

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, SEPTEMBER 24, 2018, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

PRESENT: Mayor Novitke  
Council Members Bryant, McConaghy, McMullen, Shetler  
ABSENT: Council Member Granger (arrived 6:58 p.m.)  
Council Member Koester (arrived 6:42 p.m.)

ALSO PRESENT: City Attorney Chip Berschback  
Treasurer/Comptroller Behrens  
City Clerk Hathaway  
Director of Public Safety Kosanke  
Director of Public Services Schulte  
Building Official Tutag  
Recreation Supervisor Gerhart

Mayor Novitke called the meeting to order at 6:30 p.m.

Motion by Bryant, seconded by Shetler, to excuse Council Members Granger and Koester from tonight's meeting.

Motion carried by the following vote:

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

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

Hearing no objections, the Chair took agenda items out of order.

The Chair first addressed **Direct Deposit tax payments**. The Treasurer/Comptroller provided a brief overview of her memo dated September 13, 2018. She stated that several requests were received regarding implementing a direct debit process for property taxes similar to that used for utility customers. There were no objections from the Committee with her proceeding.

Motion by Shetler, seconded by Bryant, that Direct Deposit tax payments be removed from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

The next item discussed was regarding **Community Center Office Manager/Senior Coordinator Position**. There were no objections from the Committee with administration moving forward with this position.

Motion by McConaghy, seconded by Bryant, that the Community Center Office Manager/Senior Coordinator Position be removed from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

Discussion ensued regarding **use of the Community Center**. The Mayor stated that two realtors came before Council and discussed branding of the City. Council Member/Public Relations Committee Chair Granger met with them. They have an interest in creating a Mack Avenue Business Association and Member Granger is requesting they be allowed to use the Community Center without a fee to hold meetings. Hearing no objections, this item is to be placed on the next Committee-of-the-Whole agenda to allow for Member Granger to be in attendance.

Council Member Koester was now in attendance at 6:42 p.m.

Discussion then ensued regarding the **Fence Ordinance**. The Chair placed this item on the agenda for discussion due to the number of variances that have been granted. The Building Official provided an overview on the history of the fence ordinance advising that since January 8, 2017, there have been 10 variance requests for a 6' fence; 8 were granted, and the 2 denied were also requesting a solid fence. He then explained that on January 8, 2017, the ordinance was amended to only permit 6' tall, solid fences to be installed on a corner or alley and allowing 4' fences on side or rear yard making it no longer relevant to obtain neighbor's consent to install a 6' fence.

The Chair stated that there should not be so many variances granted with a good ordinance, and the only time a variance should be granted is when there is a compelling reason. Discussion ensued regarding restoring the ordinance back to before it was

amended on January 8, 2017, thereby allowing a 6' fence in rear and side yards contingent upon receipt of the adjoining owner's consent. Hearing no objections, the City Attorney was asked to draft an amended ordinance for a First Reading before City Council on October 1, 2018.

The Mayor asked the Committee to review Article IX – Fences and identify any additional changes. Discussion ensued regarding Section 8-279, “. . . minimum of two-inch openings throughout 50% of the length or height of the fence” and there were no changes. All were in agreement with the current fence materials. There was a consensus of the Committee that there be no additional changes to the ordinance.

Motion by Bryant, seconded by Shetler, that the Fence Ordinance be removed from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

Council Member Granger was now in attendance at 6:58 p.m.

The Committee then discussed the **Medstar contract**. The City Attorney distributed and reviewed a newly revised contract. The City Attorney was asked to obtain additional information regarding the “Normal Service Fee Scheduled” referred to on Page 5. The City Clerk was asked to place this item on the October 1, 2018, Council agenda.

The City Attorney stated he would address with the City Administrator the “Subsidy and Term of Agreement” portion of the contract. The City Attorney was asked to provide additional clarification language for Article 14, “The division of the subsidy will be determined by the designated city officials from each city.”

Motion by Bryant, seconded by Koester, that the Medstar contract be removed from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

The City Clerk provided an overview regarding the City's **Records Retention Policy**.

Motion by Bryant, seconded by Koester, that Records Retention Policy be removed from the Committee-of-the-Whole agenda.

Motion carried by the following vote:

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

The City Attorney provided an overview regarding the **Open Meetings Act**. Questions pertaining to social media ensued. The City Attorney was asked to advise if a Council Member posts to social media, or texts to a voter, how that Council Member will vote on an upcoming issue, whether it would be in violation of the Open Meetings Act. This item is to remain on the Committee-of-the-Whole and return in one month.

New Business:

- The Mayor spoke of the vacancy on Planning Commission, and Kevin Ketels has expressed an interest in serving. Hearing no objections, the Mayor intends to appoint Kevin Ketels to the Planning Commission at the meeting on October 1, 2018.
- The Mayor stated the Committee-of-the-Whole agenda on October 8, 2018, will be discussing the fire truck and recreational marijuana. He stated items of concern regarding recreational marijuana include what the timeline is for addressing either an opt-out or whatever action may be taken.

Public Comment:

- Margaret Potter asked for clarification regarding the Medstar contract;
- Phil Whitman stated Council was very responsive regarding the fence ordinance in a decisive way in response to the community. He was seeking exactly what the Committee resolved this evening;
- An unidentified woman stated that after a recent fence variance request, she looked at a 6' shadow box fence and said that a child could climb that style fence.

Motion by Bryant, seconded by Koester, that the meeting of the Committee-of-the-Whole be adjourned at 8:05 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

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Lisa Kay Hathaway  
City Clerk

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Robert E. Novitke  
Mayor