

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, FEBRUARY 7, 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 D. Berschback  
Director of Public Safety Makowski  
Director of Public Works Ahee  
City Engineer Lockwood  
Building Inspector Tutag  
Recording Clerk Murphy

The following Commission members were in attendance:

Angelo Di Clemente – Beautification Advisory Commission  
Margo Kingsley – Beautification Advisory Commission  
Michael Zolik – Planning Commission

Motion by Chylinski, 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

Regarding **minutes of the Beautification Advisory Commission of January 12, 2005**, and hearing no objections, the Chair requested the Planning Commission conduct a review of the new Grosse Pointe Woods Master Plan, specifically as it relates to appearances in business and/or residential areas, in a meeting of the Committee of the Whole, at which time a member of each Commission will be invited to participate.

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THE MEETING WAS THEREUPON OPENED AT 7:45 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 **MICHAEL AND KELLY ZILLI, 1875 HAWTHORNE** WHO ARE APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR 1875 HAWTHORNE, GROSSE POINTE WOODS. THE PERMIT WAS DENIED DUE TO A DEFICIENCY IN OFF-STREET PARKING SPACES OF THE 1997 CITY CODE. A VARIANCE IS THEREFORE REQUIRED. (SECTION 98-72(D)(3) OF 1997 CITY CODE.)

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

- 1) Letter 01-18-05 - Michael & Kelly Zilli
- 2) Mortgage Survey - 01-24-05
- 3) Excerpt 11-15-04 - Council
- 4) Memo 1-17-05 - Building Inspector
- 5) Notice of Hearing - 01-26-05
- 6) Affidavit of Property Owners - 1-26-05
- 7) Aerial View - 01-26-05

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. The following individual was heard:

Kelly Zilli – 1875 Hawthorne

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 Reynolds, that the public hearing BE CLOSED at 7:50 p.m. PASSED UNANIMOUSLY.

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Motion by Granger, seconded by Howle, regarding **Michael and Kelly Zilli, 1875 Hawthorne**, who are requesting a variance for two off-street parking spaces, in accordance with the mortgage survey dated January 24, 2005, that Council accept the recommendation of the Building Inspector and grant the requested variance, Section 98-17(8)d.3, based upon the fact that strict compliance with the code would result in the loss of two on-street parking spaces on Mack currently being used by all businesses in the area in order to gain two spaces that would be used exclusively by the Petitioner.

Motion **AMENDED** by Granger, continued support by Spicher, 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.

Motion as amended carried by the following vote:

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

Motion by Granger, seconded Dickinson, regarding **Use of Lake Front Park - Edsel & Eleanor Ford House**, that the Council APPROVE the request to utilize the entrance through Lake Front Park main entrance and APPROVE the recommendation of the City Administrator and Recreation Supervisor and AUTHORIZE such use on the following dates:

- May 21st from 8:00 a.m. to 2:30 p.m.
- June 5 from 8:00 a.m. to 2:30 p.m.
- June 26 from 7:30 a.m. to 6:00 p.m.
- September 11 from 8:00 a.m. to 3:00 p.m.

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 **Insurance Commission**, that the Council concur with the recommendation of the City Administrator and Finance Director in a memo dated January 17, 2005, and authorize the City Attorney to draft an ordinance to repeal Chapter 2, Division 3, Insurance Commission, Sections 2-221 through 2-229, discontinuing the Insurance Commission until such time the City would be in need of their knowledge and expertise.

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Motion carried by the following vote:

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

Motion by Reynolds, seconded by Howle, regarding **Community Center – Room Rental Rates**, that the Council concur with the recommendation of the Community Center Supervisor and approve an increase of room rental rates by 9%, and that the rates are as follows:

Room	Current Rate	Increased Rate
Lake – Before 6 p.m.	\$40	\$45
Lake – After 6 p.m.	\$50	\$55
Garden – Before 6 p.m.	\$75	\$80
Garden – After 6 p.m.	\$90	\$95
Park – Before 6 p.m.	\$90	\$100
Park – After 6 p.m.	\$120	\$130
All Rooms – Before 6 p.m.	\$145	\$155
All Rooms – After 6 p.m.	\$200	\$210

Motion **AMENDED** by Reynolds, continued seconded by Howle, that the rates are correct as stated above, however, some are greater than 9% and this should be removed from the original motion.

Motion as amended carried by the following vote:

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

Motion by Howle, seconded by Chylinski, regarding **2004 Public Safety Annual Report**, that this item be received and placed on file.

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Motion carried by the following vote:

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

No: None

Absent: None

The Chair declared a recess at 8:35 p.m. and reconvened at 8:45 p.m.

Motion by Dickinson, seconded by Howle, regarding **Vehicle Purchases, Department of Public Safety**, that the Council authorize the purchase of three 2005 Ford Crown Victoria Police Interceptor vehicles, two vehicles at a cost of \$20,365 and one at a cost of \$20,766, for a total cost of \$61,496.00 from:

**Signature Ford**  
**3942 W. Lansing Rd.**  
**Perry, MI**

And that the expenditure be charged against the 2004/05 budget year.

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 **2004 Sewer Rehabilitation, Cured-In-Pipe Place (CIPP) (AEW Project #160-268)**, that the Council AWARD a change order contract to:

**Insituform Technologies Inc.**  
**13930 Standsbury St.**  
**Detroit, MI 48227**

in the amount of \$150,000.00, and to include construction, engineering, contract administration, and contingencies, their bid being in the best interest of the City, and to charge such to the following account: 592-537-975.018.

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 Reynolds, regarding 2005 **Miscellaneous Concrete Pavement Repair Program \*AEW Project #160-253**), that the Council AWARD a contract to:

**Galui Construction Company**  
**33805 Harper**  
**Clinton Twp., MI 48035**

in the amount of \$721,029.00, and to include construction, engineering, inspection, contract administration and contingencies in the amount of \$78,971, for a total project cost not to exceed \$800,000.00, and to charge such to the following accounts: 202-451-974.200/203-451-974.200, contingent upon approval of the 2005/06 budget.

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 **Paper Yard Waste Bags - Department of Public Works**, that the Council awards the contract to:

**Dano Enterprises, Inc.**  
**P. O. Box 4470**  
**Stamford, CT 06907**

to supply up to 100,000 paper yard waste bags between February 2005 and February 2007 at the rate of \$.252 per bag, for a total cost not to exceed \$25,200.00, their bid being in the best interest of the City, and to charge such to the following account: 598.787.757.000.

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 **Pension Board Managers**, that the Council concur with the recommendations of the Trustees of the Pension Board, at their meeting on January 13, 2005, and terminate INVESCO-NAM, pending completion and approval by the Council of a new contract with Merrill Lynch, Pierce, Fenner & Smith Incorporated ("Merrill Lynch") as "Manager" of the City of Grosse Pointe Woods' Pension

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Plan, and to recommend to the Council to accept the contract with Merrill Lynch for financial management after review by the City Attorney.

Motion **AMENDED** by Chylinski, continued second by Granger, to authorize the Plan Administrator and the Chair of the Pension Board to execute any and all documents necessary to effectuate the hiring of Merrill Lynch, effective immediately.

Motion as amended 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 above motion for the **Pension Board Manager** be immediately certified.

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 **Carpet Replacement – Community Center**, that the Council awards a contract to:

**Trudel Flooring, Inc.**  
**27040 Gloede Dr.**  
**Warren, MI 48088**

in the amount of \$13,667.80, being the lowest qualified bidder, and to charge such to the following account: 401-902-977.110.

Motion carried by the following vote:

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

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Motion by Chylinski, seconded by Howle, regarding **Board of Review**, that the Council ADOPTS the following resolution:

BE IT RESOLVED, that the members of the Board of Review shall receive the sum of \$125.00 per day per member, and

BE IT FURTHER RESOLVED, that the Board of Review of 2005 shall convene in the Community Center of the Municipal Building on Tuesday, March 8, 2005, and Tuesday, March 22, 2005, from 9:00 a.m. to noon, 1:30 p.m. to 5:30 p.m. and 6:00 p.m. to 8:00 p.m. EST for reviewing the 2005 Assessment Roll; and

BE IT FURTHER RESOLVED, that the notice of the Board of Review meeting be advertised in the Grosse Pointe News, the official newspaper of the City of Grosse Pointe Woods, at least ten (10) days prior to each session, and;

BE IT FURTHER RESOLVED, that the Notice be in substantially the following form:

CITY OF GROSSE POINTE WOODS, MICHIGAN

Notice of Review of the 2005 Assessment Roll: Notice is hereby given the Board of Review of the City of Grosse Pointe Woods, Wayne County, Michigan, will be in session in the Community Center of the Municipal Building, 20025 Mack Plaza, Grosse Pointe Woods, Michigan, on Tuesday, March 8, 2005 and Tuesday, March 22, 2005 from 9:00 a.m. to noon, 1:30 p.m to 5:30 p.m. and 6:00 p.m. to 8:00 p.m. EST, for reviewing the 2005 Assessment Roll. All persons considering themselves aggrieved by their assessment or who Have any questions or comments, may make an appointment to appeal before the Board of Review by contacting the Tax Department (phone: 313 343 24400, ext. 215) between February 23 and March 11, 2005. Resident taxpayers must appear in person or send an agent to appeal their assessment. Tentative State Equalized Factors: Commercial property 1.000; Industrial property 1,000; Residential property 1,000; Personal Property 1,000.

Kathleen L. Paul, City Assessor



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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, regarding **First Reading: An Ordinance to Amend Chapter 62, Signs**, 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, in the issue dated February 17, 2005, the official newspaper of the City of Grosse Pointe Woods, and placed on the agenda of the Council meeting scheduled for February 28, 2005, as a "Second Reading" and for final adoption.

Motion carried by the following vote:

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

Motion by Chylinski, seconded by Spicher, regarding **Travel Expense Report - 2005 National Aquatics Conference & Exposition – Las Vegas, Nevada**, that the Council authorize Recreation Supervisor Sharp to attend the conference being held March 3-8, 2005, at a cost not to exceed \$1,450, and to reimburse said Supervisor for personal expenses incurred upon presentation and verification by the Finance Committee of an itemized expense report. This is a budgeted item and funds are available in Account #101.752.958.000.

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 **Travel Expense Request - 99<sup>th</sup> Annual Conference Government Finance Officers' Association**, that the Council approve City Comptroller Maison to attend the conference being held in San Antonio, Texas, on June 26-29, 2005, at a cost not to exceed \$2,600.00, and to reimburse the Comptroller for personal expenses incurred upon presentation and verification by the

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Finance Committee of an itemized expense report. This is a budgeted item and funds are available in Account #101.223.958.000.

Motion carried by the following vote:

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

Motion by Spicher, seconded by Dickinson, regarding **City Attorney, January, 2005**, that the following statements from the City Attorney be approved for payment:

Statement dated 1/28/05 - City Attorney Don Berschback  
in the amount of \$6,534.00 for services rendered in January,  
2005;

Statement dated 1/28/05 - City Attorney Charles Berschback  
in the amount of \$5,812.50 for services rendered in January,  
2005.

Motion carried by the following vote:

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

NEW BUSINESS: None

Motion by Howle, seconded by Granger, that the Council recess the regularly scheduled Council meeting at 9:28 p.m. and reconvene in CLOSED EXECUTIVE SESSION for the purpose of discussing acquisition of real property 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:

	YES	NO
Chylinski	X	
Dickinson	X	
Granger	X	
Howle	X	
Novitke	X	

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Reynolds	X
Spicher	X

Motion by Chylinski, seconded by Howle, regarding **Acquisition of Real Property**, that Council authorize the City Administrator and the City Attorney to proceed in accordance with the direction given in closed session.

Motion carried by the following vote:

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

Upon proper motion, the meeting was adjourned at 10:05 p.m. PASSED UNANIMOUSLY.

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