

CITY OF GROSSE POINTE WOODS
20025 Mack Plaza
Regular City Council Meeting Agenda
Monday, March 5, 2018
7:00 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. RECOGNITION OF COMMISSION MEMBERS
5. ACCEPTANCE OF AGENDA

6. APPOINTMENT/
OATH OF OFFICE A. Paul Antoline, Deputy City Clerk
7. MINUTES A. Council 02/26/18
 B. Committee-of-the-Whole 02/26/18, 02/12/18
 C. Finance Committee 09/25/17
 D. Planning Commission 01/23/18

8. COMMUNICATIONS A. Application for Permit/License – Solicitor
 1. Robert McCormick, Edward Jones 01/29/18

9. RESOLUTION A. Poverty Exemption (amended)
 1. Proposed Resolution

10. CLAIMS/ACCOUNTS A. City Attorneys
 1. Don R. Berschback
 2. Charles T. Berschback

11. NEW BUSINESS/PUBLIC COMMENT
12. ADJOURNMENT

Lisa Kay Hathaway, CMMC/MMC
City Clerk

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
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COUNCIL
02-26-18 - 26

MINUTES OF THE RESCHEDULED CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, FEBRUARY 26, 2018, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

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

Roll Call: Mayor Novitke
Council Members: Granger, Koester, McConaghy, McMullen, Shetler
Absent: Bryant

Also Present: City Administrator Smith
City Attorney Berschback
Treasurer/Comptroller Behrens
City Clerk Hathaway
Director of Public Services Schulte

Also in attendance was Municipal Court Judge Ted Metry and Planning Commissioner Grant Gilezan.

Motion by McConaghy, seconded by Shetler, that Council Member Bryant be excused from tonight's meeting.

Motion carried by the following vote:

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

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

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

1. City Council Minutes dated February 5, 2018.

Motion carried by the following vote:

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

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

1. Committee-of-the-Whole minutes dated January 29, 2018.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **venue for Awards Night**, that the City Council concur with the recommendation of the Beautification Advisory Committee at their meeting held January 10, 2018, and approve payment of \$1,000.00 to reserve the Lochmoor Club for the 2018 Beautification Commission Awards Night Dinner, funds to be taken from Account No. ~~101-105-880.100~~205-870-820.310, and authorize the City Administrator to sign the contract with the Lochmoor Club.

Proposed correction per CB. /lkh

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **budget for Awards Night**, that the City Council concur with the Beautification Commission at their meeting held January 10, 2018, and approve an amount not to exceed \$7,000.00 to hold the 2018 Beautification Awards.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **Application for Permit – Solicitor**, that the City Council approve the application of Lori A. Rankin, Comcast, for a Permit/License to Solicit.

Motion carried by the following vote:

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

The City Clerk requested the City Council to place the five **refuse vendor license applications** pending review of the applicable ordinances. The City Attorney and City Clerk were asked to prepare an amended ordinance to identify parameters for accepting and processing applications.

Motion by Granger, seconded by Shetler, regarding **Applications for Permits – 2019 Refuse Vendors**, that the following applications be placed on hold:

1. Martin J. Lunau;
2. Ronald Hirth;
3. John A. Walls;

4. Vincent G. Agosta;
5. Robert M. McNally.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **44th Annual Flower Sale**, that the City Council approve the 2018 Flower Sale as requested in the letter dated February 8, 2018, and authorize an amount not to exceed \$28,500.00 for event expenses, funds to be taken from Account No. 205-870-820.200.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **resurface boat docks/budget transfer**, that the City Council approve a budget transfer for the purpose of resurfacing 51 boat docks in the amount of \$16,000.00 from Boat Dock Fund Account No. 594-000-697.000 into Boat Dock Operating Supplies Account No. 594-785-757.000.

Motion carried by the following vote:

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

The following individual was heard regarding **Verizon METRO Act Permit**:

Tony Tate
Project Engineer, Verizon

Motion by Granger, seconded by Shetler, regarding Verizon METRO Act Permit, that the City Council approve the METRO Act Permit Bi-Lateral Form for MCImetro Access Transmission Services Corp d/b/a Verizon Access Transmission Services, authorize the City Administrator to execute the permit, and upon final execution of the documents the matter be referred to the Building Department for administrative requirements and controls regarding the installation of the proposed network.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **Monthly Financial Report – January 2018**, that the City Council refer this report to the Finance Committee.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **electrical repairs – pool filtration building**, that the City Council approve a contract with Colville Electric Co. LLC in the amount of \$60,000.00 to perform electrical repairs to the Lake Front Park pool filtration building, \$6,000.00 for engineering oversight, and \$10,000.00 for contingency; for a total project cost not to exceed \$76,000.00; and, to approve a budget transfer in the amount of \$76,000.00 from General Fund fund balance Account No. 101-000-699.000 into Contractual Services for Pool Maintenance Account No. 101-774-818.103.

Motion carried by the following vote:

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

Motion by Shetler, seconded by McConaghy, regarding **weed abatement services**, that the City Council approve a contract with Nu Appearance Landscaping to provide grass and weed abatement services (landscaping) from April 1, 2018, through April 1, 2019.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Shetler, regarding **Resolution – Poverty Exemption Guidelines**, that the City Council adopt the 2018 Poverty Guidelines Resolution as submitted, in perpetuity, and authorize the City Clerk to certify the Resolution.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **Resolution – Transfer Retiree Health Care Account**, that the City Council adopt the Transfer of Assets from EIP to Another OPEB Trust Resolution, authorize the Treasurer/Comptroller to sign the transition process approval and the Resolution, authorize Robert E. Novitke, Mayor, Victoria Granger, Trustee, and Anthony Chalut, Trustee, to sign the Resolution, and authorize the City Clerk to certify the Resolution.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **Second Reading: An ordinance to Amend Chapter 6 Animals, Division 2 License to Amend the Timing of License Renewal and to Clarify Expiration Dates**, that the City Council approve this ordinance as presented and make it effective 20 days after its enactment.

Motion carried by the following vote:

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

Motion by Shetler, seconded by McConaghy, regarding **annual membership – Michigan Municipal League**, that the City Council approve payment in an amount not to exceed \$6,320.00 to the MML for annual membership, funds to be taken from Account No. 101-101-958.000, and to authorize the City Administrator to sign the invoice.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Shetler, regarding **claim #175878 – Laura Kapuscinski**, that the City Council approve payment of the following:

1. Invoice 02/09/18 – Tokio Marine HCC Claim No. 175878 - \$13,520.16.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **City Engineers – Anderson, Eckstein & Westrick**, that the City Council approve the following AEW invoices:

1. Invoice 0116405 12/20/17 - \$10,950.00 Acct. No. 420-451-974.201 (Capital Improvement Parking Lots);
2. Invoice 0116461 12/22/17 - \$4,539.00 Acct. No. 101-000-285.520 (Escrow – Liggett);
3. Invoice 0116717 02/02/18 - \$3,625.00; Acct. Nos. 592-536-818.000 \$3,162.10 and 594-785-818.000 \$463.50;

4. Invoice 0116718 02/02/18 - \$10,966.55 Acct. No. 592-537-975.004 (Saw Grant);
5. Invoice 0116720 02/02/18 - \$257.50 Acct. No. 101-000-285.530 (Gas Main);
6. Invoice 0116721 02/02/18 - \$1,297.45 Acct. No. 592-537-977.000 (GIS);
7. Invoice 0116722 02/02/18 - \$5,475.00 Acct. No. 420-451-974.201 (Capital Improvement-Parking Lots).

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **Doetch Industrial Services – SAW Grant Sewer Cleaning and CCTB**, that the City Council approve the following payment:

1. Doetsch Industrial Services - \$7,566.75 for period earnings through February 11, 2018, Account No. 592-537-975.005 (SAW Grant Sewer Cleaning and CCTV Investigation).

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **WCA Assessing**, that the City Council approve payment of the following WCA Assessing invoices for legal services, funds to be taken from Account No. 101-210-801.300:

1. Invoice No. 15075 02/06/18 - \$2,551.90;
2. Invoice No. 15154 02/02/18 - \$1,074.64.

Motion carried by the following vote:

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

Motion by Koester, seconded by Granger, regarding **McKenna**, that the City Council approve the following invoice dated January 12, 2018:

1. McKenna Invoice No. 21760-2 - \$900.00; Acct. Nos. 101-210-801.200 - \$822.50 and 101-210-801.301 - \$77.50.

Motion carried by the following vote:

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

Motion by Shetler, seconded by Granger, regarding **Plante Moran**, that the City Council approve the following invoice dated January 30, 2018:

1. Plante Moran - Invoice No. 1510511 \$725.00, Acct. No. 585-556-818.000.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **Keller Thoma**, that the City Council approve the following invoice dated February 1, 2018:

1. Keller Thoma Invoice No. 113746 - \$175.00.

Motion carried by the following vote:

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

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

- City Administrator discussed the potholes and roadwork, and stated the tough winter has caused many potholes. The Department of Public Works was stalled

by rain last week but is working Saturdays and weekdays to keep up with the patching.

The following individuals spoke regarding the poor, unsafe condition of the home at 1298 Hawthorne:

- Elizabeth Natter, 1299 Hawthorne. Spoke regarding an email sent to City Council last Saturday regarding the ongoing poor condition of her neighbor's house across the street (1298 Hawthorne) from her home. George Vantiem, 1312 Hawthorne. Poor condition of next door neighbor's home.
- Scott Heimberger, 1355 Hawthorne. Neighbor of the resident whose home is in poor condition.
- The City Attorney provided an overview regarding action that has been taken by the City, what has occurred, and future plans including the City having filed a nuisance complaint with in Wayne County Circuit Court.

Motion by Granger, seconded by Shetler, to adjourn tonight's meeting at 7:54 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor

7B

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, FEBRUARY 26, 2018, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

- PRESENT: Mayor Novitke
Council Members Granger, Koester, McConaghy, McMullen, Shetler
- ABSENT: Bryant
- ALSO PRESENT: City Administrator Smith
City Attorney Chip Berschback
Treasurer/Comptroller Behrens
City Clerk Hathaway

Also in attendance was Municipal Court Judge Ted Metry.

Mayor Novitke called the meeting to order at 8:04 p.m.

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

Motion by Granger, seconded by McConaghy, to excuse Council Member Bryant from tonight's meeting.

- Motion carried by the following vote:
- Yes: Granger, Koester, McConaghy, McMullen, Novitke, Shetler
- No: None
- Absent: Bryant

Discussion ensued regarding the **Municipal Court Administrator vacancy**. The City Administrator provided an overview of his memo dated February 23, 2018. He recommended publishing the classified to include wages set for \$58,000-\$70,000. The Judge concurred with his recommendation. The Mayor stated that of the 11,930 cases processed in 2016, over 9,000+ were parking tickets. There was a consensus of the Committee to set the salary of the Municipal Court Administrator at \$58,000-\$70,000.

- Motion carried by the following vote:
- Yes: Granger, Koester, McConaghy, McMullen, Novitke, Shetler
- No: None
- Absent: Bryant

Motion by Granger, seconded by Shetler, to remove the Municipal Court Administrator vacancy from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

Discussion ensued regarding scheduling a Construction Committee Meeting. There was a consensus to set March 26, 2018, at 6 p.m. for the next Construction Committee Meeting.

Motion by Granger, seconded by Shetler, that the meeting of the Committee-of-the-Whole be adjourned at 8:15 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, FEBRUARY 12, 2018, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

PRESENT: Mayor Novitke
Council Members Bryant, Granger, Koester, McConaghy,
McMullen, Shetler

ABSENT: None

ALSO PRESENT: City Administrator Smith
City Attorney Chip Berschback
City Clerk Hathaway
Director of Public Safety Kosanke
Director of Public Services Schulte
City Engineer Lockwood
Recreation Supervisor Byron

Mayor Novitke called the meeting to order at 7:05 p.m.

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

The next item was regarding the **egg hunt**. The Recreation Supervisor stated the egg hunt is being changed back to Saturday. She provided an overview of her memo dated July 28, 2017. She suggested an Easter egg stroll rather than an egg hunt to ensure kids of all ages have an opportunity to find eggs. It would travel along the pedestrian bridge, gazebo #4, face painting, proceed over the bridge, and walk around the path. Eggs will be disbursed at different times. If it rains, the Activities Building or Pavilion #1 can be used. There will be 20-25 kids at a time, and a petting zoo on the pool side with bunnies, lambs, and goats. The cost is \$5 per child. There was a consensus of the Committee to proceed with the Easter egg stroll.

Motion by Bryant, seconded by Shetler, that egg hunt be removed from the Committee-of-the-Whole.

Motion carried by the following vote:

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

Discussion then ensued regarding **Lake Front Park Pool**. A memo was distributed dated February 6, 2018, from Director of Public Services. He explained that a recent inspection of the pool filtration building found it necessary to replace the electrical, conduit, wiring, and lighting in the building. He obtained one quote from Wade Electric at \$100,000.00, but intended to obtain additional quotes. Due to timing, there is no time to obtain bids if the pool is to open in May for Memorial Weekend. The Director stated the additional quotes for repairs will include ground faults, as there is no ground fault protection. He stated the equipment is original from 1975. The Director will be reviewing quotes with the City Engineer and bring a project recommendation to City Council for final approval.

The City Administrator confirmed with the City's insurance provider that the City can reopen a prior insurance claim on this electrical. Discussion ensued regarding whether there will be an ability to run a portable generator to, at a minimum, run the pool. The City Engineer stated he would look into a generator.

The Mayor asked the City Administrator to ensure that there is a checklist for opening and closing the pool including pool pumps and electrical inspections.

Motion by Granger, seconded by Bryant, that Lake Front Park Pool be removed from the Committee-of-the-Whole.

Motion carried by the following vote:

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

The next item was regarding a proposed **vaping ordinance**. The City Attorney explained that the City's youth officer is seeing and hearing stories of children using vape products in middle school.

Detective Scherlucke is recommending approval of the ordinance. First and second offences are civil offenses, and a third offense would be a misdemeanor. The Mayor questioned whether the City has the authority to adopt such an ordinance. The City Attorney stated that at least three other cities have enacted such a policy.

The Mayor asked the Director of Public Safety to contact the schools to discuss policies and enforcement regarding vaping. There was a suggestion to invite school administration to discuss this issue at a future Committee-of-the-Whole.

Next, the committee discussed **permitted C-2 Special Land Uses/Regulated Use Ordinance**. The City Attorney stated there is currently a moratorium in place regarding certain businesses. Grosse Pointe City enacted a similar ordinance. John Jackson from McKenna assisted in preparing this draft ordinance. He provided an overview of his memo dated January 18, 2018. Tier-2 regulated uses would be all of Mack Avenue. Tier-1 regulated uses, C-2 high intensity district, City Center District, would go from Pointe Plaza north to approximately Bournemouth. He believes it is important to do

something and create an ordinance to regulate the districts. The Committee asked for the authority for determining what "good" businesses are and what "bad" businesses are. The City Attorney stated that these are regulated uses not prohibited uses. The City Attorney stated the Building Official likes this proposed ordinance. He also stated he would obtain additional information on other cities that have enacted such an ordinance and whether there have been any challenges. There was a consensus not to proceed with such an ordinance at this time.

Hearing no objection, the following item was discussed under New Business:

- The City Administrator stated that inspectors found the fuel tank at Public Works is leaking. Ground water is leaking from the outside to the inside of the tank, and the tank has to be pulled. He suggested installing an above ground tank in the area next to the pole barn, get it up and running, then pull the old tank out. The inner tank is not leaking, only the outer tank has ground water coming into it. Administration's intent is to obtain bids. The City Administrator was asked to look into the superfund.

Motion by Granger, seconded by Koester, that the meeting of the Committee-of-the-Whole be adjourned at 8:50 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

Robert E. Novitke
Mayor

Approved by Committee 02/26/18

FINANCE COMMITTEE
09-25-17



MINUTES OF THE FINANCE COMMITTEE MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 25, 2017, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 6:45 p.m. by Chair McConaghy.

In attendance: Chairman McConaghy
Members: Novitke

Absent: Koester (arrived 7:15 p.m.)

Also present: City Administrator Smith
Treasurer/Comptroller Behrens
Deputy City Clerk Gerhart

Motion by Novitke, seconded by McConaghy, that all items on tonight's agenda be received and placed on file.

Motion passed by the following vote:

Yes: McConaghy, Novitke
No: None
Absent: Koester

Motion by Novitke, seconded by McConaghy, that the meeting minutes dated August 21, 2017, be approved as submitted.

Motion passed by the following vote:

Yes: McConaghy, Novitke
No: None
Absent: Koester

The purpose of tonight's meeting was to discuss **Fiscal Forecasting**. The Treasurer/Comptroller distributed and provided an overview of the Fund Balance Analysis dated June 30, 2017 and budget projections based on various mileage increases, and discussion, questions and answers ensued. The Treasurer/Comptroller stated that as a result of revenues exceeding expenses for fiscal year 2016-17, an additional \$1,040,147.00 will be added to the General Fund Fund Balance bringing the current total in the General Fund Fund Balance to \$6,118,343.00. The Treasurer/Comptroller was asked to determine if MedPost partnering with the Detroit Medical Center will impact the City's ability to collect property tax on the parcel.

Member Koester was now in attendance.

The Treasurer/Comptroller explained that for her fiscal forecast she projected an annual taxable value increase of 1.5%, the Headlee Rollback Factor was estimated at 0.9975, and the City's share of the State Revenue Sharing was left constant. When projecting the expenses for the City she estimated that expenses would increase 1% annually with an additional 1% increase in employee cost. The first full payment for the capital improvement bond will be due in Fiscal Year 2018-19 with an annual payment of \$200,000.00 per year for twenty years. Discussion was held regarding the purchase of a ladder truck for the Public Safety Department, either through the use of a lease to own program or designating funds in the Motor Vehicle Fund for the purchase.

Discussion was then held about potential ways for increasing revenue, including a potential Headlee Override Mileage or the potential to use Michigan Public Act 57 of 1988 to form a partnership with an Oakland County community to pass a public safety millage.

The Treasurer/Comptroller was directed to revise her budget projections using a 2 and 4 mill tax increase for presentation at a Committee-of-the-Whole meeting on October 23, 2017.

Motion by Koester, seconded by Novitke, that tonight's meeting be adjourned at 7:55 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Steve Gerhart
Deputy City Clerk

Approved by Commission 02/27/18

PLANNING COMMISSION
01-23-18 - 1



MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, JANUARY 23, 2018, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN

The meeting was called to order at 7:31 p.m. by Chair Fuller.

Roll Call: Chair Fuller
Planning Commissioners: Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale

Absent: Gilezan (arrived 7:34 p.m.), Stapleton

Also Present: Building Inspector Tutag
City Clerk Hathaway

Motion by Rozycki, seconded by Vitale, that Commission Members Gilezan and Stapleton be excused from tonight's meeting.

MOTION CARRIED by the following vote:

YES: Fuller, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale
NO: None
ABSENT: Gilezan, Stapleton

The Planning Commission, Administration, and the audience Pledged Allegiance to the Flag.

Motion by Vaughn, seconded by Vitale, 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: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale
NO: None
ABSENT: Stapleton

Motion by Vaughn, seconded by Vitale, regarding **Approval of Minutes**, that the Regular Planning Commission Minutes of December 12, 2017, be approved as submitted as corrected.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale
NO: None
ABSENT: Stapleton

The next item on the agenda was **Appointments – Election of Chair and Vice-Chair.**

Motion by Vaughn, seconded by Vitale, to nominate Commission Member Hamborsky to serve as Chair for 2018.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale

NO: None

ABSENT: Stapleton

Motion by Vaughn, seconded by Hamborsky, to nominate Commission Member Profeta to serve as Vice Chair for 2018.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale

NO: None

ABSENT: Stapleton

Discussion ensued regarding the **Planning Commission Rules of Order and Procedure**, and changing the meeting start time to 7:00 p.m. There was a consensus of the Commission to change the start time commencing January 2019, and to amend the rules in 2019 to include this change under Item 5 of the rules.

Motion by Vitale, seconded by Hamborsky, to change the Planning Commission Meeting start time from 7:30 p.m. to 7:00 p.m. effective January 2019.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale

NO: None

ABSENT: Stapleton

Motion by Profeta, seconded by Rozycki, that the Planning Commission approve and adopt the **Rules of Order and Procedure** as presented.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale

NO: None

ABSENT: Stapleton

The next item discussed was regarding **scheduling of a public hearing for the proposed regulated uses ordinance.** The Building Official requested the Planning

Commission set a public hearing for March 27, 2018, to discuss an ordinance for a zoning modifications in the C and C2 districts.

Motion by Vaughn, seconded by Hamborsky, regarding public hearing: Proposed Regulated Use Ordinance, that the Planning Commission set March 27, 2018, for a public hearing.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale
NO: None
ABSENT: Stapleton

Discussion then ensued regarding the **Planning Commission budget for Fiscal Year 2018/19**. The Building Official stated the Commission's annual budget is \$5,000.00, and with remaining funds he suggested planning education classes are available if Commission members are interested in attending. Also, he offered to coordinate education sessions locally and invite the other Grosse Pointe Communities.

Motion by Hamborsky, seconded by Vitale, to approve a Planning Commission 2018/19 budget request in the amount of \$5,000.00.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Reiter, Rozycki, Vaughn, Vitale
NO: None
ABSENT: Stapleton

Information was reported by the Building Official regarding **Legacy Oaks, 850 Briardcliff**. He is preparing for a walk-through, and they are making progress. There is nice workmanship and quality materials are being used. They are looking for a Certificate of Occupancy in June/July of 2018.

The next item was the **Building Official's report**, and the following items were presented:

1. Liggett School has put down some masonry and making progress;
2. Glow Spa has installed their siding and is looking nice;
3. 1298 Hawthorne is being adjudicated in Circuit Court. A permit was pulled today for foundation work and the Judge gave them until March 15th to complete required work;
4. Working on the rental ordinance to propose a few changes;
5. Reviewing the Building Department's fee schedule;
6. Caribou is having Phase I testing;
7. Radio Shack is going to be an Art Van Sleep Center.

Chair Fuller provided a report on City Council's January meetings.

Regarding the **2020 Plan**, Chair Fuller stated he spoke to the Mayor who stated that Council Member Shetler would be scheduling a Mayors Mack Avenue Business Study Committee meeting to discuss 2020 Plan.

Commissioner Vaughn suggested a joint meeting of the Planning Commission and the Mayors Mack Avenue Business Study Committee. Commissioner Vitale stated that a formal presentation would be appropriate, and that he would be willing to coordinate a meeting.

Commissioner Gilezan suggested budgeting to prepare for the 2020 plan. The Building Official stated his vision would be that monies would be obtained from a grant. Commissioner Hamborsky suggested that an annual percentage of budgeted funds, a line item, be added to the budget in combination with a possible grant. The Building Official stated he would discuss it with the Treasurer/Comptroller.

The Building Official stated the TIA is currently performing traffic studies on Mack Avenue.

There was a consensus of the Commission to schedule a Planning Commission Workshop at 6:30 p.m. on February 27, 2017, to discuss the 2020 Plan, subcommittees, and priority projects.

Commissioner Gilezan is Council Representative for February.

Motion by Vitale, seconded by Vaughn, that the Planning Commission Meeting be adjourned at 8:24 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

9A

AMENDED RESOLUTION

**CITY OF GROSSE POINTE WOODS
RESOLUTION FOR POVERTY EXEMPTION**

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Grosse Pointe Woods, Wayne County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) Produce a valid driver's license or other form of identification if requested
- 3) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested
- 4) Meet the federal poverty income guidelines for the year of application as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body, providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 5) File an Application for Poverty Exemption in its entirety with all requested documentation with the Assessor or Board of Review. It must be accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
- 6) Report in the application the combined assets of all persons residing in the home, not including the primary residence. Combined assets cannot exceed \$25,000. Assets include but are not limited to, real estate other than the principal residence, personal property (jewelry, art, collections etc.), motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. Statements must be complete with no missing pages.

- 7) Income included as household income shall be from any and all sources by all persons whether living in the household or not, and shall include but not limited to gifts and contributions, state or federal aid, alimony, pension, insurance benefits, return on investments, and any other forms of compensation received for purposes of establishing exemption eligibility. Statements must be complete with no missing pages.
- 8) Proof of income/assets from the Social Security Administration, Veterans Administration, College/University scholarships, for all persons residing in the home.
- 9) The Board of Review is only allowed to deviate from the established guidelines if there are substantial and compelling reasons. It is required that all "substantial and compelling" reasons be documented.
- 10) If the applicant qualifies for Poverty Exemption, the Board of Review may grant a complete exemption from property taxes, a partial reduction in property taxes, or no reduction as set forth in these guidelines. Approval of the application does not automatically warrant a complete exemption from property taxes. Under no circumstances shall the Board of Review reduce the taxable value lower than that which produces an annual tax equal to 3.5% of an applicant's income plus any property tax credit refund payable by the State of Michigan (1040CR) so as not to reduce applicant's following year income tax refund.
- 11) The application for an exemption shall be filed after January 1, but no later than one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.
- 12) If primary residence being sought for exemption was purchased within the past two years of this application, homeowner's closing statements must be submitted with application.
- 13) A person who files a claim for Poverty exemption is not prohibited from also appealing the assessment on the property to the Board of Review in the same year.
- 14) Any willful misstatements or misrepresentations made on the application may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.

The following is the current **2018** federal poverty income guidelines which will be updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

2018 Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	2018 Poverty Guidelines
1	\$ 12,060
2	\$ 16,240
3	\$ 20,420
4	\$ 24,600
5	\$ 28,780
6	\$ 32,960
7	\$ 37,140
8	\$ 41,320
For each additional person	\$ 4,180

The City of Grosse Pointe Woods Poverty Exemption Guidelines and Application will be updated annually with the current year Poverty Income Guidelines as established by the United States Department of Health and Human Services without further resolutions. If alternative guidelines are adopted by this governing body a new resolution will be required.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing from/to the claimant.

The foregoing resolution offered by City Council Member _____
and supported by City Council Member _____.

Upon roll call vote, the following voted:

“Aye”:

“Nay”:

The City Clerk declared the resolution _____.

SEAL

10A

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OF COUNSEL
 CHARLES T. BERSCHBACK

February 28, 2018

Bruce Smith, City Administrator
 City of Grosse Pointe Woods
 20025 Mack Plaza
 Grosse Pointe Woods, MI 48236

RE: February 2018 Billing/DRB

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
2.1.18	Review of corporate files (.50); FOIA (.25); work on COW issues (.50)	1.25
2.5.18	Review of weekend packet, TCs, review of contracts, differences regarding escrow agreement and follow up thereto (1.25); attendance at CC meeting (.75); work on millage ballot language and letter to Miller Canfield (1.00)	3.00
2.6.18	Additional work on millage language and letter and telephone communications and miscellaneous budgetary work (.75)	0.75
2.7.18	Municipal Court (2.50); meetings with BS, CB and LKH (.75); work on claims for water damage (.75); review of proposed agreement on transfer of monies for retiree healthcare system (1.00)	5.00
2.8.18	Millage language work, TCs and research (2.50)	2.50
2.12.18	Additional millage proposal work and letter correspondence to Miller Canfield (1.00)	1.00

DRB = 13.50 hours x \$170.00

TOTAL: \$ 2,295.00

<u>Breakdown</u>		
General		10.50 hours
Municipal Court		3.00 hours
Bldg/Planning Comm.		0 hours
MTT		0 hours

TC - Telephone	LKH - Lisa K. Hathaway	GT - Gene Tutag
CTB - Charles T. Berschback	CC - City Council	CB - Cathrene Behrens
DRB - Don R. Berschback	PC - Planning Commission	CEW-Conference of Eastern Wayne
BS - Bruce Smith	FS - Frank Schulte	LFP - Lakefront Park
GPCRDA - Grosse Pointe Clinton Refuse Disposal Authority		MTT - Michigan Tax Tribunal
SEMSD - Southeast Macomb Sanitary District		

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February 28, 2018

CHARLES T. BERSCHBACK

DON R. BERSCHBACK

OF COUNSEL

Bruce Smith
City Administrator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: February Billing/ CTB Only

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
2.2.18	Calls on record request, agenda items (.25)	0.25
2.5.18	Research on ZBA procedures, TC LH (.25)	0.25
2.6.18	TCs GT, LH, Police Records Dept.; review of Milk River Agreement (.25); research and emails with Eric Dunlap on Board of Review (.25)	0.50
2.7.18	Municipal Court a.m. docket; review of DVD OWI arrest (2.50)	2.50
2.8.18	TCs re: Southeast Macomb Sanitary District (SEMSD) (.25); email and file review on Lot split with E.D.; work on current DAS cell applications (.25); TC BS (.25)	0.75
2.11.18	Call from Det. Bur., new warrant authorization (.25)	0.25
2.12.18	Prep for COW, review of ordinances, calls (1.00); attendance at COW (1.75)	2.75
2.13.18	Follow up on COW agenda, TCs, emails (.50); TCs on Hawthorne repair progress (.25); review of pending DAS applications and emails (.25); zoning research (.50)	1.50
2.20.18	TCs and review of motion to extend appraisal due date on Hunt Club (.25); review of janitorial contract and email; TCs Municipal Court (.75); TCs miscellaneous matters (.25)	1.25
2.21.18	Municipal Court (3.25); meeting with BS and JK, follow up calls (.75); TC BN (.50)	4.50
2.22.18	TCs on Verizon METRO Act Application (.25); TC BN, LH, GT, review of TT billing (.50); follow up on FOIA issue, review of material from JK, TC JK (.50)	1.25
2.23.18	TCs FS, GT, LT, finalized COW letter (.50); calls/emails on fences, calls on GPW matters (.25)	0.75

2.26.18	Review and work on Council meeting agenda items (1.00); TC GT, review of Hawthorne litigation file, call with neighbor; review of engineers report; calls and emails on baseball tournament insurance (.75); attendance at Council meeting (1.25)	3.00
2.27.18	Calls with GT and expert on Hawthorne, draft of letter to homeowners (.75); TC JK; TC DV victim (.50)	1.25
2.28.18	Attendance at Municipal court a.m. docket and follow up (3.25)	3.25

CTB = 24.00 hours at \$150.00 per hour

TOTAL DUE: \$3,600.00

TC - Telephone	GT - Gene Tutag	M/C - Mayor and Council
BS - Bruce Smith	LH - Lisa Hathaway	Det. Bur. - Detective Bureau
RL - Rumph litigation	CB - Cathrene Behrens	ED - Eric Dunlap
PC - Planning Commission	TT - Tax Tribunal	FS - Frank Schulte
JK - Dir. John Kosanke		

Breakdown

General	13.25 hours
Municipal Court	10.00 hours
Building/Planning Commission	0 hours
Tax Tribunal	0.75 hours