

**CITY OF GROSSE POINTE WOODS**  
**20025 Mack Plaza**  
**Regular City Council Meeting Agenda**  
**Monday, December 4, 2017**  
**7:30 p.m.**

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. RECOGNITION OF COMMISSION MEMBERS
5. ACCEPTANCE OF AGENDA
  
6. APPOINTMENTS
  - A. Mayoral Appointments to Commissions/Board/Committee
    1. Beautification Commission
      - a. Reappointments (5)
    2. Community Tree Commission
      - a. Reappointments (3)
      - b. Vacancy (1)
    3. Historical Commission
      - a. Reappointments (3)
      - b. Vacancy (2)
    4. Local Officers Compensation Commission
      - a. Vacancy (1)
    5. Planning Commission
      - a. Reappointments (3)
    6. Senior Citizens Commission
      - a. Reappointments (3)
      - b. Vacancies (3)
    7. Construction Board of Appeals
      - a. Reappointments (1)
    8. Mayor's Mack Avenue Business Study Committee
  - B. Council Appointments to Commission/Board/Committee
    1. Citizens Recreation Commission
      - a. Reappointments (3)
    2. Board of Review
      - a. Vacancy (1)
    3. Building Authority Committee
      - a. Reappointment (1)
  
7. MINUTES
  - A. Council 10/16/17, 11/20/17
  - B. Committee-of-the-Whole 10/23/17, 11/20/17
  - C. Citizen's Recreation Commission 10/10/17,  
w/recommendation:
    1. 2018 Perch Derby

- 8. PUBLIC HEARING
  - A. Generator Variance: Gary Marowske, 20651 Montague Lane
    - 1. Memo 11/27/17 – Building Official
- 9. COMMUNICATIONS
  - A. Funds Transfer: Retiree Health Care Trust Fund
    - 1. Memo 11/20/17 – Treasurer/Comptroller
  - B. Budget Amendment: Election Equipment
    - 1. Memo 12/04/17 – Treasurer/Comptroller
    - 2. Dominion Voting Invoices 10/31/17 (2)
    - 3. Council Excerpt 04/24/17
  - C. Applications for Permit - Refuse Vendor
    - 1. Patrick Maher, 1576 Brys, GPW 10/13/17
    - 2. Mark Tibaud, 1110 S. Renaud, GPW 11/01/17
    - 3. Joseph Provenzano, 761 Lincoln, GP 11/01/17
    - 4. Ronald Hirth, 19380 Elkhart, HW 11/02/17
    - 5. Vincent Agosta, 19389 Elkhart, HW 11/02/17
    - 6. John A. Walls, 21900 Avalon, SCS 11/03/17
    - 7. Seyfudin P. Livadich, 23167 Gladhill, SCS 11/27/17
- 10. BIDS/PROPOSALS/  
CONTRACTS
  - A. Agreement: Munetrix
    - 1. Memo 12/04/17 – Treasurer/Comptroller
    - 2. Munetrix Subscription Agreement
    - 3. Invoice 08/01/17
  - B. Purchase: Floating Docks – Lake Front Park
    - 1. Memo 11/17/17 – Director of Public Services
  - C. Contract: Annual Fuel Purchase
    - 1. Memo 11/16/17 – Director of Public Services
- 11. RESOLUTION
  - A. Deficit Elimination Plan
    - 1. Memo 12/04/17 – Treasurer/Comptroller
    - 2. Proposed Letter and Resolution
    - 3. Budget Worksheet – Road Construction Debt
- 12. ORDINANCE
  - A. Second Reading: An Ordinance Amending Chapter 34 Solid Waste Article II Collection and Disposal to Adopt New Standards for Collection and Cart Use and To Amend Certain Sections to Coincide with Refuse Collection Contracts
    - 1. Letter 11/22/17 – City Attorney
    - 2. Proposed Ordinance
    - 3. Affidavit of Legal Publication
  - B. Second Reading: An Ordinance to Amend Chapter 10

Businesses, Article VII Street Sales and Solicitations to Add Certain Definitions and to Amend Sec. 10-264 Requirements for Permit, to Allow Street Sales or Solicitations By Charitable or Civic Organizations Under Certain Conditions, and to Provide for Civil Infraction Violations

1. Proposed Ordinance
2. Affidavit of Legal Publication

13. CLAIMS/ACCOUNTS      A. CITY ATTORNEYS
1. Don R. Berschback
  2. Charles T. Berschback

14. NEW BUSINESS/PUBLIC COMMENT

15. ADJOURNMENT

**Lisa Kay Hathaway, CMMC/MMC  
City Clerk**

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)  
POSTED AND COPIES GIVEN TO NEWSPAPERS

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 or Telecommunications Device for the Deaf (TDD) 313 343-9249.

NOTE TO PETITIONERS: YOU, OR A REPRESENTATIVE, ARE REQUESTED TO BE IN ATTENDANCE AT THE MEETING SHOULD COUNCIL HAVE QUESTIONS REGARDING YOUR REQUEST
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# MEMO

TO: Lisa Hathaway  
 FROM: Ashley Radcliffe  
 RE: Citizen Appointments to Commission and Boards  
 DATE: 11/28/17

Mayoral – shaded      Council Appointment – unshaded

Appointed by	Authority	Commission/Board	Name	Address
Mayor	City Code Sec. 2-501; 3-yr staggered term, 15 members	<b>Beautification Advisory Commission</b>	Stephens, Linda	859 Lochmoor Blvd GPW
			Casinelli, Mary	20085 Marford Ct GPW
			Martin-Rahaim, Kelly	20061 Doyle Ct GPW
			Medura, Bonnie	20680 Vernier Circle GPW
			Ragland, Tracy	1613 Severn GPW
Council	By-Laws; 9 members, 3-yr staggered terms	<b>Citizens' Recreation Commission</b>	Janutol, Barbara	1708 Aline GPW
			Heim, Gib	1219 Brys GPW
			Soviak, Michael	1992 Lancaster GPW
Mayor	By-Laws, 11 members, 3-yr staggered terms; Sec. 2-380	<b>Community Tree Commission</b>	Chan, Stephen	939 Blairmoor Ct GPW
			Profeta, Jeffrey	555 Shoreham GPW
			Greening, Robert	693 Pear Tree Lane GPW
			<b>VACANCY</b>	Expires: 12/31/2017

<b>Appointed by</b>	<b>Authority</b>	<b>Commission/Board</b>	<b>Name</b>	<b>Address</b>
Mayor	Council Resolution 8-20-79, Sec. 2-494; 3-yr. staggered term, 11 members	<b>Historical Commission</b>	Murphy, Sean	903 Woods Lane GPW
			Ferry, Mary Kaye	56 Shore Crest Circle GPS
			Romano, Frank	40 River Lane GPW/
			<b>VACANCIES (2 positions)</b>	Expires: 12/31/2017 Expires: 12/31/2018
Mayor	City Code 2-406, 5-yr staggered term, 5 members	<b>Local Officers' Compensation</b>	<b>VACANCY</b>	Expires: 9/30/2018
Mayor	Section 2-441a City Charter, 3-yr. staggered term, 9 members	<b>Planning Commission</b>	Profeta, James	534 Saddler Lane GPW
			Vaughn, Thomas	1294 Lochmoor GPW
			Vitale, John	20771 Wedgewood GPW
Mayor	11 members, 9-general community-3-yr terms, 2-senior groups & community interest – 1 yr. terms	<b>Senior Citizens' Commission</b>	Wehrmann, Ronald	2041 Norwood GPW
		SOC Representative	Uhlig, Heidi	158 Ridge Road Grosse Pointe Farms
			Beeby, Sharon	1415 South Renaud GPW
			<b>VACANCIES (3 positions)</b>	2 Expire 2017 1 Expire 2018
Council	MCL 211.29 Sec. 28 (2) (3), 3-yr. staggered terms	<b>Board of Review</b>	<b>VACANCY</b>	Expires: 1/1/2019
Mayor	M.C.L. 125.1514, 3-7 members, 2-yr. staggered terms	<b>Construction Board of Appeals</b>	Kiehler, Walter	533 Hawthorne GPW
Mayor	Section 2-286, City Code	<b>Pension Board</b>	None	

<b>Appointed by</b>	<b>Authority</b>	<b>Commission/Board</b>	<b>Name</b>	<b>Address</b>
	"Retirement System"			
Mayor	City Code Sec. 44-230c, 3 members, 3-yr. staggered term	<b>Downspout Board of Appeals</b>	None	
Council	Articles of Incorporation of 1992, 3-yr. staggered terms, 3 members	<b>Building Authority Committee</b>	Dickinson, Allen	1782 Hollywood GPW



MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, OCTOBER 16, 2017, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:33 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke  
Council members: Bryant, Granger, Ketels, Koester, McConaghy, Shetler  
Absent: None

Also Present: City Administrator Smith  
City Attorney Chip Berschback  
Director of Public Services Schulte  
Deputy City Clerk Gerhart

Council, Administration, and the audience Pledged Allegiance to the Flag.

The following Commission member was in attendance:  
Tonja Stapleton, Planning Commission

Motion by Granger, 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 Bryant, seconded by Shetler, that the following minutes be approved as submitted:

1. City Council Minutes dated October 2, 2017.

Motion carried by the following vote:

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

Motion by Shetler, seconded by McConaghy, regarding **Purchase of Falcon Mini Asphalt Recycler and Hot Box Trailer/Budget Amendment**, that the City Council concur with the recommendation of the Committee-of-the-Whole at their meeting on October 9, 2017, and approve the purchase of one 1-Ton Falcon Mini Asphalt Recycler and Hot Box Trailer complete with optional accessories, service manual, and 2-year warranty, and approve a budget amendment from Local Roads Routine Maintenance Account No. 203-463-757.000 into Capital Equipment – Public Works Account No. 640-852-977.599 in the amount of \$8,711.17.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, that the following minutes be approved as submitted:

1. Committee-of-the-Whole minutes dated October 9, 2017.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, regarding **Rates of pay – Election Inspectors**, that the City Council concur with the recommendation of the Election Commission at their meeting held October 12, 2017, and approve the rates of pay as presented in the Certification of Election Inspectors.

Motion carried by the following vote:

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

Motion by Shetler, seconded by Bryant, regarding **Winterfest**, that the City Council concur with the recommendation of the Citizens' Recreation Commission at their meeting on September 12, 2017, and allocate an amount not to exceed \$3,000.00 to be used for Winterfest scheduled for January 27, 2018; funds to be taken from the Commission's Account No. 101-105-880.200.

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:37 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF **UNIVERSITY LIGGETT SCHOOL, 1045 COOK ROAD, GROSSE POINTE WOODS**, WHICH IS REQUESTING APPROVAL OF SITE PLAN AND SPECIAL LAND USE TO CONSTRUCT A CAMPUS CENTER BUILDING AT GROSSE POINTE UNIVERSITY SCHOOL, IN ACCORDANCE WITH PROVISIONS OF MICHIGAN COMPILED LAW, SECTION 125.3101 AS AMENDED, AND SECTION 50-88, ZONING OF THE GROSSE POINTE WOODS MUNICIPAL CODE OF 2007.

Motion by Granger, seconded by Bryant, that for purposes of the public hearing the following items be received and placed on file:

1. Letter 10/09/17 – City Attorney
2. Proposed Resolutions to Approve/Deny
3. Planning Commission Excerpt 09/26/17
4. Resolution of Grosse Pointe Woods Planning Commission Recommending Approval of the University Liggett Site Plan and Special Land Use
5. Planning Commission Excerpt 08/22/17
6. Planning Commission Excerpt 07/25/17
7. Memo 08/07/17 – Director of Public Safety
8. Email 08/08/17 – Director of Public Services
9. Memo 09/20/17 – Building Official
10. Letter of Request 07/20/17 – CBRE, Scott D. Cave  
Site Plan Review Checklist – ULS Fieldhouse
  - a) Cover Page – John A. & Marlene L. Boll Campus Center – 08/04/17
  - b) Site and Context Sheet – 08/04/17
  - c) Partial Campus Plan – 08/04/17

- d) Architectural Site Plan – 08/04/17
- e) Landscape Plan – 08/04/17
- f) Civil Engineering Site Plan – 08/04/17
- g) Overall Site Plan – 06/09/17
- h) Plan of Crosswalk – 08/04/17
- i) Ground Floor Plan – 08/04/17
- j) View from Cook Road – 08/04/17
- k) Building Elevations and Exterior Views –North Elevation – 08/04/17
- l) Building Elevations and Exterior Views – South Elevation – 08/04/17
- m) View of Lobby – 08/04/17
- n) View of Gymnasium – 08/04/17
- 11. Affidavit of Legal Publication 09/28/17
- 12. Affidavit of Property Owners Notified
- 13. Aerial Views (3)

Motion carried by the following vote:

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

The Building Official provided an overview of the project and the need for a special land use.

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The following individual was heard:

- Bart Bronk, Interim Head of School, University Liggett

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. No one wished to be heard.

Motion by Granger, seconded by Shetler, that the public hearing be closed at 7:49 p.m.  
PASSED UNANIMOUSLY.

Motion by McConaghy, seconded by Koester, regarding Public Hearing: Site Plan/Special Land Use – University Liggett School, Campus Center Building (Field House), 1045 Cook Road, that the City Council concur with administration and adopt the Resolution

entitled, *City Council Resolution Approving the Special Land Use and Site Plan Request From University Liggett School*, as follows:

**THE CITY OF GROSSE POINTE WOODS  
CITY COUNCIL RESOLUTION  
APPROVING  
THE SPECIAL LAND USE AND SITE PLAN REQUEST FROM  
UNIVERSITY LIGGETT SCHOOL**

Minutes of a regular meeting of the City Council of the City of Grosse Pointe Woods, County of Wayne, State of Michigan, held on October 16, 2017.

PRESENT: Council Members

ABSENT: None

The following resolution was offered by Council Member \_\_\_\_\_ and  
seconded by Council Member \_\_\_\_\_:

**WHEREAS**, Petitioner has submitted a Special Land Use and Site Plan request for property located at 1045 Cook Road for an athletic fieldhouse known as The John A. and Marlene L. Boll Campus Center; and,

**WHEREAS**, the Grosse Pointe Woods City Council conducted a public hearing,

**NOW THEREFORE IT IS HEREBY RESOLVED AS FOLLOWS:**

The factual findings and reasons for this approval is based on the record and supporting documentation submitted as of this date including the agenda items received and placed on file, as well as the Planning Commission's recommendation, and the comments and representations made at the public hearing before this body on October 16, 2017.

Therefore the City Council recommends that the City Council hereby approves the Special Land Use and Site Plan based on the following findings and conditions:

## FINDINGS

1. The Council hereby adopts by reference Mr. Tutag's Memo dated September 20, 2017 for purposes of its findings and fact and further finds that the special land use request and site plan approval complies with the City Ordinances and requires no variances.

## RECOMMENDED CONDITIONS OF APPROVAL

1. Prior to submitting a building permit application, the applicant shall submit a storm water drainage plan that complies with Chapter #26 of the City Code;
2. An easement agreement shall be prepared by the applicant, acceptable to the City Attorney, for construction between the Campus Center building and the McCann Ice Arena over the City's easement and sewer;
3. The City to require a hardscape alternative to the proposed landscaping in the area between the sidewalk and curb in the event the proposed landscape plantings fail to develop; and
4. Construction commences within 60 days of City Council approval and be completed within 2 years.
5. Appropriate bond be received by the City based upon the cost of construction and amount of work that will occur in the public right of way.
6. Building height at south elevation shall comply with ordinance requirement and not exceed 35' upon final inspection.
7. University Liggett to provide insurance naming the City as additional insured in the amount of \$1,000,000.00.

Immediate Consideration: Having reviewed this Resolution, the City Council moves for immediate adoption of this Resolution.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

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STEPHEN L. GERHART, Deputy Clerk

**CERTIFICATION**

I, Stephen L. Gerhart, Deputy Clerk of the City of Grosse Pointe Woods, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council on October 16, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and will be, or have been, made available as required by said Act.

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STEPHEN L. GERHART, Deputy Clerk

Motion carried by the following vote:

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

THE MEETING WAS THEREUPON OPENED AT 7:58 P.M. FOR A PUBLIC HEARING IN ACCORDANCE WITH CHAPTER 8, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IX, FENCES, TO HEAR THE APPLICATION OF JOHN J. FANNON IV, 777 ANITA, GROSSE POINTE WOODS, FOR PERMISSION TO ERECT A 6' SHADOWBOX FENCE ALONG THE SOUTH/REAR LOT LINE OF THE PETITIONER'S PROPERTY. THIS REQUEST IS NONCOMPLIANT WITH SECTION 8-281, WHICH LIMITS THE HEIGHT OF REAR YARD FENCES OF INTERIOR LOTS TO A MAXIMUM OF 4' ABOVE GRADE. A VARIANCE IS THEREFORE REQUIRED.

Motion by Granger, seconded by Shetler, that for purposes of the public hearing the following items be received and placed on file:

1. Letter 09/21/17 – J. Fannon IV
2. Application for Fence 09/19/17
3. Photo
4. Mortgage Survey 07/19/02
5. Memo 09/05/17 – Building Official

6. Photos (4)
7. Memo 10/04/17 – Director of Public Services
8. Affidavit of Property Owners Notified
9. Aerial Views (3)

Motion carried by the following vote:

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

The Building Official provided an overview of the Petitioner's request as identified in his memo dated September 5, 2017.

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The following individual was heard:

- John Fannon IV, 777 Anita

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. No one wished to be heard.

Motion by Granger, seconded by Shetler, that the public hearing be closed at 8:01 p.m.  
PASSED UNANIMOUSLY.

Motion by Bryant, seconded by Shetler, regarding Public Hearing: Fence Variance – John J. Fannon IV, 777 Anita, who is requesting permission to erect a 6' shadowbox fence along the rear lot line at his property, that the City Council approve the variance based on the following:

1. Special circumstances exist as the subject property owner has an in-ground swimming pool and the property adjoins to the First English Church parking lot;
2. The proposed fence will not affect vehicle or pedestrian traffic.

Motion by Bryant, seconded by Shetler, to amend the previous motion by inserting, "construction to commence within 30 days and be completed within 90 days."

Motion carried by the following vote:

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

The Building Official provided an overview regarding **Sign Variance: MedPost Urgent Care, 20599 Mack Avenue.**

Motion by Koester, seconded by Granger, regarding Sign Variance: MedPost Urgent Care, 20599 Mack Avenue, that the City Council concur with the Planning Commission at their meeting on September 26, 2017, and grant sign variances as requested for the following reasons:

1. The signs and variances are necessary to provide a reasonable scale to the signs based upon the size and scope of the overall development that is unique as it encompasses an entire city block on Mack Avenue;
2. Four trees in the right of way along Mack Avenue will partially obstruct the wall signs during the summer months;
3. Similar variances have been granted to CVS and Kroger on Mack Avenue under comparable circumstances;
4. The signs, and this development, are in the best interest of the City;
5. The signs proposed are less in area than the existing signs that were approved with variances by the City Council on March 21, 2016;
6. Approval is contingent upon any holes or shadows from removal of the existing signs being repaired;
7. Construction is to commence within 60 days and be completed within 6 months.

Motion carried by the following vote:

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

Motion by Ketels, seconded by Bryant, regarding **Grosse Pointe Santa Claus Parade**, that the City Council authorize an expenditure in the amount of \$1,000.00 to participate in the Grosse Pointe Santa Claus Parade as an Elf Sponsor, funds to be taken from Council Community Relations Account No. 101-101-880.00.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **Field Maintenance at Ghesquiere Park**, that the City Council approve the Grosse Pointe Woods/Shores Little League's request as presented for Diamond #2 in Ghesquiere Park contingent upon the approval of the contractors by the Director of Public Services, a performance bond in the amount of \$40,000.00 being received by the City, Certificates of Liability Insurance being received by the City from Grosse Pointe Woods/Shore Little League and from the contractors performing the work, that list the City as additional insured in the amount of \$1,000,000.00, construction is to commence within 60 days and be completed within 120 days for the following three projects:

1. Skinning of the infield;
2. Removing the sod in the outfield, leveling the ground, laying new sod, and installing a new draining system;
3. Replacing the existing 4' fencing around the exterior of diamond #2 from dugout to dugout with 6' tall commercial grade green vinyl coated chain link fence with yellow protective top cap.

Motion by McConaghy, seconded by Koester, to amend the previous motion by inserting, "the performance bond listing the City of Grosse Pointe Woods as a beneficiary."

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 **Non-Union Tuition Reimbursement**, that the City Council extend the tuition reimbursement benefits to the non-union employees providing a maximum of \$1,500.00 per year to full-time employees provided the following requirements are met:

- (a) The education course was offered through a recognized and/or accredited college or university;

- (b) The Employee completed the education course and maintained a grade average of "C", or equivalent;
- (c) The Employee did not receive any subsistence, allowance, grant or aid from any other public or private sources while enrolled for the particular education course;
- (d) A written notification has been made to the Employer outlining the proposed advanced educational course(s) to be undertaken by the Employee and giving the name of the institution offering such educational course(s). Such notification shall be provided for each degree program undertaken;
- (e) All requests for tuition reimbursement shall be submitted to the Employer within six (6) months after the completion of any such educational course(s). Such reimbursement shall be made by the Employer within thirty (30) days after the receipt of a request for reimbursement and verification of same; and
- (f) All courses must be directly related to the employee's current employment or promotional opportunities; and

Part-time employees shall be eligible for tuition reimbursement on the same terms and conditions subject to the following:

Each fiscal year the City shall allot \$1,500.00. Part-time Employees are eligible for up to \$300.00 for approved courses (up to \$600.00 if no other eligible employee applies for the allotted funds). Part-time Employees shall submit a request in February (February 1 – February 10) of each year. The request shall be honored on a first-come, first-served basis. Administration is to update the Employee Handbook to reflect inclusion of the above stated changes.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **Monthly Financial Report – September 2017**, that the City Council refer this item to the Finance Committee.

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 **Contracts: Appraisal Services for Pending Tax Tribunal Cases**, that the City Council authorize the City Attorney to obtain the services of appraisers to conduct appraisals for upcoming Tax Tribunal appeals in an amount not to exceed \$15,000.00 for The Rivers, and an amount not to exceed \$10,000.00 for the Hunt Club, funds to be taken from Account No. 101-210-801.301.

Motion carried by the following vote:

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

Motion by Ketels, seconded by Shetler, regarding **Charitable Gaming License – Parcels PTO**, that the City Council authorize the Deputy City Clerk to certify the resolution recognizing the Parcels Middle School Parent-Teacher Organization as a nonprofit operating in Grosse Pointe Woods for the purpose of obtaining a charitable gaming license.

Motion carried by the following vote:

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

Motion by Bryant, seconded by McConaghy, regarding **City Auditor**, that the City Council approve the following invoice dated September 27, 2017:

1. Plante Moran, PLLC Invoice #1474135 - \$19,275.00

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **Labor Attorneys**, that the City Council approve the following statement dated October 1, 2017:

1. Labor Attorney Keller Thoma Invoice #112909 - \$175.00.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **Provencal Municipal Services**, that the City Council approve the following statement dated September 28, 2017:

1. Grosse Pointe Farms Invoice #3063 - \$37,155.02.

Motion carried by the following vote:

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

Under Public Comment, the following individual was heard:

- Stevan Skorupski, 19970 Norton Court, spoke regarding water meter rates. The Director of Public Services provided Mr. Skorupski with the contact information of Kyle Seidel at Anderson, Eckstein, and Westrick who can better articulate the necessity of the charges.

Motion by Bryant, seconded by Ketels, to adjourn tonight's meeting at 8:37 p.m.  
PASSED UNANIMOUSLY.

Respectfully submitted,

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Steve Gerhart  
Deputy City Clerk

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Robert E. Novitke  
Mayor

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, NOVEMBER 20, 2017, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:49 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke  
Council Members: Bryant, Granger, Koester, McConaghy, McMullen, Shetler  
Absent: None

Also Present: City Administrator Smith  
City Attorneys Chip and Don Berschback  
Treasurer/Comptroller Behrens  
City Clerk Hathaway  
Director of Public Safety Kosanke  
Director of Public Services Schulte

Council, Administration, and the audience Pledged Allegiance to the Flag.

The following Commission members were in attendance:

Phil Hage, Beautification Advisory Commission  
Tom Vaughn, Planning Commission

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, Koester, McConaghy, McMullen, Novitke, Shetler  
No: None  
Absent: None

Motion by McMullen, seconded by Shetler, regarding **appointment – Board of Review**, that the City Council concur with the recommendation of the City Assessor and appoint Gary R. Patrosso as a member of the Board of Review with a term to expire January 1, 2019.

Motion carried by the following vote:

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

The Mayor appointed the following Council Members to Commissions, Committees, Boards, and Organizations:

Beautification Commission Rep.	McConaghy
Community Tree Commission Rep.	Shetler
Historical Commission Rep.	McMullen
Local Officers Compensation Commission Rep.	McMullen
Planning Commission Rep.	Granger
Senior Citizens Commission Rep.	Bryant
Citizens Recreation Commission Rep.	Koester
Grosse Pointe Woods Foundation Liaison	Shetler
Compensation & Evaluation Committee	Chair Bryant/McConaghy/Novitke
Construction Committee	Chair Granger/Koester/Novitke
Finance Committee	Chair McConaghy/Koester/Novitke
Community Events Committee	Chair Novitke/Granger/Shetler (Also, Jennifer Boettcher, Chris Fenton, Bruce Smith, Al Fincham)
Mack Avenue Business Study Committee	Chair Shetler/Novitke/McMullen
Public Relations Committee	Chair Granger/Koester/Novitke
Ad Hoc Public Safety Committee	Chair Novitke/Shetler
Grosse Pointe Chamber of Commerce Rep.	Novitke/Bryant

Motion by Granger, seconded by Bryant, that the City Council concur with the above Mayoral appointments.

Motion carried by the following vote:

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

There was a consensus of the City Council that Council Member Granger continue serving as the Council Representative on the **Pension Board**, as well as Mayor Novitke by virtue of his position.

Motion by Koester, seconded by Shetler, that Council Member Granger be appointed as the Council-Trustee on the Pension Board.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Shetler, regarding **appointment – Grosse Pointes-Clinton Refuse Disposal Authority**, that the City Council appoint the following individual:

1. Bruce Smith – Representative.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **appointments – Wayne County Community Development Advisory Council**, that the City Council appoint the following individuals:

Wayne County Community Development Advisory Council	Koester - Representative
	Bryant - Alternate

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Shetler, regarding **appointments – Southeastern Michigan Council of Governments**, that the City Council appoint the following individuals:

Southeastern Michigan Council of Governments	Bryant – Delegate Smith - Alternate
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Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, that the following minutes be approved as submitted:

1. City Council Minutes dated November 13, 2017.

Motion carried by the following vote:

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

Motion by Bryant, seconded by Shetler, that the following minutes be approved as submitted:

1. Committee-of-the-Whole minutes dated October 30, 2017.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **Cook Schoolhouse Repairs/Budget Transfer**, that the City Council concur with the recommendation of the Historical Commission at their meeting held October 12, 2017, and approve an amount

not to exceed \$550.00 payable to Rely-On Construction to perform the repairs as identified, and to approve a funds transfer in the amount of \$550.00 from prior year reserves Account No. 205-000-697.000 into the Historical Commission Account No. 205-870-820.210.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **purchase: Arbor Day Seedlings**, that the City Council concur with the recommendation of the Tree Commission at their meeting held October 4, 2017, to purchase Kousa Dogwood seedlings for distribution at the 3<sup>rd</sup> Grade Arbor Week celebration in an amount not to exceed \$1,350.00, funds to be taken from Account No. 101-105-880.700.

Motion carried by the following vote:

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

Motion by Bryant, seconded by McConaghy, regarding **Application for Permit/License to Solicit**, that the City Council approve the application of Daniel E. Salden, ProBroker Realty, for a Permit/License to Solicit.

Motion carried by the following vote:

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

Motion by Granger, seconded by Bryant, regarding **budget amendment: Milk River/Grosse Gratiot Drain**, that the City Council approve a budget amendment to cover interest payments on the State Revolving Fund in the amount of \$60,647.00, funds to be transferred from Account No. 365-000-395.000 into Account No. 365-445-992.000.

Motion carried by the following vote:

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

The Mayor accepted the **resignations** of the following individuals with regret, and directed that appropriate thanks and recognition be sent:

1. Chris DiCicco – Tree Commission;
2. John W. Parthum, Jr. – Historical Commission;
3. Local Officers Compensation Commission – George R. McMullen Jr.;
4. Phil Whitman – Historical Commission.

Motion by McConaghy, seconded by Koester, regarding **2018 Commission Appreciation Reception**, that the City Council authorize an amount not to exceed \$8,000.00 to hold the 2018 Commission Appreciation Reception, funds to be taken from Account No. 101-101-881.000, and to authorize the City Administrator to sign necessary contracts.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, regarding **Monthly Financial Report – October 2017**, that the City Council refer this report to the Finance Committee.

Motion carried by the following vote:

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

Motion by Shetler, seconded by Bryant, regarding **contract: Lake Front Park Tennis Court Resurfacing**, that the City Council approve a contract with Tennis Courts

Unlimited in an amount not to exceed \$17,458.00 to resurface Lake Front Park tennis courts 9 and 10 and to convert courts 3 and 4 to be used for pickle ball, funds to be taken from Account No. 401-902-977.104.

Motion carried by the following vote:

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

Motion by Shetler, seconded by McConaghy, regarding **purchase: ammunition**, that the City Council approve the annual purchase of ammunition from Kiesler's Police Supply, Inc. in a total amount not to exceed \$8,924.24, funds to be taken from Account No. 101-310-757.000.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **Agreement/Budget Amendment: 2017 CDBG Subrecipient**, that the City Council approve the PY 2017 CDBG Subrecipient Agreement, authorize the Mayor to sign said agreement, and approve an expenditure in an amount not to exceed \$39,587.00, funds to be taken from General Fund Account No. 101-000-395.000.

Motion carried by the following vote:

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

Motion by Granger, seconded by Shetler, regarding **contract/budget transfer: 2017 SAW Grant – Sewer Cleaning and CCTV**, that the City Council approve a contract with Doetsch Environmental Services to perform sewer cleaning and CCTV Investigations in a total amount not to exceed \$249,001.00, and to include engineering in a total amount not to exceed \$48,999.00, for a total project cost not to exceed \$298,000.00; \$249,001.00

to be drawn from General Ledger Account No. 592-537-975.005, and to approve a funds transfer in the amount of \$48,999.00 from SAW Grant Construction Account No. 592-537-975.005 into SAW Grant Engineering Account No. 592-537-975.004.

Motion carried by the following vote:

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

Motion by Koester, seconded by McConaghy, regarding **contract/budget transfer: Solid Waste Collection**, that the City Council approve a five-year contract with GFL Environmental Services commencing January 1, 2018, through December 31, 2022, at a total cost not to exceed \$5,788,295.56, with \$5,575,295.56 to be taken from Solid Waste Contractual Services Account No. 226-528-818.000, approve a funds transfer in the amount of \$213,000.00 from Solid Waste Fund Balance Account No. 226-000-395.000 into Solid Waste Contractual Services Account No. 226-528-818.000, and authorize the City Administrator to sign said contract.

Motion by Koester, seconded by McConaghy, to amend the previous motion by inserting "as amended." after "said contract".

The City Attorney provided an overview of the amendments, and he was asked to provide the Council with a copy of the amended contract.

Motion carried by the following vote:

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

Motion by McMullen, seconded by Bryant, regarding **First Reading: An Ordinance to Amend Chapter 10 Businesses, Article VII Street Sales and Solicitations to Add Certain Definitions and to Amend Sec. 102-64 Requirements for Permit, to Allow Street Sales or Solicitations by Charitable or Civic Organizations Under Certain Conditions, and to provide for Civil Infraction Violations**, that the City Council concur with the amendment of this ordinance, to set a date of December 4, 2017,

for a second reading and final adoption, and to publish same by title in the Grosse Pointe News.

Motion carried by the following vote:

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

Motion by Granger, seconded by Bryant, regarding **Rodwan Consulting Company**, that the City Council approve the following invoices payable to Rodwan Consulting Company funds to be taken from Account No. 101-223-818.000:

1. Invoice 2401 10/18/17 - \$1,200.00;
2. Invoice 2402 10/18/17 - \$800.00.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Koester, that the City Council approve the following invoices payable to Plante Moran, funds to be taken from various accounts identified:

1. Invoice 1487486 11/06/17 - \$ 4,000.00;
2. Invoice 1487487 11/06/17 - \$28,725.00.

Funds to be taken from:

- 101-223-818.000 - \$23,225.00;
- 202-482-818.000 - \$ 1,500.00;
- 203-482-818.000 - \$ 1,500.00;
- 226-528-818.000 - \$ 1,500.00;
- 365-993-818.000 - \$ 3,000.00;
- 632-854-818.000 - \$ 1,000.00;
- 640-851-818.000 - \$ 1,000.00.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **Labor Attorney**, that the City Council approve the following statement dated November 1, 2017:

1. Keller Thoma - \$87.50.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Granger, regarding **City Attorneys**, that the City Council approve the following statements dated October 31, 2017:

1. City Attorney Don R. Berschback - \$3,315.00;
2. City Attorney Charles T. Berschback - \$5,418.00.

Motion carried by the following vote:

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

Motion by Koester, seconded by Shetler, regarding **WCA Assessing**, that the City Council approve the following statements:

1. October 9, 2017 - \$840.00;
2. November 7, 2017 - \$817.32.

Funds to be taken from Account No. 101-224-818.000.

Motion carried by the following vote:

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

Hearing no objections, the following items were heard under New Business:

- The Mayor stated the League of Women Voters requested the City to adopt a Resolution in opposition to SB 584, proposed legislation regulating certain weapons. The League believes the bill is likely to pass the state house after Thanksgiving. Concerns were voiced that Council has not had opportunity to review the legislation.

Motion by Koester, seconded by Granger, regarding a resolution opposing SB 584, that the City Council adopt such a Resolution.

Motion failed by the following vote:

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

- The Treasurer/Comptroller requested a budget amendment (correction) in the amount of \$1,000.00, funds to be transferred from the Boat Dock Fund into the Motor Vehicle Fund.

Motion by Granger, seconded by Bryant, that the City Council approve a budget amendment in the amount of \$1,000.00, funds to be transferred from the Boat Dock Fund into the Motor Vehicle Fund.

Motion carried by the following vote:

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

The following individual was heard under Public Comment:

- Steve Skorupski, 19970 Norton Ct., regarding water meter charges. He was asked to provide his calculations to the City Engineer and Treasurer/Comptroller and advised that rates would be addressed again in March/April 2018.

Motion by Bryant, seconded by Shetler, to adjourn tonight's meeting at 8:43 p.m.  
PASSED UNANIMOUSLY.

Respectfully submitted,

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Lisa Kay Hathaway  
City Clerk

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Robert E. Novitke  
Mayor

7B

COMMITTEE-OF-THE-WHOLE  
10-23-17 - 77

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, OCTOBER 23, 2017, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

PRESENT: Mayor Novitke  
Council Members Bryant, Granger, Ketels, Koester, Shetler  
ABSENT: McConaghy  
  
ALSO PRESENT: City Administrator Smith  
Treasurer/Comptroller Behrens  
City Attorney Chip Berschback  
Director of Public Services Schulte  
City Engineer Lockwood  
Deputy City Clerk Gerhart

Also in attendance, Stephen Duchane former City Manager, City of Eastpointe.

Mayor Novitke called the meeting to order at 7:00 p.m.

Motion by Bryant, seconded by Granger, 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

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

The first item discussed was regarding **Public Safety Authority**. Stephen Duchane presented an overview of his tenure serving as City Manager in the City of Eastpointe. He explained that Michigan municipalities have faced a reduction in their tax base as a result of a reduction in State revenue sharing, Proposal A limiting the amount property taxes increase on a yearly basis, and the economic downturn of 2008. As a result of this reduction in revenues, municipalities have had to look at other revenue options in order to avoid cutting critical services. During his time as City Manager, Mr. Duchane oversaw the creation of the South Macomb/Oakland Regional Services Authority as permitted by Public Act 57 of 1988. Public Act 57 allows for communities above 15,000 residents to create a Public Safety Authority that has the ability to levy a dedicated Public Safety tax should the voters of both jurisdictions approve. The Public Safety Authority can be

crafted so that the authority serves strictly to collect and distribute property taxes from each jurisdiction back to individual jurisdictions. The creation of a Public Safety Authority does not mean the departments are obligated to provide mutual aid to one another.

It was the consensus of the Committee that exploring Public Act 57 of 1988 was in the best interest of the City. Currently the City spends approximately 46% of the General Fund on Public Safety. By creating a dedicated revenue source, the City would be able to provide better Public Safety Services to residents. It will enable a portion of the general revenue funding to be allocated to items that have been neglected as a result of lean budgeting by the City Council. Increased revenue would allow the City to reinvest in capital improvement projects as well as fund additional improvements to local roads.

The next item discussed was regarding **Fiscal Forecasting**. The Treasurer/Comptroller distributed and provided an overview of the City Department Breakdown based upon 2017-18 FY budget and budget projections calculated using various millage increases. Discussion, questions, and answers ensued. The Treasurer/Comptroller explained she projected an annual taxable value increase of 1.5%, the Headlee rollback factor was estimated at 0.9975, and the City's share of the State Revenue Sharing was left constant. When projecting the expenses for the City, she estimated that expenses would increase 1% annually with an additional 1% increase in employee cost. The first full payment for the capital improvement bond will be due in Fiscal Year 2018-19 with an annual payment of \$200,000.00 per year for twenty years. When forecasting the projected fund balance with potentially additional revenue from Public Act 57, she incorporated local road funding at a rate of 1 mill per year, approximately \$677,977.00 annually. Funding the roads at this rate would allow for the re-construction of one local road every other year. The City Engineer provided a revised infrastructure inventory that included an updated replacement cost for the remaining roads on the immediate repair program.

The Committee asked the various department heads for their recommendations regarding the millage rate and length of time for a potential Public Safety Authority: the Treasurer/Comptroller recommended 4 mills for 8-10 years; the City Administrator recommended 4 mills for 10-15 years; the Director of Public Services recommended 4 mills for 10-15 years; and the City Attorney recommended 4 mills for 10-15 years. Mr. Duchane recommended 4-6 mills for a minimum of 10 years. It was the consensus of the Committee that, for the purpose of locating a potential partner with which to form a Public Safety Authority, the millage rate would be approximately 4 mills per year for 10 years. Discussion was held regarding potential characteristics to look for in partner communities, but it was the consensus of the Committee to allow Mr. Duchane flexibility when evaluating potential partners.

There was a consensus of the Committee to authorize the City Administrator to hire Stephen Duchane at a rate of \$115.00 per hour for 10 hours to assist administration with locating potential partner jurisdictions and to provide the legal framework for the partnership. The Committee-of-the-Whole will meet with Mr. Duchane on December 11, 2017 to discuss his findings.

Motion by Bryant, seconded by Shetler, that the meeting of the Committee-of-the-Whole be adjourned at 9:02 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

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Steve Gerhart  
Deputy City Clerk

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Robert E. Novitke  
Mayor

MINUTES OF THE MEETING OF THE COMMITTEE-OF-THE-WHOLE OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, NOVEMBER 20, 2017, IN THE CONFERENCE ROOM OF THE MUNICIPAL BUILDING, 20025 MACK AVENUE, GROSSE POINTE WOODS, MICHIGAN.

PRESENT: Mayor Novitke  
Council Members Bryant, Granger, Koester, McConaghy,  
McMullen, Shetler

ABSENT: None

ALSO PRESENT: City Administrator Smith  
City Attorney Chip Berschback  
City Clerk Hathaway  
City Engineer Lockwood (arrived 7:02 p.m.)  
Director of Public Services Schulte (arrived 7:02 p.m.)  
Treasurer/Comptroller Behrens (arrived 7:03 p.m.)

Mayor Novitke called the meeting to order at 6:34 p.m.

Motion by Granger, seconded by McMullen, that all items on tonight's agenda be received, placed on file, taken in order of appearance.

Motion carried by the following vote:

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

Motion by McConaghy, seconded by Shetler, that the Committee recess the regularly scheduled Committee-of-the-Whole meeting at 6:35 p.m. and convene in Closed Executive Session for the purpose of discussing a legal opinion at which time the Committee will 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:

Bryant	Yes
Granger	Yes
Koester	Yes
McConaghy	Yes
McMullen	Yes
Novitke	Yes
Shetler	Yes

The Committee reconvened in regular session at 7:02 p.m.

The next item discussed was regarding the **solid waste collection contract**.

The following individuals were also in attendance:

Mary Joe Vannatter, Green for Life  
Don Baretta, Green for Life  
Robert Szabo, 1620 Fairholme

The Mayor stated additional discussion is needed regarding contract details. The following items were discussed:

- Whether a smaller recyclable container (18 gallon) may continue to be used. Mr. Baretta responded yes. If residents put them out, they will be emptied. The City Attorney was asked to include this into the contract.
- Whether a bag of trash can be placed out for pick up or will using a 64 gallon container be required. Mr. Baretta stated the bag will be picked up. He also stated if occasionally there are more trash bags than a cart will hold, up to five bags will be taken. If there is a need for a resident to consistently put out 4-6 bags for pick up, an additional cart will be needed. If it is occasional, then additional bags will be picked up.
- Which carts are to be provided. Mr. Baretta stated the City may choose the cart colors and that it may be included into the contract.

Brief discussion ensued regarding the regulations included in the ordinance.

A concern was voiced regarding elderly people struggling with the big containers, the possibility of a slip and fall, and placing out/returning the cart being an inconvenience for an elderly person. Mr. Baretta stated one bag will be picked up.

Discussion ensued regarding pick-up of carpeting, etc. Mr. Baretta stated such would be picked up.

Discussion ensued regarding special pick-ups resulting from a wide-spread, catastrophic occurrence. Mr. Baretta stated a special pick-up will be arranged with the Director of Public Services, and a rate would be negotiated for pick up and hauling.

The type of equipment (trucks) was then discussed. Mr. Baretta stated the trucks will be a semi-automated system. The Director of Public Services is recommending approval of the contract based on the successful services provided in Grosse Pointe City. Mr. Baretta stated the carts will not be available when the contract becomes effective on January 1. The carts will be rolled out

around March. GFL will prepare and mail a newsletter to the residents regarding a delivery timeframe for the carts.

The City Administrator recommended approval of the contract with GFL based on the recommendation of other communities.

Mr. Baretta asked for clarification on the style of carts being requested. He stated the Totter cart with a matte finish is not consistent with bid specifications. A Totter cart is a rotationally molded cart and neither provides a smooth (cleaner) surface nor a consistent thicknesses, which is requested in the specifications. A Totter cart is molded with a matte finish and various thicknesses. Following discussion, there was a consensus of the Committee that the City Attorney include into the contract:

- Cart colors, dark brown for trash and dark green (moss) for recyclables;
- Remove matte language for 64 gallon 2-wheeled carts;
- The Director of Public Services and contractor are to choose a high-pressure molded cart in accordance with the bid specifications.

New Business:

- The City Attorney discussed pending nuisance litigation regarding 1298 Hawthorne. He attended court on Friday and possible demolition of the home may be necessary.
- The City Attorney discussed an ordinance regarding vaping. The City Attorney was asked to look at the state law and whether the City has authority to limit use. The City Administrator was also asked to look at other City's ordinances.
- The Mayor asked City Attorney Chip Berschback to stay and address the trash contract at tonight's Council Meeting.

Motion by Bryant, seconded by Granger, that the meeting of the Committee-of-the-Whole be adjourned at 7:42 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

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Lisa Kay Hathaway  
City Clerk

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Robert E. Novitke  
Mayor

RECEIVED

Approved by Commission  
NOV 06 2017 11/14/17

CITY OF GROSSE POINTE WOODS

**Citizen's Recreation Commission Meeting Minutes**  
Meeting of the Citizen's Recreation Commission held on October 10, 2017 at  
Grosse Pointe Woods, Michigan



**CALLED TO ORDER: 7:06**

**PRESENT:**

Bill Babcock  
Gib Heim  
Barb Janutol  
Mark Miller  
Christine Ventimiglia  
Amanda York

**ABSENT:**

Tom Jerger  
Tony Rennpage  
Mike Soviak

**ALSO PRESENT:**

Richard Shetler, Jr.

**Motion** to accept the minutes from September 12, 2017 by Mark Miller and seconded by Gib Heim.

Motion passed by the following vote:

Yes: Babcock, Heim, Janutol, Miller, Ventimiglia and York.

No: None

Absent: Jerger, Rennpage and Soviak

**SUPERVISOR'S REPORT:**

No report

**COUNCIL MEETING REPORT:**

Mr. Shetler reported the following:

Per a phone conversation with Ms. Byron, regular seasonal happenings are ongoing.

The Mayor would like us to consider changing the Perch Derby to the morning of the City Picnic in 2018. More discussion to follow in New Business.

New trash collection bids will be considered in December.

**OLD BUSINESS:**

The Jack Boni Perch Derby donor thank-you letters were not ready for this meeting. Signing will be at the November meeting.

Per the by-laws, new officer elections will take place in January of 2018.

### **NEW BUSINESS:**

A discussion of the date and time of the 2018 Perch Derby ensued per the Mayor's recommendation. Since the hot dogs usually provided would also be served at the picnic, this would save some cost and the date might improve participation. Shortening up the timeline and fishing from the dock only was also discussed. More discussion will take place after the first of the year.

### **Motion:**

A motion was made by Mark Miller and seconded by Amanda York to accept the Mayor's recommendation to change the date of the Perch Derby to the morning of the City Picnic in August of 2018.

Motion passed by the following vote:

Yes: Babcock, Heim, Janutol, Miller, Ventimiglia, and York.  
No: None  
Absent: Jerger, Rennpage, and Soviak



### **ADJOURNMENT:**

Motion was made to adjourn the meeting by Mark Miller and seconded by Bill Babcock.

Yes: Babcock, Heim, Janutol, Miller, Ventimiglia and York.  
No: None  
Absent: Jerger, Rennpage, and Soviak.

**Meeting Adjourned at 7:47pm.**

Respectfully submitted by: Barb Janutol, Secretary

**CITY OF GROSSE POINTE WOODS**  
BUILDING DEPARTMENT  
MEMORANDUM

8A  
RECEIVED  
NOV 28 2017  
GROSSE POINTE WOODS

**DATE:** November 27, 2017  
**TO:** Mayor and City Council  
**FROM:** Gene Tutag, Building Official *GT*  
**SUBJECT:** 20651 Montague Lane, Generator Variance

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A generator was installed in the rear of 20651 Montague Lane without the required approvals or permit. Application has subsequently been made after ticket #253886 was issued to the installer, Flame Furnace. A permit cannot be issued as the proposed generator location is in violation of Section 8-463 of the city code. The code requires that permanent generators be placed at least 15 feet away from any property line. Plans submitted indicate the generator will be 10 feet away from the west property line.

The applicant, Flame Furnace, is appealing the denial and is requesting a variance of Section 8-463 that would allow the generator to remain in the west side yard as indicated on the attached drawing.

The property was inspected on November 27, 2017. In addition to the above variance, the generator was found to be non-compliant with Section 8-463 as the generator is installed upon a bed of pea stone instead of a concrete slab as required, and Section 8-468 that requires the installation be appropriately landscaped, which there is none at the present time.

It is recommended that the requested variance hearing be postponed until the application is amended to reflect the additional variances, or plans indicating compliance with city code are submitted along with a letter or correspondence from the applicant specifically indicating the reasons why the variances are necessary and the reasons the code cannot be complied with.

APPROVED BY:

*Bruce Smith*  
\_\_\_\_\_  
Bruce Smith City Administrator

DATE:

11/28/2017



**CITY OF GROSSE POINTE WOODS**  
**Office of the Treasurer/Comptroller**

9A

**Memorandum**

---

**DATE:** November 20, 2017

**TO:** Mayor Novitke and City Council

**SUBJECT:** Contribution to Retiree Healthcare Trust Fund

---

I am requesting approval to transfer \$50,000 to the Retiree Health Care Trust Fund held at Charles Schwab for payment toward Other Post-Employment Benefits (OPEB). This is a budgeted item in fiscal year 2017-2018, account No. 101-299-999.736. These funds will be restricted for the payment of retiree healthcare expenses.

Thank you.

Cathrene A. Behrens  
Treasurer/Comptroller Signature



**CITY OF GROSSE POINTE WOODS**  
**MEMORANDUM**

RECEIVED  
NOV 22 2017

9B

**Date:** December 4, 2017

**To:** Mayor and City Council

**To:** Lisa K. Hathaway, City Clerk

A handwritten signature in black ink, likely belonging to Lisa K. Hathaway.

**From:** Cathrene Behrens, Treasurer/Comptroller

A handwritten signature in black ink, likely belonging to Cathrene Behrens.

**Re:** 2017-18 Budget Amendment

Please find attached two invoices from Dominion Voting for purchases, which were authorized by the City Council on April 3, 2017. The invoices are for the purchase of election equipment required in the City Clerk's department. These funds were approved to be taken out of fiscal year 2016-2017 and the Clerk has just now received the invoices dated 10/31/2017.

The funds were not committed from the general fund balance in fiscal year 2017-2018 for this purchase because staff believed that we would receive the invoices within the 60 day cutoff for expensing from a prior fiscal year. Unfortunately, we did not receive the invoices within that 60 day time frame so this equipment will need to be expensed from fiscal year 2017-2018. A budget transfer will be necessary from the prior year fund balance.

Fund Certification:

A budget transfer is required from the General Fund prior year fund balance, account No. 101-000-697.000 into Minor Equipment general fund account No. 101-215-970.000 in the amount of \$21,625, and that the account number has been verified.

A handwritten signature in black ink, likely belonging to Cathrene Behrens.

Treasurer/Comptroller Signature

DOMINION  
VOTING



3329  
RECEIVED  
NOV 13 2017

1201 18th Street, Suite 210  
Denver CO 80202 United States  
FED ID#27-0565149

CITY OF GROSSE PTE. WOODS

Invoice Date	10/31/2017
Invoice #	DVS121746
Page	1

**Bill To:**

Grosse Pointe Woods City, MI (Wayne County)  
Lisa Hathaway  
20025 Mack Plaza Drive  
Grosse Pointe Woods MI 48236

**Ship To:**

Grosse Pointe Woods City, MI  
Lisa Hathaway  
20025 Mack Plaza Drive  
Grosse Pointe Woods MI 48236

Purchase Order No.		Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.									
43959		USMIGROSSE	NTOWNSEND	BEST WAY	Net 30	10/31/2017	25,235									
Ordered	Shipped	B/O	Item Description Item Number	Discount	Unit Price	Ext. Price										
1	1	0	ICP Tabulator (320C) - MI	\$ 0.00	\$ 4,395.00	\$ 4,395.00										
2	2	0	ICC Kit - M160ii/7440 - MI 5.0 ( includes trade-in of 2 ICPs )	\$ 0.00	\$ 7,685.00	\$ 15,370.00										
<div>74 11/17</div> <div>11/12/17 Vokany to pay ME</div> <div>PO. 43959</div> <div>101215970.000</div>																
<b>REMIT TO:</b> Dominion Voting Systems, Inc. P.O. Box 538214 Atlanta, GA 30353-8214				<b>COURIER ADDRESS:</b> Dominion Voting Systems, Inc. Lockbox #538214 1669 Phoenix Parkway, Suite 210 College Park, GA 30349		<table><tr><td><b>Subtotal</b></td><td>\$ 19,765.00</td></tr><tr><td><b>Tax</b></td><td>\$ 0.00</td></tr><tr><td><b>Freight</b></td><td>\$ 0.00</td></tr><tr><td><b>Trade Discount</b></td><td>\$ 0.00</td></tr><tr><td><b>Total</b></td><td>\$ 19,765.00</td></tr></table>	<b>Subtotal</b>	\$ 19,765.00	<b>Tax</b>	\$ 0.00	<b>Freight</b>	\$ 0.00	<b>Trade Discount</b>	\$ 0.00	<b>Total</b>	\$ 19,765.00
<b>Subtotal</b>	\$ 19,765.00															
<b>Tax</b>	\$ 0.00															
<b>Freight</b>	\$ 0.00															
<b>Trade Discount</b>	\$ 0.00															
<b>Total</b>	\$ 19,765.00															

**Comments:**

6/23/2017 Fed-Ex#779481392213 & hand delivered by  
Darren Silverburg

DOMINION  
VOTING



3329

RECEIVED

NOV 13 2017

Invoice Date	10/31/2017
Invoice #	DVS121747
Page	1

1201 18th Street, Suite 210  
Denver CO 80202 United States  
FED ID#27-0565149

CITY OF GROSSE PTE. WOODS

Bill To:

Grosse Pointe Woods City, MI (Wayne County)  
Lisa Hathaway  
20025 Mack Plaza Drive  
Grosse Pointe Woods MI 48236

Ship To:

Grosse Pointe Woods City, MI  
Lisa Hathaway  
20025 Mack Plaza Drive  
Grosse Pointe Woods MI 48236

Purchase Order No.		Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
44159		USMIGROSSE	NTOWNSEND	BEST WAY	Net 30	10/31/2017	25,236
Ordered	Shipped	B/O	Item Description Item Number		Discount	Unit Price	Ext. Price
1	1	0	EMS Express Server Kit - up to 7 Clients		\$ 0.00	\$ 1,860.00	\$ 1,860.00
<div>74 16/17 JPL H/17/17 John to pay P.O. 44159 101-205-231.000</div>							
REMIT TO: Dominion Voting Systems, Inc. P.O. Box 538214 Atlanta, GA 30353-8214			COURIER ADDRESS: Dominion Voting Systems, Inc. Lockbox #538214 1669 Phoenix Parkway, Suite 210 College Park, GA 30349			Subtotal	\$ 1,860.00
						Tax	\$ 0.00
						Freight	\$ 0.00
						Trade Discount	\$ 0.00
						Total	\$ 1,860.00

**Comments:**

Hand delivered by Darren Silverburg

*Darren Silverburg*

Motion by Granger, seconded by Shetler, regarding **election equipment purchase correction/budget transfer**, that City Council withdraw the prior Council approval, and approve the purchase of Election Equipment from Dominion Voting to include three (3) Small ICC M160II AVCB Tabulators (including substitution of two precinct tabulators) and one (1) back-up precinct-based tabulator at a cost not to exceed \$19,765.00, funds to be taken in the amount of \$18,000.00 from the City Clerk's Municipal Improvement Account No. 101-215-970.000; and to approve budget transfers from the two following City Clerk accounts into the Clerk's Municipal Improvement Account No. 101-215-970.000:

- Training/Seminars Account No. 101-215-958.001 - \$1,300.00;
- Equipment Maintenance Account No. 101-215-850.000 - \$465.00.

Motion carried by the following vote:

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

RECEIVED

QC

OCT 17 2017

CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220  
Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: PATRICK MAHER Birth Date: 9/21/55

Home address: 1576 BAYS G.P. WOODS 48236

Telephone: 313 729-0477 Driver's License No. [REDACTED]

Business Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Business Address: \_\_\_\_\_

Description of Business: Scraping (Refuse Vendor)

Assistants: \_\_\_\_\_

Name	Address	Date of Birth

If vehicle used, describe: 2003 Chevy Silverado DEB 3070  
Year Make Model License Plate #

Other cities served: \_\_\_\_\_

Years previously licensed in Grosse Pointe Woods: 2014, 2015, 2016

VENDOR: Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).  
REFUSE VENDOR: Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).  
SOLICITOR: Shall not walk on residential or commercial lawns; must use sidewalk.  
NO PERSON: Shall deliver or deposit residential handbills at any residential home or apartment where a sign or notice has been posted in a conspicuous location, which sign or notice states "no handbills" or "no vendors or solicitors." Sec. 10.295  
LICENSE: The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: [Signature] Date: 10/13/17

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by CAROL A. WOONTON  
before me on the 13th day of October, 2017

Carol A. Woonton  
Signature of Notary Public  
My Commission expires: 7.2.18

	<b>Approve</b>	<b>Deny</b>
Public Safety:	<u>[Signature]</u>	_____
City Clerk:	<u>[Signature]</u>	_____
Council Action:	_____	_____
Plate No.:	_____	
Date Issued:	_____	
By:	_____	

CAROL A. WOONTON, Notary Public  
State of Michigan, County of Macomb  
My commission expires July 2, 2018

RECEIVED

CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

NOV 01 2017

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220  
Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: MARK Tibaudo Birth Date: 12-6-59

Home address: 1110. S. RENAUD

Telephone: 313-881-9589 Driver's License No. [REDACTED]

Business Name: MRT'S RESALE Telephone: 313-499-1925

Business Address: 17157 HARPER

Description of Business: RESALE SHOP - Refuse

Assistants: ANTHONY Tibaudo 1110. S. RENAUD Nov 3-1982  
Name Address Date of Birth

Name Address Date of Birth

Name Address Date of Birth

If vehicle used, describe: 1999 GMC SAVANA VAN 1500 BYG 2390  
Year Make Model License Plate #

Other cities served: \_\_\_\_\_

Years previously licensed in Grosse Pointe Woods: 3 years

**VENDOR:** Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).

**REFUSE VENDOR:** Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).

**SOLICITOR:** Shall not walk on residential or commercial lawns; must use sidewalk.

**NO PERSON:** Shall deliver or deposit residential handbills at any residential home or apartment where a sign or notice has been posted in a conspicuous location, which sign or notice states "no handbills" or "no vendors or solicitors." Sec. 10.295

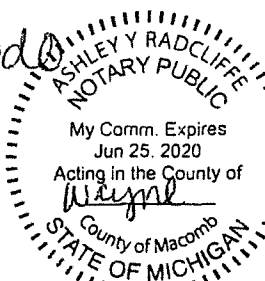
**LICENSE:** The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: Mark Tibaudo Date: 11-1-17

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by Mark Tibaudo  
before me on the 1 day of November, 2017

Ashley Y. Radcliffe  
Signature of Notary Public  
My Commission expires: 6/25/2020



	<b>Approve</b>	<b>Deny</b>
Public Safety:	<u>[Signature]</u>	_____
City Clerk:	<u>[Signature]</u>	_____
Council Action:	_____	_____
Plate No.:	_____	_____
Date Issued:	_____	_____
By:	_____	_____

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CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

NOV 01 2017

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220  
Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: JOSEPH PROVENZANO Birth Date: 4-15-48

Home address: 761 LINCOLN GROSSE PTE CITY 48230

Telephone: 313 886 7948 Driver's License No. [REDACTED]

Business Name: N/A Telephone: —

Business Address: N/A

Description of Business: SCRAPPING/RECYCLING

Assistants: NO ONE (SELF)

Name	Address	Date of Birth

If vehicle used, describe: 2007 Ford EXP BHM 2131

Other cities served: Year Make Model License Plate #  
None GROSSE PTE CITY

Years previously licensed in Grosse Pointe Woods: N/A

**VENDOR:** Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).

**REFUSE VENDOR:** Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).

**SOLICITOR:** Shall not walk on residential or commercial lawns; must use sidewalk.

**NO PERSON:** Shall deliver or deposit residential handbills at any residential home or apartment where a sign or notice has been posted in a conspicuous location, which sign or notice states "no handbills" or "no vendors or solicitors." Sec. 10.295

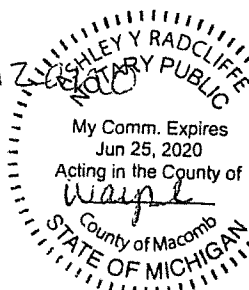
**LICENSE:** The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: Joseph Provenzano Date: 11-1-2017

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by Joseph Provenzano  
before me on the 1 day of November 2017

Signature of Notary Public: William Y. Radcliffe  
My Commission expires: 6/25/2020



	Approve	Deny
Public Safety:	<u>[Signature]</u>	
City Clerk:	<u>[Signature]</u>	
Council Action:		
Plate No.:		
Date Issued:		
By:		

RECEIVED

NOV 02 2017

CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220  
Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: Ronald HIRTH Birth Date: 7-6-48

Home address: 19380 - ELKHART

Telephone: 586-298-4737 Driver's License No. [REDACTED]

Business Name: \_\_\_\_\_ Telephone: SAME

Business Address: SAME

Description of Business: Recycle

Assistants: None

Name	Address	Date of Birth

If vehicle used, describe: 2005 Dodge Dakota DRK-8166  
Year Make Model License Plate #

Other cities served: None

Years previously licensed in Grosse Pointe Woods: 20 YRS

**VENDOR:** Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).

**REFUSE VENDOR:** Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).

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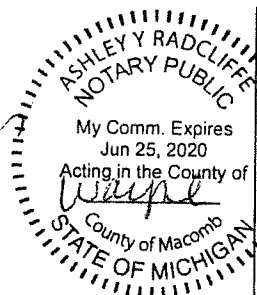
**LICENSE:** The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: Ron Hirth Date: 11-2-17

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by Ronald Hirth  
before me on the 2 day of November, 2017

Ashley Y. Radcliffe  
Signature of Notary Public  
My Commission expires: 6/25/2020



	Approve	Deny
Public Safety:	<u>[Signature]</u>	
City Clerk:	<u>[Signature]</u>	
Council Action:		
Plate No.:		
Date Issued:		
By:		

RECEIVED

CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

NOV 02 2017

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220  
Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: Vincent Agosta Birth Date: 11-27-1965

Home address: 19389 Elkhart

Telephone: 313-918-8293 Driver's License No. [REDACTED]

Business Name: Vincent Agosta Telephone: 313-918-8293

Business Address: 19389 Elkhart Harperwoods MI 48225

Description of Business: Refuse Vendor

Assistants: Dominic Agosta 19389 Elkhart 8-28-1998

Name

Address

Date of Birth

Name

Address

Date of Birth

Name

Address

Date of Birth

If vehicle used, describe: 2000 Chevrolet pickup DHT5597

Year

Make

Model

License Plate #

Other cities served: \_\_\_\_\_

Years previously licensed in Grosse Pointe Woods: 13-14-15-16-17

**VENDOR:** Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).

**REFUSE VENDOR:** Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).

**SOLICITOR:** Shall not walk on residential or commercial lawns; must use sidewalk.

**NO PERSON:** Shall deliver or deposit residential handbills at any residential home or apartment where a sign or notice has been posted in a conspicuous location, which sign or notice states "no handbills" or "no vendors or solicitors." Sec. 10.295

**LICENSE:** The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: [Signature] Date: 11-2-16

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by Vincent Agosta  
before me on the 2 day of November, 2017

Signature of Notary Public  
My Commission expires: 6/25/2020



	<b>Approve</b>	<b>Deny</b>
Public Safety:	<u>[Signature]</u>	_____
City Clerk:	_____	_____
Council Action:	_____	_____
Plate No.:	_____	_____
Date Issued:	_____	_____
By:	_____	_____

RECEIVED

CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

NOV 03 2017

CITY OF GROSSE PTE. WOODS

**APPLICATION FOR PERMIT/LICENSE – VENDOR/SOLICITOR/PEDDLER, ET AL**

Chapter 10 Businesses. Section 10-220  
Permit Fees: ~~Annual \$75~~; Month \$20; Day \$10

Applicant: JOHN A WALLS Birth Date: 10/7/55  
Home address: 21900 AVALON ST. CLAIR SHRS, MI 48080  
Telephone: (586) 774-0989 Driver's License No. [REDACTED]  
Business Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Description of Business: REFUSE VENDOR

Assistants: \_\_\_\_\_  
Name Address Date of Birth  
Name Address Date of Birth  
Name Address Date of Birth

If vehicle used, describe: 1997 FORD RANGER CDQ 7151  
Year Make Model License Plate #

Other cities served: ST. CLAIR SHRS

Years previously licensed in Grosse Pointe Woods: 2013-2014-2015-2016-2017

**VENDOR:** Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).

**REFUSE VENDOR:** Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).

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**LICENSE:** The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: John A Walls Date: 11/3/17

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by John Walls  
before me on the 3 day of November, 2017

Ashley Y. Radcliffe  
Signature of Notary Public  
My Commission expires: 6/25/2020



	<b>Approve</b>	<b>Deny</b>
Public Safety:	<u>TV</u>	_____
City Clerk:	<u>jeff</u>	_____
Council Action:	_____	_____
Plate No.:	_____	_____
Date Issued:	_____	_____
By:	_____	_____

CITY OF GROSSE POINTE WOODS  
20025 MACK AVENUE  
GROSSE POINTE WOODS, MI 48236  
(313) 343-2440

RECEIVED

NOV 27 2017

CITY OF GROSSE PTE. WOODS

APPLICATION FOR PERMIT/LICENSE - VENDOR/SOLICITOR/PEDDLER, ET AL

Chapter 10 Businesses. Section 10-220

Permit Fees: Annual \$75; Month \$20; Day \$10

Applicant: SEYFUDIN P LIVADICH Birth Date: 11 22 1941

Home address: 23167 GLADHILL LN ST CLAIR SHORES MI 48080

Telephone: 586 779 7619 Driver's License No. [REDACTED]

Business Name: NONE Telephone: \_\_\_\_\_

Business Address: REFUSE

Description of Business: NONE

Assistants: HAKIJA LIVADICH 10 10 54

Name	Address	Date of Birth
------	---------	---------------

Name	Address	Date of Birth
------	---------	---------------

Name	Address	Date of Birth
------	---------	---------------

If vehicle used, describe: 202 SAVANA G4PX9

Year	Make	Model	License Plate #
------	------	-------	-----------------

Other cities served: NO

Years previously licensed in Grosse Pointe Woods: \_\_\_\_\_

**VENDOR:** Valid for use from 9 a.m. to dusk or 7 p.m., local time, whichever occurs first, Sec. 10.224(e).

**REFUSE VENDOR:** Shall not collect, remove or cart away any materials between the hours of 10 p.m. and 6 a.m. the following morning, Sec. 10.221(a).

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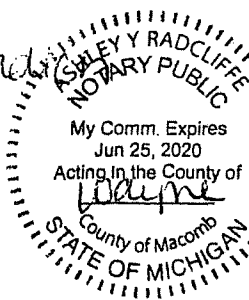
**LICENSE:** The license issued shall expire on December 31 of the year issued. The license fee is to be paid at the time of issuance.

Signed: Seyfudin P Livadich Date: 11 22

State of Michigan )  
County of Wayne ) ss.

Subscribed and sworn to by Seyfudin Livadich  
before me on the 27 day of November, 2017

Allely Y. Radcliff  
Signature of Notary Public  
My Commission expires: 6/25/2020



	Approve	Deny
Public Safety:	<u>[Signature]</u>	_____
City Clerk:	<u>[Signature]</u>	_____
Council Action:	_____	_____
Plate No.:	_____	_____
Date Issued:	_____	_____
By:	_____	_____



**CITY OF GROSSE POINTE WOODS**  
**Office of the Treasurer/Comptroller**

10A

**Memorandum**

RECEIVED

NOV 15 2017

CITY OF GROSSE PTE. WOODS

**DATE:** December 4, 2017  
**TO:** Mayor Novitke and City Council  
**CC:** Bruce J. Smith, City Administrator  
**SUBJECT:** Munetrix Subscription Agreement

In 2011 the City of Grosse Pointe Woods entered into a contract with Munetrix LLC to provide services to the City to assist with State accountability and transparency requirements associated with the state share revenue allocation. The partnership between Munetrix and the City has worked out very well and their services have been more than satisfactory.

The State of Michigan recently notified the City that we may request reimbursement of 50% (\$1,150) of our annual expense paid to Munetrix. The City is required to submit an application, a copy of the cashed check and a signed subscription agreement. In reviewing City records, I have been unable to locate a signed copy of our subscription agreement from 2011.

I am requesting Council approval to authorize the City Administrator to execute the attached subscription agreement with Munetrix. The document has been reviewed by the City Attorney. The funds are a budgeted item which has been expensed for fiscal year 2017-2018 in the amount of \$2,250 from budget line 101-172-818.000.

Cathrene A. Behrens  
Treasurer/Comptroller Signature



## MUNETRIX SUBSCRIPTION AGREEMENT

THIS MUNETRIX SUBSCRIPTION AGREEMENT (the "Agreement") is made by and between MUNETRIX, LLC a Michigan Limited Liability Company whose address for purposes of this Agreement is 3297 Five Points Drive Auburn Hills, MI 48326 (the "Company") and GROSSE POINTE WOODS whose address is 20025 Mack Plaza Drive, Grosse Pointe Woods, MI 48236 (the "Licensee").

WHEREAS, MUNETRIX, LLC, offers subscriptions to the Munetrix "Municipal Metrics" financial transparency database (the "Tool") for the benefit of Administrators, Finance Officers, Business Managers, and Elected Officials, whereby they may subscribe to and be issued rights to use the Tool for fiscal transparency or business management practices;

NOW, THEREFORE, the parties hereby agree as follows:

1. Subscription. As a condition to the Agreement, the Licensee shall pay the Company an annual fee (the License Fee") within a commercially reasonable time following the Company's receipt of the executed Subscription Agreement, the Company agrees to provide the Licensee with full access to Editing Rights to the Munetrix Tool (the "Tool") through the Company's website (Munetrix.com).

The annual subscription will have a start date of September 1, 2017. The end date will be the first day of the following month of the subscription year (the "Term"). Payment is due within 30 days of a) receipt of invoice and/or b) registration for use of the Tool.

The Parties agree that the term shall automatically be renewed for successive one-year periods unless the Company is notified by the Licensee within 30 days of the Renewal/Anniversary date, and the Licensee shall pay the company a subsequent License Fee for each renewal period within 30 days of receipt of the renewal invoice. The Licensee acknowledges that the License Fee may increase in subsequent renewal periods. The Company agrees to notify the Licensee at least 60 days prior to the renewal date if any increase in the License Fee will be implemented, and if a "Rate Lock" option is available.

2. Users. The Subscription shall provide up to three Authorized Users of the Licensees organization the right to use the Tool during the Term. For the purposes of this Agreement, the term "Authorized Users" shall mean any finance directors, chief administrators, clerks, or other employees of the Licensee that are elected or appointed during the time the Tool is being utilized and who agree to be bound by Munetrix's Terms of Use, and/or designated by the Local Government's Chief Administrative Officer.

One of these Users is for full fiscal editing, one for demographic or background editing, and one for IT support. In the case the Licensee desires to have a third-party provider, such as a CPA consultant, have editing access to the Tool, a nominal administrative fee shall apply and the addition of the third party user must be authorized by the Company and the Municipality.

3. Licensee and User's Responsibilities. The Licensee and User shall (i) be responsible for the accuracy, quality and legality of its data entered into the Tool (or any database that utilizes the Tool) and of the means by which such data is acquired, (ii) use commercially reasonable efforts to prevent unauthorized access to or use of the Tool, and notify the Company promptly of any such unauthorized access or use, and (iii) use the Tool only in accordance with the Terms of Use and applicable laws and government regulations.

The Licensee and its Users shall not (a) make the Tool available to anyone other than Authorized Users, unless otherwise allowed or authorized per this agreement, (b) sell, resell, rent or lease the Tool, (c) use the Tool to store or transmit infringing, libelous, or otherwise unlawful or tortious material, or to store or transmit material in violation of third-party privacy rights, (d) use the Tool to store or transmit viruses or malicious code, (e) interfere with or disrupt the integrity or performance of the Tool or any third-party data contained therein, or (f) attempt to gain unauthorized access to the Tool or their related systems or networks and (g) discontinue, decommission or otherwise notify Munetrix to decommission any Authorized Users from having access to the Tool upon termination of their employment from the Licensee's organization.

4. Company Responsibilities. At a minimum of once per year, and as long as State Agencies continue to provide access to bulk data downloads, updated F65, FID and other Financial Reports released by the State will be uploaded and will



replace any information in the system that has been input. This data will be labeled as “Historic” and subsequently be “locked down so no further editing is allowed.

Public safety, traffic safety, certain educational performance and other data will be refreshed by the Company annually, and basic system enhancements will occur periodically at no additional charge. These updates will be in the form of slight modifications that make the system more user-friendly or intuitive, and may include various additions to data or charts that can help a municipality or the general public understand the data better. No version downloads are required by the Licensee; these updates will automatically appear once released for production and a User Notification will appear upon the Licensees next log-in. The Notification feature is TURNED ON as the Tool’s default setting, and this preference may be changed by the Licensee using the system’s settings.

5. Terms of Use. The Licensee agrees to be bound by (and comply with) and agrees to cause its Authorized Users to be bound by (and comply with) Munetrix’s Terms of Use. For the purpose of this Agreement, the “Terms of Use” shall mean those certain terms of use that are set forth on Munetrix’s website and relate to the usage of Munetrix’s site, tools, and products, as modified from time to time. To the extent that there is any direct conflict between the terms of this Agreement and the Terms of Use, the terms of this Agreement shall control and prevail.
  6. Guest User Link. As a condition to this Agreement, the Licensee agrees to place an approved Munetrix Citizens Guide to Finances guest user link or other means to hyperlink the Munetrix Tool to their websites homepage.
  7. Limitation of Liability. The liability of the Company arising out of or related to this Agreement or the Tool shall not exceed the amount of the most recent Subscription Fee paid by the Licensee under this Agreement.
  8. Relationship of the Parties. The parties to this Agreement are independent contractors. This Agreement does not create a partnership, franchise, joint venture, agency, fiduciary or employment relationship between the parties.
  9. Assignment. Licensee may not assign any of its rights or delegate any of its duties under this Agreement without the prior written consent of the Company.
  10. Severability. If any provision of this Agreement is held by a court of competent jurisdiction to be contrary to law, the provision shall be modified by the court and interpreted so as best to accomplish the objectives of the original provision to the fullest extent permitted by law, and the remaining provisions of this Agreement shall remain in effect.
- In addition to any other rights and remedies that the parties might have at law or in equity, the Company reserves the right to suspend or cancel the Licensee’s Subscription and access to the Tool in the event that the Licensee breaches (or threatens to breach) any term of this Agreement.
11. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, e-mail, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement. Use of the system is also deemed an acceptance of the agreement.
  12. Governing Law. This Agreement shall be bound by the laws of the State of Michigan without regard to its conflicts of law provisions.
  13. Entire Agreement. This Agreement along with the Terms of Use constitutes the entire agreement between the parties and supersedes all prior and contemporaneous agreements, proposals or representations, written or oral, concerning its subject matter. No modification, amendment, or waiver of any provision of this Agreement shall be effective unless in writing and signed by the party against whom the modification, amendment or waiver is to be asserted.

The Licensee agrees to the provisions of this agreement and by signing authorizes the transaction to executed as of the Effective Date.

**LICENSEE SIGNATURE:**

By: \_\_\_\_\_

Bruce J. Smith

Name: \_\_\_\_\_

**Munetrix LLC**  
3297 Five Points Drive  
Auburn Hills, MI 48326



**BILL TO:**  
Attn: Accounts Payable  
Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

**RENEWAL INVOICE #:** 1841  
**INVOICE DATE:** 08/01/2017  
**TERMS:** Net 30  
**DUE:** 09/01/2017

ANNIVERSARY	LOCAL UNIT CODE
Sept 1	822130

DESCRIPTION	QTY	RATE	AMOUNT
Level 3 License - Municipal	1	2,350.00	2,350.00
Regional Sponsorship Discount		-100.00	-100.00

**Note: Optional Service Contract Support Packages are now available. Contact us for more details.**

**AMOUNT PAID:** 2,250.00

**AMOUNT DUE:** \$0.00

**Please Remit To:**  
Munetrix, LLC - Accounts Payable  
3297 Five Points Drive  
Auburn Hills, MI 48326

PAID

**Credit Card Payments – Add 3.5% Processing Fee**

Please note that any unpaid balances are subject to a 1.25% compounded late fee.

Payment of this invoice acknowledges agreement to pricing and Terms of Use which is available at [www.munetrix.com](http://www.munetrix.com)

Munetrix Terms state that subscription cancellation requests must be received at least 30 days in advance of your anniversary date. Please contact us directly at 248-499-8355 if you have any concerns regarding your subscription.

3297 Five Points Dr | Auburn Hills, MI 48326 | Ph: 248.499.8355 | Fax: 248.683.5826 | [www.munetrix.com](http://www.munetrix.com)

MEMO 17 - 49

10B  
RECEIVED  
NOV 28 2017  
CITY OF GROSSE POINTE WOODS

TO: Bruce Smith, City Administrator  
FROM: Frank Schulte, Director of Public Services *FS*  
DATE: November 17, 2017  
SUBJECT: Recommendation – Floating Docks – Lake Front Park Marina

In February 2017 we proposed several improvements to the Lake Front Park marina including the addition of six EZ Port floating docks in place of two empty boat wells and parts to replace the deteriorated stationary dock at the boat launch with a new floating dock. We received a quote from Blue Water Docks for the parts and city employees will provide the labor to complete assembly of the docks. Blue Water Docks is a reputable business specializing in waterfront accessories including floating boat lifts and docks and services all the marinas in the Grosse Pointe communities. There are no other local companies that provide comparable products to the EZ Port floating docks. I do not believe any benefit will accrue to the City to seek further competitive bids.

Therefore, I recommend a purchase order be issued to Blue Water Docks, 10442 St. John Dr., Algonac, MI 48001 to supply all parts necessary for assembly of six EZ Port floating docks and a boat launch floating dock in a total amount not to exceed \$22,944.00. This is a budgeted item included in the 2017/2018 fiscal year budget in account 594-785-818.000 in the amount of \$22,950.00.

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

c.c. LFP File  
O/F

I do not believe any benefit will accrue to the City by seeking further bids. Approved for Council consideration.

  
Bruce Smith, City Administrator

11/27/17  
Date

MEMO 17 - 43

TO: Bruce Smith, City Administrator  
FROM: Frank Schulte, Director of Public Services FS.  
DATE: November 16, 2017  
SUBJECT: Annual Fuel Purchase Contract

RECEIVED  
NOV 23 2017  
CITY OF GROSSE PTE. WOODS

10C

During mid-October we spoke with the City of Sterling Heights, the host municipality for the Michigan Intergovernmental Trade Network (MITN) cooperative fuel bid (formerly tri-county cooperative), regarding our purchase of fuel through the cooperative fuel contract for the upcoming two-year contract period of February 1, 2018 through January 31, 2020. We have purchased fuel through the MITN cooperative fuel contract since February 1, 2000. The MITN cooperative bid prices are lower for both gasoline and diesel fuel when compared to the State of Michigan MiDeal contract. RKA Petroleum Companies was the lowest qualified bidder for tank wagon deliveries (5,000 gallons or less) for the upcoming contract period. They have provided fuel on previous contracts and their performance has been satisfactory. RKA's bid factor for both gasoline and diesel fuel was +.0848 per gallon while the MiDeal bid factors for mid-grade gasoline and diesel fuel were +.1702 and +.1119, respectively for Wayne County. Pricing is calculated based on the OPIS (Oil Price Information Service) Rack Average for Detroit, Michigan. Pursuant to a consensus of the fuel cooperative members and the agreement of the vendors the City Council for the City of Sterling Heights approved the fuel purchasing contract for the two-year period February 1, 2018 through January 31, 2020.

The MITN cooperative bid is made up of 18 member communities in Macomb, Oakland and Wayne Counties including the City of Grosse Pointe Woods. Prices charged to municipalities fluctuate with market conditions but are substantially lower than consumer pump prices. This is the most economical way for the city to purchase fuel and there would be no advantage to going out for additional bids. Therefore, I recommend that we purchase fuel from RKA Petroleum Companies, 28340 Wick Rd., Romulus, MI, 48174 based upon the MITN cooperative fuel bid for tank wagon deliveries of gasoline and diesel fuel for the contract period of February 1, 2018 through January 31, 2020 in an amount not to exceed \$115,000.00 annually. This is a budgeted item with funds included in each fiscal year budget in vehicle maintenance account 640-851-939.500 for gasoline and diesel fuel purchases.

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

c.c. Fuel File  
O/F

I do not believe any benefit will accrue to the City by seeking further bids. Approved for Council consideration.

  
Bruce Smith, City Administrator

11/27/17  
Date



# CITY OF GROSSE POINTE WOODS

## MEMORANDUM

11A

RECEIVED

NOV 28 2017

CITY OF GROSSE POINTE WOODS

**Date:** December 4, 2017

**To:** Mayor and City Council

**To:** Bruce J. Smith, City Administrator 

**From:** Cathrene Behrens, Treasurer/Comptroller 

**Re:** Deficit Elimination Plan

On June 30, 2017 the 2015 Road Bond Debt general ledger balance was at a deficit balance of \$33,213. This deficit directly relates to the City having to reimburse Wayne County for delinquent taxes for the City's top taxpayer and additionally not receiving the 2016 delinquent tax on this same property.

I have attached an amended copy of the 2017-2018 fiscal year Road Bond Debt Service Fund. I have added revenues in the amount of \$6,500 in MTT Property Tax Refunds, Account #304-000-402.001 to reflect revenues that will be received from Wayne County for the 2015 delinquent taxes. I have additionally zeroed out budget line 304-999-979.000, Future Capital Improvement which was originally budgeted at \$18,550. These changes will enable us to eliminate the deficit balance in one fiscal year. Attached is a copy of the letter and resolution, which are mandatory. The deficit elimination plan must be filed within 24 hours after the 2017 CAFR is uploaded to the state.

### Recommendation

I respectfully request that Council authorize the City Administrator to sign the attached letter dated December 4, 2017 address to Cary Jay Vaughn and to authorize the following budget amendments to the listed budget lines from the 2017-2018 fiscal year budget.

<u>Budget Line #</u>	<u>Description</u>	<u>Original Budgeted Amount</u>	<u>Proposed Amendment Amount</u>
Budget Revenue Line 304-000-402.001	MTT Property Tax Refund	0	6,500
Budget Expenditure Line 304-999-979.000	Future Capital Improvements	18,550	0



## CITY OF GROSSE POINTE WOODS

20025 Mack Plaza Drive  
Grosse Pointe Woods, Michigan 48236-2397

December 4, 2017

Attention: Cary Jay Vaughn  
State of Michigan  
Department of Treasury  
Local Audit and Finance Division  
P.O. Box 30728  
Lansing, MI 48909-8228

Re: City of Grosse Pointe Woods  
Corrective Action Plan

Dear Mr. Vaughn:

In response to the City of City of Grosse Pointe Woods (MuniCode 82-2130) 2017 auditing procedures report, we submit the following corrective action plan:

### **03 Actual expenditures exceeded the amounts authorized in the budget**

During the year, the City's Road Bond Debt Service Fund incurred expenditures that were in excess of the revenues collected through property taxes. These variances relate directly to the City's top taxpayer allowing their taxes to become delinquent for calendar year 2014, 2015 and 2016. In fiscal year 2018, the City will closely monitor expenditures compared to the budget and obtain Council amendments before budgeted amounts are exceeded and staff will adjust the millage rate to ensure tax receipts are adequate to cover the bond debt expense.

Please provide notification when the deficit elimination plan has been certified by the Local Audit and Finance Division. If additional information is needed, please contact me at (313-343-2604.

Sincerely,

**City of Grosse Pointe Woods**

Bruce J. Smith  
City Administrator

**THE CITY OF GROSSE POINTE WOODS  
CITY COUNCIL RESOLUTION  
ADOPTING THE DEFICIT ELIMINATION PLAN  
FOR FISCAL YEAR 2017 - 18**

A regular meeting of the City Council of the City of Grosse Pointe Woods, County of Wayne, State of Michigan (the "City"), was held on \_\_\_\_\_, 2017 at 7:30 p.m., Eastern Standard Time.

PRESENT: Members

ABSENT: None

The following preamble and resolution were offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**WHEREAS**, the City of Grosse Pointe Woods 2015 Road Bond Debt Service Fund has a \$33,213 deficit fund balance on June 30, 2017; and

**WHEREAS**, Public Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury;

**NOW THEREFORE, IT IS RESOLVED**, that the City of Grosse Pointe Woods City Council adopts the following as the City of Grosse Pointe Woods 2015 Road Bond Debt Service Fund Deficit Elimination Plan:

	<u><b>2017-2018</b></u>
<b>Fund Balance (Deficit) July 1, 2017</b>	<b>\$(33,213)</b>
<u><b>Revenues</b></u>	
Property Taxes	\$1,008,958
Delinquent Taxes	\$ 6,500
Other	<u>\$ 2,000</u>
<b>Total Revenues</b>	<b>\$1,017,458</b>
<u><b>Expenditures</b></u>	
Road Bond Principal	\$ 750,000
Road Bond Interest Issue #1	\$ 180,250
Road Bond Interest Issue #2	<u>\$ 51,177</u>
<b>Total Expenditures</b>	<b>\$ 981,427</b>
<b>Fund Balance (Surplus) June 30, 2018</b>	<b>\$ 2,818</b>

**BE IT FURTHER RESOLVED** that the City of Grosse Pointe Woods City Administrator submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED.

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City Clerk

### **CERTIFICATION**

I, Lisa K. Hathaway Clerk of the City of Grosse Pointe Woods, do hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Council on \_\_\_\_\_, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and will be, or have been, made available as required by said Act.

**CITY OF GROSSE POINTE WOODS**  
**BUDGET WORKSHEET - ROAD CONSTRUCTION DEBT**  
**FY 2017-18**

		FY 15-16	FY 16-17		FY 17-18	
ACCOUNT NO.	ACCOUNT NAME	ACTUAL AMOUNT	BUDGET AMOUNT	7/1/2016 - 2/28/2017 ACTUAL	DEPT REQUESTED	CITY ADMIN RECOMM
<b>REVENUES</b>						
304.000.402.000	OPERATING LEVY	208,895	976,800	928,119	1,008,958	1,008,958
304.000.402.001	MTT PROPERTY TAX REFUND	(800)		-		6,500
304.000.665.000	INTEREST EARNINGS	-	2,000	-	2,000	2,000
	TOTAL REVENUE	208,094	978,800	928,119	1,010,958	1,017,458
<b>DEBT SERVICE - OTHER</b>						
304.990.991.000	PRINCIPAL	-	750,000	750,000	750,000	750,000
304.990.995.000	INTEREST	207,605	210,250	112,625	231,427	231,427
304.999.979.000	FUTURE CAP IMPROVEMENT	-	18,550	-	18,550	-
	TOTAL EXPENSE	207,605	978,800	862,625	999,977	981,427
<b>NET</b>						
		490	-	65,494	10,981	36,031

**CHARLES T. BERSCHBACK**

ATTORNEY AT LAW  
24053 EAST JEFFERSON AVENUE  
ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400  
FAX (586) 777-0430  
blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

RECEIVED  
NOV 22 2017

CITY OF GROSSE PTE. WOODS

DON R. BERSCHBACK  
OF COUNSEL

November 22, 2017

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

RE. Solid Waste Collection and Disposal Ordinance  
Second reading for December 4, 2017

Dear Honorable Mayor and Council:

I have enclosed the Solid Waste Collection and Disposal Ordinance for your review which incorporates the following changes discussed at the first reading on November 13, 2017 and the COW on November 20, 2017 as follows:

1. This version continues to make clear that "occupants shall first fill applicable carts before using disposable rubbish bags."
2. Following that sentence in Sec. 34-27(a)(5), a sentence has been added "On limited occasions (e.g. holidays, moving, special events, etc.), any waste that does not fit into the refuse cart shall be placed next to the cart in disposable rubbish bags (no more than five bags) properly tied and secured. Excess use of plastic bags will require occupants to purchase an extra cart from the contractor."
3. Sec. 34-32, which previously would have allowed up to ten plastic bags has been deleted in its entirety.
4. Carts that are damaged from normal use will be replaced by the contractor. However, carts that are lost, stolen or damaged by the occupants neglect or abuse will require the occupant to purchase a new one.
5. Brush and tree trimming must be no more than four feet in length, four inches in diameter, and tied in bundles not to exceed 60 pounds.
6. In the fall months, the ordinance makes clear that only leaves, not grass clippings, can be raked to the street for collection.
7. Cardboard that does not fit in the carts must be cut down to two feet, not four, based on the contractors technical requirements.

A question was raised at the November 13<sup>th</sup> meeting regarding commercial properties and the relationship between dumpster use and carts. Sec. 34-28 continues to allow businesses to contract for private collection at their own expense. That procedure is still subject to the ordinance which may be changed "by City Council resolution", providing some flexibility in the future. If a commercial business does not utilize a dumpster, the ordinance continues to apply as a whole to that business, since Sec. 34-27(a) applies the general standards to occupants of residential property "and every

The Honorable Mayor and City Council  
November 22, 2017  
Page 2

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occupant of commercial property utilizing the City's refuse contractor". So again if a business was utilizing the City's contractor to pick up plastic bags in the past, they will be issued a cart and be subject to filling the cart first and the five bag limit rules (special occasions).

If you have any questions regarding this ordinance prior to the meeting, please feel free to call my office. Thank you.

Very truly yours,

  
CHIP BERSCHBACK

CTB:gmr

cc: Bruce J. Smith  
Lisa Hathaway  
Frank Schulte  
Scott Lockwood  
Lyle Winn  
Gene Tutag

**CITY OF GROSSE POINTE WOODS  
ORDINANCE NUMBER \_\_\_\_\_  
AN ORDINANCE AMENDING  
CHAPTER 34 SOLID WASTE  
ARTICLE II COLLECTION AND  
DISPOSAL TO ADOPT NEW  
STANDARDS FOR COLLECTION AND  
CART USE AND TO AMEND  
CERTAIN SECTIONS TO COINCIDE  
WITH REFUSE COLLECTION  
CONTRACTS**

**ARTICLE II. - COLLECTION AND  
DISPOSAL**

**Sec. 34-21. - Duties of occupants.**

It is hereby made the duty of the occupants of every dwelling, residential building, school building, church building, store building, place of business and other structures or premises in the city to comply with the provisions of this article relating to the composting, disposal, storage and collection and the hauling, transporting or handling of garbage, food wastes, rubbish, refuse, brush, recyclables and yard waste.

(Code 1975, § 3-2-1; Code 1997, § 66-61)

**Sec. 34-22. - 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:

Brush includes, among other things, but is not necessarily limited to, tree limbs, shrubs and bushes.

Cart: Cart means the 64 gallon container supplied by the City's refuse contractor for both non-recyclable waste and recyclables.

Composting means the process of converting acceptable raw organic materials to humus. Acceptable raw organic materials include a combination of weeds, branches, bark (but not from elm trees), grass clippings, stalks, stems, brush, vines, wood chips, yard waste, wood ashes, cow manure, horse manure, coffee grounds, vegetable scraps, citrus rinds, fruit peelings, egg, peanut shells and nut shells. Prohibited materials are meats, dairy products, vegetable oils, cooked foods, bones, dog, cat and other carnivore feces, elm bark, and plastic, synthetic or other nonbiodegradable materials.

Construction wastes includes, among other things, but is not necessarily limited to, brick, broken concrete, concrete blocks, stone, rocks, dirt, cinder, sand, gravel, lumber, shavings, sawdust, construction sweepings, metal, eave troughs, downspouts and other waste building material or debris, felled trees, tree limbs, tree trunks, tree stumps and other wastes resulting from site clearing operations, construction or maintenance of any property.

Disease vectors means an animal, insect or tick that transmits the causative organisms of disease from infected to noninfected individuals.

Garbage and food wastes includes, among other things, but is not necessarily limited to, every refuse accumulation of animal, fowl, fish, fruit, vegetable or other similar or like substances that pertain to the preparation, use, cooking, dealing in, handling or storing of meat, fish, fowl, fruits, vegetables, or any products or processes involving the use of such substances, including dead animals, fish or fowl requiring disposal and any condemned food or food products or similar or like

disposable substances, materials or things found or situated within the city.

Hauling, transporting or handling means the collection, hauling or transportation of any materials regulated by the provisions of this article in or upon the streets, alleys, public rights-of-way or any other public places of the city.

Heavy and extraordinary accumulations means all materials exceeding the weight and length limitations as set forth in this article, including but not limited to, automobiles and automobile frames, parts and tires, or any other heavy and bulky items or materials which may be injurious or too large for the mechanical rubbish collection equipment of the city.

Household goods includes, but is not limited to, discarded furniture, carpeting, appliances, mattresses, bed springs, plumbing fixtures, recreational equipment, lawnmowers, barbecue equipment and other similar objects or equipment.

Mulching includes, but is not limited to, the practice of finely chopping grass clippings during the mowing process and allowing them to decompose into the lawn and be converted to humus.

Property: Property means both improved and unimproved land, and any building, structure, or premises within the City or a portion of the City.

Occupant: Occupant means a person or entity occupying a property and includes an owner, tenant, or lessee.

Recyclable and curbside recyclable mean newspapers, paper, phone books, magazines, clean cardboard cut to fit, tin or aluminum cans, glass ~~(clear, green or brown)~~, and

plastic containers (#1 through or #27 with triangular recycling symbol on the bottom of container) to be collected on the scheduled collection day.

Recyclable items includes, but are is not necessarily limited to, items not put out for curbside pickup, such as but which can be recycled at one of the city dropoff areas. Such recyclable items are household batteries, car or boat batteries, and waste oil.

Rubbish and refuse include, among other things, but are not necessarily limited to, trash, sweepings, ~~cardboard~~, rags, clothing, ashes, branches and any other similar or like materials which may be so classified by the city and which are accumulated upon the premises of any property within the city for collection and disposal through the municipal rubbish collection system.

Storage means the accumulation of materials regulated by the provisions of this article that are awaiting final collection, transportation and disposal.

Yard waste includes, but is not necessarily limited to, grass, weeds, shrub clippings, leaves, brush, tree trimmings grass clippings, branches, yard rakings, twigs, garden waste and other similar ~~or like~~ materials which may be so classified by the city and which are accumulated upon the premises of any property within the city for collection and disposal separately from the regular rubbish and refuse, and to be picked up on scheduled collection day.

(Code 1975, § 3-2-2; Code 1997, § 66-62)

#### **Sec. 34-23. - Disposal of garbage and food wastes.**

(a) It shall be unlawful to deposit, place, scatter, strew or bury any garbage or food

wastes upon private or public property or premises within the city, except that this section shall not be construed to prohibit composting conducted in accordance with [section 34-5049](#).

(b) The disposal of garbage and food wastes shall primarily be accomplished by means of the installation, use and operation of a garbage disposal unit or other equipment that is properly connected to and is discharged into the municipal sewer system of the city.

(Code 1975, § 3-2-3; Code 1997, § 66-63)

**State Law reference—** Littering, MCL 324.8901 et seq.

#### **Sec. 34-24. - Unlawful disposal of rubbish and refuse.**

It shall be unlawful to deposit, place, scatter, strew or bury any rubbish or refuse upon the property of another or upon any public property, premises, street, alley, right-of-way or other public place within the city.

(Code 1975, § 3-2-4; Code 1997, § 66-64)

**State Law reference—** Littering, MCL 324.8901 et seq.

#### **Sec. 34-25. - Collection generally.**

Rubbish and refuse shall be collected and disposed of on a regular once-a-week basis as a contractor service provided by the city in accordance with schedules, rules and regulations as established ~~under this article~~ [by this article, the refuse contract, or by Council resolution](#).

(Code 1975, § 3-2-5; Code 1997, § 66-65)

#### **Sec. 34-26. - Collections on holidays.**

Whenever a holiday occurs on a weekday and is recognized by the city's private contractor, the rubbish collection will be delayed one day for the area in which the normal collection day occurs on the holiday, and each additional area's collection thereafter during the week will be delayed one day after the regular collection day because of the holiday.

(Code 1975, § 3-2-6; Code 1997, § 66-66)

#### **Sec. 34-27. - ~~Use of brown paper yard waste bags; standards.~~ [Standards for Collection and Cart Use.](#)**

~~(a) Every owner, occupant, tenant or lessee occupying any building, structure, property or premises within the city shall provide and utilize a disposable plastic rubbish bag, or its approved equal, of sufficient number and size to hold all of the rubbish and refuse that will normally accumulate upon their property or premises, unless otherwise provided in this article.~~

~~(b) All such disposable rubbish bags shall be properly tied, fastened or otherwise secured at the top when filled to prevent the contents thereof from being spilled, blown, strewn or molested by the forces of nature, animals, insects or persons. Such disposable rubbish bags, when utilized as a liner in a rubbish container, shall be removed from the container before being set out for collection.~~

~~(c) Household waste is to be set out at curbside in plastic rubbish bags and yard waste shall be put at the curb in brown paper yard waste bags.~~

~~(d) All disposable rubbish bags permitted to be utilized in the collection system of the city shall be capable of serving as a liner for a standard 20 gallon rubbish container and be of a minimum of 1½ mils in thickness.~~

(a) Every occupant of residential property, and every occupant of commercial property utilizing the City's refuse contractor, shall comply with these standards:

- 1) Every occupant of any property utilizing the City's contractor will be provided two separate 64 gallon carts; one to be used for recyclables, and one to be used for all non-recyclable waste.
- 2) Garbage and food waste shall first be placed into plastic bags before being placed into a cart for collection.
- 3) Brown paper yard bags shall be used for yard waste.
- 4) All household waste shall be set at the curbside in carts according to this article and any regulations adopted by City Council resolution.
- 5) Occupants shall first fill applicable carts before using disposable rubbish bags. ~~Any waste that does not fit into the refuse cart shall be placed next to the cart in disposable rubbish bags properly tied and secured.~~ On limited occasions, (e.g. holidays, moving, special events, etc.), any waste that does not fit into the refuse cart shall be placed next to the cart in disposable rubbish bags (no more than five bags) properly tied and secured. Excess use of plastic bags will require occupants to purchase an extra cart from the contractor.
- 6) All disposable rubbish bags shall be capable of serving as a liner for a standard 33 gallon rubbish container and be a minimum of 1 ½ mils thick.
- 7) ~~Carts that are damaged from normal use will be replaced by the City's contractor at no charge to the occupant. If a cart is lost, stolen, or damaged by the occupants neglect or abuse, the occupant is responsible for purchasing a new one from the~~

Contractor. Carts that are damaged from normal use will be replaced by the City's contract at no charge to the occupant.

- 8) Brush and tree trimming must be no more than four feet in length, four inches in diameter, and tied in bundles not to exceed 60 pounds.
- 9) Standards under this section may be amended by City Council Resolution provided notice is given to residents by posting on the City's website.

(Code 1975, § 3-2-7; Code 1997, § 66-67; Ord. No. 808, § 1(66-67), 11-21-2005)

**Sec. 34-28. - Residential refuse too large to fit in ~~disposable bag carts or bags~~; businesses requiring more than once-a-week collection.**

(a) Various household items, which because of their odd shapes or size cannot be placed in a cart or disposable rubbish bag, shall be placed alongside ~~the disposable rubbish bags~~ a cart for the collection day, ~~for that area.~~ ~~All cardboard boxes which cannot be ripped up, torn or cut up and placed in a disposable rubbish bag or cart shall be completely flattened or knocked down, cut to lengths not exceeding four feet and placed with the disposal rubbish bags cart in a manner which would tend to prevent them from being blown, strewn or molested until such boxes are collected on the regularly scheduled collection day.~~

(b) Any business or commercial establishment which requires more than once-a-week collection shall provide, subscribe or contract for the private collection and disposal of such rubbish and refuse at the establishment's own expense and in accordance with the provisions for such collection and disposal as set forth in this article or by City Council resolution.

(Code 1975, § 3-2-8; Code 1997, § 66-68)

**Sec. 34-29. - Maximum weight of materials set out for collection.**

Contents of 64 gallon carts shall not exceed 150 pounds per cart. No rubbish shall be set out for collection having a weight exceeding 50-40 pounds per disposable bag, container or bundle.

(Code 1975, § 3-2-9; Code 1997, § 66-69)

**State Law reference**— Similar provisions, MCL 211.744.

**Sec. 34-30. - Location for placement of materials set out for collection.**

The ~~owner, occupant, tenant or lessee~~ of any property ~~or premises~~ shall place any ~~such disposable rubbish bag~~ 64 gallon cart or other materials for collection at a point so designated by the city as being the most accessible for collecting and removing such materials.

(Code 1975, § 3-2-10; Code 1997, § 66-70)

**Sec. 34-31. - Time of placement of materials set out for collection.**

All rubbish, refuse and recyclables shall be prepared for collection and placed at the designated collection point for collection on or before 7:00 a.m. on the regularly scheduled collection day for the particular area being serviced. No such rubbish, refuse or recyclables shall be placed at their collection point in any area before 5:00 p.m. on the day preceding the regularly scheduled collection day. Rubbish, refuse and recyclables shall not be stored outside in any commercial district of the city except as permitted in section 34-32.

(Code 1975, § 3-2-11; Code 1997, § 66-71)

~~**Sec. 34-32. — Maximum number of disposable bags per weekly collection.**~~

~~In addition to the two carts, Wweekly collection of the disposable plastic bags, as a part of the municipal service, shall be limited to ten bags or their approximate equivalent, except as otherwise provided in this article.~~

~~(Code 1975, § 3-2-12; Code 1997, § 66-72)~~

**Sec. 34-~~33~~32. — Commercial Storage facilities.**

(a) All rubbish, refuse, recyclables or heavy and extraordinary accumulations may be stored on the outside of the building structure in a fire-resistant, windproof and waterproof facility, container or receptacle as may be approved by the city, which containers shall be equipped with a lid, which shall be kept closed except when in use. Such storage facilities shall be so constructed and maintained and the lid or cover for such facilities kept closed so as to prevent the contents thereof from being spilled, strewn, blown or otherwise molested by persons, animals, insects or the forces of nature. Unless otherwise approved in accordance with the provisions of this section, the use of wooden, paper or cardboard boxes or cartons as containers for commercial rubbish is hereby prohibited.

(b) Two or more business or commercial establishments may utilize the same container as required in this section. The storage and disposal of rubbish and refuse as outlined in this section shall be the sole responsibility of the owner of the business or commercial establishments being operated upon the premises involved, and it

shall be the duty of such persons to comply with all the provisions of this article.

(Code 1975, § 3-2-13; Code 1997, § 66-73)

**Sec. 34-~~34~~33. - Private collection and disposal permitted.**

The owner, occupant, renter, tenant or lessee of any business or commercial ~~building, — property, — premises — or establishment~~ within the city may provide for their own collection and disposal service; provided, however, that such collection and disposal service shall comply with the regulatory provisions as set forth in this article, or as may hereinafter be enacted.

(Code 1975, § 3-2-14; Code 1997, § 66-74)

**Sec. 34-~~35~~34. - Hauling and handling of materials.**

Any vehicle used for hauling, transporting or handling of materials regulated by the provisions of this article in and upon the streets, alleys and public places in the city shall be provided with a container or body of a substantial character which shall prevent the contents thereof when placed therein from being discharged or strewn upon the streets, alleys and public places of the city. Should such container or body be without a suitable cover or lid, then a cover of metal, canvas or other suitable material shall be provided for such vehicle which shall be so placed and securely fastened down so as to prevent the contents of the vehicle from being discharged therefrom or strewn upon the streets, alleys and public places in the city.

(Code 1975, § 3-2-15; Code 1997, § 66-75)

**Sec. 34-~~36~~35. - Responsibility of operator of vehicle transporting refuse.**

The operator of any vehicle used for hauling, transporting or handling of materials regulated by the provisions of this article upon the streets, alleys and other public places in the city shall be responsible for any act of omission or commission which shall result in the discharge of any of the contents of such vehicle upon the streets, alleys and other public places in the city, and it shall be the driver's duty to forthwith remove from the streets, alleys and other public places in the city any garbage, rubbish, refuse or other materials so discharged or strewn upon the streets, alleys and other public places in the city.

(Code 1975, § 3-2-16; Code 1997, § 66-76)

**Sec. 34-~~37~~36. - Seizure of vehicles hauling refuse in violation of article.**

It shall be the duty of the members of the department of public safety of the city to seize and impound any vehicle used in hauling, transporting or handling of materials regulated by the provisions of this article upon streets, alleys and public places in the city in violation of the provisions of this article, and to detain such vehicle until the provisions of this article shall have been complied with.

(Code 1975, § 3-2-17; Code 1997, § 66-77)

**Sec. 34-~~38~~37. - Tree trimmings and other brush.**

All brush shall be collected and disposed of on a regular once-a-week basis as a municipal service provided by the city and in accordance with the schedules, rules and regulations established under this article, or by City Council Resolution as may hereafter be established. Tree trimmings set out for collection shall not exceed four feet in length, nor four inches in diameter, and must

be tied in bundles not exceeding 60 pounds. All such brush shall not contain individual tree, shrub and bush cuttings, trimmings or limbs exceeding three inches in diameter.

(Code 1975, § 3-2-18; Code 1997, § 66-78)

**Sec. 34-~~39~~38. - Heavy and extraordinary accumulations.**

All heavy and extraordinary accumulations shall be collected and disposed of outside the corporate limits of the city at the expense and as a responsibility of the owner, occupant, ~~renter, tenant or lessee~~ of the property ~~or premises~~ from which such waste resulted.

(Code 1975, § 3-2-19; Code 1997, § 66-79)

**Sec. 34-~~40~~39. - Household goods.**

(a) All household goods shall be collected and disposed of on a regular weekly basis as a municipal service provided by the city and in accordance with schedules, rules and regulations established under this article or ~~as may hereafter be established by City~~ eCouncil resolution.

(b) Any resident requiring this service must notify the public works division 48 hours in advance of their regularly scheduled pickup day.

(Code 1975, § 3-2-20; Code 1997, § 66-80)

**Sec. 34-~~41~~40. - Tree leaves.**

(a) During the months of October through the first full week of December, all tree leaves (no grass clippings) may be raked into the street gutter for collection as a municipal service on days scheduled by the public works division.

(b) During the months of January through September, the collection of tree leaves, as a municipal service, shall be accomplished by the placement of any such leaves into disposable brown paper yard waste bags for collection on the regularly scheduled rubbish collection day of the particular area.

(Code 1975, § 3-2-21; Code 1997, § 66-81; Ord. No. 808, § 1(66-81), 11-21-2005)

**Sec. 34-~~42~~41. - Disposal of waste created by building contractors.**

Building contractors shall be responsible for the removal of all wastes, rubbish, remodeling or maintenance materials and site clearing materials from the building site and the transportation and disposal thereof beyond the corporate limits of the city. ~~;~~ ~~provided that the provisions of this section shall not be construed so as to prevent the disposal of flammable materials in an incinerator or furnace installed in the building structure after the incinerator or furnace has been properly inspected and approved by the division of safety inspection.~~

(Code 1975, § 3-2-22; Code 1997, § 66-82)

**~~Sec. 34-43. — Permit required for use of outdoor incinerator or burning device.~~**

~~No incinerator, burning device or apparatus shall be placed or used outside of the building structure for the disposal of materials regulated by the provisions of this article, except by building contractors who have secured a permit.~~

~~(Code 1975, § 3-2-23; Code 1997, § 66-83)~~

**Sec. 34-~~44~~42. - Construction waste to be removed prior to final inspection and issuance of certificate of occupancy.**

All building contractors' wastes, rubbish and site clearing materials shall be removed or cleared from the premises before final inspection shall be made or before a certificate of occupancy shall be issued.

(Code 1975, § 3-2-24; Code 1997, § 66-84)

**Sec. 34-~~45443~~. - Bagging of grass clippings created by grass mowing contractors.**

Any grass mowing or grass trimming contractor, landscape or nursery employee or other privately employed person who performs or provides a grass mowing or grass trimming service for a fee on any property or premises within the city shall be responsible for bagging such materials for removal by the city, except that this section shall not be construed to prohibit composting conducted in accordance with [section 34-~~5049~~](#) or the practice of mulching as defined in [section 34-22](#).

(Code 1975, § 3-2-25; Code 1997, § 66-85)

**Sec. 34-~~46544~~. - Disposal of tree limbs, brush, trunks and stumps created by tree trimming contractors or utility employees.**

Any tree trimming contractor, nursery employee, utility company employee or other privately employed person who performs or provides a tree trimming removal service for a fee, or as a company service, on any property or premises within the city shall be responsible for the removal and disposal beyond the corporate limits of the city of all tree limbs, brush, trunks and stumps accumulated from the performance of such service.

(Code 1975, § 3-2-26; Code 1997, § 66-86)

**Sec. 34-~~47645~~. - Collection of refuse from business and commercial establishments.**

(a) Any business or commercial establishment the rubbish or refuse of which exceeds ten disposable bags or their approximate equivalent per week shall provide, subscribe or contract for the private collection and disposal of such rubbish and refuse at their own expense and in accordance with the provisions for the such collection and disposal as set forth in this article.

(b) Whenever, in the conduct of any business, it shall be necessary to establish special rules and regulations for the sanitary and efficient storage, collection and disposal of garbage and food wastes or rubbish and refuse, the city may establish such special rules and regulations [by City Council resolution](#), which shall be complied with by the occupants of the premises so affected. Nothing in this article shall prevent the storage or accumulation of rubbish within the building structure, provided such disposal of rubbish can be accomplished in a sanitary and healthful manner and without creating a fire hazard, pollution of the air or other nuisances.

(Code 1975, § 3-2-27; Code 1997, § 66-87)

**Sec. 34-~~48746~~. - Curbside recycling.**

(a) All curbside recyclables shall be placed into the ~~recycling containers~~ [64 gallon cart](#) supplied by the city's contractor for collection on the regularly scheduled pickup day. ~~If a container is lost, stolen, etc., the resident will be responsible for purchasing a new one from the public works division.~~ All curbside recyclables shall be rinsed clean. ~~Labels shall be removed from metal cans and the cans flattened.~~ Items shall be placed separately in the recycling ~~container~~ [cart](#).

Newspapers are to be tied or placed in paper bags not to exceed 50 pounds. All recycling containers and other trash containers (including plastic bags), when not placed curbside for pickup, shall be stored in an enclosed structure or in a backyard. All recycling and trash containers shall be removed from the street by midnight of trash pickup day.

(b) All cardboard boxes which cannot be ripped up, torn or cut up and placed in a disposable rubbish bag or cart shall be completely flattened or knocked down, cut to lengths not exceeding two feet, tied together and placed next to a cart in a manner which prevent them from being blown, strewn or molested until such boxes are collected on the regularly scheduled collection day.

~~(bc)~~ It is the duty of the city's contractor to remove all curbside recyclables from the street. No other vendors shall be permitted to collect any paper, glass, plastic or tin cans on the regularly scheduled collection days.

(Code 1975, § 3-2-28; Code 1997, § 66-88; Ord. No. 869, 7-11-2016)

**Sec. 34-~~498~~47. - Separation of yard waste from other waste.**

It shall be unlawful to mix yard waste (grass, leaves, brush, etc.) with regular household rubbish and recyclables. All yard waste shall be placed in brown paper yard waste bags and set out for pickup on the same day with the regular household waste and recyclables.

(Code 1975, § 3-2-29; Code 1997, § 66-89; Ord. No. 808, § 1(66-89), 11-21-2005)

**Sec. 34-~~50~~4948. - Composting.**

(a) The restrictions contained in this article shall not be construed to prohibit the maintenance of compost piles on private residential property, provided the following provisions are followed:

(1) Compost piles may include acceptable raw organic materials as defined in section 34-22 and shall not contain prohibited materials as defined in section 34-22. Kitchen wastes shall be buried within the pile.

(2) Compost piles shall be constructed and maintained in such a manner as to prevent the escape of offensive odors to adjacent property and to prevent the presence of rats or other disease vectors.

(3) Compost piles shall be situated to minimize visibility from the street or adjacent dwelling.

(4) Compost piles shall not exceed four feet by eight feet or six feet in diameter and shall not exceed four feet in height.

(5) The compost facility shall be constructed of wood, fencing, wooden, plastic or steel drum barrels with air holes, cement blocks or other similar materials.

(b) In the event of complaint of noncompliance with subsection (a)(1), (2), (3), (4) or (5) of this section, a master composter, as certified by the Cooperative Extension Service, shall, at the direction of the city, inspect the compost pile and prescribe required remedial action. If the problems cited by the inspector are not corrected within ten working days, or within

any additional time as may be granted by the city's master composter, the property owner, upon conviction of failure to maintain the compost facility in accordance with the provisions of this article, shall be deemed responsible for a municipal civil infraction and subject to a fine not to exceed \$100.00, in the discretion of the court. Upon conviction of a second or subsequent offense, the property owner, upon conviction thereof, shall be subject to the penalties set forth in section 1-12.

(Code 1975, § 3-2-30; Code 1997, § 66-90)

RECEIVED

NOV 22 2017

CITY OF GROSSE POINTE WOODS

AFFIDAVIT OF LEGAL PUBLICATION

**Grosse Pointe**

16980 Kercheval Avenue  
Grosse Pointe, Michigan 48  
(313) 882-3500

COUNTY OF WAYNE  
STATE OF MICHIGAN, SS.

John Minnis

being duly sworn deposes and says that attached advertis

City of Grosse Pointe Woods

was duly published in accordance with instructions, in th  
the following date:

November 16, 2017

#1 GPW 11/16 ORD 2<sup>ND</sup> READ 12-4

and knows well the facts stated herein, and that he is the Publisher of said newspaper.

*John Minnis*

Subscribed and sworn to before me this 17th day of November A.D., 2017

*Susan LaFrance*

SUSAN LAFRANCE  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Comm. Exp. 12/9/2019  
Acting in the County of Wayne  
Date 11/17/2017

Notary Public

City of **Grosse Pointe Woods**, Michigan

NOTICE IS HEREBY GIVEN that the City Council will be considering the following proposed ordinance for a second reading at its meeting scheduled for Monday, December 4, 2017, at 7:30 p.m. in the Council Room of the Municipal Building. The proposed ordinance is available for public inspection at the Municipal Building, 20025 Mack Plaza, between 8:30 a.m. and 5:00 p.m., Monday through Friday. The Council meeting is open to the public. All interested persons are invited to attend.

**AN ORDINANCE AMENDING CHAPTER 34  
Solid Waste Article II Collection and Disposal  
to Adopt New Standards for Collection and Cart  
Use and to Amend Certain Sections to Coincide  
with Refuse Collection Contracts.**

**Lisa Kay Hathaway**  
City Clerk

G.P.N.: 11/16/2017

12B

ORDINANCE #

AN ORDINANCE TO AMEND CHAPTER 10 BUSINESSES,  
ARTICLE VII STREET SALES AND SOLICITATIONS TO  
ADD CERTAIN DEFINITIONS AND TO AMEND  
SEC. 10-264 REQUIREMENTS FOR PERMIT, TO  
ALLOW STREET SALES OR SOLICITATIONS  
BY CHARITABLE OR CIVIC ORGANIZATIONS UNDER  
CERTAIN CONDITIONS, AND TO PROVIDE FOR CIVIL  
INFRACTION VIOLATIONS

THE CITY OF GROSSE POINTE WOODS ORDAINS:

ARTICLE VII. - STREET SALES AND SOLICITATIONS

Sec. 10-262. - 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:

Person means a natural person as defined by Chapter 1, Sec. 1.2 and includes charitable or civic organizations as defined in this section.

Charitable or civic organization means a non-profit organization that is qualified under Sec. 501(c)(3) or 501(c)(4) of the Internal Revenue Code, 26 USC 501, or a veterans' organization that has tax-exempt status under the internal revenue code.

*Street sales and solicitations* means the sale of goods or the solicitation of donations by persons using the streets of the city and attempting to or making such sales or attempting to or receiving donations from persons in motor vehicles upon the city streets.

(Code 1975, § 2-16-1; Code 1997, § 14-956)

Sec. 10-263. - ~~License~~Permit required.

Any ~~person-charitable~~ or civic organization desiring to conduct street sales or solicitations shall first obtain a ~~license-permit~~ authorizing such activity from the ~~director of public safety~~City Clerk or the ~~director's Clerk's~~ designated representative, at least ~~48-72~~ hours in advance of any such activity.

(Code 1975, § 2-16-2; Code 1997, § 14-957)

Sec. 10-264. - Requirements for ~~license~~permit.

~~Any person or organization desiring a license authorizing street sales or street solicitations shall furnish to the director of public safety or the director's designated representative the dates and times of such sale or solicitation and the locations where such activity is to occur, and shall exhibit to the director of public safety or the director's designated representative a vest or apron or other outer garment of highly visible color which shall be worn at all times by persons making sales or solicitations under the license for such activity. No license shall authorize sales or solicitations except during daylight hours. No person of an age of 15 years or younger shall engage in street sales or solicitations. Persons of the age of 16 years and 17 years may engage in such sales or solicitations only when accompanied by an adult who shall be in the immediate area and who shall supervise the activities.~~

Any charitable or civic organization requesting a permit authorizing street sales or solicitation shall provide information as required by the Clerk's office and comply with the following requirements: (a) provide proof of the organization's status as a civic or charitable organization; (b) identify the dates, times, and location of the proposed sales/solicitation; (c) provide proof of liability insurance naming the City as an additional named insured in an amount of at least \$1,000,000.00; (d) any person soliciting on behalf of the organization must be 18 years of age or older; (e) any person must wear high-visibility safety apparel that meets current American standards promulgated by the International Safety Equipment Association; (f) the portion of the roadway upon which the solicitation occurs cannot be a work zone and must be within an intersection where traffic control devices are present; (g) sales/solicitations must occur during daylight hours.

(Code 1975, § 2-16-3; Code 1997, § 14-958)

#### **Sec. 10-265. - Revocation of license permit.**

The director of public safety or the director's authorized representative may immediately revoke any license-permit issued under the provisions of this *article* for noncompliance with the conditions of this *article* by any person making sales or solicitations.

(Code 1975, § 2-16-4; Code 1997, § 14-959)

#### **Sec. 10-266. – Violations.**

Any person violating this section is responsible for a municipal civil infraction with fines in accordance with Sec. 2.813, as may be modified by Council resolution.

AFFIDAVIT OF LEGAL PUBLICATION

# Grosse Pointe News

16980 Kercheval Avenue  
Grosse Pointe, Michigan 48230  
(313) 882-3500

COUNTY OF WAYNE  
STATE OF MICHIGAN, SS.

John Minnis

being duly sworn deposes and says that attached advertisement of

City of Grosse Pointe Woods

was duly published in accordance with instructions, in the GROSSE POINTE NEWS on  
the following date:

November 30, 2017

#2 GPW 11/30 ORD 2<sup>ND</sup> READ 12-4

and knows well the facts stated herein, and that he is the Publisher of said newspaper.

*John Minnis*

Subscribed and sworn to before me this 30th day of November A.D., 2017

*Susan LaFrance*

SUSAN LAFRANCE  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Comm. Exp. 12/9/2019  
Acting in the County of Wayne  
Date 11/30/2017

City of **Grosse Pointe Woods**, Michigan

NOTICE IS HEREBY GIVEN that the Council will be considering the following proposed ordinance for a second reading at its meeting scheduled for Monday, December 4, 2017, at 7:30 p.m. in the Council Room of the Municipal Building. The proposed ordinance is available for public inspection at the Municipal Building, 20025 Mack Plaza, between 8:30 a.m. and 5:00 p.m., Monday through Friday. The Council meeting is open to the public. All interested persons are invited to attend.

**An Ordinance To Amend Chapter 10 Businesses,  
Article VII Street Sales and Solicitations to Add Certain  
Definitions and to Amend Sec. 10-264 Requirements  
for Permit, to Allow Street Sales or Solicitation By  
Charitable or Civic Organizations Under Certain  
Conditions, and to Provide for Civil Infraction Violations.**

**Lisa Kay Hathaway**  
City Clerk

G.P.N.: 11/30/2017

13A

**DON R. BERSCHBACK**  
ATTORNEY AND COUNSELOR AT LAW  
24053 JEFFERSON AVENUE  
ST. CLAIR SHORES, MICHIGAN 48080-1630

(586) 777-0400  
FAX (586) 777-0430  
E-MAIL donberschback@yahoo.com

OF COUNSEL  
CHARLES T. BERSCHBACK

November 30, 2017

Bruce Smith, City Administrator  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

**RE: November 2017 Billing/DRB**

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
11.03.17	Work on CC policies (.50); FOIA (.25); outside litigation work (.50); work on CC rules (.25);	1.50
11.07.17	Outside litigation work (.75); ordinance work (.50)	1.25
11.10.17	TCs with LKH on CC items and follow up (.50); outside litigation work (.50); review of court cases (.50);	1.50
11.13.17	Getting work on Wayne County Northeast Sewage Disposal System, TCs, research and Memos and follow up input (3.00)	3.00
11.14.17	Outside litigation - appointment at Mediation Tribunal Association re. slip and fall case (2.00); TCs re. sewage disposal system (.25)	2.25
11.16.17	Attendance at Municipal Court and follow up (2.50); review of Munetrix contract (.25); work on outside litigation report (.50); work on water problem (.25); investigation re. sign ordinance / multiple tenant building and business licenses (.75)	4.25
11.20.17	Attendance at CC meeting and follow up (.75); review of court files (.50)	1.25
11.28.17	Planning Commission / Building Department work (.75); ordinance work (.25)	1.00
11.29.17	Review of Court files (.50); Building Department work (.50)	1.00
11.30.17	Municipal Court (2.00); warrant review (.25)	2.25

**DRB = 19.25 hours x \$170.00**

**BALANCE DUE: \$ 3,272.50**

**Breakdown**

General	11.50 hours
Municipal Court	5.50 hours
Bldg/Planning Comm.	2.25 hours
MTT	

**CHARLES T. BERSCHBACK**

ATTORNEY AT LAW  
24053 EAST JEFFERSON AVENUE  
ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400  
FAX (586) 777-0430  
bibwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK  
OF COUNSEL

November 30, 2017

Bruce Smith  
City Administrator  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, MI 48236

**RE: November Billing/ CTB Only**

<u>DATE</u>	<u>DESCRIPTION OF SERVICES</u>	<u>TIME</u>
11.1.17	Review all bid/spec documents for Refuse Contract, draft of Contract, continued work on changes to ordinance (3.00)	3.00
11.2.17	TCs, emails, continued work on refuse ordinance (1.75); TC Municipal Court cases (.25)	2.00
11.3.17	TC BS pending matters, emails on refuse ordinance, TC LH (.25); calls on Municipal Court cases, calls on RL/Martel trial, Franges lien issue, prep of RL discharge of lien on Russell property (1.00); finalized refuse ordinance and letter to M/C (.25)	1.50
11.6.17	Work on refuse contract and ordinance, all TCs, finalized letter to M/C (1.00)	1.00
11.7.17	Additional calls and all edits on refuse ordinance (1.00); Municipal Court review of docket and calls (1.00); work on Mobilite DAS Cell Agreement (.75)	2.75
11.8.17	TC LH, TC Nicole (.25)	0.25
11.9.17	Municipal Court a.m. docket (2.50); TC Mr. Hughes; TC Kliener (.25)	2.75
11.10.17	Calls and emails on Hawthorne and on 11/11, 11/12 (.50); work on solicitation ordinance (.25)	0.75
11.13.17	TCs on Hawthorne (.50); TCs SE Macomb Sanitary District, initial review of emails (.25); continued work on solicitation ordinance (.75); TCs on trash ordinance (1.00); attendance at Council meeting (.75)	3.25

11.14.17	Meeting with various staff members on pending matters; meeting at McKenna & Assoc. on regulated business ordinance, warrant review (2.00); continued revisions to refuse ordinance and contract, emails and draft of letters to M/C (1.75)	3.75
11.15.17	TT review of motion to compel discovery in the Rivers case (.25); TCs Municipal Court, FOIA issue (.25); continued work on refuse contract (1.00)	1.50
11.16.17	Municipal Court a.m. docket (2.00); meetings with various staff members (.25); prep for Wayne County hearing (.50); additional calls and emails on refuse contract, finalized letter to M/C (.25)	3.00
11.17.17	Attendance at Wayne County on Hawthorne nuisance case, follow up calls and prep of Order (3.00); TCs LH, GT, BN (.25)	3.25
11.20.17	Prep of Amended Complaint in Hawthorne nuisance case, email to Greco (.50); meetings at City Hall; revisions to trash ordinance, review of warrant (1.75); prep of notice of lien holders on Hughes suit, calls on inspection (.50); attendance at COW meeting and part of Council meeting (1.50)	4.25
11.21.17	Additional calls and final revisions to refuse contract and ordinance, letter to BS (.25); calls with Det. Bur., BS, review of contract, RL discharge of lien (.25)	0.50
11.22.17	Work on Hawthorne file (.25); TC FS, review of bid specs, TC Lisa, work on ordinance (.50); MC calls (.25)	1.00
11.27.17	Work on Hawthorne file, call with attorney on Milk River, TC Mobilite application; TC FS, Municipal Court garnishment reply, TC Mr. Hughes	0.50
11.28.17	Attendance at Hawthorne inspection, meeting with attorney; efiled amended complaint adding lien holders; letter to lien holders (1.50)	1.50
11.29.17	Review of Annual Wayne County Permits and resolutions, TC Deb Matthews, letters to M/C (.50); Work on Hawthorne, TCs BS, GT, Municipal Court (.25); work on vape ordinance (.25)	1.00
11.30.17	Attendance at Municipal Court a.m. docket; meeting with BS (.75)	0.75

CTB = 38.25 hours at \$150.00 per hour	\$5,737.50
Plus Costs: Recording Fee - RL Lien Discharge	\$15.00
TOTAL DUE:	<u>\$5,752.50</u>

TC - Telephone  
BS - Bruce Smith  
RL - Rumph litigation  
PC - Planning Commission

GT - Gene Tutag  
LH - Lisa Hathaway  
CB - Cathrene Behrens  
TT - Tax Tribunal

M/C - Mayor and Council  
Det. Bur. - Detective Bureau  
ED - Eric Dunlap

Breakdown	
General	31.25 hours
Municipal Court	6.75 hours
Building/Planning Commission	0.00 hours
Tax Tribunal	.25 hours