

**MEETING OF THE CITY COUNCIL  
TUESDAY, JULY 17, 2012 - 7:00 P.M.**

1. **CALL MEETING TO ORDER** - A monthly meeting of the City Council of the Village of Grosse Pointe Shores, a Michigan City was held on Tuesday, July 17, 2012 in the Council Chambers of the Grosse Pointe Shores Municipal Building, 795 Lake Shore Road. The meeting was called to order at 7:00 p.m. by Mayor Kedzierski.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL –**

Present: Mayor Thaddeus Kedzierski, Council Members Alexander Ajlouni, MD, Robert H. Barrette, Jr., Bruce Bisballe, Kay Felt, Robert E. Gesell, Daniel T. Schulte

Also present: City Clerk Bruce R. Nichols  
City Manager Mark Wollenweber  
City Attorney Mark McInerney  
Public Safety Lt. Bill Nicholson  
Finance Officer/Treasurer Rhonda Ricketts  
Public Works Director Brett Smith

All correspondence and reports relating to this meeting are either attached or placed on file.

4. **APPROVAL OF MINUTES OF THE MAY 15, 2012 SPECIAL MEETING**

The minutes of the May 15, 2012 Special Council Meeting were approved on motion by Council Member Barrette, seconded by Council Member Gesell and carried by unanimous vote.

5. **APPROVAL OF MINUTES OF THE JUNE 19, 2012 REGULAR MEETING**

The minutes of the June 19, 2012 Regular Council Meeting were approved on motion by Council Member Barrette, seconded by Council Member Gesell and carried by unanimous vote.

6. **APPROVAL OF MINUTES OF THE JUNE 19, 2012 SPECIAL MEETING**

The minutes of the June 19, 2012 Special Council Meeting were approved on motion by Council Member Barrette, seconded by Council Member Gesell and carried by unanimous vote.

7. **PUBLIC COMMENT ON AGENDA ITEMS**

Janice Pemberton addressed issues regarding the Move to Macomb Committee and its functionality.

Harry Kurtz asked if the Move to Macomb Committee was a public body and whether the minutes of its meetings were available.

8. **REPORTS BY CHAIRPERSONS OF BOARDS, COMMITTEES AND COMMISSIONS**

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

1. Approval of Bills - The monthly bills were presented by Finance Officer Ricketts, reviewed, discussed and unanimously approved for immediate payment on motion by Council Member

Gesell seconded by Council Member Barrette. No other financial reports were available as the fiscal year had just begun July 1.

2. Finance Committee - Chairman Report – Council Member Bisballe reported the next meeting of the Finance Committee was scheduled for August 1, 2012 at 6:00pm.

**B. Public Safety** – Lt. Bill Nicholson (in Director John Schulte's absence)

1. Monthly Update – The city experienced a typical month with no remarkable events public safety occurrences. No real problem with fireworks enforcement and the new state law. City attorney Mark McInerney noted that the new state law preempts municipal law, which presents questions as to whether a municipality can enforce local nuisance laws during certain periods of time. The general understanding that fireworks are legal at all times during the year is not accurate. Mr. McInerney suggested the Michigan legislature would address the fireworks issue before July 4, 2013.
2. Statistical and Various Other Reports – There were no chronic repeat offenders on false alarms this month. Public Safety recommends adoption of the Inter-Local Automatic Aid Agreement.

**C. Public Works** - Director Brett Smith

1. Monthly Update – Director Smith reported Lake Shore road repairs are proceeding well with 28 handicap ramps, and 475' of curbing. Asphalt milling is underway. A September 1st completion date is anticipated. New larger recycle bins are set for an August delivery. The sign reflectivity survey has been completed. City employees rose to the challenge of the recent power failure crisis and wired in a generator to keep the city online. A new garbage truck will arrive in late August. City Council commended Brett Smith for his great efforts in the recent trying situations.

**D. Parks and Harbor**

1. Monthly Update – Mr. Wollenweber reported the tennis court renovation is underway and should be completed within seven days.
2. Harbor Committee Chairman Report – Council Member Schulte reported the committee did not meet since the last council meeting. The committee is aware of the harbor deck delaminating problem.

**E. Legal Report** – City Attorney Mark McInerney reported the problem with the deterioration of the harbor decking is being examined for liability. The litigation with the IT provider is settled. The final settlement agreement with the GPYC water matter has been completed.

**F. Manager's Report** – Interim City Manager Mark Wollenweber reported a meeting was conducted with ATT regarding the unused telephone line that was charged at the rate of \$600 a month for two years. Displeasure has been expressed to DTE over the recent power failures and its response to same. Mr. Wollenweber attended Mayor-Manager Meeting with Mayor Kedzierski. Mr. Wollenbeber has been appointed to the Allen Park Financial Review Team. An application for increased storm water drainage is underway.

## 9. OLD BUSINESS

- A. **Engineering Services-** Mr. Wollenweber reported the matter is still under review.
- B. **Legal Services-** Mr. Wollenweber reported the matter is still under review. and the entire Council should review the matter in August.
- C. **Permanent City Manager-** Council Member Schulte reported the matter is still under review. With 16 applications for the position.
- D. **Ambassador Committee-** Council Member Felt reported the committee supports ordinance that would allow “Open House” signs for real estate sales under certain conditions and limitations. She noted that prospective real estate purchasers can enter the municipal park for viewing. She was pleased with the progress the committee was making.
- E. **Move To Macomb Committee-** Council Member Schulte reported a June 21, 2012 informational town hall meeting was held for citizens to ask questions. Another informational meeting is scheduled for July 19, 2012. Mr. Schulte related that the committee’s only interest is the best interest of the city. Mr. Bisballe was concerned that an unnamed member of the committee was circulating a petition for a county ballot proposal; and that such activity by a committee member may indicate a bias. Council Member Felt wanted a different method of analysis between the two counties. Council Member Ajlouni and Barrette want more information to make an informed decision. Council Member Schulte indicated that county officials do not want to present their case as competing counties.
- F. **Blue Ribbon Operations Committee-** Council Member Schulte reported the committee is going forward with good ideas and determination of benchmarks for the municipality.

## 10. NEW BUSINESS

- A. **Tree Board -** Brett Marshall thanked the efforts of the Tree Board in the creation of the Approved Tree List. On motion of Bisballe, seconded by Barrette, the tree list was approved unanimously.
- B. **Services for Older Citizens-** Sharon Maier reported the good work of SOC in the community for over 30 years; and to thank the city for support of the organization. She noted her organization was defined by municipalities and a county boundary change would not affect SOC’s work in the city.
- C. **FY-2013 SMART Municipal and Community Credit Contract**  
**Recommendation: To approve**  
On motion by Council Member Bisballe, seconded by Council Member Barrette and carried by unanimous vote, the contract was approved.
- D. **Fireworks Ordinance – Discussion moved to Public Safety Agenda Item 8B**

**E. Peddler's & Solicitor's Ordinance Amendment** – City Attorney Mark McInerney described the 20 year old ordinance does not currently allow for the type of door to door sales WOW utilizes for cable services. The possibility of amending the ordinance to allow electronic services and data services to make door to door solicitations was discussed. Mr. McInerney presented a proposed ordinance allowing such solicitations. Discussion then ensued with the matter tabled until the next meeting.

**F. Open House Sign Ordinance** - City Attorney Mark McInerney presented a proposed ordinance that would allow "Open House" signs for real estate sales under certain conditions and limitations. Council Member Felt stated that several real estate brokers asked the Ambassador Committee for help with the enabling ordinance. Resident Vito Cuzena indicated the need for the sign ordinance and that Grosse Pointe Shores was the only Grosse Pointe community prohibiting such. A public hearing on the matter would be required before the council could take action on the ordinance.

**G. Inter-Local Automatic Aid Agreement**

**Recommendation: To approve**

On motion by Council Member Bisballe, seconded by Council Member Barrette and carried by unanimous vote, the agreement was approved.

**11. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Janice Pemberton believes joint response of Public Safety is not satisfactory; and had issues regarding residency of students in the Grosse Pointe Public School System. Discussion ensued among the Council Members regarding residency of students. Council Member Felt motioned, seconded by Council Member Ajlouni, and unanimously approved that the Village of Grosse Pointe Shores supported enforcement of residency requirements in the Grosse Pointe Public School System. City Manager Wollenweber was authorized to sign such a resolution on behalf of the City Council.

Harry Kurtz again asked for the minutes of the Move to Macomb Committee. He also indicated concern with expenses incurred by the Ambassador Committee.

Helen Bai alerted Council to problems with plant stock and "Downy Mildew" which strikes Impatiens, thereby requiring removal of the entire crop from infected gardens.

**12. COUNCIL MEMBERS' COMMENTS**

Council Member Barrette reported meeting with the Grosse Pointe Shores Improvement Foundation. Council Member Schulte reported the suggestion box was not being used and presented the key to the Mayor.

**13. MAYOR'S COMMENTS** – Mayor Kedzierski urged residents to use the municipal park and to report any emergency communications problems with the shared 911 system.

**14. NOTE DATE OF FUTURE CITY COUNCIL MEETINGS (Tues, 08/21/12 & 09/18/12 - 7:00pm)**

**15. ADJOURNMENT** - On motion, and duly seconded and carried unanimously, the meeting was adjourned at 10:30pm.

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Bruce R. Nichols  
City Clerk