

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
SPECIAL JOINT MEETING
CITY COUNCIL/BOARD OF LIGHT AND POWER
519 WASHINGTON AVENUE
WEDNESDAY, APRIL 26, 2023**

The Special Joint Meeting of the Grand Haven City Council and Board of Light and Power was called to order at 6:00 p.m. by Mayor Catherine M. McNally in the Council Chambers of City Hall, 519 Washington Ave.

Council Present: Council Members Mike Fritz, Karen Lowe, Kevin McLaughlin, Mayor Pro-Tem Cummins and Mayor Catherine McNally.

BLP Present: Board of Light and Power Members Todd Crum, Andrea Hendrick, Kurt Knoth, Gerald Witherell, and Chairperson Mike Westbrook.

Absent: None.

Others Present: City Clerk Maria Boersma

APPROVAL OF AGENDA

Council Member **Fritz** moved, seconded by Board of Light and Power Chairperson **Westbrook** to approve the agenda as presented.

Roll Call Vote:

This motion carried unanimously.

CALL TO AUDIENCE

Julie, Grand Haven Township: Commented on Harbor Island and BLP autonomy.

Steve Skodack, 1719 Wisconsin: Inquired if other municipalities have voted to dissolve their electric utility's independently elected board.

168th Ave Ferrysburg Resident: Commented on BLP level of service and citizen lead BLPCCC petition.

Cindy, Grand Haven Township: Commented on service from BLP and lack of representation for non-Grand Haven City residents.

Jenni Shepard Kelly, 120 Prospect: Commented on citizen lead BLPCCC petition and service received from the BLP.

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George, Spring Lake: Commented on BLPCCC petition.

Austin, Holton: Commented on BLP Service and representation.

ROUND TABLE

During the round table discussion, each participant was allotted 6 minutes to state views on City/BLP issues, roles, relationships, and challenges.

Kurt Knoth: BLP Member Knoth expressed the biggest issue between the two organizations is trust. Transparency from the BLP is an issue, and the bylaws give way too much power to the BLP Chair. The BLP is an amazing organization. BLP Member Knoth expressed the BLP Board is not operating as an oversight board. Packets always have a “gotcha” item in them. BLP Member Knoth inquired the BLP needs their own PR firm and lawyer. Long meetings are disrespectful to all parties, and he would like to time items of the agenda.

Mike Fritz: Council Member Fritz thanked everyone for attending the meeting. Council Member Fritz wants communication with each other to improve and wants to start talking again. The two bodies need to work together more, and stop pointing fingers and accusing each other of things. Council Member Fritz encouraged everyone to not assume anything about each other. Council Member Fritz expressed a want and need for the BLP.

Andrea Hendrick: BLP Member Hendrick shared BLP has a responsibility to provide energy while taking into account other City resources. BLP Member Hendrick expressed the BLP cannot unwrap its responsibility to clean water from its responsibility to the BLP. Everyone wants to take care of contamination on Harbor Island. BLP Member Hendrick wondered if it is possible for everyone to get to a point where they are working collaboratively. BLP Member Hendrick shared there are systematic policy procedures that take away power from the public. BLP Member Hendrick expressed concerns about bylaws giving almost unilateral control to the Chair. The BLP and City Council need to be able to talk with each other and share ideas. The two groups together should be going out and talking to the community.

Kevin McLaughlin: Council Member McLaughlin discussed his comments when Council first voted to approve HDR based on information available at that time. Council Member McLaughlin recalled an agreement by all participants that a team would be created that involved BLP, the City, and HDR. Council Member McLaughlin shared his belief that the BLP is unwilling to be a partner with the City. Council Member McLaughlin hopes everyone can move forward as a cohesive team.

Todd Crum: BLP Member Crum expressed that working out difference on legal representation and Harbor Island should not be difficult. BLP Member Crum inquired if the City was going to move forward with the recommendation from the Human Relations Commission to seek mediation. BLP Member Crum expressed his role as a Board Member is to act on behalf of all

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BLP customers. BLP Member Crum also pointed out the competitive rates of the BLP compared to other electric utilities, BLP received the highest awards for power service, the BLP balanced its pension, the staff Members are nationally recognized, and the BLP consistently receives glowing recommendations from customers. City Council should be proud of the BLP.

Karen Lowe: Council Member Lowe thanked everyone for being at the meeting. Council Member Lowe expressed how the community wants City Council and the BLP to have an open mature discussion in an open meeting forum. People are not always going to agree, but diversity of thought should be a good thing and not a bad thing. Council Member Lowe shared how diverse teams consistently outperform homogeneous teams. A continued effort to meet is important to the community and the decisions City Council and the BLP are going to make. Council Member Lowe shared that everyone wants the best for the community. Council Member Lowe shared how by nature she is a rule follower and finds it important to uphold the City Charter. There are unintended consequences when the City Charter is not followed.

Gerri Witherell: BLP Member Witherell shared how his family has lived in Grand Haven for 175 years. BLP Member Witherell thanked everyone for reappointing him after experiencing medical issues, and shared how 16 years ago he was asked to serve the remaining 5 months of a term for a BLP member who needed to step down. BLP Member Witherell shared how he worked for BLP in the summer of 1956, and then later became the insurance agent for the BLP. The City of Grand Haven is in a different place than a few decades ago most of the industry has moved out of Grand Haven. BLP Member Witherell shared that what the BLPCCC is trying to do would destroy the BLP.

Ryan Cummins: Council Member Cummins shared he how he believes everyone is doing their best and has the best intentions. Council Member Cummins expressed his appreciation to the BLP staff. The community takes pride in having a local electrical utility. Council Member Cummins shared no one wants to see the BLP funds mingled with City funds, and no one wants to take away BLP pensions or sell the BLP to Consumers Energy. Council Member Cummins thanked the BLP for posting their meetings and agendas, their work on green energy initiatives, and the snow melt agreement. Council Member Cummins shared the City Council did not tell the BLP to stay out of the work on Harbor Island. At the last joint meeting, there was discussion of expanding the team of BLP and City Council Members and staff. Council Member Cummins shared how the BLP has refused to investigate PFAS or financially contribute to investigations. The BLP has been invited to negotiate the ACO but they refuse to participate, and the BLP refuses to pay over 66,000 dollars in legal fees for the ACO. Council Member Cummins shared that the BLP is not independent according to the Charter, and the BLP has the same Clerk and Attorney as the City according to the Charter. Anything involving contracts, the sale of property, the exchange of property, and the lease of property are all subject to general direction of the City Council. Council Member Cummins would like to see how the Council and BLP can be true partners going forward while following the City Charter and partnering on PFAS.

Mike Westbrook: Chairman Westbrook shared his desire to keep positive. The BLP rates are extremely competitive, the BLP has one of the highest reliability ratings in the nation, and 23%

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renewable energy which beats Consumers Energy and DTE. The BLP customer surveys are among the highest nationally. Chairman Westbrook shared how the elimination of the coal plant has changed the skyline of Grand Haven forever. The BLP has reduced its carbon inventory, reduced workforce from 72 to 40 without laying off employees, and keeping moral high. Chairman Westbrook shared the BLP has an amazing staff. Chairman Westbrook expressed that Dave Walters is a good man and is disappointed in City Council statements regarding BLP employees. The BLP pension is 90% funded and is expected to be 100% funded in 5 years. Chairman Westbrook shared the BLP has done a great job modernizing infrastructure and thanked City and BLP staff for navigating together through the snowmelt payment issue. Chairman Westbrook share the BLP gives the City 5% of its annual revenue which is currently equal to 1.8 million dollars every year. Chairman Westbrook expressed his concerns when Council says negative things about BLP. Together the City and BLP needs to navigate the 60-million-dollar harbor island project.

Cathy McNally: Mayor McNally shared how Pat McGinnis stated his position on Harbor Island when she was first elected. Mayor McNally was told the City would not have known about other containments on Harbor Island from the dump if it were not for the Sims plant. Mayor McNally expressed how she disagreed with Pat McGinnis at the time and she thought the City should be responsible for their contamination. The City and the BLP should work together to solve the issue. Mayor McNally shared how the City Attorney told her that City Council could not remove directors, and City council could not spend BLP funds. The BLP is a department of the City, but the Charter deliberately gave the BLP a strong sense of autonomy. Mayor McNally shared her working relationship with the BLP has largely been cordial. The Mayor expressed the BLP has been extraordinarily well managed, and the transition from power generating to power distribution took an extraordinary amount of effort. Mayor McNally expressed how 6-year terms protect the BLP from local political issues. Ashley and Dave have forged a constructive working relationship and the City Council and the BLP should give staff the opportunity to bring the boards a solution. Mayor McNally expressed that a written agreement between City and BLP is a good idea. There is a lot of confusion about what was and what was not agreed upon in regards to which party pays what. Mayor McNally expressed everyone wants what is good for the City, and the staff needs to play a key role and the two bodies should empower them.

GENERAL DISCUSSION

City Council and the BLP discussed areas they would like to see moving forward. Items that were discussed were updating the BLP Bylaws, the City Council and BLP speaking to each other in joint meetings and not to the press or on social media, and how to let staff take charge of the Harbor Island issue and present their ideas and solutions together to the City Council and BLP.

IDENTIFYING FUTURE MEETING FREQUENCY, TOPICS, AND DATES

The City Council and the BLP would like to meet again on June 28, 2023 at 6:00 p.m. Council Member Cummins, BLP Member Witherell, and City/BLP staff will craft the next agenda together.

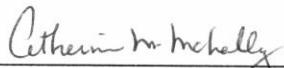
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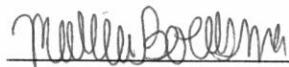
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ADJOURNMENT

After hearing no further business, Mayor McNally adjourned the meeting at 7:58 p.m.



Catherine M. McNally, Mayor



Maria Boersma, City Clerk