

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, JANUARY 5, 2009, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

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

Roll Call: Mayor Novitke  
Council members: Bryant, Dickinson, Howle, Sucher, Waldmeir  
Absent: Granger

Also Present: City Administrator Wollenweber  
City Attorney Don Berschback  
City Attorney Chip Berschback  
City Clerk Hathaway  
City Assessor Paul  
Director of Public Safety Makowski

Motion by Bryant, seconded by Howle, that the City Council excuse Council Member Granger from tonight's meeting.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

The following Commission Members were in attendance:

Mike Fuller, Planning Commission  
Thomas Fahrner, Mayor's Mack Avenue Study Committee

Motion by Dickinson, seconded by Waldmeir, 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, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Hearing no objections, Item 11A – First Reading, was taken out of order.

Motion by Bryant, seconded by Waldmeir, that the Proposed Ordinance to amend Chapter 2, Administration, Article V, Boards and Commissions, Division 4, Planning Commission, Sections 2-440 – 2-458, incorporating various changes as required by the Michigan Planning Enabling Act, MCL 125.3801-125.3885 of the City Code of the City of Grosse Pointe Woods of 2007 be considered as a **"First Reading"**;

And that such Ordinance be published by title in the Grosse Pointe News, the official newspaper of the City of Grosse Pointe Woods, and placed on the agenda of the Council meeting scheduled for February 2, 2009, as a Second Reading and for final adoption.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

THE MEETING WAS THEREUPON OPENED AT 7:41 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH THE HOUSING & COMMUNITY DEVELOPMENT ACT OF 1995, WHICH REQUIRES THE CITY OF GROSSE POINTE WOODS TO HOLD A PUBLIC HEARING FOR THE PURPOSE OF OBTAINING CITIZEN INPUT AND APPROVAL OF THE **COMMUNITY DEVELOPMENT BLOCK GRANT ESTIMATED BUDGET FOR PROGRAM YEAR 2009/10:**

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

1. Memo 12/19/08 – City Administrator
2. Affidavit of Legal Publication 12/25/08

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The City Administrator provided an overview and recommended approval of

the proposed budget subject to Wayne County's approval of \$30,000.00, which the City is applying for on behalf of Services for Older Citizens (SOC) to be utilized for general housing rehabilitation.

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

Motion by Bryant, seconded by Dickinson, that the public hearing be closed at 7:45 p.m. PASSED UNANIMOUSLY.

Motion by Dickinson, seconded by Bryant, regarding the proposed Community Development Block Grant Estimated Budget for Program Year 2009/10, that the Council adopt the 2009/10 Community Development Block Grant Estimated Budget (basing it upon an estimated allocation of \$112,000.00), contingent upon Wayne County's approval of \$30,000.00 the City is applying for on behalf of Services for Older Citizens (SOC):

1.	Services for Older Citizens (SOC)	7,790
	a. SOC Minor Home Repair	58,220
	b. SOC Countywide Housing Rehab	30,000
2.	Point Area Assisted Transportation Services (PAATS)	7,790
3.	Administration	<u>8,200</u>
	Total	<u>\$112,000</u>

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Hearing no objections, Item No. 10 – Resolution: **Capital Improvement Bond for Water Tower**, was taken out of order.

Messers. Don Kiem, Bond Counsel, and Mike Gormely, Financial Advisor, provided an overview.

Motion by Dickinson, seconded by Bryant, regarding Capital Improvement Bond for Water Tower, that the City Council adopt the Resolution Authorizing Notice of Intent to Issue Bonds and Declaring Intent to reimburse for Expenditures as presented.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Motion by Bryant, seconded by Dickinson, regarding **2009 CARE Youth Assistance Program (YAP) Funding**, that the City Council authorize payment of Invoice #10 dated December 11, 2008, to CARE for youth assistance services to be provided from January 1 through December 31, 2009, in an amount not to exceed \$18,380.88.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Motion by Bryant, seconded by Waldmeir, regarding **contract – Judge William J. Giovan, Acting Municipal Judge**, that the City Council approve the contract with the Honorable William J. Giovan to perform the duties of Acting Municipal Judge on behalf of the City of Grosse Pointe Woods, and authorize the Mayor and City Administrator to sign the contract.

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Sucher, regarding **advertising invoices**, that the City Council approve payment of the following invoices:

1. Grosse Pointe News 12/04/08 - \$112.50
2. Grosse Pointe News 12/25/08 - \$150.00.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

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

City Attorney Don Berschback dated 12/29/08 in the amount of \$7,672.50;  
City Attorney Charles Berschback dated 12/23/08 in the amount of \$6,370.00.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Under New Business, and hearing no objections, the following items were discussed:

1. City Assessor's 2008 billable hours- The City Assessor distributed a memo requesting Council to authorize payment of an additional 13 billable hours.

Motion by Waldmeir, seconded by Bryant, regarding **request for payment of additional hours – City Assessor**, that the City Council authorize payment to the City Assessor for thirteen hours worked in 2008 in an amount not to exceed \$569.14.

Motion by Waldmeir, seconded by Bryant, to amend the previous motion by inserting, "to be paid out of the general revenue contingency fund."

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

2. Resignation: Municipal Court Judge Lynne Pierce. The Chair stated the Hon. Lynne Pierce, residing Municipal Court Judge in the City of Grosse Pointe Woods for the past 17 years, submitted a letter of resignation dated December 16, 2008, resulting from winning a Circuit Court Judge seat in November 2008. Hearing no objections, her letter was received and placed on file.

Motion by Howle, seconded by Sucher, that the City Council voice no objection to the Mayoral proclamation in recognition of Judge Lynne Pierce's service to this community.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Motion by Dickinson, seconded by Bryant, that the City Council authorize the presentation of a Pewabic commemorative vase to Judge Pierce.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Novitke, Sucher, Waldmeir  
No: None  
Absent: Granger

Motion by Waldmeir, seconded by Bryant, that the Council recess the regularly scheduled Council meeting at 8:16 p.m. and convene in Closed Executive Session for the purpose of discussing pending litigation at which time the City Council may or may not reconvene in regular session to address additional items as necessary, in accordance with the Open Meetings Act 1976 PA 267.

Motion carried by the following roll call vote:

Waldmeir Yes  
Bryant Yes  
Dickinson Yes  
Granger Absent  
Howle Yes  
Novitke Yes  
Sucher Yes

The Council reconvened in regular session at 9:48 p.m.

Motion by Howle, seconded by Bryant, that the City Council excuse Mayor Novitke and Council Member Waldmeir from voting on the item regarding Indemnification Resolution.

Motion carried by the following vote:

Yes: Bryant, Dickinson, Howle, Sucher  
No: None  
Absent: Granger  
Abstain: Novitke, Waldmeir

Motion by Sucher, seconded by Bryant, regarding **Indemnification Resolution**, that the City Council approve the resolution on Indemnification as prepared by the City Attorney, as amended.

Motion by Sucher, seconded by Bryant, to amend the previous motion by adding, “. . . and recited by the City Attorney.”

Motion carried by the following roll call vote:

Bryant Yes  
Dickinson Yes  
Granger Absent  
Howle Yes  
Novitke Abstain  
Sucher Yes  
Waldmeir Abstain

Motion by Waldmeir, seconded by Bryant, to adjourn tonight's meeting at 9:53 p.m.  
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway  
City Clerk