

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 16, 2019, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:00 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke
Council Members: Bryant, Granger, Koester, McConaghy, McMullen, Shetler
Absent: None

Also Present: Acting City Administrator/City Clerk Hathaway
City Attorney Berschback
Treasurer/Comptroller Behrens
City Assessor Dunlap
Director of Public Services Schulte
Information Technology Manager Capps

Council, Administration, and the audience Pledged Allegiance to the Flag.

The following Commission members were in attendance:

George Bailey, Planning Commission
Hon. Russell Ethridge

Motion by Bryant, seconded by Shetler, 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: Bryant, Granger, Koester, McConaghy, McMullen, Novitke, Shetler
No: None
Absent: None

Hearing no objections, the Mayor took Item 8D – **Contracts: City Attorney Contingency Counsel – City Matters and Municipal Court**, out of order to be addressed next.

Motion carried by the following vote:

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

Motion by Granger, seconded by McConaghy, regarding Contracts: City Attorney Contingency Counsel – City Matters and Municipal Court, that the City Council approve the Back-Up Legal Counsel Agreements with Russell Ethridge to serve regarding City matters at \$150.00 per hour, and Tim Dinan to serve regarding Municipal Court matters at \$140.00 per hour, and to authorize the Mayor to sign the Agreements.

Motion carried by the following vote:

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

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

1. City Council Minutes dated September 9, 2019.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **Monthly Financial Report – August 2019**, that the City Council refer this item to the Finance Committee.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **replace Drainage Pump Number Two – Lake Front Park**, that the City Council approve the replacement of Pump No. 2 at a cost of \$12,000.00, work to be performed by Pro-Seal Service Group, and to include a contingency in an amount not to exceed \$2,000.00, for a total project cost not to exceed \$14,000.00, funds to be taken from Lake Front Park Contractual Services Park Maintenance Account No. 101-774-818.102.

Motion carried by the following vote:

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

Motion by Shetler, seconded by Bryant, regarding **Tree Trimming Phase II/Fund Transfer – Lake Front Park**, that the City Council approve Arbor Pro Tree Service to complete the final phase of the Lake Front Park tree trimming program at a cost of \$38,400.00; and, to approve fund transfers from the seven accounts identified in the Director of Public Services memo dated September 9, 2019, into Forestry Services Contractual Services Account No. 101-465-818.000.

Motion carried by the following vote:

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

Motion by Bryant, seconded by McConaghy, regarding **Contract: Citywide Phone System**, that the City Council approve the purchase of a Voice-over-IP (VoIP) System from BSB Communications at a cost of \$66,814.84, and to include a contingency in an amount not to exceed \$4,000.00, a total purchase price in an amount not to exceed \$70,814.84 with funds to be taken from Account No. 101-844-977.000; and, to authorize Plante Moran to provide implementation services at a cost of \$4,300.00, funds to be taken from the Information Technology Contractual Services Account No. 101-855-818.000.

The following individual was heard:

Alex Dietrich
Plante Moran

Motion carried by the following vote:

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

Motion by McMullen, seconded by Bryant, regarding **Amendment to Contract and Budget Amendment – Marshall Landscape**, that the City Council receive and place on file the Director of Public Services revised memo dated September 16, 2019, approve a budget amendment in the amount of \$8,100.00 from Prior Year Reserve Fund Balance into Other Parks Contractual Services Account No. 101-775-818.000 for Marshall Landscape Services to provide turf fertilizing and pest management services at City Hall, on Mack Avenue, Lake Front Park, Chene-Trombley, Ghesquiere, Jules De Porre, and Sweeney Parks; and to approve an amendment to the Landscape Services Contract contingent upon review and approval of the City Attorney, and to authorize the City Administrator to sign the amended Contract.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **Building Services**, that the City Council approve the following invoice:

1. McKenna Invoice No. 21849-16 09/06/19 - \$1,500.00.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **Labor Attorney – Keller Thoma**, that the City Council approve the following invoices:

1. Invoice No. 117041 09/01/19 - \$120.00.

2. Invoice No. 117098 09/01/19 - \$3,391.15.

Motion carried by the following vote:

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

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

- Acting City Administrator/City Clerk Hathaway discussed a request from Donnie Cook from **Lou's Pet Shop to hold a Customer Appreciation Day** on Thursday, September 26, 2019, from 4 p.m.-7 p.m. in the City's parking lot. They are requesting to rope off four parking spaces against the northeastern corner of the building. An appropriate Certificate of Insurance has yet to be received and the Director of Public Safety stated that there were no issues at last year's event.

Motion by Shetler, seconded by Bryant, regarding Lou's Pet Shop request to use four spaces in a City parking lot to hold their Customer Appreciation Day on Thursday, September 26, 2019, from 4 p.m. – 7 p.m., contingent upon the approval of the Director of Public Safety regarding blocking off of the four parking spaces, receipt of an approved Certificate of Liability Insurance.

Motion carried by the following vote:

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

The following individual was heard under Public Comment:

- Seth Winterholler

Motion by Bryant, seconded by Koester, that the Council recess the regularly scheduled Council meeting at 7:24 p.m. and convene in Closed Executive Session for the purpose of discussing a legal opinion at which time the City 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:

Shetler	Yes
Bryant	Yes
Granger	Yes
Koester	Yes
McConaghy	Yes
McMullen	Yes
Novitke	Yes

The Council reconvened in regular session at 7:47 p.m.

The City Attorney provided an overview regarding the **Hunt Club's Michigan Tax Tribunal case**. The City Assessor and City Attorney both recommended approval of the Retainer Agreement from Frohm & Widmer dated August 21, 2019.

Motion by Bryant, seconded by McConaghy, that the City Council approve the Retainer Agreement from Frohm & Widmer Inc. to provide appraisal services in accordance with their Appraisal Retainer Agreement dated August 21, 2019, and authorize the City Administrator to sign said Agreement.

Motion carried by the following vote:

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

Motion by Granger, seconded by Koester, to adjourn tonight's meeting at 7:49 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor