

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE
POINTE WOODS HELD REMOTELY ON MONDAY, DECEMBER 21, 2020.

The Facilitator's statement was provided.

The meeting was called to order at 7:01 p.m. by Mayor Pro-Tem Bryant.

Roll Call*: Mayor Pro-Tem Bryant
Council Members: Gafa, Granger, Koester, McConaghy (Southfield, MI)
Absent: Mayor Novitke, Council Member McMullen
(*Unless specifically identified otherwise, Council Members attended remotely from Grosse Pointe Woods, MI.)

Also Present: City Administrator Smith
City Attorney Berschback
Treasurer/Comptroller Murphy
City Clerk Hathaway
Director of Public Safety Kosanke
Director of Public Services Schulte
Building Official Tutag
IT Manager Capps
Facilitator/Deputy City Clerk Antolin

Motion by McConaghy, seconded by Gafa, to excuse Mayor Novitke from tonight's meeting as he is attending to a personal matter.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by McConaghy, seconded by Gafa, to excuse Council Member McMullen from tonight's meeting as he is attending to a personal matter.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Koester, seconded by McConaghy, that all items, on tonight's agenda be received, placed on file, and taken in order of appearance, as amended with the exception of Item 4B to be postponed until the January 4, 2021, Council Meeting.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Granger, seconded by Koester, regarding **appointments – Citizens Recreation Commission (Council)**, that the City Council to make the following re-appointments with terms expiring 12/31/23:

- Barbara Janutol;
- Angela Coletti Brown;
- Gib Heim.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Granger, seconded by McConaghy, regarding **appointments – Board of Review (Council)**, that the City Council make the following re-appointment with terms to expire 01/01/24:

- Theresa Cerwin;
- Jan Ryndress McLellan.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Granger, seconded by McConaghy, regarding **appointments – Building Authority (Council)**, that the City Council make the following re-appointment with a term to expire 12/31/23:

- Allen Dickinson.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Hearing no objections, **appointments – Council Members to Boards/Organizations** was postponed to the January 4, 2021, Council Meeting.

Motion by Gafa, seconded by Koester, that the following minutes be approved as submitted:

1. City Council Minutes dated December 7, 2020.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Granger, seconded by McConaghy, that the following minutes be approved as submitted:

1. Committee-of-the-Whole Minutes dated December 7, 2020.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Granger, seconded by Koester, that the following minutes be approved as submitted:

1. Committee-of-the-Whole Minutes dated December 14, 2020.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by McConaghy, seconded by Koester, regarding **Audit-FY Ending June 30, 2020, CAFR and Municipal Court Financial Statement**, that the City Council receive the Comprehensive Annual Financial Report for Fiscal Year End June 30, 2020, and the City of Grosse Pointe Woods Municipal Court Financial Statement ending June 30, 2020.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

THE MEETING WAS THEREUPON OPENED AT 7:09 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, FENCES, TO HEAR THE APPLICATION OF **JOSEPH JARACKAS, 1971 OXFORD, GROSSE POINTE WOODS**, WHO IS REQUESTING TO RETAIN AN ALREADY INSTALLED SOLID FENCE, WHICH IS NONCOMPLIANT WITH SECTION 8-279(1) OF THE CITY CODE REQUIRING A MINIMUM 2" OPENINGS THROUGHOUT 50% OF THE LENGTH OR HEIGHT OF THE FENCE, AND SECTION 8-279(3) WHICH REQUIRES FRAMEWORK TO BE INSTALLED NOT FACING ADJACENT PROPERTIES OR STREETS. VARIANCES ARE THEREFORE REQUIRED.

Motion by Gafa, seconded by McConaghy, that for purposes of the public hearing the following items be received and placed on file Items 6A 1-10:

1. Letter 10/29/20, w/neighbor's signatures – J. Jarackas
2. Revised Application for Fence Rec'd 12/15/20
3. Contract/Fence Plan 07/28/20 – Michigan Fence
4. Photo
5. Fence Requirements Enforcement 10/13/20
6. Memo 12/02/20 – Building Official
7. Photos (2)
8. Memo 12/02/20 – Director of Public Services
9. Affidavit of Property Owners Notified
10. Aerial Views (2)

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

The Building Official provided an overview of his memo dated December 2, 2020.

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

Joseph Jarackas
1971 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 Granger, seconded by Gafa, that the public hearing be closed at 7:16 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by Koester, regarding a Fence Public Hearing: Joseph Jarackas, 1971 Oxford, that the Council postpone this matter until April 1, 2021, to correct this matter with the Building Official.

Motion carried by the following vote:

Yes:	Bryant, Gafa, Granger, Koester, McConaghy
No:	None
Absent:	McMullen, Novitke

THE MEETING WAS THEREUPON OPENED AT 7:22 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, FENCES, TO HEAR THE APPLICATION OF **JAY PILOTTO, 1201 FAIRHOLME, GROSSE POINTE WOODS**, WHO IS REQUESTING TO RETAIN AN ALREADY INSTALLED SOLID FENCE ALONG THE EAST, SOUTH, AND WEST LOT LINES, WHICH IS NONCOMPLIANT WITH SECTION 8-279(1) OF THE CITY CODE REQUIRING A MINIMUM 2" OPENINGS THROUGHOUT 50% OF THE LENGTH OR HEIGHT OF THE FENCE. A VARIANCE IS THEREFORE REQUIRED.

Motion by Granger, seconded by Gafa, that for purposes of the public hearing the following items be received and placed on file Items 6B 1-14:

1. Letter 11/18/20 – J. Pilotto
2. Letter 07/05/20 – J. and S. Pilotto
3. Letter 05/19/20 – J. and S. Pilotto

4. Letter 07/02/20 – Building Inspector
5. Letter 05/08/20 – Building Inspector
6. Ticket No. 258611 07/10/20
7. Application for Fence 05/29/20
8. Photos (3)
9. Fence Enforcements 05/08/20, 07/10/20
10. Memo 12/11/20 – Building Official
11. Photos (6)
12. Memo 12/15/20 – Director of Public Services
13. Affidavit of Property Owners Notified
14. Aerial Views (2)

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy

No: None

Absent: McMullen, Novitke

The Building Official provided an overview of his memo dated December 11, 2020.

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

Jay Pilotto
1201 Fairholme

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 Gafa, that the public hearing be closed at 7:27 p.m. PASSED
UNANIMOUSLY.

Motion by McConaghy, seconded by Gafa, regarding Fence Public Hearing: Jay Pilotto, 1201 Fairholme, who is requesting to retain a solid fence along the east, south, and west lot lines, that the Council adjourn this item until April 1, 2021, for purposes of discussing the fence with the Building Official to correct the issues.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy

No: None

Absent: McMullen, Novitke

THE MEETING WAS THEREUPON OPENED AT 7:41 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, FENCES, TO HEAR THE APPLICATION OF **JAY PILOTTO, 1221 FAIRHOLME, GROSSE POINTE WOODS**, WHO IS REQUESTING TO RETAIN AN ALREADY INSTALLED SOLID FENCE ON THE SOUTH LOT LINE, WHICH IS NONCOMPLIANT WITH SECTION 8-279(1) OF THE CITY CODE REQUIRING A MINIMUM 2” OPENINGS THROUGHOUT 50% OF THE LENGTH OR HEIGHT OF THE FENCE. A VARIANCE IS THEREFORE REQUIRED.

Motion by Granger, seconded by Gafa, that for purposes of the public hearing the following items be received and placed on file Items 6C – 1-12:

1. Letter 11/18/20 – J. Pilotto
2. Letter 07/05/20 – J. and S. Pilotto
3. Letter 07/02/20 – Building Inspector
4. Letter 05/08/20 – Building Inspector
5. Ticket No. 248610 07/10/20
6. Application for Fence 05/29/20
7. Photos (2)
8. Memo 12/11/20 – Building Official
9. Photos (6)
10. Memo 12/15/20 – Director of Public Services
11. Affidavit of Property Owners Notified
12. Aerial Views (2)

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

The Building Official provided an overview of his memo dated December 11, 2020.

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

Jay Pilotto, Contractor
1201 Fairholme

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 Gafa, seconded by McConaghy, that the public hearing be closed at 7:45 p.m. PASSED UNANIMOUSLY.

Motion by McConaghy, seconded by Koester, regarding Fence Public Hearing: Jay Pilotto, 1201 Fairholme, who is requesting to retain an already installed solid fence along the south property line at 1221 Fairholme, that the City Council table this fence variance to allow time for the Building Official to discuss possible options until April 1, 2021.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Gafa, seconded by Granger, regarding **Budget Amendment – I. T. Technician**, that the City Council re-affirm hiring of this position and approve a budget amendment in the FY 2020/21 budget in the amount of \$52,738.00 to fund the I.T. Technician position, funds to be taken from Account No. 101-000-699.000 into:

Salaries and Wages/101-855-702.000	\$30,000.00
Social Security/101-855-715.000	\$2,295.00
Retiree health Care/101-855-717.000	\$900.00
Retirement/101-855-722.000	\$8,112.50
Supplemental Annuity/101-855-723.000	\$3,365.50
Health Savings Acct/101-855-718.000	\$1,000.00
Hosp. Dental Vision/101-860-719.000	\$6,484.50
Life and LTD Ins/101-860-720.000	\$205.50
Workers' Comp/101-860-721.000	\$375.00

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by McConaghy, seconded by Gafa, regarding **Monthly Financial Report – November 2020**, that the City Council refer this report to the Finance Committee.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Gafa, seconded by McConaghy, regarding **Supplemental Agreement: Military Leave Second Extension – Brian Conigliaro**, that the City Council approve the second extension to the Supplemental Agreement for Brian Conigliaro, and authorize the City Administrator to sign the Agreement.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by Granger, seconded by McConaghy, regarding **Ordinance – First Reading: An Ordinance To Amend Chapter 8 buildings and Building Regulations, Article XVI Emergency Electrical Generators, To Modify Sec 8-463 Permanent Location, To Allow Side Yard Placement Based on Certain Requirements**, that the City Council concur with the amendment of this ordinance, to set a date of January 4, 2021, for a second reading and final adoption, and to authorize the Clerk to publish same by title in the Grosse Pointe News.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Motion by McConaghy, seconded by Gafa, regarding **Claims/Accounts**, that the City Council approve payment of Items 10A – 10J as listed on the Council agenda and as identified in the pink sheet in the respective amounts and accounts listed, as amended:

A.	<p>2020 Concrete Pavement and Parking Repair Program</p> <p>1. L. Anthony Construction Pay Estimate No. 3 11/29/20 - \$180,450.58; Account Nos:</p> <p>a. 202-451-974.200 - \$34,285.61;</p> <p>b. 203-451-974.200 - \$21,654.07;</p> <p>c. 585-561-977.000 - \$90,225.29;</p> <p>d. 592-537-975.400 - \$34,285.61.</p>
B.	<p>2019 Sewer Open Cut Repair Program</p> <p>1. Fontana Construction Pay Estimate No. 6 11/29/20 – \$9,450.40; Account No. 592-537-976.002.</p>
C.	<p>Bournemouth Water Main Replacement</p> <p>1. Fontana Construction Pay Estimate No. 4 11/29/20 - \$54,217.65; Account No. 592-537-977.300.</p>
D.	<p>City Engineer – Anderson, Eckstein & Westrick</p> <p>1. Engineering Plan Review/Public Utility/Row Inspection Invoice No. 0128650 11/17/20 - \$480.20; Account No. 101-000-285.525.</p>
E.	<p>Auditing Services</p> <p>1. Plante Moran Final Invoice No. 1928851 11/30/20 - \$10,795.00; 9 various account numbers ending in 818.000 as identified.</p>
F.	<p>FOIA Attorney</p> <p>1. McGraw Morris P.C. Statement No. 7377 12/04/20 - \$927.50 \$577.50; Account No. 101-210-801.000.</p>
G.	<p>Professional Services</p> <p>1. Hallahan & Assoc. P.C. Invoice No. 17914 11/1-11/30/20 - \$100.28; Account No. 101-210-801.300.</p>
H.	<p>Professional Services</p> <p>1. Rosati, Schultz, Joppich & Amtsbuechler P.C. Invoice No. 1074839 12/09/20 - \$2,325.00; Account No. 101-201-801.300.</p>
I.	<p>Labor Attorney</p> <p>1. Keller Thoma Invoice No. 119615 12/01/20 - \$3,088.75; Account No. 101-210-810.000.</p>
J.	<p>City Attorney</p> <p>1. Charles T. Berschback November Billing 11/30/20 – \$11,082.50; Account Nos:</p> <p>a. 101-210-801.000 - \$8,641.25;</p> <p>b. 101-210-801.100 - \$2,441.25.</p>

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy
No: None
Absent: McMullen, Novitke

Hearing no objections, the following items were heard under New Business:

- The City Attorney stated that the City Administrator, Director of Public Services, and he met with the new City Attorneys to tour the City and discuss their transition effective January 1, 2021.
- Council Member McConaghy stated he requested, and received, a legal opinion from Labor Attorney, Tom Fleury, regarding giving authority over Appointed Officials to the City Administrator. He restated this item is to be addressed at a Committee-of-the-Whole meeting in January. Upon a request from the Chair, the City Clerk stated this matter has been noted in multiple meeting minutes recently, added to the Committee-of-the-Whole list, and that the Mayor has not yet scheduled a meeting in 2021.

The following individuals were heard under Public Comment:

- Bill Meredith introduced himself as the Grosse Pointe Board of Realtors' liaison for the City of Grosse Pointe Woods.

Motion by Granger, seconded by Gafa, to adjourn tonight's meeting at 8:09 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Arthur W. Bryant
Mayor Pro-Tem