

CITY OF GROSSE POINTE WOODS
20025 Mack Plaza
Regular City Council Meeting Agenda
Monday, October 5, 2015
7:30 p.m.

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

6. PRESENTATION
 - A. Friends of the Grosse Pointe Public Library

7. MINUTES
 - A. City Council 09/21/15
 - B. Committee-of-the-Whole 09/28/15,
w/recommendations:
 1. Installation of Miniature Golf Course at Lake Front Park
 2. Park Pass Procedures
 3. Group Permits
 4. Picnic Permits
 - C. Election Commission 09/24/15, w/recommendation:
 1. Rates of Pay
 - a. Certification of Election Inspectors
 - b. List of Workers
 - D. Planning Commission 07/28/15
 - E. Historical Commission 08/13/15, 07/09/15
 - F. Senior Citizens Commission 07/21/15

8. COMMUNICATIONS
 - A. Request to Hold Prayer Vigil
 1. Memo 09/24/15 – Director of Public Safety
 2. Email 09/21/15 – Pastor Matthew Swiatek

 - B. Application for License to Solicit
 1. Application 09/25/15 – John Ellis, Edward Jones Investments
 - C. Legal Proceedings: Daniel Joseph v Grosse Pointe Woods
 1. Letter 09/17/15 – City Attorney
 2. Summons and Complaint

9. BIDS/PROPOSALS/
CONTRACTS
 - A. Contract: Indian Summer Recycling
 1. Memo 09/24/15 – Director of Public Services
 2. Letter 09/15/15 – F. Thompson, Indian Summer Recycling

- 10. PROCLAMATIONS A. National Friends of Libraries Week
- 11. CLAIMS AND ACCOUNTS A. CITY ATTORNEY
 - 1. Don R. Berschback
 - 2. Charles T. Berschback
- 12. NEW BUSINESS/PUBLIC COMMENT
- 13. ADJOURNMENT

**Lisa Kay Hathaway, CMMC/MMC
City Clerk**

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
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COUNCIL
09-21-15 - 110

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 21, 2015, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:34 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke
Council members: Bryant, Granger, Ketels, Koester, Shetler
Absent: McConaghy

Also Present: City Administrator Fincham
City Attorney Don Berschback
Treasurer/Comptroller Irby
City Clerk Hathaway

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

Motion carried by the following vote:

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

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

The following Commission member was in attendance:

Mike Fuller, Planning Commission

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

The Mayor thanked the City Clerk and Treasurer/Comptroller for donating their time for the city's Fall Fest event held on September 19th.

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

1. City Council Minutes dated September 14, 2015.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **Application for Vendor Permit – Refuse**, that the City Council approve the application of Patrick Maher for a Refuse Vendor License.

Motion carried by the following vote:

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

Motion by Shetler, seconded by Bryant, regarding **Assumption Church and Cultural Center's Annual Senior Expo – Request for Parking at Lake Front Park**, that the City Council approve Assumption Cultural Center's request to use the Lake Front Park parking lot on Thursday, October 8, 2015, from 8 a.m. to 1 p.m. during their 22nd Annual Senior Expo.

Motion carried by the following vote:

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

Motion by Koester, seconded by Bryant, regarding **Monthly Financial Report – August 2015**, that the City Council refer this report to the Finance Committee.

Motion carried by the following vote:

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

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

Motion by Granger, seconded by Shetler, that the City Council voice no objection to the issuance of said Proclamation.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Granger, regarding **Second Reading: An Ordinance to Amend Chapter 8 Buildings and Building Regulations, Article IX Fences To Allow Certain Methods of Proof of Ownership, Waiver of the 50% Opening Requirement for Corner Lots and Consents, and Providing for Standards Regarding Granting of Exceptions to the Ordinance**, that the City Council adopt the ordinance as presented, making it effective 20 days after its enactment

Motion carried by the following vote:

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

Motion by Koester, seconded by Granger, regarding **Resolution – Milk River/Grosse Gratiot Drain Millage Request & Budget Amendment**, that the City Council adopt the 2015 Milk River Drain Levy Resolution as presented:

CERTIFIED RESOLUTION

Motion by _____, seconded by _____, regarding **2015 Milk River Drain Levy**, that the Council adopt the following resolution:

Whereas: the Mayor and City Council directs that the millage levy consisting of 4.1509 mills be established for the operational and maintenance costs related to the Milk River Drain pumping facility for administration, replacement and maintenance of the City of Grosse Pointe Woods sanitary sewer/drain system, and SRF debt payments, and

Whereas: that the Drain/Milk River Debt millage be levied upon such assessments as certified by the Assessor of the City of Grosse Pointe Woods, and

Whereas: that the following amounts be collected from the assessments levied as follows:

	Millage	Amount (rounded)
Milk River Drain Operations	2.6000	\$1,647,552
Milk River Drain Bonded Debt	1.5280	968,254
Transfers	0.0000	0
Administration	0.0229	14,511
Total	4.1509	\$2,630,317

It is further resolved that the City Clerk certify the Milk River Drain Debt Levy to the Wayne County Board of Supervisors for spreading the 4.1509 mills as Milk River Drain Debt Levy upon the 2015-16 Grosse Pointe Woods tax roll.

Motion carried by the following vote:

Yes:

No:

Absent:

Motion carried by the following vote:

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

No: None

Absent: McConaghy

Motion by Granger, seconded by Shetler, that the previous motion be immediately certified.

Motion carried by the following vote:

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

No: None

Absent: McConaghy

Motion by Shetler, seconded by Granger, regarding **Resolution regarding House Bills 4725 and 4726 to Repeal Public Act 256 of 2011**, that the City Council adopt the proposed resolution as presented:

CITY OF GROSSE POINTE WOODS
CERTIFIED RESOLUTION

A RESOLUTION URGING THE SWIFT PASSAGE OF HOUSE BILLS 4725 AND 4726 TO REPEAL
PUBLIC ACT 256 OF 2011

Motion by _____, supported by _____ that the City Council adopts the following resolution:

WHEREAS, the State of Michigan adopted into law Public Act 256 of 2011 (Michigan Fireworks Safety Act) that took effect on January 1, 2012; and

WHEREAS, Public Act 256 of 2011 now provides for the sale of consumer fireworks, including aerial and explosive, in various retail locations and severely restricts the authority of a local unit of government to regulate sales, possession and use; and

WHEREAS, Public Act 256 of 2011, which liberalized the law on selling fireworks to unlicensed citizens and prohibited local governments from totally banning their use, has resulted in far more fireworks-related noise, litter and potential safety issues; and

WHEREAS, the additional business and revenue generated by Public Act 256 of 2011 has not been sufficient to compensate residents for the threat to their health, safety and quality of life; and

WHEREAS, the aforementioned consequences of the widespread availability and use of aerial and explosive fireworks have prompted citizens to express their discontent with Michigan Fireworks Safety Act, demonstrating that current state law poses a threat to the welfare of our citizens; and

WHEREAS, previous efforts to amend Public Act 256 of 2011 have failed to resolve these problems; and

WHEREAS, aerial and explosive fireworks continue to be offered for sale in Michigan, local law enforcement does not have the resources to enforce regulatory local ordinances;

NOW, THEREFORE BE IT RESOLVED, that the Grosse Pointe Woods Mayor and City Council urge the Michigan Legislature to promptly pass House Bills 4725 and 4726 to repeal Public Act 256 of 2011 and reinstate the ban on aerial and explosive fireworks to restore the quality of life and safety that our citizens expect; and

BE IT FURTHER RESOLVED, that the Grosse Pointe Woods Mayor and City Council hereby direct the City Clerk to forward this resolution to Governor Rick Snyder, State Senator Bert Johnson, and State Representative Brian Banks.

Motion carried by the following vote:

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

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

- The Mayor spoke regarding a complaint received regarding parking on Beaufait. The City Administrator provided an overview and stated an officer will poll the residents. Previous signs were removed and patron parking is now occurring. The City Attorney was asked to find out if parking may be restricted to residents only, and the City Clerk and City Attorney were asked to determine if restrictions for parking on residential streets is controlled by ordinance/policy.

Motion by Bryant, seconded by Shetler, to adjourn tonight's meeting at 7:56 p.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 28, 2015, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

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

ABSENT: None

ALSO PRESENT: Treasurer/Comptroller Irby
City Clerk Hathaway
Director of Public Services Ahee
Parks Supervisor Byron

Also in attendance was Planning Commission Member Mike Fuller.

Mayor Novitke called the meeting to order at 7:30 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, Ketels, Koester, McConaghy, Novitke, Shetler

No: None

Absent: None

Due to the number of people in attendance at tonight's meeting, the Chair declared a recess at 7:31 p.m., and reconvened in the Council Chambers at 7:33 p.m.

Also in attendance this evening were representatives from the Grosse Pointe Woods Foundation: Peter Ahee, Rob Nederhood, Lisa Fuller, Mark Fossee, and Dane Fossee.

The first item discussed was regarding the **proposed miniature golf course at Lake Front Park**. Members of the Grosse Pointe Woods Foundation were present to discuss their proposed project, which is installation of a miniature golf course at Lake Front Park. Mr. Nederhood and Ms. Fuller provided a supplemental memo with calculations dated September 27, 2015, and an overview in response to concerns raised by administration in their memos dated September 24, 2015, and September 9, 2015. They addressed the differences in costs and revenues by discussing the dates and hours of operation, staffing, and maintenance. The Foundation would like to announce the project in November, begin raising funds, promote the project, and develop plans.

The Mayor stated the Committee-of-the-Whole will be discussing a reduction in guest privileges, which could have an effect on projected numbers.

The Director of Public Services and Treasurer/Comptroller stated they reviewed the new information received from the Foundation and distributed an amended expense sheet prepared by administration dated September 28, 2015. Following discussion, administration's recommendation for this project was that it is not a suitable project at this time due to staffing and maintenance. Director Ahee explained that the original figures submitted were based on an expanded time frame due to the availability of seasonal help, and that people will not be happy if it is closed, similar to other equipment at the park (ex: pool slide).

The Mayor stated that it causes pause for the City Council when administration recommends not moving forward with a project due to the inability to predict costs and revenue, and reducing the number of guests at the park. Discussion included the need for the project to be self-sustaining, concerns over maintenance and staffing costs, cost per game, and timing of the project.

Following discussion, the Mayor stated that it is necessary for the Committee to provide the Foundation guidance and determine whether the City is committed to the miniature golf project or not committed. He also stated that a final determination on hours of operation also makes a commitment to employees hired.

Motion by Koester, seconded by Shetler, regarding proposed installation of a miniature golf course at Lake Front Park, that the Committee-of-the-Whole recommend that City Council approve the concept of the Grosse Pointe Woods Foundation's proposal to install a miniature golf course at Lake Front Park.

Motion carried by the following vote:

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

No: None

Absent: None

The miniature golf course is to remain on the Committee-of-the-Whole agenda.

The Chair declared a recess at 8:42 p.m., and reconvened at 8:52 p.m.

The next item discussed was regarding **park pass procedures**. The Mayor provided an overview, and the Committee discussed recommendations amending park procedures as indicated in administration's memo dated September 2, 2015.

The first item discussed was concerning park pass procedures. Following discussion, there was a consensus of the Committee on the following points:

1. Eliminate summer/winter punches (34) per year. Provide 15 punches per pass per year. From May 1 through September 30, one (1) guest not punched per pass on weekdays only. From October 1 through April 30, one (1) guest not punched per pass including weekends.

2. Change the issue and expiration dates of the park pass season from May 1 to April 30 to a calendar year, January 1 to December 31. Begin processing park passes in December. Begin confiscating park passes for non-renewal on January 10th to permit college students to enter the park during holidays and provide time to renew their pass.
3. Increase the age requirement of the park pass from six and older to eight and older; which is the same requirement for riding the park bus.

Motion by McConaghy, seconded by Granger, regarding park pass procedures, that the Committee-of-the-Whole recommend that City Council approve Items 1, 2, and 3 as indicated above, and in accordance with administration's memo dated September 2, 2015.

Motion carried by the following vote:

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

No: None

Absent: None

The next item discussed was regarding group permits including pavilion and gazebo rentals. Discussion ensued regarding Options 1 and 2 as indicated in administration's memo dated September 2, 2015. There was a consensus of the Committee to approve Option 1, but not divide the large pavilion with lumber and lattice, but to move forward with adding a barbeque. The Director of Public Services was asked to provide a cost for the barbeque.

Also discussed was creating an additional rental space out of the sun shelter space located by the pool. The Director of Public Services was asked to provide a cost for a tin and a fiberglass roof and miscellaneous repair.

There was a consensus of the Committee to approve Group Permits - Option 1 as follows:

- Add a large barbeque to Pavilion 1 (do not divide the pavilion with lumber and lattice);
- Rent both Pavilions 1 and 2 on the east bank of the canal, Pavilion 4 by the concession stand, and Gazebo 4 on the west bank by pedestrian bridge;
- There will be no rentals permitted for the gazebos along the boardwalk and the two small pavilions;
- Eliminate pavilion/gazebo half-day rentals and rent for full day only at \$50.00 charge (no change).

There was a consensus of the Committee to approve Picnic Permits procedures as follows:

- Picnic permits must be turned in at the Community Center five days in advance of the picnic for pre-approval;
- Residents must use the 15 punches allowed per pass for non-residential guests on weekends from May 1 through September 30;
- Residents are entitled to one guest not punched per pass on weekdays only.

Motion by McConaghy, seconded by Shetler, that the Committee-of-the-Whole recommend that City Council approve Group Permits – Option 1 and Picnic Permits procedures as indicated above.

Motion carried by the following vote:

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

No: None

Absent: None

Motion by McConaghy, seconded by Bryant, to remove Park Pass Procedures from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

No: None

Absent: None

Motion by McConaghy, seconded by Bryant, that the meeting of the Committee-of-the-Whole be adjourned at 9:37 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk

7C

ELECTION COMMISSION
09-24-15

MINUTES OF THE ELECTION COMMISSION MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON THURSDAY, SEPTEMBER 24, 2015, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

City Attorney Don Berschback called the meeting to order at 9:05 a.m.

Roll Call: Council Member Todd McConaghy
City Attorney Don Berschback

Absent: Chair/City Clerk Lisa Hathaway

Also Present: Deputy City Clerk Steve Gerhart

Motion by McConaghy, seconded by Berschback, that Chair/City Clerk Lisa Hathaway be excused from today's meeting.

Motion carried by the following vote:
Yes: Berschback, McConaghy
No: None
Absent: Hathaway

Motion by Berschback, seconded by McConaghy, that all items on the agenda be received, placed on file and taken in order of appearance.

Motion carried by the following vote:
Yes: Berschback, McConaghy
No: None
Absent: Hathaway

Motion by Berschback, seconded by McConaghy, regarding Certification of Election Inspectors and Receiving Boards, that the Election Commission approve the list of Election Inspectors as presented and recommend the City Council approve the rates of pay as presented.

Motion carried by the following vote:
Yes: Berschback, McConaghy
No: None
Absent: Hathaway

Motion by Berschback, seconded by McConaghy, that today's meeting minutes be immediately certified.

Motion carried by the following vote:

Yes: Berschback, McConaghy
No: None
Absent: Hathaway

Motion by McConaghy, seconded by Berschback, that the meeting be adjourned at 9:10 a.m.
PASSED UNANIMOUSLY.

Respectfully submitted,

Steve Gerhart
Deputy City Clerk



CITY OF GROSSE POINTE WOODS

20025 Mack Plaza Drive
Grosse Pointe Woods, Michigan 48236-2397

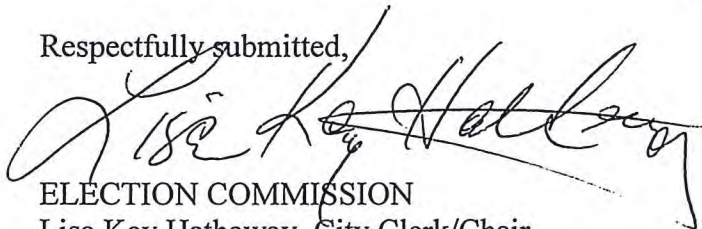
Certification of Board of Election Inspectors

The undersigned, members of the Election Commission of the City of Grosse Pointe Woods, for the *November 3, 2015, General City Election*, do hereby certify the following:

1. The number of members of the Board of Election Inspectors shall be six (6) in each precinct, one (1) Intern in each precinct, seven (7) in one absent voter counting board; one (1) of whom shall be designated as Chair, and one (1) of whom shall be designated as Co-Chair. One additional Inspector may be appointed to some precincts as needed.
2. The flat rate compensation for all regular precincts and absent voter counting board(s) shall be as follows:

\$175.00	Chair
160.00	Co-Chair
135.00	Inspector
90.00	Intern
3. If necessary, the City Clerk is authorized to appoint Election Inspectors to vacancies on the Board of Inspectors due to refusal or failure to serve. There shall be at all times during the times the polls are open a majority of Board of Election Inspectors on duty and there shall be at least one from each major political party: Republican and Democrat.
4. The number of members of the three Receiving Boards shall be six (6) total. The flat rate compensation for all receiving board members shall be \$50.00.
5. The members of the Board of Election Inspectors and Receiving Board for the above election are listed on the attached summary.

Respectfully submitted,



ELECTION COMMISSION

Lisa Kay Hathaway, City Clerk/Chair

Todd A. McConaghy, Council Member Representative

Don R. Berschback, City Attorney

Dated: September 24, 2015

Attachment

PCT	LAST	FIRST	ADDRESS1	ADDRESS2	TITLE	PTY
1	MCKAY	DAVID	1867 LOCHMOOR AVE	GROSSE POINTE WOODS, MI 48236	CHAIR	DEM
1	TOCCO	DAWN	575 HIDDEN LN	GROSSE POINTE WOODS, MI 48236	CO-CHAIR	REP
1	WHITE	WALTER	2049 HUNT CLUB DR	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
1	MICKS	PAIGE	19276 LINVILLE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
1	SCHERRER	CATHERINE	1842 HUNT CLUB DR	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
1	JANSON	CELESTE	653 PEACH TREE LN	GROSSE POINTE WOODS, MI 48236	INTERN	DEM

2	JACKSON	CHRISTINA	1899 KENMORE DR	GROSSE POINTE WOODS, MI 48236	CHAIR	DEM
2	STELLINGWERF	FRANK	1575 FAIRHOLME RD	GROSSE POINTE WOODS, MI 48236	CO-CHAIR	REP
2	WALTON	PRECIOUS	1980 ALLARD AVE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
2	MALBOUEF	THOMAS	1700 S RENAUD RD	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
2	MASSERANG	JUDITH	20104 E. BALLANTYNE CT.	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
2	THIBODEAU	MARY ANN	1860 BROADSTONE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP

3	POPKIN	DEBRA	1681 ROSLYN RD	GROSSE POINTE WOODS, MI 48236	CHAIR	DEM
3	CLOR	KYLE	47 ROSLYN	GROSSE POINTE SHORES, MI 48236	CO-CHAIR	REP
3	CHICKLAS	DANIEL	1120 N. RENAUD	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
3	KROLIKOWSKI	THADDEUS	1301 BRYN DR	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
3	SAVAGE IV	MATTHEW	19955 W DOYLE PL	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
3	HOLMAN	MAKENNA	20427 VAN ANTWERP	HARPER WOODS, MI 48236	INSPECTOR	DEM

4	PERRY	DAVID	2065 VAN ANTWERP	GROSSE POINTE WOODS, MI 48236	CHAIR	DEM
4	MCGOVERN	ROBERT D.	808 SHOREHAM RD	GROSSE POINTE WOODS, MI 48236	CO-CHAIR	REP
4	SANTALUCIA	HOLLY	563 N ROSEDALE CT	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
4	FORD	KATHY	2048 HUNT CLUB DR	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
4	HOGAN	GEORGETTE	21490 GOETHE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
4	HENDRA	JILL	561 GLEN ARBOR LN	GROSSE POINTE WOODS, MI 48236	INTERN	DEM

5	HIGLEY	DENVER	2041 STANHOPE ST	GROSSE POINTE WOODS, MI 48236	CHAIR	REP
5	RHEIN	RAY	20132 E BALLANTYNE CT	GROSSE POINTE WOODS, MI 48236	CO-CHAIR	DEM
5	FLETCHER	LORNA	1555 FAIRHOLME	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
5	GARVEY	JUDITH	2108 HUNT CLUB DRIVE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
5	ELWART	SUZANNE	23814 LAKEWOOD	ST. CLAIR SHORES, MI 48082	INSPECTOR	REP
5	THIBODEAU	ROY	1860 BROADSTONE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP

6	DIXON	MICHAEL	1091 S RENAUD RD	GROSSE POINTE WOODS, MI 48236	CHAIR	REP
6	SEDLACHEK	SARA	2071 OXFORD	HARPER WOODS , MI 48236	CO-CHAIR	DEM
6	ROWE-SHANLEY	KELLY	19833 HOLIDAY	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
6	SWIA TEK	MARY	1962 LITTLESTONE RD	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
6	ZAMPARDO	MARILYN	290 KERBY	GROSSE POINTE FARMS, MI 48236	INSPECTOR	DEM
6	SMITH	LILY	21668 EASTBROOK CT	GROSSE POINTE WOODS, MI 48236	INTERN	DEM

CB-7	BURK	NANCY	651 VERNIER RD	GROSSE POINTE WOODS, MI 48236	CHAIR	DEM
CB-7	CARTER	MARY	1374 ALINE DR	GROSSE POINTE WOODS, MI 48236	CO-CHAIR	REP
CB-7	RABAUT	SARAH	887 S. BRY S	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
CB-7	GOERKE	MARY	920 S. OXFORD	GROSSE POINTE WOODS, MI 48236	INSPECTOR	DEM
CB-7	DIXON	DEBRA	1091 S. RENAUD RD	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP
CB-7	KUMMER	CYNTHIA	21905 RIDGEWAY ST	ST. CLAIR SHORES, MI 48080	INSPECTOR	DEM
CB-7	ROULS	DONALD	879 S. ROSEDALE	GROSSE POINTE WOODS, MI 48236	INSPECTOR	REP

RB	GRIPPI	LYNDA	20062 E BALLANTYNE CT	GROSSE POINTE WOODS, MI 48236	RB	REP
RB	LENTINE	MICHAEL	1570 ANITA	GROSSE POINTE WOODS, MI 48236	RB	DEM
RB	PRISBE	PAMELA	874 ANITA	GROSSE POINTE WOODS, MI 48236	RB	DEM
RB	AHEE	ELIZABETH	573 VERNIER	GROSSE POINTE WOODS, MI 48236	RB	REP
RB	SIGURDSON	LYNN	1740 PRESTWICK RD	GROSSE POINTE WOODS, MI 48236	RB	DEM
RB	SZABO	MONICA	1620 FAIRHOLME	GROSSE POINTE WOODS, MI 48236	RB	REP

Approved by Commission 7D
09/22/15

PLANNING COMMISSION
07/28/15 – 15

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, JULY 28, 2015, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:36 p.m. by Chair Vitale.

Roll Call: Chair Vitale
Fuller, Hamborsky, Stapleton, Vaughn

Absent: Gilezan (arrived at 7:41), Profeta, Rozycki

Also Present: Building Official Tutag
Deputy City Clerk Gerhart

Motion by Vaughn, seconded by Fuller, that Commission Members Gilezan, Profeta, and Rozycki be excused from tonight's meeting.

MOTION CARRIED by the following vote:

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

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

Motion by Vaughn, seconded by Stapleton, regarding **Approval of Minutes**, that the Planning Commission minutes dated June 25, 2015, be approved as submitted.

MOTION CARRIED by the following vote:

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

The next item on the agenda was a **Continued Revision to Previously Approved Façade Change: Churchill's Bistro Cigar Bar, 19271 Mack Ave.** Building Official Tutag provided an

PLANNING COMMISSION
07/28/15 – 16

overview of the project. He then outlined the updates to the plan that he and Chair Vitale reviewed with the petitioner. John Gumma of Etchen Gumma Limited, on behalf of Churchill's Bistro Cigar Bar, was present for questions and discussion. Mr. Gumma presented the Commission with sample building materials. The Chair appreciated the diligence that the architects had in getting the project to an acceptable state.

Recording Secretary's Note: Commission Member Gilezan was now in attendance at tonight's meeting.

Motion by Hamborsky, seconded by Fuller, regarding the **Revision to Previously Approved Façade Change: Churchill's Bistro Cigar Bar, 19271 Mack**, to approve the façade change as presented.

MOTION CARRIED by the following vote:

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

The next item on the agenda was **Discussion: Special Sign Subcommittee**.

At the June 25, 2015 Planning Commission meeting the idea of disbanding the Special Sign Subcommittee for lack of necessity was discussed. As a result of a recent Supreme Court ruling, Reed vs. Town of Gilbert, Arizona, regarding temporary signage regulation by municipalities, the Commission will review the courts decision at an upcoming meeting. The Commission decided to take no action on the issues until further discussion could be held at the August 25th Planning Commission meeting.

The next item on the agenda was the **Building Official's Monthly Report – June 2015**. Mr. Tutag reported the following:

- Plans will be submitted this week for the MedPost location at Mack and Van Antwerp;
- Progress is being made on the Rivers;
- A lot of residential work is being done in the City;
- The City is currently looking for a plumbing inspector;
- Progress has begun on the Briarcliff project, brick has been ordered and will be delivered in six to eight weeks;
- The Building Department is extremely busy.

Regarding the **July 2015 Council Reports**:

- Commissioner Vaughn reported that the City has changed the ordinance regarding the maximum allowable animals. He also reported that the Rivers is appealing their tax assessment.

PLANNING COMMISSION
07/28/15 – 17

Chair Vitale will attend the Council Meetings in August.

Under **New Business**, the following **Subcommittee Reports** were provided:

2020 Plan – Commission Members Hamborsky, Vitale, Fuller and Gilezan had nothing to report.

Special Sign – Commission Members Vaughn, Stapleton, and Fuller had nothing to report.

Motion by Vaughn, seconded by Stapleton, that the Planning Commission Meeting be adjourned at 8:03 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Steve Gerhart
Deputy City Clerk

August 13, 2015



AUG 20 2015

CITY OF GROSSE PTE. WOODS

1. **Call to Order**

The regular meeting of the Grosse Pointe Woods Historical Commission was called to order at 7:39 p.m. by Secretary Becky Veitengruber.

2. **Roll Call**

Present: Mary Kaye Ferry, Shirley Hartert, Suzanne Kent, Lynne Millies, John Parthum, Becky Veitengruber

Also Present: Council Representative Art Bryant, Izzy Donnelly, Margaret Potter

Excused: Sean Murphy, Phil Whitman

Unexcused: Del Harkenrider, Giles Wilborn

3. **Approval of Agenda**

Motion by Ferry, seconded by Kent, to approve the agenda, for August 13, 2015, as presented. Ayes: all. Motion carried.

4. **Approval of Minutes**

Motion by Millies, seconded by Parthum, to approve the July 9, 2015 minutes, as amended. Ayes: all. Motion carried.

5. **Items**

A. ***MORSA Hosting:*** Discussion continued about possibility of hosting. Ferry announced that MORSA meets in September and as of our meeting, no one signed up to host yet.

Motion by Hartert, seconded by Kent, for GPWHC to offer to host MORSA in May of 2016 or May of 2017. Ayes: all. Motion carried.

B. ***Cook Schoolhouse Birthday:*** 2015 is the 125th birthday of the Cook Schoolhouse. Discussion ensued about acknowledging this special year, at an upcoming open house.

6. **Adjournment**

The meeting adjourned at 8:14 p.m.

Respectfully submitted:

Becky Veitengruber

The next meeting of the Grosse Pointe Woods Historical Commission will take place on September 10th, 2015 at 7:30 p.m. in the Conference Room at City Hall, 20025 Mack Plaza Drive, Grosse Pointe Woods, MI 48236.

Approved by
Commission 8-13-15

City of Grosse Pointe Woods Historical Commission Minutes

20025 Mack Plaza Drive, Grosse Pointe Woods, MI 48236

Conference Room at City Hall

July 9, 2015

RECEIVED

SEP 17 2015

CITY OF GROSSE PTE. WOODS

1. Call to Order

The regular meeting of the Grosse Pointe Woods Historical Commission was called to order at 7:38 p.m. by Vice-Chair Sean Murphy.

2. Roll Call

Present: Mary Kaye Ferry, Suzanne Kent, Lynne Millies, Sean Murphy, John Parthum, Becky Veitengruber, Giles Wilborn

Excused: Phil Whitman

Unexcused: Del Harkenrider, Shirley Hartert

Also Absent: Councilman Art Bryant

3. Approval of Agenda

Motion by Ferry, seconded by Veitengruber, to approve the agenda for July 9, 2015, as presented. Ayes: all. Motion carried.

4. Approval of Minutes

Motion by Parthum, seconded by Kent, to approve the minutes for June 11, 2015, as presented. Ayes: all. Motion carried.

5. Items

A. Report of Treasurer: Parthum reported that the commission balance is \$0.

(Because of the new fiscal year, the previous balance of \$459.50 was reabsorbed by the city.)

The balance for the Cook Schoolhouse is \$5,067.50

B. Cook Schoolhouse Project:

1. Open house was held Saturday, June 13, 2015, with 42 visitors and ~~\$32.50~~ \$30.50 received in donations.

2. July open house will be on the 18th, from 12 noon until 2:00 p.m.

3. Ferry reported that a soap dispenser and towel dispenser were installed in the bathroom. Also, light bulbs were replaced in the fixtures.

C. Commission Membership: There is still a vacancy.

D. MORSA Hosting:

1. Ferry reported that she spoke with a MORSA member to find out more details about the duties/responsibilities of a hosting commitment. MORSA does pay for food and beverages for the event.

2. Commission discussed interest in hosting for 2016 Or 2017 and decided that further investigation needs to be done. Some commission members are investigating further.

6. New Business

No new business at this time.

7. Public & Commissioner Comments

None at this time.

8. Adjournment

The meeting adjourned at 8:34 p.m.

Respectfully submitted:

Becky Veitengruber, Secretary

The next meeting of the Grosse Pointe Woods Historical Commission will take place on August 13th, 2015 at 7:30 p.m. in the Conference Room at City Hall, 20025 Mack Plaza Drive, Grosse Pointe Woods, MI 48236.

Approved by Commission
on 9-12-15

SENIOR CITIZENS' COMMISSION
JULY 21, 2015

7F

MINUTES OF THE REGULAR SENIOR CITIZENS' COMMISSION MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON TUESDAY, JULY 21, 2015, IN THE PARK ROOM OF THE COMMUNITY CENTER, 20025 MACK PLAZA DRIVE, GROSSE POINTE WOODS, MI 48236

Chairperson Gattari called the meeting to order at 7:00 p.m.

Commission Members: Gattari, Hyduk, Kypros, Maier, Motschall, Palen, Strek, Uhlig, Wehrmann
Also in Attendance: Norris, Shetler
Absent: Thornton, Witt

CITY OF GROSSE POINTE WOODS

JUL 27 2015

RECEIVED

APPROVAL OF MINUTES:

Motion by Maier, seconded by Strek, to approve the minutes of the Senior Citizens' Commission meeting held May 20, 2015. Said motion passed unanimously.

CHAIRPERSON'S REPORT: Gattari introduced and welcomed Kathleen Norris in her position as Grosse Pointe Woods Senior Coordinator. Norris serves as the liaison between her supervisors, the Senior Club, and the Senior Citizens' Commission. While her duties are still being defined, Norris hopes to continue to create the flyers that the Commission will need to publicize its events. Norris is also working to establish a monthly craft day beginning later this year.

Gattari distributed the Leisure Interest Survey breakdown, which Maier described in detail. The survey generated 399 responses from seniors throughout Grosse Pointe Woods indicating activities of interest. Gattari asked that a sub-committee be formed to work on publicity regarding the survey as well as to implement the results. Witt and Maier will chair the sub-committee; Uhlig will be in charge of publicity; Maier and Palen will work on events.

TREASURER'S REPORT: Wehrmann reported the Carry-Forward Budget Balance as of June 30, 2015 is \$3,043.99. The Council-Approved General Fund carries a balance of \$127.14. Wehrmann recommended that funds be made available for both the Senior Picnic at Lake Front Park and the upcoming Senior Expo at Assumption Cultural Center.

Motion by Gattari, seconded by Uhlig, to immediately certify that the Senior Citizens' Commission hereby requests City Council to approve an amount up to \$1,200 for expenses related to the Senior Picnic to be held at Lake Front Park on September 12, 2015. Said motion passed unanimously.

Motion by Wehrmann, seconded by Maier, to immediately certify that the Senior Citizens' Commission hereby requests City Council to approve an amount up to \$175.00 for expenses related to the Senior Expo to be held at Assumption Cultural Center on October 8, 2015. Said motion passed unanimously.

COUNCIL REPRESENTATIVE REPORT: Shetler reported that long-time Grosse Pointe North High School coach, Frank Sumner, received a proclamation from the City for his many years of service to student athletes. The renovation of the former Robusto's site is progressing and will open as Churchill's in the near future. The implementation of weekend trolley service has been most successful. Additional ideas for use of the trolley will be discussed in the months ahead. The road improvements have been set back by approximately three weeks due to DTE's failure to move the gas lines. The City budget passed effective July 1, 2015. The City has also approved the purchase of three additional squad cars. Shetler reported that there is a four pet per household limit. The property on Mack between Lennon and VanAntwerp has been sold to Medpost of Texas to construct an urgent care facility for both children and adults. It is affiliated with DMC and Children's Hospital and is expected to be operational by April, 2016. Shetler also reported that he, Art Bryant, and Michael Koester will run unopposed in the upcoming City election.

COMMUNITY REPRESENTATIVE / SENIOR CLUB REPORT: Norris reported that "Lunch and a Movie" days have consistently sold out with 50 attendees enjoying the afternoon. Nearly 50 people enjoyed the visit to Greektown Casino last week, and the summer outing to an upcoming Detroit Tigers' game has sold out. Shetler asked Norris to reach out to Debby Veltri at Our Lady Star of the Sea to coordinate programs to include senior citizens from the church. Hyduk will also contact Veltri and invite her to attend the Senior Picnic and Senior Citizens' Commission meeting on Saturday, September 12th.

S.O.C. REPORT: Uhlig reported that an Art Fair with works by local artist, Roselyn Rhodes, will be held at the end of July. A preview party will be held on July 30th at S.O.C. headquarters. Tickets are \$50 and reservations must be made in advance. All art is for sale, and 20% of the proceeds will be donated to S.O.C. to fund art education classes. Senior Fun Day will be held on August 13th at the Grosse Pointe War Memorial. The S.O.C. Auction will be held on October 15th at the Grosse Pointe Yacht Club.

NEW BUSINESS: Gattari asked that a sub-committee be formed to handle the arrangements for the Senior Picnic on September 12th from 11:00 a.m. to 1:30 p.m. The sub-committee consists of Wehrmann, Hyduk, Motschall and Strek. Thornton will be senior advisor.

OLD BUSINESS: No report.

ADJOURNMENT:

Motion by Gattari, seconded by Maier, that the meeting adjourn at 7:52 p.m. Said motion passed unanimously.

The next meeting of the Senior Citizens' Commission will be held on September 12, 2015, at 2:00 at Lake Front Park.

Respectfully submitted,

Mary Hyduk
Recording Secretary



CITY OF GROSSE POINTE WOODS
DEPARTMENT OF PUBLIC SAFETY

BRUCE J. SMITH, Director

20025 Mack Plaza

Grosse Pointe Woods, MI 48236-2397



Date: September 24, 2015

To: Alfred Fincham, City Administrator *AF*

From: Bruce Smith, Director of Public Safety *Bruce J. Smith*

Subject: **Prayer Vigil for the Department of Public Safety**

In early September, I was contacted by city resident Kathleen Elsey of 1536 Brys Drive, in Grosse Pointe Woods. She expressed an interest in holding a prayer vigil for the officers of our department to show appreciation of their work efforts in light of the recent negative press coverage of law enforcement in general. She said she wanted to have a meeting with local ministers to see if there was interest in such an event. I thanked her for her support and said that we would be interested in supporting such an event. She also had made contact with Department Chaplain Dennis Walker who agreed with the idea as well.

A meeting was held on Thursday, September 17, 2015 at the Crosspointe Christian Church, 21336 Mack Avenue, Grosse Pointe Woods. The meeting was attended by Pastor Matthew Swiatek of Crosspointe, Chaplain Walker, Kathleen Elsey, and PSO Brian Urban who attended in my absence. Other area pastors were invited but did not attend. A plan was created and a new meeting scheduled with me for further consultation.

I met in my office with Chaplain Walker and Reverend Swiatek on September 21, 2015 to discuss their idea and plans. They want to hold a prayer vigil on the front steps of City Hall on the evening of Thursday, October 15, 2015 at 7:30 pm. They requested the use of a podium and public address for a 20 -30 minute presentation. Included will be a Pledge of Allegiance led by local elementary school students. This would be followed by prayers for our officers, their families, our nation, our leaders, families of slain law enforcement officers and a Benediction. They also asked for an alternate indoor site in case of inclement weather. Invitations were to go out to the department and the local community churches.

I explained to the chaplains that any use of the city property had to be approved by the Mayor and Council. I requested that they submit a written program of their event for the consideration by the City Council. I also informed them that the only location available that night as an alternate for inclement weather was the Cook School House, (50 person maximum,) and they said that would be fine. The School House was reserved pending Council approval. A podium and PA are available from the IT Department.

I am requesting that this request and the attached email from Reverend Swiatek be presented to the Mayor and Council for their consideration.

Bruce Smith

From: Matthew Swiatek [pastor_matt@comcast.net]
Sent: Monday, September 21, 2015 2:38 PM
To: Bruce Smith
Subject: Community prayer time for GPW Public Safety officers

Chief Smith,

Thank you for meeting with Chaplin Walker and myself this morning. We would like to propose a community prayer time for our GPW Public Safety officers to be held Thursday, October 15, at 7:30 PM. The purpose of this community prayer time is to encourage our Public Safety Officers in light of the negative tone that seems to be present in our country today. We want to pray that not only for the officer's safety, but for their families as well. All of the Grosse Pointe Woods churches will be invited to participate in this event.

Order of the Prayer Service:

- Welcome & Introductory Comments - Reverend Dennis Walker Police Chaplin GPW
- Pledge of Allegiance - Lead by Elementary Students of the Community
- Scripture Reading from Romans 13:1-7
- Prayer for the Protection of our GPW Public Safety Officers
- Prayer for the Families of our GPW Public Safety Officers
- Prayer for our Nation to Support and Encourage Those who Protect us Domestically and Abroad
- Prayer for the Leaders of our Country
- Prayer for Families of Slain Law-Enforcement Officers
- Benediction of Thanksgiving for the Blessing of Living in America

We project that the service will go 20-30 minutes.

Respectfully submitted,

Rev. Matthew Swiatek
Senior Pastor
Crosspointe Christian Church
313-881-3343 (O) 313-790-0308 (C)

CITY OF GROSSE POINTE WOODS
20025 MACK AVENUE
GROSSE POINTE WOODS, MI 48236
(313) 343-2440

RECEIVED 8B

SEP 25 2015

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220
Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: JOHN ELLIS Birth Date: _____

Home address: 4501 WOODWARD AVE Telephone: 313-495-2111
212 DETROIT, MI 48201 Driver's License No. _____

Business Name: EDWARDS JONES INVESTMENTS Telephone: 313-495-2111

Business Address: 19806 MACK AVE GROSSE POINTE WOODS, MI

Description of Business: FINANCIAL ADVISING

Assistants: _____

Name	Address	Date of Birth

If vehicle used, describe: 2010 CADILLAC SRX MI DJC9091
Year Make Type License #

Other cities served: GROSSE POINTE SHORES, GROSSE POINTE FARMS, GROSSE POINTE

Years previously licensed in Grosse Pointe Woods: None X 20____ 20____ 20____ 20____

VENDOR: Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).
REFUSE VENDOR: Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).
SOLICITOR: Shall not walk on residential or commercial lawns; must use sidewalk.
NO PERSON: Shall deliver or deposit residential handbills at any residential home or apartment where a sign or notice has been posted in a conspicuous location, which sign or notice states "no handbills" or "no vendors or solicitors." Sec. 10.295

Signed: [Signature] Date: 09-25-2015

State of Michigan)
County of Wayne) ss.



Subscribed & sworn to before me this
25 day of September, 2015
Linda M. Mowen
Signature of Notary Public
My Commission expires: 4/17/2022

Public Safety	<u>Approve</u>	<u>Deny</u>
City Clerk:	<u>[Signature]</u>	_____
Council Action:	_____	_____
Plate No.:	_____	_____
Date Issued:	_____	_____
By:	_____	_____

RECEIVED

8C

SEP 17 2015

CITY OF GROSSE PTE. WOODS

DON R. BERSCHBACK
ATTORNEY AND COUNSELOR AT LAW
24053 JEFFERSON AVENUE
ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400
FAX (586) 777-0430
E-MAIL donberschback@yahoo.com

OF COUNSEL
CHARLES T. BERSCHBACK

September 17, 2015

Eric Stempien
Romano Law, PLLC
23880 Woodward Ave.
Pleasant Ridge, MI 48069

RE: Daniel Joseph v. Grosse Pointe Woods
Wayne County Circuit Court Case No. 15-009867-NO

Dear Mr. Stempien:

Please note that I am the attorney for the City of Grosse Pointe Woods, a municipal corporation. We acknowledge receipt of a Summons and Complaint which was filed with the Wayne County Circuit Court on July 28, 2015 and which was received by my client on September 14, 2015.

Generally, in these types of cases, these lawsuits are referred to our insurance company for further processing, I will be in the process of doing that in the near future.

Based on the time limit regarding the response required to the Summons and Complaint, I would ask that you confirm in writing to me that you will extend the time limit for filing adequate responses to your pleadings for a minimum of 45 days. Awaiting your advises I remain,

Very truly yours,

DON R. BERSCHBACK

DRB:gmr

cc: Alfred Fincham
Lisa K. Hathaway ✓
Dee Ann Irby

CC's De Ann
Skip Jan

STATE OF MICHIGAN THIRD JUDICIAL CIRCUIT WAYNE COUNTY	SUMMONS AND COMPLAINT	CASE NO. 15-009867-NO Hon. Daphne Means Curtis
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2 Woodward Ave., Detroit MI 48226

Court Telephone No. 313-224-2240

Plaintiff JOSEPH, DANIEL
Plaintiff's Attorney Eric Stempien, P-58703 23880 Woodward Ave Pleasant Ridge, MI 48069-1133

v

Defendant GROSSE POINTE WOODS	RECEIVED
Defendant's Attorney	SEP 14 2015 CITY OF GROSSE PTE. WOODS

SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons to **file a written answer with the court** and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state). (MCR 2.111[C])
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

Issued 7/28/2015	This summons expires 10/27/2015	Court clerk File & Serve Tyler
---------------------	------------------------------------	-----------------------------------

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

COMPLAINT *Instruction: The following is information that is required to be in the caption of every complaint and is to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form.*

☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.

Family Division Cases

☐ There is no other pending or resolved action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties.

☐ An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in _____ Court.

The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

General Civil Cases

☐ There is no other pending or resolved civil action arise out of the same transaction or occurrence as alleged in the complaint.

☐ An civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in _____ Court.


The action ☐ remains ☐ is no longer pending. The docket number and the judge assigned to the action are:

Docket no.	Judge	Bar no.
------------	-------	---------

VENUE

Plaintiff(s) residence (include city, township, or village)	Defendant(s) residence (include city, township, or village)
Place where action arose or business conducted	

7/28/15
Date


Signature of attorney/plaintiff

If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

DANIEL JOSEPH,

Plaintiff,

Case No.: 15- -NO
Hon.

vs.

GROSSE POINTE WOODS, a municipal corporation,
and FAEM PROPERTIES XXVII, LLC,

Defendant.

15-009867-NO

FILED IN MY OFFICE
WAYNE COUNTY CLERK
7/28/2015 8:10:12 AM
CATHY M. GARRETT

DANIEL G. ROMANO (P49117)
ERIC STEMPIEN (P58703)
ROMANO LAW, PLLC
Attorney for Plaintiff
23880 Woodward Avenue
Pleasant Ridge, Michigan 48069
(248) 750-0270

**THERE IS NO OTHER PENDING OR RESOLVED CIVIL ACTION ARISING
OUT OF THE SAME TRANSACTION OR OCCURRENCE AS ALLEGED IN THE
COMPLAINT.**

COMPLAINT AND JURY DEMAND

NOW COMES the above-named Plaintiff herein, DANIEL JOSEPH, by and through his
attorneys, ROMANO LAW, P.L.L.C., and for his cause of action against the Defendant, says:

1. That the Plaintiff DANIEL JOSEPH is a resident of the county of Wayne, state of Michigan.
2. That the Defendant GROSSE POINTE WOODS is a municipal corporation existing under and by virtue of the laws and the statutes of the state of Michigan.

3. That the Defendant FAEM PROPERTIES XXVII, LLC, (hereinafter "FAEM") is a domestic corporation conducting business in the county of Wayne and is otherwise doing business and/or established in the county of Wayne, state of Michigan.

4. That at all times pertinent hereto, the Defendant, GROSSE POINTE WOODS and/or FAEM, has the duty to keep streets and sidewalks under its jurisdiction in reasonable repair and condition reasonably safe, fit, and convenient for public travel.

5. That on or about the 22nd day of November, 2013, at or about 4:45 p.m. the Plaintiff was walking on the sidewalk when he tripped over an cracked, broken, uneven, raised, split pavement/asphalt/concrete sidewalk abutting the southwest corner of the building located at 20902 Mack Avenue, Grosse Pointe Woods, County of Wayne, State of Michigan, when the Plaintiff did then and there fall as a result of the defective and dangerous condition of said sidewalk, broken and raised which was greater than two inches, and as a result thereof, the Plaintiff sustained severe, numerous and permanent injuries and damages: including injuries to his leg, wrist, hip, and nose.

6. That at all times pertinent hereto, the subject street where the Plaintiff fell was under the jurisdiction of the Defendant, GROSS POINTE WOODS and/or FAEM, and was not in reasonable repair and not in condition reasonably safe and fit for travel.

7. That at all times pertinent hereto, the Defendants failed to inspect the subject area, failed to warn of the dangerous and defective condition existing within the subject area, failed to properly repair the subject area, and failed to take any and all other action that would be required to keep the subject street reasonably safe and fit for travel and in reasonable repair.

8. That the defect in the street within the improved portion of the roadway was in disrepair and the defective condition existed for a period of excess of 30 days and/or the Defendant had knowledge of same.

9. That Defendant FAEM had a duty to inspect the sidewalks for dangers, had a duty to perform necessary repairs as a reasonably prudent person would and had a duty to maintain its sidewalks as a reasonably prudent person would under the same or similar circumstances.

10. Defendant FAEM was negligent in the inspection, maintenance and/or construction of the sidewalks on its property.

11. That as a direct and proximate result of Defendants' breach of duties, as heretofore expressed, the Plaintiff sustained serious, numerous and permanent injuries including, but not limited to a fractured left femur/hip necessitating surgery, fractured left wrist, fractured nose, lacerations to nose requiring stitches, and damages which have caused him pain, suffering, disability and mental anguish and will in the future cause him pain, suffering, disability and mental anguish.

12. That as a result of the injuries sustained by the Plaintiff, the Plaintiff has suffered a severe loss of mobility and will be unable to engage in those activities which an individual of the Plaintiff's age is accustomed to engage in, and the Plaintiff is claiming damages for said deprivation and loss.

13. That as a result of the injuries inflicted upon the Plaintiff, the Plaintiff has been compelled to expend large sums of money for medical care and treatment and in the future will be compelled to expend large sums of money for medical care and treatment.

14. That the Plaintiff herein who was gainfully employed was compelled to lose time from employment and in the future will be compelled to lose time from employment and will thereby suffer a loss of employability.

15. That as a result of the injuries inflicted upon the Plaintiff, the Plaintiff has had mobility and range of motion severely restricted and will be hindered from engaging in any future occupation as a result of the aforementioned accident.

16. That the amount in controversy exceeds Twenty-Five Thousand Dollars (\$25,000.00), exclusive of interest, costs, and attorney fees, and is otherwise within the jurisdiction of this Court.

WHEREFORE, the Plaintiff herein prays for a judgment in whatever amount above Twenty-Five Thousand Dollars (\$25,000.00) the Plaintiff is found entitled in addition to all other statutory damages including interest, costs, and attorney fees.

JURY DEMAND

NOW COMES Plaintiff, DANIEL JOSEPH, by and through his attorneys, ROMANO LAW, P.L.L.C., and hereby demands trial by jury.

ROMANO LAW, P.L.L.C.

/s/ Eric Stempien
DANIEL G. ROMANO (P49117)
ERIC STEMPIEN (P58703)
Attorney for Plaintiff
23880 Woodward Avenue
Pleasant Ridge, MI 48069
(248) 750-0270

Dated: July 27, 2015

9A

MEMO 15 - 32

RECEIVED
SEP 28 2015
CITY OF GROSSE PTE. WOODS

TO: Alfred Fincham, City Administrator
FROM: Joseph J Ahee, Director of Public Services *JA*
DATE: September 24, 2015
SUBJECT: Indian Summer Recycling Contract Extension

Although our curbside compost is covered by Rizzo Services, the DPW continues to accumulate leaves, wood chips and stump grindings that need to go to a compost recycling facility. Indian Summer Recycling is one of only two compost recycling sites in our area. The other is Uni-Dig, Inc. in Clinton Township; however, that site has been closed periodically by the State. An offer from Indian Summer to extend their tipping fee price of \$18.00 per ton for an additional five-year period is attached. Indian Summer provides compost to the city at no charge and the City is then able to make the compost available to residents at no charge.

Therefore, I recommend extending the contract between the City and Indian Summer Recycling, 5877 Bethuy Road, Casco Township, MI 48064 for a five-year period from July 1, 2015 through June 30, 2020 in an amount not to exceed \$50,000.00 annually. This is a budgeted item included in the 2015/2016 fiscal year budget in general ledger account 226-528-818.000. I do not believe any benefit would accrue to the city by seeking additional competitive bids.

If you have any questions concerning this matter please contact me.

Attachment

c.c. Dee Ann Irby
O/F
dm

Recommend approval of the above stated and do not believe any benefit will accrue to the City to seek further competitive bids.

Al Fincham

Al Fincham, City Administrator

9-24-15

Date

Dee Ann Irby

Dee Ann Irby, City Treasurer/Comptroller

9-24-15

Date

Council Approval Required



Indian
Summer
Recycling

September 15, 2015

Joseph Ahee
Director of Public Works
20025 Mack Plaza 48236
Grosse Pointe Woods, MI 48236


Dear Joe:

As you know Indian Summer has accepted and processed your yard waste since your program began in 1990. Our current arrangement expires shortly and we would like to extend the relationship.

Between 1990 and 2000 Indian Summer lowed its tipping fee from \$25.00 a ton to \$18.00. The \$18.00 rate has been in effect since 2000. The stability of our pricing is a reflection on how important we view Grosse Pointe Woods as a customer.

If the City is willing we would continue to accept yard waste from the City at the \$18.00 per ton price for an additional five years.

Sincerely yours,



Frederick J. Thompson

CITY OF GROSSE POINTE WOODS

PROCLAMATION

Whereas, the **Friends of the Grosse Pointe Public Library** was founded in 1948, with the mission to support and expand the educational, cultural, and outreach programs of the Library; and

Whereas, the **Friends** sponsor activities that encourage literacy, lifelong learning, the love of reading, and interest in the Library; and

Whereas, the **Friends** sponsor the Friends' Down Under Used Bookstore at the Woods Branch Library, selling thousands of used books each year, and raising thousands of dollars to support Friends' activities; and

Whereas, the **Friends** annually sponsor a series of lectures on Classic Books to enrich the community's appreciation of great literature; and

Whereas, the **Friends** additionally sponsor events with local and national authors; and

Whereas, the **Friends** annually sponsor the Used Halloween Costume Sale, and use the proceeds to provide hundreds of books for children during the Halloween trick or treating in the Village of Grosse Pointe; and

Whereas, the **Friends** support the Grosse Pointe Public Library with time and talent by conducting three annual used book sales, utilizing the time and talents of dozens of volunteers; and

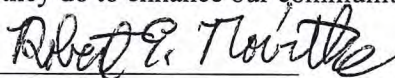
Whereas, the **Friends** annually donate thousands of dollars directly to the Grosse Pointe Library to enrich programming, to provide funds for the summer reading program incentives, to purchase books for the Ford House Fairy Tale event, to fund Library training, and to purchase bookmarks and tote bags; and

Whereas, the **Friends** provide a \$40,000 annual contribution to supplement the Library budget for STEP program incentives, DVD rentals, author visits, and program sponsorships; and

Whereas, the **Friends** are a sponsor of Books on the Lake, donating \$10,000 to help bring nationally-recognized authors to the community; and

Whereas, the **Friends** set an example for all in how volunteerism leads to positive civic engagement and the betterment of our community.

NOW, THEREFORE, I, **ROBERT E. NOVITKE**, Mayor of the City of Grosse Pointe Woods, Michigan, do hereby proclaim the week of October 18 – 24, 2015, as **National Friends of Libraries Week** in Grosse Pointe Woods and thank the **Friends of the Grosse Pointe Public Library** for all that they do to enhance our community and public library.



Mayor Robert E. Novitke
October 5, 2015



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OF COUNSEL
 CHARLES T. BERSCHBACK

September 29, 2015

Skip Fincham, City Administrator
 City of Grosse Pointe Woods
 20025 Mack Plaza
 Grosse Pointe Woods, MI 48236

RE: September 2015 Billing/DRB

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
09.01.15	Work on excavation project (.50);	0.50
09.03.15	Election commission meeting (.25); miscellaneous City matters (.50); work on personnel issue (.50)	1.25
09.09.15	Personnel issues (.50); FOIA (.25); work on CC and COW items (1.00)	1.75
09.14.15	Review of weekend packet and follow up on miscellaneous items (1.00); review of court cases (1.00);	2.00
09.15.15	Work on new civil lawsuit (1.25);	1.25
09.16.15	Municipal Court attendance and follow up (2.75);	2.75
09.18.15	Work on CC and COW matters (1.50); review of Russell letter re. excavation work (.25); election commission work (.25); review of court cases (.50);	2.50
9.21.15	Review of weekend packet and follow up emails and TCs (1.00); CC meeting (.50)	1.50
9.22.15	TCs and meetings with SF and JA re. City matters (.50)	0.50
9.23.15	Attendance at Municipal Court and follow up (2.00); work on agreement re. trash pick up at the Rivers (1.00);	3.00
9.24.15	Attendance at election meeting (.25); meeting on excavation project, bond issues, and follow up (1.25); TCs and emails(.25); drafting of agreements re. excavation of 20172 Fairway (1.00);	2.75
9.28.15	Work on agreement re. Rivers (.75); TCs, emails, FOIA and miscellaneous City work (1.00); work on outside litigation case (1.00)	2.75
9.29.15	Work on court cases (.50); work on contractual issues (1.00); emails, TCs, and follow up on City matters (1.50)	3.00
DRB = 25.50 hours x \$155.00		\$ 3,952.50
BALANCE DUE:		\$3,952.50

Breakdown

General	18.75 hours
Municipal Court	6.75 hours
Bldg/Planning Comm.	0.00 hours
MTT	0.00 hours

TC - Telephone

CTB - Charles T. Berschback

DRB - Don R. Berschback

DAI - DeeAnn Irby

GPCRDA - Grosse Pointe Clinton Refuse Disposal Authority

LKH - Lisa K. Hathaway

CC - City Council

PC - Planning Commission

C&E - Comp and Eval

GT - Gene Tutag

CEW-Conference of Eastern Wayne

SF - Skip Fincham

LFP - Lakefront Park

MTT - Michigan Tax Tribunal

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CHARLES T. BERSCHBACK

DON R. BERSCHBACK

OF COUNSEL

September 30, 2015

Alfred "Skip" Fincham
City Administrator
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: September Billing/ CTB Only

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
9.1.15	Work on Civil Rights (CR) file (1.25); research, meeting with GT, draft of letter re: special land use procedure (1.00); review of Municipal Court docket, review of warrants and meeting with supervisor regarding procedure (1.00); calls on vicious dog tickets (.50)	3.75
9.2.15	Municipal Court docket (1.50); meetings with various department heads (1.00); draft of letter re: Churchills, TC GT (.25); continued work on CR complaint (1.00); TC Lisa, review of FOIA issues (.25)	4.00
9.3.15	Work on CR file (.50)	0.50
9.4.15	Meeting and calls with Municipal Court victims; call on Krogers (1.00)	1.00
9.8.15	TC GT; undated on various zoning issues; call with Rivers; review of agreement (.50); finalized CR letter and documents (.50); TCs victims on Municipal Court cases (.50); TC BN, GT (.25)	1.75
9.9.15	Calls on Municipal Court probation violation; calls on discovery (.25); call with Rich Levin; meeting with GT, email to Levin (1.00); TC complaining witnesses in Municipal Court cases (.50); drone internet research (.50)	2.25
9.10.15	Meeting with Joe Ahee re: Tree contract; review of file, call with Joe, letter to contractor (1.00); calls on dog case and DV case, calls on personnel matters (.50)	1.50
9.11.15	Calls on Municipal Court cases, meeting with defense counsel on pending trials (1.00); initial review of Rumph litigation (RL) file (1.00)	2.00
9.14.15	Meeting with Tom C, email on TT case, TC GT and Pesick re: Rivers discovery (.50); TC on in custody case over weekend and reply to motion re: probation (.25); review of Council package, review of financing agreement and follow up calls (.75); review of new defective sidewalk case,	

	TC Joe A, research (1.00); work on RL complaint (1.00); attendance at Council meeting (.75)	4.25
9.15.15	Meetings at City Hall on Rivers and sidewalk case, meeting with Joe (1.50); review of new warrant, calls with Det Bur (.25); work on RL complaint (.50)	2.25
9.16.15	Review of new warrants, Municipal Court a.m. docket and follow up meeting (2.50); call with complaining witness (.25)	2.75
9.18.15	TC GT re. Kroger; review of prohibited dog ordinance issues; TC LH, TC Debbie Reed (.75); review of motion to dismiss OWI case; TCs attorney and public safety (.50)	1.25
9.21.15	TCs LH, GT; work on RL file (.50)	0.50
9.22.15	TC SF, Joe Ahee (.25); work on numerous files (.50); work on RL and research (1.25); attendance at PC meeting (2.00)	4.00
9.23.15	Municipal Court a.m. docket, evidentiary hearing, follow up calls (3.00); meeting with Tom C and calls on T.T. Case (.25); review of Krogers file, preparation for meeting, preparation of Memo (.75)	4.00
9.24.15	Meeting with Dir. Smith, GT and Krogers (1.00)	1.00
9.25.15	Work on RL complaint; research (3.00); research on response to attorney re. temporary taking allegation (Lancaster Road Construction (1.00)	4.00
9.28.15	Work on RL and research (1.50)	1.50
9.29.15	Further work on RL and research, work on bond claim (3.00); Municipal Court calls (.50); calls and emails on Kroger issues (.25); work on TT case(.25)	4.00
9.30.15	TC with attorney on pending charges, call with Det. Bureau (.50); work on RL (1.00)	1.50

CTB = 47.75 hours at \$140.00 per hour

TOTAL DUE: **\$ 6,685.00**

TC - Telephone	GT - Gene Tutag
SF - Skip Fincham	LH - Lisa Hathaway
JM - Julie Moore	Det. Bur. - Detective Bureau
DAI - DeeAnn Irby	PC - Planning Commission
M/C - Mayor and Council	TT - Tax Tribunal
	RL - Rumph Litigation

Breakdown

General	31.00 hours
Municipal Court	13.25 hours
Building/Planning Commission	2.00 hours
Tax Tribunal	.50 hours