

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS, HELD ON MONDAY, JANUARY 22, 2007, IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

PRESENT: Mayor Novitke  
Council Members Granger, Reynolds, Spicher, Waldmeir  
ABSENT: Council Members Dickinson, Howle  
ALSO PRESENT: City Administrator Wollenweber  
City Attorney Charles Berschback  
Recording Clerk St. Peter

Also in attendance at tonight's meeting:

Joe Sucher, Planning Commission

The meeting was called to order by Mayor Novitke at 7:30 p.m.

Motion by Reynolds, seconded by Spicher, that Council Members Dickinson and Howle be excused from tonight's meeting.

Motion carried by the following vote:

Yes: Granger, Novitke, Reynolds, Spicher, Waldmeir  
No: None  
Absent: Dickinson, Howle

The Chair opened discussion regarding **Review of the Codification Process**. The City Attorney advised that the procedure is to have Council review a final draft of the revised Code for purposes of a motion to send it to the printer. After the revised Code has been printed, any changes would have to be made by adoption of an ordinance amendment.

The Chair proceeded to review the proposed revisions to the code. The first revision discussed was in regards to code violations. Violations of the code are being changed

from misdemeanors to municipal civil infractions with the first violation having a fine up to \$500.00, second violation having a fine up to \$750.00, third violation is a misdemeanor. The City Attorney has the discretion to issue a separate ticket for every day of the infraction.

The next revision discussed was in regards to whether the City can control the number of individuals that can occupy a single family dwelling. The City Attorney advised that under the proposed draft, there is a rebuttable presumption that the number of individuals is limited to four (4) if they are deemed to be a "functional family". The Chair requested the City Attorney to look at restrictions on the number of people occupying a dwelling. This restriction will have to comply with federal and state law. The City Attorney advised that no dwelling is allowed in detached garages; however, this restriction does not apply to attached garages. The City Administrator stated the State Construction Code provides restrictions on people living in attached garages.

The Chair requested the City Attorney to draft a memo regarding the number of people per square feet occupying a single-family dwelling explaining all existing regulations. The Chair requested the revised Code language reflect as much control by the City as possible.

Next, the City Attorney advised that any revisions to the Code are being made to conform to the City Charter.

The next revision discussed was in regards to fines associated with civil infractions of the Code. The City Attorney advised that language will be included to reflect that when fines are identified pertaining to civil infractions of the Code, any changes to those fines will be addressed by Council resolution, rather than amendment to the Code.

The Chair next requested the City Attorney to tighten up the Code section regarding malicious acts by common carriers and to define what constitutes harassing and malicious messages by common carrier as well as what constitutes a common carrier (*i.e.*, e-mail, text messages, phone calls), so this Code section is not overly broad.

The Chair next requested the City Attorney to review the Code section regarding open burning as it relates to chimneas, fire-pits and outside fireplaces, and to identify prohibited/allowable burning materials so as not to prohibit acceptable burnable items.

The City Attorney advised this section of the Code is also subject to the provisions of the Fire Code.

Council Member Waldmeir requested the Code reflect gender-neutral language. The City Attorney advised that there should be a section at the beginning of the Code which states that any identification of "he" is intended to be gender neutral. The City Attorney will also look into what it would cost to make the Code language gender neutral.

The Chair declared a recess at 8:30 p.m., and reconvened at 8:40 p.m.

Council Member Granger identified a typo in the draft revised Code of Tax Role instead of Tax Roll.

The City Attorney will talk to the Building Inspector to determine whether Site Plan review guidelines identified in the revised Code have drawings included. The City Attorney also advised that any drawings in the current code will be included in the revised Code.

The City Attorney will talk to the Building Inspector to determine whether the property maintenance section of the Code can be tightened up, and also Municode to discuss any copyright issues.

Council Member Granger requested more cross-referencing of the Code sections. A request was also made for the various City departments to review the revised Code to be aware of changes that affect their department.

Hearing no objections, the Chair requested that all of the above items be ready for discussion at the first available Committee-of-the-Whole meeting in March.

The next agenda item discussed was the **Dance Ordinance**. The City Attorney provided an overview and stated the Planning Commission held a public hearing and has recommended dancing in the C-2 District only.

The City Attorney will change the wording of the dance ordinance regarding dancing in "existing country clubs" to "existing private clubs". Additionally, existing liquor license

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holders will be notified of the First Reading of the ordinance as well as businesses in the City on the same block as Robustos. This will be put on the agenda for the February 5, 2007 City Council meeting.

Motion by Reynolds, seconded by Granger, regarding Dance Ordinance, that this item be removed from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

Yes: Granger, Novitke, Reynolds, Spicher, Waldmeir

No: None

Absent: Dickinson, Howle

Upon proper motion, meeting was adjourned at 9:50 p.m. PASSED UNANIMOUSLY.