

**MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE  
CITY COUNCIL CHAMBERS, 17145 MAUMEE AVENUE, GROSSE POINTE, MICHIGAN ON  
MONDAY, JUNE 15, 2009.**

The meeting was called to order at 7:00 p.m.

ROLL CALL

Present: Mayor Scrace, Council Members Parthum, Stempfle, Stevens, Walsh and Weipert

In Attendance: City Manager Dame, Attorneys Fildew and Kennedy, City Clerk Arthurs, Public Service Director Weitzel, Assistant City Manager Fincham, Finance Director Johnson, Public Safety Director Fox and City Planner Jackson.

Motion by Council Member Parthum second by Council Member Stevens that Council Member Pfaehler be excused from the meeting for personal reasons.

RECEIVED AND FILED.

CONSENT AGENDA

Motion by Council Member Stempfle second by Council Member Parthum to approve the Consent Agenda consisting of the following:

- a. Minutes from the special City Council meeting of May 11, 2009 and the regular City Council meeting of May 18, 2009.
- b. Invoices
  - a) Tringali Sanitation - Curbside Recycling, April, 2009, \$6,360
    - Curbside Recycling, May, 2009, \$5,088
  - b) City of Detroit, Board of Water Commissioners
    - Sewage Disposal Services, April, 2009, \$51,101.05
  - c) Anderson, Eckstein & Westrick, Inc.
    - Professional Services, St. Clair Resurfacing – Waterloo to Mack, \$9,324
    - Professional Services, St. Clair Resurfacing – Waterloo to Mack, \$11,210
    - Professional Services, Cadieux Resurfacing – Jefferson to Kercheval, \$14,421.96
    - Professional Services, SRF Open Cut Repairs, \$12,896
    - Professional Services, User Charge System, \$9,975.60
    - Professional Services, Neff Road Pumping Station, \$12,122.68
  - d) Aquatic Source
    - Pool Cleaning & Tile Repair, \$8,510.78
  - e) Grosse Pointes-Clinton Refuse Disposal - Refuse Disposal, April, 2009, \$8,094.06
  - f) Gorno Ford, Inc. - Purchase of 2009 Ford Crown Victoria, \$20,253
  - g) Bell Equipment Co. - Purchase of (100) 64 Gallon Yard Waste Toter Carts, \$6,200
  - h) Florence Cement Company - Final Payment, 2008 Resurfacing Program, \$9,902
- c. Resolution recognizing the Grosse Pointe Soccer Association as a nonprofit organization was approved and adopted.
- d. Authorize City Manager to execute consent letter for change of control of NextG Networks of Illinois, Inc. (right-of-way permit previously granted).

CONSENT AGENDA UNANIMOUSLY ADOPTED.

PRESENTATION – NEIGHBORHOOD CLUB AND BEAUMONT HOSPITAL ANNOUNCEMENT

John Bruce, Executive Director for the Neighborhood Club addressed Council and summarized a press release regarding a collaboration between the Neighborhood Club and Beaumont Hospital to enhance community recreation and wellness. The collaboration will provide high quality recreation and wellness options for people of all ages in the community. This groundbreaking effort has the potential to have a profound positive impact on

the health and well being of residents of the Grosse Pointe communities for generations. Mr. Bruce continued to explain the collaboration and the history of the Neighborhood Club and its goals. Mr. Bruce also introduced various representatives from Beaumont Hospital who discussed project details. Preliminary sketches of the proposed project were displayed for viewing. City Council asked questions regarding the project and thanked all those in attendance for their presentation.

#### SITE PLAN REVIEW – T-MOBILE – 17012 KERCHEVAL AVENUE

City Planner Jackson made the following report:

The application for a proposed wall sign and a window sign for T-Mobile at 17012 Kercheval Avenue was reviewed. The proposed wall sign will be 9.3 sq. ft. with 16 in. letters. The proposed window sign will take up 3.77% of the window space which is under the 10% maximum. The proposed wall sign will be backlit (halo effect) which is permitted by ordinance. A black Sunbrella awning is proposed above the storefront. The awning will have no signage and will not be illuminated. Mr. Jackson answered Council questions regarding the proposed sign plan for T-Mobile.

Motion by Council Member Weipert second by Council Member Stevens to approve the site plan for T-Mobile, 17012 Kercheval Avenue, as submitted.

UNANIMOUSLY ADOPTED.

#### PURCHASE OF SERVICE AND MAINTENANCE AGREEMENT FOR PARKING STRUCTURE

Public Service Director Weitzel made the following report:

The City of Grosse Pointe Parking Department needs a service and maintenance contract for the miscellaneous parking control and software equipment located at the City of Grosse Pointe parking structure. The company is the same that installed the equipment and is the only company locally that is trained on this type of equipment. The contract period will be from July 1, 2009 through July 1, 2010. The 2009-10 budget included \$11,400 for the purchase of the service and maintenance agreement for the parking structure in the Parking Fund. The company Traffic and Safety Control System, Inc. offered a 5% discount to pay annually instead of monthly. Their quote for this service is \$10,830. Discussion took place regarding Traffic Safety Control System Inc. and their service and maintenance record for the Village Municipal parking structure.

Motion by Council Member Stempfle second by Council Member Parthum to approve the purchase of the service and maintenance agreement at a cost of \$10,830 to Traffic and Safety Control System, Inc.

UNANIMOUSLY ADOPTED.

#### PURCHASE OF ADMINISTRATIVE VEHICLE

Assistant City Manager Fincham made the following report:

The 2009-10 budget eliminates the City Manager's car allowance in order to purchase an administrative vehicle for the City Manager's use. The City received quotes for comparative administrative vehicles through Blue Book Private Party Value, retail value and an independent dealer retail cost for the manager's current vehicle, a 2006 Pontiac Torrent (crossover SUV). If approved, the administrative vehicle purchased would be the manager's current and privately owned vehicle which is in excellent condition which the manager intends to retain for four years. The current car allowance for the City Manager is \$550 per month or \$6,600 per year and even with City provided gasoline and insurance, the City will have a net savings in three years or less. Mr. Fincham discussed the provided vehicle quotes and budget allocations. He answered various Council questions.

Motion by Council Member Weipert second by Council Member Walsh to approve the purchase of the City Manager's current vehicle, a 2006 Pontiac Torrent, for the Blue Book value of \$13,500 as an administrative vehicle for the City Manager's use.

UNANIMOUSLY ADOPTED.

PROPOSED ORDINANCE UPDATES

Public Service Director Weitzel made the following report:

The City periodically updates its residential and commercial building, mechanical, electrical, plumbing and rehabilitation codes to comply with State statutes. The proposed updates will bring the City in compliance with the 2005 and 2006 editions. Discussion took place regarding some of the changes within the codes.

ORDINANCE ADOPTION

MOTION by Councilmember Weipert supported by Councilmember Stevens, that the following ordinances be adopted and the post-adoption publication be approved:

ORDINANCE NO. 381-386

Ordinances which amend and update the following sections of the Code of Ordinances of the City of Grosse Pointe:

- Ordinance No. 381 – adopts 2006 commercial building code by reference
- Ordinance No. 382 – adopts 2005 electrical code by reference
- Ordinance No. 383 – adopts 2006 mechanical code by reference
- Ordinance No. 384 – adopts 2006 plumbing code by reference
- Ordinance No. 385 – adopts 2006 rehabilitation code by reference
- Ordinance No. 386 – adopts 2006 residential code by reference

(For complete text of Ordinance No. 381-386 - see Ordinance Book of the City of Grosse Pointe)

UNANIMOUSLY ADOPTED.

PROPOSED MODIFICATION TO NOISE ORDINANCE – LAWN EQUIPMENT

City Manager Dame made the following report:

Based on the discussion from the last Council meeting, a proposed ordinance amendment was drafted reflecting the sense of the Council that additional restrictions should be imposed on the use of lawn equipment. It was noted that adoption of the proposed amendment will promote the health, safety and welfare of the City’s residents. It was noted that the time constraints are similar to those in Grosse Pointe Woods and no limitation is proposed with respect to snow removal equipment. One letter in support of the ordinance was received and submitted to Council.

The Council reviewed and discussed a memorandum from Chief Fox related to noise complaints for 2008. Discussion took place regarding the number and time of each complaint. It was noted that out of the 59 noise complaints made in 2008, only 9 were related to landscapers or lawn equipment. It was noted that the proposed ordinance does not differentiate between commercial landscape companies and residential users. Council Members Walsh and Parthum expressed that based on the number of complaints and the time the complaints were made that there is not a significant noise issue to address or enforce and that the ordinance is not necessary. The current ordinance can be used for any noise complaints. It was suggested that if a complaint was made, it would be better if neighbors talked to each other to address any noise concerns instead of promoting a “gotcha” atmosphere. Discussion took place regarding these comments and further discussion took place regarding the proposed timeframes and ordinance details.

Motion by Council Member Stempfle second by Council Member Weipert to adopt the proposed ordinance amendment relating to the operation of lawn equipment and finding that the noise associated with the use of lawn equipment is a public nuisance that will be abated and controlled by adoption of the propose ordinance.

ROLL CALL

Aye: Stempfle, Stevens, Weipert, Scrace  
Nay: Parthum, Walsh  
Absent: Pfaehler

Motion Carries 4 votes Aye to 2 votes Nay.

ORDIANNCE ADOPTION

ORDINANCE NO. 388

Ordinance which adds Section 42-57 (12) to the Code of Ordinances of the City of Grosse Pointe relating to the use of lawn equipment.

(For complete text of Ordinance No. 388 - see Ordinance Book of the City of Grosse Pointe)

ORDINANCE ADOPTED.

PURCHASE OF USED RUBBISH PACKER

Public Service Director Weitzel made the following report:

The City of Grosse Pointe Public Works Department has been in discussion with Grosse Pointe Farms about the purchase of one (1) used 1996 25 yard rubbish packer that they are selling. City personnel have inspected the vehicle and it is in good working condition. This additional vehicle is part of the equipment necessary to accomplish the restructuring of the City's leaf pick-up this fall. Instead of using the vacuum method to pick up leaves on the parkway, as an efficiency improvement, the City is planning to switch to a system of pushing and scooping the leaves from the edge of the street. This is the system successfully employed by the Farms for years. In addition to this vehicle, two leaf pushing attachments to the John Deere tractors are needed to complete the equipment purchases for this new system. Funds for this purchase would be charged to Capital Projects for which \$10,000 has been budgeted. The cost of \$6,510 is consistent with the trade-in values the City has obtained for used packers. Discussion took place regarding the change in leaf collection. It was noted that the Vac-All machine will not be eliminated as it is used for sewer cleaning. It may be employed for difficult areas due to parking on the street.

Motion by Council Member Parthum second by Council Member Stempfle to purchase a used rubbish packer from Grosse Pointe Farms in the amount of \$6,510.

UNANIMOUSLY ADOPTED.

PURCHASE OF TWO LEAF PUSHERS

Public Service Director Weitzel made the following report:

The City of Grosse Pointe Public Works Department has received price quotes for two leaf pushers from Bell Equipment Co. The pricing is as follows: \$14,000 (\$7,000 per leaf pusher). The leaf pushers are fabricated at Bell Equipment Co. and no other suitable pushers are in production at this time with other companies. Therefore, no other bids were able to be obtained. The leaf pushers will be used this fall for a new method of leaf pickup. The leaf pushers will be attached to the front of the City's John Deere tractors. This new pickup method will reduce, if not eliminate, overtime for leaf collection during heavy leaf drop times. Funds for this purchase would be charged to Capital Projects for which \$15,000 has been budgeted.

Motion by Council Member Parthum second by Council Member Stempfle to waive competitive bidding requirements, and purchase two leaf pushers from Bell Equipment Co. in the amount of \$14,000.

UNANIMOUSLY ADOPTED.

AWARD OF BID – CURBSIDE RECYCLING CONTRACTOR

City Manager Dame made the following report:

The current contract extension for curbside recycling for the City of Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Shores and Harper Woods with Tringali Sanitation expires June 30, 2009. The cities are currently paying \$0.52 per residential stop on a weekly basis.

The five communities have jointly re-bid a three year contract under the same terms, with an option for a three year extension, beginning July 1, 2009. The bids received, including special Household Hazardous Waste pick up days, are as follows:

Bidder	Weekly w/HHW	Weekly Extend w/HHW
Rizzo Services	1 <sup>st</sup> yr.: .54/100 per unit 2 <sup>nd</sup> yr.: .54/100 per unit 3 <sup>rd</sup> yr.: .55/100 per unit	4 <sup>th</sup> yr.: .55/100 per unit 5 <sup>th</sup> yr.: .56/100 per unit 6 <sup>th</sup> yr.: .57/100 per unit
Tringali Sanitation	1 <sup>st</sup> yr.: .59/100 per unit 2 <sup>nd</sup> yr.: .59/100 per unit 3 <sup>rd</sup> yr.: .59/100 per unit	4 <sup>th</sup> yr.: .61/100 per unit 5 <sup>th</sup> yr.: .61/100 per unit 6 <sup>th</sup> yr.: .61/100 per unit
Waste Management	1 <sup>st</sup> yr.: .72/100 per unit 2 <sup>nd</sup> yr.: .75/100 per unit 3 <sup>rd</sup> yr.: .78/100 per unit	4 <sup>th</sup> yr.: .82/100 per unit 5 <sup>th</sup> yr.: .85/100 per unit 6 <sup>th</sup> yr.: .88/100 per unit
Republic Waste Services	Option #1 – Weekly Automated Recycling w/o HHW* 1 <sup>st</sup> yr.: 1.31/100 per unit 2 <sup>nd</sup> yr.: 1.35/100 per unit 3 <sup>rd</sup> yr.: 1.33/100 per unit	4 <sup>th</sup> yr.: 1.42/100 per unit 5 <sup>th</sup> yr.: 1.43/100 per unit 6 <sup>th</sup> yr.: 1.52/100 per unit

\*Prices subject to change based upon fuel cost, recycling aftermarket, and incentive program.

Rizzo is currently providing recycling collection in Grosse Pointe Woods and refuse collection in Harper Woods. Both communities have indicated that Rizzo’s work performance has been excellent. The contractor is required to pickup the same materials as are currently picked up and to pickup either carts or bins, at the option of each community. Due to the tight timeframe in order to insure a smooth transition, if approved, Tringali Sanitation has agreed to continue the terms of the existing contract for an additional month, through July 31, 2009. Rizzo Services would be scheduled to start collection on August 3, 2009.

Motion by Council Member Weipert second by Council Member Parthum to approve the low bid submitted by Rizzo Services for a three year contract subject to approval by the other participating Grosse Pointe communities and Harper Woods.

UNANIMOUSLY ADOPTED.

UPDATE BY CITY PLANNER – VILLAGE ZONING MODIFICATIONS

City Planner Jackson updated Council on the ongoing review of C-2 zoning regulations. This review has been conducted by the staff and the planner and was discussed by City Council at the April meeting. Mr. Jackson reported that positive feedback was received regarding the proposed expansion of permitted first floor uses. The list of prohibited uses, uses permitted with special use approval, the Office/Service first Floor option of 80 ft. and other zoning options were discussed. The City Planner answered various Council questions regarding his presentation. It was noted that the next step in the process would be for Council to review proposed C-2 zoning district amendments which are proposed to be presented to Council in July.

RECEIVED AND FILED.

PUBLIC COMMENT

Tony Smihal, 230 Lakeland expressed safety concerns about ambulances parking on Lakeland and at Neff Park. Due to the number of children in the area, an ambulance getting a run could cause safety concerns for pedestrians. It was noted that the ambulance service had already been contacted and agreed not to park on Lakeland. It was further explained that Neff Park is a centrally located and provides better access to the City as a whole for a run. It was requested that the ambulance service be reminded to drive carefully.

## STAFF REPORTS

Chief Fox updated Council on the new Beaumont Medical Transportation ambulance service. He stated there were 26 runs since April and has received positive feedback regarding the service and response times. Beaumont Medical Transportation has also provided other services and equipment to the Public Safety Department that is very helpful. Public Service Director Weitzel updated Council on the Cadieux Road resurfacing project and is estimated completion date. City Clerk Arthurs reported that the website redevelopment project has been completed and has been positively received by outside users. City Manager Dame reported that the City has received a 40% grant, instead of the previously noted 23%, for the Neff Road Pump Station improvement project loan, which is very beneficial to the City.

## COUNCIL COMMENT

The City Council commented on the following issues:

- The staff was thanked for their ongoing efforts to save money and complete purchases and projects under budget.
- The Neighborhood Beautification Inspection Program has been positively received by residents.

Council Member Stempfle announced that the Council prepared a Resolution of Appreciation for Mayor Dale Scrace for his 20 years of service to the City. Council Member Stempfle read the following resolution aloud:

WHEREAS, Dale N. Scrace was appointed to the City Council to fill a vacancy on June 19, 1989. He was subsequently elected and faithfully served the citizens of the City of Grosse Pointe as City Council Member from 1989 to 2001. In 2001, he ran for the office of Mayor and was elected to the position he currently holds;

WHEREAS, Mayor Scrace's distinguished public service record as a City Council Member and outstanding leadership role as Mayor have enabled many significant improvements such as the construction of a new City Hall, complete renovation of the Public Safety/Court building, Streetscapes I and II in the Village, construction of the new Neff Park Pool and Bathhouse facility, Neff Park marina renovation, renovation of the former Jacobson's building into a mixed use development known as Kercheval Place and the construction of a new Village Municipal parking structure;

WHEREAS, Mayor Scrace works diligently with civic groups such as the Village Merchants Association, Grosse Pointe/Clinton Refuse Disposal Authority and the Grosse Pointe Downtown Development Authority as well as the Parks and Recreation Advisory Commission and the Beautification Commission to create, plan, beautify and enjoy Grosse Pointe;

WHEREAS, as a resident of Grosse Pointe for more than 30 years, a life member of the National Eagle Scout Association and a Grosse Pointe Little League coach, he is known for his true interest in the people of our community. He values and welcomes the input of citizens, City staff and Council Members resulting in an open and mutually beneficial communication exchange; and therefore, be it

RESOLVED, that the City Council, City staff and the citizens of the City of Grosse Pointe do hereby extend their most grateful appreciation to Dale N. Scrace for his 20 years of dedicated service to the City of Grosse Pointe.

ADOPTED and SIGNED BY THE CITY COUNCIL ON JUNE 15, 2009.

## CLOSED SESSION

Motion by Council Member Weipert second by Council Member Walsh to go into closed session as requested by a public officer for a performance evaluation.

## ROLL CALL

Aye: Parthum, Stempfle, Stevens, Walsh, Weipert, Mayor Scrace  
Nay: None.  
Absent: Pfaehler

The Council met in closed session from 8:45 p.m. to 8:53 p.m.

Motion by Council Member Stevens second by Council Member Stempfle to approve a severance payment of \$79,970 to Timothy VandenBoom and to approve the execution by the City Manager of a severance agreement with Mr. VandenBoom.

UNANIMOUSLY ADOPTED.

There being no further business conducted, the meeting was adjourned on Motion at 8:55 p.m.

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Julie E. Arthurs, City Clerk  
City of Grosse Pointe