

COUNCIL MEETING – JUNE 12, 2006

A regular meeting of the Council was held on Monday, June 12, 2006, at 7:00 p.m. and opened with the Pledge of Allegiance to the Flag.

The following were present: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

Also present: Dale Krajniak, City Manager, Jane M. Blahut, Finance Director/Clerk and Herold McC. Deason, City Attorney

MINUTES – MAY 8, 2006

Mayor Heenan presented to Council for consideration the minutes of May 8, 2006 be approved as presented.

Motion by Councilmember Denner, supported by Councilmember Kennedy to approve the minutes of May 8, 2006 as presented.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

15530 WINDMILL POINTE DRIVE – VARIANCE

Mayor Heenan presented to Council for consideration, acting as the Zoning Board of Appeals, the request by Dr. Richard Golden of 15530 Windmill Pointe Drive a variance from Section 27-100, paragraph (b) of the zoning ordinance, which limits the height of fences for property located at 15530 Windmill Pointe Drive.

City Manager indicated Dr. Golden wishes to erect a wrought iron fence with six-foot high columns for the main runs and an eight foot high gate with nine foot high columns at the center entrance and an eight foot high gate with eight foot columns at the side entrance along the northerly property lines adjacent to Windmill Pointe. The ordinance limits the height of fences including columns and gates to six feet in height.

Immediate neighbor indicated she does not oppose the fence along the front of the house, however inquired to make certain that the request does not include permission to install any type of fence along the side of the property. She requested a survey be performed prior to the Golden's installing any type of fencing along the side property to make sure that the installation of any type of fence would be placed within their property line.

Representative of the Golden's indicated they would have a survey undertaken to accurately outline the property lines.

Motion by Councilmember Denner, supported by Councilmember Kennedy that the Council sitting as Board of Zoning Appeals grant the variance allowing the construction of a fence along the front of property to a height as described in plans and specifications filed with the department of public service subject to the condition that fence complies in all other respects with applicable ordinances and codes on the basis that the Council sitting as Board of Zoning Appeals finds that the unique character of the property and adjoining properties the strict application of zoning regulations would result in peculiar or exception practical difficulties to, or exceptional undue hardship upon the owner of such property in that fencing compatible with the neighborhood could not be maintained and that the variance sought by Petitioner can be granted in form and subject to the conditions as determined by the Council sitting as Board of Zoning Appeals without substantial detriment to the public good and without substantially impairing the intent and purpose of the Grosse Pointe Park zoning ordinance.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

1170 MARYLAND – VARIANCE

Mayor Heenan presented to Council for consideration, acting as the Zoning Board of Appeals, the request by Randy Cousineau of 1170 Maryland a variance from Section 27-100, paragraph (b) of the Zoning Ordinance, which prohibits erecting a fence in the front yard for property located at 1170 Maryland.

City Manager indicated the applicant wishes to erect a fence, six foot and four foot high along the southerly and northerly property lines adjacent to Maryland. The ordinance prohibits the placement of fences in the front yard. The petitioner is also requesting approval to erect a three foot fence in the public right of way between the curb and the sidewalk.

Councilmember Denner indicated he would rather place plant material in the city right of way, rather than erect a permanent fence.

Petitioner indicated they have tried planting plants and they end up getting trampled on, therefore decided that a permanent fence would be more suitable.

Councilmember Robson inquired why such a high fence?

Petitioner indicated the high fence is for the privacy of the tenants in the lower units.

Councilmember Theokas indicated he would prefer a rod iron fence be erected.

Petitioner indicated a rod iron fence does not provide the privacy as compared to the type of fence they are requesting and is also more expensive. He noted he has the materials to build the wooden fence and would be able to make repairs if needed.

Mayor Heenan recommended the Council allow the petitioner to do what he wishes.

Councilmember Clark indicated his concern is the placement of the fence in the city right of way and the precedent it sets.

City Manager indicated cement or brick pavers could be permanently placed in the city right of way, near the bus stop, which would eliminate the need for their request to place a fence in that particular area.

Motion by Councilmember Denner, supported by Councilmember Kennedy that the Council sitting as Board of Zoning Appeals grant the variance allowing the construction of a fence (excluding fencing located in easement) as described in plans and specifications filed with the department of public service subject to the condition that such fence comply in all other respects with applicable ordinances and codes and waiver from damage from city maintenance on the basis that the Council sitting as Board of Zoning Appeals finds that because of property location adjacent to business and alley the strict application of zoning regulations would result in peculiar or exception practical difficulties to, or exceptional undue hardship upon the owner of such property in the privacy of occupants is compromised and that the variance sought by Petitioner can be granted in form and subject to the conditions as determined by the Council sitting as Board of Zoning Appeals without substantial detriment to the public good and without substantially impairing the intent and purpose of the Grosse Pointe Park zoning ordinance.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

NEXTG NETWORKS

Mayor Heenan presented to Council for consideration the request by Nextg Networks for a formal application to access City rights-of-way for the provision of telecommunication services.

City Attorney Deason indicated Nextg Networks meets the statutory criteria and recommends the Council to give the administration the authority to issue a Metro Act Permit.

Motion by Councilmember Clark, supported by Councilmember Kennedy to approve the request by Nextg Networks to access City rights-of-way for the provision of telecommunication services subject to legal counsel review.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

SALE OF 15001 CHARLEVOIX – COMCAST PROPERTY

Mayor Heenan presented to Council for consideration the sale of 15001 Charlevoix and accompanying parking.

City Manager indicated bids were let out and due June 15, 2006. There was one bid received for the property known as 15001 Charlevoix. The offer was \$400,000 with a request that the City consider an allowance of up to \$10,000 for certificate of occupancy requirements.

Councilmember Theokas recommended the City accept the bid for \$400,000, however to omit the \$10,000 allowance by the City.

Councilmember Clark reiterated his objection in selling the property known as 15001 Charlevoix.

Motion by Councilmember Theokas, supported by Councilmember Grano to accept the offer from Brian MacLean in the amount of \$400,000 for the property known as 15001 Charlevoix.

AYES: Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: Councilmember Clark

FINANCE REPORT – MAY 2006

Councilmember for Finance Theokas presented to Mayor Heenan and Council the finance report for the month of May 2006 for invoices exceeding \$5,000.

Councilmember Theokas indicated the invoices are routine and recommended its approval.

Councilmember Robson inquired what the Bodman invoice consists of.

City Attorney indicated specialized services are billed separately from the retainer and prosecution fees.

Motion by Councilmember Theokas, supported by Councilmember Clark to approve the finance report for the month of May 2006, for the invoices exceeding \$5,000 in accordance with Section 2.249 of the Charter and such report be placed on file.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

EXECUTIVE COMMITTEE SESSION

Mayor Heenan requested that an Executive Committee Session be held immediately following the regular meeting pursuant to Labor Negotiations.

Motion by Mayor Heenan, supported by Councilmember Clark that an Executive Committee Session be held immediately following the regular meeting pursuant to Labor Negotiations.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

NEW/OLD BUSINESS

HANDICAP SIGN PLACEMENT:

Councilmember Robson indicated a resident inquired if they could place a handicap sign in front of their property due to their disability and the lack of parking in their immediate neighborhood.

Director Hiller indicated a sign could be placed in front of their property, however, would not be for their personal use. Any person who has a handicap license plate would be entitled to use it.

1443 BEACONSFIELD:

Councilmember Robson indicated the property at 1443 Beaconsfield is in deplorable condition and recommended the City consider condemning the property if it isn't improved in the near future.

ALLEY TRASH PICKUP:

Mayor Heenan indicated he received a complaint from a Lakepointe resident regarding the new designated area for rubbish containers.

Councilmember Denner indicated he reviewed the area and it has really cleaned up the alleys.

Councilmember Grano indicated he received a letter from a resident regarding a building repair notice.

Director Reimel indicated he has returned the call and Mr. Hanson has spoken on several occasions to the resident.

With no further business, the meeting adjourned.

The meeting reconvened to open door session.

LABOR NEGOTIATIONS

City Manager presented key modifications for the final contract settlement for labor negotiations with the department of public works and clerical staff. They are as follows:

Costs:

Wages 2.5% 2.5% 2.5%

Pension 2.25% to 2.5%

Establishing a Health Retirement Savings Account \$300

Cost Savings:

Health deductible to be increased to \$2,000 and self insured after the initial \$250
Limit of \$10,000 on any one specific drug per employee contract within a calendar year

Health care limited to a 2 person coverage at retirement

Retirement health care deductible \$500

Retirement prescription drug co-pay \$10 generic \$20 name brand drug (limit of \$10,000
on any one specific drug within a calendar year per employee contract)

City Manager indicated the City will have to comply with GASB 45 in July 2007 in which all unfunded health care liability must be recorded on the City's financial statements. Effective July 1, 2006, all administrative, non-union and department of public works and clerical employees will be enrolled in the \$2,000 deductible plan and a limit of a two person coverage at retirement which limits the City's long term financial obligation. By 2009 we expect all employee contracts to mimic the same which would further reduce the liability significantly.

Councilmember Clark inquired of the cost of the pension enhancement.

City Manager indicated the pro-rated share of this benefit cost is approximately \$14,000 per year and limited raises in the next three years will make up for that cost. He also noted that the public works and clerical staff only receive health care by the City until they reach 65 at which time Medicare is implemented.

Motion by Councilmember Theokas, supported by Councilmember Denner to approve of the proposed contract for the department of public works and clerical staff as presented by the City Manager.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

Motion by Councilmember Theokas, supported by Councilmember Denner to approve the pension modification from B-3 (2.25%) to B-4 (2.5%) for the public works department and clerical staff effective July 1, 2006.

AYES: Councilmember Clark, Kennedy, Denner, Robson, Theokas, Grano and Mayor Heenan

NAYS: None

With no further business, the meeting adjourned.