

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, JUNE 6, 2011, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:34 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke
Council members: Bryant, Granger, Ketels, McConaghy, Sucher
Absent: Howle

Also Present: City Administrator Fincham
City Attorney Chip Berschback
Treasurer/Comptroller Irby
City Clerk Hathaway
Director of Public Works Ahee
City Engineer Lockwood
Building Inspector Tutag
Information Technology Manager Capps
Traffic Safety Officer Koerber
Fire Inspector Provost

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

Motion by Ketels, seconded by Sucher, that Council Member Howle be excused from tonight's meeting.

Motion carried by the following vote:

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

The following Commission members were in attendance:

Mike Fuller, Planning Commission
Mary Rose Nelson, Senior Commission
Sharon Meir, Senior Commission
Richard Shetler Jr., Senior Commission
Joyce Cook, Beautification commission

The Mayor noted that the Honorable Ted Metry, Municipal Court Judge, was also in attendance at tonight's meeting.

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

Motion carried by the following vote:

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

Motion by Bryant, seconded by Ketels, regarding **Proclamation – Eagle Scout William David Rochte**, that the City Council voice no objection to the issuance of this Mayoral proclamation.

Motion carried by the following vote:

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

Mayor Novitke presented the proclamation to Eagle Scout William David Rochte.

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

1. City Council and Closed Executive Session Minutes dated May 16, 2011, and May 23, 2011.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Granger, regarding **purchase: labels**, that the City Council concur with the recommendation of the Tree Commission at their meeting on

May 4, 2011, and authorize the purchase of two sets of labels at a cost not to exceed \$40.00.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Granger, regarding **purchase: Arbor Day Plaque Plates**, that the City Council concur with the recommendation of the Tree Commission at their meeting on May 4, 2011, and authorize the purchase of Arbor Day plaque plates from Woods Trophy at a cost not to exceed \$60.00.

Motion carried by the following vote:

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

Motion by Granger, seconded by McConaghy, regarding **membership: Keep Michigan Beautiful**, that the City Council concur with the recommendation of the Beautification Commission at their meeting on February 9, 2011, and authorize an amount not to exceed \$20.00 for Keep Michigan Beautiful membership renewal.

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:46 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **RIVERS OF GROSSE POINTE – CONTINUING CARE RETIREMENT COMMUNITY (CCRC), 900 COOK ROAD**, GROSSE POINTE WOODS, WHICH IS REQUESTING APPROVALS FOR SITE PLAN AND SPECIAL LAND USE IN ACCORDANCE WITH SECTIONS 50-34 THROUGH 50-42, SECTION 50-32, AND SECTION 50-340.

Motion by Granger, seconded by McConaghy, that for purposes of the public hearing the following items be received and placed on file, Items 8A:

1. Memo 05/19/11, City Administrator
2. Letter 05/24/11, City Attorney, w/attachments
3. Planning Commission Resolution 04/26/11
4. Affidavit of 300' Radius Notice 05/12/11
 - a) List of Property Owners Notified
 - b) Aerial Maps
5. Affidavit of Publication 05/12/11, Grosse Pointe News
6. Letter of Request 02/15/11, The Rivers of Grosse Pointe (R. Levin)
7. E-mail 02/24/11, Boulder/Cavaliere (V. Shenoy)
8. Escrow Agreement, Philip F. Greco Title Company
9. Escrow Agreement between CCLA 6 Real Estate & Grosse Pointe Woods 02/25/11
10. Letter 03/15/11, Starr Commonwealth (M. Mitchell)
11. Memo 03/08/11, Traffic Safety Officer, w/attachments
 - a) Speed Summary School Time 10/11/05
 - b) Speed Bin Report 08/11/08
 - c) Hourly Data by Day Report 08/11/08 thru 08/17/08
12. E-mail 04/13/11, Traffic Safety Officer, w/attachments
 - a) Traffic Data Collection Report 04/05/11
 - b) Traffic Data Collection Report 08/02/10
 - c) E-mail 02/21/11, Traffic Improvement Association (D. Allyn)
13. Memo 03/09/11, Fire Inspector
14. Memo 03/10/11, Director of Public Services
15. Letter 03/10/11, City Engineer
16. Memo 03/11/11, City Administrator/Police Commissioner, w/attachment
 - a) Windmere Park 2010 Ambulance Transport Summary
17. Letter 03/11/11, City Attorney
18. Memo 04/20/11, Building Official, w/attachments
 - a) GPW Master Plan, Goals & Objectives
 - b) Response to other Traffic Concerns 03/03/11
 - c) Site Plan Review Meeting Checklist
19. Site Plan Review Application 03/03/11
20. Site Plan Submission, Architectural Job #3002 04/08/11 (25 pages of plans and elevations)

21. Letter 04/19/11, Gerald Pochert
22. Letter 04/13/13, Dean Metry
23. Traffic Impact Assessment 03/11, The Corradino Group, *delivered electronically*

Motion carried by the following vote:

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

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

1. Letter 05/25/11 – Hon. Dean C. Metry, 885 Cook Rd.

Motion carried by the following vote:

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

Building Official Tutag and City Attorney Chip Berschback provided overviews.

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

John Minnis
602 N. Higbie Place

Marieke Allen
Resident of Grosse Pointe Farms

Terry Edwards
Grosse Pointe Farms

Dennis Dundon
1901 Littlestone

Mary Rose Nelson
1915 Fleetwood
Speaking for herself and on behalf of her mother:
Shirley Grates
549 Hawthorne

Sharon Maier
Executive Director, Services for Older Citizens

James Shaway
1121 N. Renaud

Joe Cipriano
85 Deeplands Ct.
Grosse Pointe Shores, MI

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

Patrick Meathe
19777 Wedgewood

Motion by Granger, seconded by Ketels, that the public hearing be closed at 8:23 p.m.
PASSED UNANIMOUSLY.

Richard Levin, Manager – The Rivers of Grosse Pointe, responded to questions posed by the City Council and audience.

Motion by Ketels, seconded by McConaghy, regarding Public Hearing: Site Plan Approval and Special Land Use: Rivers of Grosse Pointe – Continuing Care Retirement Community (CCRC), 900 Cook Road, that the Council concur with the recommendation of the Planning Commission at their meeting on April 26, 2011, and adopt the City Council Resolution for approval of the site plan and special land use as follows:

**CITY COUNCIL RESOLUTION
FOR APPROVAL OF
RIVERS OF GROSSE POINTE**

WHEREAS, Rivers of Grosse Pointe has submitted an application to develop a Continuing Care Retirement Community (CCRC) at 900 Cook Road, Grosse Pointe Woods, and;

WHEREAS, a public hearing occurred on June 6, 2011 for the project which entailed site plan review under Sec. 50-34 through Sec. 50-42, special land use approval under Sec. 50-32, and special land use approval for a CCRC under Sec. 50-340, and;

WHEREAS, the Planning Commission conducted a public hearing on April 26, 2011 and passed a Resolution recommending approval of this project, and;

WHEREAS, the City Council has received and placed on file numerous documents in support of the application including memos from the Building Department, Public Safety Department, City Engineer, and City Attorney;

NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:

1. Site Plan Review: The City Council hereby approves the site plan as submitted based on conditions stated in this Resolution. In addition, the City Council waives the requirements regarding underground retention of storm water subject to final engineering approval. The City Council adopts as findings the facts and the information contained in the memos submitted by staff, including but not limited to, the Building Department Memo, Public Safety Department Memo, the City Engineer letter and the City Attorney letter, and other documents received and placed on file at the June 6, 2011 public hearing.

2. Special Land Use Approval: With respect to special land use approval under Sec. 50-32, and the more specific special land use approval found in Sec. 50-340, the City Council approves the special land use requests. The City Council finds that the general requirements for special land use approval, and the more specific special land use requirements under the CCRC ordinance have been met as outlined by the information received and placed on file at the public hearing.

3. Conditions of approval:

- a. Provide landscape irrigation of lawns and planting beds.
- b. Final approval of sign locations to be determined by the City's Traffic Safety Officer, and the Building Official.
- c. The applicant provides a Construction Management Plan indicating how construction vehicle traffic will be managed, the phasing of construction, public and site safety, dust and vibration control, and subject to approval by the Building Official and Police Commissioner prior to the issuance of a demolition permit or start of construction.
- d. Allow storm water to be detained in the pond as necessary and on paved surfaces as described in the correspondence from the City Engineer.
- e. That construction begins within 12 months of City Council approval and completed within 30 months of City Council approval.

- f. All interior traffic and directional signage types and locations be approved by the Traffic Safety Officer.
- g. Additional screening be added on the southwest entry drive as approved by the Building Official.

4. Immediate Certification: This motion and resolution is immediately certified.

MOTION CARRIED by the following vote:

YES:

NO:

ABSENT:

City Clerk

CERTIFICATION

I, _____, 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 City Council on _____, 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 have been kept and will be, or have been, made available as required by said Act.

City Clerk

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher

No: None

Absent: Howle

The Chair declared a recess at 8:55 p.m., and reconvened at 9:06 p.m.

Motion by Granger, seconded by Bryant, regarding **Application to Solicit – Comcast**, that the City Council approve the application of Steven Schick of Comcast for a Permit/License to Solicit.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Sucher, regarding **Application: Ice Cream Vendor – CK Corporation**, that the City Council approve the application of Daniel Zaroff of CK Corporation for an Ice Cream Vendor's License.

Motion carried by the following vote:

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

Motion by Sucher, seconded by Granger, regarding **Budget Amendment – Public Safety Radio System Upgrade**, that the City Council authorize the following budget amendments to pay Grosse Pointe Woods' share of the public safety radio system upgrade in a total amount of \$131,540.55, and payable to the City of Grosse Pointe Farms:

1. Transfer \$65,000 from FY 2010/11 General Fund Fund Balance to Account No. 401-901-970.345;
2. Transfer \$66,540.55 from FY 2011/12 General Fund Fund Balance to Account No. 401-901-970.345.

Motion carried by the following vote:

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

Motion by Sucher, seconded by Bryant, regarding **committing Local Street Funds**, that the City commit 100% of the Local Street Fund Balance at the year end June 30, 2011.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **Records Retention Schedule – Parks and Recreation**, that the City Council adopt the Local Government Parks and Recreation Departments General Schedule #32 as approved by the State Administrative Board on April 20, 2010.

Motion carried by the following vote:

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

Motion by Sucher, seconded by Bryant, regarding **Monthly Financial Report – April 2011**, that the City Council refer this report to the Finance Committee.

Motion carried by the following vote:

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

Motion by Ketels, seconded by Granger, regarding **contract: lighting – Department of Public Works**, that the City Council approve a contract with Lighting Supply Co., in an amount not to exceed \$6,438.93 to retrofit or change light fixtures throughout the Department of Public Works, funds to be taken from Account No. 401-902-977.103.

Motion carried by the following vote:

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

Motion by Ketels, seconded by McConaghy, regarding **Purchase: 2011/12 Road Salt**, that the City Council award a contract to Detroit Salt Co. in the amount of \$46.09 per ton to provide salt for the 2011/12 winter season, funds to be taken from Account Nos. 202-478-757.000 and 203-478-757.000, for a total amount not to exceed \$50,000.

Motion carried by the following vote:

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

Motion by Granger, seconded by Bryant, regarding **Lease Agreement: Multifunction Printer/Copier Equipment**, that the City Council authorize the City Administrator to sign the Lease and Service Agreements with Prime Office Innovations (through Great America Leasing Corporation) for a TA-400ci Kyocera Digital Color MFP at a cost of \$260.54 per month, plus .009 per b/w copy and .065 per color copy including labor, maintenance, parts, and supplies (excluding paper); and, to authorize a transfer of funds in the amount of \$7,000 within the FY 2011/12 budget from I.T. Operating Account No. 101-855-757.000 to I.T. Equipment Account No. 101-855-850.000.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **Agreement: Court Recorder – Shirley Wohlfield**, that the City Council authorize the City Administrator to sign the Agreement with Shirley Wohlfield to perform the City's Court Recording Services for the term July 1, 2011, through June 30, 2012, as amended, by inserting "per page" after \$3.63 in Section II(c).

Motion carried by the following vote:

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

Motion by Bryant, seconded by Ketels, regarding **Proclamation – Lemonade Day Detroit**, that the City Council voice no objection to this Mayoral proclamation.

Motion carried by the following vote:

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

Motion by Granger, seconded by McConaghy, regarding **Resolution - Credit Card Payments**, that the City Council adopt a Resolution authorizing acceptance of credit card payments in accordance with P.A. 280, 1995.

Motion carried by the following vote:

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

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

1. Keller Thoma, Invoice #94250 - \$2,671.00.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Bryant, regarding **City Attorney**, that the City Council approve the following statements:

1. City Attorney Don R. Berschback 05/31/11 - \$6,626.25;
2. City Attorney Charles T. Berschback 05/27/11 - \$7,160.00.

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, McConaghy, Novitke, Sucher

No: None

Absent: Howle

Hearing no objections, the following individual discussed the proposed library millage under New Business:

Sandra Drummond
625 Hidden Lane

Motion by Granger, seconded by Bryant, to adjourn tonight's meeting at 9:29 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk