

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, AUGUST 21, 2006, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:30 p.m. by Mayor Novitke.

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

Also Present: City Administrator Wollenweber
City Attorney Berschback
City Clerk Hathaway
Building Inspector Tutag

The following Commission members were in attendance:

Carol Evola, Planning Commission
Mary Kay Ferry, Historical Commission
Tom Fahrner, Mayors Mack Avenue Business Study Committee
Nancy Patek, Historical Commission
Suzanne Kent, Historical Commission
John Parthum, Historical Commission
Gordon Michaelson, Historical Commission
Lee Allcut, Board of Canvassers
Nancy Hames, Planning Commission

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

Motion by Spicher, seconded by Howle, regarding the **Historical Commission Appointment**, Council voice no objection to the following mayoral appointment:

Name	Address	Term Expiration
Mason Ferry	500 Saddle Lane	12/31/06

Motion carried by the following vote:

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

Motion by Granger, seconded by Dickinson, regarding **Cook Schoolhouse**, that Council concur with the recommendation of the Committee-of-the-Whole at their meeting on August 7, 2006, and accept the donation of the Cook Schoolhouse contingent upon a suitable environmental audit being provided.

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Spicher, regarding the **payment of invoices** that Council accept the recommendation of the Pension Board at their meeting on August 10, 2006, and authorize the following Pension Invoices for payment from the Pension Fund:

Invoice From	Dated	\$
Comerica	04/01/06-06/30/06	1,500.00
VanOverbeke, Michaud & Timmony	01/01/06-03/31/06	5,325.25
Merrill Lynch	07/07/06	66,421.61
TOTAL		73,246.86

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:42 P.M. FOR A ZONING BOARD OF APPEAL HEARING UNDER THE PROVISIONS OF CHAPTER 98, ZONING, ARTICLE XIV, SECTION 98-73 OF THE 1997 CITY CODE TO HEAR THE APPEAL OF PEPPINO PULEO, 1851 LITTLESTONE, WHO IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR CONSTRUCTING A SINGLE-FAMILY HOME WITH ATTACHED GARAGE ON THE VACANT LOT AT 2016 RIDGEMONT, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO A DEFICIENCY IN THE SIDE YARD SET BACK REQUIREMENTS OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED.

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

1. Application to the ZBA 07/10/06
2. Plan Review and Building Permit Application 07/10/06
3. Mortgage Survey 09/08/05
4. Memo 08/14/06 – Building Inspector
5. GPW Code Sec 98-73. Lot and building regulations generally
6. Memo City Assessor
7. Plat map
8. Photos (14)
9. Letter 08/11/06 – Roger Rheaume
10. Notice of Hearing
11. Affidavit of Legal Publication
12. Affidavit of Property Owners Notified
13. Aerial View
14. Site Plan dated 03/31/92

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Spicher, that the following documents also be received and placed on file:

1. Memo received 08/21/06 - Concerned citizen (unsigned);
2. Letter 08/21/06 - The Mattesons, 2009 Hampton

Motion carried by the following vote:

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

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

Peppino Puleo, 1851 Littlestone

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

Shirley Patterson, 2079 Hampton Rd.
Joan Sabo, 736 Shoreham
Eric Whateley, 2058 Ridgemont

Motion by Reynolds, seconded by Waldmeir, that the public hearing BE CLOSED at 8:00 p.m. PASSED UNANIMOUSLY.

Arlene Szymanski, 2022 Ridgemont

The Chair declared a recess at 8:04 p.m., and reconvened at 8:21 p.m.

The City Attorney, Building Inspector, and City Administrator met to confirm whether the Petitioner's lot is a buildable lot. The City Attorney indicated the Petitioner's property, Lot 18, has been deemed a buildable 35' lot, and that Council continue to consider this variance request. The City Administrator and Building Inspector concurred with the City Attorney.

Motion by Howle, seconded by Spicher, regarding Zoning Board of Appeal regarding the request of Peppino Puleo, residing at 1851 Littlestone, who is requesting to construct a one-family dwelling with attached garage on a vacant lot located at 2016 Ridgemont, that the City Council grant a 4' side-yard variance based upon the practical difficulty the Petitioner faces in meeting the side yard setback requirements:

1. The existing ordinance's 15' total side-yard that is appropriate to 50' wide lots cannot be reasonably applied to a 35' wide lot;

2. Granting of the variance will not alter the nature or character of the area;
3. The granting of the variance is within the intent and spirit of the ordinance. The intent of the ordinance is to provide for safety of access to all areas of the house, separation from adjoining uses and structures, and for open space between buildings;
4. The proposed home has an attached garage. The side yard can be reduced and still provide for the setback consistent with the surrounding area;
5. The hardship has not been created by the applicant;
6. Construction commence within six months, and complete within one year.

UPON ROLL CALL VOTE, MOTION carried by the following vote:

Howle: Yes
Novitke: Yes
Reynolds: No
Spicher: Yes
Waldmeir: Yes
Dickinson: Yes
Granger: No

Motion by Waldmeir, seconded by Howle, regarding **Conference – Michigan Government Finance Officers Association (MGFOA)**, that Council authorize the City Comptroller to attend such conference to be held at in Kalamazoo, MI, on October 2, 2006, in an amount not to exceed \$230, and to reimburse such official for any business expenses incurred upon presentation and verification by the Finance Committee of an itemized expense report.

Motion carried by the following vote:

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

Motion by Granger, seconded by Dickinson, regarding **Ghesquiere Park Marsteller Baseball Diamond Use Request – Grosse Pointe North High School**, that Council grant the request to use the baseball diamonds at Ghesquiere Park from Monday, March 12, 2007, to Friday, May 24, 2006, from 3:30 p.m. to 6 p.m., contingent upon providing liability insurance indemnifying the City, observing the rules and

regulation governing recreational facilities, cleaning up of debris from the area including dugouts and fields after practice, the school coordinate with Babe Ruth, or any other baseball organization, on the use of the diamond, and an adult coach be present at all practices.

Motion carried by the following vote:

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

Motion by Granger, seconded by Spicher, regarding **Lake Front Park Tennis Court Use Request – Grosse Pointe North High School**, that Council grant the request to use the tennis courts at Lake Front Park from Monday, August 14, 2006, through Friday, September 1, from 1-3 p.m. and beginning Tuesday, September 5 through Friday, October 21, from 3:30-5:30 p.m., contingent upon providing liability insurance indemnifying the city, observing the rules and regulations governing recreational facilities, cleaning up of debris from the area after using the tennis courts, relinquishing the court if a resident would like to use it, and that a coach be present at all practices.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Granger, regarding the **Michigan Association of Public Employees Retirement System (a/k/a MAPERS)** that Council authorize Council member Pete Waldmeir, member of the Pension Board, to attend the Michigan Association of Public Retirement Systems (MAPERS) Conference being held at Mackinac Island, September 17-19, 2006, in an amount not to exceed \$1,750, to be paid from the Pension Fund, and to reimburse for any expenses incurred upon presentation and verification by the Finance Committee of an itemized expense report, and to concur in the appointment of Council Member Waldmeir as voting delegate.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Howle, regarding the Financial Report of the City Administrator for the month of July 2006, be referred to the Finance Committee for review.

Motion carried by the following vote:

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

Motion by Howle, seconded by Dickinson, regarding **2006 fall tree planting** that the Council AWARD a contract to:

Marine City Nursery Co.
P. O. Box 189
Marine City, MI

in the amount of \$240 per tree, in a total amount not to exceed \$25,000, their bid being in the best interest of the City, for 123 trees to be paid from 401-902-997.400.

Motion carried by the following vote:

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

Motion by Howle, seconded by Spicher, that the council voice no objection the adoption of the following mayoral **Proclamations**:

- National Alcohol and Drug Addiction Recovery Month
- National Prostate Cancer Awareness Month
- Patriot Day

Motion carried by the following vote:

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

Motion by Howle, seconded by Waldmeir, regarding the **Resolution: Initiatory Petitions**, that City Council adopt the following resolution as written and presented by the City Attorney for further processing:

RESOLUTION

Be it resolved by the City Council of the City of Grosse Pointe Woods as follows:

WHEREAS, the requisite number of signatures of registered voters of the City of Grosse Pointe Woods having been provided to the City Clerk on August 7, 2006: two days before the eventual deadline established by statute, and

WHEREAS, the purported number of necessary signatures for amending the City Charter by initiatory petition having been received by the City Clerk, and

WHEREAS, the City Clerk having verified those signatures on August 11, 2006 and that verification being within the 45 day time limit as provided by law for her verification, and

WHEREAS, the next general election date being November 7, 2006, and

WHEREAS, the requisite number of electors of the City of Grosse Pointe Woods, by initiatory petition pursuant to the authority granted by MCL 117.21 propose that the following amendment language be added to the Charter of the City of Grosse Pointe Woods:

NO PERSON SHALL BE ELECTED TO THE OFFICE OF
MAYOR MORE THAN TWO TIMES. NO PERSON SHALL BE
ELECTED TO THE OFFICE OF COUNCILPERSON MORE
THAN TWO TIMES.

WHEREAS, the current Charter of the City of Grosse Pointe Woods has no such restrictions on the term limits of the Mayor or Councilmen,

IT IS RESOLVED THAT:

1. The City Clerk shall forthwith transmit a copy of the proposed amendment and this Resolution to the Governor of the State of Michigan for her approval, and transmit a copy of such proposed amendment to the Attorney General of the State of Michigan for his approval as required by law.
2. Subject to the requisite approvals as mandated by law, the proposed Charter amendment shall be, and the same is to be submitted to the qualified electors of this City at the next general election to be held on Tuesday, November 7, 2006 and the City Clerk is hereby directed to give notice of the election and notice of registration therefore and the manner prescribed by law and to do all things and to provide all supplies necessary to submit such charter amendment to the vote of the electors as required by law. Pending the necessary approval from the Governor, the City Clerk shall transmit a copy of the proposed amendment, this resolution, and a copy of the actual petitions received to the Wayne County Bureau of Elections.
3. The proposed amendment shall be submitted to the electors in the following form, to wit:
Should the Charter of the City of Grosse Pointe Woods be amended by adding the following term limit language:

NO PERSON SHALL BE ELECTED TO THE OFFICE OF MAYOR MORE THAN TWO TIMES. NO PERSON SHALL BE ELECTED TO THE OFFICE OF COUNCIL PERSON MORE THAN TWO TIMES.

☐

YES

☐

NO

INSTRUCTIONS:

A cross (X) in the square before the word "YES" is in favor of the proposed amendment to the City Charter and a cross (X) in the square before the word "NO" is against the proposed amendment.

4. The canvass and determination of the votes on said question shall be made in accordance with the laws of the State of Michigan and the Charter of the City of Grosse Pointe Woods.

On roll call, the vote was as follows:

Yays _____

Nays _____

Motion carried by the following vote:

Yes: Dickinson, Granger, Howle, Novitke, Reynolds, Spicher, Waldmeir

No: None

Absent: None

Motion by Howle, seconded by Spicher, regarding **2006 Tax Levy Wayne Community College District**, that the Council accept the resolution adopted on July 26, 2006, by the Board of Trustees of the Wayne County Community College District authorizing and directing monies to be raised by taxation for the purposes of said college district for the year 2006/07 with Operation Millage 2.4769 mills.

Motion carried by the following vote:

Yes: Dickinson, Granger, Howle, Novitke, Reynolds, Spicher, Waldmeir

No: None

Absent: None

Motion by Spicher, seconded by Howle, regarding **Midwest Claims Service, Inc.** statement dated August 2, 2006, that Council approved for payment in the amount of \$10,000.00 to Midwest Claims Service, Inc. for expenses incurred.

Motion carried by the following vote:

Yes: Dickinson, Granger, Howle, Novitke, Reynolds, Spicher, Waldmeir

No: None

Absent: None

New Business, and hearing no objections, the following individual was heard regarding the resolution for initiatory petitions:

Richard Shetler, Jr.
2000 Lennon Ave.

Hearing no objections, the following individual was heard regarding the petition drive:

Patricia Chylinski
494 Shoreham

Hearing no objections, the following individual was heard regarding Wayne County Community College District:

Mary Adzigian
1753 Broadstone

The City Administrator was directed to obtain additional information regarding the number of Grosse Pointe Woods residents that attend Wayne County Community College.

Motion by Waldmeir, seconded by Granger, regarding the **Proclamation – Women's Equality Day**, that Council voice no objection to the adoption of the Mayoral Proclamation.

Motion carried by the following vote:

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

Motion by Spicher, seconded by Reynolds, to adjourn tonight's meeting at 9:11 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk