

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF GROSSE
POINTE WOODS HELD ON MONDAY, APRIL 17, 2023, IN THE COUNCIL-COURTROOM
OF THE ROBERT E. NOVITKE MUNICIPAL CENTER, 20025 MACK PLAZA DR., GROSSE
POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:05 p.m. by Mayor Bryant.

PRESENT: Mayor Bryant
Council Members: Brown, Gafa, Granger, Koester (Arrived 8:00 p.m.), McConaghy, Vaughn
ABSENT: None

Also Present: City Administrator Schulte
Treasurer/Comptroller Murphy
City Attorney Morita
Assistant City Administrator Como
City Clerk Antolin
Director of Public Services Kowalski
City Engineer Wilberding
City Engineer Lockwood

Council, Administration, and the audience Pledged Allegiance to the U.S. Flag.

The following Commission members were in attendance:

- Catherine Dumke, Senior Citizens' Commission
- Melinda Billingsley, Citizens' Recreation Commission
- Donna O'Keefe, Planning Commission

Motion by Granger, seconded by Gafa, that all items on the Consent Agenda be approved as presented.

A. Approval of Minutes

1. Council 04/03/23
2. Citizens' Recreation Commission 04/11/23 with recommendations
3. Historical Commission 02/09/23

B. Monthly Financial Report

1. March 2023

C. Bids/Proposals/Contracts

1. Road Salt 2023/2024 and 2024/2025 Seasons
 - a. Memo 04/11/23 - Director of Public Services
 - b. Invitation to Bid Documents - Farmington Hill, MI
2. Contribution to Retirement System - CVTRS Requirement - Budget Amendment
 - a. Memo 04/03/23 - City Administrator/Treasurer/Comptroller
 - b. City, Village, and Township Revenue Sharing FY 2022 Detailed Guidance - September 2021 - Michigan Department of Treasury

D. Claims and Accounts

1. Anderson, Eckstein & Westrick, Inc. (AEW) - City Engineers
 - a. 2022 Sewer CCV Investigation - Invoice No. 0142827 - Proj. No. 0160-0453 - 03/24/23 - \$237.58.
 - b. 2022 Sewer Rehab by Full Length CIPP LIN - Invoice No. 0142828 - Proj. No. 0160-0454 - 03/24/23 - \$854.98.
 - c. Hampton Rd. Water Main & Resurface (Mack/Marte) - Invoice No. 0142829 - Proj. No. 0160-0456 - 03/24/23 - \$37,515.73.
 - d. Torrey Rd. Pump Station Cap Improve. Plan - Invoice No. 0142830 - Proj. No. 0160-0457 - 03/24/23 - \$556.00.
 - e. 2022-2023 General Engineering - Invoice No. 0142831 - Proj. No. 0160-0459 - 03/24/23 - \$2,277.16.
 - f. 2022-2023 GIS Maintenance - Invoice No. 0143031 - Proj. No. 0160-0458 - 03/29/23 - \$2,177.28.
 - g. 2020-2021 Water Main Replacement Program - Invoice No. 0143202 - Proj. No. 0160-0426 - 04/04/23 - \$6,135.57
 - h. 2021 Misc. Concrete Repair - Invoice No. 0143203 - Proj. No. 0160-0435 - 04/04/23 - \$688.62.
 - i. 2021 Water Main Replacement Program (Hollywood, Severn & Christine Ct.) - Proj. No. 0160-0426 - Pay Estimate No. 12 - Fontana Construction, Inc. - 04/04/23 - \$58,280.00.
2. Hallahan & Associates, P.C. - Legal Services - Invoice No. 20345 - March 2023 - 04/03/23 - \$3,650.19.
3. Jacobs and Diemer, P.C. - Legal Services - Claim No. JPJPC-20222Q - USSIC v GPW - 04/04/23 - \$751.25

4. Keller Thoma - Legal Services - Invoice No. 123685 - March 2023 - 04/01/23 - \$218.75.
5. Rosati, Schultz, Joppich & Amtsbuechler, P.C. -Legal Services - Invoice No. 1079252 - 04/11/23 - \$4,488.40.
6. WCA Assessing - Assesing Services - Invoice No. 04112023 - May 2023 - 04/11/23 - \$6,833.50.
7. York, Dolan & Tomlinson, P.C. - Legal Services - Invoice No. 86 - 04/03/23 - \$2,960.50.

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Koester

Motion by Gafa, seconded by Vaughn, that all items on tonight's agenda be received, placed on file, and taken in order of appearance..

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Koester

Mayor Bryant read aloud the proclamation regarding the Holocaust Days of Remembrance.

Motion by Granger, seconded by Gafa, that City Council open the Public Hearing.

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Koester

THE MEETING WAS THEREUPON OPENED AT 7:13 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF CRISPELLI'S, LLC, 19850 MACK AVENUE, GROSSE POINTE WOODS, WHICH IS REQUESTING NEW CLASS C, SDM, SUNDAY A.M./P.M. SALES LIQUOR LICENSES.

Motion by Granger, seconded by Brown, that for purposes of the public hearing the following items be received and placed on file:

1. Cover Letter 02/22/23 - Kelly Allen (representing Crispelli's, LLC)
2. Grosse Pointe Woods Alcoholic Liquors Application Affidavit
3. On-Premises Retailer License & Permit Application (LLC-100a)
4. Reports of Stockholders, Member, or Partners (LCC-301):
 - a) Crispelli's, LLC
 - b) Crispelli's - Holdings, LLC
 - c) AWMM Holdings, LLC
 - d) BWG Inv 3, LLC
5. Crispelli's - Organizational Chart
6. Articles of Organization
7. MLCC Active/Escrow License Search - Other Crispelli's Location
 - a) City of Clarkston
 - b) City of Troy
 - c) West Bloomfield Twp.
 - d) City of Berkley
8. Proof of Financial Responsibility (LC-95)
9. Lease Agreement
10. Site Plan
11. Floor PLaN
12. Proposed Menu
13. Receipt of Payment
14. Affidavit of Legal Publication
15. Affidavit of Property/Business Owners Notified
16. GIS Map View
17. Letter 04/12/23 - Margaret Freundl (Resident)

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Koester

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The following individual was heard:

- Kelly Allen, Attorney for Crispelli's
39792 Woodward Ave., Bloomfield Hills

- Mark Artinian, Owner
- Glen Willson, Owner

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. Nobody wished to be heard.

Additional Comments were heard from the following individuals:

- Donna O’Keefe, 1593 Torrey Rd. (Business Hours/Parking)
- Ghassan Elian, 568 Coventry Ln. (Parking during Church services)

The Mayor stated that tonight’s Public Hearings are only for the purpose of hearing comments from the public. There will be discussion at a future City Council meeting.

Motion by McConaghy, seconded by Granger, that the public hearing be closed at 7:24 p.m. PASSED UNANIMOUSLY.

There was no action taken by City Council.

Motion by McConaghy, seconded by Vaughn, that City Council open the Public Hearing.

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Koester

THE MEETING WAS THEREUPON OPENED AT 7:25 P.M. FOR A PUBLIC HEARING TO HEAR THE APPLICATION OF PENDY’S RESTAURANT GROUP, LLC, D/B/A PENDY’S GROSSE POINTE, 20930-20934 MACK AVENUE, GROSSE POINTE WOODS, WHICH IS REQUESTING A TRANSFER OF CLASS C WITH OUTDOOR SERVICE AREA/P.M. SUNDAY SALES PERMITS AND NEW SDM WITH A.M. SUNDAY SALES PERMITS LIQUOR LICENSES.

Motion by Vaughn, seconded by Brown, that for purposes of the public hearing the following items be received and placed on file:

- 1) Cover Letter 03/08/23 - Kelly Allen (representing Pendy's Restaurant Group, LLC)
- 2) Grosse Pointe Woods Alcoholic Liquors Application Affidavit
- 3) Letter 02/20/23 - Kelly Allen
- 4) Conditional License Application (Ownership Transfer) (LCC-103)

- 5) Floor Plan
- 6) On-Premise Retailer License & Permit Application (LCC-100a)
- 7) Report of Stockholders, Members, or Partners (LCC-301)
- 8) Article of Organization
- 9) Operating Agreement for Pendy's Restaurant Group, LLC
- 10) Second Asset Purchase Agreement
- 11) Net Lease Agreement
- 12) Net Lease Agreement with markups
- 13) Lease with markups
- 14) Floor Plan
- 15) Proposed Menu
- 16) I-Chat Reports: David and Susan Pendy
- 17) Letter 04/07/23 - Michigan Liquor Control Commission
- 18) Receipt of Payment
- 19) Affidavit of Legal Publication
- 20) Affidavit of Property/Business Owners Notified
- 21) GIS Map View

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Koester

The Chair asked if anyone from the audience wished to speak in favor of the proposed request.
The following individual was heard:

- Kelly Allen, Attorney for Pendy's Restaurant Group, LLC
39792 Woodward Ave., Bloomfield Hills
- David Pendy, Owner

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request.
Nobody wished to be heard.

Motion by Vaughn, seconded by Gafa, that the public hearing be closed at 7:32 p.m. PASSED
UNANIMOUSLY.

There was no action taken by City Council.

Motion by McConaghy, seconded by Gafa, regarding **Clean Water State Revolving Fund Project Plan**, that City Council concur with Director of Public Services Kowalski's recommendation and adopt the proposed resolution and authorize the City Clerk to sign and authorize AEW to submit the application and resolution to the Department of Environment, Great Lakes, and Energy (EGLE).

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy, Vaughn
No: None
Absent: None

Motion by Gafa, seconded by McConaghy, regarding **Pension Grant Program – House Bill 5054**, that City Council concur with City Administrator Schulte's recommendation and adopt Resolution 2023 and authorize the Mayor to sign letters to both State Representative Joe Tate and State Senator Hertel to revisit HB 5054 and include the \$250 million in the State's upcoming budget for communities following pension best practices and who had a funding level of greater than or equal to 60% as of December 31, 2021.

Motion carried by the following vote:

Yes: Brown, Bryant, Gafa, Granger, Koester, McConaghy, Vaughn
No: None
Absent: None

The Mayor accepted the resignation of Scott Schorer from the Beautification Advisory Commission with regret and directed the City Clerk to send appropriate thanks and recognition to Mr. Schorer.

Under New Business, no one wished to be heard.

Under Public Comment, the following individuals were heard:

- *Prudence Cole/Brenda Taylor, The Helm*: Provided an overview of senior services they offer to the Grosse Pointe and Harper Woods communities. In addition, presented a millage case statement for the November 2023 ballot.

- *Ghassan Elian, 568 Coventry Ln., GPW:* Requested GFL be contacted about one of their trucks leaving pieces of glass in front of his home as well as on other streets.
- *Gerald Burak, 28673 Sunray Ct., Chesterfield:* Commented on local corruption in the surrounding communities.
- *John Wessenberg, 2001 Anita, GPW:* Requested background checks be performed on all rental applicants.
- *Jimmy Taylor, 1350 S. Renaud, GPW:* Spoke in support of The Helm.
- *Doug Monforton, 2120 Allard, GPW (Property Owner):* Asked for clarification on Park Pass Ordinance.

Motion by Granger, seconded by Gafa, to adjourn tonight's meeting at 8:24 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Paul P. Antolin
City Clerk

Arthur W. Bryant
Mayor