

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, NOVEMBER 19, 2018, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:02 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 Chip Berschback  
Treasurer/Comptroller Behrens  
Director of Public Safety Kosanke

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

The following Commission Members were in attendance:

Grant Gilezan, 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 October 15, 2018.

Motion carried by the following vote:

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

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

1. Committee-of-the-Whole minutes dated October 22, 2018.

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 **Winterfest budget**, that the City Council concur with the recommendation of the Citizen's Recreation Commission at their meeting held October 9, 2018, and the Committee-of-the-Whole at their meeting held October 22, 2018, and approve the Winterfest budget in an amount not to exceed \$4,500.00, 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

Motion by Shetler, seconded by Granger, regarding **purchase Red Maple plugs**, that the City Council concur with the Tree Commission at their meeting held September 5, 2018, and approve the purchase of 325 Red Maple plugs at a total cost of \$969.37 from Vans Pines Nursery, 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

Motion by Bryant, seconded by McConaghy, regarding **Application for Permit/License to Solicit**, that the City Council approve the application of Brian Benson, Budget Blinds of Grosse Pointe, for a Permit/License to Solicit.

The Chair stated this item is to be addressed at a future Committee-of-the-Whole. The intent would be for administration to issue a solicitor's permit rather than require Council approval. He asked the City Attorney to determine what, if any, discretion the City Council has on this issue, and is there any purpose for these applications to come to City Council.

Motion carried by the following vote:

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

The next item was regarding **resignations – Citizen's Recreation Commission**. City Council accepted the resignations of Bill Babcock and Mike Soviak from the Citizen's Recreation Commission with regret, and directed the City Clerk to forward thanks and recognition.

Motion by McMullen, seconded by Shetler, regarding **purchase: fire gear**, that the City Council approve the purchase of five (5) sets of fire gear from Apollo Fire Equipment in a total amount of \$12,865.00, funds to be taken from Operating Supplies – Fire Equipment Account No. 101-339-757.000.

Motion carried by the following vote:

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

Motion by Shetler, seconded by Granger, regarding **purchase: mobile data computers**, that the City Council approve the purchase of three (3) Latitude Rugged 5414 mobile data computers from Dell, Inc. in the amount of \$8,802.42 including docking stations, funds to be taken from Minor Equipment Fund Account No. 101-310-970.000.

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 **Resolution – Michigan Regulation and Taxation of Marijuana Act (MRTMA)**, that the City Council adopt the Resolution as presented.

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 **amendment to the Zoning Ordinance**, that the City Attorney be directed to prepare an amendment to the Zoning Ordinance, Chapter 50, making it clear that marijuana establishments are prohibited, and forward to the Planning Commission for their review at the meeting on January 22, 2019.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Bryant, regarding **Telecommunications Attorney – Kitch Drutchas Wagner Valitutti & Sherbrook**, that the City Council approve the following invoice dated September 30, 2018:

1. Invoice No. 435561 - \$1,050.00; Acct. No. 101-210-812.000.

Motion carried by the following vote:

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

Motion by Granger, seconded by Bryant, regarding **plumbing/mechanical inspections – McKenna**, that the City Council approve the following invoices:

1. Invoice No. 21849-4 10/12/18 - \$1,500.00; Acct. No. 101-180-818.000;
2. Invoice No. 21849-5 11/04/18 - \$1,500.00; Acct. No. 101-108-818.000.

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 **professional services – McKenna**, that the City Council approve the following invoice:

1. Invoice No. 21760-3 10/22/18 - \$400.00; Acct. No. 101-201-801.300.

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 **audit services – Plante Moran**, that the City Council approve the following invoice dated October 26, 2018:

1. Invoice No. 1597164 - \$22,650.00:
  - a. Account No. 101-223-818.000 - \$7,250.00;
  - b. Account No. 101-136-818.000 - \$2,900.00;
  - c. Account No. 202-482-818.000 - \$2,000.00;
  - d. Account No. 203-482-818.000 - \$2,000.00;
  - e. Account No. 226-528-818.000 - \$2,000.00;
  - f. Account No. 365-993-818.000 - \$2,500.00;
  - g. Account No. 592-536-818.000 - \$2,000.00;
  - h. Account No. 632-854-818.000 - \$1,000.00;
  - i. Account No. 640-851-818.000 - \$1,000.00.

Motion carried by the following vote:

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

Motion by Granger, seconded by Bryant, regarding **actuarial services – Rodwan Consulting Co.**, that the City Council approve the following invoices dated October 26, 2018:

1. Invoice No. 2558 - \$1,200.00; Acct. No. 101-223-818.000;
2. Invoice No. 2559 - \$800.00; Acct. No. 101-223-818.000.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, regarding **water main replacement project – Bidigare Contractors Inc.**, that the City Council approve the following invoices:

1. Pay Estimate No. 1 10/05/18 - \$240,353.14; Acct. No. 592-537-976.018;
2. Pay Estimate No. 2 11/09/18 - \$337,092.54; Acct. No. 592-537-976.018.

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 **bond improvements, roofs and HVAC – Cross Renovations**, that the City Council approve the following invoice:

1. Invoice No. 4 10/26/18 - \$478,554.21; Acct. No. 420-902-977.101.

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 **2018 Road Program – Florence Cement**, that the City Council approve the following invoice:

1. Pay Estimate No. 2 11/09/18 - \$220,323.55; Acct. No. 203-451-977.804.

Motion carried by the following vote:

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

Motion by Koester, seconded by Bryant, regarding **marina pedestal improvements – J. Ranck Electric, Inc.**, that the City Council approve the following invoice:

1. Pay Application No. 1 11/09/18 - \$86,475.60; 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 McConaghy, seconded by Shetler, regarding **2018 Concrete Pavement Repair Program – L. Anthony Construction Inc.**, that the City Council approve the following invoices:

1. Pay Estimate No. 2 10/17/18 - \$58,613.85:
  - a. Account No. 202-451-974.200 - \$10,550.49;
  - b. Account No. 203-451-974.200 - \$22,859.40;
  - c. Account No. 592-537-975.400 - \$25,203.96.
2. Pay Estimate No. 3 11/09/18 - \$2,646.10:
  - a. Account No. 202-451-974.200 - \$476.29;

- b. Account No. 203-451-974.200 - \$1,031.98;
- c. Account No. 592-537-975.400 - \$1,137.83.

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 **parking lot improvements – S & J Asphalt Co.**, that the City Council approve the following invoices:

- 1. Pay Estimate No. 3 10/16/18 - \$154,851.87:
  - a. Account No. 401-902-977.101 - \$35,214.77;
  - b. Account No. 585-561-979.000 - \$119,637.10.
- 2. Pay Estimate No. 4 11/04/18 - \$54,354.30; 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 Granger, seconded by McConaghy, regarding **City Engineers – Anderson, Eckstein & Westrick**, that the City Council approve the following invoices:

- 1. Invoice No. 0119169 09/17/18 - \$18,000.00; Acct No. 202-451-974.803;
- 2. Invoice No. 0119222 10/05/18 - \$666.60; Acct. No. 101-774-818.110;
- 3. Invoice No. 0119291 10/05/18 - \$1,800.00; Acct. No. 420-451-974.201;
- 4. Invoice No. 0119433 10/11/18 - \$3,851.15; Acct. No. 101-000-285.530;
- 5. Invoice No. 0119434 10/11/18 - \$1,561.15; Acct. No. 594-785-974.201;
- 6. Invoice No. 0119435 10/11/18 - \$22,606.85; Acct. No 592-537-977.410;
- 7. Invoice No. 0119436 10/11/18 - \$870.50; Acct. No. 640-851-818.000;
- 8. Invoice No. 0119539 10/16/18 - \$380.75; Acct. No. 101-441-818.000.



Motion carried by the following vote:

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

Motion by McConaghy, seconded by Bryant, regarding **legal services – WCA Assessing**, that the City Council approve the following invoices:

1. Invoice No. 100318/15863 10/03/18 - \$154.53; Acct. No. 101-210-801.301;
2. Invoice No. 100318/15797 10/03/18 - \$287.59; Acct. No. 101-210-801.301.

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 **assessing services – WCA Assessing**, that the City Council approve the following invoice:

1. Invoice No. 102318 10/23/18 - \$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 McConaghy, seconded by Granger, regarding **Labor Attorney – Keller Thoma**, that the City Council approve the following invoices:

1. Invoice No. 115233 11/01/18 - \$1,881.25; Acct. No. 101-210-810.000;
2. Invoice No. 115287 11/01/18 - \$87.50; Acct. No. 101-210-810.000.

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

1. Don R. Berschback 10/31/18 - \$3,485.00:
  - a. Acct. No. 101-210-801.000 - \$2,720.00;
  - b. Acct. No. 101-210-801.100 - \$765.00.
2. Charles T. Berschback 10/31/18 - \$4,782.50:
  - a. Acct. No. 101-210-801.000 - \$3,487.50;
  - b. Acct. No. 101-210-801.100 - \$1,275.00;
  - c. Acct. No. 101-210-801.000 - \$20.00.

Motion carried by the following vote:

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

The following item was heard under Public Comment:

- Mary Rogers from The Avenue in the Woods Business Association provided an update regarding current activities completed for establishing the Association. The Chair indicated their letter requesting certain items will be discussed at the Committee-of-the-Whole on December 10, 2018.

Motion by Granger, seconded by Koester, to adjourn tonight's meeting at 7:40 p.m.  
PASSED UNANIMOUSLY.

Respectfully submitted,

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Lisa Kay Hathaway  
City Clerk

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Robert E. Novitke  
Mayor