

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, JANUARY 7, 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: Hon. Theodore Metry
City Administrator Smith
City Attorney Don Berschback
Treasurer/Comptroller Behrens
City Clerk Hathaway
Director of Public Services Schulte
Court Clerk Miro

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

Motion by Granger, 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 Chair took Item 8A out of order, **Contract: Michigan Indigent Defense Commission (MIDC) Grant**. Judge Theodore Metry provided an overview regarding the Grant Agreement and recommended Council's approval.

Motion by McConaghy, seconded by Bryant, regarding **Contract: Michigan Indigent Defense Commission (MIDC) Grant**, that the City Council approve MIDC Grant Agreement and allow the Court Clerk to execute the contract as modified.

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 December 17, 2018;
2. Special City Council Minutes dated December 26, 2018.

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. Committee-of-the-Whole minutes dated December 10, 2018.

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 **Application for Permit/License – Vendor/Solicitor/Peddler**, that the City Council approve the application of Brian Benson, Budget Blinds of Grosse Pointe, for a 2019 Permit/License to Solicit.

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 **Conference: Michigan Association of Municipal Clerks – Master Academy**, that the City Council approve City Clerk Hathaway's attendance at the MAMC Master Academy being held Tuesday, March, 19, 2019, through Thursday, March 21, 2019, at a cost not to exceed \$1,000.00, funds to be taken from the Clerk's Training and Seminars Account No. 101-215-958.001, and, and to reimburse for any personal 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 Granger, seconded by Shetler, regarding **Purchase: Ridgid 200' SeeSnake Camera**, that the City Council approve the purchase of one Ridgid 200' SeeSnake Mini Push Camera in a total amount of \$10,375.00, funds to be taken from Water/Sewer Minor Equipment Account No. 592-537-970.000 and to approve a budget amendment from the Water/Sewer Fund Balance Account No. 592-000-697.000 in the amount of \$1,375.00 into the Water/Sewer Minor Equipment Account No. 592-537-970.000.

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 **Resolution: Deficit Elimination Plan**, that the City Council approve the budget amendment transferring \$89,830.00 from Prior Year Reserve Account No. 101-000-699.000 into Solid Waste Fund Account No. 226-000-067.101, due from General Fund, to adopt the proposed resolutions, and authorize the City Clerk to certify and forward the resolutions and proofs of the revised budget to the State of Michigan – Department of Treasury.

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 **Plumbing and Mechanical Inspections**, that the City Council approve the following invoice:

1. McKenna Invoice No. 21849-6 12/17/18 - \$1,500.00; Acct. 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 Shetler, seconded by Koester, regarding **Assessing Services**, that the City Council approve the following invoice:

1. WCA Assessing Invoice No. 121818 12/18/18 - \$5,786.16; Acct. No. 101-224-818.000.

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 **Marina Pedestal Improvements**, that the City Council approve the following invoice:

1. J. Ranck Electric, Inc. Pay Application No. 3 12/27/18 - \$39,488.40; Acct. No. 594-785-977.200.

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 **City Engineers – Anderson, Eckstein & Westrick**, that the City Council approve the following invoices:

1. Invoice No. 0119875 11/27/18 - \$1,200.00; Acct No. 420-951-974.201;
2. Invoice No. 0120150 12/10/18 - \$968.20:
 - a) Acct. No. 592-537-818.000 – \$669.50;
 - b) Acct. No. 101-444-818.000 - \$298.70.
3. Invoice No. 0120151 12/10/18 - \$1,114.50; Acct. No. 592-537-975.004;
4. Invoice No. 0120152 12/10/18 - \$545.35; Acct. No. 101-000-285.530;
5. Invoice No. 0120153 12/10/18 - \$1,664.98; Acct. No. 594-785-974.201;
6. Invoice No. 0120155 12/10/18 - \$42,692.65; Acct. No. 592-537-978.300;
7. Invoice No. 0120156 12/10/18 - \$494.40; Acct. No. 592-537-818.000;
8. Invoice No. 0120157 12/10/18 - \$17,634.75:
 - a) Acct. No. 203-451-977.803 - \$12,344.33;
 - b) Acct. No. 592-537-975.401 - \$5,290.42.
9. Invoice No. 0120433 12/10/18 - \$2,417.90; Acct. No. 592-537-977.000;
10. Invoice No. 0120430 12/19/18 - \$51.50; Acct. No. 592-537-818.000;
11. Invoice No. 0120427 12/19/18 - \$403.10; Acct. No. 585-561-979.000;
12. Invoice No. 0120450 12/19/18 - \$1,462.60:
 - a) Acct. No. 592-537-818.000 - \$999.10;
 - b) Acct. No. 101-441-818.000 - \$463.50.
13. Invoice No. 0120425 12/19/18 – \$986.75; Acct. No. 101-000-285.300;
14. Invoice No. 0120451 12/19/18 - \$2,537.05; Acct. No. 592-537-975.004;
15. Invoice No. 0120428 12/19/18 - \$34,171.15; Acct. No. 592-537-977.410;
16. Invoice No. 0120429 12/19/18 - \$449.25:
 - a) Acct. No. 202-451-974.201 - \$76.37;
 - b) Acct. No. 203-451-974.201 - \$166.22;
 - c) Acct. No. 592-537-975.401 - \$206.66.
17. Invoice No. 0120431 12/19/18 - \$13,364.60:
 - a) Acct. No. 203-451-977.803 - \$9,355.22;
 - b) Acct. No. 592-537-975.401 - \$4,009.38.

18. Invoice No. 0120453 12/19/18 - \$23,4000.00; Acct. No. 202-451-974.803;
19. Invoice No. 0120218 12/17/18 - \$1,200.00; Acct. No. 420-451-974.201.

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 **City Attorneys**, that the City Council approve the following invoices:

1. Don R. Berschback 12/31/18 - \$3,357.50:
 - a. Acct. No. 101-210-801.000 - \$2,720.00;
 - b. Acct. No. 101-210-801.100 - \$637.50.
2. Charles T. Berschback 12/31/18 - \$4,350.00:
 - a. Acct. No. 101-210-801.000 - \$2,925.00;
 - b. Acct. No. 101-210-801.100 - \$1,312.50;
 - c. Acct. No. 101-210-801.301 - \$112.50.

Motion carried by the following vote:

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

No one wished to be heard under Public Comment.

Motion by Bryant, seconded by McConaghy, that the Council recess the regularly scheduled Council meeting at 7:25 p.m. and convene in Closed Executive Session for the purpose of discussing pending litigation: Gerald Genna vs City of Grosse Pointe Woods 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 City Council reconvened in regular session at 7:54 p.m.

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

- Stacy Belisle, Attorney - McGraw Morris, was now in attendance and provided an overview regarding **Gerald Genna vs the City of Grosse Pointe Woods**. She discussed the proposed Settlement Agreement and recommended its approval of Council. The City Attorney also recommended approval of the Agreement.

Motion by Bryant, seconded by Granger, regarding a Settlement Agreement: Gerald Genna vs the City of Grosse Pointe Woods, that the City Council approve the Settlement Agreement regarding Gerald Genna vs the City of Grosse Pointe Woods, authorize the City Administrator to sign the Agreement, and authorize payment of necessary City funds to implement the agreement.

Motion carried by the following vote:

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

- The Treasurer/Comptroller discussed the State's recent denial of the City's 2017/18 Corrective Action Plan for the City's **Retiree Health Care Plan**. She informed the City Council that the State is requiring a plan from the City to be 40% funded within 30 years. She said the Actuary can perform a study that will identify an annual contribution to the Retiree Health Care Plan for a recommendation to be provided to the Retiree Health Care Board, and that a response is due to the state

within sixty days. The Actuary, Sandy Rodwan, has agreed to perform the 30-year study to calculate a proposed contribution at a cost of \$1,800.00 prior to the February Pension Board Meeting, funds to be taken from the Finance Department's budget.

Motion by Granger, seconded by Shetler, regarding the Retiree Health Care Plan, that the City Council approve the employment of Sandy Rodwan at a cost not to exceed \$1,800.00 for purposes of preparing an actuarial study in accordance with the Retiree Health Care Act known as P.A. 202.

Under discussion, the Treasurer/Comptroller stated the City's Pension Attorney, Mr. VanOverbeke, recommends employing the services of Ms. Rodwan to prepare the study. The City Attorney also concurred.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Granger, to adjourn tonight's meeting at 8:07 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor