



CITY OF GROSSE POINTE WOODS
20025 Mack Plaza Drive
Grosse Pointe Woods, Michigan 48236-2397

(313) 343-2440
Fax (313) 343-2785

**NOTICE OF MEETING
AND
AGENDA**

COMMITTEE-OF-THE-WHOLE

Mayor Robert E. Novitke has called a meeting of the City Council, meeting as a Committee-of-the-Whole, for **Monday, May 11, 2015, at 7:30 p.m.** The meeting will be held in the Conference Room of the Municipal Building, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 and is accessible through the Municipal Court doors. In accordance with Public Act 267, the meeting is open to the public and the agenda items are as follows:

1. Call to Order
2. Roll Call
3. Acceptance of Agenda
4. Ordinance Amendments
 - A. Fence Ordinance
 1. Letter 03/25/15 – City Attorney
 2. Proposed Ordinance to Amend Chapter 8 Buildings and Building Regulations, Article IX Fences
 - B. Maximum Number of Animals
 1. Section 6-38
5. Farmer's Market
 - A. Memo 05/06/15 – City Administrator
6. City Picnic event
 - A. Memo 05/06/15 - Director of Public Services w/attachment
7. City Assessor Position
 - A. Council Excerpt 07/21/14
8. Items to be Considered for Removal
 - A. Director of Public Safety Vacancy
 - B. Eagle Scout Project (Adam Prokup)
 1. Letter 01/14/15 – City Attorney
 - C. Little League Signs
 - D. Trolley
9. New Business/Public Comment
10. Adjournment

Alfred Fincham
City Administrator

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
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The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to a meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or call the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2440, Telecommunications Device for the Deaf (TDD) 313 343-9249, or e-mail the City Clerk at cityclk@gpwmi.us.

cc:

Council – 7
Berschback
Fincham
Hathaway

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CHARLES T. BERSCHBACK

RECEIVED 4A
MAR 25 2015
CITY OF GROSSE POINTE WOODS

DON R. BERSCHBACK
OF COUNSEL

March 25, 2015

Honorable Mayor and Council
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE. Amendments to Fence Ordinance
COW Agenda

Dear Mayor and Council:

Based on several variance hearings, the City Council asked our office to provide suggested amendments to the Fence Ordinance. The following summarizes the proposed changes.

1. Sec. 8-278 – Fence Ownership. Ownership of a fence can also be proved by showing who built the fence.
2. Sec. 8-279 – General Requirements. We have had several variance requests to allow solid fences. These would now be allowed in any location if all the adjacent property owners consent in writing or for that portion of a fence that faces a street on a corner lot or alley. Sec. 8-284 (a)(3).
3. Standards for the Council to grant exceptions to the ordinance have now been added. Sec. 8-284(a)(4).
4. Some sections have been edited for clarification and consistency.

Mr. Tutag and I have reviewed this. We also considered whether to recommend any changes to the “no fence on fence” rule. Based on the unique circumstances that often exists, we both are recommend that that issue continue to be subject to a Council hearing.

If you have any questions, please call.

Very truly yours,

CHIP BERSCHBACK

CTB:nmg

Enclosures

cc: Alfred Fincham
Lisa K. Hathaway
Gene Tutag

ORDINANCE # _____

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

The City of Grosse Pointe Woods ordains:

Sec. 8-274. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adjacent property means a property having a common boundary line.

Fence means any structure erected or placed along or within four feet of the property line to act as a boundary marker or erected for the purpose of restricting access to or from a lot or parcel of land, whether enclosing all or a part of said lot or parcel in all zoning districts. A fence requires a building permit.

Front yard means that portion of the front yard established between the sidewalk and ten feet behind the front most main building line. If a sidewalk does not exist, the front yard shall mean that portion of the front yard established between the end of the city right-of-way and ten feet behind the front most main building line.

Ornamental tops means wood, vinyl or metal decorative caps placed on the tops of fence posts, corners, ends or gateposts.

Property grade line, for determining the height of a fence or landscaping used in place of fencing, means the level of the ground or pavement adjacent to the fence or landscaping.

Rear yard means that portion of the yard between the rearmost corner of the main building line and the rear property line.

Side yard means that portion of the yard between the residential home and side property line, beginning at ten feet back from the front

most main building line to the rearmost corner of the main building line.

(Code 1997, § 10-321; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-275. - Compliance required.

It shall be unlawful for the owner or occupant of premises to erect, place or install any fence in violation of the provisions of this article. No resident may plant or permit the planting of any shrubs, bushes or hedges that will be used as fences in a front yard in violation of the provisions of this article.

(Code 1997, § 10-322; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-276. - Permit.

Before any fence shall be erected, placed or installed, a permit therefor shall be obtained from the ~~division of safety inspection~~ Building Inspector, upon application in writing. Such application shall set forth a description of the fence proposed to be erected, placed or installed and the location thereof, together with such additional information as shall be required to evidence compliance with the provisions of this article. Upon the issuance of a permit for the erection, placing or installing of a fence, a permit fee as currently established or as hereafter adopted by resolution of the city council from time to time shall be paid.

(Code 1997, § 10-323; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-277. - Landscape screening—Front yard.

Shrubs, bushes or hedges, to be used in the place of front yard fencing, shall be limited to a height of 30 inches from the property grade line. Such shrubs, bushes or hedges shall be kept trimmed by the owner or occupant of the property so as not to extend over the property lot line.

(Code 1997, § 10-324; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-278. - Fence ownership.

Ownership of a fence shall be determined by the fence permit applicant as follows:

- (1) By a search of building-permits issued to the property in question and adjacent properties; or
- (2) By mutual agreement of the adjacent property owners. If a fence is located upon a lot line and ownership cannot be determined, then each party owning property adjacent to the fence shall be responsible for the care, upkeep and maintenance of the fence facing their property; or
- (3) By proof showing that a current or former property owner built the fence.

(Code 1997, § 10-325; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-279. - General requirements and maintenance.

The following are general requirements for fences:

- (1) All fences shall be constructed of open latticework of metal, wood, vinyl or of woven wire in such a manner so that there shall be a minimum of two-inch openings throughout 50 percent of the length or height of the fence.
- (2) Fences shall not be constructed with sharp points at the uppermost portion of the fence.
- (3) The supporting framework of any fence shall not face adjacent properties or streets.
- (4) Fences shall not be attached to existing fences, i.e., cyclone fence attached to wooden fence.

- (5) No fence shall be erected adjacent to another fence.
- (6) No fence shall have barbed wire, razor wire, electrical current, concertina wire or other similar material.
- (7) The owner of any fence shall maintain their fences in accordance with the provisions of this Code.
- (8) All fences shall be maintained plumb and true with adequate support in a safe manner. The owner of a fence shall remove and/or repair a fence that is dangerous, dilapidated or otherwise in violation of this Code.
- (9) Any person who erects, builds and/or constructs any fence upon property which such person owns and/or leases shall be responsible for the repair, upkeep and maintenance of the fence.
- (10) Any person who owns property upon which a fence has been constructed by a previous owner shall be responsible for the care, upkeep and maintenance of the fence.
- (11) It shall be the responsibility of the person installing the fence to ensure such fence is placed on or within their own property line.

(Code 1997, § 10-326; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-280. - Front yard fences.

Front yard fences shall have a minimum height of 24 inches and a maximum height of 30 inches from the property grade line. Front yard fences shall be placed a minimum of 18 inches from the sidewalk. If a sidewalk does not exist, front yard fences shall be placed a minimum of 18 inches from the edge of the established public right-of-way.

(Code 1997, § 10-327; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-281. - Rear yard fences.

Rear yard fences shall be constructed to a maximum height of four feet from the property grade line.

(Code 1997, § 10-328; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-282. - Side yard fences.

The following are requirements for side yard fences:

- (1) Side yard fences shall be constructed to a maximum height of four feet from the property grade line.
- (2) Side yard fences on the street side of corner lots may be constructed to a maximum height of six feet from the property grade line.
- (3) Side yard fences on corner lots shall be placed a minimum of 18 inches from the sidewalk. If a sidewalk does not exist, side yard fences shall be placed a minimum of 18 inches from the edge of the established public right-of-way.

(Code 1997, § 10-329; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-283. - Ornamental fence tops.

Ornamental tops shall not be considered as a part of the allowable fence height and are limited to a maximum height of eight inches.

(Code 1997, § 10-330; Ord. No. 748, § 1, 6-19-2000)

Sec. 8-284. - Exceptions to this article.

- (a) Deviations Exceptions. Notwithstanding anything to the contrary provided in this article, ~~deviations~~ exceptions from the provisions of this article may be made under the following circumstances:

- (1) Rear fences. Rear yard fences may be constructed to a maximum height of six feet from the property grade line with the adjacent property owners' consent. Consent from the adjacent property owners must be submitted to the building department in writing with the permit application. If a rear yard is directly parallel to a public street and not a residential lot, property owners are then the city, and consent from the city administrator is required.
- (2) Side yard fences. Side yard fences may be constructed to a maximum height of six feet from the property grade line with the adjacent property

owners' consent. Consent from the adjacent property owners must be submitted to the building department in writing with the permit application. If a side yard is directly parallel to a public street and not a residential lot, property owners are then the city, and consent from the city administrator is required.

- (3) Solid Fences: Notwithstanding the general requirements found in Sec. 8-279 (1), solid fences are permitted under the following circumstances:

- (a) for that portion of a fence that faces a street on a corner lot;
- (b) when a fence faces an alley;
- (c) on all lots when written consent of all the adjacent owners are submitted along with an application.

- (4) Special circumstances. Applications meeting the requirements of this Article and subsections (1), (2), or (3) above do not require a public hearing and may be approved by the Building Inspector. All other exceptions from the provisions of this article require a public hearing and approval from the city council. The Council may consider any or all of the following:

- (a) balancing the relative hardships between the property owner and adjacent property owners;
- (b) whether special circumstances or conditions exist;
- (c) whether pedestrian or vehicular vision will be affected;
- (d) the general health, safety and welfare of the neighborhood.

- (b) Public hearing. Any applicant seeking a hearing under the provisions of this article shall pay to the city a hearing notice fee set

| by council for the ~~publication~~scheduling of such hearing. Payment shall be made at the time the application is made for a hearing. The public hearing fee may be modified by a resolution of the city council as adopted from time to time. The city shall
| ~~forward~~mail notice of the hearing to adjacent property owners at least seven days prior to the hearing date.

(Code 1997, § 10-331; Ord. No. 748, § 1, 6-19-2000)

Secs. 8-285—8-301. - Reserved.



Sec. 6-38. - Maximum number of animals.

- (a) It shall be unlawful for any person to keep or harbor upon the resident premises of such person more than two animals at any one time, provided the provisions of this subsection shall not be deemed to apply to puppies or kittens not exceeding 12 weeks of age.
- (b) Cats owned or housed on the effective date of the ordinance from which this article is derived shall be exempt from the provisions of this section, provided such cat is licensed in accordance with this article within 60 days of the effective date of the ordinance from which this article is derived.

(Code 1975, § 8-11-14; Code 1997, § 6-42)



CITY OF GROSSE POINTE WOODS

5A

MEMORANDUM

Date: May 6, 2015

To: Mayor and Council

From: Al Fincham, City Administrator *Q.7.*

Subject: 2015 Farmers' Market

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MAY 6 2015
CITY OF GROSSE PTE. WOODS

At the October 27, 2014 Committee-of-the-Whole meeting there was discussion held regarding the Farmers' Market. Below are the responses to the requests made by the Committee.

- **Vendor expansion:** At this time there are four new vendors (Johnny B's Cookies; Honey Help; Terra cotta Paste; Kettle Corn of Michigan).
- **Incorporating events and music:** Portmanteau (band) scheduled to play June 21 from 11:00 am – 1:00 pm; Yoga on the Lawn scheduled every month with the exception of October; Donnie's Zoo-to-You on July 26 (afternoon); Knit-a-Bit on July 26 (morning); Meet Xander Day (date TBD); still working on incorporating other events.
- **Non-profit station:** Don Berschback to provide verbal update.
- **Food truck event (3-5 food trucks):** None scheduled at this time.
- **MIFMA Membership:** Obtained.
- **Market Manager attending seminars/training:** None attended.
- **Increase vendor fee:** Fee increased to \$20 per week.
- **Start the Market on the second Sunday in June:** Done.
- **Letter of Understanding for Market Manager Compensation:** In process.

At this time, the following employees are scheduled to work various Market dates:

- Susan Como
- Kathleen Norris
- Jan Treuter

MEMO 15 - 17

TO: Alfred Fincham, City Administrator
FROM: Joseph J Ahee, Jr., Director of Public Services *JA*
DATE: May 6, 2015
SUBJECT: Recommendation – City Picnic Activities

6A
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CITY OF GROSSE PTE. WOODS

During the initial stages of planning additional City Picnic activities several ideas were suggested, however these ideas were brought up prior to the recommendation to install a liner in the Baby Pool and the addition of the Mack Avenue Trolley. Since a decision has been made to proceed with the installation of the PVC liner in the Baby Pool and the purchase of the trolley, I believe we should limit our City Picnic activities to those of prior years as shown below:

- Picnic lunch (hot dogs, chips, and beverages)
- Poolside games
- Lifeguard demonstration
- Chalk art on the pool deck
- Face painting
- Potato sack races

The following activities could be added at minimal expense including:

- Giant Checker
- Super Tumbling Timbers (Giant Jenga)
- Jumbo Egg and Spoons

We believe the improvements to the Baby Pool and the addition of the Mack Avenue Trolley will be enjoyed by the residents and therefore suggest the minimal additions above to the City Picnic activities.

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

c.c. Dee Ann Irby
O/F

POW
5/4/15

Family Fun Day Ideas

Idea	Estimated Price		Estimated # of workers or volunteers
Bouncers	Varies (see attachment)	8 hours rental	2 (depending on bouncer)
Lava Rockwall	\$1,200 (plus mileage)	8 hours rental	Company provides staff
Monster Mural	\$779- \$1,500		2
Pony Rides	\$450 first hour, \$175 each additional hour		2
Card Board Boat Races	\$300 plus prizes		4-5
Outdoor Movie	\$1,300		3
Ventriloquist show	\$375 per show		
Band	Approximately \$1,250	3 hours	DPW staff for stage
Clown			
<u>Field Day Ideas</u>			
Sack Races	\$0 (already have)		1-2
Jumbo Egg & Spoons	\$0 (already have)		1-2
Limbo Contest	Price of prizes		2-3
Egg Tossing	\$25		1-2
Face Painting	\$45		2-3
Lawn Twister	\$45		1-2
Football Target Challenge	\$68.99*		1-2
Giant checkers	\$175*		1
Giant Chess	\$175*		1
Super Tumbling Timbers (giant jenga)	\$200*		1-2
Fowling Station	\$200*		1-2
Corn Hole Tournament	\$300*		2-3

*Price is to purchase equipment, will be used from year to year

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Backyard Theater

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All Sports Combo	\$180	\$180	\$220
All Star Sports 2	\$180	\$180	\$220
Castle with Front Slide	\$180	\$180	\$220
Castle Slide without Top	\$180	\$180	\$220
Crayon Combo	\$180	\$180	\$220
Excaliber	\$180	\$180	\$220
Excaliber Rock	\$180	\$180	\$220
Green / Orange	\$180	\$180	\$220
Theme Slide	\$180	\$180	\$220
Orange / Blue	\$180	\$180	\$220
Princess	\$180	\$180	\$220
Tropical with Top	\$180	\$180	\$220
Bounce Houses - Toddlers			
Sports Center	\$150	\$150	\$180
Carousel	\$150	\$150	\$180
Toddlers Playground	\$150	\$150	\$180
Toddlers Playground without Roof	\$150	\$150	\$180
Crayon 3 in 1 Combo	\$150	\$150	\$180
Competition Units			
Jacob's Ladder	\$350	\$350	\$400
Joust	\$180	\$180	\$220
Boxing Ring	\$180	\$180	\$220
Bungee Run	\$180	\$180	\$220
Dry Slide Units			
Multi-Colored Cliff Hanger (Dry)	\$450	\$450	\$500
Rock Themed Cliff Hanger (Dry)	\$450	\$450	\$500
Wet Slide Units			
Double Climber	\$400	\$400	\$450
Dolphin Express	\$350	\$350	\$400

Dolphin Drop	\$350	\$350	\$400
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Obstacle Courses

Adrenaline Rush	\$500	\$500	\$600
Toddlers Obstacle Course	\$250	\$250	\$300
Double Rush	\$600	\$600	\$700
Mini Turbo Rush	\$400	\$400	\$500

Specialty Items

Lava Rockwall	\$1000	\$1000	\$1,200
Backyard Movie Theater	\$350 / night	(weather permitting)	
The Spider Bungee Jump	\$1,100	\$1,100	\$1,300

Generator with full tank of gas

Small	\$60	\$60	\$70
Large	\$80	\$80	\$90

* Prices and promotions are set at time of reservation! Multiple rentals must be delivered to same location in order to get the special discount.

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The City of Grosse Pointe Woods Presents:

AUGUST 2, 2014

CITY PICNIC

Event Schedule:

- | | |
|-----------------|---|
| 12 PM-2 PM | Lunch (Hot Dog, Chips, and Beverage)
Face Painting
Chalk Art
Pool Games for Children |
| 12 PM-5 PM | Poolside Music |
| 2 PM-2:30 PM | Waterslide Races |
| 2:30 PM-2:45 PM | Lifeguard Demonstration |





Committee-of-the-Whole Excerpt
07/14/14

The next item discussed was regarding the **Assessor's Position**. The resignation of City Assessor Scott Vandemergel has created a vacancy. The Chair stated Jerry Jackson, the part-time Deputy Assessor, is a Level 3, and not interested in a full-time position. Tom Columbo is Level 4 and is willing to work on a temporary basis at \$75 per hour as a contractual 1099 employee. Assessor Vandemergel's last day is Friday, July 18th, therefore the Treasurer/Comptroller recommended Council considering hiring Mr. Columbo for up to one year, up to four days per week. WCA did send a proposal and is willing to provide assessing services for \$99,000.00 per year for a 3-year contract with COLA increase, which is equivalent to the current assessor's salary plus benefits. Hiring Mr. Columbo will realize a savings of \$50-60,000.00. The Treasurer/Comptroller and City Administrator stated nothing would be gained by publishing for the position for a new Assessor; there are few Level 4 Assessors who apply. The City Attorney stated he works well with Mr. Columbo with regard to Tax Tribunal cases. The City Clerk was asked to tickler this item for a Committee-of-the-Whole Meeting the on the first week in March. There was a unanimous consensus to place the Assessor's contract on July 21, 2014 City Council agenda.



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CHARLES T. BERSCHBACK

DON R. BERSCHBACK
OF COUNSEL

January 14, 2015

The Honorable Mayor and City Council
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE: Ghesquiere Park

Dear Mayor and Council:

The Committee of the Whole minutes for December 8, 2014 reflect that the City Attorney was to review a potential conflict with Adam Prokup installing flower beds as part of a Scout project. I would consider Adam to be no different than any other volunteer or contractor improving parts of the City or its parks and see no conflict or problems with him installing the improvements.

Should you have any questions please call.

Very truly yours,

CHIP BERSCHBACK

CTB:gmr

cc: Alfred Fincham
Lisa Hathaway
Don Berschback