

COUNCIL
02-28-05 - 27

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE CITY OF GROSSE
POINTE WOODS HELD ON MONDAY, FEBRUARY 28, 2005, IN THE COUNCIL-
COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE
POINTE WOODS, MICHIGAN.**

Mayor Novitke called the meeting to order at 7:31 p.m.

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

Also Present: City Administrator Wollenweber
City Attorney D. Berschback
City Clerk Warnke
Director of Public Safety Makowski
Recording Clerk Murphy

The following Commission members were in attendance:

Peter Gilezan, Local Officers' Compensation Commission
Diane M. Yordy, Beautification Commission
Michael Zolik, Planning Commission

Motion by Spicher, seconded by Granger, 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 various minutes as follows:

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Motion amended by Granger, continued ~~support by Spicher,~~
seconded by Howle, that approval is conditioned upon the plans submitted (i.e., door off of Mack Ave) and that the construction commence within six months and be completed within 18 months.

Finance Committee 02-24-05:

MINUTES OF THE FINANCE COMMITTEE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, ~~JANUARY~~ **JANUARY** 24, 2005, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

Committee-of-the-Whole 02-14-05:

ALSO PRESENT: City Administrator Wollenweber
~~City Attorney Charles Berschback~~
City Comptroller Maison
Executive Assistant to the City Administrator/
Recording Secretary Hathaway

The meeting was called to order by Mayor Novitke at ~~8:52~~ **7:52 p.m.**

Motion by Dickinson, ~~supported~~ **seconded** by Granger, to adjourn at 8:39 p.m. Passed unanimously.

Compensation & Evaluation Committee 02-23-04

The Committee discussed the suspension of two employee raises as agreed upon at the Compensation & Evaluation Committee Meeting on January 26, 2004 and whether this item should be addressed at an upcoming Committee-of-the-Whole meeting. It was stated that the increase ~~would~~ **will still** remain suspended.

Motion by Chylinski, seconded by Granger, regarding **Local Officers' Compensation Commission** minutes of February 2, 2005, that Council **denies** the recommendations as follows:

An increase in salary for members of Council from \$3,750 to \$4,000 annually effective July 1, 2005;

An increase in salary for the office of Mayor from \$6,000 to \$6,500 annually effective July 1, 2005.

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Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:50 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY COMMISSION'S WRITTEN POLICY SECTION 24CFR(92) 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 2005-06**.

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

- i) Memo 02-23-05 - Executive Assist. to City Administrator
- ii) Memo 02-22-05 - Wayne County Department of Economic Development
- iii) 2005 Wayne County CDBG Program Allocations 02-23-05
- iv) Affidavit of Legal Publication 02-17-05

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. No one wished to be heard.

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 7:51 p.m. PASSED UNANIMOUSLY.

Motion by Dickinson, seconded by Chylinski, regarding **2005-06 FY Estimated Budget - Community Development Block Grant**, that the Council concur with the recommendation of the Citizens' Community Development Block Grant Advisory Commission and approve the following allocation of funds for fiscal year as follows:

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1.	Senior Services:	
a.	Services for Older Citizens (SOC)	\$32,000
b.	Senior Citizens Coordinators	28,000
2.	Pointe-Area Assisted Transportation Services (PAATS)	12,000
3.	Improved City Hall Handicapped Accessibility	8,000
4.	Planning	5,000
5.	Administration	<u>9,000</u>
Total:		\$94,000

Motion carried by the following:

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

No: None

Absent: None

Motion by Reynolds, seconded by Granger, regarding **2005 Funding Request - Childrens' Home of Detroit**, that the Council approve the inclusion of \$23,181.00 in the 2005-06 FY budget to support Children's Home of Detroit, contingent upon participation by all the other Grosse Pointes and Harper Woods communities and that the City Comptroller-Treasurer be so advised.

Motion carried by the following vote:

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

No: None

Absent: None

Motion by Granger, seconded by Dickinson, regarding **Membership Renewal - Michigan Municipal League**, that Council approve the following payment for annual fees for the period April 1, 2005 thru March 31, 2006:

Michigan Municipal League Dues	\$5,302
Environment Affairs Assessment	636
Legal Defense Fund	<u>530</u>
Total due:	\$6,468

And that the City Administrator be authorized to sign such renewal form.

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Motion carried by the following vote:

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

Motion by Dickinson, seconded by Howle, regarding **Financial Report, January 2005**, from the City Administrator, that Council refer such report to the Finance Committee.

Motion carried by the following vote:

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

Motion by Granger, seconded by Spicher, regarding bids for **Community Center, Annual City Calendar**, that the Council award the three-year contract for printing of the city calendar to:

Select Graphics Corporation
24024 Gibson
Warren, MI

in the amount of \$36,198.00 (per year = \$12,066.00), their bid being in the best interest of the City and that such expenditure is debited from the 2004-05 budget Account #101.780.880.000.

Motion carried by the following vote:

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

Motion by Chylinski, seconded by Dickinson, regarding **Department of Parks & Recreation - Lake Front Park - Concession Stand**, that the Council APPROVES such Agreement to

Hal Lanstra,
64100 Indian Trail,
Ray Twp., MI 48096

And to authorize the City Administrator to sign such Lease Agreement to provide concession stand services at the Lake Front Park for the 2005 season, contingent upon submission of proper insurance indemnifying the city and to authorize the City Administrator to sign such Lease Agreement at a rate not to exceed \$5,665.00 per 2005 season, plus \$500 for cleaning and winterizing services rendered.

Motion carried by the following vote:

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

Motion by Howle, seconded by Spicher, regarding **Department of Parks & Recreation - Lake Front Park - Pool Opening**, that the Council awards the 2005 proposal for Lake Front Park Pool opening to

B & B Pools & Spas
29440 Six Mile Road
Livonia, MI 48152

in the amount of \$7,250.00 for such service, their bid being in the best interest of city and that the City Administrator determined no advantage to the city would result from competitive bidding on such specialized service and that such expenditure be debited from the 2004-05 budget Account #101.774.818.000.

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 **Department of Parks & Recreation - Lake Front Park - RecPro Software Purchase**, that the Council award purchase of the RecPro Recreation management software application from

RC Systems, Inc.
247 Cass Avenue
Mt. Clemens, MI 48043-2118

in the amount of \$8,800.00 described as follows:

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RecPro Standard System 3 users	\$6500.00
Annual service agreement	1800.00
Data Migration	<u>500.00</u>
Total:	\$8800.00

their bid being in the best interest of city and that the City Administrator determined no advantage to the city would result from competitive bidding on such specialized software and that such expenditure be debited from the 2004-05 budget Account #650.855.970.799.

Motion carried by the following vote:

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

Motion by Spicher, seconded by Howle, regarding bids for **Department of Public Safety - Engine 5-A Body Repair**, that the Council award repair of Engine 5-A, 1985 Seagraves Fire Truck, Serial #S79527, to:

Shores Auto Body, Inc.
20555 E. Nine Mile Road
St. Clair Shores, MI 48080

in the amount of \$8,800.00, their quote being in the best interest of the City and that such expenditure is debited from the 2004-05 budget account #640.851.939.000.

Motion carried by the following vote:

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

Motion by Dickinson, seconded by Granger, regarding a Proclamation, that Council voice no objection to the adoption of the following mayoral proclamation regarding:

a. Holocaust "Days of Remembrance"

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 **Brokerage Agreement, Refco Securities, LLC**, that the Council adopt the following Corporate Resolution between the City of Grosse Pointe Woods and Refco Securities, LLC, that allows the City Comptroller-Treasurer and Deputy Treasurer to act on behalf of the city for purchase of short-term securities, et al,

(1) RESOLVED; That the below designated persons and each of them, or such other person as the Corporation may designate from time to time either in writing or by his apparent authority be and hereby are authorized to trade in any and all financial instruments, including, without limitation, securities, commodities, and foreign currencies, for the account and risk of this Corporation through and with the firm of Refco Securities, LLC ("Refco") and its successors the authority hereby granted including the power to do any and all of the following:

(a) To buy, sell and agree to buy and sell financial instruments, on margin or otherwise, the power to sell including the power to sell "short", and to give and to receive from Refco oral or written instructions, confirmations, notices or demands with respect to any Account or transaction;

(b) To deposit with and withdraw from the account or accounts maintained at Refco money, futures contracts, securities, and any other property;

(c) To receive requests and demands for additional margin, notices of intention to sell or purchase and other notices and demands of whatever character;

(d) To receive and acquiesce in the correctness of such notices, statements of account and other records and documents;

(e) To have complete authority at all times to bind the Corporation to enter into and perform any transaction or agreement, amendment or modification thereof, relating to any Account or transaction involving the Corporation;

- (f) To lend or to borrow money or securities and to secure the repayment thereof with the property of the Corporation;
- (g) To pay in cash or by check or draft drawn upon the funds of the Corporation any sums required to be paid in connection with any Account or transaction;
- (h) To order the transfer or delivery of any securities, funds or other property to such officer or agent or to any other person;
- (i) To order the transfer of record of any securities, funds or other property to any name and to accept delivery of any securities, funds or other property;
- (j) To direct the sale or exercise of any rights with respect to any securities or other property;
- (k) To sign for and on behalf of the Corporation all agreements, confirmations, releases, assignments, powers of attorney or other documents in connection with any Account or transaction;
- (l) To agree to any terms or conditions affecting any Account or transaction;
- (m) To endorse any securities or other property in order to pass title thereto (or to any interest therein);
- (n) To direct Refco to surrender any securities or other property for the purpose of effecting any exchange or conversion thereof or otherwise;
- (o) To appoint any other person or persons to do any and all things which such officer or agent is hereby empowered to do; and
- (p) To generally to take all such action as such officer or agent may deem necessary or desirable to implement or facilitate the trading activities authorized in the Resolutions, here under;

NOW THEREFORE BE IT FURTHER:

(2) RESOLVED: That notices, statements, and demands upon the Corporation by or from Refco in connection with the Corporation's account or accounts may be delivered verbally or in writing to any of the below designated persons as though dealing with the Corporation; and it was further

(3) RESOLVED: That the execution and delivery of a Refco's Client's Agreement / Margin Agreement For Introduced Accounts is hereby authorized and that the officers of the Corporation are hereby directed to execute such Agreements by and on behalf of the Corporation and to deliver the same to Refco; and it was further

(4) RESOLVED: That Refco is authorized to act upon the authority of these resolutions until receipt by it of a certificate showing rescission or modification thereof signed by the Secretary of this Corporation and under its seal, and that Refco is also authorized to recognize and deal with the officers of this Corporation whose names are set forth in this certificate, until receipt by Refco of a further certificate, setting forth the name(s) of another person or other persons as such officers; and it was further

(5) RESOLVED: That it is the intention of the Corporation to give the persons empowered to trade in financial instruments the broadest possible power with respect to the account or accounts of the Corporation, and the Corporation agrees to hold Refco harmless against any and all claims that may arise by reason of following any instruction, order or direction given by any of the empowered persons.

And that these minutes be immediately certified in order for the City Clerk to issue a Certified Copy of the resolution for processing by the City Comptroller-Treasurer.

Motion carried by the following vote:

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

Motion by Chylinski, seconded by Spicher, regarding Second **Reading: An Ordinance to Amend Chapter 62, Signs**, that the proposed ordinance to amend Chapter 62, Signs, Sections 62-1 thru 62-37, 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 that the same be posted in five places in accordance with the provisions of the City Charter.

Motion carried by the following vote:

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

Motion by Granger, seconded by Chylinski, regarding the proposed **Ordinance to Repeal Chapter 2, Administration, Article IV, Boards & Commissions, Division 3, Insurance Commission, Sections 2-221 thru 2-229**, of the City Code of the City of Grosse Pointe Woods of 1997, that it 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 March 7, 2005, as a "Second Reading" and for final adoption.

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 **City Attorney - Pension Board**, that the following statement from the City Attorney BE APPROVED for payment from Pension Board funds:

Statement dated February 8, 2005 - City Attorney Don Berschback in the amount of \$1,155.00 for services rendered for the Pension Board

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 Council recesses the regularly scheduled Council meeting at 8:24 p.m. and reconvene in CLOSED EXECUTIVE SESSION for the purpose of discussing

Pending Litigation

at which time the 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:

Chylinski Yes

Dickinson Yes

Granger Yes

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Howle	Yes
Novitke	Yes
Reynolds	Yes
Spicer	Yes

The Council reconvened in regular session at 8:31 p.m.

Motion by Chylinski, seconded by Howle, regarding **Pending Litigation**, that Council authorize the attorney and City Administrator to proceed in the direction as directed by Council in closed session.

Motion carried by the following vote:

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

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

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