

**MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE CITY COUNCIL
CHAMBERS, 17145 MAUMEE AVENUE, GROSSE POINTE, MICHIGAN ON
MONDAY, AUGUST 18, 2008.**

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

ROLL CALL

Present: Mayor Scrace, Council Members Stempfle, Stevens, Walsh, 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.

SETTING AGENDA

City Manager Dame requested Council meet in closed session after Item 9 on the agenda to discuss property acquisition.

CONSENT AGENDA

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

1. Minutes from the regular Council meeting held on July 21, 2008.
2. Invoices
 - a) Plante Moran, PLLC - Progress Billing, Professional Services, General Audit, \$10,000
 - b) City of Detroit, Board of Water Commissioners - Sewage Disp Charges, June, 2008, \$89,919.47
 - c) Raftelis Financial Consultants, Inc. - Water and Wastewater Study, \$16,021.90
 - d) Rich and Associates, Inc. - Professional Services, Parking Structure, \$13,422.10
 - e) Tetra Tech, Inc. - S2 Sewer Grant, Pump Station Repair, \$5,472.47
 - f) Anderson, Eckstien & Westrick, Inc. - Professional Services, 2007 Sewer Cleaning & TV Inspection, \$5,343.25
 - g) Care's Youth Assistance - Youth Assistance Services, \$7,954.01
 - h) Barton Malow Company - Village Municipal Parking Structure, \$73,858.07
 - i) Arbor Pro Tree Service, Inc. - Tree Trimming and Removal, \$7,515
 - j) Michigan Municipal League Workers' Comp. Fund - Quarterly Policy Premium, \$19,569

CONSENT AGENDA UNANIMOUSLY ADOPTED.

PUBLIC HEARING

TEFRA – CITY OF ROYAL OAK HOSPITAL FINANCE AUTHORITY – WILLIAM BEAUMONT HOSPITAL

Mayor Scrace indicated that this is a public hearing being held pursuant to the provision of Section 147(f) of the Internal Revenue Code of 1986, as amended, for the purpose of taking public comment concerning the issuance of hospital revenue and hospital revenue refunding bonds by the City of Royal Oak Hospital Finance Authority to provide funds to loan to William Beaumont Hospital (the "Hospital") to be used by the Hospital, together with other available funds, to a) finance or refinance the costs of the acquisition, construction, renovation and equipping of health care facilities, b) to refund the Hospital's prior bonds, c) to pay a portion of the interest to accrue the bonds, d) to find a debt service reserve fund for the bonds, e) to pay costs related to interest rate swaps and f) to pay the costs of issuing the bonds in amount not to exceed \$825,000,000. Notice of this hearing was published in the *Detroit Free Press* and the *Detroit News* on July 23, 2008. The bonds will be payable from the revenues of the Hospital. The Hospital will own and operate the facilities financed with the bonds. The project to be financed with the proceeds of the bonds in Grosse Pointe includes at a presently estimated cost of \$59,587,000, the refinancing of the indebtedness of the Hospital, which indebtedness was used to acquire facilities known as Bon Secours Health Systems Inc., including related assets located at 468 Cadieux Road, Grosse Pointe, MI. The remainder of the proceeds of the Bonds will be used to finance the costs of construction, acquisition, renovation, equipping, rehabilitation and/or improvements to the hospitals

and other health care facilities i) located at the Main Hospital Campus in Royal Oak, Michigan (at a presently estimated cost of \$35,000,000), ii) located at the Troy Hospital Facility (at a presently estimated cost of \$130,000,000) and iii) located at the Sterling Heights Facility (at a present estimated cost of \$35,000,000) and to refund certain prior bonds the proceeds of which are used to finance the costs of the acquisition, construction, renovation and equipping of the health care facilities. All interested citizens are encouraged and will be offered an opportunity at this hearing to comment on the foregoing.

Lisa Hagan from Miller Canfield Paddock and Stone, bond counsel for William Beaumont Hospital, was present and reviewed details regarding the bonds.

The Mayor opened the public hearing for public comment:

Anneliese Bajer – 1221 Three Mile Rd., Grosse Pointe Park, MI 48230 and owner of Tire Systems Engineering, 16825 Kercheval Avenue asked why no monies are being spent at the Grosse Pointe facility. It was noted that upgrades to the Grosse Pointe facility are proposed in the next two years.

The Mayor asked for any additional comments from the public. Hearing none and with no one coming forward, the Mayor declared the public hearing closed.

Motion by Council Member Stevens second by Council Member Walsh that the following resolution be adopted:

WHEREAS, the City of Royal Oak Hospital Finance Authority (the "Authority") proposes to make loans to William Beaumont Hospital (the "Hospital"), to be used, in part, by the Hospital to refund indebtedness which was used to acquire facilities known as Bon Secours Health System Inc., including related assets in Grosse Pointe, Michigan; and

WHEREAS, the Authority intends to issue City of Royal Oak Hospital Finance Authority Hospital Revenue Bonds (William Beaumont Hospital Obligated Group) and Hospital Revenue Refunding Bonds (William Beaumont Hospital Obligated Group), in one or more series (collectively, the "Bonds") on behalf of the Hospital in the aggregate principal amount of not to exceed \$825,000,000 to provide funds with which to make loans to the Hospital; and

WHEREAS, the Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the City of Grosse Pointe, City of Royal Oak, the County of Oakland, the State of Michigan or any political subdivision thereof; and

WHEREAS, the City Council has held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, a record of public hearing will be maintained with the City Clerk; and

WHEREAS, the Authority has requested that this City Council approve the issuance of the Bonds by the Authority; and

WHEREAS, the City Council of the City of Grosse Pointe desires to express its approval of the issuance of the Bonds by the Authority.

IT IS HEREBY RESOLVED BY THE CITY COUNCIL FOR THE CITY OF GROSSE POINTE, AS FOLLOWS:

1. Solely for the purpose of fulfilling the public approval requirements of the Code, the City Council of the City of Grosse Pointe hereby approves the issuance, sale and delivery of not to exceed \$825,000,000 in aggregate principal amount of the Bonds by the Authority.
2. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the Authority.

YEAS: Council Members Stempfle, Stevens, Walsh, Weipert, and Mayor Scrace
NAYS: None.
ABSENT: Council Members Parthum and Pfaehler

RESOLUTION DECLARED ADOPTED.

PRESENTATION – WAYNE COUNTY COMMUNITY COLLEGE DISTRICT – UNIVERSITY SQUARE

Dr. Julie Corbett, City resident and liaison for WCCCD introduced Michael Blair, District Director, Extension Center Services, Michael Dotson, Senior Associate Vice Chancellor for Central Administration and Finance for the District. Mr. Blair explained the University Square project. He explained that University Square will deliver instruction to high school graduates and adult learners via satellite, online courses and state-of-the-art educational auditoriums. The facility will offer an exciting learning environment with links to major universities. By building partnerships between the community college and institutions that grant bachelors, master's degrees or certificates, WCCCD will serve as a critical link and hub for these services. Discussion took place regarding the project and the Council thanked the WCCCD representative for their informative presentation.

SITE PLAN REVIEW – DAVID THE SALON – 373 FISHER ROAD

City Planner Jackson made the following report:

David Cockell, owner and operator of David The Salon, has submitted proposed signage for the front of his business located at 373 Fisher Road. The proposed wall sign will be located on the building façade, adjacent to the entry door to the business. The sign is a Plexiglas panel, with a black background and gold and blue lettering. The sign is proposed to be internally illuminated with LED lights. Per ordinance, only exterior lighting for the sign is permitted. The proposed sign could have backlit illumination (i.e. halo effect) if the sign panel is totally opaque. Gooseneck or similar exterior lighting is suggested for the sign. The ordinance notes that wall signs should be located on the upper portion of the building within or just above the storefront opening. Due to the architecture of the existing building, a sign above the entry door is not feasible. The City Council may, if they choose; permit the sign location at the side of the entry door as proposed. Discussion took place regarding the proposed sign design and materials.

David Cockell addressed Council and explained his proposed sign and materials. He explained that the logo on the sign was designed to have light behind the sign show through just the blue and gold areas. Discussion took place regarding the internal illumination and it was requested that the applicant work with City staff to determine a lighting plan to meet ordinance requirements. Mr. Cockell agreed to work with City staff on sign lighting.

Motion by Council Member Stempfle second by Council Member Weipert to approve the proposed sign location for David The Salon, 373 Fisher Road and that the applicant is directed to work with City staff to revise the sign lighting to meet ordinance requirements.

UNANIMOUSLY ADOPTED.

SITE PLAN REVIEW – VILLAGE TOY CO. – 17114 KERCHEVAL AVENUE

City Planner Jackson made the following report:

Nancy Renick, owner of Village Toy Company, has submitted a rendering detailing a proposed new awning with the company name and logo for the front of a new store location at 17114 Kercheval. The new awning would be located over the front windows. It was noted that a revised site plan has been submitted showing two separate awnings over each window with gooseneck style light fixtures. It was noted that the sign area for the front awning face exceeds the 20% and 10 sq. ft. sign area requirement. The City Council could permit the increased sign area on the face of the awning. It was noted that no wall signs are proposed for the building. Discussion took place regarding the proposed awning and signage.

Motion by Councilmember Weipert Second by Council Member Stempfle to approve the revised site plan for Village Toy Company, 17114 Kercheval Avenue dated August 18, 2008.

UNANIMOUSLY ADOPTED.

SITE PLAN REVIEW – PROPOSED FAÇADE RENOVATIONS – 17110-17114 KERCHEVAL AVENUE

City Planner Jackson made the following report:

James Bellanca, representative of the Edward P. Frohlich Trust, the owner of 17110-17114 Kercheval, has submitted renderings detailing proposed storefront renovations on three stores located on Kercheval Avenue. The storefronts are proposed to have a new masonry and wood look with a new roofline on two of the three stores. The applicant has submitted building elevations for the front façade which include grey cedar shake shingles, a blue awning, and a new white Azek cornice and pilasters. Material samples were submitted to the Council. It was noted that the proposed building materials are high quality and consistent with the City's design guidelines.

Mr. Bellanca provided the Council with an overview of future improvements and development with regard to Kercheval Company properties and tenants.

Motion by Council Member Weipert second by Council Member Stempfle to approve the revised site plan for proposed façade renovations at 17110-17114 Kercheval Avenue.

UNANIMOUSLY ADOPTED.

EXTENSION OF TEMPORARY OCCUPANCY OF 16919 KERCHEVAL – KROGER CO.

City Manager Dame made the following report:

In February 2008, the City Council approved a six-month extension of the temporary occupancy of the building at 16919 Kercheval, the northwest corner of Kercheval and Notre Dame. Since that time, Kroger has been actively developing plans for an entirely new store on its property in the Village. Kroger has requested a one-year extension of the temporary occupancy to allow time for consideration of this project by the City. Discussion took place regarding the extension request and it was determined that a four month extension would be appropriate with the temporary occupancy to expire on December 31, 2008. The Council expressed to Kroger their desire to have the project completed expeditiously. Various discussions took place regarding the temporary occupancy and proposed development timeline.

Motion by Council Member Stevens second by Council Member Stempfle to approve the extension of the temporary occupancy of 16919 Kercheval Avenue by Kroger Co. for four months expiring on December 31, 2008.

UNANIMOUSLY ADOPTED.

The Council convened as the Planning Commission.

PLANNING COMMISSION REPORT

On behalf of the Planning Commission, the City Planner presented the annual report of activities over the past year as well as a review of the 2004 Master Plan. It was noted that the Michigan Zoning Enabling Act, PA 110 of 2006, MCL 125.3308 requires the Planning Commission to prepare an annual report of activities. Further, the Municipal Planning Act, PA 285 of 1931, as amended, MCL 125.38a, requires a review of the City's Master Plan at least every five years.

RECEIVED AND FILED.

The Planning Commission reconvened as the City Council.

PLANNING COMMISSION REPORT AND MASTER PLAN REVIEW

The City Council discussed and received the Planning Commission Report.

Motion by Council Member Weipert second by Council Member Stempfle to accept the activities report of the Planning Commission, it is determined that it is not necessary to amend the Master Plan and therefore, the Master Plan is ratified and reaffirmed.

UNANIMOUSLY ADOPTED.

AUTHORIZE AWARD OF BID FOR STREET TREE PLANTING

Assistant City Manager Fincham made the following report:

The City of Grosse Pointe initiated and coordinated a project with Grosse Pointe Shores and Grosse Pointe Park to start a cooperative tree planting project. The intent was to potentially reduce prices on tree costs by jointly purchasing trees in bulk. The City normally bids for 60 trees. This year the bids were tabulated for the planting of 140 trees for the three communities, 60 of which are for the City. The City received the following bids to furnish and plant replacement street trees:

Marine City Nursery	\$38,500
Arbor Pro	\$42,000
Allemons Landscaping	\$46,550

Replacement tree locations are presently being determined for planting of new City right-of-way trees that were lost over the past year due to Emerald Ash Borer, Elm disease, traffic accidents and weather damage. Tree varieties and planting locations are selected to allow proper growth of new trees and provide an aesthetic balance with existing trees, consistent with sound arboricultural practices. The joint bid will become effective upon approval of all three municipalities committing to their share of the project.

Motion by Council Member Weipert second by Council Member Walsh to award the joint bid to Marine City Nursery for the 2008 street tree planting program, the City portion of which will not exceed \$16,500.

UNANIMOUSLY ADOPTED.

2009 MUNICIPAL AND COMMUNITY CREDIT ALLOCATION

Assistant City Manager Fincham made the following report:

Each year, the City of Grosse Pointe receives transportation funds from the Suburban Mobility Authority – Regional Transportation bus system (SMART) based on state law and the voter approved SMART tax. These funds are distributed to the communities in the SMART area based on 2000 census figures. These funds must be spent on transportation programs that are operated/administered by the community or transferred to another community based transportation system. For Fiscal Year 2009, the City will receive \$5,329 in Municipal Credit Funds and \$7,934 in Community Credit Funds. Historically, the City has allocated these funds to programs such as Pointe Area Assisted Transportation System (PAATS) and charter bus service for community group functions. PAATS provides transportation to either the handicapped or elderly for medical, nutritional, social and recreation purposes. PAATS is also supported by the other Grosse Pointes and Harper Woods. Discussion took place regarding the proposed allocation.

Motion by Council Member Weipert second by Council Member Walsh to approve the 2009 allocation of \$13,263 in Municipal Credit and Community Credit Funds to Pointe Area Assisted Transportation System (PAATS) and authorize the City Manager or designee to execute the agreement.

UNANIMOUSLY ADOPTED.

PURCHASE OF THREE IN-CAR PUBLIC SAFETY VIDEO CAMERAS

Chief Fox made the following report:

Two years ago, a program was instituted to install Mobile Vision Digital Cameras in all the marked public safety vehicles. Three of the City's public safety cars have been equipped with the cameras thus far. This

request would allow installation of cameras in the remaining vehicles. The entire fleet of marked cars would have the same camera equipment with the ability to download the digital images to the existing computer installed with the associated software in the supervisor's office. The cameras enhance the ability to provide visual courtroom evidence, investigate citizen complaints against officers, and improve officer safety. Mobile Vision L3 Communications has provided the quote of \$14,810 for the three camera systems. This project was competitively bid out when initially purchased and Mobile Vision L3 was chosen. The cost the camera system now is lower per camera than the original purchases. To complete the system compatibility with the existing equipment, it is recommended to utilize Mobile Vision as the manufacturer and sole vendor of this product. It was noted that the bid process would be waived due to the unusual circumstance of maintaining software system compatibility for the video cameras.

Motion by Council Member Stempfle second by Council Member Stevens to waive the requirement for competitive bidding and approve the purchase of three in-car cameras from Mobile Vision L3 Communications, Inc.

UNANIMOUSLY ADOPTED.

PUBLIC COMMENT

Jeannie Davis, 748 Neff Road expressed concern about the number of 64-gallon recycling carts required to be issued to two family residences. She felt that one recycling cart would be sufficient for a two family residence. She submitted a written letter to Council.

Shirley Momjian, 754 Neff Road stated that two carts per building for a two family residence is excessive. She also asked how the City plans to educate and advertise the new recycling regulations.

John Hoben, 383 University, and owner of various two family properties in the City, supported Ms. Davis' comments regarding one recycling cart per rental building and submitted a written letter to Council.

Letters from William Adlhoch and Rand Sobczak were received and filed by the City Council pertaining to the 64-gallon recycling carts.

City Manager Dame reviewed and discussed the expanded recycling program and the materials accepted. He explained the process by which the City purchased 64-gallon recycling toter carts to be used by all residential properties in the City. He discussed various background materials and statistics used to determine the necessity for the larger carts as part of and to assist with the City's expanded recycling program.

Anneliese Bajer, 16825 Kercheval, Tire System Engineering requested an update on the hotel project. It was noted that this project remains in the six month feasibility analysis stage. She further requested an update on the Sunrise project. It was noted that the project is status quo and Sunrise is still the owner of properties on St. Clair.

Herman Mozer, 17330 Maumee requested an update on the water plant expansion. It was noted that the Water Committee continues to meet on a monthly basis and the project is currently into a six month study on the expansion and

COUNCIL COMMENT

The City Council commented on the following topics:

- Update on Kercheval Place tenants and recently installed landscaping near the parking structure.
- Reminder about the joint DDA and City Council meeting set for Monday, September 8 with DDA starting at 6:30 p.m., and City Council meeting at 7:30 p.m.

CLOSED SESSION

Motion by Council Member Weipert second by Council Member Stempfle to go into a closed session to discuss property acquisition.

ROLL CALL

Ayes: Stempfle, Stevens, Walsh, Weipert, Mayor Scrace

Nays: None

Absent: Parthum, Pfaehler

The City Council met in closed from 8:55 p.m. to 9:10 p.m.

On Motion, the meeting was adjourned at 9:11 p.m.

Julie E. Arthurs, City Clerk
City of Grosse Pointe