

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, APRIL 22, 2013, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

ROLL CALL: Mayor Novitke
Council Members Bryant, Granger, Ketels, Koester, McConaghy, Shetler
ABSENT: None
ALSO PRESENT: City Administrator Fincham
Treasurer/Comptroller Irby
City Attorney Don Berschback
City Attorney Chip Berschback
City Clerk Hathaway

Mayor Novitke called the meeting to order at 7:31 p.m.

Motion by Bryant, 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

Motion by Granger, seconded by Shetler, that the Committee recess the regularly scheduled Committee-of-the-Whole meeting at 7:32 p.m. and convene in Closed Executive Session for the purpose of discussing pending litigation at which time the Committee may or may not reconvene in regular session to address additional items as necessary, in accordance with the Open Meetings Act 1976 PA 267.

Motion carried by the following roll call vote:

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

The Chair reconvened the meeting in regular session and declared a recess at 8:25 p.m. The meeting reconvened at 8:32 p.m.

The Director of Public Works Ahee was now in attendance at tonight's meeting.

The City Attorney provided an overview regarding the **Lochmoor Club Michigan Tax Tribunal (MTT)** case and stated the final opinion and judgment has been received. The City will need to repay Wayne County approximately \$150,000.00 total, including interest. Costs for other pending MTT cases include Kroger anticipated at a cost of \$55,000.00, and miscellaneous cases at a combined cost of approximately \$45,000.00.

Motion by Bryant, seconded by Shetler, regarding Lochmoor Club Michigan Tax Tribunal (MTT), that the Committee-of-the-Whole recommend the City Council not pursue an appeal of this tribunal case.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding Lochmoor Club Michigan Tax Tribunal (MTT), that the Committee-of-the-Whole recommend that the City Council stipulate to the personal property for 2010 and 2011, which is a part of the opinion.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding Lochmoor Club Michigan Tax Tribunal (MTT), that the Committee-of-the-Whole recommend City Council revise the 2013 personal property and real property values to mirror the Judge's Opinion for 2012 values.

Motion carried by the following vote:

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

The first item discussed was regarding a **proposed Zoning Ordinance Amendment, Chapter 50 Zoning, Section 50-1 to Define Drive-Thru Facilities and by Adding Language Excluding Drive-Thru Facilities in the C-Commercial District Sec. 50-370(2) and the C-2 High Intensity District Sec. 50-419(1)(f)**. City Attorney Chip Berschback provided an overview to obtain input and a recommendation from the Committee prior to the Planning Commission scheduling a public hearing on this ordinance. Following discussion, there

was a consensus of the Committee-of-the-Whole to support the ordinance as written.

Motion by Bryant, seconded by McConaghy, to remove Item Nos. 4 and 5, Closed Executive Session and Zoning Ordinance Amendment respectively, 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

Taken out of order was the **AT&T Lease Optimization Program Offer**. City Attorney Chip Berschback provided an overview. As indicated in his letter dated March 24, 2013, the City Attorney stated the initial lease was signed in 1996, with lease renewal extensions increasing the rent payment to \$2,163.13. AT&T has the right to cancel the existing agreement ending in 2021 with a 30 day notice, the City does not, and is offering an 84 month lease paying a monthly rent in the amount of \$1,633.13, or \$140,122.44 for the term of the lease, commencing June 1, 2013 with a 7.5% rent increase beginning June 1, 2018; or, pay a lump sum of \$200,000.00 requiring the City to sign off all rights to rental income and agree to other clauses beneficial to AT&T. Following discussion, there was a consensus of the Committee-of-the-Whole that the City has no interest in this offer.

Motion by Granger, seconded by Shetler, regarding the AT&T Lease Optimization Program offer, that the Committee-of-the-Whole recommend that City Council not accept the AT&T Optimization Offer.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, that Item No. 9 – AT&T Lease Optimization offer be removed 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

The next was **Alcohol – Lake Front Park**. Following a brief discussion, there was a consensus of the Committee-of-the-Whole to leave the policy as is and take no action.

Motion by Bryant, seconded by Granger, to remove Item No. 6 – Alcohol – Lake Front Park, 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

The **Planning Commission vacancy** was then discussed. The Chair requested the Committee to provide names to him for consideration at a June Committee-of-the-Whole meeting. This item is to remain on the Committee-of-the-Whole agenda.

Discussion then ensued regarding various **parking meter** matters.

The Finance Committee, at their meeting on April 4, 2013, discussed **Parking Meter Fees** and asked administration to evaluate aged meters and meter rates in surrounding communities. The Director of Public Works provided an overview on times and rates of meters, and he presented a video on Parkmobile (a smartphone application for meter payment), which is currently in use in the communities of Dearborn, Royal Oak, Grosse Pointe City, and Ferndale. Member Granger suggested the Mayor's Mack Ave Business Study Committee provide a recommendation.

The Director reported the meter mechanic mechanisms are no longer being manufactured for the City's Duncan meters. He further stated a fee change costs approximately \$65.00 per head, an electronic meter that accepts coin or a smart card is \$195.00 per meter-head. The City has approximately 1,000 meters, which includes meters that have been installed and those to be used for replacements/repairs. Refurbished, electronic, coin-only meter heads cost \$98.00. A meter that accepts charge, debit, or smart card costs \$495.00 per head. There was Committee consensus that the Parking Enterprise Fund operate as a self-sufficient fund. There was discussion to possibly establish new rates to fund the cost of meters (\$160,000.00) and cover the deficit in the fund; essentially, making the Parking Enterprise Fund cost neutral.

There was a consensus of the Committee-of-the-Whole regarding parking meters:

- Refer the concept to the Mayor's Mack Avenue Business Study Committee and obtain input regarding Parkmobile, parking passes, and permit stickers.
- Increase parking rates to \$0.50 per hour was reasonable.
- Administration was asked to suggest meter options (mechanical or electronic card reader), identify a source of funding and payback period, and recommend placement of meters (district).
- Administration was requested to prepare a parking analysis within four to six weeks.

The parking meter items are to remain on the Committee-of-the-Whole agenda.

The next item discussed was **DTE Update/Supporting Data**. The City Administrator provided an overview, and he discussed a proposed letter from DTE to residents, and stated the letter was unacceptable due to wording that stated residents would be responsible for removing large limbs and diseased trees. Tree trimming did not commence on April 1st due to the letter being contested, but discussions with the DTE representative continue. Infrastructure upgrades have commenced including installation of underground wires on Vernier, as well as installation of gas lines on Mack in front of City Hall. An electrical outage approximately one month ago was due to a substation failure on Moross. Another outage was caused by a private contractor cutting down limbs that took lines down at Easter time. This item is to remain on the Committee-of-the-Whole agenda, and return in September/October.

There was a consensus to take agenda Item No. 15 – **Popular Annual Financial Report (PAFR)** out of order. Council Member Granger provided a brief overview and suggested revising Page 8, the dollar bill image, to identify specific revenue entities (Grosse Pointe Woods, Grosse Pointe Public Schools, etc.) There was a consensus of the Committee-of-the-Whole to publish and distribute the PAFR with the changes identified.

Motion by Granger, seconded by Shetler, to remove Popular Annual Financial Report (PAFR) 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

Secretary's note: The remaining agenda Item Nos. 11 thru 14 are to be addressed at a future Committee-of-the-Whole meeting:

- Employee Handbook – Social Media;
- Expenditures for renovations to Cook Schoolhouse;
- Ghesquiere Park Regulations-Review Ordinance;
- Items for Removal – A thru JJ.

Motion by Granger, seconded by Bryant, that the meeting of the Committee-of-the-Whole be adjourned at 10:08 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk