

# City Council

## Regular Meeting Agenda

Monday, January 4, 2016  
7:00 p.m., Council Chambers



**PRIOR TO THE BEGINNING OF BUSINESS, A CEREMONIAL SWEARING-IN OF NEWLY ELECTED OFFICIALS WILL TAKE PLACE.**

**Invocation by Mr. Craig Massey, Pastor of Calling at Hope Reformed Church**

**Swearing-in of newly elected City Councilmembers:**

**Ward 1 – Scott E. Smith**

**Ward 2 – Clark Gruber**

**Ward 3 – Steve Schlack**

**Swearing-in of Mayor Robert Burr**

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**1. Call to Order**

**2. Roll Call**

**3. Approval of Agenda**

**4. Consent Agenda: Items A thru C (Roll Call Vote Required)**

(All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. Unless requested by a Council Member or a citizen, there will be no separate discussion on these items. If discussion is required regarding an item, that item will be removed from the Consent Agenda and considered separately.)

A. Council will be requested to approve the City Council Minutes for December 21, 2015.

B. Council will be asked to approve invoices totaling \$263,157.59 for the period ending January 3, 2016 to be approved and forwarded to the Clerk and Treasurer for payment.

C. Council will be asked to approve the following minutes:

1) November 24, 2015 South Haven Area Recreation Authority (SHARA) minutes.

*If a member of the public wishes to address any of the following items listed on the agenda they will be given a chance to speak prior to Council discussing the item. They will be given up to 5 minutes to address their concerns.*

5. **City Council will be asked to select a Mayor Pro-Tem.**
6. **Most Boards/Commissions/Authorities have one seat designated for a city council member so that information is shared between council and its advisory committees. The following actions will be considered:**
  - A. **Council will make Council Representative appointments to the following boards and commissions:**
    - i. **Board of Public Utilities – Mayor Burr**
    - ii. **Harbor Commission – Councilmember Schlack**
    - iii. **Housing Commission – Councilmember Smith**
    - iv. **Community Development Commission – Councilmember Smith**
    - v. **Parks Commission – Councilmember Arnold**
  - B. **Council will be asked to confirm the following Mayoral appointments:**
    - i. **Airport Authority – Councilmember Gruber**
    - ii. **Liberty Hyde Bailey Museum Board – Councilmember Kozlik Wall**
    - iii. **Local Development Finance Authority – Councilmember Klavins**
    - iv. **Brownfield Redevelopment Authority – Councilmember Klavins**
    - v. **Planning Commission – Councilmember Gruber**
    - vi. **Downtown Development Authority – Mayor Burr**
    - vii. **South Haven Area Emergency Services – Mayor Burr**

#### NEW BUSINESS

7. **Council will be asked to consider the following appointments to the corresponding boards and commissions:**
  - A. **Chris Campbell to the Downtown Development Authority for a 4-year term as a downtown resident.**
  - B. **William Friese, Jr. to the Planning Commission for a 3-year term.**
  - C. **Jo Carlson to Zoning Board of Appeals for a 3-year term as an alternate.**
8. **Council will be asked to approve a one year license agreement with Soha Surf Shop to operate a kayak rental business at the Black River Park Kayak Launch.**
9. **Council will be asked to approve the following special event applications:**
  - A. **Special Event Application 2015-35 – Festival of Cars/Kruisin’ for Kylie to be held on June 4, 2016 from 5:30 a.m. to 4:00 p.m. at the Huron Street pavilion, parking lot, and Hogan’s Alley.**
  - B. **Special Event Application 2015-36 – Farmers’ Market 2016, to be held on Wednesdays and Saturdays from 8:00 a.m. to 2:00 p.m. from May to October in the Huron Street Pavilion/Dyckman Park.**

South Haven City Hall is Barrier-free and the City of South Haven will provide the necessary reasonable auxiliary aids and services for persons with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon seven (7) days notice to the South Haven City Clerk. Individuals with disabilities requiring services should contact the City Clerk by writing or calling South Haven City Hall at (269) 637-0750.

**10. Council will be asked to approve Resolution 2016-01, a resolution to amend the Utility Policy regarding due date grace periods.**

**11. Council will be asked to approve Resolution 2016-02, a resolution updating state required poverty level income standards for property tax poverty exemption guidelines for tax year 2016.**

**12. Council will be asked to take the following actions:**

**A. Consider approval of Resolution 2016-03, a resolution approving the four declarations of restrictions, which will provide deed restrictions to the recently acquired Monroe Boulevard bluff properties; and**

**B. Consider a motion to introduce an ordinance which designates the four recently acquired Monroe Boulevard bluff properties into the city's park system, as part of the established South Beach Park.**

**13. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**

*(You will be given up to 5 minutes to address your concerns.)*

**14. City Manager's Comments**

**15. Mayor and Councilperson's Comments**

**16. Adjourn**

RESPECTFULLY SUBMITTED,



**Brian Dissette, City Manager**

# City Council

## Regular Meeting Minutes

Monday, December 21, 2015  
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation – Mr. Craig Massey, Commissioned Pastor Candidate – Hope Reformed**
3. **Proclamations for Suzie Fitzgibbon and Gail Patterson**
4. **Roll Call**

Present: Arnold, Fitzgibbon, Gruber, Klavins, Kozlik Wall, Patterson, Burr  
Absent: None

5. **Approval of Agenda**

Moved by Fitzgibbon, seconded by Patterson, to approve the agenda.  
Voted Yes: All. Motion carried.

6. **Consent Agenda: Items A thru D (Roll Call Vote Required)**

Moved by Patterson, seconded by Klavins, to approve the consent agenda.

- A. Council will be requested to approve the City Council Minutes for December 7, 2015.
- B. Council will be asked to approve invoices totaling \$1,474,863.70 for the period ending November 15, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be requested to approve the employment agreement for the City Manager.
- D. Council will be asked to approve the following minutes:
  - 1) September 22, 2015 South Haven Area Recreation Authority (SHARA) minutes; and
  - 2) October 26, 2015 Board of Public Utilities minutes; and
  - 3) November 9, 2015 Local Finance Development Authority (LDFA) minutes; and
  - 4) November 9, 2015 Brownfield Redevelopment Authority (BRA) minutes; and
  - 5) November 10, 2015 Parks Commission minutes.

A Roll Call Vote was taken:

Yeas: Arnold, Fitzgibbon, Gruber, Klavins, Kozlik Wall, Patterson, and Burr

Nays: None.

Motion Carried

## OLD BUSINESS

- 7. Council will be asked to adopt an ordinance amending rates for the City of South Haven's electric utility as part of the city's Electric Fund Energy Optimization Program.**

Moved by Fitzgibbon, seconded by Patterson, to open a public hearing regarding adoption of an ordinance amending rates for the City of South Haven's electric utility as part of the city's Electric Fund Energy Optimization.

Voted Yes: All. Public hearing opened.

Mayor Burr addressed the Council regarding this item and the Energy Optimization Program.

Moved by Kozlik Wall to close the public hearing. Seconded by Patterson.

Voted Yes: All. Motion carried.

Moved by Fitzgibbon, seconded by Patterson, to approve an ordinance amending rates for the City of South Haven's electric utility as part of the city's Electric Fund Energy Optimization Program.

Voted: Yes: All. Motion Carried.

- 8. Council will be asked to adopt the zoning amendments to the zoning ordinance as proposed by the Planning Commission.**

Moved by Kozlik Wall, seconded by Klavins, to hold a public hearing regarding adoption of the zoning amendments to the zoning ordinance as proposed by the Planning Commission.

Voted Yes: All. Public hearing opened.

Linda Anderson, Zoning Administrator addressed the Council regarding the proposed zoning amendments to the zoning ordinance and gave an overview of the changes.

Dorothy Appleyard, 806 Wilson Street, thanked Councilmembers Patterson and Fitzgibbon for their service and addressed the Council regarding concerns stemming from the proposed zoning amendments to the zoning ordinance.

Elaine Herbert, 140 North Shore Drive, addressed the Council regarding site plan review and the proposed zoning amendments to the zoning ordinance.

Moved by Patterson to close the public hearing. Seconded by Klavins.

Voted Yes: All. Motion carried.

Moved by Fitzgibbon, seconded by Patterson, to adopt the zoning ordinance amendments, to the city's zoning ordinance, as proposed by the city's Planning Commission.

Voted: Yes: All. Motion Carried.

## NEW BUSINESS

### **9. Council will be asked to receive the 2015 Comprehensive Annual Financial Report presentation.**

Mr. Peter Haefner from the city's independent auditing firm, Vredevelt Haefner, LLC presented an overview of the Comprehensive Annual Financial report.

### **10. Council will be asked to approve Resolution 2015-49, a resolution establishing the 2016 City Council meeting dates.**

Moved by Patterson, seconded by Fitzgibbon, to approve Resolution 2015-49, a resolution establishing the 2016 City Council meeting dates.

Voted Yes: All. Motion carried.

### **11. Council will be asked to approve Resolution 2015-50, a resolution approving the purchase of properties located at 552, 556, 560, and 568 Monroe Boulevard.**

Brian Dissette, City Manager, addressed Council regarding this resolution and gave a brief overview of the project.

Moved by Fitzgibbon, seconded by Kozlik Wall, to approve Resolution 2015-50, a resolution approving the purchase of properties located at 552, 556, 560, and 568 Monroe Boulevard contingent upon City Attorney's final approval.

Voted Yes: All. Motion carried.

### **12. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**

Maureen Moravec, 1034 Midway Drive, addressed the Council regarding zoning concerns and state of the economy.

Susan Ryan, 37 Cass Street, thanked Councilmembers Patterson and Fitzgibbon for their service and addressed the Council regarding zoning issues and rental concerns.

Robert Kripaitis, of 140 and 404 North Shore Drive, thanked Councilmembers Patterson and Fitzgibbon for their service and urged the Council to read an article in the New York Times regarding the state of Provincetown, MA, a tourist town in Cape Cod.

Dorothy Appleyard, 806 Wilson, addressed the Council regarding the zoning issues and short-term rental concerns.

Pete Berger, 225 Dyckman, addressed the Council regarding how a site plan review is done.

Elaine Herbert, 140 North Shore Drive, thanked Councilmember Fitzgibbon for her service and addressed the Council regarding zoning concerns.

James Leppa, 263 Cherry Court, addressed the Council regarding bicycle crosswalk signs at 518 Quaker Street.

### **13. City Manager's Comments**

Thanked Gail Patterson and Suzie Fitzgibbon for their service and it has been a pleasure working for you. We have had two additional grant awards come through since last Council meeting from the Michigan Waterways. City Hall will be closed for the Thursday & Friday for the holidays.

### **14. Mayor and Councilperson's Comments**

Kozlik Wall – She will miss Councilmembers Patterson and Fitzgibbon going forward. She wishes everyone a Merry Christmas and Happy New Year.

Gruber – He will miss both Councilmembers Patterson and Fitzgibbon. He'd like to see more details in minutes. He'd like to see the members listed for the boards and commissions on the website. Merry Christmas and Happy Holidays.

Fitzgibbon – She will miss her fellow Councilmembers and the Mayor and addressed each of them individually. She appreciates the work done by the City Manager. Thanks the Third Ward and the city for letting her serve them.

Patterson – Thanked fellow Councilmembers and the Mayor for their assistance and support. Thanked the City Manager for his support. She has enjoyed serving her entire community. She invites everyone to a spring conference hosted by the Ward 1 Action Committee on how to make change in your community. Thanked everyone for the ability to serve.

Arnold – Thanked everyone for attending tonight and sharing their concerns. Thanked the work done by DPW and other city staff for all their hard work. Thanked Councilmembers Patterson and Fitzgibbon for their service. Merry Christmas & Happy New Year.

Klavins – Thanked Councilmember Gruber for his work on Planning Commission. Councilmembers Patterson and Fitzgibbon for their service and notes they will be dearly missed. Merry Christmas & Happy New Year. Go State.

Burr – Thanked Councilmembers Fitzgibbon and Patterson for their help and assistance. Wished everyone Happy Holidays and Happy New Year. He anticipates a major job announcement to look forward to after the January 1, 2016.

### **15. Adjourn**

Moved by Fitzgibbon, seconded by Patterson, to adjourn the meeting.  
Voted Yes: All. Motion carried. Meeting adjourned at 8:28 p.m.

RESPECTFULLY SUBMITTED,



Kate Hosier  
Deputy City Clerk

APPROVED BY CITY COUNCIL:

**CITY OF SOUTH HAVEN****January 4, 2016**

	<b>PREPAID</b>	<b>CURRENT</b>	<b>TOTAL</b>
<b>101-GENERAL FUND</b>	<b>\$ 89,840.40</b>	<b>\$ 22,024.50</b>	<b>\$ 111,864.90</b>
<b>202-MAJOR STREET FUND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>203-LOCAL STREET FUND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>204-STREET FUND</b>	<b>\$ 32.60</b>	<b>\$ 5,598.75</b>	<b>\$ 5,631.35</b>
<b>226-GARBAGE/REFUSE FUND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>250-DOWNTOWN DEVELOPMENT</b>	<b>\$ 633.82</b>	<b>\$ 523.40</b>	<b>\$ 1,157.22</b>
<b>251-LDFA #1</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>252- LDFA #2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>253-LDFA #3</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>260-BROWNFIELD AUTHORITY</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>265-NARCOTICS UNIT</b>	<b>\$ 117.12</b>	<b>\$ -</b>	<b>\$ 117.12</b>
<b>266-POLICE TRAINING</b>	<b>\$ 709.20</b>	<b>\$ -</b>	<b>\$ 709.20</b>
<b>296-RIVER MAINTENANCE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>363- CAPITAL BOND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>370- BUILDING AUTHORITY #2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>371-CAPITAL BOND DEBT SERV</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>372-WATER PLANT FUND</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>395-DDA DEBT SERVICE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>396- DDA DISTRICT #2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>401-CAPITAL PROJECTS</b>	<b>\$ -</b>	<b>\$ 1,916.25</b>	<b>\$ 1,916.25</b>
<b>402-CAPITAL PROJECTS #2</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>466- PAVILION AND ICE RINK</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>545-BLACK RIVER PARK</b>	<b>\$ 30.40</b>	<b>\$ 11.70</b>	<b>\$ 42.10</b>
<b>577-BEACH FUND</b>	<b>\$ 123.02</b>	<b>\$ 11.70</b>	<b>\$ 134.72</b>
<b>582-ELECTRIC FUND</b>	<b>\$ 26,222.33</b>	<b>\$ 17,861.33</b>	<b>\$ 44,083.66</b>
<b>591-WATER FUND</b>	<b>\$ 2,775.48</b>	<b>\$ 13,936.58</b>	<b>\$ 16,712.06</b>
<b>592-SEWER FUND</b>	<b>\$ 2,990.71</b>	<b>\$ 31,791.24</b>	<b>\$ 34,781.95</b>
<b>594-MUNICIPAL MARINA</b>	<b>\$ 247.53</b>	<b>\$ 717.24</b>	<b>\$ 964.77</b>
<b>636-INFORMATION SERVICES</b>	<b>\$ -</b>	<b>\$ 1,241.91</b>	<b>\$ 1,241.91</b>
<b>661-MOTOR POOL</b>	<b>\$ 1,286.06</b>	<b>\$ 41,129.70</b>	<b>\$ 42,415.76</b>
<b>677-SELF INSURANCE</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>703-TAX FUND</b>	<b>\$ 1,289.62</b>	<b>\$ -</b>	<b>\$ 1,289.62</b>
<b>718-TRUST &amp; AGENCY</b>	<b>\$ -</b>	<b>\$ 95.00</b>	<b>\$ 95.00</b>
<b>750-EMPLOYEE WITHHOLDING</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>TOTAL</b>	<b>\$ 126,298.29</b>	<b>\$ 136,859.30</b>	<b>\$ 263,157.59</b>

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
12/18/2015	1	101 (E)	003062	MCAAA	ENERGY OPTIMIZATION PROGRAM	22,945.17
12/18/2015	1	53143	UB REFUND	ALAYON, CHRISTINA M	UB refund for account: 20024407	16.65
12/18/2015	1	53144	000130	APEX SOFTWARE	MAINTENANCE RENEWAL	340.00
12/18/2015	1	53145	000177	AUTO-WARES GROUP	REPAIR/MAINT SUPPLIES- ACCT #23300720	7.76
12/18/2015	1	53146	003213	DALE CLAYTON	MILEAGE REIMBURSEMENT	69.00
12/18/2015	1	53147	000506	COMPTON, HENRY J	CDL LICENSE	75.00
12/18/2015	1	53148	UB REFUND	CORNSTALK, NICHOLAS M	UB refund for account: 20731023	140.79
12/18/2015	1	53149	000843	FRONTIER	TELEPHONE 231-197-0043-051713-5	58.44
12/18/2015	1	53150	003070	WENDY HOCHSTEDLER	MILEAGE REIMBURSEMENT	138.69
12/18/2015	1	53151	MISC	JAMES LEPPA	HOLIDAY LIGHTING REIMBURSEMENT	199.15
12/18/2015	1	53152	MISC	JERAMIAH BORDEN	HOLIDAY LIGHTING REIMBURSEMENT	208.95
12/18/2015	1	53153	003183	GERALD KIRSCH	MEALS REIMBURSEMENT	109.95
					CLOTHING REIMBURSEMENT	117.12
						<u>227.07</u>
12/18/2015	1	53154	003430	JARED KNAPP	MILEAGE REIMBURSEMENT	33.35
12/18/2015	1	53155	UB REFUND	LING, JENNIFER J	UB refund for account: 40778007	420.64
12/18/2015	1	53156	003165	JAMES PEZZUTO	MILEAGE & MEAL REIMBURSEMENT	322.60
12/18/2015	1	53157	UB REFUND	RED BARN HOLDING LLC	UB refund for account: 20549001	230.00
12/18/2015	1	53158	002386	SOUTH HAVEN AREA CHAMBER	2015 FARMERS MARKET INCENTIVE BONUS	8,127.50

1 TOTALS:

Total of 17 Disbursements:

33,560.76

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
12/23/2015	1	53159	000074	ALTEC INDUSTRIES INC	REPAIRS	330.00
12/23/2015	1	53160	UB REFUND	BLAND, MELISSA K	UB refund for account: 15174708	126.18
12/23/2015	1	53161	UB REFUND	CLEMONS, TRANIE A	UB refund for account: 31510006	75.05
12/23/2015	1	53162	UB REFUND	COKER, VIOLET	UB refund for account: 11613000	398.16
12/23/2015	1	53163	000505	COMPTON INC	SILT FENCE ROLL	25.00
12/23/2015	1	53164	003180	COPS HEALTH TRUST	INSURANCE	1,896.27
12/23/2015	1	53165	003127	ADAM DE BOER	CLOTHING REIMBURSEMENT	44.52
12/23/2015	1	53166	003178	EXTERIOR SITE SERVICES/COTTAGE CARE	MOVED TREE - CENTER FOR THE ARTS	192.50
					INSTALL CRUSHED ASPHALT - CENTER FOR THE	590.00
					INSTALL TIMBER RETENTION BORDER - CENTER	574.00
					INSTALL LANDSCAPE IMPROVEMENTS - CENTER	2,330.00
						<u>3,686.50</u>
12/23/2015	1	53167	000843	FRONTIER	TELEPHONE 269-637-3376-081214-5	54.83
					TELEPHONE 616-040-3325-112972-5	58.44
					TELEPHONE 269-637-8578-032095-5	52.55
					TELEPHONE 269-637-2877-050814-5	59.63
						<u>225.45</u>
12/23/2015	1	53168	000847	FUEL MANAGEMENT SYSTEM	FUEL	2,772.33
12/23/2015	1	53169	001329	LAKE MICHIGAN COLLEGE	DEL PERS PROPERTY TAX COLLECTIONS	31.17
12/23/2015	1	53170	UB REFUND	LEEDY, DENNIS & SUSA	UB refund for account: 11459001	119.15
12/23/2015	1	53171	001544	MENARDS	MAINTENANCE SUPPLIES	287.98
12/23/2015	1	53172	001610	MICHIGAN GAS UTILITIES	NATURAL GAS 4776012-9	617.21
					NATURAL GAS 4716366-2	2,002.04
					NATURAL GAS 4999209-2	224.78
					NATURAL GAS 4713051-3	424.10
					NATURAL GAS 4778754-4	115.47
					NATURAL GAS 4717977-5	76.97
					NATURAL GAS 4714392-0	59.86
					NATURAL GAS 4716744-0	30.40
					NATURAL GAS 5110094-9	1,845.59
					NATURAL GAS 4709495-8	1,016.90
					NATURAL GAS 5212286-8	12.00
					NATURAL GAS 5258805-0	175.67
					NATURAL GAS 4709428-9	113.03
					NATURAL GAS 5290828-2	152.32
						<u>6,866.34</u>
12/23/2015	1	53173	001853	NORTHERN FIRST AID	FIRST AID SUPPLIES - DPW	100.74
					FIRST AID SUPPLIES - CITY HALL	63.19
						<u>163.93</u>
12/23/2015	1	53174	001948	PAT'S PRONTO PRINT	SHOP WITH A COP	15.00
12/23/2015	1	53175	002034	AARON PRIEBE	SUPPLIES REIMBURSEMENT	136.68
12/23/2015	1	53176	002184	ROD'S PRINTS & PROMOTIONS	SWEATSHIRTS	60.00
12/23/2015	1	53177	UB REFUND	SIMANTON, FRANK L IV	UB refund for account: 30457307	58.52
12/23/2015	1	53178	UB REFUND	SMITH, CHARLES A	UB refund for account: 20259003	1.43
12/23/2015	1	53179	002395	SOUTH HAVEN COMMUNITY HOSPITAL	DEL PERS PROPERTY TAX COLLECTIONS	30.61
12/23/2015	1	53180	002410	SOUTH HAVEN MEMORIAL LIBRARY	DEL PERS PROPERTY TAX COLLECTIONS	10.27
12/23/2015	1	53181	002415	SOUTH HAVEN PUBLIC SCHOOLS	DEL PERS PROPERTY TAX COLLECTIONS	206.83
12/23/2015	1	53182	002417	SOUTH HAVEN SENIOR SERVICES	DEL PERS PROPERTY TAX COLLECTIONS	23.15

12/30/2015 11:39 AM  
 User: MARGUE  
 DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN  
 CHECK DATE FROM 12/22/2015 - 12/30/2015

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
12/23/2015	1	53183	002583	TELE-RAD INC	UNIFORMS	1,497.32
12/23/2015	1	53184	002589	TERMINIX PROCESSING CENTER	EXTERMINATING SERVICE	45.00
12/23/2015	1	53185	003327	UNITED HEALTHCARE INSURANCE CO	HEALTH INSURANCE PREMIUMS	65,583.68
12/23/2015	1	53186	002757	VAN BUREN COUNTY TREASURER	DEL PERS PROPERTY TAX COLLECTIONS	433.28
12/23/2015	1	53187	002758	VAN BUREN INTERMEDIATE	DEL PERS PROPERTY TAX COLLECTIONS	554.31
12/23/2015	1	53188	002792	VERIZON WIRELESS	CELL PHONES 886568152-00001	845.83
					CELL PHONES 486573081-00001	819.02
					CELL PHONES 486573081-0002	38.01
						<u>1,702.86</u>
12/23/2015	1	53189	002799	VILLAGE MARKET	FUEL	28.80
					FUEL	25.52
						<u>54.32</u>
12/23/2015	1	53190	002882	WMCJTC	NORTHWESTERN STAFF & COMMAND	1,500.00
12/23/2015	1	53191	002953	WOODHAMS, INC , DON	REPAIRS	847.57
12/23/2015	1	53192	003107	57TH DISTRICT COURT	CASH BOND - JOSEPH WAYNE WARREN	300.00
12/30/2015	1	53193	000843	FRONTIER	TELEPHONE 269-639-3050-082313-5	637.19
12/30/2015	1	53194	UB REFUND	HADLEY, DARRELL T	UB refund for account: 30524003	189.17
12/30/2015	1	53195	003433	MIBIZ	ANNUAL SUBSCRIPTION	59.00
12/30/2015	1	53196	003431	VAN'T HOF DOOR & GATE SYSTEMS	REPAIR GATE	682.75
12/30/2015	1	53197	002882	WMCJTC	MCOLES LAW ENFORCMENT DISTRIBUTION	709.20
12/30/2015	1	53198	002882	WMCJTC	PROPERTY & EVIDECE MANAGEMENT	25.00
12/30/2015	1	53199	002949	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	8.79
					MAINTENANCE SUPPLIES	29.99
					MAINTENANCE SUPPLIES	19.89
					MAINTENANCE SUPPLIES	203.22
					MAINTENANCE SUPPLIES	26.49
					MAINTENANCE SUPPLIES	37.98
						<u>326.36</u>

1 TOTALS:

Total of 41 Disbursements:

92,737.53

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
01/04/2016	1	53200	000014	ABONMARCHE CONSULTANTS INC	INDIAN GROVE LIFT STATION & MONROE BLVD MAIN PUMP STATION CONSOLIDATION BLACK RIVER PARK - CANOE/KAYAK LAUNCH LIBRARY BUILDING REPAIRS BLACK RIVER PARK - RBEG PARKING LOT NORTHSIDE MARINA EROSION CONTROL PROJECT	10,598.75 10,678.29 1,916.25 810.42 500.00 500.00 <u>25,003.71</u>
01/04/2016	1	53201	000050	ALEXANDER CHEMICAL CORP	CHEMICALS DEPOSIT REFUND DEPOSIT REFUND	1,930.00 (400.00) (700.00) <u>830.00</u>
01/04/2016	1	53202	000161	ASPLUNDH TREE EXPERT CO	SPRAYING	4,932.80
01/04/2016	1	53203	000177	AUTO-WARES GROUP	REPAIR/MAINT SUPPLIES- ACCT #23300720 REPAIR/MAINT SUPPLIES- ACCT #23300720	17.09 25.06 <u>42.15</u>
01/04/2016	1	53204	000309	A.D. BOS OFFICE COFFEE SERVICE	COFFEE & SUPPLIES	44.32
01/04/2016	1	53205	000337	BRONSINK & BOS EQUIPMENT	KUBOTA B2650 HSDC TRACTOR & ACCESSORIES	33,095.00
01/04/2016	1	53206	000371	C E & A PROFESSIONAL SERVICES	RANDOM DOT DRUG & ALCOHOL TESTING	778.34
01/04/2016	1	53207	000453	CHIEF SUPPLY CORP	UNIFORMS UNIFORMS UNIFORMS	78.39 95.96 562.28 <u>736.63</u>
01/04/2016	1	53208	000471	CITY PLUMBING & HEATING CO	THERMAFUSERS	1,080.00
01/04/2016	1	53209	000498	COMCAST	INTERNET SERVICE 01720 188884-01-4	69.20
01/04/2016	1	53210	000505	COMPTON INC	WATER & SEWER TAPS - 302 MICHIGAN AVE CONDUIT DIRECTIONAL BORE - PHOENIX COUNT	2,534.00 1,500.00 <u>4,034.00</u>
01/04/2016	1	53211	000622	DELL MARKETING L P	MONITORS	561.58
01/04/2016	1	53212	000637	DICKINSON WRIGHT	LEGALSERVICES LEGAL SERVICES LEGAL SERVICES	10,193.60 570.00 95.00 <u>10,858.60</u>
01/04/2016	1	53213	000708	EGAN COMPANY INC, ANDY J	OUTDOOR INSULATION REPAIR	1,535.00
01/04/2016	1	53214	000716	EJ USA INC	SUPPLIES SUPPLIES SUPPLIES CREDIT MEMO	3,356.26 213.03 863.60 (2,708.13) <u>1,724.76</u>
01/04/2016	1	53215	000843	FRONTIER	TELEPHONE 269-637-9127-080204-5 TELEPHONE 616-001-2946-100103-5	83.43 74.16



Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
01/04/2016	1	53229	002230	SAWYER ENGINE & COMPRESSOR	SERVICE CALL	747.09
01/04/2016	1	53230	002342	SKIDMORE'S	ASPHALT PATCHING	3,645.00
01/04/2016	1	53231	002416	SOUTH HAVEN ROTARY CLUB	ANNUAL DUES	150.00
					QTRLY MEMBERSHIP DUES & MEALS	154.00
						<u>304.00</u>
01/04/2016	1	53232	002478	STAPLES ADVANTAGE	SUPPLIES	1,194.53
01/04/2016	1	53233	002504	STATE OF MICHIGAN	NPDES ANNUAL PERMIT FEE FOR MI0020320	5,500.00
01/04/2016	1	53234	002644	TRACE ANALYTICAL LAB INC	CHEMICAL ANALYSIS	365.00
01/04/2016	1	53235	002728	USA BLUE BOOK	LAB SUPPLIES	494.71
					LAB SUPPLIES	71.82
						<u>566.53</u>
01/04/2016	1	53236	002792	VERIZON WIRELESS	CELL PHONES 74205338-00001	393.89
01/04/2016	1	53237	003220	WINGFOOT COMMERCIAL TIRE SYSTEMS	TIRES	5,980.00
01/04/2016	1	53238	002949	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	25.07
					MAINTENANCE SUPPLIES	23.02
					MAINTENANCE SUPPLIES	14.56
					MAINTENANCE SUPPLIES	2.68
					MAINTENANCE SUPPLIES	77.98
					MAINTENANCE SUPPLIES	4.94
					MAINTENANCE SUPPLIES	7.18
					MAINTENANCE SUPPLIES	36.87
					MAINTENANCE SUPPLIES	3.59
						<u>195.89</u>

1 TOTALS:

Total of 39 Disbursements:

136,859.30

**South Haven Area Recreation Authority (SHARA)  
Regular Meeting**

**Tuesday, November 24, 2015  
3:00 p.m., South Haven Charter Township Hall**

**MINUTES**

**1. Call to Order**

Meeting Opened at 3:00 p.m.

**2. Roll Call**

Members Present: Mr. Ross Stein, Mr. Dennis Fitzgibbon, Dr. Robert Herrera

Absent: Mr. Dana Getman, Mr. Mark McClendon

Guests: Mr. Brian Dissette, City Manager, City of South Haven  
Mr. Geoff Cripe, SWMLC  
Mr. Tony McGhee, Abonmarche  
Mr. Jason Marquardt, PE, Abonmarche  
Mrs. Maureen Lewandowski

**3. Approval of Meeting Minutes:**

**September 22, 2015 Board Meeting: Motion by Herrera, seconded by Fitzgibbon to approve the minutes as presented. All in favor, motion carried.**

**4. Approval of Agenda:**

**Motion by Fitzgibbon, seconded by Herrera to approve the agenda of the November 24, 2015 meeting. All in favor, motion carried.**

**5. Interested Citizens in the Audience Will Be Heard on Items Not on the Agenda:**

**6. Approval of the SHARA Finance Reports:**

- a) The board discussed the SHARA Finance Report, noting the SHARA account now has a balance of \$122,861.38.

**Motion by Herrera, seconded by Fitzgibbon to approve the SHARA finance report. All in favor, motion carried.**

- b) The board was updated on the SHARP account, which now has a balance of \$33,627.14.

**7. SHARA Board received an update on the planning efforts related to the proposed improvements to the soccer fields located on the property owned by the South Haven Public Schools.**

The board was provided an update on the planning efforts, led by Abonmarche  
*SHARA Meeting Minutes  
November 24, 2015*

Engineering, for the proposed improvements to the soccer fields located on the property owned by the South Haven Public Schools, located at the corner of Aylworth and M-140. Jason Marquardt, PE, Abonmarche, described the proposed site grading for the existing soccer fields and the planned timeline for grading. Marquardt noted that Abonmarche recommended bidding the scope of work this winter, and noted that construction should occur in the late spring/summer in 2016, but coordination with AYSO will be needed, to ensure adequate time for the contractor to make the improvements and establish turf. The board discussed the proposed field layout. Fitzgibbon questioned the dimensions of the U-12 field and suggested that greater width be considered for the final layout. Marquardt also noted the drainage plan for the fields, and described his hope to connect the drains to an established storm drain, near the Schools' Armory site.

The board discussed the winter bidding schedule and agreed to consult staff from South Haven Public Schools and AYSO, prior to finalizing the bidding and construction plans. Dissette noted that the legal agreement between the board and South Haven Public Schools should soon be completed.

**8. SHARA Board was asked to consider approval of Resolution 2015-03, an authorizing resolution for the MDEQ's Coastal Zone Management grant application for the Pilgrim Haven improvement project.**

The board was asked to consider approval of Resolution 2015-03, an authorizing resolution for the Michigan Department of Environmental Quality's Coastal Zone Management program. The grant application seeks \$50,000 of grant funding for improvements at the Pilgrim Haven Natural Area. The total project seeks to commit \$100,000 towards site improvements, with a \$50,000 grant match and a \$50,000 local contribution. Dissette noted that the Southwest Michigan Land Conservancy (SWMLC) has received a private local match commitment, which will be provided at the time of grant award. Cripe described the proposed scope of work planned as part of the grant project. Cripe noted that the grant application would provide funds for improved beach access, universal access, and erosion control. Dissette indicated that the proposed improvements would be designed to provide improved pedestrian access to the beach, and should allow access for beach cleaning equipment.

**Motion by Herrera, seconded by Fitzgibbon to approve Resolution 2015-03, an authorizing resolution for the MDEQ grant application for the Pilgrim Haven improvement project. All in favor, motion carried.**

**9. SHARA Board received an update on the planning efforts related to the 14<sup>th</sup> Avenue property for possible grant acquisition application.**

The board was provided an update on the planning and review efforts, led by Abonmarche Engineering, for the property at 14<sup>th</sup> Avenue being considered for acquisition. Marquardt noted the site review has progressed and that field layouts have been provided to the board for review. McGhee noted that a baseline environmental analysis and phase one review may be needed for the site, to complete the site review. Dissette noted that negotiations on the property price should begin soon, if the board is to submit a grant to the State of Michigan for purchase assistance. The board discussed the need for the environmental study and price negotiations.

**Motion by Fitzgibbon, seconded by Herrera to an authorize Dissette to seek quotes for the baseline environmental analysis for the 14<sup>th</sup> Avenue site and to begin negotiations on purchase price for the site. All in favor, motion carried.**

**10. Staff member comments:**

No comments.

**11. Board member comments:**

Fitzgibbon indicated that he was pleased with the projects being worked on, and encouraged the board and non-members to keep the projects moving.

**12. Adjourn**

**Motion by Fitzgibbon, seconded by Herrera to adjourn the meeting. All in favor, motion carried. The meeting was adjourned at 3:54 p.m.**

Respectfully submitted by,

Brian Dissette  
City Manager, City of South Haven

RECEIVED DEC 11 2015



City of South Haven

BOARD AND COMMISSION APPLICATION

Name Chris Campbell Phone [Redacted]

Address [Redacted]  
Street City State Zip

E-Mail Address [Redacted]

Resident of City? (Circle One)  Yes  No If Yes, how long: 09'

Board or Commission Applying for: DDA Board

Qualifications: Downtown Business owner. Own Soha Surf Shop

I believe I can benefit the City of South Haven by serving on a board and commission because: \_\_\_\_\_

As for the DDA I rely on the Downtown to  
Bring Customers to my store.

Signature Chris Campbell Date 12/11/15

Return Application to:  
City of South Haven  
Attn: Clerk's Office  
539 Phoenix Street  
South Haven, MI 49090  
Fax: (269) 637-5319  
Phone: (269) 637-0750

For Office Use Only:	
Appointed _____	
Term Expires _____	
Letter Mailed _____	



City of South Haven

BOARD AND COMMISSION APPLICATION

Name William Fries Jr. Phone [Redacted]

Address [Redacted] [Redacted] [Redacted]  
Street City State Zip

E-Mail Address [Redacted]

Resident of City? (Circle One) Yes No If Yes, how long: (1) one year plus

Board or Commission Applying for: Planning Board City of South Haven

Qualifications: My qualifications include, but not limited to -

- A successful teacher and coach for over 32 years in Portage Public Schools - while teaching I founded the largest high school running event in the midwest - next year it will be two decades old
- (over)

I believe I can benefit the City of South Haven by serving on a board and commission because: \_\_\_\_\_

I can and will benefit the City of South Haven in a positive manner - through my ability of working, listening and making good decisions while keeping the vision and goals South Haven has for its future

Signature Wm. F. Date 11.18.2015

Return Application to:  
City of South Haven  
Attn: Clerk's Office  
539 Phoenix Street  
South Haven, MI 49090  
Fax: (269) 637-5319  
Phone: (269) 637-0750

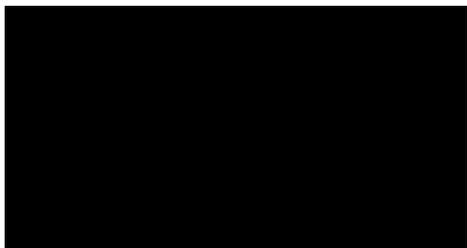
For Office Use Only:	
Appointed	_____
Term Expires	_____
Letter Mailed	_____

- My ability to work with others and make positive sound decisions - I have served on various committees from the local to the state level in education; administration
- My ability to be a clear and positive thinker, while working with others from all walks of life
- My ability to change with the times - education and the world changes everyday
- My successful timing & scoring business (Great Lakes Championship, Inc) - for twenty years we have taken communities ideas and visions and turned them into reality - (last year the "Furry SK" here in South Haven)
- My service to the City of Portage by serving on the Board of Review - my ability to seek education and make good decisions for the city and tax payer
- Overall you can see I'm a decision maker - paying attention to detail while keeping goals and the vision on track

Thank you for your consideration

William Fries

RECEIVED DEC 01 2015



City of South Haven

BOARD AND COMMISSION APPLICATION

Name Jo (Jodi) Carlson Phone [Redacted]

Address [Redacted]  
Street City State Zip

E-Mail Address [Redacted]

Resident of City? (Circle One)  Yes  No If Yes, how long: 22 years

Board or Commission Applying for: Zoning

Qualifications: \_\_\_\_\_

- My ability to work with others - I have been self-employed as a director of consultants across the nation
- Decision maker - ability to make decisions while looking at the "big picture"
- long time South Haven citizen - twenty (20) plus year (over)

I believe I can benefit the City of South Haven by serving on a board and commission because: \_\_\_\_\_

I can benefit the City of South Haven while keeping a vision and goals for South Haven - through making positive and well thought out decisions -

Signature Jo Carlson (Jodi)

Date Dec 1, 2015

Return Application to:  
City of South Haven  
Attn: Clerk's Office  
539 Phoenix Street  
South Haven, MI 49090  
Fax: (269) 637-5319  
Phone: (269) 637-0750

For Office Use Only:	
Appointed	_____
Term Expires	_____
Letter Mailed	_____



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

December 29, 2015

TO: Brian Dissette, City Manager

FR: Kate Hosier, Acting Harbormaster

RE: Black River Park Kayak Rental

## Background Information:

The City has received a request from Chris Campbell, of Soha Surf Shop, to operate a kayak rental business at the Black River Park Kayak Launch.

The City Attorney has prepared a license agreement to allow this use. The agreement is a one year license agreement subject to annual renewal. The licensee will pay 5% of gross annual revenues to the City. The licensee is allowed to rent kayaks and sell paddle-sport related merchandise, food and non-alcoholic drinks. The licensee's plan is to park a trailer inside the gated area of Black River Park boat launch to store and rent from. Hours of Operation will be 9 a.m. to 7 p.m. daily from May 1 to October 31, 2016. Insurance is required under the license agreement.

The Harbor Commission has reviewed and approved this license agreement with the additional recommendation that the agreement prohibits the selling or vending of alcoholic beverage service. That change has been made in the license agreement.

Soha Surf Shop has successfully operated on the South Beach at the "Blue Stairs" for several years without problems. We anticipate this to be another fruitful partnership with Soha Surf Shop and if year one is a success, staff will renegotiate terms to extend this license agreement.

## Staff Recommendation:

Council should approve the one year license agreement with Soha Surf Shop to operate a kayak rental business at the Black River Park Kayak Launch.

## Supporting Documents

License Agreement

Rental Area Map

SoHa Proposal for Black River Park Kayak Rental

## LICENSE AGREEMENT

This License Agreement is made as of \_\_\_\_\_, 2015, between the City of South Haven, a Michigan municipal corporation, the principal business address of which is 539 Phoenix Street, South Haven, MI 49090 (the "City"), and Soha Surf Shop, LLC, a Michigan corporation, the principal business address of which is 518 Phoenix Street, South Haven, MI 49090 (the "Licensee").

### RECITALS

A. The City owns the property located on the Black River commonly referred to as Black River Park ("Black River Park").

B. The Licensee wishes to operate a kayak rental business on Black River Park during the summer months that would rent kayaks, canoes, paddleboards to the public and sell sport related merchandise.

C. The City wishes to accommodate the Licensee's request in accordance with the terms and conditions of this Agreement.

### TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Agreement, the parties agree as follows:

1. License. The City licenses to the Licensee those portions of Black River Park designated on the attached **Exhibit A** (the "Licensed Property") for its use in operating a kayak rental business, subject to the terms and conditions of this Agreement and for no other purpose or use.
  - (a) This license is granted on an "AS IS" basis. The City makes no representations or warranties about the condition of the Licensed Property or its fitness for any purpose or use, and shall have no duty to maintain, repair, replace or improve any portion of such areas.
  - (b) Except as otherwise provided by this Agreement, no changes may be made to the Licensed Property and no permanent additions may be added to the Licensed Property without the City's prior written consent which the City may for any reason decline. At the expiration of this Agreement, or any renewal thereof, the Licensee shall return the Licensed Property to the condition it was in prior to the effective date of this Agreement. Any costs incurred by the City in the restoration of the Licensed Property to its pre-Agreement condition shall be charged to the Licensee.
2. Term. Unless terminated earlier pursuant to this Agreement, the term of the license shall commence at 7:00 a.m. on May 1, 2016, and expire at 8:00 p.m. on October 31, 2016. Lessee's obligations under Section 3 shall survive the expiration of the license or any subsequent renewal of the license. The license and this Agreement are subject to annual renewal by mutual agreement of the parties on the same terms and conditions.
3. License Fee. The Licensee shall pay to the City an annual license fee on November 15 of each year that this Agreement is in effect, based upon the gross annual revenue derived from the Licensee's operation of the kayak rental business on Black River Park. For purposes of this Agreement, "gross annual revenue" shall mean a portion of total revenue, including cash, check, credit card receipt or debit card receipt, paid on an annual basis to the Licensee for all goods and services sold or rented by the Licensee on Black River Park. The License Fee shall be 5% of the gross annual revenue derived from operation of the kayak rental business on Black River Park. The Licensee shall submit a report

showing gross annual revenue to the City at the same it submits payment of the License Fee, and the report shall be subject to audit by the City.

4. Property Rights. This Agreement only grants a license to use the Licensed Property. This Agreement does not grant or convey to the Licensee any rights, title, or interest in the Licensed Property. The City retains all property rights in the Licensed Property.

5. Requirements of Licensee. This license is subject to the following terms and conditions:

- (a) The Licensee's kayak rental business shall consist only of selling paddle sport related merchandise (defined to mean T-shirts, flip flops, sunglasses, sunscreen, and other items, including non-alcoholic drink and food items, acceptable to the City) and renting kayaks, paddleboards and canoes to the public for a fee. Prior to renting a kayak, canoe or paddleboard, the Licensee shall make reasonable efforts to ensure that each customer is capable of operating a kayak, canoe or paddleboard in a safe and suitable manner. These efforts shall include providing basic safety training and verifying that each renter is of a suitable age and physical condition to operate a kayak, canoe or paddleboard.
- (b) The Licensee shall instruct its customers to operate the kayaks, canoes and paddleboards in way that does not interfere with motorized vessel traffic. The Licensee shall be responsible for ensuring compliance with this requirement.
- (c) The Licensee shall use reasonable judgment in determining whether to rent kayaks or paddleboards when it is apparent that weather or water conditions, including but not limited to wind conditions, undertows, frigid water, or rip currents make the use of such watercraft dangerous or unsuitable. The Licensee shall be solely responsible for warning customers of the dangers of hypothermia.
- (d) The Licensee shall use reasonable judgment in setting rules regarding the use of life vests or other safety devices in conjunction with kayak, canoe and paddleboard rentals.
- (e) The Licensee may park a trailer in the Licensed Area, in accordance with plans and specifications approved in writing by the City. The Licensee shall be responsible for outfitting the trailer with any equipment or utilities necessary for the operation of the kayak rental business. The Licensee may place a sandwich board sign along the roadway in Black River Park.
- (f) The Licensee shall ensure that its operation of the kayak rental and the use and operation of kayaks, canoes and paddleboards on the Black River and Lake Michigan comply at all times with applicable local, state and federal laws, regulations, ordinances, orders, permits, and licenses.
- (g) The Licensee may operate its business on the Licensed Property from 9:00 a.m. to 7:00 p.m., seven days per week, during the term of this Agreement.
- (h) The Licensee shall make no representations to any person or entity as to any affiliation with, endorsement by, or sponsorship with the City. At no time during the term of this Agreement is the Licensee to be considered affiliated with the City. The City's logo shall not be used at any time for any purpose by the Licensee. On its rental agreement with customers, the Licensee shall conspicuously display a notice disclaiming any affiliation with the City. The notice shall read:

THE RENTAL OF KAYAKS AND PADDLEBOARDS IS OPERATED  
EXCLUSIVELY BY SOHA SURF SHOP, LLC. THE CITY OF SOUTH  
HAVEN HAS NO ROLE IN THIS OPERATION.

6. Loss Payment (Indemnification). The Licensee shall hold the City (defined for purposes of this paragraph to include the City's officers and employees) harmless from, defend it against (with legal counsel reasonably acceptable to the City), and pay for any loss paid or owed by the City arising from the Licensee's operation of the kayak rental business or use of the Licensed Property. "Loss" means a monetary amount paid or owed for any reason, including for example: judgments, settlements, fines, replacement costs, staff compensation, decreases in property value, and expenses incurred in defending a legal claim.
7. Insurance. Throughout the term of this Agreement, or any renewals thereof, the Licensee shall obtain and maintain commercial general liability insurance with limits of not less than \$1,000,000.00 dollars per occurrence and \$3,000,000.00 dollars in the aggregate. All policies shall name the City (including its officers and employees) as an additional insured and certificate holder. Copies of certificates of insurance showing the coverage to be in place, that the premiums are fully paid, and that coverage cannot be terminated or modified except after 30 days prior written notice to the City, shall be provided to the City. Upon request, the Licensee shall provide the City with copies of the policies of insurance and all endorsements.
8. Assignment or Use by Others Prohibited. The Licensee may not assign this Agreement or its rights, privileges, duties or obligations under this Agreement and may not allow any other person or entity to use the Licensed Property for any purpose without the City's prior written consent.
9. Termination. The license granted pursuant to this Agreement is terminable at the will of either the City Council or the Licensee. The City Manager may, upon a reasonable belief that a breach of this Agreement has occurred suspend the license granted by this Agreement, effective immediately. In case of suspension, Licensee may appeal such suspension to the City Council in writing. Upon receipt of the written appeal, the City shall give the Licensee written notice of the date and time of the next City Council meeting at which such appeal will be considered so that the Licensee may address the City Council. Upon the termination of this Agreement, the Licensee shall, unless the City otherwise consents by resolution of the City Council, without cost to the City, remove any temporary structure and restore the Licensed Property to the condition it was in prior to the date of this Agreement.
10. Breach. To the extent not prohibited by law, the prevailing party in any action brought to pursuant to or to enforce any provision of this Agreement shall, in addition to any other remedies, be entitled to recover its actual costs, including, without limitation, its actual reasonable attorney fees, filing fees, expert fees and other expenses incurred to bring, maintain or defend any such action from its first accrual or first notice thereof through any appellate and collection proceedings. A party is a prevailing party if it improves its position from any offer made by the other party prior to filing the lawsuit. This provision shall not alter or affect any remedies under applicable court rules governing sanctions for rejected offers of judgment or case evaluation awards.

#### 11. Miscellaneous.

- (a) This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. It may not be modified or amended except in writing, signed by all parties. It shall not be affected by any course of dealing. The captions are for reference only and shall not affect its interpretation.

(b) Any notices shall be made in writing to the addresses first written above or such other addresses as indicated by notice and shall be made by personal delivery or by postage prepaid United States first-class mail and shall be deemed completed when actually received or, if by first-class mail, three business days after mailing.

The parties have signed this License Agreement as of the date first above written.

CITY OF SOUTH HAVEN

SOHA SURF SHOP, LLC

By: \_\_\_\_\_  
Robert Burr  
Its: Mayor

By: \_\_\_\_\_  
\_\_\_\_\_  
Its: \_\_\_\_\_

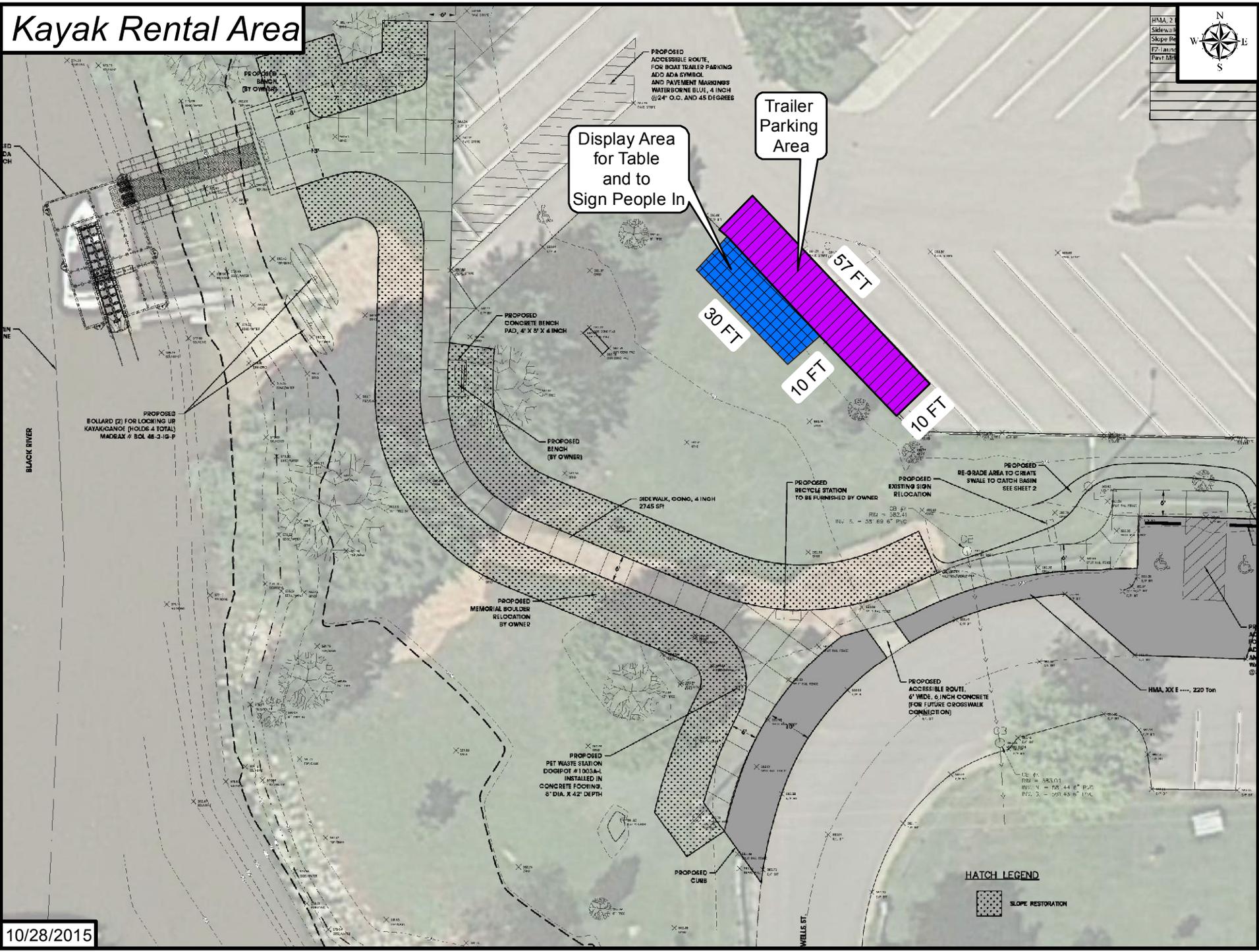
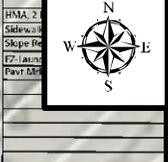
By: \_\_\_\_\_  
Amanda Morgan  
Its: Clerk

Date Signed: \_\_\_\_\_, 2015

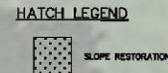
Date Signed: \_\_\_\_\_, 2015

**EXHIBIT A**  
**LICENSED PROPERTY**

# Kayak Rental Area



10/28/2015



10/21/15  
SoHa Surf Shop Proposal  
518 Phoenix Street  
South Haven, MI 49090

City of South Haven  
South Haven, MI 49090

SoHa Surf Shop is interested in setting up a kayak, paddleboard and canoe livery on black river. This rental area would be located at the new kayak launch area by the Public boat launch.

Customers would be able to rent our equipment for use on the black river after signing our consent form. Customers would be provided with a short lesson on equipment use and safety and be given paddles and lifejackets. We would also like to offer drop-offs where we would bring customers up the river in a van with a trailer and let them paddle back down river, ending back at the original rental location.

For this to be successful, we would require a rack and a small shed be put at the black river. The rack will store the rental equipment, i.e. kayaks, SUPs, and canoes. The shed would be used to store the life jackets, paddles and any other necessary equipment. The shed will serve as the location where customers would rent equipment out. We would also need access to park the van and trailer inside the parking lot during rental hours. The van and trailer will then move back to the shop each night.

We would bring in about a dozen kayaks, half a dozen sup's and half a dozen canoes for this location to start. During the summer SoHa Surf Shop has up to 13 employees; we would look at adding 3 to 4 more employees to help support this rental location. We would also need to add signs on the shed and rental rack for advertising and would like to put up a sandwich board sign down by the public marina. This would help increase awareness of this new operation and would bring people to the location. We would also like to be able to sell a few items from the rental shed, such as waters and towels, for using on the river.

This rental location would be another great attraction for South Haven. It would increase traffic to our town and give tourists and locals alike another summer activity to participate in. This would be a great activity for days when Lake Michigan is rough, yet the river stays calm for paddling.



# City of South Haven

## Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
Telephone (269) 637-0737 • Fax (269) 637-4778

### MEMORANDUM

**To:** Brian Dissette, City Manager

**From:** Michelle Coffey, Special Events Coordinator

**Date:** December 7, 2015

**RE:** Special Event 2015-35 – Festival of Cars/Kruisin' For Kylie

### Background Information

The South Haven Festival of Cars/Kruisin' For Kylie event is scheduled for June 4, 2016 from 5:30 am to 4:00 pm. Like the last couple of years, they are requesting the use of the Huron Street parking lot, pavilion, and from Hogan's Alley to Café Julia. This event is expected to bring 600-1000 people and will include the car show and music.

Please note that the city's staff has reviewed the event with the city's farm market manager, in an effort to ensure the events are coordinated in advance.

Organizers reported that the 2015 event was a success, and allowed them to donate \$8,500 to "Hunt For A Cure," a charity related to cystic fibrosis.

Proof of insurance has been included with the application.

### Attachments

Special Event 2015-02 Application/Map/Proof of Insurance

Special Event # 2015-35

Date Received 12/4/15

# CITY OF SOUTH HAVEN

## Special Events & Festivals Application

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

DL  
Initial

12-3-15  
Date

### CONTACT INFORMATION

Event Title: South Haven Festival of Cars / Kruisin' For Kylie

Sponsoring Organization: South Haven Festival of Cars Committee

Applicants Name: Deryck Gruber

Telephone #: 269-637-2785 Phone # During Event: 269-449-7611 / 269-637-2785

E-mail Address: mihomeinspector@yahoo.com

### Other contacts for/during event

Name: Kim Morse Telephone: 269-214-0981

Name: Jacob Taylor Telephone: 616-893-8426  
Kari Woodall 269-214-7035

### EVENT SPECIFIC INFORMATION

Event Location: Huron Street + (from Hogan's Alley to Cafe' Julia) Parking lot + Pavilion

Date(s) Requested: June 4, 2016 Alternative Date(s): \_\_\_\_\_

Start Time: 5:30 am End Time: 4:00 pm

**Any event that exceeds 10:00 P.M. has to be approved by City Council**

Number of people expected to attend: 600-1000

### EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

Car Show

## MAPS/LOCATION – mark event items on map(s)

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S).** Maps can be found on the city's website. Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

City property or city park use. **Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s).** To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure Close Huron Street from Hogari's Alley to East entrance

Entertainment, dance, tent or stage. Mark locations on maps.

to parking lot.

Event Command Post. Mark location on maps.

Dumpsters and/or trash containers. Mark location on maps.

Portable toilet facilities. Mark locations on maps. How many? 2 ?

The City requires the use of portable facilities for events expecting over 500 attendants.

**\*\*Huron Street Pavilion requires portable toilet facilities for events expecting over 150 attendants.\*\***

Under part 117 of Act, 1994 PA 451, Waste servicers must dispose of their waste at a wastewater treatment plant with an approved receiving facility. The South Haven Wastewater Treatment Plant is **NOT** an approved facility.

Approved facility being used \_\_\_\_\_.

Parade. Mark beginning area, the route\* (with arrows) and finish area on maps

\*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.

Participants. Mark parking areas, bus locations, and special passengers on maps.

Relay event. Indicate "hand-off" points and areas of participant equipment impact.

Aircraft landing / hot air balloons. Mark location on maps.

Fireworks/pyrotechnics site. Mark location on maps.

Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

**Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals Information Pamphlet for a detailed map of this area.**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

First Aid facilities. Mark location on maps. List agency providing staff and equipment  
Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Live animal sites. Mark location on maps and describe: \_\_\_\_\_  
\_\_\_\_\_

Any other item(s) that should be included on maps. Explain: \_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL EVENT INFORMATION**

Liquor License  
The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved Downtown South Haven Special Event Area. Guidelines for such special event liquor licensing are available in the Special Event & Festivals Alcohol Policy. These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.  
City of South Haven Liquor License Application  
Michigan Liquor Control Commission Website

**Liquor license application must be submitted before the city will process this special event application.**

Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

Music + DJ

Date: 6-4-16 Time: 9:00 am to 3:00 pm

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required. **\*Due to limited space for banners, they will be placed on a first come first served basis\***

Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

**CITY SERVICES**

Are you requesting any utility services to be provided:  Yes  No  
If yes, explain: Electric to Pavilion

If electric utilities requested, name of festival person or electrician who will be responsible:  
Name: Jacob Taylor Telephone: 616-893-8426

Will vendors be using electric utilities:  Yes  No  
If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the **Sponsoring Organization** (NOT the vendor) following the event.

Will you require additional police services:  Yes  No  
If yes, explain: \_\_\_\_\_

Will you require additional fire/ambulance services:

Yes  No

If yes, explain: \_\_\_\_\_

Additional fire information: Mark all that apply

- Tents
- Concessions
- Exits
- Compressed Gases
- Extinguishers
- Electrical
- Exposed Flames
- Other: \_\_\_\_\_

If you checked any box in the "Additional fire information" section, you **MUST** obtain a **"FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES"** information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

**The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.**

**INSURANCE**

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application?  Yes  No

**REMINDERS**

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)
- Proof of Insurance Certification
- Cones and Barricade Request Form (if applicable)
- Submitted liquor license application (if applicable)

**INDEMNIFICATION AGREEMENT**

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of resulting from or in connection with the use of said Public Property

D. L. L. for South Haven Festival of Cars  
Applicants Signature

12-3-15  
Date

**Please return to:**  
**Parks and Recreation Supervisor**  
**Department of Public Works**  
**City of South Haven**  
**1199 8<sup>th</sup> Ave**  
**South Haven, MI 49010**  
**Phone: 269-637-0772 / Fax: 269-637-4778**  
**Hours: Monday-Friday 7:00a.m. – 3:30p.m.**

**Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.**



# Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
 Telephone (269) 637-0737 • Fax (269) 637-4778

## Cones and Barricades Request Form

Requester's Name South Haven Festival of Cars | Deryck Gruber  
 Date Requested 6-4-16  
 Organization/Committee South Haven Festival of Cars  
 Mailing Address P.O. Box 22  
South Haven, MI 49090  
 Office/Main Phone 269-637-2785  
 Cell Phone 269-449-7611

EVENT: South Haven Festival of Cars | Krisis for Kylie      DATE of EVENT: 6-4-16

CONES	Quantity	Who will pick up cones (Please Print Legibly)	Cell Phone	Pick Up Date/Time	Return Date/Time
	25	Deryck Gruber	269-449-7611	6-3-16 2:00 AM PM	6-4 5 AM PM

Please note: Street cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

BARRICADES	Quantity	Drop Off Location (Please Print Legibly)	Contact Person	Drop Off Date/Time	Pick Up Date/Time
			Cell Phone		
32	32	Huron St. Pavilion	Deryck Gruber	6-4-16	6-5-16
			269-449-7611 637-2785	6 AM PM	AM PM

Please note: Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Borrower's Signature: [Signature] | South Haven Festival of Cars

Authorized by: \_\_\_\_\_

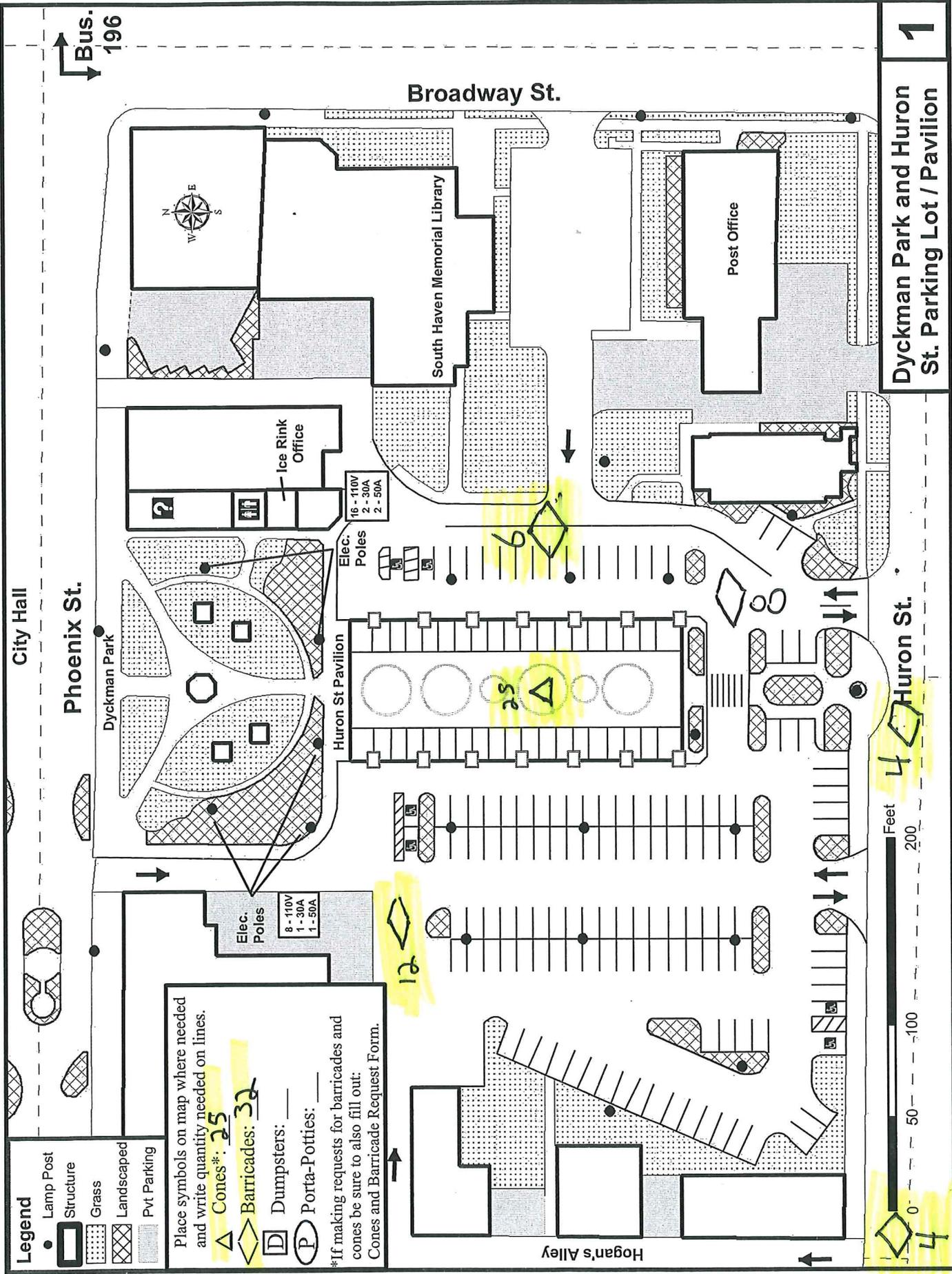
**Legend**

- Lamp Post
- ▭ Structure
- ▨ Grass
- ▩ Landscaped
- ▧ Pvt Parking

Place symbols on map where needed and write quantity needed on lines.

- △ Cones: 25
- ◇ Barricades: 32
- D Dumpsters:
- P Porta-Potties:

\*If making requests for barricades and cones be sure to also fill out: Cones and Barricade Request Form.



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

## ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
City of South Haven 539 Phoenix St  South Haven, MI 49090-1573
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

**Section II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A. In the performance of your ongoing operations; or
- B. In connection with your premises owned by or rented to you.



Renewal

Commercial Lines Policy Declaration

Customer Number: 0110539672
Policy Number: 1820626 02

Policy Period: 06/01/2015 to 06/01/2016
at 12:01 AM Standard Time at Your Mailing Address Shown Below

Named Insured and Address:
South Haven Festival Of Cars
PO Box 22
South Haven, MI 49090

Agency Name and Address: 21030
APPLE INS OF SOUTH HAVEN
562 BROADWAY ST.
SOUTH HAVEN, MI 49090
269-639-2279

In return for the payment of the premium, and subject to all the terms of this policy, we agree with you to provide the insurance as stated in this policy.

This policy consists of the following coverage parts for which a premium is indicated. This premium may be subject to adjustment.

Table with 2 columns: Coverage Part, Premium. Includes Commercial General Liability Coverage (\$446.00), Total Premium (\$446.00), and Total Including Taxes, Fees and Surcharges (\$446.00).

This is not a bill. A billing invoice will be sent separately.

See attached schedule for forms applicable to all coverage parts.

Countersignature \_\_\_\_\_ Date \_\_\_\_\_
(Authorized Representative)



# City of South Haven

## Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave. • South Haven, Michigan 49090  
Telephone (269) 637-0737 • Fax (269) 637-4778

### MEMORANDUM

**To:** Brian Dissette, City Manager

**From:** Michelle Coffey, Special Events Coordinator

**Date:** December 15, 2015

**RE:** Special Event 2015-36 – Farmers' Market 2016

### Background Information

The City of South Haven in care of the Chamber of Commerce would like to submit their special event application for the 2016 Farmers' Market. As in the past, this event takes place in the Huron Street Pavilion/Dyckman Park. The Farmers' Market will be on Wednesdays and Saturdays from 8:00 AM to 2:00 PM and run from May until October.

Proof of Insurance will be provided.

### Attachments

Special Event 2015-36 Special Event Application and Map

# CITY OF SOUTH HAVEN

Special Events & Festivals Application

FOR OFFICE USE ONLY	
Special Event #	<u>2015-36</u>
Date Received	<u>12/15/15</u>

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

KW  
Initial

12-10-15  
Date

### CONTACT INFORMATION

Event Title: South Haven Farmer's Market

Sponsoring Organization: The City of South Haven

Applicants Name: City of South Haven c/o Chamber of Commerce

Telephone #: (269) 637-5171 Phone # During Event: (269) 206-0324

E-mail Address: Cofc@Southhavenmi.com

### Other contacts for/during event

Name: TBD Telephone: (269) 206-0324 <sup>Market Cell</sup> <sub>Phone</sub>

Name: Kathy Wagaman Telephone: (269) 214-6178

### EVENT SPECIFIC INFORMATION

Event Location: Huron Street Pavilion / Dyckman Park

Date(s) Requested: May 21 - Oct. 15 Alternative Date(s): \_\_\_\_\_

Start Time: 8am - 2pm End Time: Wed June, July, Aug. SAT May - Oct.

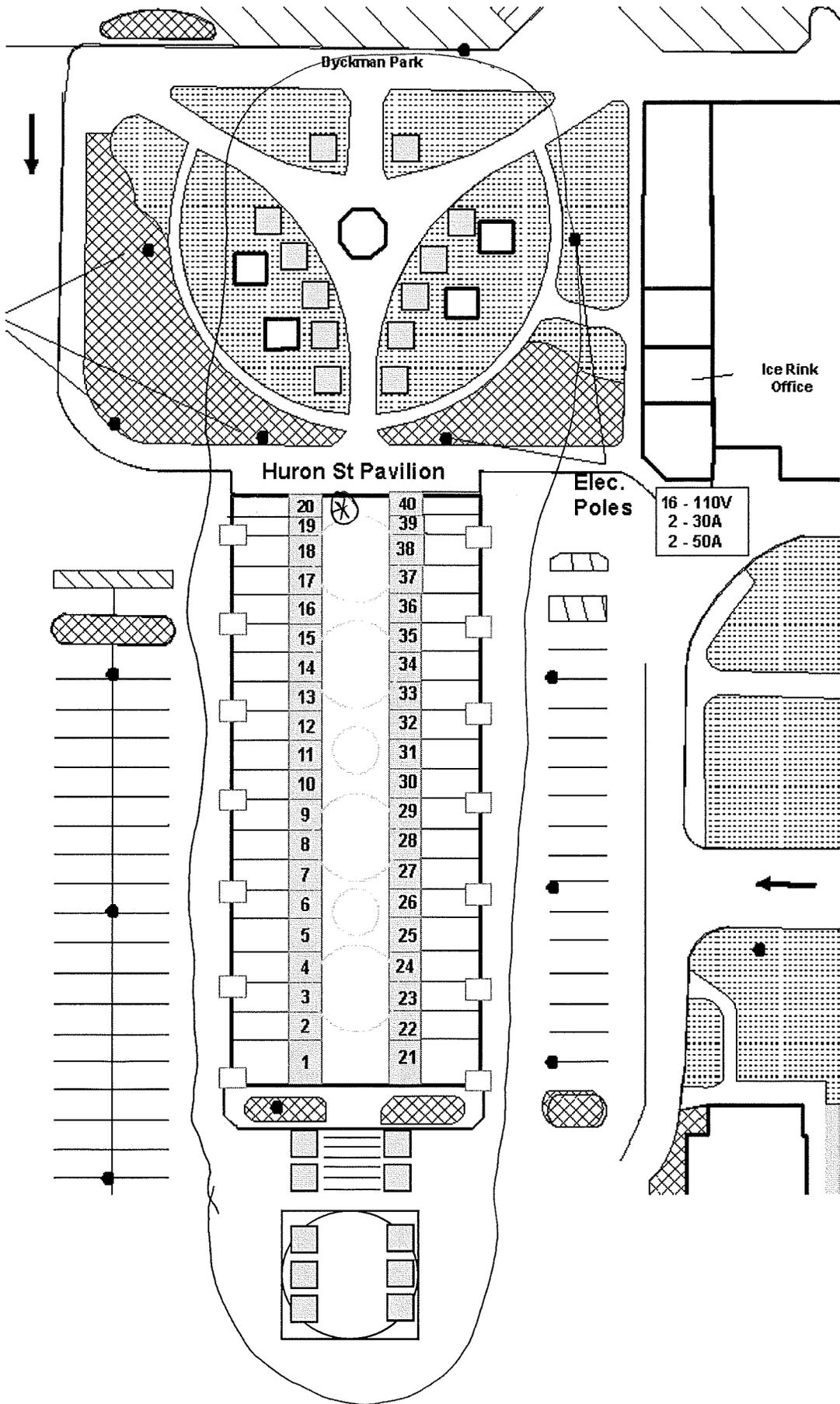
**Any event that exceeds 10:00 P.M. has to be approved by City Council**

Number of people expected to attend: 499

### EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

Farmer's market from 8am - 2pm on Wednesdays and Saturdays from May - until October. Vendors will be under the pavilion and in Dyckman Park area.



**MAPS/LOCATION – mark event items on map(s)**

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S).** Maps can be found on the city's website. Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

City property or city park use. **Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s).** To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure \_\_\_\_\_

Entertainment, dance, tent or stage. Mark locations on maps.

Event Command Post. Mark location on maps.

Dumpsters and/or trash containers. Mark location on maps.

Portable toilet facilities. Mark locations on maps. How many? \_\_\_\_\_

The City requires the use of portable facilities for events expecting over 500 attendants.

**\*\*Huron Street Pavilion requires portable toilet facilities for events expecting over 150 attendants.\*\***

Under part 117 of Act, 1994 PA 451, Waste servicers must dispose of their waste at a wastewater treatment plant with an approved receiving facility. The South Haven Wastewater Treatment Plant is **NOT** an approved facility.

Approved facility being used \_\_\_\_\_.

Parade. Mark beginning area, the route\* (with arrows) and finish area on maps

\*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.

Participants. Mark parking areas, bus locations, and special passengers on maps.

Relay event. Indicate "hand-off" points and areas of participant equipment impact.

Aircraft landing / hot air balloons. Mark location on maps.

Fireworks/pyrotechnics site. Mark location on maps.

Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

**Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals Information Pamphlet for a detailed map of this area.**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

First Aid facilities. Mark location on maps. List agency providing staff and equipment  
Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Live animal sites. Mark location on maps and describe: \_\_\_\_\_  
\_\_\_\_\_

Any other item(s) that should be included on maps. Explain: \_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL EVENT INFORMATION**

Liquor License  
The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved Downtown South Haven Special Event Area. Guidelines for such special event liquor licensing are available in the Special Event & Festivals Alcohol Policy. These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.  
City of South Haven Liquor License Application  
Michigan Liquor Control Commission Website

**Liquor license application must be submitted before the city will process this special event application.**

Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required. **\*Due to limited space for banners, they will be placed on a first come first served basis\***

Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

**CITY SERVICES**

Are you requesting any utility services to be provided:  Yes  No  
If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

If electric utilities requested, name of festival person or electrician who will be responsible:  
Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Will vendors be using electric utilities:  Yes  No  
If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the **Sponsoring Organization** (NOT the vendor) following the event.

Will you require additional police services:  Yes  No  
If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

Will you require additional fire/ambulance services:  Yes  No  
If yes, explain: \_\_\_\_\_

Additional fire information: Mark all that apply

- Tents
- Concessions
- Exits
- Compressed Gases
- Extinguishers
- Electrical
- Exposed Flames
- Other: \_\_\_\_\_

If you checked any box in the "Additional fire information" section, you **MUST** obtain a **"FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES"** information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

**The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.**

**INSURANCE**

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application?  Yes  No

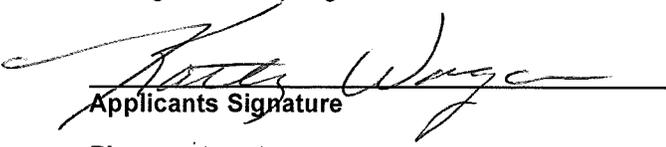
**REMINDERS**

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)
- Proof of Insurance Certification
- Cones and Barricade Request Form (if applicable)
- Submitted liquor license application (if applicable)

**INDEMNIFICATION AGREEMENT**

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of resulting from or in connection with the use of said Public Property

  
Applicants Signature

12-10-15  
Date

**Please return to:**  
**Parks and Recreation Supervisor**  
**Department of Public Works**  
**City of South Haven**  
**1199 8<sup>th</sup> Ave**  
**South Haven, MI 49010**  
**Phone: 269-637-0772 / Fax: 269-637-4778**  
**Hours: Monday-Friday 7:00a.m. – 3:30p.m.**

**Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.**



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

DATE: December 29, 2015

TO: Brian Dissette  
City Manager

FROM: Amanda Morgan  
City Clerk/Customer Service Manager

SUBJECT: Due Date Grace Period

---

After sending out the Deposit Due Notices we began receiving a number of phone calls from customers regarding the deposit requirements. It was brought to our attention that a number of customers receive Social Security/Disability benefits in which they only receive funds once a month on the 3<sup>rd</sup>.

After reviewing the City's Utility policy it was determined that there is only one of the four billing cycles in which the 3<sup>rd</sup> does fall between the billed date and due date. Numerous customers contacted us stating the hardship that this creates and have requested that the due date be changed. For many customers in the Week 1 billing cycle, they receive their money on the 3<sup>rd</sup> of each month which is after their monthly due date of the 29<sup>th</sup>, causing them to be late in making payments every month. As a result, they are required to pay a security deposit on their account based on the number of delinquent payments.

Based on the concerns, staff would like to request that an amendment be made to the utility policy to allow for a 5 day grace period on the due date of all utility bills. This change would allow customers who only receive their money on the 3<sup>rd</sup> of the month an opportunity to pay their bill on the 3<sup>rd</sup> without it counting as a late payment.

During their meeting on December 21<sup>st</sup>, the Board of Public Utilities recommend that City Council adopt a resolution to update the Utility Policy to include a grace periods for utility bill due dates.

Based on that recommendation, Council is being asked to approve the attached resolution to amend the Utility Policy regarding due date grace periods. If adopted at the January 4<sup>th</sup> meeting, the change would begin with the first due date in January 2016.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-01

A RESOLUTION TO UPDATE THE UTILITY POLICY PERTAINING TO INCLUDED A GRACE PERIOD FOR UTILITY BILL DUE DATES

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on January 4, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, City Council adopted the Public Utilities Rules, Regulations and Policies by Resolution 2007-04 on January 15, 2007; and,

WHEREAS, the Utility Policy sets forth the due dates for all utility customers in the section called "Due Dates for Payments"; and,

WHEREAS, the Board of Public Utilities and the City Council have determined that it would be beneficial to the customers to allow for a grace period on all due dates.

THEREFORE BE IT RESOLVED that the "Due Dates for Payments" section of the Utility Policy is hereby amended to read as follows:

**DUE DATES FOR PAYMENT**

The due date for utilities shall be not less than 14 calendar days from the monthly billing date. Such number of days may vary due to weekends and holidays.

Customers will be allowed a 5 business day grace period from any due date before the bill is considered delinquent and delay payment charges are added to the account.

BE IT FURTHER RESOLVED that the language of the utility policy will be updated to reflect the revised language.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Council.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED

---

Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 4<sup>th</sup> day of January, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was give pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq.*).

---

Amanda Morgan, City Clerk

# Board of Public Utilities

## Special Meeting Minutes

Monday, December 21, 2015  
4:00 p.m., City Hall Council Chambers  
539 Phoenix Street



### 1. Call to Order by Stickland at 4:00 p.m.

### 2. Roll Call

Present: Burr (4:20), Henry, Stein (ex-officio), Winkel, Stickland

Absent: Overhiser (ex-officio), Roberts, Rose (ex-officio)

### 3. Approval of Agenda

Motion by Winkel, second by Henry to approve the December 21, 2015 Special Meeting Agenda as presented.

All in favor. Motion carried.

### 4. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

### NEW BUSINESS

### 7. Board will be requested to review conceptual plans for North Shore Drive improvements and approve the proposed on street parking plan.

Chris Cook, President, Abonmarche introduced the phases of the conceptual plans which will be presented and spoke about discussing the schedule for plan completion and taking stakeholder comments.

North Shore Drive, Monroe and Indian Grove lift station, the main lift station and Black River Street projects will be presented; will be funded through the State revolving loan fund. Culmination of a long-term plan we have been working on.

Also present from Abonmarche: Daniel Dombos, Project Engineer; Timothy Drews, P.E., PTOE, LEED AP, Vice President; Tony McGhee, Director of Development Services

Cook reviewed the Monroe Project, outlining the abandonment and replacement of water main, noting that questions can also be directed to Daniel Dombos from Abonmarche, Cook outlined planned storm sewer improvements and upgrades. Removal of all driveways in the project area is planned and all will be replaced with concrete whether they are originally asphalt, concrete or gravel. The force main from Indian Grove out to Monroe will be abandoned and there will be boring done through the creek area to alleviate a damming problem that exists at the creek. Plans regarding width of the street, the inclusion of a narrow bike lane and a full five foot (5') wide sidewalk was explained. Halberstadt added that the street will be striped with a double yellow center line, a white shoulder line with the bike trail between the sidewalk and shoulder line. Dombos pointed out the snaking of the sidewalk in some areas to accommodate large existing trees.

Cook indicated on the plans where the bore will be adding that some easements are set up with the property owners already. Halberstadt Indicated pavement markings, crosswalks, center striping, edge line two feet (2') out for the bike lane, noting the double yellow is discouraging passing. Discussion ensued regarding the efficacy of striping to deter passing.

Cook explained about some difficult grades that exist in this area, and indicated that they have been consulting with the city's arborist regarding removal and replacement of trees. Utility poles that will need to be moved will be worked out with the electrical consultant. Halberstadt noted that electrical will be funded out of the electric fund, not out of the street fund.

There will be some drainage and grading issues that will be addressed with property owners. Halberstadt said any lots that are not served with storm sewers will be taken care of during this project. Discussion ensued after a question by Stickland regarding assessment of owners of vacant lots. Halberstadt noted that at the time a property adds a building the city would charge tap fees to cover that cost. After comment by Stickland, Halberstadt noted that the tap fee for new customers may not exactly equal a special assessment. Discussion ensued regarding the inequality of tap fees and special assessments and addressing that inequality.

Tim Drews, Abonmarche: Reviewed the North Shore project, noting the sanitary sewer has structural defects and infiltration; this is flat area which is way below minimum grade and noted that one goal will be to get a good portion of the sanitary sewer not at the same depth but at the right grade. One goal is to widen the street to allow parking on both sides, strategically. The arborist determined which trees need to be removed. The intent is to create a streetscape with trees of varied species to be determined by the arborist. Along with removing and replacing power poles due to the widening of the street the goal is to eliminate wires going across the road. Bump outs and appropriate parking spaces will be developed, and five foot (5') sidewalks added on both sides.

Discussion ensued regarding bicycle paths, sidewalks, crosswalks, yielding to a pedestrian in the crosswalk. Beach access sites will have the city's standard sign and some landscaping. In response to a question, it was acknowledged that this North Shore Drive project will be split into two phases. Existing curb, gutters and sidewalks are all coming out. Henry questioned the construction time line of Phase 1 to which. Cook responded with due dates to submit preliminary and final plans. The earliest any of this work will start is after Labor Day 2016. These projects are generally going to be off-season work. Halberstadt does not anticipate this project will occur in 2016/2017 because the repairs on Blue Star

Bridge will need this as a detour. Burr asked whether this will be 2017 and noted if so he will let the folks at the gas co know.

Black River Street and lift station. Parking and pavement will be addressed, per Chris Cook. Sewer line which runs along the river will be removed. Parking, the widening of the street, and reworking the plan to get the sewer main into the center of the street were discussed. Halberstadt noted this is a prime area for more parking. Cook indicated the main lift consolidation along with the balance of the project, retiring the crossing that now exists.

Discussion ensued regarding providing retention for overflow from big storms. Super high flows should be reduced through Abonmarche's whole program, but until we live with these projects for a few years we cannot be sure just how much reduction we will see. Work with the Department of Environmental Quality (DEQ) will be needed,

Cook explained the loans have solidified, supported and locked in. Abonmarche is also actively looking for some grants, particularly with road work. Cook noted the advantages of having disadvantaged status.

Discussion ensued regarding Dunkley, putting electric lines underground and working with the DEQ. The individual project costs as well as the estimated total were discussed. Cook noted that the next step for Abonmarche is to get the schedules charted, get bids for combining the packages and get into the details of the new main lift station.

**8. Board will be requested to review a modification of the Utility Policy permitting a 5 day grace period from the due date during which no late fees would be assessed.**

Amanda Morgan; City Clerk/Supervisor Customer Service: Explained the request for a five (5) day grace period. Quite often a majority of the customers are on Social Security or Disability and do not receive their money until the third of the month so with a due date of the twenty-ninth, are always late. Morgan noted the city is also strictly enforcing our utility policy; if you are late more than twice you have to pay a security deposit. Our hope is to get these customers off security deposits.

Stickland asked about the other due dates which Amanda explained that with all the other due dates, people already have their bill in hand when their checks arrive. Burr noted Albemarle is always late due to having to get the check from corporate.

Henry said this is administrative so he supports it.

Stickland said if this is avoiding problems he is for it.

In response to a question, Morgan said the bill is sent approximately twenty (20) days before it is due.

Motion by Henry, second by Burr to recommend that City Council adopt a resolution to update the Utility Policy to include a grace period for utility bill due dates.

All in favor. Motion carried.

**9. City Engineer Comments**

First Regular Meeting of 2016 is scheduled for January 25 at the DPW Building.

**10. Board Member Comments**

There were no comments

**11. Adjourn**

Motion by Winkel, second by Henry to adjourn at 5:35 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary



## Agenda Item #11

### Poverty Exemption Guidelines

#### Background Information:

The City Council will be asked to consider the 2016 property tax poverty exemption guidelines for approval and adoption. The poverty exemption guidelines are used by the Assessing Department when considering tax relief requests at the annual Board of Review meeting(s).

Several years ago, at a meeting of the City Council, there was debate over the proposed Federal Poverty Guidelines and whether or not they should be adopted. Ultimately the City Council opted not to adopt the guidelines, stating that the proposed levels were set too low, and should be adjusted to a more acceptable level.

In an effort to create a more acceptable local level for the poverty guidelines, staff modified the asset standards to reflect the asset eligibility limitation to not exceed \$5,000 (as opposed to the original \$2,000). Further, the guidelines were modified to reflect that an individual's primary motor vehicle would not be included in the asset calculation. The final adjustment that staff made to the proposed guidelines was to increase the poverty threshold maximum income level by \$5,000 per unit of family. Ultimately the adjustments made by staff were accepted by the City Council and the guidelines were approved and adopted. These modified guidelines have been used since 2009.

For tonight's meeting, the City Council will again be asked to approve and adopt the poverty guidelines. Staff has mirrored the levels set forth in the 2009 guidelines, in an effort to continue the levels offered in the prior years, in doing so, the 2016 guidelines continue to be less restrictive than the Federal poverty guidelines, but appear to be locally acceptable.

#### Recommendation:

The City Council should consider adoption of Resolution 2016-02, a resolution adopting the 2016 property tax poverty exemption guidelines.

#### Support Material:

2016 Poverty Exemption Filing Requirements  
Resolution 2016-02; Poverty Exemption Guidelines



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

## MEMORANDUM

DATE: December 29, 2015

TO: Brian Dissette, City Manager

FROM: Connie Phillips-Thompson, Deputy Assessor

SUBJECT: 2016 Federal Poverty Guidelines

Starting in 1995, PA 390 of 1994 states that the governing body of the local assessing unit shall determine the policies and guidelines, which the local assessing unit will use when deciding whether to grant poverty exemptions.

One of the provisions of PA 620 of 2002 is that local governing bodies are required to set income levels for their poverty exemption guidelines and that those income levels shall not be set lower by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services.

The following is the **federal poverty guidelines** as of 12/31/15 for use in setting poverty exemption guidelines for 2016:

Size of Family Unit	Poverty Guidelines *
1	\$11,770
2	\$15,930
3	\$20,090
4	\$24,250
5	\$28,410
6	\$32,570
7	\$36,730
8	\$40,890
For each additional person, add	\$4,160

PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit SHALL also include an asset level test. (Please see filing requirements)

**\* Please note that on the Resolution and the Property Tax Poverty Exemption Guidelines for 2016, the amounts are based on what the city council approved last year.**

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-02

A RESOLUTION UPDATING STATE REQUIRED POVERTY LEVEL INCOME STANDARDS  
FOR PROPERTY TAX POVERTY EXEMPTION GUIDELINES  
FOR TAX YEAR 2016

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on January 4, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, on February 19, 1996, the South Haven City Council adopted Resolution No. 96-04, "A Resolution Adopting Property Tax Exemption Guidelines"; and

WHEREAS, said guidelines include state required Poverty Level Income Standards; and

WHEREAS, the State Tax Commission has issued Bulletin No. 14 of 2015, dated October 12, 2015 which requires that Poverty Level Income Standards be updated for tax year 2016 in accordance with current Federal Poverty Income Standards: and

WHEREAS, the South Haven City Council has given due consideration to the requirement for updating the City's Poverty Level Income Standards.

BE IT THEREFORE RESOLVED, that the following Poverty Level Income Standards for Property Tax Exemption Guidelines for Tax Year 2016 are hereby adopted:

<b>Size of Family Unit</b>	<b>Poverty Guidelines</b>
1	\$15,000
2	\$20,000
3	\$25,000
4	\$30,000
5	\$35,000
6	\$40,000
7	\$45,000
8	\$50,000
For each additional person, add	\$5,000

BE IT THEREFORE RESOLVED, that PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit SHALL also include an asset level test.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded; and

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Council.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

\_\_\_\_\_  
Amanda Morgan, City Clerk

CITY OF SOUTH HAVEN

PROPERTY TAX POVERTY EXEMPTION GUIDELINES  
(Pursuant to State Tax Commission Bulletin No. 5, 1995  
And Public Act 390 of 1994)

Adopted by the South Haven City Council on February 19, 1996  
Amended for Tax Year 2016 on January 4, 2016

FILING REQUIREMENTS

In order to file and qualify for the property tax poverty exemption the claimant must do *all* of the following, and meet *each* of the following requirements, annually:

1. Own and occupy the *homestead* property for which the exemption is requested.
2. File a claim with the assessor or board of review after January 1 but before the day prior to the last day of the board of review on a form provided by the assessor. (Note: The filing of the form constitutes an appearance before the board of review for the purpose of preserving the right to appeal to the Michigan Tax Tribunal.)
3. Report divestment of assets on the required application form.
4. Sign a sworn, notarized statement on the application form swearing that the information provided in the application is true and accurate.
5. Provide federal and state income tax returns, and property tax credit returns, for all persons residing in the homestead. These returns may be those filed in the current or immediately preceding year.
6. Provide a valid driver license or other form of identification if requested by the assessor or board of review.
7. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is being requested if required by the assessor or board of review.
8. Meet the poverty income standards as set in the attached schedule and schedule below.
9. Meet the asset standards set by the City Council of the City of South Haven.
10. Meet any other standards which may be set by the City Council of the City of South Haven

## ASSET STANDARDS

### Asset Eligibility Limitation

In order to meet the requirement for assets, the total current fair market cash value of the claimant's household assets cannot exceed \$5,000.

### Divestment of Assets

Divestment means a transfer of a resource. Transfer of a resource means giving up all or partial ownership in (or rights to) a resource. Examples include, but are not limited to, selling an asset, giving an asset away, refusing an inheritance, giving up the right to receive income, and other similar divestment actions.

If an applicant for property tax poverty exemption has divested any assets during the period of 36 months preceding the date of the application, then such divestment shall be considered in the determination of eligibility.

### Definition of Assets (Non-Inclusive)

Assets include, but are not limited to, the cash value of savings accounts and shares, certificates of deposit, investments such as stocks, bonds, mutual funds, deferred compensation accounts, equity in real estate other than the homestead for which the exemption is claimed, motor vehicles (primary vehicle will not be included in the asset calculation), jewelry, coins and other collectables, precious metals, and other similar possessions which are not essential to the subsistence or health and wellbeing of the claimant. Gifts, lump-sum inheritances, dividends, interest, rental proceeds, royalties, and other receipts received in the form of a gift, or as a result of asset divestment, shall be considered an asset if received on a one-time lump-sum basis and shall be included in the determination of asset eligibility.

## INCOME STANDARDS

The following are current poverty threshold income standards as set by the City Council.

In order to meet the requirements of the income standards, the claimant's annual gross household income cannot exceed the amounts stated below. Qualification under these income standards, provided the claimant is qualified in all other respects, indicates the claimant should reasonably be expected to pay annual property taxes, exclusive of Michigan Homestead Property Tax Credit refunds, amounting to 5 percent of total annual gross household income.

### Tax Year 2016 Poverty Threshold – Maximum Household Income

<u>Size of Family Unit</u>	<u>Poverty Guidelines</u>
1	\$15,000
2	\$20,000
3	\$25,000
4	\$30,000
5	\$35,000
6	\$40,000
7	\$45,000
8	\$50,000
For each additional person, add	\$ 5,000

Ordinary income includes the following:

1. Money wages and salaries before any deductions.
2. Net receipts from non-farm self-employment. These receipts are from a person's own business, professional enterprise, or partnership, after deductions for business expenses.
3. Net receipts from farm self employment. These are receipts from a farm which one operates as an owner, renter, or share cropper, after deductions for farm operating expenses.
4. Regular payments from Social Security, Railroad Retirement, unemployment compensation, strike benefits from union funds, workers compensation, veteran payments, and public assistance.
5. Alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household.

6. Private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments.
7. College or university scholarships, grants, fellowships, and assistantships.
8. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trust, and net gambling or lottery winnings.

Ordinary income does *not* include the following, except as provided in No. 6 below:

1. Money received from the sale of property, such as stocks, bonds, a house, or a car, unless the claimant is in the business of selling such property.
2. Withdrawals of bank deposits and borrowed money.
3. Income tax refunds and one-time insurance payments.
4. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
5. Federal non-cash benefit programs such as Medicare, Medicaid, food stamps, and school lunches.
6. Gift and lump-sum inheritances are not considered as *ordinary income*; however, dividends, interest, rental proceeds, royalties, inheritances, and other similar receipts received on a period basis, which may be in the form of a gift or other form, including receipts resulting from divestment of assets, and which may have the appearance of income, shall be considered as *unearned income* and shall be included in the determination of income eligibility.

## PRIOR PROPERTY TAXES AND UTILITY BILLS

All prior property tax bills and City utility bills for the homestead property for which the exemption is claimed shall be current and fully paid as an additional condition of eligibility for property tax exemption.

## MICHIGAN HOMESTEAD PROPERTY TAX CREDIT

In calculating the applicant's property tax liability and possible reduction thereof, any refunds received or due to be received from a Michigan Homestead Property Tax Credit Claim (MI-1040CR) shall be reported by the applicant and taken into account in regard to the granting of any property tax exemption.

## DEFINITION OF HOMESTEAD

"Homestead" means that portion of a dwelling or unit in a multiple-unit dwelling which is subject to ad-valorem taxes and is owned and occupied as a principal residence by an owner of the dwelling or unit. Homestead also includes all of an owner's unoccupied property classified as residential which is adjoining or contiguous to the dwelling subject to ad-valorem taxes and which is owned and occupied as a principal residence by the owner. Contiguity is not broken by a road right-of-way. Homestead also includes any portion of a principal residence of an owner which is rented to another as a residence as long as that portion of the principal residence which is rented or leased is less than 50 percent of the total square footage of living space in that principal residence. Homestead also includes a life care facility registered under the living care disclosure act, Act 440 of the Public Acts of 1976, being sections 554.801 to 554.844 of Michigan Compiled Laws. Homestead also includes property owned by a cooperative housing corporation and occupied as a principal residence by tenant stockholders.

## PARTIAL POVERTY EXEMPTION

Act No. 390 of Public Acts of 1994 authorizes partial poverty exemptions. A partial poverty exemption is an exemption of only part of the taxable value of the property for which an exemption is claimed, rather than the entire taxable value.

## APPEAL

A property owner may appeal the March Board of review's decision on a poverty exemption to the Michigan Tribunal by July 31. An appeal of a July or December Board of Review poverty exemption decision may be made to the Michigan Tax Tribunal within 30 days of the decision. Appeals are to be made in writing to the Michigan Tax Tribunal, P.O. Box 30232, Lansing MI 48909.



## Agenda Item #12

### Consideration of Monroe Boulevard Property Protective Actions

#### Background Information:

The City Council will be asked to consider actions which provide protections to the four recently acquired Monroe Boulevard bluff properties.

The Council will be asked to consider approval of Resolution 2016-03, a resolution approving the four declarations of restrictions, which will provide deed restrictions to the four individual properties. The deed restrictions, which if approved, will ensure that no construction can occur on the properties, and the views are maintained.

Additionally, the Council will be asked to consider the introduction of an ordinance which designates the four parcels as part of the city's park system, as part of the established South Beach Park. The benefit of the adding the properties into the park system ties to the City Charter, which states in Section 12.1 Purchase and sale of property:

The City may not sell any park, cemetery or any part thereof, as legally described upon adoption of this charter, unless approved by three-fifths (3/5) of the electors voting thereon at any general or special election. Any future property designated by the Council by ordinance to be a park or cemetery shall be subject to the same restrictions.

On Wednesday, December 30, 2015, the city took ownership of the four privately-owned, undeveloped parcels along Monroe Blvd. The properties are highly valued due to their offering of unobstructed scenic views of Lake Michigan. As part of the effort to acquire the parcels, the city worked with the State of Michigan to acquire grant funding to assist with the purchases. As part of the grant effort, the city agreed to acquire the four parcels and to 1) add the land to the park system; 2) ensure preservation of natural resources; and 3) offer an additional recreation opportunity to the public. For tonight's meeting, the proposed actions will help accomplish the stated goals.

#### Recommendation:

The City Council should consider the following actions:

1. The City Council should consider approval of Resolution 2016-03, a resolution approving the four declarations of restrictions, which will provide deed restrictions to the recently acquired Monroe Blvd. bluff properties.
2. The City Council should consider a motion to introduce an ordinance which designates the four recently acquired Monroe Blvd. bluff properties into the city's park system, as part of the established South Beach Park.

Support Material:

Resolution 2016-03  
DRAFT Ordinance  
Monroe Property Map

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-03

A RESOLUTION TO APPROVE A DECLARATION OF RESTRICTIVE  
COVENANTS FOR THE REAL PROPERTY COMMONLY KNOWN AS 552, 556,  
560 AND 568 MONROE BOULEVARD

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on December 21, 2015 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, the City has acquired the properties commonly known as 552, 556, 560 and 568 Monroe Boulevard, (the "Properties"), and intends to designate them as part of South Beach; and

WHEREAS, as a condition of the acquisition, the City agreed to declare certain restrictions on the Properties in order to protect the quiet enjoyment of neighboring properties.

THEREFORE, BE IT RESOLVED, therefore, the City Council resolves as follows:

- A. The four Declarations of Restrictions attached as **Exhibits A – D** are approved. The Mayor and Clerk are authorized and directed to sign and record those documents, and to take any other actions needed to impose the restrictions provided therein.
- B. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the \_\_\_\_ day of January, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq.*).

\_\_\_\_\_  
Amanda Morgan, City Clerk

## Exhibit A

## DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this "Declaration") is made as of this \_\_\_\_ day of January, 2016, by the **City of South Haven**, a Michigan municipal corporation (the "City"), of 539 Phoenix Street, South Haven, MI 49090.

### RECITALS:

A. The City is the owner of the following described real property located in the City of South Haven, Van Buren County, Michigan (the "Property"):

A strip of land 78 feet in width North and South off the North side of Block 5, Jay R. MONROE SUBDIVISION OF BLOCK 49 AND CHESTNUT STREET OF THE VILLAGE (NOW CITY) OF SOUTH HAVEN, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 47 of Van Buren County Records.

Commonly known as: 552 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-050-00

B. The City purchased the Property from Rosalie M. Plechaty and Mark W. Plechaty, wife and husband (collectively, "Seller"), who are the owners of the real property commonly known as 559 Monroe Boulevard in the City (the "Seller's Parcel"), which is across Monroe Boulevard from the Property and facing Lake Michigan.

C. As a condition of the Seller's sale of the Property to the City, the City has agreed to impose certain restrictions on the Property.

**NOW, THEREFORE**, the City hereby declares that:

1. The City will protect Seller's views of Lake Michigan, in perpetuity, as it is at the time of this Declaration and there will never be any development of the Property that would obstruct Seller's views from the ground level of their home located on the Seller's Parcel. However, the Property will perpetually remain open and accessible to the general public.

2. Except as otherwise provided herein, the City, in perpetuity, will not allow, and will actively take action to prohibit, the following: (i) the installation of any new (excludes existing parking areas) paved vehicle (motorized or nonmotorized) or watercraft (motorized or nonmotorized) parking areas; (ii) the installation of any new stairs, improved walkways or similar access points that provide pedestrian access to the adjacent bluff area or Lake Michigan; (iii) the planting of any new trees (excludes existing trees); or (iv) the construction or installation of any other thing that would permanently obstruct Seller's view of Lake Michigan.

3. The City may construct (i) public benches, paved public sidewalks and/or public recreational trails, including any reasonably needed railings or safety measures, that are continuously open and accessible to the general public; and (ii) dune, bluff and/or bank stabilization improvements. Additionally,

public benches, tables, trash receptacles and similar facilities may be installed and maintained by the City below street level. Such uses and improvements shall not constitute a violation or breach of the restrictions contained herein.

4. This Declaration shall constitute a restrictive covenant that runs with the land and will be binding on the City or any future owner of the Property, and shall inure to the benefit of Seller and their successors and assigns.

5. The foregoing restrictions will remain in effect even if Seller later sells their home and the benefits and burdens of these restrictions are binding on City and Seller and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the City has executed this Declaration as of the date first set forth above.

**CITY OF SOUTH HAVEN,**  
a Michigan municipal corporation

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
Amanda Morgan, Clerk

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF VAN BUREN        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of January, 2016 by Robert Burr and Amanda Morgan, the Mayor and Clerk, respectively, of the City of South Haven, a Michigan municipal corporation, on behalf of the City.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, MI  
Acting in \_\_\_\_\_ County, MI  
My Commission Expires: \_\_\_\_\_

*Prepared by and  
when recorded return to:*  
Ryan C. Mitchell  
Dickinson Wright PLLC  
200 Ottawa Ave NW, Suite 1000  
Grand Rapids, MI 49503  
(616) 458-1300

GRAPIDS 57671-19 392876v2

## Exhibit B

## DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this "Declaration") is made as of this \_\_\_\_\_ day of January, 2016, by the **City of South Haven**, a Michigan municipal corporation (the "City"), of 539 Phoenix Street, South Haven, MI 49090.

### RECITALS:

A. The City is the owner of the following described real property located in the City of South Haven, Van Buren County, Michigan (the "Property"):

The South 62 feet of the North 140 feet of Block 5, J. R. Monroe Subdivision of the City of South Haven, according to the plat thereof recorded in Liber 1 of Plats, Page 47 of Van Buren County Records.

Commonly known as: 556 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-051-00

B. The City purchased the Property from Frank W. Overton, Trustee of the Frank W. Overton Trust dated October 17, 1974 and Joan R. Overton, Trustee of the Joan R. Overton Trust dated October 17, 1974 (collectively, "Seller"), who are the owners of the real property commonly known as 561 Monroe Boulevard in the City (the "Seller's Parcel"), which is across Monroe Boulevard from the Property and facing Lake Michigan.

C. As a condition of the Seller's sale of the Property to the City, the City has agreed to impose certain restrictions on the Property.

**NOW, THEREFORE**, the City hereby declares that:

1. The City will protect Seller's views of Lake Michigan, in perpetuity, as it is at the time of this Declaration and there will never be any development of the Property that would obstruct Seller's views from the ground level of their home located on the Seller's Parcel. However, the Property will perpetually remain open and accessible to the general public.

2. Except as otherwise provided herein, the City, in perpetuity, will not allow, and will actively take action to prohibit, the following: (i) the installation of any new (excludes existing parking areas) paved vehicle (motorized or nonmotorized) or watercraft (motorized or nonmotorized) parking areas; (ii) the installation of any new stairs, improved walkways or similar access points that provide pedestrian access to the adjacent bluff area or Lake Michigan; (iii) the planting of any new trees (excludes existing trees); or (iv) the construction or installation of any other thing that would permanently obstruct Seller's view of Lake Michigan.

3. The City may construct (i) public benches, paved public sidewalks and/or public recreational trails, including any reasonably needed railings or safety measures, that are continuously open and accessible to the general public; and (ii) dune, bluff and/or bank stabilization improvements. Additionally,

public benches, tables, trash receptacles and similar facilities may be installed and maintained by the City below street level. Such uses and improvements shall not constitute a violation or breach of the restrictions contained herein.

4. This Declaration shall constitute a restrictive covenant that runs with the land and will be binding on the City or any future owner of the Property, and shall inure to the benefit of Seller and their successors and assigns.

5. The foregoing restrictions will remain in effect even if Seller later sells their home and the benefits and burdens of these restrictions are binding on City and Seller and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the City has executed this Declaration as of the date first set forth above.

**CITY OF SOUTH HAVEN,**  
a Michigan municipal corporation

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
Amanda Morgan, Clerk

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF VAN BUREN        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of January, 2016 by Robert Burr and Amanda Morgan, the Mayor and Clerk, respectively, of the City of South Haven, a Michigan municipal corporation, on behalf of the City.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, MI  
Acting in \_\_\_\_\_ County, MI  
My Commission Expires: \_\_\_\_\_

*Prepared by and  
when recorded return to:*  
Ryan C. Mitchell  
Dickinson Wright PLLC  
200 Ottawa Ave NW, Suite 1000  
Grand Rapids, MI 49503  
(616) 458-1300

GRAPIDS 57671-19 393078v1

## Exhibit C

## DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this "Declaration") is made as of this \_\_\_\_ day of January, 2016, by the **City of South Haven**, a Michigan municipal corporation (the "City"), of 539 Phoenix Street, South Haven, MI 49090.

### RECITALS:

A. The City is the owner of the following described real property located in the City of South Haven, Van Buren County, Michigan (the "Property"):

Commencing on the West side of Monroe Boulevard 51.35 feet Northerly of the Northwest corner of Clinton Street and Monroe Boulevard, thence West to Lake Michigan, thence North 50 feet, thence East to Monroe Boulevard, thence Southerly to beginning, ORIGINAL VILLAGE PLAT, BLOCK 49.

Commonly known as: 560 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-052-00

B. The City purchased the Property from Pamela Kay Chappell and Peter Michael Wehle, Trustees of the Chappell-Wehle Revocable Trust, dated January 4, 2011 (collectively, "Seller"), who are the owners of the real property commonly known as 565 Monroe Boulevard in the City (the "Seller's Parcel"), which is across Monroe Boulevard from the Property and facing Lake Michigan.

C. As a condition of the Seller's sale of the Property to the City, the City has agreed to impose certain restrictions on the Property.

**NOW, THEREFORE**, the City hereby declares that:

1. The City will protect Seller's views of Lake Michigan, in perpetuity, as it is at the time of this Declaration and there will never be any development of the Property that would obstruct Seller's views from the ground level of their home located on the Seller's Parcel. However, the Property will perpetually remain open and accessible to the general public.

2. Except as otherwise provided herein, the City, in perpetuity, will not allow, and will actively take action to prohibit, the following: (i) the installation of any new (excludes existing parking areas) paved vehicle (motorized or nonmotorized) or watercraft (motorized or nonmotorized) parking areas; (ii) the installation of any new stairs, improved walkways or similar access points that provide pedestrian access to the adjacent bluff area or Lake Michigan; (iii) the planting of any new trees (excludes existing trees); or (iv) the construction or installation of any other thing that would permanently obstruct Seller's view of Lake Michigan.

3. The City may construct (i) public benches, paved public sidewalks and/or public recreational trails, including any reasonably needed railings or safety measures, that are continuously open and accessible to the general public; and (ii) dune, bluff and/or bank stabilization improvements. Additionally,

public benches, tables, trash receptacles and similar facilities may be installed and maintained by the City below street level. Such uses and improvements shall not constitute a violation or breach of the restrictions contained herein.

4. This Declaration shall constitute a restrictive covenant that runs with the land and will be binding on the City or any future owner of the Property, and shall inure to the benefit of Seller and their successors and assigns.

5. The foregoing restrictions will remain in effect even if Seller later sells their home and the benefits and burdens of these restrictions are binding on City and Seller and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the City has executed this Declaration as of the date first set forth above.

**CITY OF SOUTH HAVEN,**  
a Michigan municipal corporation

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
Amanda Morgan, Clerk

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF VAN BUREN        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of January, 2016 by Robert Burr and Amanda Morgan, the Mayor and Clerk, respectively, of the City of South Haven, a Michigan municipal corporation, on behalf of the City.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, MI  
Acting in \_\_\_\_\_ County, MI  
My Commission Expires: \_\_\_\_\_

*Prepared by and  
when recorded return to:*  
Ryan C. Mitchell  
Dickinson Wright PLLC  
200 Ottawa Ave NW, Suite 1000  
Grand Rapids, MI 49503  
(616) 458-1300

GRAPIDS 57671-19 393080v1

## Exhibit D

## DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this "Declaration") is made as of this \_\_\_\_ day of January, 2016, by the **City of South Haven**, a Michigan municipal corporation (the "City"), of 539 Phoenix Street, South Haven, MI 49090.

### RECITALS:

A. The City is the owner of the following described real property located in the City of South Haven, Van Buren County, Michigan (the "Property"):

The South 50 feet wide of Block 5 of JAY R. MONROE SUBDIVISION OF BLOCK 49 AND CHESTNUT STREET OF THE VILLAGE (NOW CITY) OF SOUTH HAVEN, according to the plat thereof recorded in Liber 1 of Plats, Page 47 of Van Buren County Records.

Commonly known as: 568 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-053-00

B. The City purchased the Property from Frederick C. Kauffman, a widower and not since remarried (collectively, "Seller"), who is the owner of the real property commonly known as 567 Monroe Boulevard in the City (the "Seller's Parcel"), which is across Monroe Boulevard from the Property and facing Lake Michigan.

C. As a condition of the Seller's sale of the Property to the City, the City has agreed to impose certain restrictions on the Property.

**NOW, THEREFORE**, the City hereby declares that:

1. The City will protect Seller's views of Lake Michigan, in perpetuity, as it is at the time of this Declaration and there will never be any development of the Property that would obstruct Seller's views from the ground level of his home located on the Seller's Parcel. However, the Property will perpetually remain open and accessible to the general public.

2. Except as otherwise provided herein, the City, in perpetuity, will not allow, and will actively take action to prohibit, the following: (i) the installation of any new (excludes existing parking areas) paved vehicle (motorized or nonmotorized) or watercraft (motorized or nonmotorized) parking areas; (ii) the installation of any new stairs, improved walkways or similar access points that provide pedestrian access to the adjacent bluff area or Lake Michigan; (iii) the planting of any new trees (excludes existing trees); or (iv) the construction or installation of any other thing that would permanently obstruct Seller's view of Lake Michigan.

3. The City may construct (i) public benches, paved public sidewalks and/or public recreational trails, including any reasonably needed railings or safety measures, that are continuously open and accessible to the general public; and (ii) dune, bluff and/or bank stabilization improvements. Additionally, public benches, tables, trash receptacles and similar facilities may be installed and maintained by the City

below street level. Such uses and improvements shall not constitute a violation or breach of the restrictions contained herein.

4. This Declaration shall constitute a restrictive covenant that runs with the land and will be binding on the City or any future owner of the Property, and shall inure to the benefit of Seller and his successors and assigns.

5. The foregoing restrictions will remain in effect even if Seller later sells his home and the benefits and burdens of these restrictions are binding on City and Seller and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the City has executed this Declaration as of the date first set forth above.

**CITY OF SOUTH HAVEN,**  
a Michigan municipal corporation

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
Amanda Morgan, Clerk

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF VAN BUREN        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of January, 2016 by Robert Burr and Amanda Morgan, the Mayor and Clerk, respectively, of the City of South Haven, a Michigan municipal corporation, on behalf of the City.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, MI  
Acting in \_\_\_\_\_ County, MI  
My Commission Expires: \_\_\_\_\_

*Prepared by and  
when recorded return to:*  
Ryan C. Mitchell  
Dickinson Wright PLLC  
200 Ottawa Ave NW, Suite 1000  
Grand Rapids, MI 49503  
(616) 458-1300

GRAPIDS 57671-19 393082v1

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO ADD A NEW SECTION 58-3 OF THE CODE OF  
ORDINANCES, CITY OF SOUTH HAVEN, MICHIGAN, TO DESIGNATE  
REAL PROPERTY AS PART OF SOUTH BEACH

The City of South Haven Ordains:

SECTION 1

Addition. That Section 58-3 is added to the Code of Ordinances, City of South Haven, Michigan, to read as follows:

**Sec. 58-3. Additions to South Beach.**

(a) The following properties are designated as part of South Beach and are subject to the same restrictions as the land designated in Section 1.1(12) of the City Charter:

(1) A strip of land 78 feet in width North and South off the North side of Block 5, Jay R. Monroe Subdivision of Block 49 and Chestnut Street.

Commonly known as: 552 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-050-00

(2) The South 62 feet of the North 140 feet of Block 5, J. R. Monroe Subdivision of the City of South Haven.

Commonly known as: 556 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-051-00

(3) Commencing on the West side of Monroe Boulevard 51.35 feet Northerly of the Northwest corner of Clinton Street and Monroe Boulevard, thence West to Lake Michigan, thence North 50 feet, thence East to Monroe Boulevard, thence Southerly to beginning, Original Village Plat, Block 49.

Commonly known as: 560 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-052-00

(4) The South 50 feet wide of Block 5 of Jay R. Monroe Subdivision of Block 49 and Chestnut Street.

Commonly known as: 568 Monroe Blvd., South Haven, MI 49090

Tax Parcel No.: 80-53-184-053-00

SECTION 2

Publication and Effective Date. The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect 10 days after its adoption or upon publication of the notice of adoption, whichever occurs later.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Introduced: \_\_\_\_\_, 2016

Adopted: \_\_\_\_\_, 2016

Published: \_\_\_\_\_, 2016

Effective: \_\_\_\_\_, 2016

\_\_\_\_\_  
Robert Burr, Mayor

CERTIFICATION

I, Amanda Morgan, Clerk of the City of South Haven, Van Buren and Allegan Counties, Michigan do hereby certify that the above Ordinance was adopted by the South Haven City Council on the \_\_\_ day of \_\_\_\_\_, 2016; and the same was published in a paper of general circulation in the City, being the *South Haven Tribune*, on the \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Amanda Morgan, City Clerk