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MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 12, 2005, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:37 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 Berschback
City Clerk Warnke
Building Inspector Tutag
Recording Clerk St. Peter

The following Commission members were in attendance:

Ross Richardson, Planning Commission
Lisa Gaglio, Beautification Commission

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

Motion carried by the following vote:

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

Motion by Chylinski, seconded by Granger, regarding **Board of Election Inspectors**, that Council concurs with the recommendation of the Election Commission (composed of Council member Spicher, City Clerk Louise S. Warnke and City Attorney Don R.

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Berschback) and certify the appointment of the same, including compensation as recommended.

Motion carried by the following vote:

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

No: None

Absent: None

THE MEETING WAS THEREUPON OPENED AT 7:31 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 IHAB ZAKI, WHO IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT TO CONSTRUCT A ONE-STORY 180 SQ. FT. ADDITION AT 1536 COOK ROAD, 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 Granger, seconded by Dickinson, that, for purposes of the Zoning Board of Appeal hearing, the following items be received and placed on file:

1. Letter 8-15-05 - J.S. Gibson, J.S. Gibson Construction
2. Application to the ZBA 08/17/05
3. Plan Review & Building Permit Application 08/09/05
4. Memo 09/07/05 - Building Inspector
5. Photos 09/07/05
6. Mortgage Survey 08/03/05
7. Notice of Hearing 09/02/05
8. Aerial View 09/02/05
9. Aerial View close up 09/09/05
10. Affidavit of Property Owners Notified 09/02/05
11. Site Plan dated 02-11-03

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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:

J.S. Gibson
J.S. Gibson Construction
1444-B Beaconsfield
Grosse Pointe Park

Mrs. Zaki
1536 Cook Road
Grosse Pointe Woods

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

Eugene T. Ignasiak
1537 Dorthen Avenue
Grosse Pointe Woods

Robert Nesom
19722 Blossom Lane
Grosse Pointe Woods

Motion by Reynolds, seconded by Chylinski, that the public hearing BE CLOSED at 7:42 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Dickinson, regarding **Zoning Board of Appeals**, that the City Council grants a variance to construct a one-story, 180 sq. ft. addition, at 1536 Cook Road, based upon the practical difficulty the petitioner faces in meeting the rear

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yard setback requirements due to existing lot size and depth, contingent upon the following:

- The additional construction have no effect on existing easements;
- Storm drainage generated on the site cannot be drained onto adjacent properties;
- Excavated material be removed from the site;
- No fill is approved;
- Appropriate landscaping be added to the rear fence line as determined by the Building Department;
- Patio currently on the property not extend any further than already exists;
- Construction commences 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

Hearing no objections, the Chair reconvened the Council.

Motion by Howle, seconded by Dickinson, regarding **2005 National League Congress of Cities and Exposition**, that Council AUTHORIZE the Mayor, City Administrator and interested City Council members to attend such conference to be held December 6-10, 2005 in Charlotte, NC and that proper registration be fulfilled for those who wish to attend and to reimburse any such officials for any personal expenses incurred upon presentation and verification by the finance Committee of an itemized expense report submitted within 30 days of the event, and that Council appoint Council Member Chylinski as Voting Delegate and Council Member Howle as Alternate Voting Delegate.

Motion carried by the following vote:

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

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Motion by Granger, seconded by Spicher, regarding **Michigan Municipal League's Annual Conference**, that Council AUTHORIZE the attendance of interested Council Members, Mayor and City Administrator to attend such conference to be held on September 21, 2005 at the Amway Grand Plaza Hotel, and to reimburse any such officials for any business expenses incurred upon presentation and verification by the Finance Committee of an itemized expense report, submitted within 30 days after such event, and that Council appoint Council Member Dickinson as Voting Delegate and Council Member Howle as Alternate Voting Delegate.

Motion carried by the following vote:

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

No: None

Absent: None

Motion by Granger, seconded by Howle, regarding **Assumption Greek Orthodox Church - Lake Front Parking Lot Use**, that Council APPROVE the request to utilize the Lake Front Park during their 13th Annual Senior Expo on October 13, 2005, from 8:30 a.m. - 2:00 p.m. contingent upon submission of liability insurance indemnifying the city, as well as observing the rules and regulations of the Lake Front Park.

Motion carried by the following vote:

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

No: None

Absent: None

Motion by Dickinson, seconded by Spicher, regarding **Legal Proceedings**, that the City Council REFER the following items to the City Attorney, City Comptroller, and Insurance Carrier: **BARBARA POPA V CITY OF GROSSE POINTE WOODS.**

Motion carried by the following vote:

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

No: None

Absent: None

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Motion by Granger, seconded by Howle, regarding **Purchase - M-100 Tabulators**, that the Council AUTHORIZE the purchase of two M-100 Tabulators from ES&S, 11208 John Galt Boulevard, Omaha, NE, in the amount of \$7,850, their bid being in the best interest of the City.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Spicher, regarding **SBC METRO ACT PERMIT**, that Council APPROVE said agreement and authorize the City Administrator to sign and execute said agreement.

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 **Defibrillator Units (St. John Hospital & Medical Center Donation)** that Council AUTHORIZE the purchase of 12 Lifepak 500 Automated External Defibrillator (AED) Units from Medtronic Emergency Response Systems, Redmond, WA, in the amount of \$23,940, utilizing funds as provided by St. John Hospital & Medical Center.

Motion carried by the following vote:

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

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

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- November 19, 2005 as **Amanda Claire Ewa Hope Klimczuk Day**

in the City of Grosse Pointe Woods.

Motion carried by the following vote:

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

Motion by Howle, seconded by Granger, regarding **2005 Tax Levy Wayne Community College District**, that the Council accept the resolution adopted on July 27, 2005, 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 and that the school tax apportionments among the several cities and townships and fractions of cities and townships of the district, as described in the Resolutions submitted, indicating the Operation Millage 2.4769 Mil - \$2,014,473, raised by the City of Grosse Pointe Woods, BE ACCEPTED, and that the City Clerk send a certified copy of the resolution to the Bureau of Taxation, the City Assessor, and to the Clerk of the County of Wayne, as required by law.

Motion carried by the following vote:

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

Motion by Howle, seconded by Granger, that the Proposed Ordinance to amend Chapter 74, Streets, Sidewalks, Public Places, Article V, Parades & Processions, of the City Code of the City of Grosse Pointe Woods of 1997 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 September 19, 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 Spicher, seconded by Reynolds, that the following **Statements - City Attorneys**, be APPROVED for payment:

Statement dated August 29, 2005 - City Attorney Don Berschback in the amount of \$9,159 for services rendered in August 2005;

Statement dated August 29, 2005 – City Attorney Charles Berschback in the amount of \$4,615 for services rendered in August 2005.

Motion carried by the following vote:

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

New Business:

Hearing no objections, the following items were discussed:

- Street sign on Morningside
- Lakefront park and pool to remain open after Labor Day
- Mack Avenue Merchants Concert
- COW to discuss Planning Commission vacancy

Motion by Chylinski, seconded by Granger, that the City Council voice NO OBJECTION to the adoption of a Mayoral Proclamation naming:

- September 17-23, 2005 as **Constitution Week**

in the City of Grosse Pointe Woods.

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Motion carried by the following vote:

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

No: None

Absent: None

Upon proper motion, meeting was adjourned at 8:45 p.m. PASSED UNANIMOUSLY.