

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, MARCH 20, 2006, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

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

Roll Call: Mayor Novitke
Council members: Dickinson, Granger, Reynolds, Spicher, Waldmeir
Absent: Howle

Also Present: City Administrator Wollenweber
City Attorney Charles Berschback
City Clerk Hathaway
Director of Public Safety Makowski
Building Inspector Tutag
Park Supervisor Sharp

Motion by Reynolds, seconded by Dickinson, to excuse Council Member Howle from tonight's meeting.

Motion carried by the following vote:

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

The following Commission Members were in attendance:

Leland Allcut, Board of Canvassers
Ahmed Ismail, Planning Commission

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

Motion by Dickinson, seconded by Granger, regarding the **Community Tree Commission**, that Council voice NO OBJECTION to the following mayoral appointment:

Name	Address	Term Expiration
Madelyn Kleitch	2126 Lancaster	12/31/06

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Dickinson, regarding the **Beautification Commission**, that Diane Yordy's resignation be accepted with regret and direct that appropriate thanks and recognition be sent to Ms. Yordy; and,

that Council voice NO OBJECTION to the following mayoral appointment:

Name	Address	Term Expiration
Arthur Bryant	1811 Hollywood	12/31/06

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Granger, regarding the City *Update*, that the City Council concur with the recommendation of the Public Relations Committee at their meeting on March 13, 2006, and direct the administration to prepare an RFP for a new format for the City *Update*.

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Reynolds, regarding **website design**, that the City Council concur with the recommendation of the Public Relations Committee at their meeting on March 13, 2006, and direct the administration to prepare an RFP for website design and regular maintenance.

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:40 P.M. FOR A ZONING BOARD OF APPEAL HEARING UNDER THE PROVISIONS OF CHAPTER 98, ZONING, ARTICLE XIV, SECTION 98-401 OF THE 1997 CITY CODE TO HEAR THE APPEAL OF **DÉJÀ VU BOUTIQUE**, 20964 MACK, WHICH IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUSINESS LICENSE FOR SALE OF SECOND HAND CLOTHING, IN ACCORDANCE WITH SECTION 98-202(2) OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED.

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

1. Letter w/attachment 03/07/06 – S. Ferretti and J. Allen
2. Application to ZBA
3. Memo 03/14/06 – Building Inspector w/attachments
4. Photos (3) 03/14/06
5. City of Grosse Pointe Woods Future Land Use Plan 10/18/05
6. Letter 03/16/06 – City Attorney w/attached Sec. 98-202
7. Notice of Public Hearing 03/13/06
8. Affidavit of Property Owners Notified 03/13/06
9. Affidavit of Business Owners Notified
10. Aerial 03/13/06

Motion carried by the following vote:

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

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

Judith Allen, owner
22605 Raven
East Pointe, MI 48021

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

Motion by Waldmeir, seconded by Reynolds, that the public hearing BE CLOSED at 7:37 p.m. PASSED UNANIMOUSLY.

Motion by Spicher, seconded by Dickinson, regarding Zoning Board of Appeal regarding Déjà Vu Boutique, 20964 Mack, which is requesting the issuance of a Business License, that the City Council adopt the City Attorney's interpretation as set forth in his letter dated March 16, 2006, and instruct the Building Official to issue a business license without the need to address a variance.

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:50 P.M. FOR A ZONING BOARD OF APPEAL HEARING UNDER THE PROVISIONS OF CHAPTER 98, ZONING, ARTICLE XIV, SECTION 98-401 OF THE 1997 CITY CODE TO HEAR THE APPEAL OF **GROSSE POINTE COLLECTION, 20155 MACK**, WHICH IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR OPERATING A RETAIL SALES BUSINESS IN AN ro-1 RESTRICTED OFFICE DISTRICT, AT 20155 MACK, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO NONCOMPLIANCE WITH SECTION 98-302 OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED.

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

1. Letter 03/09/06 – W. Sosnowski & R. Matelonek
2. Application to ZBA
3. Memo 03/14/06 – Building Official w/attachments
4. Photos (5) 03/14/06
5. City of Grosse Pointe Woods Future Land Use Plan 10/18/05
6. Letter 03/16/06 – City Attorney w/attached Sec. 98-302
7. Notice of Hearing 03/13/06
8. Affidavit of Property Owners Notified 03/13/06
9. Affidavit of Business Owners Notified
10. Aerial 03/13/06

Motion carried by the following vote:

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

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

Richard Matelonek, partner
Grosse Pointe Collection

Virginia Jeffrey
1920 Lennon

Elizabeth Baker
1341 N. Oxford

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 Reynolds, seconded by Granger, that the public hearing BE CLOSED at 7:59 p.m. PASSED UNANIMOUSLY.

Motion by Dickinson, seconded by Granger, regarding Zoning Board of Appeal regarding Grosse Pointe Collection, 20155 Mack, which is requesting to operate a retail sales business, which is not permitted in an RO-1 Restricted Office District, that the City Council concur with the recommendation of the Building Inspector and approve a permitted use variance for the following reasons:

1. The applicant cannot locate this business in the RO-1 or any other zoning district within the City;
2. Granting of the variance will not impact or alter the character of the district as the proposed use will not generate large volumes of traffic, traffic congestion or parking problems; and will promote the most desirable use of land in accordance with the City's land use plan (proposed) as described in Section 98-301;
3. The property is unique in the way that the design of the existing structure seems more suited for this type of business than an office type of use;
4. The property has previously been used for a restaurant, a use not permitted in the RO-1 zoning district.

Motion carried by the following vote:

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

Upon conclusion of the Board of Appeals, the Chair re-convened the City Council Meeting.

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

Motion by Reynolds, seconded by Granger, regarding **M.S. Walk- National Multiple Sclerosis Society**, that Council approve such parade request of the above organization to take place Sunday, May 7, 2006, contingent upon suitable insurance.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Reynolds, that the City Council concur with the recommendation of the City Administrator and the Director of Public Safety and authorize the **purchase** of the in-car video recording systems, in an amount not to exceed \$27,974, from:

L-3 Communications
90 Fanny Rd.
Boonton, NJ 07005

And that the expenditure be charged against the 2005/06 budget year.

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Granger, regarding **Michigan Association of Municipal Clerks (MAMC)**, that the City Council authorize the City Clerk to attend the MAMC Annual Conference in Boyne Falls, MI, CA, June 20 through June 23, 2006, in an amount not to exceed \$1,500, and to reimburse such official for costs incurred upon presentation and verification by the Finance Committee of an itemized expense report.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Reynolds, regarding the Financial Report of the City Administrator for the month of February 2006, BE REFERRED to the Finance Committee for review.

Motion carried by the following vote:

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

Motion by Granger, seconded by Spicher, regarding **FY 2005/06 auditing contract**, that the City Council concur with the recommendation of the City Comptroller and authorize the City Administrator to sign the Agreement dated March 6, 2006, with PriceWaterhouseCoopers, in the amount of \$46,500, and to include out-of-pocket expenses not to exceed \$2,000, for a total cost not to exceed \$48,500.

Motion carried by the following vote:

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

Motion by Granger, seconded by Reynolds, regarding **2006/07 McCann Ice Arena Agreement**, that the Council authorize the City Administrator to sign said Agreement with University Liggett School received March 8, 2006, for the 2006/07 fall/winter season, Sundays from September 10, 2006, through March 25, 2007, excluding December 24 and December 31, from 5-7 p.m. at a cost of \$200 per hour, at a cost not to exceed \$11,200, contingent upon approval of the FY 2006/07 budget and receipt of proper insurance.

Motion carried by the following vote:

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

Motion by Granger, seconded by Spicher, regarding **spring pool opening proposal**, that Council award a contract to the following:

B&B Pools and Spas
31071 Industrial Rd.
Livonia, MI 48150

to open the City pools for the 2006-07 season, in an amount not to exceed \$7,250.

Motion carried by the following vote:

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

Motion by Waldmeir, seconded by Granger, that the Proposed Ordinance to Amend Chapter 94 – Waterways, by amending various sections to update the watercraft storage procedures and provide for the adoption of Harbor Rules and Regulations by resolution, of the City Code of the City of Grosse Pointe Woods of 1997, be considered as a **"Second Reading"**;

And that such ordinance BE ADOPTED and become effective 20 days after its enactment, and that the same be posted in five places in accordance with the provisions of the City Charter.

Motion carried by the following vote:

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

No: None

Absent: Howle

Motion by Reynolds, seconded by Granger, to adjourn tonight's meeting at 8:34 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk