

**MINUTES OF THE MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 17, 2013 - 7:00 P.M.**

1. **CALL MEETING TO ORDER** - A monthly meeting of the City Council of Village of Grosse Pointe Shores, a Michigan City, was held on Tuesday, September 17, 2013 in the Council Chambers of the Grosse Pointe Shores Municipal Building, 795 Lake Shore Road. The meeting was called to order at 7:00 p.m. by Mayor Kedzierski.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** – Clerk Bruce R. Nichols

Present: Mayor Thaddeus Kedzierski, Council Members Alexander Ajlouni, MD, Robert H. Barrette, Jr., Bruce Bisballe, Kay Felt, Robert E. Gesell, Daniel T. Schulte

Also present: City Clerk Bruce R. Nichols
City Manager Mark Wollenweber
City Attorney Brian Renaud
Public Safety Director John Schulte
Finance Officer/Treasurer Rhonda Ricketts
Public Works Director Brett Smith

All correspondence and reports relating to this meeting are either attached or placed on file.

4. **APPROVAL OF MINUTES OF THE AUGUST 20, 2013 REGULAR MEETING**
The minutes of the August 20, 2013 Regular Council Meeting were approved on motion by Council Member Felt, seconded by Council Member Ajlouni, and carried by unanimous vote.
5. **RECEIVE AND FILE VARIOUS COMMITTEE & COMMISSION MINUTES**
Motion by Council Member Bisballe to accept and receive the minutes of various municipal committees was offered and seconded by Council Member Felt. Discussion followed and the motion carried unanimously.
6. **RECEIVE AND FILE OPEB VALUATION REPORT -**
Motion by Council Member Gesell to accept and receive the report of Rodwan Consulting Company regarding the Village of Grosse Pointe Shores Retiree Health Care Fund was offered and seconded by Council Member Bisballe and the motion carried unanimously.
7. **PUBLIC COMMENT ON AGENDA ITEMS**
Gloria Anton, Ron Simon, and Vito Cusenza commented on auxiliary generator placement on side yards.
8. **PROCLAMATION** – Mayor Kedzierski, with the support of City Council, made a proclamation celebrating the life and memorializing the recent loss of the city’s oldest resident, Marguerite Joseph, at the age of 105 years.
9. **PUBLIC HEARINGS** – City Council sitting as the Zoning Board of Appeals convened to hear the

following matters:

A. 33 Belle Meade – Variance Request

Planning Commission Chair Mary Matuja reported the Planning Commission recommended approval by a majority vote of the variance request of Antoine Haouilou and Violette Haouilou of 33 Belle Meade to install a side yard generator.

A letter from Dr. Robert Lee objecting to the variance request was read to Council Members by the City Clerk.

Planning Commission Chair Mary Matuja vehemently objected to Dr. Lee’s allegations regarding an alleged conflict of interest contained in his letter; and she further asserted such allegations were false and without any basis in truth.

Council Member Felt reported her conversation with Dr. Lee earlier in the day regarding the variance request.

Mr. and Mrs. Simon, and Mr. Halitos expressed offense that Dr. Lee accused Mary Matuja of a conflict of interest and other allegations made in Dr. Lee’s letter.

Mr. Haouilou addressed the issue of noise and a side yard generator.

Mary Matuja reported that the zoning ordinance pertaining to generator placement is under review by the planning commission, with recommendations forthcoming.

Mrs. Haouilou reported that she had discussed the side yard placement of the generator with Dr. Lee.

Council Member Bisballe, seconded by Council Member Barrette, made a motion to approve the application of the petitioners to install a generator within the side yard of the residence, based on a finding that strict enforcement of the zoning ordinance would cause practical difficulty, and authorizing such a variance would not be a substantial detriment to adjacent property owners. The items and conditions noted in the Planning Commission’s recommendation on this matter in their August 27, 2013 minutes are adopted and incorporated by reference to this variance approval.

Roll Call Vote:

For: Ajlouni, Bisballe, Gesell, Kedzierski

Against: Barrette, Felt

Abstained: Schulte

Motion Passed/Variance Granted 4-2-1

B. 41 Belle Meade – Variance Request

Planning Commission Chair Mary Matuja reported the Planning Commission recommended approval by a majority vote of the variance request of Tihomir Mihaylor and Anita Mihaylor of 41 Belle Meade to install a side yard generator.

Council Member Bisballe, seconded by Council Member Barrette, made a motion to approve the application of the petitioners to install a generator within the side yard of the residence, based on a finding that strict enforcement of the zoning ordinance would cause practical difficulty, and authorizing such a variance would not be a substantial detriment to adjacent property owners. The items and conditions noted in the Planning Commission's recommendation on this matter in their August 27, 2013 minutes are adopted and incorporated by reference to this variance approval.

Roll Call Vote:

For: Ajlouni, Bisballe, Gesell, Kedzierski

Against: Barrette, Felt

Abstained: Schulte

Motion Passed/Variance Granted 4-2-1

C. 984 Lake Shore Rd. – Special Land Use

Planning Commission Chair Mary Matuja explained the petitioners request for a fourth garage space and the expansion of an existing pool house into a side yard setback. Engineering and dimensional site plan information was presented to Council.

City Attorney Brian Renaud discussed the requirements of a special land-use variance.

The petitioner, Mr. Rahaim, addressed City Council regarding his request. Planning Commission Chair Mary Matuja presented the findings of the Planning Commission.

There was no public objection to either of Petitioner's Special Land Use Requests.

Council Member Bisballe, seconded by Council Member Gesell, made a motion to approve the application of the petitioner to construct a fourth garage bay on the residence, based on a finding that strict enforcement of the zoning ordinance would cause practical difficulty, and authorizing such a variance would not be a substantial detriment to adjacent property owners. The items and conditions noted in the Planning Commission's recommendation on this matter in their August 27, 2013 minutes are adopted and incorporated by reference to this special land use approval.

Roll Call Vote:

For: Ajlouni, Barrette, Bisballe, Felt, Gesell, Kedzierski

Against:; None

Abstained: Schulte

Motion Passed/Special Land Use Granted (4th Garage) 6-0-1

Council Member Bisballe, seconded by Council Member Gesell, made a motion to approve the application of the petitioner to expand the existing pool house into the side yard setback on the residence, based on a finding that strict enforcement of the zoning ordinance would cause practical difficulty, and authorizing such a variance would not be a substantial detriment to adjacent property owners. The items and conditions noted in the Planning Commission's recommendation on this matter in their August 27, 2013 minutes are adopted and incorporated by reference to this special land use approval.

Roll Call Vote:

For: Ajlouni, Barrette, Bisballe, Felt ,Gesell, Kedzierski

Against:; None

Abstained: Schulte

Motion Passed/Special Land Use Granted (Pool House Expansion)

6-0-1

At 8:25 PM City Council Reconvened

10. PUBLIC HEARING

A. CDBG – 2013 Proposed Estimated Budget

On motion of Council Member Felt, seconded by Council Member Barrette, and passed unanimously, the Council approved and authorized the City Manager to execute the 2013 Community Development Block Grant documentation in accordance with the budget as published by the City Clerk on 8/29/13.

11. REPORTS BY CHAIRPERSONS OF BOARDS, COMMITTEES AND COMMISSIONS

A. Budget and Finance – Finance Officer/Treasurer Rhonda Ricketts

1. Approval of Bills – Expenditures for the month were within normal ranges. On motion of Council Member Gesell, seconded by Council Member Felt, and carried unanimously, the bills were approved.
2. Review Financial Statements - Finance Officer/Treasurer Rhonda Ricketts reported the annual audit was nearing completion; however, revenue and expenditures YTD were provided. Water bills are going out next week. 96% of current property taxes have been collected.
3. Finance Committee - Chairman Bisballe reported upcoming review of investment management expenses at the next meeting of the committee.

B. Public Safety – Director John Schulte reported the top 20 calls for service were normal for the month. A new patrol vehicle has been placed in service. The police clerks are beginning work. The city is moving ahead with drafting recommendations for several traffic control issues in the community. Installation of video cameras in the patrol vehicles is underway. The public safety telephone answering tree is now activated, with the telephonic tree system explained to City Council by Chief Schulte.

C. Public Works - Director Brett Smith reported a busy month for the Department of Public Works employees, with seasonal workers back to school. Streetlights on Lochmoor and Sunningdale are operational. Construction has started on the north end of the city with new LED lighting projects. A large water main break occurred 980 at Lakeshore Drive. Grosse Pointe Park Department of Public Works was very helpful with their assistance; and appreciation was expressed by Director Smith for such collaboration of resources by Grosse Pointe Park. The Honeywell Project has led to the replacement of numerous mechanical devices in the municipality, including a new pool heater, municipal building boiler, a backup generator, mechanical work in the Department of Public Works,

and a liquid pool cover.

D. Parks and Harbor

1. **Monthly Update** - City Manager Mark Wollenweber reported city employee Tom Krolczyk obtained a very favorable price on 55,000 stainless steel screws required for the upcoming marina deck replacement. The net savings was approximately \$2000 for the required screws. Champion Marine is starting on the deck replacement very soon.
2. **Harbor Committee Chairman Report** - Councilman Schulte reported that an upcoming Parks and Harbor committee meeting is scheduled for September 26 at 9 AM.

E. Legal Report – City Attorney Brian Renaud reported he reviewed and commented during the month on the following topics:

Public Safety Dispatch Agreement, effect of bankruptcy on a resident's property tax bill, the contract for the splash pad, a HIPPA matter relating to the emergency medical services contract, the final revisions on the PAATS and SOC bus system contract, and the review of the bylaws regarding the sun-setting Clinton Metropolitan Refuse Authority.

F. Manager's Report – City Manager Mark Wollenweber commended Rhonda Ricketts on her extraordinary efforts during the recent annual financial audit. Mr. Wollenweber also remarked on Department of Public Works Director Brett Smith and his attendance as an instructor/speaker at a Central Michigan University public works seminar. Payment was received from the Grosse Pointe Yacht Club for use of the municipal tennis courts. A blood drive will be conducted in the municipal parking lot by the American Red Cross on September 20, 2013. WOW cable network is not interested in providing service In Grosse Pointe Shores..

12. OLD BUSINESS

- A. Ambassador Committee** – Council Member Felt reported the Ambassador Committee discussed standardized colors for realtor signs, an upcoming book about the City of Grosse Pointe Shores is nearing completion, the possibility of enacting an ordinance requiring a certificate of occupancy for residences, and the discussion of revisiting the matter of a “Move to Macomb Committee”.

On motion of Council Member Ajlouni, seconded by Council Member Barrette, and passed unanimously, by the Council which endorsed and approved the establishment of a “Fun Committee” to solicit ideas from residents on municipal sponsored recreational activities.

- B. Blue Ribbon Operations Committee** – Council Member Schulte reported that a comprehensive report of the Blue Ribbon Committee was forthcoming. John Booth reported the committee is reviewing a final draft of a report on the financial situation within the city.

13. NEW BUSINESS

- A. GROSSE POINTE YACHT CLUB HARBOR RENOVATION PLAN** - Mayor Kedzierski recused himself during the discussion of this matter, with Mayor pro tem Felt chairing this portion of the meeting.

William Vogel, Jr. , Commodore Of the Grosse Pointe Yacht Club, described plans to modernize the harbor with wider docks and enhanced fairways. The new configuration remains within the harbor's existing perimeter. There were no plans for a physical expansion of the boundaries of the harbor itself. The proposal removes 219 docks and replaces those docks with 198 new docks. Board members and engineering staff members of the Grosse Pointe Yacht Club also addressed city Council.

Mary Ann LaHood addressed Council and commented on accretion and the blocking of water flow conduits in the Grosse Pointe Yacht Club and in the Grosse Pointe Shores Marina. She also pointed out a need for an engineering study regarding the accretion and water flow along the shoreline.

Becky Booth also addressed the accretion issue as a concern to the community and riparian owners.

The matter was referred to the planning commission for its review prior to submission to the city Council for approval of the special land-use variance required.

B. DEPARTMENT OF PUBLIC WORKS – ROOF

Public Works Director Brett Smith showed City Council photos of the maintenance building roof which is at the end of its 58 year service life.

On motion of Council Member Schulte, seconded by Council Member Barrette, and passed unanimously, Council approved the installation of a new roof in an amount not to exceed \$65,000 for the maintenance building.

C. FY 2014 MC CC SMART CONTRACT ANNUAL AGREEMENT

On motion of Council Member Gesell, seconded by Council Member Felt, and passed unanimously, the Council approved and authorized the City Manager to execute the Municipal Credit and Community Credit Contract for FY- 2014.

D. REQUEST BY COUNCIL MEMBER SCHULTE – MAYOR PRO TEM DISCUSSION

Council Member Schulte requested clarification as to the status of Mayor pro tem in the city. He objected as to due process in his excusal from duties as the Mayor pro tem. City Attorney Brian Renaud addressed the matter; and confirmed that the previous action of Council did not entertain any action to removal Council Member Schulte from City Council.

14. PUBLIC COMMENT ON NON-AGENDA ITEMS

Harry Kurtz inquired regarding the status of the Mayor pro tem.

Vito Cusenza commended the upcoming Chess Tournament and had questions concerning a flashing traffic light in front of Osius Park.

George McMullen reported the Full Circle Foundation is having a charity fundraiser on September 27, 2013 at Brownell Middle School.

Mark Ellis requested clarification on a pool installation and was referred to the building staff.

Chase Wakefield reported his concern with the potential of a Wayne County emergency financial manager; and his desire to see the Move to Macomb committee reactivated.

15. COUNCIL MEMBERS' COMMENTS

Council Member Barrette reported that the splash pad construction was underway.

Council Member Bisballe reported that on October 26, 2013 a shredding service will be available at Osius Municipal Park

Council Member Schulte addressed issues regarding a reactivation of the Move to Macomb Committee.

16. MAYOR'S COMMENTS – Mayor Kedzierski reported the first annual Grosse Pointe Shores Chess Tournament will occur on September 29, 2013. The Mayor thanked Helen Bai, and her committee, for their beautiful gardening throughout the city. A bike path is under consideration. The Mayor commended Department of Public Safety for their response to community calls for service.

17. NOTE DATE OF FUTURE CITY COUNCIL MEETINGS (Tues, 10/15/13 & 11/19/13 - 7:00pm)

18. ADJOURNMENT - Council adjourned at 9:55 PM on motion of Council Member Gesell, seconded by Council Member Barrette, and carried unanimously.

Bruce R. Nichols
City Clerk