

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 19<sup>th</sup>.

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 22<sup>nd</sup> 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	<b>4.1509</b>	<b>\$2,630,317</b>

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 of 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;

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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

