Council Meeting and convened as a Zoning Board of Appeals at 8:08 p.m. Upon conclusion of the Zoning Board of Appeals meeting, the City Council reconvened at 9:25 p.m.

Hearing no objections, Item 12B was taken out of order, regarding **Municipal Court Operating Agreement**. City Attorney Don Berschback provided an overview.

Motion by Granger, seconded by McConaghy, that the City Council concur with the recommendation of the Committee-of-the-Whole at their meeting on August 15, 2011, and authorize the City Administrator to send notification to the Village of Grosse Pointe Shores, A Michigan City, that court operations would cease 90 days from that notification.

Motion by Granger, seconded by McConaghy, to amend the previous motion by inserting "or sooner" after 90 days.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Hearing no objections, Item 14A was addressed next regarding a Resolution in opposition to mandatory School of Choice.

Motion by Granger, seconded by Bryant, regarding a **Resolution Opposing Mandatory School of Choice**, that the City Council adopt the Resolution opposing legislation from Lansing that would mandate School of Choice to Michigan school districts and legislation that interferes with local control of our schools.

Katherine Barr, Co-Founder of Michigan Community School Control, spoke on behalf of herself and Lynn Jacobs.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by McConaghy, seconded by Bryant, regarding **appointment – Election Commission**, that the City Council appoint Council Member Victoria Granger as Council Representative on the Election Commission.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Howle, seconded by Granger, regarding **appointment – Downspout Board of Appeals**, that the City Council voice no objection to the Mayoral appointment of the following individual to the Downspout Board of Appeals with a term to expire September 30, 2014:

- Scott Lockwood, City Engineer.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Howle, seconded by Granger, regarding **appointment – Local Officers Compensation Commission**, that the City Council voice no objection to the Mayoral appointment of the following individual to the Local Officers Compensation Commission with a term to expire September 30, 2016:

- Peter Gilezan

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

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

1. City Council Minutes dated August 1, 2011;
2. Committee-of-the-Whole minutes dated August 1, 2011.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by McConaghy, seconded by Ketels, regarding **appointment – Beautification Commission**, that the City Council concur with with the recommendation of the Beautification Advisory Commission at their meeting on July 13, 2011, and voice no objection to the Mayoral appointment of Gloria Arslanian to the Beautification

Commission to fill the remainder of Walter Schwartz term, with a term to expire December 31, 2012.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Granger, seconded by Bryant, regarding **Senior Expo – Assumption Cultural Center**, that the City Council concur with the Senior Citizens Commission at their meeting on July 19, 2011, and authorize placement of half page ad in the Senior Expo 2011 (at Assumption Cultural Center on October 13, 2011) program, and to purchase a vendor table at a cost not to exceed \$160, to be paid from the Commission's budget.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

THE MEETING WAS THEREUPON OPENED AT 9:51 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, FENCES, TO HEAR THE APPLICATION OF ROBERT PHILP, 2134 COUNTRY CLUB GROSSE POINTE WOODS, TO ERECT A 6' PRIVACY FENCE.

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

1. Letter 08/05/11 – Robert Philp
2. Photos (2)
3. Building Permit No. PB110303 06/17/11
4. Photos (6)
5. Mortgage Survey 07/21/11
6. Application for Fence Permit 07/21/11
7. Email 07/18/11 – R. Philp
8. Letter 07/15/11 – N. Toger, Co-Trustee 2126 Country Club

9. Proposed Privacy Fence Location rendering 04/11/11
10. Memo 08/10/11 - Building Official
11. Affidavit of Property Owners Notified 08/05/11
12. Aerial Views (2) 08/05/11
13. Aerial View (1)

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

The City Attorney provided an overview.

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

Robert Philp  
2134 Country Club

John Robinson  
21199 Country Club

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

Nan Toger  
Co-Trustee 2126 Country Club  
40374 Aynesley  
Clinton Twp, MI 48038

Motion by Granger, seconded by Howle, that the following item be received and placed on file:

1. Letter 08/12/11 – Nan Toger, Co-Trustee, Walt Studinger, Co-Trustee, Leopold J. Studinger, Jr. Trust



Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Walter Studinger  
15772 Sunny Hill Dr.  
Oxford, MI 48371

Motion by Granger, seconded by Ketels, that the public hearing be closed at 10:07 p.m.  
PASSED UNANIMOUSLY.

James Toger  
40374 Aynesley  
Clinton Twp, MI 48038

Motion by Bryant, seconded by McConaghy, regarding Public Hearing: privacy fence, Robert Philp, 2134 Country Club, who is requesting to install a 6' privacy fence, that City Council grant this fence variance.

Motion carried by the following roll call vote:

Novitke: Yes  
Sucher: No  
Bryant: Yes  
Granger: No  
Howle: No  
Ketels: Yes  
McConaghy: Yes

Motion by Granger, seconded by Howle, that the motion regarding the **Municipal Court Agreement** be immediately certified.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

The Chair declared a recess at 10:37 p.m., and reconvened at 10:48 p.m.

Motion by Ketels, seconded by Howle, regarding **Parade Application: Grosse Pointe North High School Homecoming**, that the City Council approve the parade permit for the Grosse Pointe North High School 2011 Homecoming to be held on Friday, October 7, 2011, from 5:30 p.m. to 6:15 p.m., contingent upon review and approval of the Certificate of Liability Insurance by the City Attorney, and that the City be named as an additional insured.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Sucher, seconded by Bryant, regarding **Financial Report – July**, that the City Council refer this report to the Finance Committee.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

The following individual was heard regarding the **AT&T Municipal Cell Tower**:

Anthony Amine  
Amine & Associates, LLC  
101 W. Big Beaver Rd., Suite 1400  
Troy, MI 48084

Motion by Howle, seconded by Ketels, regarding AT&T Municipal Cell Tower, that the City Council authorize the City Administrator to sign the AT&T First Amendment to the Licensing Agreement, subject to the following:

1. An electrical permit be required for any power fed equipment;

2. Provide structural calculations prepared by a licensed structural engineer indicating that the existing monopole will support the new and existing antennas and equipment;
3. Provide a minimum 48 hour notice to the City prior to the start of any work;
4. Work be done on a weekend to minimize impact for operations of Public Safety and City Hall.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Granger, seconded by Howle, regarding **First Reading: An ordinance amending Chapter 8, Buildings and Building Regulations, by adding Article XV, Alarm Systems, establishing a registration fee for alarm systems; regulating all alarm systems; controlling exterior lighting and sound and providing for cost recovery relating to repeated false alarms**, that the City Council concur with the amendment of this ordinance, set a date of September 12, 2011, for a second reading and final adoption, and to authorize the City Clerk to publish same by title in the Grosse Pointe News.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Bryant, seconded by Granger, regarding **First Reading: An ordinance to amend Chapter Two, Administration, Article VII Finance, Division Six. Cost Recovery, by adding Subdivision IV. Cost Recovery for Traffic Accidents, by providing procedures for reimbursement for emergency responses for traffic accidents, establishing liability for those expenses, and procedures for collection of expenses**, that the City Council concur with the amendment of this ordinance, to set a date of September 12, 2011, for a second reading and final adoption, and to authorize the City Clerk to publish same by title in the Grosse Pointe News.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Granger, seconded by Bryant, regarding **First Reading: An ordinance to amend Chapter 42 Traffic and Vehicles, Article VI Stopping, Standing and Parking by adding Sec. 42-271 to include double parking as a civil infraction violation, and Sec. 42-272 to provide a fee schedule based on Council Resolution**, that the City Council concur with the amendment of this ordinance, set a date of September 12, 2011, for a second reading and final adoption, and to authorize the City Clerk to publish same by title in the Grosse Pointe News.

Motion carried by the following vote:

Yes: Bryant, Granger, Howle, Ketels, McConaghy, Novitke, Sucher  
No: None  
Absent: None

Motion by Ketels, seconded by Howle, to adjourn tonight's meeting at 11:28 p.m.  
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway  
City Clerk

CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK  
OF COUNSEL

August 23, 2011

RECEIVED

AUG 24 2011

CITY OF GROSSE PTE. WOODS

Al Fincham, City Administrator  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

RE. Second Amendment to AT&T Agreement

Dear Skip:

I previously approved for signature a document entitled "Second Amendment to License Agreement" based on Council's approval at the August 15<sup>th</sup> meeting. Sue Como called and correctly advised me that the minutes of the August 15<sup>th</sup> meeting authorized you to sign a document entitled "First Amendment". I spoke with Anthony Amine and he clarified that there had already been a First Amendment signed by the parties in 2004. That is correct and I have seen the signed 2004 First Amendment. Accordingly, although the Council approved the document on August 15<sup>th</sup> labeled First Amendment, it should have been rightfully labeled Second Amendment.

Please note that the language of this Agreement is identical to the document reviewed and approved by the Council on August 15<sup>th</sup> other than the fact that the word "First" has been changed to "Second".

Don and I discussed this briefly regarding the minutes from August 15<sup>th</sup> which are scheduled to be approved at the September 12<sup>th</sup> meeting. The minutes accurately reflect that a document entitled "First Amendment" was approved for signature. We would propose that a note be added to the minutes as follows: "NOTE: The City Attorney advised that there was a typo on the Agreement approved on August 15, 2011 and that the document approved by Council should have been labeled 'Second Amendment' instead of 'First Amendment'. The typo has been corrected and submitted to the City Administrator for signature. No other changes were made to the document that was approved by Council on August 15, 2011."

I would request that this letter be enclosed in the Council package for September 12<sup>th</sup> so the Council is aware of the notation to be added to the minutes.

Very truly yours,



CHIP BERSCHBACK

CTB:gmr

Enclosures

cc: Lisa Hathaway  
Don Berschback

Cell Site No. DETRMI2011  
Cell Site Name: Grosse Pointe  
Fixed Asset No. 10083371  
Market: MI/IN  
Address: 20027 Mack Plaza, Grosse Pointe Woods, MI

## SECOND AMENDMENT TO LICENSE AGREEMENT

THIS SECOND AMENDMENT TO LICENSE AGREEMENT ("**Amendment**"), dated as of the latter of the signature dates below, is by and between City of Grosse Pointe Woods (hereinafter referred to as "**Licensor**"), having its principal mailing address at 20025 Mack Plaza, Grosse Pointe Woods, MI 48236, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as successor-in-interest to AT&T Wireless PCS, Inc., having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004, as successor in interest to AT&T Wireless PCS, LLC (hereinafter referred to as "**AT&T**").

WHEREAS, Licensor and AT&T, entered into an License Agreement dated June 17, 1996, and First Amendment dated March 30, 2004, whereby Licensor leased to AT&T certain Premises, therein described, that are a portion of the Property located at 20025 Mack Plaza, Grosse Pointe Woods, MI ("**Agreement**"); and

WHEREAS, Licensor and AT&T desire to amend the Agreement to allow for the installation of additional antennas, associated cables and other communications instruments; and

WHEREAS, Licensor and AT&T desire to adjust the rent in conjunction with the modifications to the Agreement contained herein; and

WHEREAS, Licensor and AT&T desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, Licensor and Tenant, in their mutual interest, wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and AT&T agree as follows:

1. **Communication Facility.** Licensor acknowledges and agrees that AT&T shall have the right to modify its existing tower loading. AT&T shall have the right to the following modifications. AT&T shall swap (3) antennas (P65-17-XLH-RR), and six (6) Remote Radio Heads (RRH's) and three (3) lines of coax (Coax sizes: 19.7 mm / 19.7 mm / 10mm).

2. **Rent.** Commencing on the first day of the month following the date that AT&T commences construction of the modifications set forth in this Amendment, Rent shall be increased by One Hundred and No/100 Dollars (\$100.00) per month, subject to further adjustments as provided in the Agreement.

3. **Notices.** All notices, requests, demands and communications hereunder will be given by first class, certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notice will be addressed to the parties as follows:

If to Tenant: New Cingular Wireless PCS, LLC  
Attn: Network Real Estate Administration  
Re: Cell Site # DETRMI2011/Cell Site Name: Grosse Pointe  
FA: 10083371  
12555 Cingular Way, Suite 1300  
Alpharetta, GA 30004

With a required copy of the notice sent to the address above to Tenant's legal department at:  
New Cingular Wireless PCS, LLC  
Attn: Legal Department  
Re: Cell Site # DETRMI2011/Cell Site Name: Grosse Pointe  
FA: 10083371  
15 East Midland Avenue  
Paramus, NJ 07652

4. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Amendment.

5. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

*[SIGNATURES APPEAR ON THE NEXT PAGE]*

IN WITNESS WHEREOF, the parties have caused this Amendment to be effective as of the last date written below.

WITNESSES:

**"LICENSOR"**

City of Grosse Pointe Woods

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

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

**"AT&T"**

New Cingular Wireless PCS, LLC,  
a Delaware limited liability company

By: AT&T Mobility Corporation

Its: Manager

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

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

**[ACKNOWLEDGMENTS APPEAR ON THE NEXT PAGE]**



**AT&T ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

I CERTIFY that on \_\_\_\_\_, 2011, \_\_\_\_\_ personally came before me and acknowledged under oath that he:

- (a) is the \_\_\_\_\_ of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the company named as AT&T in the attached instrument,
- (b) was authorized to execute this instrument on behalf of the company and
- (c) executed the instrument as the act of the company.

\_\_\_\_\_  
Notary Public: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**LICENSOR ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

I CERTIFY that on \_\_\_\_\_, 2011, \_\_\_\_\_ personally came before me and acknowledged under oath that he or she:

- (a) is the \_\_\_\_\_ [title] of City of Grosse Pointe Woods, the corporation named as Licensor in the attached instrument,
- (b) was authorized to execute this instrument on behalf of the corporation and
- (c) executed the instrument as the act of the corporation.

\_\_\_\_\_  
Notary Public: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

PLANNING COMMISSION  
07/26/11– 030

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS  
HELD ON TUESDAY, JULY 26, 2011, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL  
BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:32 p.m. by Chair Vaughn.

Roll Call: Chair Vaughn  
Dickinson, Evola, Gilezan (7:35), Hamborsky, Richardson

Absent: Fuller, Vitale

Also Present: Building Official Tutag  
City Attorney D. Berschback  
Recording Secretary St. Peter

Also in Attendance: Council Member Ketels, Planning Commission Representative  
Council Member Sucher

Motion by Richardson, seconded by Evola, that Planning Commission Members Vitale and Fuller be excused from tonight's meeting.

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Hamborsky, Richardson, Vaughn

NO: None

ABSENT: Fuller, Gilezan, Vitale

Chair Vaughn acknowledges receipt of the resignation of Planning Commission Member Nederhood.

The Commission, Administration, and audience Pledged Allegiance to the Flag.

Chair Vaughn welcomed Council Member Sucher for being in attendance at tonight's meeting.

PLANNING COMMISSION  
07/26/11– 031

Motion by Richardson, seconded by Evola, regarding **Approval of Minutes**, that the Planning Commission Meeting minutes dated June 28, 2011 be approved, with the following change:

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

A comment unrelated to the project was made by the following individual:

Harold Ruttan  
1181 Torrey "

MOTION CARRIED by the following vote:

YES: Dickinson, Evola, Hamborsky, Richardson, Vaughn

NO: None

ABSENT: Fuller, Gilezan, Vitale

Chair Vaughn welcomed Council Member Ketels, as Planning Commission Representative, for being in attendance at tonight's meeting.

The next item on the agenda was **Discussion: GPW Master Plan Review, Goals & Objectives**. Chair Vaughn commenced this discussion with the objectives that the Planning Commission should focus on: commercial corridor, residential neighborhoods, parks and recreational opportunities, and alleys and signs (ordinances).

Building Official Tutag indicated that Goal 1-2 has been accomplished.

Planning Commission Member Dickinson addressed the objective of Goal 6-2. Building Official Tutag stated that any outdoor cafes and plazas to be developed is a Wayne County issue and needs to go through Wayne County for approval. Building Official Tutag also stated the procedure to obtain an outdoor café permit is very cumbersome and expensive. Building Official Tutag advised the Planning Commission that Telly's and Bucci's are both going to be submitting applications for outdoor cafes through Wayne County.

Chair Vaughn stated that signage review falls under Goal 10, as this issue was addressed

PLANNING COMMISSION  
07/26/11– 032

by Planning Commission Member Gilezan.

Planning Commission Member Hamborsky addressed the need for city events besides the annual fireworks.

Council Member Sucher advised the Planning Commission of a \$70,000 grant that is going to be used for a bike path through all five Grosse Pointe communities.

Planning Commission Member Dickinson requested the Planning Commission make a walking path around Ghesquire Park an objective of the Master Plan.

Planning Commission Member Evola mentioned Goal 2-4 and requested information as to whether there were any active homeowners associations in Grosse Pointe Woods. Building Official Tutag stated there is one in the Country Club subdivision. Chair Vaughn suggested that that homeowners association could go to other subdivisions and help them start their own associations.

Planning Commission Member Evola addressed Goal 3-1 and inquired whether there were any incentives for new businesses to locate or existing businesses to improve or expand in the City. Building Official Tutag stated there were not at this point in time. Members of the Planning Commission discussed whether the Grosse Pointe Foundation could be a source of funding for improvements to help existing businesses.

Council Member Sucher suggested that Goal 1-13 be bulleted to specifically identify by name, every park in Grosse Pointe Woods.

Chair Vaughn suggested the 2020 Subcommittee pick a couple things from the Master Plan to focus their efforts on. Planning Commission Member Hamborsky stated that Mack Avenue is the main focus of the 2020 Subcommittee. He thereafter requested information from administration on how to get control of Mack Avenue because that will determine the range of things that can be done on Mack Avenue. The issue of control of Mack Avenue touches many of the Master Plan issues simultaneously. It was the consensus of the Planning Commission that it would like some direction from the Administration on how to

## PLANNING COMMISSION

07/26/11– 033

gain control of Mack Avenue from Wayne County. Building Official Tutag stated he will meet with City Administrator Fincham to determine how to get the ball rolling to get control of Mack Avenue from Wayne County.

Planning Commission Member Hamborsky addressed whether a homeowners association in the northwest quadrant would be an effective way to instill cohesiveness to that area.

Chair Vaughn requested the 2020 Subcommittee submit a written report of what objectives of the Master Plan they would like to pursue. Chair Vaughn also suggested the Business & Development Subcommittee pick a particular project they would like to pursue from the Master Plan objectives. Chair Vaughn requested reports from these subcommittees by the September Planning Commission meeting.

The Planning Commission expressed an interest in having a representative from the Country Club homeowners association address the Planning Commission at a workshop, of their activities.

The next item on the agenda was the **Building Official's Monthly Report**. Mr. Tutag reported the following:

- Last month, the Building Department took in \$28,000.
- Tall Grass Notices on foreclosed properties was addressed. Mr. Tutag advised that banks are on a rotation to cut the grass on foreclosed properties, which helps alleviate a lot of the work that the City has to do to maintain these properties.
- Bow Wow Bake Shoppe is now open for business.

Commission Member Richardson gave the **July 2011 Council Report**: City Council meetings were very short. Plans to redo parking at Liggett was discussed.

Chair Vaughn will attend the Council Meetings in August.

Under **New Business**, the following **Subcommittee Reports** were provided:

**2020 Plan** – Will set meeting for September.

PLANNING COMMISSION  
07/26/11– 034

**Business & Development** – Will set meeting for September.

Under **New Business**, the following items were discussed:

- ~~Chair Vaughn addressed the Neighborhood Club and Consignment Sale.~~ Building Official Tutag advised that they are pursuing a variance request for the sidewalk sale that the Neighborhood Club is pursuing a variance request with the Zoning Board of Appeals to conduct a consignment sale on Mack Avenue.
- Council Member Ketels had no information on a replacement for Planning Commission Member Nederhood.
- Building Official Tutag stated that Liggett is going out for bids on the parking lot project. All of these changes are scheduled to be done next summer.
- Building Official Tutag addressed ~~t~~The Five Rivers project and advised that City Engineer Lockwood is reviewing engineering plans.

Motion by Evola, seconded by Hamborsky, to adjourn the Planning Commission meeting at 8:35 p.m. Passed unanimously.



michigan municipal league

Better Communities. Better Michigan.



August 10, 2011

# Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Annual Convention of the Michigan Municipal League will be held in Grand Rapids, October 4-7, 2011. The annual meeting is scheduled for 1:00 pm on Wednesday, October 5, at the Amway Grand. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see page 2).
2. Policy. To vote on Core Legislative Principles document and resolutions properly brought before the annual meeting. All member municipalities planning on submitting resolutions for consideration at the annual meeting are reminded that under the Bylaws, the deadline for League Trustees to receive resolutions for their review is September 2, 2011 (please see page 2).
3. Other Business. To transact such other business as may properly come before the meeting.

## Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the annual meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than September 21, 2011.

Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

"Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative."

1675 Green Road  
Ann Arbor, MI 48105-2530  
734.662.3246 800.653.2483  
734.662.8083

208 N Capitol Avenue  
1st Floor  
Lansing, MI 48933-1354  
800.653.2483  
517.372.7476

200 Minneapolis Avenue  
Gladstone, MI 49837-1931  
906.428.0100  
906.428.0101

[www.mml.org](http://www.mml.org)



1. Election of Trustees

Regarding election of officers, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions \*

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and "no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting." Thus the deadline this year for the League to receive resolutions is September 2, 2011.

"Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof."

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership are available on the League website\*, to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the annual meeting.

The Board of Trustees will meet on Wednesday, October 5 at the Amway Grand for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

\* The proposed League Core Legislative Principles document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Susan at the League at 800-653-2483.

Sincerely,



Carol Shafto  
President  
Mayor of Alpena



Daniel P. Gilmartin  
Executive Director & CEO

Enc.

MEMO 11 - 44

8A

TO: Alfred Fincham, City Administrator

FROM: Joseph J Ahee, Jr., Director of Public Services *JA*

DATE: August 26, 2011

SUBJECT: 2011 Pavement Joint and Crack Sealing Program District #4 –  
AEW Project No. 0160-0337

RECEIVED  
SEP 06 2011  
CITY OF GROSSE PTE. WOODS

Michigan Joint Sealing, Inc. of Farmington Hills, Michigan satisfactorily completed the 2010 Pavement Joint and Crack Sealing Program in Grosse Pointe Woods and they have offered to extend their 2010 pricing for the 2011 Pavement Joint and Crack Sealing Program in District #4. Based upon the small size of the 2011 program, I do not believe any benefit would accrue to the city by seeking additional bids.

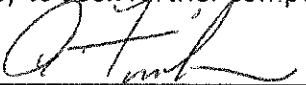
I recommend approval of a contract in the amount of \$16,200.00 for Michigan Joint Sealing, Inc., 28830 West Eight Mile Road, Suite 103, Farmington Hills, MI 48336. This is a budgeted item included in the 2011/2012 fiscal year budget in the amount of \$20,000.00 in Local Streets general ledger account 203-451-975.300. The total project cost for the 2011 Pavement Joint and Crack Sealing Program including construction, engineering, contract administration and contingencies shall not exceed \$20,000.00.

If you have any questions concerning this matter please contact me.

c.c. Dee Ann Irby  
Eng. File  
O/F

dm

Recommend approval of the above stated and do not believe any benefit will accrue to the City to seek further competitive bids.

  
\_\_\_\_\_  
Alfred Fincham, City Administrator

9-6-11  
Date

  
\_\_\_\_\_  
Dee Ann Irby, City Treasurer/Comptroller

9-6-11  
Date

\_\_\_\_\_  
Council Approval Required



CITY OF GROSSE POINTE WOODS  
MEMORANDUM

88  
RECEIVED

SEP - 8 2011

CITY OF GROSSE PTE. WOODS

**Date:** September 07, 2011  
**To:** Mayor and Council  
**From:** Al Fincham, City Administrator *AF*  
Dee Ann Irby, Treasurer/Comptroller *DA*  
**Subject:** 2011-2012 Property and Insurance Coverage

At the direction of Council, staff developed and published bid specs for the Property and Liability Insurance coverage for the 2011-2012 year effective October 1, 2011.

The bid opening took place on June 9, 2011 with three bids being received. They are as follows:

- |   |           |
|---|-----------|
| • Nickel & Saph, Inc.(Trident)                  | \$ 96,760 |
| • Municipal Insurance Alliance, (Alliance)      | \$109,334 |
| • Mich. Municipal Risk Management Assn. (MMRMA) | \$214,440 |

Staff has reviewed all three bid packets provided. Based upon the review, staff has the following recommendation.

**Recommendation:**

That the City Council authorizes the City Administrator to enter into an agreement with the Municipal Insurance Alliance, (our current provider) for a one-year contract-from October 1, 2011- September 30, 2012 with a cost not to exceed \$109,334.00 as proposed.

Additionally that City Council authorizes the City Administrator to renew the proposed contract with Municipal Insurance Alliance for a second and third year under the same stipulations/conditions with a cost not to exceed \$109,334.00 for each subsequent year.

Attached is additional information provided by Mr. Don Berschback, City Attorney summarizing our discussions regarding the review of these proposals.

The cost of Liability insurance is spread across several funds, in accounts ending in 914.

DON R. BERSCHBACK  
ATTORNEY AND COUNSELOR AT LAW  
24053 JEFFERSON AVENUE  
ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400  
FAX (586) 777-0430  
E-MAIL donberschback@yahoo.com

OF COUNSEL  
CHARLES T. BERSCHBACK \*  
\* ALSO ADMITTED IN FLORIDA

September 6, 2011

Honorable Mayor and Council  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

RECEIVED  
SEP 06 2011  
CITY OF GROSSE PTE. WOODS

RE. Analysis of Insurance Proposals

Dear Honorable Mayor and Council:

The current insurance coverage for the City of Grosse Pointe Woods expires September 30, 2011. We currently have coverage under the Municipal Insurance Alliance of MIA (Alliance). Two proposals were initially acceptable to the Administration and the Council is being asked to render a decision as to insurance coverage for the City for the next three years. The initial bid for the first year of coverage was as follows:

Alliance: \$109,334.00  
Trident: \$96,760.00

Administration and my office have been making inquiries and an analysis of the respective insurance proposals and I have included memorandum bullet points on those specific insurance proposals for your consideration.

Both company representatives have been invited to be in attendance at the meeting on September 12, 2011 to answer any questions that the Council may have regarding this matter.

Very truly yours,

  
DON R. BERSCHBACK

DRB:nmg  
cc: Skip Fincham  
Dee Ann Irby  
Lisa Hathaway

**MEMORANDUM**  
**INITIAL ANALYSIS OF INSURANCE PROPOSALS RECEIVED BY ALLIANCE**  
**AND TRIDENT**

1. Alliance represents 1700 public entities in Michigan and Trident has 151 municipalities of which 36 are cities or villages.
2. Alliance is rated by AM BEST as A+. Trident is rated as AM BEST as A XII stable.
3. Alliance carries full policy limits for inverse condemnation and Trident carries a \$100,000.00 limit. That limit can be increased to \$500,000 at a cost of \$1,050 although there are certifications required for the Building Official and the Members of the Planning Commission.
4. Alliance provides full policy limits for zoning. This is related to lawsuits that initially start with monetary damages and equitable relief and end up with only equitable relief being involved. Trident's policy is substantially different for zoning, monetary damages, and equitable relief matters. The Trident representative may be able to provide additional information at the Council meeting.
5. Both Trident and Alliance have a \$10,000.00 deductible for sewage "per occurrence". Even if there are eight claimants or many more, there is only one deductible of \$10,000.00 - this is good for the City and both insurance companies are equal in that respect.
6. Currently, Alliance allows us to utilize Tom McGraw's firm. While that firm is not presently on the Trident list of approved firms, it should create no problems for the City.
7. Both insurance companies have adequate insurance for the fireworks.
8. There is some specific contractual language regarding cancellation before the term by giving 30 days notice. In effect, it would appear that Trident can cancel the entire contract for the second and third year which might result in the City not being able to obtain acceptable insurance and/or insurance coverage at a reasonable price.
9. The premium language for Trident talks about "renewals or continuation" and the premium will be computed on the rates and rules then in effect. My reading of the Trident language indicates that the premium for the second and third years are guaranteed but the premium could be somewhat higher or substantially higher than the quoted figure for the first year. This is substantially different than the Alliance quote which is agreeing to a fixed premium cost for the three year term.
10. As it relates to attorney malpractice coverage, Trident is actually better for the City since it includes as "insured" elected officials, appointed officials, volunteers, paid employees, etc. Alliance excludes contract employees. This has the affect that even though the City Attorney is an appointed official, the City Attorney is not covered by the Alliance contract.

  
DON R. BERSCHACK

Dated: September 6, 2011



**CITY OF GROSSE POINTE WOODS  
DEPARTMENT OF PUBLIC SAFETY**

**RECEIVED**

SEP - 9 2011

CITY OF GROSSE PTE. WOODS

**Date:** September 8, 2011  
**To:** Alfred Fincham, City Administrator  
**From:** Andrew L. Pazuchowski, Director *ALP*  
**Subject:** Emergency Generator Replacement for Engine 5

On August 25, 2011, Tim Marriott, LTM Fire Equipment Specialist, was requested to inspect the inoperable on-board emergency generator located on Engine 5. The results were not favorable. Mr. Marriott stated that the generator was not repairable due to the generator manufacturer going out of business. I was able to confirm Mr. Marriott's inspection results with John Pfeifauf, Apollo Fire Apparatus Service Manager, who agreed that generator parts are no longer available and that this unit will have to be replaced.

I requested a quote for replacing the existing 15KW generator from LTM (E-One Repair Specialist). The 15KW Smart Power Hydraulic Generator with trade/install would cost \$12,998.00.

In addition, I contacted John Pfeifauf to discuss the option of using a self-contained Honda 10KW Generator (half the price of the on-board unit). Mr. Pfeifauf remarked that this generator would be the right decision. The 10KW Honda Generator has an excellent performance rating and historically has powered fire trucks throughout the country.

I contacted the Shelby Fire Department regarding their recent purchase of a 10KW Honda Generator and spoke to Sgt. Miller, who indicated that all of their fire engines are equipped with Honda Generators. Sgt. Miller highly recommends the 10KW Honda Generator for fire engines that are equipped with a light tower.

The 10KW Honda Generator is cost effective and will satisfy all of our firefighting needs without compromising the safety of our firefighters.

I have attached documentation and quotes from Apollo Fire Apparatus Repair and LTM Fire Equipment Sales & Service for your review and approval.

This is not a budgeted item.

Enc.

Recommend approval of the above stated and do not believe any benefit will accrue to the City to seek further competitive bids.

  
\_\_\_\_\_

Al Fincham, City Administrator

9-8-11

Date

  
\_\_\_\_\_

Dee Ann Irby, City Treasurer/Comptroller

9-8-11

Date

Council Approval Required



www.apollofire.com  
E-Mail: apollo@apollofire.com  
(800) 626-7783

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12584 Lakeshore Drive • Romeo, Michigan 48065 • (586) 752-6828 • Fax (586) 752-6907

**Grosse Pointe Woods DPS  
20025 Mack Plaza  
Grosse Pointe Woods, Michigan 48236**

**Attention: Mr. Andrew Pazuchowski**

**Apollo Fire Apparatus Repair is pleased to quote the following work content:**

- 1. Remove existing AMPS Hydraulic Generator system**
- 2. Furnish and install one Northstar 10,000 watt Honda powered generator**
- 3. Mount the new generator where the existing AMPS system was located, in dunnage area**
- 4. Wire Northstar Generator to the existing Breaker Box**
- 5. Install remote starting unit on the Pump Panel**
- 6. Wire Generator to 12 volt electrical**
- 7. Test unit for proper operation**
- 8. Generator unit has a 2 year limited warranty on the Generator, 3 year limited warranty on the engine, see warranty section below for additional info**
- 9. Delivery two to three days after receipt of the Generator and apparatus, all work to be performed at Apollo Fire, Romeo, Michigan**

**Total cost (Parts and Labor)     \$4,900.00**



**Warranty:** One (1) year on all labor performed by Apollo Fire Apparatus Repair. Please note that many of the components that will be mounted on this vehicle during this refurbishment will have their own manufacturer's warranties and as such, may have their own return/service policies that they may want followed. In the event of a failure of a component, it may be necessary for you (the customer) to contact them directly to obtain proper authorization for any field service repair work you may request. As usual, Apollo Fire will work with you to obtain proper authorization with any of the vendors concerned.

**Terms:** Net 30 days

**Lead Time:** See above

Thank you for allowing Apollo to serve you and your fine department!!

Sincerely,

**John Pfeifauf** / Shop Manager

**John Surprenant** / VP Operations / cell 586-540-7527

Apollo Fire Apparatus Repair Inc.

**"Proud to Serve the Bravest" since 1969**

1-800-626-7783 1-586-752-6828

fax: 1-586-752-6907

E-mail : [jsurprenant@apollofire.com](mailto:jsurprenant@apollofire.com)



FACTORY AUTHORIZED  
SALES, SERVICE,  
& PARTS

1591 E. HIGHWOOD • PONTIAC, MI • 48340 • WEB LTMFIRE.COM  
PHONE 248-333-3772 • FAX 248-333-3729  
INFO@LTMFIRE.COM



City Of Grosse Pointe Woods

8-26-11

2002 E-One Pumper

As per my inspection on 8-25-11 of the 15kw AMPS generator on the pumper  
PTO pressures all ok

Check for contaminated fluid, found large amounts of aluminum in filter

Generator hydraulic pump bad

Cannot get any replacement parts must be replaced

As we spoke on 8-25-11 attached are estimates for several options for the  
generator replacement, because of the Wilbert light tower a minimum of 8,000  
watts are needed ,the tower is 6,000 watts the side seen lights are 1,500 each

Also on the quote will be a gas powered option as you requested, some of the  
disadvantages are

Maintenance ,fuel oil ,exhaust

The ability of unlimited uninterrupted light from light tower because of refueling

Sound ,gas generators very loud when running at maximum



FACTORY AUTHORIZED  
SALES, SERVICE,  
& PARTS



1591 E. HIGHWOOD • PONTIAC, MI • 48340 • WEB LTMFIRE.COM  
PHONE 248-333-3772 • FAX 248-333-3729  
INFO@LTMFIRE.COM

City Of Grosse Pointe Woods

8-26-11

2002 E-One Pumper

All Quotations will be Smart Power Hydraulic Generator

15KW replacement with trade /installed \$12,998.00

10KW replacement with trade /installed \$9,208.00

8KW replacement with trade /installed \$8,776.00

10KW gas with install and remote start \$5,700.00

Please let me know what you decide

Thank You

Tim Marriott

LTM Fire

Office 248-333-3772

Cell 248-343-5523

e-mail [tmarriott@ltmfire.com](mailto:tmarriott@ltmfire.com)



**CITY OF GROSSE POINTE WOODS**  
**MEMORANDUM**

94

**Date:** September 8, 2011

**To:** Mayor and City Council

**From:** Dee Ann Irby, Treasurer/Comptroller  
Al Fincham, City Administrator

RECEIVED  
SEP 08 2011  
CITY OF GROSSE PTE. WOODS

**Subject:** Proposed winter tax levy for pro-rata share of Milk River Drain facility expenditures and other C.S.O. drain improvements

On September 7, 2011 the Milk River Drainage Board approved the 2011 budget totaling \$2,260,234. The City of Grosse Pointe Woods is assessed 60.50% of the budget, totaling \$1,367,438; an increase of \$331,000.

The Drainage budget represents an increase of 6.97% over fiscal year 2010. The increase in expenses is primarily attributable to an increase in sewage disposal charges from the Detroit Water & Sewerage Department.

In addition to levying millage for its pro-rata share of maintenance and operating expense at the drain facility, the City also levies millage for repayment of the annual bonded debt repayment (\$1,229,742), capital improvements on the City's combined sewer/storm drain system (\$320,000) and administration (\$14,100). Each of the items listed above were previously approved in the 2011-12 budget.

The increase in expenditures and reduction in taxable value, results in a slight millage increase on the winter tax bill. The proposed millage rate of 4.4685 mills; an increase of 0.6665 mills, was offset by using approximately \$169,000 from the Grosse Gratiot Drain Fund Balance.

The breakdown of this year's proposed millage rate is as follows:

	<u>Levy</u>	<u>Amount</u>
Milk River Operations	2.2130	\$ 1,367,912
Milk River Bonded Debt	1.9895	\$ 1,229,760
GPW C.S.O. Improvements	0.2500	\$ 154,531
Administration	<u>0.0160</u>	<u>\$ 9,890</u>
 Total Tax Revenue	 4.4685	 \$ 2,762,093
Fund Balance		<u>169,187</u>
Total Budget		\$ 2,931,280

If you have any questions, please feel free to call me.



**CITY OF GROSSE POINTE WOODS**  
**BUDGET WORKSHEET - GROSSE GRATIOT DRAIN**

**FY 2011-12**

ACCOUNT NO.	ACCOUNT NAME	FY 06-07 ACTUAL AMOUNT	FY 07-08 ACTUAL AMOUNT	FY 08-09 ACTUAL AMOUNT	FY 09-10 ACTUAL AMOUNT	FY 10-11 BUDGET AMOUNT	07/10-6/11 ACTUAL	FY 11-12 DEPT REQUESTED	CITY ADMIN RECOMM
<b>GENERAL EXPENDITURES</b>									
365445818000	CONTR-O&M MILK RIVER	-	-	990,971	1,027,996	1,036,200	1,165,717	1,367,438	1,367,438
365445991000	MILK RIVER - PRINCIPAL	-	-	1,092,022	1,119,247	1,152,522	1,152,522	1,185,797	1,185,797
365445992000	MILK RIVER - INTEREST	-	-	132,873	102,219	72,590	72,597	43,945	43,945
	DEPARTMENT TOTAL	-	-	2,215,866	2,249,461	2,261,312	2,390,836	2,597,180	2,597,180
<b>TRANSFERS &amp; OVERHEAD</b>									
365482999101	TRF TO GENERAL	83,000	93,000	125,000	295,000	305,000	305,000	120,000	120,000
365482999202	TRF TO MAJOR STREET	-	-	-	-	-	-	-	-
365482999203	TRF TO LOCAL STREET	-	-	550,000	550,000	550,000	550,000	200,000	200,000
365482999592	TRF TO WATER/SEWER	100,000	100,000	250,000	250,000	-	-	-	-
365482999650	TRF TO MIS	20,000	20,000	10,000	10,000	-	-	-	-
	DEPARTMENT TOTAL	203,000	213,000	935,000	1,105,000	855,000	855,000	320,000	320,000
<b>DEBT SERVICE - OTHER</b>									
365993757000	OPERATING SUPPLIES	-	-	-	-	-	-	-	-
365993818000	CONTRACTUAL SERVICES	-	-	12,450	2,976	5,000	5,000	5,000	5,000
365993914000	INSURANCE	-	-	12,153	12,153	14,400	8,666	9,100	9,100
	DEPARTMENT TOTAL	-	-	24,603	15,129	19,400	13,666	14,100	14,100
<b>GRAND TOTAL MILK RIVER DRAIN EXPENSE</b>									
		203,000	213,000	3,175,469	3,369,590	3,135,712	3,259,503	2,931,280	2,931,280

## CERTIFIED RESOLUTION

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, regarding **2012 Milk River Drain Levy**, that the Council adopt the following resolution:

Whereas: the Mayor and City Council directs that the millage levy consisting of 4.4685 mills be established for the operational and maintenance costs related to the Milk River Drain pumping facility for administration, replacement and maintenance of the City of Grosse Pointe Woods sanitary sewer/drain system, and Installment #20 for Milk River Bonded Debt, 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:

	<b>Millage</b>	<b>Amount (rounded)</b>
Milk River Drain Operations	2.2130	\$1,367,912
Milk River Drain Bonded Debt	1.9895	1,229,760
Transfers	0.2500	154,531
Administration	0.0160	9,890
<b>Total</b>	<b>4.4685</b>	<b>\$2,762,093</b>

It is further resolved that the City Clerk certify the Milk River Drain Debt Levy to the Wayne County Board of Supervisors for spreading the 4.4685 mills as Milk River Drain Debt Levy upon the 2011-12 Grosse Pointe Woods tax roll.

Motion carried by the following vote:

Yes:

No:

Absent:

## CERTIFICATION

I, Lisa Kay Hathaway, City Clerk of the City of Grosse Pointe Woods, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Council on September 12, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be, or have been, made available as required by said Act.

Lisa Kay Hathaway  
City Clerk  
September 12, 2011

CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK

OF COUNSEL

August 30, 2011

Honorable Mayor and Council  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

RE. Alarm Regulation Ordinance / Second Reading September 12, 2011

Dear Mayor and Council:

This ordinance was also reviewed on August 15, 2011. I have enclosed the final draft which does not have any substantive changes. The Clerk did ask that I delete any reference to fees in the body of the ordinance since we have consistently dealt with fees in a separate Council resolution. I have enclosed a copy of the ordinance showing the strike outs and the additions to coincide with these technical changes. I have also enclosed a final copy accepting the changes. Lisa Hathaway will be submitting a separate Council resolution regarding these fees. If you have any questions please call.

Very truly yours,



CHIP BERSCHBACK

CTB:gmr

Enclosures

cc: Al Fincham  
Lisa K. Hathaway  
Director Andrew Pazuchowski



ORDINANCE # \_\_\_\_\_

AN ORDINANCE AMENDING  
CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS,  
BY ADDING ARTICLE XV, ALARM SYSTEMS,  
ESTABLISHING A REGISTRATION FEE FOR ALARM SYSTEMS; REGULATING  
ALL ALARM SYSTEMS; CONTROLLING EXTERIOR LIGHTING AND SOUND AND  
PROVIDING FOR COST RECOVERY RELATING TO REPEATED FALSE ALARMS.

THE CITY OF GROSSE POINTE WOODS ORDAINS:

**Sec. 8-450. Definitions.**

For the purpose of this ordinance, the following definitions shall apply:

(a) *Alarm System.* The term "alarm system" shall mean an assembly of equipment and devices, or a single device, arranged to signal the presence of a hazard requiring urgent attention to which Public Safety departments are expected to respond, except for an alarm system on a motor vehicle.

(b) *Subscriber.* The term "subscriber" includes but is not limited to any public service, utility, Public Safety Department or police agency.

(c) *Telephone Number.* The term "telephone number" includes a primary number and any additional numbers assigned by a telecommunications company to connect with a subscriber when the primary telephone number is in use.

(d) *False Alarm.* The term "false alarm" means the activation of an alarm system causing a sound or visual signal through mechanical failure, faulty equipment, malfunction, improper installations, or the negligent, improper or mistaken use of an alarm system by a person. Negligence shall be established when there is no evidence of criminal activity, illegal entry, fire, or need for medical attention upon the activation of the alarm system. A false alarm does not include the following:

1. Severe storm conditions.
2. Alarm system malfunction, if corrective measures have been taken or installed within five (5) days thereafter, and a copy of a repair order by a licensed alarm system contractor is provided within thirty (30) days of the false alarm.
3. False alarms that can be substantiated as being activated by disruption or disturbance of telecommunications facilities.
4. Utility pole accidents.
5. A testing of the alarm system when prior notification has been received by the Public Safety Department.

(e) *Person*. Person means an individual, owner, employee, tenant, occupant, firm, business, corporation, LCC or similar entity, or an agent of a person. Person does not include a commercial bank subject to 12 USC 1881-1884.

**Sec. 8-451. Automatic Dialing Prohibited.** It shall be a violation of this ordinance for any person to install, use, operate, adjust, arrange for, sell or contract to provide a device or combination of devices that will initiate the automatic dialing or connection directly to any Grosse Pointe Woods Public Safety or other municipal telephone number, except if written consent is obtained in advance from the Public Safety Department.

**Sec. 8-452. Registration Required by Owner.** Any person that owns, leases or occupies a premises in which an alarm system is installed, used, or maintained shall register such alarm system with the Grosse Pointe Woods Public Safety Department on forms provided by the City.

**Sec. 8-453. Registration fees.** A registration fee of ~~sixty dollars (valid for three years)~~, is ~~set~~ shall be set by Council resolution to cover administrative costs to record the alarm location and contact personnel. Failure to register an alarm system shall result in an additional fee of ~~sixty dollars~~ to cover the costs incurred to register the alarm system, contact personnel and to search for a registration in addition to possible Court costs. These fees may be modified by Council resolution.

**Sec. 8-454. Name, address and phone numbers required.** A person that registers a system with the Grosse Pointe Woods Public Safety Department shall provide the Director of Public Safety or the Director's designated agent with the name, telephone number and address of the premises where the alarm system is located, and also the name and telephone number of at least one other person, firm or entity who can be reached at any time, day or night, and who, within a thirty-minute response time, can open the premises in which the alarm system is installed and deactivate the audible and/or visible signal. This information is to be updated every three (3) years with a re-registration of the alarm system, or sooner by the owner if the contact information changes.

**Sec. 8-455. Automatic Shutoff Required.** It shall be a violation for any person to maintain and operate an alarm system equipped with audible signal(s) (bells, horns, sirens, etc.) that is not equipped with a shutoff device that automatically silences the audible signal(s) within ten (10) minutes of signal activation. This section shall not apply to fire alarm systems.

**Sec. 8-456. Liability.** Any person using, owning, leasing, or occupying a premises in which an alarm system exists on the effective date of this ordinance shall comply with the requirements of this ordinance by January 1, 2012, and shall be jointly and severally liable for violations of this ordinance section.

**Sec. 8-457. Violations.** The occurrence of a false alarm or other violation of this Ordinance shall be punishable as a Municipal civil infraction. Administrative fees ~~are set as follows:~~ for first and subsequent activations and late fees shall be set by Council resolution. Late fees of two (2) percent per month shall apply to any outstanding balance thirty (30) days past the invoice date or older. In the event the above-specified fees are not paid by June 1 subsequent to the invoice, then all such fees and penalties shall become a lien upon the land where the alarm system is located and may be collected by the addition of same to the tax

**rolls or assessments imposed by the city on the subject property.**

- ~~(a) First activation requiring responses by Public Safety within a fiscal year. No charge.~~
- ~~(b) Second and third activation requiring response by Public Safety within a fiscal year: Residential \$30.00 / Commercial \$100.00.~~
- ~~(c) Fourth and any subsequent activation: Residential \$100.00/ Commercial \$250.00.~~
- ~~(d) Late fees of two (2) percent per month shall apply to any outstanding balance thirty (30) days past the invoice date or older.~~
- ~~(e) In the event the above specified fees are not paid by June 1 subsequent to the invoice, then all such fees and penalties shall become a lien upon the land where the alarm system is located and may be collected by the addition of same to the tax rolls or assessments imposed by the city on the subject property.~~

~~These fees and the fines and costs for Municipal Civil Infractions may be amended by Council resolution.~~

**Sec. 8-458. License Required by Installer.** It shall be a violation of this section for any person to engage in the business of installing an alarm system unless such person has been licensed by the State of Michigan in accordance with Public Act No. 190 of 1975 as amended (MCL 338.1051). All violations of this Section by any person shall be considered a civil infraction and punishable by a civil fine of up to five hundred dollars.

First reading:

Second reading:

Published GPN:

Adopted:

Effective:

ORDINANCE # \_\_\_\_\_

**AN ORDINANCE AMENDING  
CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS,  
BY ADDING ARTICLE XV, ALARM SYSTEMS,  
ESTABLISHING A REGISTRATION FEE FOR ALARM SYSTEMS: REGULATING  
ALL ALARM SYSTEMS; CONTROLLING EXTERIOR LIGHTING AND SOUND AND  
PROVIDING FOR COST RECOVERY RELATING TO REPEATED FALSE ALARMS.**

**THE CITY OF GROSSE POINTE WOODS ORDAINS:**

**Sec. 8-450. Definitions.**

For the purpose of this ordinance, the following definitions shall apply:

- (a) *Alarm System.* The term "alarm system" shall mean an assembly of equipment and devices, or a single device, arranged to signal the presence of a hazard requiring urgent attention to which Public Safety departments are expected to respond, except for an alarm system on a motor vehicle.
- (b) *Subscriber.* The term "subscriber" includes but is not limited to any public service, utility, Public Safety Department or police agency.
- (c) *Telephone Number.* The term "telephone number" includes a primary number and any additional numbers assigned by a telecommunications company to connect with a subscriber when the primary telephone number is in use.
- (d) *False Alarm.* The term "false alarm" means the activation of an alarm system causing a sound or visual signal through mechanical failure, faulty equipment, malfunction, improper installations, or the negligent, improper or mistaken use of an alarm system by a person. Negligence shall be established when there is no evidence of criminal activity, illegal entry, fire, or need for medical attention upon the activation of the alarm system. A false alarm does not include the following:
  - 1. Severe storm conditions.
  - 2. Alarm system malfunction, if corrective measures have been taken or installed within five (5) days thereafter, and a copy of a repair order by a licensed alarm system contractor is provided within thirty (30) days of the false alarm.
  - 3. False alarms that can be substantiated as being activated by disruption or disturbance of telecommunications facilities.
  - 4. Utility pole accidents.
  - 5. A testing of the alarm system when prior notification has been received by the Public Safety Department.

(e) *Person.* Person means an individual, owner, employee, tenant, occupant, firm, business, corporation, LCC or similar entity, or an agent of a person. Person does not include a commercial bank subject to 12 USC 1881-1884.

**Sec. 8-451. Automatic Dialing Prohibited.** It shall be a violation of this ordinance for any person to install, use, operate, adjust, arrange for, sell or contract to provide a device or combination of devices that will initiate the automatic dialing or connection directly to any Grosse Pointe Woods Public Safety or other municipal telephone number, except if written consent is obtained in advance from the Public Safety Department.

**Sec. 8-452. Registration Required by Owner.** Any person that owns, leases or occupies a premises in which an alarm system is installed, used, or maintained shall register such alarm system with the Grosse Pointe Woods Public Safety Department on forms provided by the City.

**Sec. 8-453. Registration fees.** A registration fee shall be set by Council resolution to cover administrative costs to record the alarm location and contact personnel. Failure to register an alarm system shall result in an additional fee to cover the costs incurred to register the alarm system, contact personnel and to search for a registration in addition to possible Court costs. These fees may be modified by Council resolution.

**Sec. 8-454. Name, address and phone numbers required.** A person that registers a system with the Grosse Pointe Woods Public Safety Department shall provide the Director of Public Safety or the Director's designated agent with the name, telephone number and address of the premises where the alarm system is located, and also the name and telephone number of at least one other person, firm or entity who can be reached at any time, day or night, and who, within a thirty-minute response time, can open the premises in which the alarm system is installed and deactivate the audible and/or visible signal. This information is to be updated every three (3) years with a re-registration of the alarm system, or sooner by the owner if the contact information changes.

**Sec. 8-455. Automatic Shutoff Required.** It shall be a violation for any person to maintain and operate an alarm system equipped with audible signal(s) (bells, horns, sirens, etc.) that is not equipped with a shutoff device that automatically silences the audible signal(s) within ten (10) minutes of signal activation. This section shall not apply to fire alarm systems.

**Sec. 8-456. Liability.** Any person using, owning, leasing, or occupying a premises in which an alarm system exists on the effective date of this ordinance shall comply with the requirements of this ordinance by January 1, 2012, and shall be jointly and severally liable for violations of this ordinance section.

**Sec. 8-457. Violations.** The occurrence of a false alarm or other violation of this Ordinance shall be punishable as a Municipal civil infraction. Administrative fees for first and subsequent activations and late fees shall be set by Council resolution. Late fees of two (2) percent per month shall apply to any outstanding balance thirty (30) days past the invoice date or older. In the event the above-specified fees are not paid by June 1 subsequent to the invoice, then all such fees and penalties shall become a lien upon the land where the alarm system is located and may be collected by the addition of same to the tax rolls or assessments imposed by the city on the subject property.

**Sec. 8-458. License Required by Installer.** It shall be a violation of this section for any person to engage in the business of installing an alarm system unless such person has been licensed by the State of Michigan in accordance with Public Act No. 190 of 1975 as amended (MCL 338.1051). All violations of this Section by any person shall be considered a civil infraction and punishable by a civil fine of up to five hundred dollars.

First reading:

Second reading:

Published GPN:

Adopted:

Effective:

<b>Assessor</b>	<b>Service</b>	<b>Fee</b>
	Assessment roll - 1st request	\$500.00
	Assessment roll - future copies	\$100.00
	Summer or Winter Tax roll - 1st request	\$500.00
	Summer or Winter Tax roll - future request	\$100.00
	Taxpayer Appraisal Sheet (Field Sheet)	\$1.00
	Lot Split / Combination	\$100.00 per parcel
<b>Community Center</b>		
<i>Room Rental Rates - Deposit 50% of Fee</i>		
	Lake Room - Capacity 20 - 5 Hours	\$40.00
	Each Additional Hour	\$10.00
	Garden Room - Capacity 60 - 5 Hours	\$100.00
	Each Additional Hour	\$25.00
	Park Room - Capacity 80 - 5 Hours	\$140.00
	Each Additional Hour	\$35.00
	All Three Rooms - Capacity 160 - 5 Hours	\$275.00
	Each Additional Hour	\$70.00
<i>Additional Fees</i>		
	Damage (Security) Deposit	\$200.00
	Coffee Urns	\$10.00
	Kitchen Charge	\$25.00
	Screen - Park Room	\$10.00
	Duplicate Park Pass	\$20.00
	Caregiver Pass	\$10.00
<b>Court *</b>		
*Please see the following link for additional fees <a href="http://www.gpwmi.us/departments/mcScheduleOfFines.html">http://www.gpwmi.us/departments/mcScheduleOfFines.html</a>		
	Forms	\$1.00
	PBT	\$5.00
	Copies/per page	\$1.00
<i>Fine Schedule for Municipal Civil Infractions (2-813)</i>		
	1st Offense Within a 2 year period Court Cost plus not to exceed	\$350.00
	2nd Offense Within a 2 year period Court Cost plus not to exceed	\$500.00
	3rd Offense Within a 2 year period Court Cost plus not to exceed	Misdemeanor
<b>Finance</b>		
	Maps	\$2.50
	Returned Checks	\$30.00
	Rubbish Bags - 50 Count	\$10.00
	Compost Bags - 10 Count	\$4.00

## Public Safety

Animal License (6-71)	\$5.00
Duplicate License	\$1.00
Impounded Animal Board Charges (6-35 & 6-37)	\$25.00
Impoundment, Boarding or Destruction	COST
Boarding (per day)	\$12.00
Bicycle License	\$1.00
Fingerprints	\$15.00 - \$69.00
Report	\$7.00
Vehicle Inspection	\$5.00
Warrants	\$10.00
Preliminary Breath Test	\$5.00
Rubbish Bag - 50 Count	\$10.00
Alarm Registration Fee	\$60.00
Failure to Register Alarm System	\$60.00
False Alarm Occurrence (2nd & 3rd time in fiscal year)	Residential \$30.00
	Commercial \$100.00
False Alarm Occurrence (4th & subsequent activation)	Residential \$100.00
	Commercial \$250.00
Late Fee: 2% per month	
Precious Metals & Gems Dealer Fee	\$50.00
<b>Hazardous Materials &amp; Emergency Responses</b>	
Cost Recovery = Cost Incurred	
Late Fee 1% per month	

### Ambulance (2-774)

Cost & Expenses Covered by Insurance for Residents	
Non Residents      Advanced	\$710.00
Basic	\$415.00
Mileage	\$11.00 per mi.

## Public Services

Recycle Bins	\$10.00
Sewer Televising	\$100.00
Rubbish Bags - 50 Count	\$10.00
Compost Bags - 10 Count	\$4.00
Cross Connection Inspection Fee	\$125.00

### Materials on Street During Construction (38-105)

Permit/Per Night Fee	\$25.00
Bond	\$200.00
Hydrant Use - Commercial (plus water usage)	\$100.00
Hydrant Use - Residential (plus water usage)	\$50.00

**NOTE**



**Lake Front Park***Launch*

Daily	\$12.00
Seasonal	\$75.00

*Wet Well (48-3)*

Under 21'	\$635.00
Over 21' - 25'	\$700.00
Over 25' - 28'	\$810.00

*Additional Fees*

Boat Rack	\$175.00
Dry Dock	\$500.00
Floating Dock	\$450.00
Wait List (48-3)	\$10.00
Late Payment (48-7)	\$75.00
Cancellation Fee (48-10)	\$75.00

**Lessons***Swim*

Level 1 - 6B / per hour	\$4.00
Parent - Tot / per hour	\$4.00
Diving / per hour	\$4.00
Synch. Swim	\$45.00
Swim Team	\$65.00

*Water Aerobics*

M - F / per hour	\$4.00
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*Tennis*

Youth - Adult / per hour	\$4.00
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*Other*

Babysitter Training / per hour	\$4.00
Lifeguard Training	\$200.00
Water Safety Instruction	\$200.00

*Miscellaneous*

Buckets	\$2.00
Tent Rental - Tent only	\$200.00
Tent Rental with sides	\$225.00
Sound Stage - Set Up	\$400.00
Sound Stage - Rental	\$600 per day

**Building Department****Building Permits**

Builder Registration	\$20.00
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*Registration - State of Michigan*

Residential Builders, Maintenance or Alterations Contractors License	\$20.00
Minimum Permit Fee - Construction $\leq$ \$50	\$50.00
Base Fee - Construction $\geq$ \$50 to \$1000	\$75.00

*Construction < \$1,000*

Per \$1,000 or part of	\$10.00
Initial Cost - 1st \$1,000 of Construction	\$75.00

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<b>Bldg cont'd</b>		<i>Construction &gt;\$1,000</i>
	Estimated cost \$1001 - 2000	\$85.00
	Estimated cost \$2001 - 3000	\$95.00
	Estimated cost \$3001 - 4000	\$105.00
<i>Plan Review Fee - Valuation of Construction X.0020</i>		
	Minimum Plan Review	\$100.00
	Plan Review Fee - Signs	\$30.00
	Review by Outside Service - Review Cost + 5%	Reveiw Cost + 5%
	Building Re-inspection	\$50.00
	Signs - each	\$100.00
	Signs (temporary) - per week	\$10.00
	Awnings - each	\$100.00
<i>Pool</i>		
	Above Ground	\$150.00
	In Ground	\$300.00
<i>Fence Permits (8-276)</i>		
	Residential	\$20.00
	Public Hearing	\$75.00
	Commercial	\$25.00
<i>Miscellaneous</i>		
	Sprinkler System	\$20.00
	Sprinkler Heads - each	\$0.50
	Soil Erosion Fee	\$300.00
	Shed Permit < 200 sq. ft. area	\$50.00
<i>Demolition</i>		
	One and Two Family Residential	\$500.00
	Residential Garage/Accessory Building	\$50.00
	Commercial Buildings	\$750.00
<i>House Move</i>		
	From within GPW	\$1,500.00
	From outside GPW	\$3,000.00
	Through GPW	\$1,000.00
<i>Concrete Per Property Address</i>		
	Driveway	\$50.00
	Driveway & Approach	\$75.00
	Driveway & Porch Cap	\$100.00
	Remove and replace garage slab	\$75.00
	Approach	\$50.00
	Sidewalk up to 5 flags	\$30.00
	Sidewalk 6 or more flags	\$50.00
	Construction Board of Appeals Hearing	\$100.00
	Work Started Without a Permit	Double Fee
	Overtime Inspection	City's Cost

<b>Bldg cont'd</b>		<i>New commercial &amp; residential structures</i>
	Grading & Landscaping Cash Bond	\$5,000.00
	<i>(Refunded upon approval of final grade &amp; landscape completion)</i>	
	Permit Cancellation - Administrative fee	Admin Fee 15%
	Site-Plan Review (50-42)	\$350.00
	<b><i>Certificate of Occupancy (8-62)</i></b>	
	Certificate of Occupancy (8-62)	\$150.00
	Reinspection (8-62)	\$50.00
	Copy of Certificate (50-28)	\$10.00
	<b><i>Rental Inspections/Multiple Dwellings (8-212)</i></b>	
	1 Family, 2 Family, 2 Family Incomes, Condominium	\$150.00
	3 - 5 Units	\$250.00
	5 - 10 Units	\$350.00
	11 or More Units	\$500.00
	Vacant Dwelling Permit (8-247)	\$25.00
	Renewal Permit (8-249)	\$25.00
	Nuisance - Weeds, Brush or Grass	
	Reimbursement of cost incurred by the City plus 30% Administrative Fee	
	<b><i>Registration of Foreclosure Properties (8-250 &amp; 8-255)</i></b>	
	Annual Registration	\$200.00
	Notice to Abate	At Cost
	Search Warrant	At Cost
	Contact Request or Warning of Abatement Action	At Cost
	Warning Letter	At Cost
	Civil Infraction Preparation	At Cost
	Additional Inspections	\$50.00/inspection
	Vehicle Removal	Tow Contract Rate
	Attorney Fees	Attorney Contract Rate
	Denied Entry	\$50.00
	<b><i>Plumbing Permits</i></b>	
	Base Fee	<del>\$20.00</del>
	Plumber Registration	\$1.00
	1st Fixture Including: Bath, Kitchen, Water Heater, Food Grinder, Floor Drain, Hose Bib, Humidifier	\$30.00
	Each additional fixture	\$10.00
	1st Stack	\$30.00
	Each additional stack	\$10.00
	Crock to Iron	\$50.00
	First Dental Chair	\$30.00
	Each additional chair	\$10.00
	Grease Traps	\$50.00
	Interceptor	\$50.00
	Lawn Sprinkler System	\$50.00
	Roof Sumps	\$30.00
	Vent, Conductor and Drains	\$30.00
	Sump with Pump	\$40.00
	Water Treatment Device	\$40.00

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<b>Bldg cont'd</b>		<i>Water Distribution System</i>	
	Up to 3/4"		\$30.00
	Up to 1"		\$40.00
	Up to 1-1/2"		\$50.00
	Up to 2"		\$60.00
	Up to 3"		\$70.00
	Up to 4"		\$80.00
	Over 4"		\$100.00
	Underground Inspector		\$25.00
	Re-Inspection Fee		\$50.00
	Special Inspections		\$25.00
	Title VII/Property Maintenance		\$25.00
	Minimum Permit Fee		\$50.00
<i>Sewers</i>			
	Repair		\$60.00
	6" Tap		\$40.00
	8" Tap		\$50.00
	10" Tap		\$60.00
	12" Tap		\$70.00
	Exceeding 12"		\$80.00
<i>Building Storm Drain</i>			
	Up to 4"		\$10.00
	Up to 6"		\$15.00
	Up to 8"		\$20.00
	Up to 10"		\$25.00
	Up to 12"		\$30.00
	Up to 14"		\$35.00
	Up to 16"		\$40.00
	Up to 18"		\$45.00
	Over 18" - per inch		\$5.00
<i>Meter Fee</i>			
	5/8"		\$185.00
	3/4"		\$197.00
	1"		\$239.00
	1-1/2"		\$412.00
	2"		\$551.00
	3" Mtr & Strainer		\$1,595.00
	4" Mtr & Strainer		\$2,742.00
<i>Tap Fee</i>			
	5/8"		\$121.00
	3/4"		\$121.00
	1"		\$132.00
	1-1/2"		\$242.00
	2"		\$286.00
	3" - Requires Contractor		\$1,750.00

Bldg cont'd	<b>Electrical Permits</b>	
	Electrical Registration	\$15.00
	Base Fee	\$40.00
<i>Circuits</i>		
	1" Circuit	\$15.00
	Each Additional Circuit	\$6.00
	Rough Inspection	\$25.00
<i>Fixtures</i>		
	1st 25 Fixtures or Lamps	\$20.00
	Each Additional 25	\$10.00
<i>Services</i>		
	Up to 100 amps	\$25.00
	101 to 500 amps	\$30.00
	Over 500 amps	\$50.00
	Sub panels	\$25.00
	Replace service entrance	\$15.00
<i>Sign Circuits</i>		
	1st Circuit-Connection	\$25.00
	Each additional circuit (same sign)	\$5.00
<i>Appliance Wiring</i>		
	Furnace Circuit	\$15.00
	Garbage Disposal, Range, Oven, Water Heater, Dishwasher	\$10.00
	Swimming Pool - Above, In-Ground or Hot Tub	\$30.00
	TITLE VII Inspections	\$50.00+
<i>Motors</i>		
	1/4 to 10 hp/ea	\$15.00
	11 hp to 30 hp/ea	\$20.00
	31 hp to 50 hp ea.	\$30.00
<i>Air Conditioning</i>		
	Interruptible	\$20.00
	Residential	\$45.00
	Commercial - up to 5 ton	\$25.00
	Over 5 ton	\$45.00
<i>Fire Alarm Systems</i>		
	1st Heat or Smoke Detector	\$15.00
	Each Additional Detector	\$6.00
	1st Device or Pull	\$15.00
	Each Additional Device/Pull	\$6.00
<i>Feeders</i>		
	Bus ducts, wireways or conduits - 1st 100 ft.	\$20.00
	Each additional 100 ft.	\$10.00
	Underground Inspection	\$35.00
	Re-Inspection Fee	\$50.00
	Hourly Rate	\$40.00
	Minimum Permit Fee	\$35.00

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Bldg cont'd	<b>Mechanical Permits</b>	
	Mechanical Registration	\$45.00
	Base Fee	\$40.00
	<b>Gas/Oil Burner</b>	
	Up to 150,000 BTU	\$30.00
	Over 150,000 BTU (per 10,000 BTU)	\$6.00
	Solid Fuel Equipment	\$30.00
	Flue/Vent Damper	\$30.00
	Metal Chimney Liner	\$30.00
	Gas Piping Outlets	\$10.00
	<b>Ventilation/Exhaust System</b>	
	Up to 1500 CFM	\$10.00
	1501 to 10,000 CFM	\$50.00
	Over 10,000 CFM	\$75.00
	Heat Recovery Systems	\$50.00
	<b>Ductwork</b>	
	1st 200 L.F.	\$30.00
	Each additional 100 L.F.	\$10.00
	Humidifiers	\$20.00
	Air Cleaners	\$20.00
	Split System Under 5 hp	\$25.00
	Split Systems 5 hp and Over	\$35.00
	Roof Top Split System Under 5 hp	\$30.00
	Roof Top Split System Over 5 hp	\$40.00
	Heat Pump Under 5 hp	\$20.00
	Heat Pumps 6 hp to 50 hp	\$35.00
	AC Under 5 hp	\$30.00
	AC 6 hp and up	\$40.00
	Chiller	\$80.00
	Evaporator Coils	\$25.00
	Cooling Towers	\$35.00
	<b>Compressor/Condenser</b>	
	15 hp to 50 hp	\$35.00
	Over 50 hp	\$60.00
	<b>Tanks</b>	
	Under 275 Gal.	\$10.00
	276 to 500 Gal	\$15.00
	501 to 2000 Gal.	\$20.00
	2001 to 10,000 Gal	\$30.00
	10,001 to 50,000 Gal	\$50.00
	Underground Installation (add'l)	\$20.00
	Removal of Tanks	\$25.00
	Pre-Fab Fireplace	\$60.00
	W/Gas Piping	\$70.00
	Special Inspection	\$25.00
	Underground Inspection	\$25.00
	Hourly Rate	\$30.00

<b>Bldg cont'd</b>	Re-Inspection Fee	\$50.00
	Minimum Permit Fee	\$30.00
<b>City Clerk</b>		
	<b>FOIA</b>	
	Inspection	Clerical Cost
	Six Month Subscription (Copy & Mail)	\$25.00
	First Page (Copy)	\$5.00
	Each Additional Page (Copy)	\$0.04
	Computer Disk	\$0.50
	Labels/per 50	\$2.00
	Postage & Materials	At Cost
	Labor	At Cost
	50% Deposit for Cost Estimated Over \$50.00	
	<b>Permits/Licenses</b>	
	Liquor License (4-29) - Applications, new license	\$2,500.00
	Transfer of Ownership of Existing License	\$2,500.00
	Transfer into City of Existing License	\$2,500.00
	Other Applications - (Including SDM and SDD Transfers)	\$500.00
	<i>**Fees are in addition to any fee required by Liquor Control Commission</i>	
	Dance Permit (4-31)	\$500.00
	Public Hearing Fee	\$250.00
	Animal Trapping	-0-
	Commercial Amusement Devices/Per Device (10-111)	\$300.00
	Renewal (10-112)	\$300.00
	Business License (10-22) - Annual License	\$100.00
	Late Charges (in addition to the regular fee)	\$100.00
	Duplicate License (10-24)	\$1.00
	Christmas Tree Sales (10-179)	\$25.00
	Cash Bond	\$100.00
	Going Out of Business - License to Conduct a Sale (MCL 442.211 - 442.225)	\$50.00
	Renewal	\$50.00
	Moving a Structure	\$200.00
	Cash Bond	\$2,500.00
	Fireworks Field Vendor Permit (10-223(d))	\$250.00
	Parade, Procession, Fun Run, Group Walk, Marathon Walk, Race or Bike-a-Thon (38-115) *Reimbursement of Cost Incurred by the City	COST
	Vendor/Solicitor/Peddler (10-224(b)) - Annual Fee	\$75.00
	Per Month	\$20.00
	Per Diem	\$10.00
	New License After September 1	\$50.00
	No Solicitor/handbills window cling or door hanger	\$1.00
	Tree Trimming (10-634)	\$50.00
	Performance Bond	\$2,000.00
	Additional Stickers / each	\$5.00

9

<b>Clerk cont'd</b>	Snow Removal (38-184)	\$25.00
	Additional Stickers / each	\$1.00
	Valet Parking Application (10-518)	\$180.00
	Per Meter / Per Month or Part of	\$15.00
	Annual Permit for Street & Alley Excavations (38-66(b))*	\$500.00
	<i>*Telecommunication companies under MCL 484.3104 are exempt.</i>	
	Surety Bond (38-64)	\$5,000.00
	Precious Metal & Gem Dealer Registration (10-361)	\$50.00
	<b>Miscellaneous</b>	
	Voter Information - Printed Labels/per 2,000	\$70.00
	Computer Disk	\$10.00
	Detailed Map of the Grosse Pointe area	\$1.85
	Zoning Map	\$3.00
	Zoning Ordinance	\$10.00
	<b>Public Hearings/Appeals</b>	
	Board of Appeals, General (50-147)	\$250.00
	C Commercial Business - Dist (50-376) - Planning Commission Fee	\$250.00
	Comm. Facilities District (50-33) - Planning Commission Fee	\$250.00
	Zoning Board of Appeals Fee (50-376)	\$250.00
	Lot Splits - Planning Commission Fee	\$250.00
	City Council Fee (50-33)	\$250.00
	Parking (50-572) - Off-street Regulations (variances)	\$250.00
	Permitted Use ZBA (50-208)	\$250.00
	City Council Fee (50-33)	\$250.00
	Planned Multiple-Family District (50-282) - Planning Commission Fee	\$250.00
	City Council Fee (50-33)	\$250.00
	Restricted Office Dist (50-542) - RO-1 - ZBA	\$250.00
	Site Plan Approval - Subs only - New construction or development (50-180)	\$250.00
	Variances - Board of Appeal (50-146)	\$250.00
	Special Land Use (50-32(7)) - Planning Commission Fee	\$250.00
	City Council Fee (50-33)	\$250.00
	Special Land Use R-3 or C.F. Districts (50-33)	\$250.00
	Vacation of Property (MSA 26-430, MSA 125-584) - Planning Commission Fee	\$250.00
	City Council Fee (50-33)	\$250.00
	Ordinance Amendment - Zoning Chapter 50 - Planning Commission Fee	\$250.00
	Council First and Second Reading	\$300.00
	Air Conditioner (8-124) - Variances	\$75.00
	Arbor Like Structures (8-371)	\$75.00
	Certificate of Occupancy	
	Appeal Determination of notice defect or Building Inspector to Planning Commission (8-68)	\$25.00
	Appeal Planning Commission Determination to City Council (8-68)	\$25.00
	Fence - Height Variance (8-284(b))	\$75.00
	Business License (10-21) - Classification Appeal	\$75.00
	Play Equipment (8-306) Existing or Proposed	\$75.00
	Property Maintenance Code (10-231) In Book - Planning Commission Fee	\$25.00

10



<b>Clerk cont'd</b>	Council Fee (Sec 10-245 (b))	\$25.00
	Recreational Vehicle - Outside Storage	\$75.00
	Restricted Catchbasin Cover (44-291)	\$50.00
	Sidewalk (74-45) - Permit Denied AND Portable Variance	\$75.00
	Signs (32-32) - Council Fee	\$150.00
	Structures in Front Yard (8-338)	\$75.00
	Wireless Communications Facilities (50-619)	\$2,500.00
	Service Charge on all dishonored checks (2-648)	\$30.00
	Dishonored checks to Court or Violations Bureau (2-649)	\$25.00

Fee Schedule by Department Approved by City Council 10/15/07

Amendment Approvals - 04/21/08, 05/05/08, 12/01/08, 12/15/08, 12/29/08, 03/02/09, 03/16/09, 07/06/09, 05/17/10, 07/19/10, 10/18/10, 02/07/11, 04/04/11

11

10B

CHARLES T. BERSCHBACK

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CHARLES T. BERSCHBACK

DON R. BERSCHBACK

OF COUNSEL

August 30, 2011

Honorable Mayor and Council  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

RE. Cost Recovery Ordinance / Second Reading September 12, 2011

Dear Mayor and Council:

This ordinance was before you for a first reading on August 15, 2011. I made a minor change to Sec. 2-781, changing the word "non-residents" to "non-taxpayers". Otherwise, the enclosed ordinance and the policy to implement the ordinance is the same submitted to you at the August 15, 2011 reading. Any motions should adopt the ordinance and the policy implementing the ordinance. If you have any questions please call.

Very truly yours,

*Chip Berschback*

CHIP BERSCHBACK

CTB:gmr

Enclosures

cc: Al Fincham  
Lisa K. Hathaway  
Director Andrew Pazuchowski

ORDINANCE # \_\_\_\_\_

AN ORDINANCE TO AMEND  
CHAPTER TWO, ADMINISTRATION,  
ARTICLE VII FINANCE, DIVISION SIX COST RECOVERY,  
BY ADDING SUBDIVISION IV  
COST RECOVERY FOR TRAFFIC ACCIDENTS,  
BY PROVIDING PROCEDURES FOR REIMBURSEMENT  
FOR EMERGENCY RESPONSES FOR TRAFFIC ACCIDENTS,  
ESTABLISHING LIABILITY FOR THOSE EXPENSES, AND  
PROCEDURES FOR COLLECTION OF EXPENSES.

THE CITY OF GROSSE POINTE WOODS ORDAINS:

**Sec. 2-780. Definitions.**

The following words and phrases, when used in this ordinance, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

*Emergency response* means providing, sending and/or utilizing public works, police, firefighting and/or rescue services by the city to an accident involving a motor vehicle caused by a non-resident.

*Expense of emergency response* means the direct costs incurred in responding to a traffic accident as deemed to be necessary or expedient for the following:

- a. Personnel time and costs associated with the response.
- b. Transportation costs associated with the response.
- c. Equipment costs associated with the response.
- d. Administrative costs associated with the response.
- e. Legal costs associated with the response.

*At Fault Driver* means the driver causing the accident as determined by the reporting officer.

**Sec. 2-781. Findings.**

The City finds that a significant number of traffic accidents in the city involve at fault drivers who do not financially support the Public Safety Department through property taxes. As a result, a greater operational and/or financial burden is placed upon the public safety and public works department by non-taxpayers who have been found at fault in accidents.

The City also finds that emergency public safety and public works services for vehicular accidents continues to increase resulting in increased demands on all areas of city services. The City further finds that the public safety department response to motor vehicle accidents decreases costs to insurance companies by providing various safety services. The City finds that using property tax increases to provide for the increase in service demands is not appropriate since many of the motor vehicle accidents involve individuals not owning property or paying taxes

within the city. The City also finds it appropriate to establish procedures which would exempt taxpayers from out of pocket expenses. As a result, the City finds that it is necessary to institute a system of cost recovery for emergency department of public safety and works response to motor vehicle accidents.

**Sec. 2-782. Liability for expenses.**

- (a) Any person determined to be "at-fault" in a motor vehicle accident, which results in an emergency response as defined in this ordinance, shall be responsible for the expenses of the emergency response.
- (b) Any person who is the at fault party in any motor vehicle accident shall be responsible and/or liable for the expenses of the emergency response. The cost of an emergency response for a motor vehicle accident in the city shall be a cost charged to the motor vehicle insurance company of the at fault party, or in the case of uninsured motorists, the responsible or at fault party individually, for the accident as determined by the public safety department.
- (d) For the purpose of this ordinance, claims for costs shall be initially filed with the motor vehicle insurance company of the responsible party as add on costs for the claim for damages to the vehicle, property or injuries. The claims shall be filed with the insurance company of the responsible or at fault party, and in the case of an uninsured motorist, the responsible or at fault party individually, the owner of the vehicle or other responsible parties.
- (e) The City Administrator and the Director of Public Safety shall prepare policies and procedures for collection and billing, and establish a fee schedule subject to Council resolution. The procedures will insure that taxpayers of the City are exempt from any out of pocket costs. An independent agency may be designated as the City's collection agent subject to Council resolution.
- (f) All amounts collected pursuant to this ordinance shall be placed in a specific account established by the city and deposited in the general fund.

**Sec. 2-783. Civil Liability.**

Costs established pursuant to this division shall be construed to be a responsibility and liability of a civil nature on the part of the driver and shall not be construed to conflict, contravene or enlarge or reduce any criminal liability or motor vehicle code responsibility including fines imposed by a judge on a driver for any misdemeanor or civil infraction. Reduction in the charges by the Prosecutor or City Attorney shall not impair the City's ability to collect under this ordinance.

First reading:

Second reading:

Published GPN:

Adopted:

Effective:



## CITY OF GROSSE POINTE WOODS

### MEMORANDUM

DATE: July \_\_, 2011

TO: Mayor and Council

FROM: Al Fincham, City Administrator

SUBJECT: Draft Policy on Accident Cost recovery

In order to be able to recover the costs associated with responding to these incidents, this proposal has been created.

#### I. PURPOSE:

The primary functions of police and fire departments are to provide criminal protection, criminal investigation and fire protection. Traffic crashes are civil situations caused by the negligence of an individual. An officers time spent on these incidents do not benefit the local taxpayer and detract from the Public Safety Department's ability to protect the community.

Many times drivers that are found to be at fault in a collision are individuals who do not financially support the Public Safety Department through property taxes. This leaves the residents and business owners to pay for the costs associated with a civil traffic crash caused by a non-resident, non-taxpaying individual.

The purpose of this policy is to help alleviate the increasing financial burden placed upon the residents of the City of Grosse Pointe Woods to address the increasing demands for service by their Public Safety Department. This is not a revenue generating system. It is designed to recoup some of the money spent by the taxpayers for services provided to non-taxpayers.

#### II. POLICY:

It shall be the policy of this department to institute a cost recovery program, as directed by the City Council, to access costs against the "at fault" driver, provided that taxpayers from Grosse Pointe Woods are exempt from any out of pocket costs, utilizing the following procedures.

#### III. DEFINITIONS:

- **At Fault Driver:** This is the individual, as determined by the reporting officer to be the person causing the collision through negligence, inattention, or other careless actions, as defined by the ordinance.

- **Cost Recovery Corporation, Inc.:** The agency authorized by the City of Grosse Pointe Woods to process and collect all recovery claims resulting from a traffic collision.
- **Emergency Response:** Personnel and equipment from the City of Grosse Pointe Woods needed to respond to a traffic collision. This includes police, fire, and the Department of Public Works.
- **Non-Taxpayer:** A person that neither resides nor owns a business, nor pays taxes in the City of Grosse Pointe Woods.

#### IV. Procedure:

- A. All officers responding to or assisting with a traffic crash shall notify the dispatcher upon arrival to the scene and when they clear. The dispatcher must also be made aware of the arrival and departure of support units, such as fire and DPW equipment. This information is vital to the proper completion of the cost recovery report.
- B. Officers investigating a traffic collision, on public or private property, shall make a determination as to who the "at fault" driver is. This information shall be indicated on the State of Michigan UD-10 Traffic Crash Report. A citation shall be issued to the at fault driver indicating the offense.

Insurance company information shall be collected and entered in the appropriate space of the UD-10 report. This includes the name and telephone number of the company and the number of the policy.

- C. The Cost Recovery Corporation (CRC) report shall only be completed when the "at fault" driver is a **non-taxpayer**. The reporting officer shall complete the CRC report. Only the at fault driver's information shall be entered in the "Parties Involved" section. If more than one non-taxpayer driver's were determined to be at fault, the second "Parties Involved" section will be used.

Information collected from a resident, whether at fault or not, shall not be included in the CRC report.

The officer shall complete the "Scene Procedures" section, checking all that apply. The Additional Comments section may be used to list resources and procedures that were not previously addressed.

The reporting officer shall then sign and submit the report, with the UD-10, for the supervisor's approval.

- D. Once the shift supervisor approves the report, the dispatcher shall submit the original CRC report and a copy of the UD-10 to the administration offices.

E. The Public Safety confidential administrative secretary shall submit the required documents to CRC for collection. Copies of all documents shall be maintained in the administrative office. The confidential administrative secretary shall see that all funds received from CRC are turned over to the treasurer's office for deposit. A record shall be kept of all payments received.

V. Appeals:

At fault drivers wishing to appeal the collection process shall be turned over to the Director. The Director will take each appeal on a cases-by-case basis and make a decision as to whether the collection should proceed or not. On successful appeals the Director, or his designate, will contact CRC and have the collections terminated.

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CHARLES T. BERSCHBACK

RECEIVED 10C

AUG - 3 2011

CITY OF GROSSE PTE. WOODS

DON R. BERSCHBACK  
OF COUNSEL

August 1, 2011

Honorable Mayor and Council  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

RE. Parking Ordinance/First Reading August 15, 2011

Dear Mayor and Council:

Earlier this year we discussed adding a new section to the parking ordinances to include double parking. The enclosed definition of double parking is consistent with the State statute language. However, we are advising that a separate violation be added to our local ordinances.

I have also enclosed a proposed fee schedule setting the fine for double parking at \$175.00. No other changes are being recommended to the parking fee schedule at this time.

I would request that this be scheduled for a second reading with required published notice being made prior to the second reading. Thank you.

Very truly yours,



CHIP BERSCHBACK

CTB:gmr

Enclosures

cc: Al Fincham  
Lisa K. Hathaway  
Susan Tobin



Fines may be paid in person or mailed to the  
Grosse Pointe Woods Municipal Court  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

Personal checks must be in U.S. funds payable to the above.

For fines not listed below, call (313) 343-2455

**PARKING METER FINES**

Within 10 days.....	\$5.00
11 <sup>th</sup> Day to Court Date.....	\$15.00
If Paid after the Court Date.....	\$45.00

**PARKING FINES**

No Parking 3-5 A.M.....	\$25.00
No Parking - Yellow Line.....	\$25.00
No Parking in Alley.....	\$25.00
Left Wheels to Curb.....	\$25.00
Parking within Space.....	\$25.00
Parked over sidewalk.....	\$35.00
Double Parking.....	\$175.00
Head-In Parking Only.....	\$25.00
Parallel Parking Only.....	\$25.00
Two Hour Parking.....	\$25.00
No Parking 9AM to 6 PM.....	\$25.00
Parking Too Close to Corner.....	\$25.00
No Standing or Stopping.....	\$35.00
No Parking Fire Route.....	\$50.00
No Parking Anytime.....	\$45.00
Blocking Roadway.....	\$35.00
Parking in Front of Fire Hydrant.....	\$50.00
Handicapped Parking.....	\$160.00
Park on Private Property.....	\$45.00

**AFTER COURT DATE A \$30.00 LATE CHARGE WILL BE ADDED  
TO THE ABOVE FINES**

## GROSSE POINTE WOODS MUNICIPAL COURT PROPOSED FINES AND COSTS/FEEES INCREASE FOR CIVIL INFRACTION TICKETS/MISCELLANEOUS VIOLATIONS -2011

<u>CIVIL INFRACTIONS</u>	<u>MVC</u>	<u>SOS</u>	<u>CURRENT</u>	<u>2011 STATE RECOMMENDED</u> (Includes Fine/Costs/JSA)	<u>PROPOSED</u>		
<b>MISCELLANEOUS VIOLATIONS:</b>							
Preliminary Breath Test Refuse(non-CMV)	257.625A(2)	1320	\$140	\$146 - \$164	\$150		
Under 21 PBT Refused	257.625A(2)	1320	\$140	\$146 - \$164	\$150		
Occupant <18 In Open Bed of Truck	257.682B	1815	\$105	\$122 - \$140	\$130		
Improper/Non or Unauthorized Use of Lights	257.698	2740	\$80	\$93 - \$111	\$110		
Obstructed Vision or Control	257.659	2870	\$105	\$93 - \$111	\$110		
Interfered With Traffic	257.649	2660	\$105	\$93 - \$111	\$110		
Drove W/O Corrective Lens	257.312	3030	\$98	UA	\$105		
No Proof Of Insurance	257.328	3100	\$110	\$105 - \$123	\$120		
No Insurance	257.328	3106	\$110	\$125 - \$143	\$130		
Texting While Driving	257.602B	3295	\$160	\$199 - \$240	\$200		
Viol of Child Restraint Law	257.710D	3300	\$90	\$85 - \$103	\$100		
<b><u>SPEED VIOLATIONS</u></b>							
Failed To Drive Minimum Speed	257.628	2330	\$75	\$75 - \$93	\$120		
<b><u>RIGHT OF WAY (IMPROPER YIELDING)</u></b>							
Fail to Stop	257.627(1)	2310	\$105	\$110 - \$128	\$120		
Drove Without Due Care/Caution	257.627(1)	2320	\$105	\$110 - \$128	\$120		
<b><u>OVERTAKING</u></b>							
Improper Passing	257.636	2430	\$115	\$110 - \$128	\$120		
Following Too Closely	257.643	2800	\$115	\$99 - \$117	\$120		
<b><u>STOP AND GO</u></b>							
Failed To Stop Leaving Alley/Private Drive	257.652	2640	\$115	\$100 - \$118	\$120		

<b><u>TURNING AND SIGNALING</u></b>						
Failed to Signal and/or Observe	257.648	2650	\$115	\$99 - \$117	\$120	
Improper Backing	28.1449	2650-I	\$105	\$99 - \$117	\$120	
Prohibited Turn	257.647	2810	\$105	\$110 - \$128	\$120	
<b><u>Bicycle/Cycles/Mopeds/Low Speed Veh.</u></b>						
Drove Moped on Sidewalk or Limited Access	257.660(6)	2900	\$80	\$93 - \$110	\$110	
Unlawful Rider on Motorcycle/Moped	257.658(2)(3)	2910	\$105	\$93 - \$111	\$110	
Motorcycle/Moped Over Two Abreast	257.660(2)	2920	\$105	\$93 - \$111	\$110	
<b><u>LICENSE/REGISTRATION</u></b>						
Failed to Display a Valid License	257.311	3000	\$103	\$110 - \$128	\$120	
Failed to Display valid Graduated License	257.310E(14)	3005	\$103	\$93 - \$111	\$110	
Drove While License Expired	257.301	3220	\$115	UA	\$130	
Registration Violation (Civil Infraction)	257.2551	3500	\$95	\$110 - \$128	\$120	
Improper Display of License Plate	257.2551	3500-1	\$75	\$93 - \$111	\$100	
Dirty, Missing Obstructed Plate	257.2551	3500-6	\$80	\$93 - \$111	\$100	
No Valid Plate	257.255	3500-7	\$110	\$110 - \$128	\$120	
Failed To Change Address on Lic. & Registr.	257.315	3620	\$90	\$93 - \$111	\$110	
<b><u>COMMERCIAL VEHICLE VIOLATIONS</u></b>						
Overweight/Height/Width Vehicles	UA	3720	None	\$128 - \$146	\$140	
<b><u>PARKING</u></b>						
Double Parking	UA	257.672	None	UA	\$175	
Handicap parking	257.674(1)(s)	3810	\$140	\$154 - \$171	\$160	
No Parking Fire Route/Hydrant	257.321A	257.674(1)(d)	\$35	\$48 - \$65	\$50	
<b>UA = Unavailable</b>						
<b>MVC = Motor Vehicle Code</b>						
<b>SOS = Secretary of State Code</b>						
<b><u>COST TO COMPEL APPEARANCE:</u></b>						
<b>MCL 257.729</b>						
Warrant			\$75	\$59 - \$89	\$100	Page 2

PROBATION							
Screening Fee			\$100	UA	\$110		
							Page 3

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RECEIVED

AUG 29 2011

CITY OF GROSSE PTE. WOODS

FEDERAL I.D. 38-1996878

CITY OF GROSSE POINTE WOODS

20025 Mack Plaza

Grosse Pointe Woods, MI 48236

Attention: Mr. Al Fincham, City Administrator

August 01, 2011

Client: 000896

Matter: 000000

Invoice #: 95290

REGARDING: GENERAL MATTERS

For professional services rendered and expenses incurred relative  
to the above matter:



TOTAL

\$477.15

**KELLER THOMA**  
A PROFESSIONAL CORPORATION

COUNSELORS AT LAW  
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CITY OF GROSSE POINTE WOODS  
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Attention: Mr. Al Fincham, City Administrator

Page: 1

RE: GENERAL MATTERS

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For Professional Services Rendered through July 31, 2011

DATE	ATTY	DESCRIPTION	HOURS
06/28/2011	AJH	Attention to review of cafeteria plan document and suggested changes regarding same.	2.25
07/06/2011	DBD	Attention to review of statutory changes with respect to pending contract negotiations.	0.25
07/21/2011	AJH	Attention to review of premiums only cafeteria plan document.	0.25
Total Services			\$453.75

ATTORNEY		HOURS	RATE	AMOUNT
AJH	A. J. HECKEMEYER	2.50	\$165.00	\$412.50
DBD	DENNIS B. DuBAY	0.25	\$165.00	\$41.25

**DISBURSEMENTS**

07/25/2011	Document Reproduction	\$23.40
Total Disbursements		\$23.40

**KELLER THOMA**  
*A PROFESSIONAL CORPORATION*

CITY OF GROSSE POINTE WOODS

20025 Mack Plaza

Grosse Pointe Woods, MI 48236

**Attention: Mr. Al Fincham, City Administrator**

August 01, 2011

Client: 000896

Matter: 000000

Invoice #: 95290

Page: 2

RE: GENERAL MATTERS

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**Total Amount Due**

**\$477.15**

11B

**DON R. BERSCHBACK**  
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FAX (586) 777-0430  
E-MAIL donberschback@yahoo.com  
August 31, 2011

OF COUNSEL  
CHARLES T. BERSCHBACK \*

Skip Fincham, City Administrator  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

**RE: August 2011 Billing/DRB**

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
7/27/2011	Appearance in Court and follow up (1.00); work on insurance contract analysis (2.50); meeting with SF (.50)	4.00
7/28/2011	Work on sewage claims (.75); memo on insurance contracts, TCs, emails and letters regarding miscellaneous City matters (1.25)	2.00
8/1/2011	Review of extensive weekend packet and attention to matters contained therein (2.00); work on Court contract (.50); work on insurance proposals (1.00); attention to class action sewage matter (1.00); attendance at COW, CC and ZBA meetings (1.50)	6.00
8/2/2011	Attention to Municipal Court Agreement (1.00); work on CC and COW matters (1.50)	2.50
8/4/2011	Meetings with SF and DAI and follow up thereto (2.00); continued work on Municipal Court Agreement (1.00); continued review of insurance policies (1.00); TCs to attorney regarding Court contract and possible cancellation (.25)	4.25
8/5/2011	Work on sewer cases (1.00); drafting of letter to Council regarding Municipal Court agreement (1.00); follow up on Court cases and warrants (.75); FOIA (.25)	3.00
8/8/2011	Work on CC and COW items (1.00); finalization of memo to CC regarding Municipal Court contract (.75); work on assessing matters and review of attorney letter on Cach case (.75); review and work on audit letter (1.00); meeting with attorney on Court case (.50)	4.00
8/11/2011	Miscellaneous City work and review of election matters (.50)	0.50
8/15/2011	Review of portions of weekend packet, attention to COW and CC matters (1.25); insurance contract review (.25); Municipal Court work and review of all files (1.25); attendance at COW and CC meetings (1.50)	4.25
8/17/2011	Attendance at Municipal Court and follow up including bench trial (4.50); warrant review, emails and telephone calls and FOIA review (1.00)	5.50
8/18/2011	Meetings with SF and DAI and follow up thereto on insurance matters, assessing matters, employee handbook (2.50)	2.50
8/19/2011	FOIA review (.25); warrants (.25); work on employee handbook (.50)	1.00



8/22/2011	CC and COW work (1.00); ordinance work (.50); court case follow up on appeals and complaining witness testimony (1.00)	2.50
8/23/2011	TCs and Memos and follow up with DAI and SF on City matters (1.00); letters and memos on outside storage matter (1.00)	2.00
8/24/2011	Meetings with SF and DAI, work on CC and COW matters (2.00); warrant and criminal investigation work (1.00); citizen complaint, TCs (.50)	3.50
8/30/2011	FOIA work (.25); weekend packet and attention to CC items (1.00); outside litigation work (.25); warrant review and follow up (.50); citizen complaint work (.50)	2.50
8/31/2011	Attention to various City matters, TCs, emails and letter correspondence (1.25)	1.25

<b>DRB = 51.25 hours x \$155.00</b>	<b>\$7,943.75</b>
<b>BALANCE DUE:</b>	<b>\$7,943.75</b>

<u><b>Breakdown</b></u>	General	42.50 hours
	Municipal Court	8.75 hours
	Bldg/Planning Comm.	

TC - Telephone	LKH - Lisa K. Hathaway	GT - Gene Tutag
CTB - Charles T. Berschback	CC - City Council	CEW-Conference of Eastern Wayne
DRB - Don R. Berschback	PC - Planning Commission	SF - Skip Fincham
DAI - DeeAnn Irby	C&E - Comp and Eval	LFP - Lakefront Park
GPCRDA - Grosse Pointe Clinton Refuse Disposal Authority		

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DON R. BERSCHBACK

OF COUNSEL

August 31, 2011

Alfred "Skip" Fincham  
City Administrator  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

RE: August 2011 Billing/ CTB Only

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
7/27/2011	Research on parking ordinance, TC Joe Ahee re: contract; research on IXL issues; draft of letter; letter to Council re: Neighborhood Club (.75); TCs LH, ST, Dir. Paz (.25); follow up on FOIA requests, TCs, calls on pending Municipal Court cases (.25)	1.25
7/28/2011	Calls with GT, LH; work on ordinances, letter to Coyro (1.25); calls on Municipal Court matters (.25); work on variance issues (.75)	2.25
7/29/2011	Finalized all ordinance for first readings; cover letters to Council; continued work on IXL issue (1.50); drafted new landscaping contract (.25)	1.75
8/1/2011	Review of zoning issue; TC GT, TC Realtor; finalized new landscaping contract (.25)	0.25
8/2/2011	TCs, emails with Dir. Paz; letter to Marines re: Municipal Court matter; review of prohibited dog request; review of motion to appoint expert witness and emails (.50); meeting with SF re: pending ordinances and miscellaneous matters (.25); research and response to OWI motion re: appointment of expert for indigent (1.00)	1.75
8/3/2011	Review of Wayne Circuit Court opinion in Lott v. Livonia, holding Michigan Medical Marijuana law unconstitutional and preempted by Fed. Law (.25); TC GT re: zoning issues; finalized ordinances for packet; finalized OWI motion (.25)	0.50
8/4/2011	TC Detective Bureau; research of OWI motion (.25)	0.25
8/5/2011	Municipal Court calls and research (.75); TCs Coyro Landscape (.25)	1.00
8/8/2011	Agenda items; emails (.25); Municipal Court matters (.25)	0.50
8/9/2011	TC GT, work on IXL letter (.50); review of files re: sidewalk ordinance and Wayne County Resolution (.25)	0.75
8/10/2011	Municipal Court a.m. docket (2.50); all calls and work on GPS Court letter and ZBA letters and research (2.00); review of OWI motion; research (.25)	4.75
8/12/2011	Work on TT cases (.25); work on new FOIA request (.25)	0.50

8/15/2011	Review of Council package; TCs; ordinance research (1.00); review of TT Consent Judgment on ANK, (settlement approved by Tribunal); email to GS; work on CMC Telecom case (.25); TCs re: property maintenance issues (.25); attendance at Council meeting (3.75)	5.25
8/16/2011	Follow up from Council meeting, TCs, emails, minor revisions to ordinances (1.00)	1.00
8/17/2011	Appearance in Municipal Court, review of warrants, meetings with various department heads (4.75)	4.75
8/18/2011	TC from Court re: FOIA motion to change venue; review of Wayne County Soil Resources Memo and email to SF (.50); calls with Detective Bureau re: FOIA, review of police reports for FOIA, review of warrant request, review of AT&T agreement (.50); call with Reed re: dog issue, review of doctor's letter re: return of firearms; call with Director Paz (.25); review of Court docket (.50)	1.75
8/22/2011	TCs and emails re: AT&T agreement, review of Judge's Opinion re: OWI motion to suppress, review of file, TCs re: Municipal Court; call with Officers and victim on 2nd OWI motion (.75); review of new FOIA and police reports (.25)	1.00
8/23/2011	Letter re: AT&T Amendment; TC PC Chair, call with ST (.50); review of Matouk motion response; research, preparation for motion (.75); review of DVD, calls on Municipal Court matters (.75); review of LFP contract, revisions, email to Joe A. (.25)	2.25
8/24/2011	Municipal Court a.m. docket (3.00); trip to Lansing, motion for change of venue denied and status conference with Judge (4.50)	7.50
8/25/2011	TCs Dir. Paz and officer re: DAAD hearing (.25)	0.25
8/26/2011	Review of COA Order on CMC, TC and letter to COA ( Court of Appeals) (.50); preparation of letter to PC regarding subcommittees and OMA (.50)	1.00
8/29/2011	Draft of response to OWI motion to dismiss, review of DVD (1.00); calls on new OUID case; entry of creditor exam subpoena for CMC; draft of response to COA motion for reconsideration in CMC case (1.25); letters to Council and changes to ordinances for 9.12.11 second readings (.25)	2.50
8/30/2011	Finalized CMC response to motion for reconsideration, finalized Ordinances for 2nd reading (.50); TCs Det. Bureau, Reed; GT, review of fax from Reed (.50); review of Municipal Court docket (1.00)	2.00

CTB =	44.75 hours at \$140.00 per hour	\$ 6,265.00
Plus Costs:	Subpoena Fee (CMC) for creditor exam	\$ 15.00
<b>TOTAL DUE:</b>		<b>\$ 6,280.00</b>

TC - Telephone	GT - Gene Tutag
CTB - Charles T. Berschback	LH - Lisa Hathaway
DRB - Don R. Berschback	Det. Bur. - Detective Bureau
SF - Skip Fincham	PC - Planning Commission
ST - Susan Tobin	TT - Tax Tribunal
DAI - DeeAnn Irby	GS - Ginger Soles

#### Breakdown

General	25.25 Hours
Municipal Court	18.50 Hours
Building/Planning Commission	.50 Hours
Tax Tribunal	.50 Hours