

**VILLAGE OF GROSSE POINTE SHORES, A MICHIGAN CITY
MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 21, 2021 – 7:00 P.M.
795 LAKE SHORE RD.
GROSSE POINTE SHORES, MI 48236**

1. CALL MEETING TO ORDER - The monthly meeting of the City Council of the Village of Grosse Pointe Shores, a Michigan City was held on Tuesday, September 21, 2021, at the Municipal Building. 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, Donn Schroder, John T. Seago, and Matthew Seely

Absent: None

Also present: City Clerk Bruce Nichols
Finance Officer/Treasurer Candice Giles
Assistant City Manager Thomas Krolczyk
City Manager Stephen Poloni
Public Works Director Mike Way
Public Safety Director Ken Werenski

4. SETTING OF AGENDA – No changes

5. APPROVAL OF MINUTES OF THE AUGUST 17, 2021 REGULAR MEETING

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

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

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

7. PUBLIC COMMENT ON AGENDA ITEMS

Janice Pemberton, Chairperson of the Ethics Ordinance Drafting Committee described the methods and structure of the committee’s proposed ordinance draft. The committee was comprised entirely of citizens. The committee was in favor of an ordinance over an ethics policy. She addressed the process of ordinance adoption and the need for Council to carefully review the proposed draft of the ordinance. Mayor Kedzierski expressed his appreciation and that of the City Council for all the good work of the committee.

8. **PROCLAMATION** – Soroptimist International of Grosse Pointe – The Soroptimist International of America is having its 100th anniversary and to acknowledge the Soroptimist International of Grosse Pointe members for the many contributions to our community, Mayor Kedzierski proclaimed October 3, 2021 as Soroptimist International of Grosse Pointe Day in Grosse Pointe Shores, Michigan.

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

A. **Budget and Finance** – Finance Officer/Treasurer Candice Giles

1. Approval of Bills

On motion by Council Member Seely, seconded by Council Member Schroder, and carried unanimously, it was resolved that the bills were approved for payment.

2. Review of Financial Statements

Finance Officer/Treasurer Candice Giles stated that the annual audit had not been finalized. She then presented the Revenue and Expense Reports through August 31, 2021 for Council's review.

3. Finance Committee Report, - Chair Sandra Cavataio reported that the committee at their September 14, 2021 meeting discussed updating the budget, the resultant potential for a surplus, deferred capital expenses, increased tax revenues, and funding of the capital improvement fund. The committee is currently focused on projected expenses.

Council Member Seely commented on the new water bill format and then asked if bond costs could be inserted on the bill as a line item.

B. **Public Safety** – Chief Ken Werenski reported summer staffing was made difficult by multiple retirements within the department. The problem was partially alleviated by 12 hour shifts by his department's officers. The Chief discussed the Michigan Association of Chiefs of Police State Accreditation Program. The Grosse Pointe police departments have combined for this accreditation under our mutual aid agreements between the departments. It will take 24 months to obtain the accreditation. The Chief highly recommended that our municipality join the Commission on Accreditation for Law Enforcement Agencies (CALEA) program.

A new pumper fire truck has been ordered, with delivery expected by June 1, 2022. New scout car deliveries are delayed 24 to 36 months due to delays in auto manufacturing. The Chief presented a statistical analysis of annual traffic stops and violations issued within the city.

C. **Public Works** – Director Mike Way reported large brown patches on grass cover have resulted from grub infestation. Control measures for vegetation along the lakefront break wall have been taken. The Beautification Council of Southeast Michigan had a very successful and well received quarterly meeting at Osius Park. Grosse Pointe Yacht Club provided chairs and tables for the event. Cold patch crews

have been at work. There were six sinkholes during the last month. The sinkholes were inspected by video cameras to determine the potential for their creation by drainage systems. The DPW is gearing up for leaf season. Curbside leaf pickup will begin on October 12. The smoke testing of the municipal drainage system has been completed. Issues requiring attention will appear in the smoke test report generated by the service provider.

- D. Parks Committee** – Park Director Jen Serra reported that the city was able to keep the swimming pool open through Labor Day, despite staff shortages. The *Boo Fest* is scheduled for October 20th. The Chess Tournament is scheduled for September 26th.

Council Member Seely said it was a great summer season, with average attendance at the park approaching 500 visitors a day. The Park Committee had a year-end meeting to assess the summer operations. Mayor Kedzierski described the favorable comments received from many of those who attended the Beautification Council of Southeast Michigan meeting at the park.

- E. Harbor Committee** – Chairman Donn Schroder reported the Committee met last week. The harbor is financially self-supporting. The goose population is still a nuisance. An application of chemical goose deterrent will be applied earlier in the season next year to maximize its effectiveness. He also reminded boat owners that the *United States Coast Guard Marine Craft Certification* will be available at our marina during next summer's season. The next meeting of the committee is scheduled for December 13th.

On motion by Council Member Gehlert, seconded by Council Member Seely, and carried unanimously, it was resolved that Patrick Clark was appointed to the Harbor Committee.

- F. Infrastructure Report** – Council Liaison Robert Barrette reported the committee was reviewing a compendium of Hubble Roth and Clark engineering studies.

- G. GPSIF** – Council Liaison Danielle Gehlert reported 90 tickets had been sold to the upcoming October 7th foundation fundraising event. The painting of the pickle ball court will be underway soon. The foundation's endowment fund is up to \$1.6 million. The foundation will be helping with the October 20 *Boo Fest*. The next meeting of the trustees of the foundation is scheduled for November 15, 2021.

- H. Communications Committee** – Council Liaison Danielle Gehlert reported no meeting of the committee was held during the previous month.

- I. Legal Report** – City Attorney Brian Renaud submitted a written report indicating legal services were provided during the previous month for a review of FOIA requests, review of the city ordinances pertaining to election law, review of a draft of the floodplain ordinance, review of a subdivision lot combination, attention to current nuisance ordinances regarding birdfeeders, analyzing a proposed memorandum of understanding, and closure of the sign ordinance litigation.

- J. Manager's Report** – City Manager Steve Poloni reported on receiving many calls regarding the new format of the water bill. He made a request for volunteer workers

for the Boo Fest. A new website design and layout has been selected for the municipality. Council Member Seely asked City Manager Poloni if there was any potential for payment of municipal fees on the new website.

10. OLD BUSINESS - None

11. NEW BUSINESS

A. Mark Manquen – Retiree Health Care Discussion

Mark Manquen described proposed changes to the retiree health care program which would move the retirees into the same benefit plan as current employees have.

Council Member Schroder asked how the \$32,200 exemption amount was determined. Mr Manquen explained that the amount was patterned after the federal poverty guidelines.

On motion of Council Member Seely, supported by Council Member Gehlert, and carried unanimously. it was resolved that the health care plan for all former employees who retired under the three (3) expired collective bargaining agreements, *to wit*, American Federation of State County and Municipal Employees, from July 1, 2019 to June 30, 2021, the collective bargaining agreement between the Grosse Pointe Shores Public Safety Officers Association, from July 1, 2018 until June 30, 2021, and the Grosse Pointe Shores Command Association Police Officers Labor Council from July 1, 2018 until June 30, 2021, was changed to a plan design that mirrors the active employee plans, which for Pre-Medicare retirees is a Simply Blue HSA \$2000/\$4000 annual deductible plan with annual funding into a health savings account made by the city equal to \$2000 for individual coverage and \$4000 for two person and family coverage and for Medicaid eligible retirees having a \$400 deductible Medicare advantage plan with a \$10/\$20 Rx plan;

-and it was further resolved-

That the premium cost share of the persons who retired under the three aforesaid collective bargaining agreements will be changed to match that of active employees, which presently is a 20% premium cost-share.

-and it was further resolved-

That the Retiree's Healthcare Hardship Program will be amended to exempt retirees from paying the 20% premium cost share for those retirees whose annual pension with the city is less than \$32,200.

B. Ordinance #271-Floodplain Management Amendment

City Manager Steve Poloni described the update of the floodplain ordinance and indicated the proposed ordinance amendment would not affect the floodplain map of the city.

On motion by Council Member Seely seconded by Council Member Barrette, and carried unanimously (7-0), it was resolved that Ordinance #271 would amend Chapter 6 of the City Code of Ordinances wherein the city adopted by reference the updated federal emergency agency flood insurance study entitled Wayne County, all jurisdictions, effective October, 21, 2021 and the flood insurance rate map panels attached thereto, effective October, 21, 2021 in the form of the ordinance as submitted to Council for its approval was adopted .

C. Ordinance #272- Wild Bird Nuisance Ordinance Amendment

City Manager Stephen Poloni said birdfeeders have caused some degree of rodent infestation and nuisance in the community. Council Member Seely described the need for the ordinance regarding birdfeeders.

On motion by Council Member Seely, seconded by Council Member Schroder, and carried unanimously (7-0), it was resolved that Ordinance # 272 amending Chapter 10 of the City Code of Ordinances by adding Section 10 – 34 under Article 2 entitled *Feeding Wild Birds*: to prohibit the feeding of wild birds unless certain conditions are met and the feeding does not constitute a public nuisance was adopted.

D. SEMSD Capital Project Memo of Understanding

City Manager Poloni stated that after several months of discussion with the city and SEMSD, the current Memorandum of Understanding between the parties needed to be amended to reflect the timeline changes in renovations, which created the need for an extension and certain fee structures for excess flow charges.

On motion by Council Member Schroder, seconded by Council Member Cavataio and carried unanimously (7-0), it was resolved that the SEMSD Capital Project Memo of Understanding was amended.

E. Review of Ethics Draft

Council Member Schroder thanked the Ethics Drafting Ordinance Committee and Janice Pemberton for their good work in drafting the proposed ethics ordinance. He discussed the existing ordinances regarding ethics and other provisions relating to conflicts of interest. He recommended that the provisions contained in the ethics ordinance be adopted as a *policy* rather than an *ordinance*.

Dr. Robert Lee asked why the ethics policy was not disclosed to the public and why was there no public discussion before adopting the policy. Council Member Seely explained it was a policy, and a living document enacted for one year for review, with continued review and revisions during the year.

On motion by Council Member Seely, seconded by Council Member Gehlert, and carried unanimously (7-0) , with Council Member Seely having referred to the report from Council Members Seago and Schroder, it was resolved that the proposed ethics policy as submitted by Council Member Seago and Council Member Schroder was adopted for a period of 12 months, subject to modifications and revisions during the

year which can then be renewed for another 12 months.

Council Member Gehlert requested that the ethics policy be posted on the municipal website.

Council Member Seely stated that the Village of Grosse Pointe Shores met its goal of adopting a formal ethics policy, and that the mission of the Ethics Ordinance Drafting Committee was fulfilled, therefore, on motion by Council Member Seely, seconded by Council Member Barrette, and carried unanimously, it was resolved that the Ethics Ordinance Drafting Committee be disbanded, and it was further resolved that said City Council as part of the resolution formally expresses its gratitude to all of those on the committee for their dedicated work and effort in achieving this goal.

12. PUBLIC COMMENT ON NON-AGENDA ITEMS

Resident Raymond Rahi addressed the importance of employee and retiree health care benefits.

Retired public works director Brett Smith also addressed issues of employee and retiree health care benefits.

13. COUNCIL MEMBERS' COMMENTS

Council Member Seago thanked the Ethics Committee for all their time, research, and effort.

Council Member Gehlert, and Council Member Barrette thanked all attendees at the Council meeting for attending the first in person meeting in over a year.

Council Member Schroder commended Council for coming together to adopt the ethics policy and break the stalemate regarding the matter.

14. MAYOR'S COMMENTS – Mayor Kedzierski described how Beautification Committee Chairperson Helen Bai was honored at the Southeast Michigan Beautification Committee meeting which was held at Osius Park. He commented on her tireless energy and devotion to the Beautification Committee and their good work. The Mayor also discussed the newly adopted ethics policy and how it will be a document that will be revisited over the next 12 months. He discussed the new water bill format as set up by Finance Director Candice Giles. The Mayor stated that we await the results of our actuary to instruct Council regarding the funding requirements for the upcoming year of the \$32 million fund. Mayor Kedzierski looks forward to conducting future Town Hall Meetings.

15. NOTE DATES OF FUTURE CITY COUNCIL MEETINGS (Tues, 10/19/21-7pm & Tues, 11/16/21 -7pm)

16. NOTE DATES OF FUTURE TOWN HALL MEETINGS – TBD

17. ADJOURNMENT

On motion by Council Member Barrette, seconded by Council Member Seago, and carried unanimously, it was resolved that the meeting be adjourned at 8:50 PM.

Respectfully submitted,

Bruce R. Nichols
City Clerk