

**VILLAGE OF GROSSE POINTE SHORES, A MICHIGAN CITY
MEETING OF THE CITY COUNCIL
TUESDAY, JULY 21, 2020 – 7:00 P.M.
AT OSIUS PARK PAVILION
(Revised)**

1. CALL MEETING TO ORDER - A monthly meeting of the City Council of Village of Grosse Pointe Shores, a Michigan City was held on Tuesday, July 21, 2020 at the Osius Park Pavilion of the Grosse Pointe Shores Municipal Park on Lake Shore Road. The meeting was called to order at 7:00 p.m. by Mayor Kedzierski.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL – Clerk Bruce Nichols

Present: Mayor Thaddeus Kedzierski, Robert H. Barrette, Sandra Cavataio, Danielle Gehlert, Doug Kucyk, John T. Seago and Matthew Seely

Absent: None

Also present: City Clerk Bruce Nichols
City Attorney Brian Renaud
Finance Officer/Treasurer Rhonda Ricketts
Public Safety Director John Schulte
Public Works Director Brett Smith

4. APPROVAL OF MINUTES OF THE JUNE 19, 2020 REGULAR MEETING

On motion by Council Member Seely seconded by Council Member Kucyk, and carried unanimously, it was resolved that the minutes were approved.

5. RECEIVE AND FILE VARIOUS BOARDS, COMMITTEES & COMMISSIONS MINUTES

On motion by Council Member Kucyk, seconded by Council Member Barrette, and carried unanimously, it was resolved that the various minutes were approved for receipt and filing.

6. PUBLIC COMMENT ON AGENDA ITEMS

Owners along the shore of Lake St. Clair, north of the Grosse Pointe Shores Osius Park, Cheryl Cusmano, Mary Wilson, Richard Perry, James Comb, and Rich Russell discussed their problem with high-volume audio systems on boats anchored close to shore. All of the residents confirmed that loudspeakers on the vessels are so loud that they are often unable to block the sound within the home. While the violators are limited in number, it appears the same small group causes most of the noise problems. Rich Russell expressed safety concerns regarding the dangerous high speed at which jet skis travel through those individuals wading along the

shoreline.

7. **GP LIBRARY BOARD UPDATE** - Representative Prudence Cole gave a report regarding library activities and plans to keep the library available and safe for both residents and employees.
8. **PRESENTATION-** DTE Representative Barbara Rykwaldler discussed improvements to reliability in the DTE power grid to avoid power outages. DTE engineer Christine Lew addressed the June 9, 2020, storm outages and the extent of damage caused by the 1000 feet of power lines that were dropped by tree limbs and up rooted trees causing power lines to come down. The damage required an extraordinarily complex power grid restoration. Out-of-state repair crews were promptly called. Tree trimming plans and circuit monitoring technology are now being used to minimize the number of outages. Local generators were brought in by DTE for the first time during the June storm. Many of the trees which pulled the power lines down were well outside the DTE right-of-way, and fell into the DTE right of away. Transformer replacements and infrastructure upgrades continue.

Shores resident, Mrs. Roehl had questions regarding the upgrading of the infrastructure and substation, which in her belief is the cause of the problems. The DTE representatives then explained the role of the substations in outages.

9. **PUBLIC HEARING-**City Council Sitting as the Zoning Board of Appeals, 611 Lake Shore Rd. Variance Request

On a motion to adjourn the Council Meeting by Council Member Kucyk, seconded by Council Member Barrette, and carried unanimously, Council adjourned and reconvened as the Board of Zoning Appeals at 7:51 PM.

Planning Commission Chairperson Mary Matuja described the request for the variance to allow the construction of a pergola on the property. Structure is designed to be curved to allow land use within a small area jutting out.

Adjoining neighbor Todd Wysocki objected to the extension of an outside balcony as he believed it would have made deleterious effect on his property values. There was no other public objection.

The petitioner was not present to provide information regarding the petition.

After reviewing the variance request, and correspondence from the surrounding property owners, on a motion by Council Member Seago, supported by Council Member Seely, and carried 6 – 1, with Council Member Gehlert opposing the motion, Council tabled the petition for the variance as submitted, and requested the petitioner consider an improved plan that might be less intrusive to the surrounding properties.

A motion of Council Member Barrette, supported by Council Member Seago, and carried unanimously, the Zoning Board of Appeals was adjourned, and Council reconvened at 8:05 PM.

10. REPORTS BY CHAIRPERSONS OF BOARDS, COMMITTEES AND COMMISSIONS

A. **Budget and Finance** – Finance Officer/Treasurer Rhonda Ricketts

1. *Approval of Bills.* Finance Officer/Treasurer Rhonda Ricketts reported there were no unusual expenses on the check run. The checks did include insurance expenses, pool repairs, gutter repairs, and streetlight replacement.

On motion of Council Member Kucyk, seconded by Council Member Barrette, the bills were unanimously approved for payment. (7-0).

2. *Review of Financial Statements.* Finance Officer/Treasurer Rhonda Ricketts presented the Financial Statements for review by Council. She indicated the fiscal years were changing in the month of July.
3. *Finance Committee Chairman Report.* Chair Sandra Cavataio informed Council that a video conference with a potential payroll service provider was conducted by the Finance Committee and is now under review.

B. **Public Safety** – Chief John Schulte reported the June 10, 2020 storms resulted in 13 working fires in the community. His department is focusing on public disturbance violations along the northern shore of Lake St. Clair in response to residents' complaints. Tickets have been issued to vessel owners creating excessive noise along the shore. The offshore nuisance problem has exacerbated along with an increase in marine craft anchoring during the pandemic. Chief Schulte said prosecution of those trespassing on to the residents' property can be pursued if the owners post "no trespassing" signs on their shoreline.

On motion of Council Member Seely, supported by Council Member Seago, and supported unanimously, Council approved the resolution to begin the application process to request that the Michigan Department of Natural Resources grant the city an administrative rule which would allow the city to place buoys 300 feet off the shoreline from the north seawall of Osius Park to the Ford House, thereby creating a "No Anchor" zone.

The Chief also reported the delivery of two (2) Ford Explorer patrol vehicles has been delayed by the shutdown of the Ford manufacturing plant. Offers of employment for two public service officers have been made, with their anticipated readiness for patrol duty in November. Our DPW staff has installed all public safety equipment on patrol vehicles, resulting in a great savings to the city.

C. **Public Works** – Director Brett Smith reported on massive rainfall and power outages occurring during the month of July. Thereafter, it became hot and dry. Nevertheless, the DPW has been able to maintain irrigation throughout the city. Mechanic Scott DeGeer has retired. His ingenuity at the DPW will be greatly

missed. Corey Reed has been hired as the city's new maintenance mechanic. One DPW employee is in Covid 19 quarantine. Fire hydrants throughout the city are being repainted. An expensive transmission on a garbage truck blew. Mayor Kedzierski expressed appreciation on behalf of the city for Brett Smith's 33 years of service.

- D. **Parks Committee** – Jen Serra gave a report on the pool activities and safety protocols being used. The pool has been open for a month. Wrist bands are helpful. The Splash Pad is open. The pool remains open for 8 hours daily. The disinfecting process continues. A policy of “No Guests” is still being maintained.

Council Liaison Matt Seely reported efforts by the Ahee family continue in searching for obsolete parts needed for the repair of the park clock.

- E. **Harbor Committee** – Council Liaison John Seago stated that a meeting of the Committee was not held last month. The wells are 95% filled. He expressed his appreciation for boaters following the safety protocols used at the marina.

- F. **Infrastructure Report** – Council Liaison Matt Seely reported on a meeting with Southeast Macomb Sewer District (SEMSD) to discuss our plan of repairs for the stormwater system. He explained plans for the update of the old sewer system and funding with a public bond issue. As of this date, Council Member Seely indicated the city has greatly reduced flow overage penalties.

- G. **GPSIF** – Council Liaison Danielle Gehlert discussed a possible walking path around Osius Park. The pandemic has reduced fund raising efforts. The Foundation’s next meeting is scheduled for September.

- H. **Communications Committee** – Chairman Ted Coutilish presented an outline of the plan for the Committee. The process will include a survey as to how, and what, the residents’ preferred as the method of communication.

Council Member Gehlert motioned, with support from Council Member Cavataio, that the committee make an initial email survey and begin the interview process by *Survey Monkey*. The motion passed unanimously (7-0).

- I. **Legal Report** – City Attorney Brian Renaud reported on having provided the following legal services during the previous month:

Consultation regarding the Open Meetings Act, FOIA questions, matters concerning the Lake Shore Road seawall, review of the Governor's Executive Orders regarding Covid 19 and public meetings, a document subpoena regarding litigation that the city is not a party to, collective bargaining agreements and employees, and Deeplands Lane Subdivision road maintenance and property maintenance agreements.

- J. **Manager’s Report** – Interim City Manager Tom Krolczyk was excused for a very brief medical leave.

11. OLD BUSINESS –

Council Member Seely, with support by Council Member Seago, motioned to clarify and reform the City Council motion made at the May 19, 2020 City Council meeting under *Agenda Section 10. New Business. B. Cornerstone, Mark Manquen-Retiree Health Care Presentation* to be affirmed as follows:

Effective July 1, 2020, to change the health care plan of current retirees, with the exception of persons who have retired under collective bargaining agreements in effect at the time of this motion, to a plan design that mirrors the active employee plans, which for Pre-Medicare retirees is a Simply Blue HSA \$2,000/\$4,000 annual deductible plan with annual funding into a health savings account made by the City equal to \$2,000 for individual coverage and \$4,000 for two-person and family coverage and for Medicare-Eligible retirees is a \$400 annual deductible Medicare Advantage plan with a \$10/\$60 Rx plan;

and

To change the premium cost share of current retirees, with the exception of persons who have retired under collective bargaining agreements in effect at the time of this motion, to match that of active employees, which is a 20% premium cost-share;

and

To adopt the Hardship Program as presented by Manquen Vance at the May 19 City Council meeting whereby a current retiree is exempt from paying the 20% premium cost share if that retiree's annual pension with the City is less than \$31,225.

The motion was carried 6-1 with Council Member Kucyk opposing.

12. NEW BUSINESS

A. Sewer Flow Meter Equipment Purchase

HRC Engineer Jesse Van Decreek had reported to Council that Sewer Flow Meter Equipment must be obtained as part of the initial phases of the stormwater study. DPW Director Brett Smith stated the meters can be leased or purchased. A one (1) year lease of the meters would cost approximately the same as purchasing the meters. Mr. Smith indicated the meters would be needed for several years during the sewer project. The purchase of the meters was recommended.

On motion by Council Member Kucyk, seconded by Council Member Barrette, and carried unanimously, it was resolved that five (5) sewer meters would be purchased for \$35,000 to provide contract compliance data for issues with discharge to Southeast Macomb Sewer District (SEMSD).

13. PUBLIC COMMENT ON NON-AGENDA ITEMS

Raymond Rahi asked Council to reconsider the modification of the retiree health benefits which he felt were obligations owed to our public employees.

Council Member Kucyk, with support by Council Member Barrette, then motioned that the prior resolution of council regarding retiree health care benefits be reconsidered by delaying implementation and referring the matter to the Finance Committee for alternative changes in the retiree health care benefits, thereby allowing the Finance Committee to meet with retirees in an attempt to find a solution for the funding of the benefits as they originally existed. The motion failed 4-3, with Council Members Cavataio, Kucyk, and Barrette voting in favor of the motion, with the balance of Council members voting against the motion.

A female speaker who failed to identify herself commented on the retiree health benefits.

Jim Cooke expressed his disappointment in the reduction of retiree health care benefits.

Dave Younk expressed his disappointment in the change of the retiree benefits, which he stated were promised to employees.

John Clark reported the Grosse Pointe Harper Woods NAACP sent a notice of a meeting regarding issues involving policing and brutality in the community. He expressed his concerns with Grosse Pointe Shores not participating in the event.

Mary Matuja urged communication with retirees in an attempt to resolve the retiree benefits issue.

14. COUNCIL MEMBERS' COMMENTS

Council Members Seago, Seely, Gehlert and Cavataio all expressed appreciation for attendance and comment made by those attending the Council Meeting.

Council Member Seago expressed continuing concern over the seawall deterioration and the dangerous nature of the problem.

Council Member Cavataio expressed hope in resolving the retiree issues in a manner satisfactory to all.

Council Member Kucyk had comments regarding the Ethics Committee and the hiring of a permanent City Manager.

15. MAYOR'S COMMENTS – Mayor Kedzierski discussed an upcoming Ethics Committee meeting to be held on August 15, 2020. The deaths of residents Pat Lowery and Manuel "Matty" Moroun were reported. The Mayor also expressed his willingness to meet with retirees to discuss resolution of the current issues.

16. NOTE DATES OF FUTURE CITY COUNCIL MEETINGS (Tues, 8/18/20-7 pm & Tues, 9/15/20 -7pm)

17. NOTE DATES OF FUTURE TOWN HALL MEETING. (Sat, 9/12/20 10am)

18. ADJOURNMENT

On motion of Council Member Seely, supported by Council Member Seago, and carried unanimously, the meeting was adjourned at 9:33 PM.

Respectfully submitted,
Bruce R Nichols
City Clerk