

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, OCTOBER 3, 2005, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:31 p.m. by Mayor Novitke.

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

Also Present: City Administrator Wollenweber
City Attorney Don Berschback
City Clerk Warnke
Building Inspector Tutag
Recording Clerk St. Peter

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

Hearing no objections, the Chair directed the City Clerk to make the following corrections to the September 19, 2005 minutes as follows:

- Page 1 - "Motion by Spicher, seconded by Howle, regarding **Board of Election Inspectors**, that Council concur with the recommendation of the Election Commission (composed of Council Member Darryl Spicher, City Clerk Louise S. Warnke, and City Attorney Charles Berschback) and APPROVE the Certification of Election Inspectors for the November 8, 2005 City Election."
- Page 2 - "Motion by Chylinski, seconded by Granger, regarding the **Election Commission**, that Council voice NO OBJECTION to the following Council Appointment:"

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Commission	Name	Address	Term Expiration
Election	Spicher, Darryl	1977 Oxford	11/07

THE MEETING WAS THEREUPON OPENED AT 7:35 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 RICHARD AND TRUDY GERSTNER, WHO ARE APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT TO CONSTRUCT AN 11'8" x 17' REAR YARD ADDITION AT 1619 EDMUNDTON, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO NONCOMPLIANCE WITH CHAPTER 98, SECTION 98-73(d) OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED.

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

1. Letter 09/06/05 - Richard and Trudy Gerstner
2. Plan Review & Building Permit Application 08/23/05
3. Application to the ZBA 09/07/05
4. Memo 09/29/05 - Building Inspector w/photos
5. Mortgage Survey rec'd 09/07/05
6. Site Plans 08/15/05
7. Resident letters in favor (11 signatures)
8. Notice of Hearing
9. Affidavit of Property Owners Notified
10. Aerial Views

Motion carried by the following vote:

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

No: None

Absent: None

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

Richard Gerstner
1619 Edmundton
Grosse Pointe Woods

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Gene Pindzia
Riverside Kitchen & Bath
20956 Mack Avenue
Grosse Pointe Woods

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 Granger, seconded by Howle, that the public hearing BE CLOSED at 7:40 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Spicher, regarding **Zoning Board of Appeals**, that the City Council grant a 3'9" rear yard setback variance to construct an 11'8" x 17' rear yard addition at 1619 Edmundton, based upon the practical difficulty the petitioner faces in meeting the rear yard setback requirements for the following reasons:

1. That granting the variance would enable the house to be more in keeping with the square footage of other properties in the area;
2. That granting the variance would not exceed the 35% lot coverage ordinance;
3. That granting the variance would enable the petitioner to construct a second full bathroom which is consistent with other properties in the area;
4. That granting the variance would allow the petitioner to add onto his home and have it in keeping with other properties in the area;
5. Contingent upon construction commencing within six months and complete within one year.

Motion carried by the following vote:

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

Motion by Howle, seconded by Chylinski, regarding **Purchase**, that the City Council AUTHORIZE the purchase of a DM800 Series Pitney Bowes Postal Machine Base, including meter rental, rate updates for 36 months and a 90-day warranty, for a total cost of \$10,512.00 from:

Pitney Bowes, Inc.
1346 Rankin
Troy, MI

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Motion carried by the following vote:

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

Motion by Chylinski, seconded by Howle, that the City Council voice NO OBJECTION to the adoption of a Mayoral **Proclamation** regarding:

- October 2005 as **Arts and Humanities Month**

Motion carried by the following vote:

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

Motion by Chylinski, seconded by Howle, regarding the **2005 Tax Levy - Wayne County Transit Authority**, that Council ACCEPT the resolution adopted by the Wayne County Transit Authority on September 14, 2005, authorizing and directing monies to be raised by taxation for the purposes of apportionments among the cities and townships of the district, and authorize spreading on the tax rolls 0.5980 mills for Operations for the 2005 tax year; and that the City Clerk send a certified resolution to the Wayne County Bureau of Taxation, the Wayne County Clerk, the City Comptroller and the City Assessor, as required by law.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Chylinski, that the Proposed Ordinance to amend Chapter 90, Vegetation, Article II, Dutch Elm Disease, of the City Code of the City of Grosse Pointe Woods of 1997, by adding new Section 90-43 to Regulate Ash Trees, 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 October 17, 2005, as a "Second Reading" and for final adoption.

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Motion carried by the following vote:

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

No: None

Absent: None

Motion by Howle, seconded by Chylinski, that the following statements from the City Attorneys BE APPROVED for payment:

Statement dated September 28, 2005 - City Attorney Don Berschback in the amount of \$4,615.00 for services rendered in September 2005;

Statement dated September 28, 2005 - City Attorney Charles Berschback in the amount of \$5,850.00 for services rendered in September 2005.

Motion carried by the following vote:

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

No: None

Absent: None

Motion by Dickinson, seconded by Chylinski, that Council Member Granger be excused from attendance for the remainder of tonight's meeting.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Howle, Novitke, Reynolds, Spicher

No: None

Absent: Granger

New Business:

Hearing no objections, the following items were discussed:

- Inspection of trees in area due to downage of power lines from diseased or dead trees.
- City Calendar to reflect Lake Front Park pool may remain open after Labor Day, weather and staff permitting.
- Power outage today caused by power line being hit by lightening.
- City will acquire DTE claim forms for residents.

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Motion by Howle, seconded by Chylinski, that interviews for the Planning Commission vacancy be added to the agenda of the October 10, 2005 Committee-of-the-Whole meeting.

Motion carried by the following vote:

Yes: Chylinski, Dickinson, Howle, Reynolds, Spicher

No: Novitke

Absent: Granger

Upon proper motion, meeting was adjourned at 8:31 p.m. PASSED UNANIMOUSLY.