

**MINUTES OF THE GROSSE POINTE CITY COUNCIL MEETING HELD IN THE COUNCIL
CHAMBERS, 17145 MAUMEE AVENUE, GROSSE POINTE, MICHIGAN ON
MONDAY, APRIL 10, 2017.**

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

ROLL CALL

Present: Mayor Scrace, Council Members Boettcher, Stempfle, Tomkowiak, Turnbull, Walsh

In Attendance: City Manager Dame, Attorneys Fildew and Kennedy, City Clerk Arthurs, Finance Director Kleinow, Public Safety Director Poloni, Public Service Director Huvaere, Parks and Recreation Director Hardenbrook and City Planner Jackson.

Motion by Council Member Stempfle second by Council Member Turnbull to excuse Council Member Parthum from the meeting for personal reasons.

UNANIMOUSLY ADOPTED.

CONSENT AGENDA

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

1. Minutes from the regular Council Meeting held on March 20, 2017.
2. Invoices
 - a) Anderson, Eckstein, and Westrick, Inc.
 - 2017/18 Watermain Replacement, 2/6/17 – 3/5/17, \$5,568.00
 - 2017/18 2017 Resurfacing Program, 2/6/17 – 3/5/17, \$10,850.40
 - b) Great Lakes Water Authority - Sewage Disposal, March 2017, \$78,500.00
 - c) Standard & Poor's Financial Services, LLC - Bond Rating, March 2017, \$12,000.00
 - d) McKenna & Associates
 - Planning Services for Med. Office Bldg., November 2016 – January 2017, \$15,254.00
 - e) Clearwater Pools & Service - Main Pool Resurfacing, March 2017, \$14,047.50
 - f) Fildew Hinks - Legal Services, February 2017, \$6,191.50
3. Resolution. Be it resolved, that a public hearing on the proposed City of Grosse Pointe 2017-2018 Budget is set for Monday, May 8, 2017, at 7:00 p.m. in the City Council Chambers.
4. Approval of Special Event Request for the Grosse Pointe-Farms-City Little League parade on Saturday, April 29, 2017 at 10:00 am.
5. Approval of Special Event Request for the Grosse Pointe Pride March on Sunday, June 11, 2017 at 10:00 am.

CONSENT AGENDA UNANIMOUSLY ADOPTED.

PUBLIC HEARING – SINGLE LOT ASSESSMENTS

Mayor Scrace opened the Public Hearing regarding 2017 single lot assessments.

Finance Director Kleinow made the following report:

The City of Grosse Pointe provides for the collection of delinquent water and sewage charges in Section 48 of the Grosse Pointe City Charter. Section 1.15 of the Grosse Pointe City Code directs the City Assessor to prepare a Single Lot Assessment Roll of such delinquent charges and for any expenses incurred by the City in providing other services, together with a penalty of 10%. The unpaid charges and penalties are then considered a lien against the property and are placed on the 2017 City tax bill for collection. Informational notices were mailed on February 16, 2017 to all property owners with delinquent charges. A complete list of these unpaid charges is attached. A public hearing is required on the roll before it can be assessed.

Mayor Scrace asked for public comment.

Hearing no public comment, Mayor Scrace declared the public hearing closed.

Motion by Council Member Turnbull, second by Council Member Stempfle, to approve the Single Lot Assessment Roll as submitted.

UNANIMOUSLY ADOPTED.

RESOLUTION – NATIONAL ARBOR DAY

The National Arbor Day Foundation has awarded the City of Grosse Pointe its Tree City USA award for 31 consecutive years. The Tree City USA recognizes communities that effectively manage their public tree resources by meeting the four standards of having a tree department, a tree ordinance, a forestry budget and an Arbor Day observation with proclamation.

Alain Busch, member of the Urban Forestry Commission presented the resolution. She noted that a tree planting ceremony will take place at Neff Park on April 20, 2017 to commemorate Arbor Day. All are welcome to attend. She also stated that the recently established Urban Forestry Commission will reinforce the City's already existing tree program by helping to sustain the City's urban tree population.

Motion by Council Member Stempfle second by Council Member Boettcher to adopt the Resolution for National Arbor Day as submitted.

UNANIMOUSLY ADOPTED.

SITE PLAN REVIEW – OLD PONY MARTINI PUB – 17008 KERCHEVAL AVENUE

City Planner Jackson made the following report:

The Old Pony Martini Pub is located along Notre Dame St., just south of Kercheval, in the space that was formerly Green Zone Pizza. The applicant proposes to construct an outdoor brick-surfaced patio for outdoor three-seasons use. Outdoor dining areas are permitted by right in the C-2 Central Business District, and are encouraged in the Master Plan in the Village. The building is an existing structure that is not proposed to be changed with the new patio space. The patio will, however, extend beyond the footprint of the building and into the City's right-of-way by approximately 70 inches, out to the existing sidewalk that is parallel to Notre Dame. Surface material changes are permitted where they are proposed on the plan. Consideration of site plan approval will need to be contingent upon an agreement for the improvements and use of the City's right-of-way, and should contain terms of liability.

The total area of the enclosed outdoor patio will be approximately 370 square feet. Approximately 80" of the depth will be beneath the structural overhang of the building, and the remaining 70" will be installed between the building columns and the Notre Dame sidewalk. The space will be 31 feet wide along the building, and 20 feet wide at the sidewalk. Removing and replacing the landscaping in the City's right-of-way will require coordination with the City. Surrounding the patio is a proposed 3-foot high black aluminum permanent fence, either mounted to the building columns or installed in concrete footings and left in place. A 3-foot high fence is required by the City and the Michigan Liquor Control Commission when serving alcohol outdoors. Patio furniture will be left in place spring through fall, and stored in the basement for the winter months. The final number of tables and chairs will need to be submitted for review by the building official, and must not exceed what is safe for customers and employees.

The proposed patio will be defined by a permanent fence with a 7-foot swing gate. The location of the permanent enclosure will not impede pedestrian traffic on the 5-foot wide sidewalk, as it will replace turf and groundcover that are in place today. The Zoning Ordinance requires that the enclosure be removable. To satisfy this requirement, the applicant may consider permanent footings at grade that permit the removal of the fence posts seasonally, or as appropriate. For winter months, the fence panels under the Kercheval Place overhang should be removed to allow covered pedestrian circulation around and entry into the building.

The applicant has not submitted proposed outdoor seating hours, but is not permitted to seat new patrons outdoors from 11:00 p.m. - 7:00 a.m. It should be noted that based on the newly adopted Ordinance No. 428, businesses with an on-premises liquor license can operate until 2:00 am; the hours restriction should apply to outdoor seating only. Pedestrian circulation and access to store entrances should not be impaired. The applicant provided specification sheets for the proposed tables, chairs, and fence. The furniture will complement the building façade and is made of a durable black-painted aluminum material that will resist visible deterioration and maintain the desired aesthetic of the C-2 District. The City Planner recommended approval of the outdoor seating area with various conditions noted in his April 7, 2017 report. It was also noted that a license to use the public right-of-way should be approved.

Hisam Elawad, owner of the Old Pony Martini Pub discussed his request for outdoor seating. Mr. Elawad asked Council to consider allowing a permanent fence for the outdoor area to ensure safety and security. Permanent fences are sturdy and have a better look. Mr. Elawad answered various Council questions. Discussion took place regarding the fence and ingress and egress from the building and outdoor seating area.

Motion by Council Member Walsh second by Council Member Turnbull to approve the site plan for Old Pony Martini Pub, 17008 Kercheval Avenue, for outside seating in the Central Business District with the following conditions:

1. The applicant will provide a mechanism that allows for removal of the fence and gate during the winter months. The fence beneath the Kercheval Place overhang should be removed and stored with the patio furniture during the winter months.
2. The capacity of the outdoor seating area will be determined at the time of building permit review.
3. Applicant shall obtain a license for use of the public right-of-way containing liability provisions in form and substance satisfactory to the City Attorney.
4. All the conditions of the Planner's April 7, 2017 report shall be complied with.

UNANIMOUSLY ADOPTED.

RESOLUTION HONORING GARY HUVAERE

Mayor Scrace introduced a resolution of appreciation honoring Gary Huvaere who is retiring after thirty-seven years of service to the City of Grosse Pointe. Mayor Scrace read the following resolution aloud and the following motion was made.

Motion by Council Member Turnbull second by Council Member Walsh to adopt the following resolution:

WHEREAS, the City of Grosse Pointe hired Gary Huvaere as a Public Works Department Laborer on November 9, 1980; and,

WHEREAS, Gary Huvaere has served the City of Grosse Pointe in multiple capacities, including Refuse Collection, Building Maintenance, Water Superintendent, Parking Manager, Code Enforcement, and Public Services Supervisor; and

WHEREAS, Gary Huvaere consistently received stellar job performance reviews, calling out his excellent customer service, his thorough handling of complex and detail assignments, his 110% effort, his unparalleled dedication and dependability, his aptitude and willingness to take on virtually any task, and his wealth of knowledge; and,

WHEREAS, Gary Huvaere achieved the S-2 certification, requiring countless hours of continuing education and training necessary for a municipal water system operator; and,

WHEREAS, Gary Huvaere has overseen or played a significant part in major projects such as the replacement of all of the City water meters and meter reading systems, construction and reconstruction of City parking lots and a new Village parking structure, replacement and repairs of City water mains, resurfacing of City streets, upgrades to City facilities including Neff Park Swimming Pool and City Hall, reorganization of the City's refuse and leaf collection programs; and,

WHEREAS, in recognition of his expertise and ability in managing critical services at high levels by the Public, Gary Huvaere was proposed to the leadership position as the Director of the Department of Public Services on July 1, 2012, and

WHEREAS, Gary Huvaere has served the entire community of Grosse Pointe, its residents and businesses, for more thirty-seven years of devoted public service; and,

WHEREAS, Gary Huvaere will retire in good stead from the City of Grosse Pointe on May 5, 2017;

NOW, THEREFORE, BE IT RESOLVED THAT, the Mayor, City Council and the citizens of the City of Grosse Pointe do hereby extend their most grateful appreciation and deepest and heartfelt thanks to Gary Huvaere for his many years of public service and for his dedication and commitment to the City of Grosse Pointe; and,

FURTHER, BE IT RESOLVED THAT, The Mayor, City Council, City staff all wish Gary and his family the very best for the future including good health and much happiness.

UNANIMOUSLY ADOPTED.

STAFF REPORTS

Finance Director Kleinow reported on budget preparations. A draft budget was submitted to the Council according to City Charter requirements. Parks and Recreation Director Hardenbrook reported on the Spring Egg Hunt on April 13 at 5:00 pm. Park Pass mailers have been sent. Public Safety Director Poloni advised on recent special event requests. City Manager Dame reported the City's bond rating upgrade to a AAA rating.

COUNCIL COMMENT

The City Council commented on the following topics:

- Appreciation and Congratulations were expressed to Gary Huvaere on his retirement May 5, 2017.
- Mayors' Prayer Breakfast is May 4, 2017. Tickets are available at City Hall.

CLOSED SESSION

Motion by Council Member Stempfle second by Council Member Walsh to go into closed session for property acquisition.

ROLL CALL

Ayes: Boettcher, Stempfle, Tomkowiak, Turnbull, Walsh, Scrace

Nays: None

Absent: Parthum

The Council met in closed session from 7:36 p.m. to 9:06 p.m. The City Council reconvened in open session at 9:07p.m. There was no further action taken by Council.

On Motion, the meeting was adjourned at 9:08 p.m.

Julie E. Arthurs, City Clerk
City of Grosse Pointe