

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, AUGUST 19, 2019, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:01 p.m. by Mayor Novitke.

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

Also Present: City Administrator Smith
City Attorney Berschback
Treasurer/Comptroller Behrens
City Clerk Hathaway
Director of Public Services Schulte
Building Official Tutag
Recreation Supervisor Gerhart

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

The following Commission Member was in attendance:

Doug Hamborsky, Planning Commission

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

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

1. City Council Minutes dated August 5, 2019.

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. Committee-of-the-Whole Minutes dated August 5, 2019.

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 **Senior Picnic**, that the City Council concur with the recommendation of the Senior Commission at their meeting held July 16, 2019, and approve a \$1,000.00 expenditure to cover expenses for the Senior Picnic, funds to be taken from the Commission's budget.

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:04 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF DETROIT RESTAURANT SOLUTIONS CORP D/B/A GARRIDO'S BISTRO & PASTRY, 19605 MACK, GROSSE POINTE WOODS, WHICH IS REQUESTING TO TRANSFER LIQUOR LICENSES INTO THE CITY INCLUDING A CLASS C, SDM, AND SUNDAY A.M. AND P.M. SALES FROM MAN WAH GEE, 3781 DIX HIGHWAY, LINCOLN PARK, MI.

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

1. Booklet Rec'd 0802/19 - Petitioner

- a. Tab 1- About Garrido's Bistro & Pastry
 - b. Tab 2-GPW Application
 - i. Affidavit in Support of Application for Grosse Pointe Woods Liquor License Issuance or Transfer and Release
 - ii. Authorization Form in Conjunction with GPW Liquor License Application, C. Garrido
 - iii. Authorization Form in Conjunction with GPW Liquor License Application, V. Gonzalez
 - iv. Conditional License Application 06/12/19
 - v. Retailer License & Permit Application 06/12/19
 - vi. Report of Stockholders, Members, or Partners 06/12/19
 - vii. Live Scan Fingerprint Background Check Request, C. Garrido 06/14/19
 - viii. Live Scan Fingerprint Background Check Request, V. Gonzalez 06/14/19
 - ix. Proof of Financial Responsibility 06/12/19
 - x. Certificate of Liability Insurance 05/30/19
 - xi. Liquor License Purchase Agreement 06/11/19
 - xii. Lease Agreement 06/25/19
 - c. Tab 3-State of Michigan – Conditional License Approval Order and License
 - d. Tab 4-Food Menu and Proposed Beverage Menu
 - e. Tab 5-Surrounding Business Information and Map
 - f. Tab 6-Aerial Views (2)
 - g. Tab 7-Original Floor Plan July 2019
 - h. Tab 8-Renovated Floor Plan July 2019
 - i. Tab 9-Department of Licensing and regulatory Affairs (LARA)
 - i. Annual Report – 2019
 - ii. Articles of Incorporation 05/21/14
 - iii. Certificate of Assumed Name 08/19/14
 - j. Tab 10-Food Establishment Inspection Report/License
 - k. Tab 11-Press/News
- 2. Letter 08/09/19 – City Attorney, w/attachment:
 - a. Agreement Regarding Class C License
 - 3. Memo 08/08/19 – City Administrator
 - 4. Memo 07/30/19 – Building Official, w/Review Factors
 - 5. Memo 08/08/19 – Director of Public Safety
 - 6. Affidavit of Legal Publication 08/08/19
 - 7. Affidavit of Property Owners Notified

8. Affidavit of Class C/Tavern License Holders/ and Utility Companies Notified
9. Aerial Views (2)

Motion carried by the following vote:

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

The City Attorney provided an overview of his letter dated August 9, 2019.

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

Vanessa Gonzalez
Owner, Garrido's

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. Nobody wished to be heard.

Motion by Granger, seconded by Bryant, that the public hearing be closed at 7:09 p.m.
PASSED UNANIMOUSLY.

Motion by Granger, seconded by Bryant, regarding Public Hearing – Detroit Restaurant Solutions Corp d/b/a Garrido's Bistro & Pastry, 19605 Mack, which is requesting to transfer liquor licenses into the City including a Class C, SDM, and Sunday A.M. and P.M. from Man Wah Gee, 3781 Dix Highway, Lincoln Park, MI, that the City Council approve the transfer of the Class C Liquor License and Sunday Sales – A.M. and P.M. from Man Wah Gee, 3781 Dix Highway, Lincoln Park, MI, to Detroit Restaurant Solutions Corp, d/b/a Garrido's Bistro & Pastry, 19605 Mack, with no use of the SDM license unless approved in the future pursuant to the Special Land Use requirements of Section 50-371 and other applicable sections of the Zoning Chapter contained within the City Code of the City of Grosse Pointe Woods.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, regarding **2020 Census/Budget Amendment**, that the City Council approve the Grosse Pointe Chamber of Commerce to conduct the 2020 Census at a total cost not to exceed \$9,000.00 plus expenses, authorize the City Administrator to sign the proposal; and to approve a budget amendment in the amount of \$9,000.00 from the 2019/20 Fund Balance into Contractual Services Account No. 101-215-818.000.

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 **University Liggett-Request to Use Tennis Courts**, that the City Council approve the request of University Liggett's Girls and Boys Tennis Teams to use six tennis courts at Lake Front Park, Monday through Thursday, 3:30-5:30 p.m., from September 9 – October 24, 2019, and March 31 – May 22, 2020, contingent upon:

1. Teams follow all park rules and MHSAA rules including clearing the courts during storms;
2. Teams relinquish courts to residents on courts 1-4;
3. Teams clean up trash around the courts after use;
4. Teams submit current rosters;
5. School System provide appropriate insurance.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Shetler, regarding **University Liggett-Request to hold Cross Country Meet in Ghesquiere Park**, that the City Council approve the request from University Liggett to hold a middle school cross country meet in Ghesquiere Park Saturday-Sunday, October 26-27, 2019, from 3:30 p.m.-6:30 p.m., contingent upon the following:

1. Teams follow all park rules and MHSAA rules;
2. Teams clean up trash around the park after use;
3. Teams submit current rosters;
4. School System provide appropriate insurance.

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 **Grosse Pointe North High School-Request to Use Ghesquiere Park Marstiller Baseball Diamond**, that the City Council approve the request of Grosse Pointe North High School to use Ghesquiere Park Marstiller Baseball Diamond, Monday-Friday, March 9 – May 9, 2020, from 3:00 p.m.- 6:30 p.m. contingent upon:

1. Teams follow all park rules and MHSAA rules including clearing the field during storms;
2. Teams clean up trash around the field after use;
3. Teams submit current rosters;
4. Teams submit game schedule by March 1, 2020;
5. School System provide appropriate insurance.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Shetler, regarding **Assumption Cultural Center-Request to Use Lake Front Park Parking Lot**, that the City Council approve the request of Assumption Cultural Center to use Lake Front Park parking lot on Thursday, October 17, 2019, from 8:30 a.m. – 1:30 p.m. during the Senior Expo, contingent upon receipt of updated insurance.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **Registration Policy Changes – Polar Express**, that the City Council approve the policy modifying the registration process for Polar Express as follows:

1. Due to limited space on the bus, tickets can only be purchased at the Grosse Pointe Woods Community Center;
2. Open registration for the Polar Express on the first Saturday of November starting at 10 a.m.;
3. Increase the price from \$5 per ticket to \$8 per ticket;
4. Limit registration to 8 tickets per household for the first 3 weeks of registration;
5. Due to the new bus, increase the number of tickets from 18 per bus to 24 per bus.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, regarding **Education: 2019 MAMC Free Education Day**, that the City Council approve the City Clerk's request for one night's housing to attend Michigan Association of Municipal Clerk's Education Day in Mount Pleasant on Thursday, September 12, 2019, in an amount not to exceed \$180.00, funds to be taken from the City Clerk's Training and Seminars Account No. 101-215-958.001, and to reimburse for expenses incurred upon presentation and verification by the Finance Committee of an itemized expense report.

Motion carried by the following vote:

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

Motion by Shetler, seconded by McMullen, regarding **Design Engineering – Pole Barn Construction**, that the City Council approve an amount not to exceed \$18,000.00 for Anderson, Eckstein & Westrick to provide design engineering and bid solicitation for construction of a pole barn, funds to be taken from Water/Sewer Project Plan Engineering Account No. 592-537-978.300.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Shetler, regarding **League of Women Voters – Request to Use Council Chambers**, that the City Council approve the League of Women Voter's request to use the Council/Court Chambers to hold a Candidate Public Forum on Thursday, October 17, 2019, from 6 p.m. – 8:30 p.m.

Motion carried by the following vote:

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

Motion by Koester, seconded by Granger, regarding **Replace Part-Time Administrative Clerk II/Budget Amendment**, that the City Council approve replacing the part-time Administrative Clerk II position in the City Clerk's Department, and to approve a budget amendment from the General Fund into the City Clerk's Salaries & Wages Account No. 101-215-702.000.

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 – July 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 Bryant, seconded by Shetler, regarding **Contract: Electrical Inspector**, that the City Council approve the Independent Contractor Agreement with Dave Caldwell to serve as the City's Electrical Inspector, and authorize the City Administrator to sign the Agreement.

Motion carried by the following vote:

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

The Mayor issued a Proclamation in recognition of **Prostate Cancer Awareness Month**.

Motion by Shetler, seconded by Bryant, regarding **Legal Services**, that the City Council approve the following invoice:

1. Value Trends Inc. Letter/Invoice 05/13/19 - \$47,643.75; Account No. 101-210-801.300.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Shetler, regarding **Public Safety Construction**, that the City Council approve the following invoice:

1. Cross Renovation Invoice No. 8 01/28/19 - \$33,618.00; Account No. 401-902-977.102.

Motion carried by the following vote:

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

Motion by Koester, seconded by Shetler, regarding **Parking Lot Improvements**, that the City Council approve the following invoice:

1. S & J Asphalt Co Pay Estimate No. 6 08/01/19 - \$59,798.11; Account No. 585-561-979.000.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **2018 Road Program**, that the City Council approve the following invoice:

1. Florence Cement Co Pay Estimate No. 6 07/16/19 - \$518,437.99:
 - a. 2018/19 Account No. 203-451-977.804 - \$217,743.96;
 - b. 2018/19 Account No. 592-537-975.400 - \$93,318.75;
 - c. 2019/20 Account No. 203-451-977.804 - \$145,162.78;
 - d. 2019/20 Account No. 592-537-975.400 - \$62,212.50.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **SAW Grant-Wastewater Asset Mgmt Plan**, that the City Council approve the following invoice:

1. AEW Invoice No. 0122647 07/18/19 - \$1,264.30; Account No. 592-537-975.004.

Motion carried by the following vote:

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

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

1. McKenna Invoice No. 21849-15 08/05/19 - \$1,500.00; Account No. 101-180-818.000.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **Liquor Ordinance**, that the City Council approve the following invoice:

1. Adkison, Need, Allen & Rentrop PLLC 07/31/19 - \$45.00; Account No. 101-210-801.000.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Bryant, regarding **Labor Attorney – Keller Thoma**, that the City Council approve the following invoices from Account No. 101-210-810.000:

1. Invoice No. 116829 08/01/19 - \$2,918.12;
2. Invoice No. 116874 08/01/19 - \$1,362.92.

Motion carried by the following vote:

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

Nobody wished to be heard under New Business.

The following individuals were heard under Public Comment:

- Charles A. Hicks, Kappa Alpha Psi Fraternity, Inc., Polemarch-Detroit Alumni Chapter, 25656 Grand Concourse Dr., Southfield, MI 48075, and nine members of the Fraternity.
- Ted Wells, 628 N. Higbie Place. The City Administrator was asked to review the solar panel ordinance.
- Christopher Maras, 1931 Littlestone.

Motion by Granger, seconded by Koester, to adjourn tonight's meeting at 7:39 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor