

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, AUGUST 20, 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: City Administrator Smith
City Attorney Chip Berschback
Treasurer/Comptroller Behrens
City Clerk Hathaway
Director of Public Safety Kosanke
Director of Public Services Schulte
Building Inspector Tutag
Recreation Supervisor Gerhart
City Engineer Lockwood

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

The following Commission Members were in attendance:

Rachelle Koester, Beautification Commission
Mike Fuller, Planning Commission
Tom Vaughn, 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

The Mayor re-appointed Kevin Hendrick to the Downspout Board of Appeals with a term to expire September 30, 2021.

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

1. City Council Minutes dated August 13, 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. Zoning Board of Appeals dated August 13, 2018.

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:05 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, FENCES, TO HEAR THE APPLICATION OF REBECCA AUGUSTYN, 902 WOODS LANE, GROSSE POINTE WOODS, FOR PERMISSION TO ERECT A 6' WOOD SHADOWBOX PRIVACY FENCE ALONG THE NORTH AND EAST/WEST PROPERTY LINES OF THE PROPERTY LOCATED AT 902 WOODS LANE, WHICH IS NONCOMPLIANT WITH SECTIONS 8-281 AND 8-282(1) OF THE CITY CODE. VARIANCES ARE THEREFORE REQUIRED.

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

1. Letter 07/23/18 – R. Augustyn
2. Application for Fence 07/24/18
3. Site Plan
4. Photos (3)
5. Memo 08/13/18 – Building Inspector
6. Photos (5)
7. Memo 08/06/18 – Director of Public Services
8. Affidavit of Legal Publication
9. Aerial Views (2)

Motion carried by the following vote:

Yes: Bryant, Granger, Ketels, Koester, McConaghy, Novitke, Shetler

No: None

Absent: None

The Building Official provided an overview in accordance with his memo dated August 13, 2018, and recommended approval of these variances based on the special circumstances that exist.

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

Rebecca Augustyn
902 Woods Lane

Soula Burns
916 Woods Lane

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 Bryant, seconded by Granger, that the public hearing be closed at 7:10 p.m.
PASSED UNANIMOUSLY.

Motion by Granger, seconded by McMullen, regarding Public Hearing: Rebecca Augustyn, 902 Woods Lane, that City Council grant the variance requests of Rebecca Augustyn, 902 Woods Lane, to install a 6' shadowbox fence across the rear and east/west side yards of the rear yard property due to the special circumstances that exist caused by

the in-ground pool installations at both neighbor's homes causing a special circumstance relative to general health, safety, and welfare of the neighborhood.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, regarding **Application for Permit/License – Solicitor**, that the City Council approve the application of Rodney W. Gentzel of Everdry Waterproofing for a Permit/License to Solicit.

Motion carried by the following vote:

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

Motion by Koester, seconded by McMullen, regarding **property use: Lake Front Park Tennis Courts**, that City Council approve the request of Grosse Pointe North High School to use four tennis courts on Saturday, September 8, 2018, from 8 a.m. – 5 p.m., contingent upon:

1. Teams following all park rules and MHSAA rules including clearing the courts during storms;
2. Teams relinquishing courts to residents on courts 1-4;
3. Teams cleaning up trash around the courts after use;
4. Teams submitting current rosters;
5. Appropriate Certificate of Liability Insurance be received.

Motion carried by the following vote:

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

Motion by McMullen, seconded by McConaghy, regarding **property use: Ghesquiere Park Marsteller Baseball Diamond**, approve the request of Grosse Pointe North High

School to use Ghesquiere Park Marsteller Baseball Diamond from Monday, March 11, 2019, through Friday, May 24, 2019, from 3:00 p.m. – 6:30 p.m., contingent upon:

- Teams following all park rules and MHSAA rules including clearing the field during storms;
- Teams cleaning up field after use;
- Teams submitting current rosters;
- Teams submitting game schedule by March 1, 2019;
- Appropriate insurance be provided.

Motion carried by the following vote:

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

No: None

Absent: None

The following individual spoke regarding the Recreational Marijuana Dispensaries proposal on the November 2018 General Election ballot, and his request that City Council **Opt-Out of Recreational Marijuana Dispensaries:**

Matthew Yascolt
1859 Country Club Dr.

Following discussion, this item was referred to the Committee-of-the-Whole and the City Attorney was asked to review the proposal and look at timelines.

The following individual was heard regarding **proposal: Grosse Pointe Woods Foundation – mini golf course:**

Lisa Fuller
1230 North Renaud
Grosse Pointe Woods Foundation

Motion by Koester, seconded by Shetler, regarding proposal: Grosse Pointe Woods Foundation – mini golf course, that the City Council support the Foundation design and give approval to sign contracts and move forward with the plan, with the following conditions:

- 1.City's review and approval of the contract between the builder and the Foundation;
- 2.Site plan review and approval from St. Clair Shores;
- 3.A performance bond be issued;
- 4.Certificate of Liability Insurance be provided for a minimum \$1 million naming the City of Grosse Pointe Woods as an additional insured.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **fee schedule Update: Water Meter and Transponder Fees**, that the City Council approve updating of the City's Fee Schedule by Department in accordance with either Option 1 or Option 2 identified above, and authorize the City Clerk to perform such updates to the Fee Schedule by Department.

Motion by Koester, seconded by McConaghy, to amend the previous motion by striking "either Option 1 or", thereby changing the fee schedule to at "cost".

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/budget amendment: demolition – 1298 Hawthorne**, that the City Council award a contract to Holsbeke Construction in the amount of \$14,797.00 to provide demolition services at 1298 Hawthorne, to authorize the City Administrator to sign the contract, and approve a budget amendment in the amount of \$14,797.00 from Prior Year Fund Balance Account No. 101-000-699.000 into Contractual Services Account No. 101-180-818.000, contingent upon the removal of the homeowners from the home, and that the City Administrator, Director of Public Safety, and City Attorney determine an appropriate date for the demolition to occur.

The following individuals wished to be heard:

Amanda Wheatly
1298 Hawthorne

Anamaria Guerrero
22325 St. Joan
St. Clair Shores, MI

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 2018**, that the City Council refer this report to the Finance Committee.

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 **repairs to electrical panel – Lake Front Park**, that the City Council authorize RSY Electrical Enterprises to perform repair work to the electrical panel at Lake Front Park in the amount of \$5,100.00, funds to be taken from the Boat Dock Maintenance Account No. 594-785-757.000.

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 **contract/budget amendment: marina pedestal improvements**, that the City Council approve, and

authorize the City Administrator to sign, the following contracts to perform Lake Front Park Marina Pedestal Improvements:

1. J. Ranck Electric (Pedestals and Electrical) - \$362,084.00;
2. Fontana Construction, Inc. (New Water Service) - \$126,000.00;
3. Baker Asphalt, Inc. (Asphalt following Pedestal Install) - \$10,325.00.

And, to approve construction contingency in an amount not to exceed \$40,000.00 and design and construction engineering in an amount not to exceed \$32,000.00; for a total project cost not to exceed \$570,409.00;

And, to approve the following budget amendments:

From Prior Year Fund Balance	Acct No. 594-000-395.000	\$570,409.00
Into Construction	Acct. No. 594-785-977.200	\$498,409.00
Into Engineering	Acct. No. 594-785-974.201	\$ 32,000.00
Into Contingency	Acct. No. 594-785-980.100	\$ 40,000.00

The City Engineer provided an overview regarding the project, discussed the \$200,000.00 overage in relation to the amount previously approved by City Council, and agreed to find out whether amperage can be increased in the future with the proposed plan and equipment.

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 **contract: tennis court resurfacing**, that the City Council award a contract to Tennis Courts Unlimited in the amount of \$17,160.00 to prepare, patch, and resurface Lake Front Park tennis courts 7 and 8, authorize the City Administrator to sign the contract, and funds to be taken from Improvements – Parks and Recreation Account No. 401-902-977.104.

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 **contract modification: 2018 parking lot improvements**, that the City Council approve a contract modification with S&J Asphalt Paving Company for the 2018 Parking Lot Improvements Project in the amount of \$88,860.00, adding City parking lots south of Broadstone and north of Ridgemont for repaving, and south of Ridgemont for drainage repairs, to approve a construction contingency in an amount not to exceed \$9,000.00 and construction engineering in an amount not to exceed \$13,000.00, for a total project cost not to exceed \$110,860.00, funds to be taken from Parking Fund Capital Improvements 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 Bryant, seconded by McConaghy, regarding **Agreements: City Administrator and City Clerk**, that the City Council approve the Employment Agreements for the City Administrator and the City Clerk as presented, and to authorize the Mayor to sign said Agreements.

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 **contract: Lake Front Park Boardwalk Replacement**, that the City Council postpone this item to a future meeting.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Granger, regarding **radio maintenance**, that the City Council approve the following invoice from FY 2017/18:

1. Grosse Pointe Farms Invoice No. 3243 06/30/18 - \$23,391.26:
 - a. Account No. 101-305-851.000 Public Safety - \$15,438.23;
 - b. Account No. 101-441-851.000 Public Works - \$7,017.38;
 - c. Account No. 101-774-818.110 Parks & Rec - \$935.65.

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 **2018 Capital Improvement Bonds**, that the City Council approve the following invoice:

1. Miller, Canfield, Paddock and Stone Invoice No. 1403713 08/03/18 - \$22,500.00, Account No. 420-299-977.199;
2. MuniDeals Invoice No. 40604 07/20/18 - \$3,750.00, Account No. 420-299-977.199.

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 **Public Safety Renovations**, that the City Council approve the following invoice:

1. Cross Renovation Invoice No. 3 07/15/18 - \$84,805.97, 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 Granger, seconded by Bryant, regarding **Capital Improvements**, that the City Council approve the following invoice from the FY 2017/18 Budget:

1. Anderson, Eckstein & Westrick Invoice No. 0118528 08/06/18 - \$1,200.00, Account 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 Granger, regarding **legal services**, that the City Council approve the following invoice:

1. WCA Assessing Invoice No. 15672 08/06/18 - \$726.51, Account 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 Bryant, regarding **Labor Attorney**, that the City Council approve the following invoice:

1. Keller Thoma Invoice No. 114778 08/01/18 - \$87.50, Account No. 101-210-810.000.

Motion carried by the following vote:

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

Hearing no objections, the following item was heard under New Business:

- The City Clerk stated University Liggett boys' and girls' tennis teams have requested to use six tennis courts at Lake Front Park, Monday through Thursday from 3:30 to 5:30 p.m., September 10 to October 26, 2018 (boys tennis), and April 1 to May 31, 2019 (girls tennis). The Recreation Supervisor and Director of Public Services have no objections to this request.

Motion by Bryant, seconded by Shetler, regarding property use: Lake Front Park Tennis Courts, that the City Council approve the request of University Liggett School to use six tennis courts at Lake Front Park on the following dates Monday through Thursday from 3:30 p.m. to 5:30 p.m.:

- Boys Tennis: September 10 – October 26, 2018
- Girls Tennis: April 1 – May 31, 2019

Contingent upon meeting the following guidelines:

1. Teams following all park rules and MHSAA rules including clearing the courts during storms;
2. Teams relinquishing courts to residents on courts 1-4;
3. Teams cleaning up trash around the courts after use;
4. Teams submitting current rosters;
5. The school providing appropriate insurance.

The following individuals were heard under Public Comment:

Margaret Potter
Allard Ave.

Matthew Yascolt
Country Club Dr.

Motion by Bryant, seconded by Shetler, to adjourn tonight's meeting at 8:22 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor