

City Council

Regular Meeting Agenda

Monday, October 17, 2016
7:00 p.m., Council Chambers



1. Call to Order
2. Invocation – Reverend Jeffrey Dick – 1st Congregational Church
3. Proclamation for Mr. Ed Appleyard, Historical Association of South Haven
4. Proclamation for Mr. Jim Ollgaard, Historical Association of South Haven
5. Roll Call
6. Approval of Agenda
7. City Council will receive an update from South Haven Health System on their affiliation proposal.
8. **Consent Agenda: Items A through E (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 asked to approve the regular City Council minutes for October 3, 2016.
 - B. Council will be asked to approve invoices totaling \$3,887,048.04 for the period ending October 16, 2016 to be approved and forwarded to the Clerk and Treasurer for payment.
 - C. Council will be asked to approve the payments for bond issuance costs to Standard & Poor's Global Ratings in the amount of \$26,550.00.
 - D. Council will be asked to approve the transfer of \$35,000 in South Haven Area Parks funds to the South Haven Area Recreation Authority.
 - E. Council will be asked to accept the following meeting minutes:
 - 1) July 27, 2016 Construction Board of Appeals minutes;
 - 2) August 3, 2016 Downtown Development Authority minutes;
 - 3) September 6, 2016 South Haven Area Recreation Authority special meeting minutes;
 - 4) September 8, 2016 Planning Commission minutes;
 - 5) September 19, 2016 Local Development Finance Authority 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.

OLD BUSINESS

9. Council will be asked to consider a motion to adopt an ordinance amendment which, if approved, would allow for the continued operation of off road vehicles (ORV) on public streets.

NEW BUSINESS

10. Interested Citizens in the Audience Will Be Heard on Items Not on the Agenda

11. City Manager's Comments

12. Mayor and Councilperson's Comments

13. Adjourn

RESPECTFULLY SUBMITTED,



Brian Dissette, City Manager

Proclamation

WHEREAS, Ed Appleyard was born to Richard and Allegra Appleyard and raised in the city of South Haven, graduated from South Haven High School, attended Western Michigan University and served four years in the United States Air Force; and

WHEREAS, Ed Appleyard worked in the family business, Appleyard Photography, for over 20 years before going to work for Consumers Power at Palisades, and having, with his wife Dorothy, raised two daughters, they are blessed with four grandchildren; and

WHEREAS, contributing significant time, energy and resources to preserve the history of his beloved community; Ed volunteered for the city's Centennial Celebration and many other organizations and events over the years; and

WHEREAS, due to his great appreciation for the city of his birth, in 2002 Ed Appleyard was motivated to found the Historical Association of South Haven, commonly known as HASH, where he is a member of the Board of Directors; and

WHEREAS, Ed Appleyard has been a champion of many worthwhile community causes, including, but not limited to, spearheading the efforts for HASH to obtain and restore the iconic South Haven lighthouse and serving as project manager for its restoration; and

WHEREAS, Ed Appleyard has generously dedicated his time and expertise not only to brainstorm ways to raise the funds needed for this huge restoration effort but also to personally take on the task of combating graffiti on the lighthouse, as he has been observed on many early mornings adding another coat of paint to the historic structure; and

WHEREAS, while Ed Appleyard has given countless hours of service to the community, his crowning accomplishment may very well be found in his determination to acquire and restore the iconic South pier lighthouse and in his confidence that there were enough residents and visitors who cared about the light as much as he does to make it possible; and

WHEREAS, with fundraising goals met and interior and exterior restoration progressing, Ed Appleyard has realized his dream that the South Pier lighthouse will stand to represent the history of South Haven and for all to enjoy for many years into the future; and

NOW, THEREFORE, BE IT RESOLVED that the City of South Haven wishes to recognize Ed Appleyard and express appreciation for his dedicated service to the City of South Haven and the community as a whole.

Presented this XX day of October ? 2016

Robert G. Burr, Mayor
City of South Haven

Proclamation

WHEREAS, Jim Ollgaard was born to Doris and Verner Ollgaard, raised in the City of South Haven, worked during his high school years in the veterinary office of Dr. W. R. Johnston and for Sherman's Dairy and developed his lifelong interest in clocks through Richard Appleyard, a local photographer and clock collector; and

WHEREAS, Jim Ollgaard is a graduate of South Haven High School and Michigan State University, graduating with a degree in English Literature; and has three daughters, Chris, Liz and Anna; and

WHEREAS, over the years, Jim Ollgaard worked in the rubber industry, locally and out-of-state, in fabrication, client retention and sales; managed, for Goodwill Industries, a facility in Kalamazoo which provided employment for people with special needs; repaired clocks as a sideline until opening his business, Time Pieces, in Portage, Michigan, and

WHEREAS, due to his interest in history, including that of the City of South Haven, Jim Ollgaard was part of the group that, in 2002, founded HASH, the Historical Association of South Haven, where he currently serves as Vice-President/Secretary; and

WHEREAS, Jim Ollgaard has served his community in various ways, including, but not limited to, serving on the Parks Commission of the City of South Haven, Celery Pond Advocates, the Democratic Club and most recently, the efforts of HASH to obtain and restore the iconic South Haven lighthouse; and

WHEREAS, Jim Ollgaard has generously dedicated his time and energy to fundraising with HASH as they worked to bring to fruition the dream of restoring and maintaining the iconic South Haven light; and

WHEREAS, Jim and the others who worked to "save the light" were energized by the enthusiasm and generosity of over 1,500 people, both local and from out of state, who donated funds to ensure that the lighthouse, once restored to pristine condition, shall continue to provide enjoyment for locals and visitors alike; and

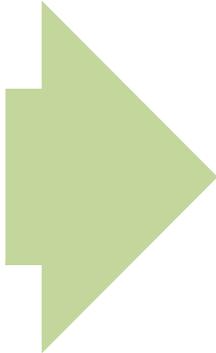
WHEREAS, with fundraising goals met, interior work completed and exterior restoration progressing, Jim Ollgaard can take pride in the efforts he and the many volunteers and donors have put forth so the South Pier lighthouse may stand as a reminder of the maritime history of the City of South Haven for many years to come; and

NOW, THEREFORE, BE IT RESOLVED that the City of South Haven wishes to recognize Jim Ollgaard and express appreciation for his dedicated service to the City of South Haven and the community as a whole.

Robert G. Burr, Mayor
City of South Haven
Presented this day of October 2016

Have You Heard?

South Haven
Health System



Bronson
Healthcare

BALLOT LANGUAGE: "The South Haven Community Hospital Authority proposes to transfer South Haven Community Hospital and the hospital's related operations to an affiliate of the Bronson Healthcare Group, on terms negotiated by the Authority Board. If that transfer is completed, no property taxes would thereafter be levied to support the hospital's operations. Should this proposed transfer be approved?"



VOTE
Nov 8

DETAILS www.southhavenhealth.org

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VOTE
Nov 8

DETAILS www.southhavenhealth.org

SHHS Leadership updates to city councils & township boards

Since January, the leadership team of SHHS has twice visited the public meetings of the city council or township board representing each of the nine SHCH Authority communities. At each of these public meetings, they have shared news, offered an update and taken questions from city and town officials as well as the general public. SHHS leadership is again scheduled to provide a report to each township or city governing board in the coming days.

Tuesday, September 13	7:00 pm	Covert Township
Tuesday, September 13	7:00 pm	Geneva Township
Tuesday, September 13	8:00 pm	Bangor Township
Tuesday, September 20	7:00 pm	Columbia Township
Monday, October 3	7:00 pm	City of Bangor
Wednesday, October 12	7:30 pm	South Haven Township
Monday, October 17	7:00 pm	Casco Township
Monday, October 17	7:00 pm	City of South Haven
Wednesday, October 19	7:00 pm	Arlington Township



South Haven Health System's Plan to Affiliate with Bronson Healthcare



Why is South Haven Health System (SHHS) considering joining another healthcare system?

Recognizing that we are in a time of tremendous change in healthcare and share the pressures faced by small rural hospitals like ours, South Haven Health System sees how becoming part of a large, highly successful regional healthcare system will lead to:

- better coordination of patient care;
- advancements in clinical quality;
- access to capital for improvements;
- integration in information technology;
- recruitment and retention of a strong core of excellent providers; and
- greater operational efficiency.

By joining a strong regional healthcare system, we are ensuring the future of local healthcare for our communities.

Why is SHHS choosing Bronson Healthcare?

SHHS and Bronson have a 30+ year history of successfully working together. The hospital has partnered with Bronson on many initiatives in the past including our electronic health record (Epic), hospitalist services, and pathology services. Bronson Healthcare has always been available to SHHS and the community in an effort to improve care regionally. More than 1,000 people from our area go to Bronson Methodist Hospital in Kalamazoo each year for the advanced level of care it provides.

How did the hospital choose Bronson Healthcare?

The SHHS Board of Trustees distributed a Request for Proposal in February 2016, and conducted a series of discussions and interviews with various entities interested in a partnership. In April, the Board announced its selection of Bronson, and the two organizations have now completed a due diligence process and negotiated an affiliation agreement.

When is the public vote and when would it take effect?

The public vote to transfer ownership of SHHS to Bronson Healthcare Group will occur on **November 8, 2016**. The affiliation would go into effect January 1, 2017.

Who will be voting?

All registered voters who live in the following cities and townships are eligible to vote:

- City of South Haven
- City of Bangor
- Arlington Township
- Bangor Township
- Casco Township
- Columbia Township
- Covert Township
- Geneva Township
- South Haven Township

Will the hospital name change?

Yes, the new hospital name will be Bronson South Haven Hospital.

Will The Wellness Center and other SHHS services be included in the affiliation?

Yes. All SHHS entities, including The Wellness Center, Urgent Care, Physician Practices, etc., are part of the affiliation agreement.

What does the ballot language say?

“The South Haven Community Hospital Authority proposes to transfer South Haven Community Hospital and the hospital’s related operations to an affiliate of Bronson Healthcare, on terms negotiated by the Authority Board. If that transfer is completed, no property taxes would thereafter be levied to support the hospital’s operations. Should this proposed transfer be approved?”

What is needed for the affiliation to be approved?

The Affiliation is approved if 50% + 1 of the voters of the Authority vote ‘Yes’ on the ballot language. The approval would allow operational control to be transferred from the South Haven Community Hospital Authority (our legal name) to Bronson Healthcare Group and residents of the Authority would no longer be assessed a tax in support of hospital operations.

What does the Affiliation Agreement say?

Highlights of the affiliation include:

- SHHS will become part of the Bronson Healthcare system, which will help sustain and expand upon the services we currently offer;
- Our new name will be Bronson South Haven Hospital (BSHH);
- BSHH will assume operational control of the hospital;
- Bronson will invest \$18 million over five years in BSHH facilities and services;
- Bronson will establish, and invest \$1 million over five years, in a new Bronson Foundation fund dedicated to philanthropy for South Haven and the communities served by SHHS.
- A resident of the SHHS service area will be appointed to a seat on the Bronson Healthcare Group’s board of directors; another will be appointed to the Bronson Foundation board.
- The current board of SHHS will become the South Haven Advisory Council and will meet semi-annually to oversee the success of the affiliation.

Is Bronson committed to ensuring that hospital inpatient and emergency services will remain here long after any terms outlined in the affiliation agreement?

Bronson intends to maintain and strengthen the hospital and its emergency services in South Haven well into the future. In fact, Bronson will invest \$18 million over five years in the current hospital and its facilities, immediately enhancing and expanding local healthcare services. Perhaps the best predictor of Bronson’s future actions can be found in its past performance. In similar situations in Paw Paw and Battle Creek, Bronson Healthcare has not only maintained the emergency and inpatient services of the hospitals there, but has also increased services and staff, thereby strengthening local healthcare in those communities. If actions are more powerful than words, then Bronson’s track record is clear. No one has a crystal ball, however, and it would be irresponsible of any organization - including South Haven Health System - to offer a guarantee about the shape and scope of healthcare in the future.

What will happen to the foundation associated with the hospital?

The foundation is an independent 501(c)(3) organization that was formed to support SHHS and provide services to those in need in our community. This work will be shifted to the Bronson Foundation with the creation of a fund dedicated to philanthropy for South Haven and the SHHS service area. Bronson will add \$1 million over five years to this fund, allowing us to expand significantly the services we offer our friends and neighbors in need.

What happens if the vote fails?

If the affiliation is not approved on November 8, we would resubmit the question for a vote in May 2017. Simply put, our current model is not sustainable over the long term. Our board has been proactive by pursuing this kind of affiliation while SHHS remains in a position of strength. Without this affiliation agreement, South Haven Health System will face reduction in services, the loss of jobs, and a weakened position for future affiliation prospects.

How will this affiliation affect SHHS employees and medical staff?

Bronson has a long history of valuing its workforce. When the affiliation is completed, SHHS employees will become employees of Bronson and their positions will be aligned with Bronson’s system-wide job categories and pay scale. SHHS employees and medical staff will benefit from increased resources to support their work and additional opportunities for professional growth within the larger Bronson Healthcare system.

When will the affiliation be completed?

At this point, if the ballot passes in November, the affiliation should be completed by January 2017.

What if I want additional information about the affiliation?

Please visit our special website www.southhavenhealth.org where we have provided details on the affiliation. Watch your mailbox for a letter from our CEO, and mark your calendar to attend one of the upcoming community forums where our senior leaders and board members will be available to answer questions. If you have other questions or concerns, please feel free to contact our communications team at 269-639-2840.

Community Forums

Open meetings for the public to learn more about the plan to affiliate with Bronson Healthcare and the role the public will play by casting a vote on November 8. SHHS leadership and board members will share details and answer questions.

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|---|----------|---|
| • Monday, October 3 | 5:30 pm | Simpson United Methodist Church in Bangor |
| • Saturday, October 8 | 10:00 am | The Wellness Center in South Haven |
| • Wednesday, October 26 | 6:00 pm | The Wellness Center in South Haven |

(continued on back side)

City Council

Regular Meeting Minutes

Monday, October 3, 2016
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation – Pastor Craig Massey – Hope Reformed Church**
3. **Roll Call**

Present: Jeff Arnold, Clark Gruber, Andy Klavins, Vickiy Kozlik-Wall, Steve Schlack, Scott Smith, Robert Burr
Absent: None

* Following the Roll Call, a special report was given by Acting Police Chief Natalie Thompson, regarding recent threats made on social media toward students at South Haven High School, as well as a threat made toward Covert High School. Chief Thompson briefly updated the Council on the situation, as well as reported the arrest of two teenagers.

Covert Chief of Police Jay Allen spoke briefly regarding the threats, specifically those made toward Covert High School.

Michigan State Police Lieutenant Dale Hinz spoke briefly regarding the threats.

City of South Haven Officer Shawn Olney, South Haven Schools Liaison, spoke briefly regarding the threats, and thanked South Haven Schools for their cooperation.

4. **Approval of Agenda**

Moved by Kozlik-Wall, seconded by Schlack, to approve the agenda.

Voted Yes: All. Motion carried.

5. **Consent Agenda: Items A through F (Roll Call Vote Required)**

Moved by Smith, seconded by Arnold, to approve the Consent Agenda as follows:

- A. Council will be asked to approve the regular City Council minutes for September 19, 2016.
- B. Council will be asked to approve invoices totaling \$5,698,348.54 for the period ending October 2, 2016 to be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked approve the State of Michigan Salt Bid for the 2016/17 winter season with Morton Salt, Inc. of Chicago, Illinois, for 700 tons of salt at \$48.43 per ton, delivered, for a total amount of \$33,894.00.

- D. Council will be asked to approve the payments for bond issuance costs to (1) Dickinson Wright in the amount of \$39,500.00 and (2) Robert W. Baird & Co. in the amount of \$33,575.00.
- E. Council will be asked to take the following actions with regard to the purchase of new City vehicles:
 - 1) Award the purchase of the four vehicles described in this item's supporting documentation to Woodhams Ford in the amount of \$101,077.44.
 - 2) Award the purchase of one F-350 with service body to Fox Ford in the amount of \$37,541.00.
- F. Council will be asked to accept the following meeting minutes:
 - 1) April 12, 2016 Parks Commission minutes;
 - 2) August 8, 2016 Brownfield Redevelopment Authority minutes;
 - 3) August 8, 2016 Local Development Finance Authority minutes;
 - 4) August 9, 2016 Parks Commission workshop minutes.

Voted Yes: All. Motion carried.

NEW BUSINESS

- 6. Council will be asked to consider a motion to approve the change in the City's banking services provider, from Fifth Third Bank to Huntington Bank.**

Moved by Schlack, seconded by Klavins, to eliminate Huntington Bank from consideration on the grounds that the bank operates outside of the city limits, and to reopen the bidding process for banking services.

Voted Yes: All. Motion carried.

- 7. Council will be asked to consider a motion to introduce an ordinance amendment which, if approved, would allow for the continued operation of off road vehicles (ORV) on public streets.**

City Manager Brian Dissette briefed the Council on the proposed ordinance. The proposed ordinance is the same as the current one, but with the sunset provision removed.

Councilmember Clark Gruber commented that he had observed ORV drivers consuming alcohol while driving over the summer.

Councilmember Scott Smith briefly commented on the ORV ordinance.

Councilmember Andy Klavins commented that he has observed City employees drag racing ORV's during the summer, and that this has been a complaint from residents.

Moved by Gruber, seconded by Schlack, to introduce an ordinance amendment which, if approved, would allow for the continued operation of off road vehicles (ORV) on public streets.

Voted Yes: All. Motion carried.

City of South Haven
Regular Meeting Council Minutes
City Hall, Council Chambers
7:00 p.m., Monday, October 3, 2016

8. Council will be asked to approve Special Event 2016-42, South Haven Festival of Cars / Kruisin' for Kylie, to be held on June 3, 2017 at the Huron Street parking lot and pavilion and from Hogan's Alley to Café Julia, from 5:30 a.m. until 4:00 p.m.

City Manager Dissette briefed the Council on the event.

Moved by Gruber, seconded by Arnold, to approve Special Event 2016-42, South Haven Festival of Cars / Kruisin' for Kylie, to be held on June 3, 2017 at the Huron Street parking lot and pavilion and from Hogan's Alley to Café Julia, from 5:30 a.m. until 4:00 p.m.

Voted Yes: All. Motion carried.

9. Interested Citizens in the Audience Will Be Heard on Items Not on the Agenda

10. City Manager's Comments

City Manager Dissette commented on the weekly updates for residents impacted by the capital improvement projects.

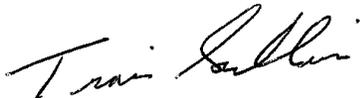
11. Mayor and Councilperson's Comments

12. Adjourn

Moved by Smith, seconded by Klavins, to adjourn the meeting.

Voted Yes: All. Motion carried, meeting adjourned at 7:27 p.m.

RESPECTFULLY SUBMITTED,



Travis Sullivan
City Clerk

**CITY OF SOUTH HAVEN
OCTOBER 17, 2016**

	PREPAID	CURRENT	TOTAL
101-GENERAL FUND	\$ 23,103.39	\$ 117,660.50	\$ 140,763.89
202-MAJOR STREET FUND	\$ -	\$ 579.45	\$ 579.45
203-LOCAL STREET FUND	\$ -	\$ 1,565.00	\$ 1,565.00
204-STREET FUND	\$ 108.15	\$ 200,683.49	\$ 200,791.64
226-GARBAGE/REFUSE FUND	\$ -	\$ 34,034.28	\$ 34,034.28
250-DOWNTOWN DEVELOPMENT	\$ 600.00	\$ 9,602.88	\$ 10,202.88
251-LDFA #1	\$ 2,847.70	\$ -	\$ 2,847.70
252- LDFA #2	\$ -	\$ -	\$ -
253-LDFA #3	\$ -	\$ -	\$ -
260-BROWNFIELD AUTHORITY	\$ -	\$ 663.10	\$ 663.10
265-NARCOTICS UNIT	\$ 133.99	\$ -	\$ 133.99
266-POLICE TRAINING	\$ 100.00	\$ 375.00	\$ 475.00
296-RIVER MAINTENANCE	\$ -	\$ -	\$ -
363- CAPITAL BOND	\$ -	\$ 89,777.50	\$ 89,777.50
370- BUILDING AUTHORITY #2	\$ -	\$ 240,987.50	\$ 240,987.50
371-CAPITAL BOND DEBT SERV	\$ -	\$ 40,393.75	\$ 40,393.75
372-WATER PLANT FUND	\$ -	\$ -	\$ -
395-DDA DEBT SERVICE	\$ -	\$ -	\$ -
396- DDA DISTRICT #2	\$ -	\$ -	\$ -
401-CAPITAL PROJECTS	\$ -	\$ 14,891.46	\$ 14,891.46
402-CAPITAL PROJECTS #2	\$ -	\$ -	\$ -
466- PAVILION AND ICE RINK	\$ -	\$ -	\$ -
498-BUILDINGS/ADDITIONS IMPR	\$ -	\$ 1,049.68	\$ 1,049.68
545-BLACK RIVER PARK	\$ 500.00	\$ 2,000.75	\$ 2,500.75
577-BEACH FUND	\$ 269.09	\$ 279.00	\$ 548.09
582-ELECTRIC FUND	\$ 4,215.09	\$ 112,650.48	\$ 116,865.57
591-WATER FUND	\$ 40,342.90	\$ 74,462.48	\$ 114,805.38
592-SEWER FUND	\$ 53,355.79	\$ 445,574.31	\$ 498,930.10
594-MUNICIPAL MARINA	\$ 6,316.35	\$ 7,562.33	\$ 13,878.68
636-INFORMATION SERVICES	\$ -	\$ 15,024.75	\$ 15,024.75
661-MOTOR POOL	\$ 38,834.40	\$ 5,815.15	\$ 44,649.55
677-SELF INSURANCE	\$ -	\$ -	\$ -
703-TAX FUND	\$ 2,297,337.05	\$ -	\$ 2,297,337.05
718-TRUST & AGENCY	\$ -	\$ -	\$ -
750-EMPLOYEE WITHHOLDING	\$ 3,351.30	\$ -	\$ 3,351.30
TOTAL	\$ 2,471,415.20	\$ 1,415,632.84	\$ 3,887,048.04

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
09/30/2016	1	55556	UB REFUND	BURNING BUSH OUTREACH CENTER	UB refund for account: 10783005	281.29
09/30/2016	1	55557	003477	TOM CAMPBELL	ELECTRIC REBATE	215.88
09/30/2016	1	55558	UB REFUND	COCKEREL, RODNEY G	UB refund for account: 13511304	91.37
09/30/2016	1	55559	UB REFUND	DESTREE, KEITH B & L	UB refund for account: 41700001	51.19
09/30/2016	1	55560	003442	FSLI/EYEMED	INSURANCE - OCTOBER 2016	532.81
09/30/2016	1	55561	UB REFUND	FARABI, HICHAM	UB refund for account: 15115100	96.50
09/30/2016	1	55562	UB REFUND	FOGARTY, ELLEN A	UB refund for account: 31236012	31.44
09/30/2016	1	55563	000843	FRONTIER COMMUNICATIONS	TELEPHONE 269-637-3376-081214-5	63.61
					TELEPHONE 269-639-3050-082313-5	659.12
					TELEPHONE 269-637-2877-050814-5	65.41
						<u>788.14</u>
09/30/2016	1	55564	000847	FUEL MANAGEMENT SYSTEM	FUEL	4,304.14
09/30/2016	1	55565	UB REFUND	HARD, MARY	UB refund for account: 10527008	99.88
09/30/2016	1	55566	UB REFUND	HARDING, JOHN	UB refund for account: 21001001	24.05
09/30/2016	1	55567	001491	TOM MARTIN	CONSULTATION CONTRACT	3,750.00
09/30/2016	1	55568	001544	MENARDS	MAINTENANCE SUPPLIES	24.08
					MAINTENANCE SUPPLIES	74.97
						<u>99.05</u>
09/30/2016	1	55569	UB REFUND	NOVOTNY, KYLIE M	UB refund for account: 40765010	544.06
09/30/2016	1	55570	003410	OTTAWA COUNTY	REGISTRATION FOR TRAINING	30.00
09/30/2016	1	55571	UB REFUND	PELLOWE, JON L	UB refund for account: 41784002	85.83
09/30/2016	1	55572	UB REFUND	SOUTHWEST MICHIGAN ASSET MGMT LLC	UB refund for account: 10849005	114.51
09/30/2016	1	55573	UB REFUND	STEWART, CHERYL	UB refund for account: 40572001	16.84
09/30/2016	1	55574	UB REFUND	THOMAS, CAROLYN M	UB refund for account: 10502007	31.09
09/30/2016	1	55575	UB REFUND	VANHORN, ALISHA R	UB refund for account: 40780008	172.94
09/30/2016	1	55576	000468	CITY OF SOUTH HAVEN-PETTY CASH	REIMB PETTY CASH	947.66

1 TOTALS:

Total of 21 Disbursements:

12,308.67

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
10/07/2016	1	55577	000059	ALLEGAN COUNTY TREASURER	PROPERTY TAX COLLECTIONS	5,065.09
10/07/2016	1	55578	MISC	BILL FRIES	REIMBURSE SIDEWALK REPAIRS - 310 EAGLE S	250.00
10/07/2016	1	55579	000309	A.D. BOS OFFICE COFFEE SERVICE	COFFEE & SUPPLIES	30.95
10/07/2016	1	55580	000345	JOHN BRUSH BUILDERS INC	REPAIRS - 220 AYLWORTH	2,847.70
10/07/2016	1	55581	MISC	CAGEN KAREN M	Sum Tax Refund 80-53-807-001-11	8,471.53
10/07/2016	1	55582	000484	COASTAL LANDSCAPING INC	LANDSCAPE INSTALLATION - CITY HALL	706.00
					LANDSCAPE INSTALLATION - CITY HALL	2,899.00
						<u>3,605.00</u>
10/07/2016	1	55583	UB REFUND	COCKEREL, RODNEY G	UB refund for account: 13511304	60.00
10/07/2016	1	55584	UB REFUND	COLEMAN, LEVAR L	UB refund for account: 20017310	74.38
10/07/2016	1	55585	000519	CONSUMERS ENERGY	ELECTRIC 1000 1414 0337	78.53
					ELECTRIC 1000 1414 0568	40.23
					ELECTRIC 1000 1414 0840	36.78
						<u>155.54</u>
10/07/2016	1	55586	000828	FOX FORD MAZDA	FORD F-350 W/SERVICE BODY	37,500.00
10/07/2016	1	55587	000843	FRONTIER COMMUNICATIONS	TELEPHONE 269-637-1402-071613-5	119.31
					TELEPHONE 269-637-3649-041905-5	48.78
					TELEPHONE 269-637-7926-011395-5	35.88
					TELEPHONE 269-637-1386-071613-5	64.67
					TELEPHONE 269-639-1795-082214-5	70.72
						<u>339.36</u>
10/07/2016	1	55588	001329	LAKE MICHIGAN COLLEGE	PROPERTY TAX COLLECTIONS	139,631.38
					PROPERTY TAX COLLECTIONS	156.83
						<u>139,788.21</u>
10/07/2016	1	55589	UB REFUND	LANGSTON, LILLIE M	UB refund for account: 30453907	119.82
10/07/2016	1	55590	UB REFUND	LEPLEY, JULEENE M	UB refund for account: 10296900	180.00
10/07/2016	1	55591	001412	LITTLE OSCAR'S SCREEN PRINTS	UNIFORMS	308.00
10/07/2016	1	55592	001544	MENARDS	MAINTENANCE SUPPLIES	3.18
					MAINTENANCE SUPPLIES	21.48
					MAINTENANCE SUPPLIES	6.99
					MAINTENANCE SUPPLIES	55.50
					MAINTENANCE SUPPLIES	24.84
					MAINTENANCE SUPPLIES	16.75
					MAINTENANCE SUPPLIES	105.97
					MAINTENANCE SUPPLIES	232.47
					MAINTENANCE SUPPLIES	60.79
					MAINTENANCE SUPPLIES	38.52
					MAINTENANCE SUPPLIES	64.92
					MAINTENANCE SUPPLIES	29.99
					MAINTENANCE SUPPLIES	44.19
					MAINTENANCE SUPPLIES	24.96
						<u>730.55</u>
10/07/2016	1	55593	001603	MICHIGAN DOWNTOWN ASSOC	ANNUAL MEMBERSHIP DUES	600.00
10/07/2016	1	55594	001621	MICHIGAN MUNICIPAL LEAGUE	CITY QUARTERLY SUTA PAYMENT	3,351.30
10/07/2016	1	55595	UB REFUND	NIFFENEGGER, PATRICIA	UB refund for account: 20702000	46.67
10/07/2016	1	55596	UB REFUND	OZSE, ANITA L	UB refund for account: 10709017	252.18

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
10/11/2016	1	55616	000843	FRONTIER COMMUNICATIONS	TELEPHONE 231-197-0043-051713-5	58.57
10/11/2016	1	55617	000847	FUEL MANAGEMENT SYSTEM	FUEL	4,026.38
10/11/2016	1	55618	003274	DUSTIN GUMINSKI	GLASSES REIMBURSEMENT	214.00
10/11/2016	1	55619	000994	HAPA LLC	MARINA MANAGER	5,721.44
					BLACK RIVER PARK MANAGEMENT FEE	500.00
						<u>6,221.44</u>
10/11/2016	1	55620	003187	RODERICK HATHAWAY	CLOTHING REIMBURSEMENT	22.00
10/11/2016	1	55621	001196	JOHN'S STEREO INC	SUPPLIES	15.00
10/11/2016	1	55622	003292	SHE'S SEW CRAZY	ALTERATIONS	25.00
10/11/2016	1	55623	002583	TELE-RAD INC	SWITCH ADAPTER	140.00
10/11/2016	1	55624	002696	TWIXWOOD NURSERY, LLC	FLOWERS	2,254.09
10/11/2016	1	55625	002882	WMCJTC	TASER INSTRUCTOR RE-CERTIFICATION CLASS	100.00
10/11/2016	1	55626	002949	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	9.07
					MAINTENANCE SUPPLIES	58.30
					MAINTENANCE SUPPLIES	15.06
					MAINTENANCE SUPPLIES	147.66
					MAINTENANCE SUPPLIES	14.39
						<u>244.48</u>

1 TOTALS:

Total of 50 Disbursements:

2,459,106.53

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
10/17/2016	1	55627	000014	ABONMARCHE CONSULTANTS INC	INDIAN GROVE LIFT STATION & MONROE BLVD PUMP TRACK PROJECT LAKE VIEW CEMETERY IMPROVEMENTS - PHASE BLACK RIVER PARK FISHING PLATFORM/BANK S SS MARINA REROOF NORTH BEACH AREA PAVING IMPROVEMENTS PETERSON RAVINE MANHOLE REHABILITATION SAW GRANT - ASSET MANAGEMENT PLANS NORTH SHORE DRIVE PROJECT INDIAN GROVE LIFT STATION & MONROE BLVD	4,847.88 3,500.00 1,049.68 420.63 892.50 11,391.46 1,301.25 2,250.00 28,845.91 6,924.50 <u>61,423.81</u>
10/17/2016	1	55628	000016	ABSHIRE, ROBIN	PULLED ALL BUOYS FOR SEASON	279.00
10/17/2016	1	55629	000039	AGILE SAFETY	GAS ALERT MICRO CLIP MAINTENANCE & OXYGE	299.91
10/17/2016	1	55630	000177	AUTO-WARES GROUP	REPAIR/MAINT SUPPLIES- ACCT #23300720 REPAIR/MAINT SUPPLIES- ACCT #23300720	1,651.65 147.69 25.96 186.07 626.85 495.54 11.68 5.99 181.93 163.97 29.98 26.37 17.66 6.87 120.49 <u>3,698.70</u>
10/17/2016	1	55631	000178	AUTOZONE, INC	SUPPLIES	44.27
10/17/2016	1	55632	UB REFUND	BATTON, BOBBY M	UB refund for account: 11261504	354.74
10/17/2016	1	55633	000285	BLOOMINGDALE COMMUNICATIONS	BCI BUSINESS INTERNET	3,222.94
10/17/2016	1	55634	000337	BRONSINK & BOS EQUIPMENT	SUPPLIES	708.62
10/17/2016	1	55635	000392	CARLETON EQUIPMENT COMPANY	MAINTENANCE SUPPLIES	295.90
10/17/2016	1	55636	000398	CARPET ONE SOUTH HAVEN	CARPET CLEANING	333.75
10/17/2016	1	55637	000418	CDW GOVERNMENT INC	SUPPLIES SUPLIES HP M452DN PRINTERS TONER	151.60 9.40 473.10 615.58 <u>1,249.68</u>
10/17/2016	1	55638	000453	CHIEF SUPPLY CORP	UNIFORMS	58.27
10/17/2016	1	55639	MISC	CITY OF BANGOR	UNITY WITH THE COMMUNITY & BLUEBERRY FES	676.60
10/17/2016	1	55640	000502	COMMUNITY ANSWERING SERVICE	ANSWERING SERVICES	519.60
10/17/2016	1	55641	000505	COMPTON INC	CENTER & FRUIT ST SIDEWALK RAMP RECONSTR DUNKLEY & DYKMAN SITE PREP REMOVE CAL-DE-SAC, REPLACE & READJUST MA DITCHING ON BROCKWAY DIRECTIONAL BORE AT HURON ST PARKING WATER STREET PARKING BENCH	19,194.50 8,420.00 7,917.00 1,565.00 6,930.00 860.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					INSTALL STORM DRAIN OUTLET & MAKE HOOK U	3,145.00
					CONGER ST CATCH BASIN	2,864.00
					CLEAN OUT 3 BEDS, HAUL TO LANDFILL & REB	7,660.00
					REMOVE & REPLACE SIDEWALK - PIERS END CO	16,747.22
					HURON ST SIDEWALK & GREEN ST CURB & ROAD	5,657.95
					CONGER ST CURB & SIDEWALK	3,320.00
					PARK AVENUE WORK	15,879.57
					NORTH SHORE DR & DYCKMAN SIDEWALKS	3,944.07
					SWING CHECK VALVE REBULD AT MAIN LIFT ST	1,917.50
					WATER TAP - 7591 BLUE STAR HWY	1,115.00
					EMERGENCY FIRE HYDRANT REPLACEMENT - 76T	1,640.00
					SPLITTER & DIGESTER TANK REPAIRS	3,850.00
						<u>112,626.81</u>
10/17/2016	1	55642	UB REFUND	CONSOLINO, FRANK	UB refund for account: 20517005	217.22
10/17/2016	1	55643	000622	DELL MARKETING L P	OPTIPLEX 5040	1,024.35
					DRIVE KIT	100.79
					TRAVEL ADAPTER	18.91
					MONITOR	179.39
					USB MONITOR	26.24
					ADAPTERS	209.98
					VEHICLE MOUNTING KIT	171.99
					BATTERY & POWER ADAPTER	164.98
						<u>1,896.63</u>
10/17/2016	1	55644	000637	DICKINSON WRIGHT	LEGAL SERVICES	8,588.00
10/17/2016	1	55645	UB REFUND	DUDA, JOHN J	UB refund for account: 40147006	185.29
10/17/2016	1	55646	003480	JOHN EBERLE	MILEAGE REIMBURSEMENT	41.04
10/17/2016	1	55647	000716	EJ USA INC	SUPPLIES	13,017.00
10/17/2016	1	55648	000754	FACTORY CONDOMINIUM ASSOC	BROWNFIELD REIMBURSEMENT	663.10
10/17/2016	1	55649	003377	GALLOUP COMPANY	REPLACE CONTROLLER	1,915.00
10/17/2016	1	55650	000934	GREAT LAKES COATINGS	RENTAL OF SUPER SHOT 125	1,250.00
10/17/2016	1	55651	000994	HAPA LLC	MARINA & BLACK RIVER PARK OPERATIONS EXP	5,923.92
10/17/2016	1	55652	001102	HUBBELL, ROTH & CLARK INC	MAIN WWTP PUMP STATION REPLACEMENT CONTR	9,948.16
					DIGESTER MIXER REPLACEMENT DESIGN & BID	4,298.65
						<u>14,246.81</u>
10/17/2016	1	55653	001108	GORDON HULL	CONTRACTUAL SERVICES	2,216.99
10/17/2016	1	55654	001152	IAPE	TRAINING	375.00
10/17/2016	1	55655	001171	J & L ORCHARD SUPPLY LLC	SUPPLIES - KALAMAZOO STREET PHASE 3	4,894.40
					SUPPLIES - KALAMAZOO STREET PHASE 3	38.60
					SUPPLIES	4.00
						<u>4,937.00</u>
10/17/2016	1	55656	001225	KALIN CONSTRUCTION CO, INC	KALAMAZOO STREET RECONSTRUCTION PHASE 3	458,564.25
10/17/2016	1	55657	001248	KENNEDY INDUSTRIES INC	REPAIR FLYGT PUMP	6,510.00
					REPAIR FLYGT PUMP	6,596.00
						<u>13,106.00</u>
10/17/2016	1	55658	001331	LAKE MICHIGAN MAILERS	MAILING FEES C-378	10,000.00
10/17/2016	1	55659	001353	LANDFILL MANAGEMENT CO	WASTE HAUL	3,641.28
10/17/2016	1	55660	001373	LAWN BOYS INC	LAWNCARE	1,012.50
					INSTALLATION OF SPRINKLER SYSTEM - HURON	4,236.40
					IRRIGATION REPAIRS - DYCKMAN PARK	138.82

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
						5,387.72
10/17/2016	1	55661	001467	MARK A MANNING	ATTORNEY SERVICES	7,620.00
10/17/2016	1	55662	001544	MENARDS	MAINTENANCE SUPPLIES	61.34
					MAINTENANCE SUPPLIES	325.84
					MAINTENANCE SUPPLIES	30.20
					MAINTENANCE SUPPLIES	60.29
						<u>477.67</u>
10/17/2016	1	55663	001607	MICHIGAN ELECTRIC COOPERATIVE	ENERGY OPTIMIZATION PROGRAM	12,873.07
					2017 SAFETY DUES	12,110.00
						<u>24,983.07</u>
10/17/2016	1	55664	001675	MIDWEST CIVIL ENGINEERS INC	KALAMAZOO STREET PHASE 3 CONSTRUCTION ST	2,402.50
					KALAMAZOO STREET PHASE 3 CONSTRUCTION ST	1,700.00
					KALAMAZOO STREET PHASE 3 CONSTRUCTION ST	1,497.50
						<u>5,600.00</u>
10/17/2016	1	55665	001691	MILBOCKER & SONS inc	NORT SHORE DRIVE RECONSTRUCTION PROJECT	111,913.06
10/17/2016	1	55666	001819	NEW AGE/LANDMARK INC	DRINKNG WATER - COPPER & LEAD TESTING	200.00
					DRINKNG WATER - COPPER & LEAD TESTING	100.00
					DRINKNG WATER - COPPER & LEAD TESTING	50.00
						<u>350.00</u>
10/17/2016	1	55667	UB REFUND	OLD HARBOR MOORINGS	UB refund for account: 41025002	1,594.56
10/17/2016	1	55668	UB REFUND	ORETSKY, PHILIP H	UB refund for account: 41626005	253.54
10/17/2016	1	55669	001948	PAT'S PRONTO PRINT	BUSINESS CARDS	90.00
10/17/2016	1	55670	002020	POWER LINE SUPPLY CO	SAFETY GLASSES	40.00
					PANTS	386.00
					GLOVES	1,398.00
					MAINTENANCE SUPPLIES	1,020.29
					MAINTENANCE SUPPLIES	63.33
					MAINTENANCE SUPPLIES	173.70
					MAINTENANCE SUPPLIES	443.32
					MAINTENANCE SUPPLIES	680.46
					MAINTENANCE SUPPLIES	115.00
					MAINTENANCE SUPPLIES	3,136.93
					MAINTENANCE SUPPLIES	1,103.80
					MAINTENANCE SUPPLIES	26.26
					MAINTENANCE SUPPLIES	486.60
					MAINTENANCE SUPPLIES	2,482.93
					MAINTENANCE SUPPLIES	16,474.61
					MAINTENANCE SUPPLIES	379.82
					MAINTENANCE SUPPLIES	17,730.56
					MAINTENANCE SUPPLIES	8,369.90
					MAINTENANCE SUPPLIES	966.83
					MAINTENANCE SUPPLIES	101.12
					MAINTENANCE SUPPLIES	781.11
					MAINTENANCE SUPPLIES	44.33
					MAINTENANCE SUPPLIES	51.62
					MAINTENANCE SUPPLIES	260.27
					SHIRTS	58.00
					JACKET	74.00
					GLOVES	432.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					MAINTENANCE SUPPLIES	296.00
					MAINTENANCE SUPPLIES	860.33
					MAINTENANCE SUPPLIES	552.42
					MAINTENANCE SUPPLIES	8,401.84
					MAINTENANCE SUPPLIES	1,091.31
					MAINTENANCE SUPPLIES	464.52
						<u>68,947.21</u>
10/17/2016	1	55671	002033	PRI MAR PETROLEUM INC	CARS WASHED	17.50
10/17/2016	1	55672	002132	REPUBLIC SERVICES #646	DISPOSAL SERVICES 3-0646-1079814	115.66
					DISPOSAL SERVICES	30,089.87
					DISPOSAL SERVICES 3-0646-1079813	2,895.56
					DISPOSAL SERVICES 3-0646-1033150	2,089.75
						<u>35,190.84</u>
10/17/2016	1	55673	002155	RIDGE AND KRAMER AUTO PARTS	MAINTENANCE SUPPLIES	49.98
					MAINTENANCE SUPPLIES	154.90
						<u>204.88</u>
10/17/2016	1	55674	002184	ROD'S PRINTS & PROMOTIONS	SHIRTS	38.00
10/17/2016	1	55675	002188	ROME'S STANDARD SERVICE INC	BATTERIES	380.46
					TIRES	380.00
						<u>760.46</u>
10/17/2016	1	55676	002267	SECANT TECHNOLOGIES	SCADA NETWORK WATER FILTRATION PROJECT	4,785.48
					REACTIVE SUPPORT	1,333.14
					MONTHLY MANAGEMENT FEE	4,307.50
					REACTIVE SUPPORT	56.25
					MONTHLY MANAGEMENT FEE	4,307.50
					REACTIVE SUPPORT	163.13
						<u>14,953.00</u>
10/17/2016	1	55677	002268	SECURALARM SYSTEMS INC	INSTALLED SSD, WINDOWS, EXAXQ SERVER & C	2,640.00
10/17/2016	1	55678	003478	SME	KALAMAZOO STREET PHASE 3 TESTING SERVICE	1,971.25
					KALAMAZOO STREET PHASE 3 TESTING SERVICE	10,102.50
						<u>12,073.75</u>
10/17/2016	1	55679	002416	SOUTH HAVEN ROTARY CLUB	QUARTERLY MEMBERSHIP DUES & MEALS	142.00
10/17/2016	1	55680	002478	STAPLES ADVANTAGE	SUPPLIES	584.54
10/17/2016	1	55681	002513	STEEL CENTER SUPPLY CO	MAINTENANCE SUPPLIES	54.05
10/17/2016	1	55682	002665	TREECORE	TREE WORK	22,065.00
10/17/2016	1	55683	002726	US BANK	BOND PAYMENT	89,777.50
					BOND PAYMENT	281,381.25
						<u>371,158.75</u>
10/17/2016	1	55684	002728	USA BLUE BOOK	LAB SUPPLIES	603.32
					LAB SUPPLIES	73.06
						<u>676.38</u>
10/17/2016	1	55685	002755	VAN BUREN COUNTY ROAD COMM	QUARTERLY ELECTRIC PAID	24.45
10/17/2016	1	55686	003220	WINGFOOT COMMERCIAL TIRE SYSTEMS	TIRES	420.28

10/12/2016 11:56 AM
User: MARGUE
DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK DATE FROM 10/17/2016 - 10/17/2016

Page: 5/5

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
10/17/2016	1	55687	003458	WOOD'S LAWN SERVICE	CODE ENFORCEMENT MOWING	<u>835.00</u>

1 TOTALS:

Total of 61 Disbursements:

1,415,632.84



City of South Haven

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

REPORT TO: Honorable Mayor and City Council

FROM: Wendy J. Hochstedler, Finance Director

SUBJECT: Bond Issuance Costs for South Haven
Bonds, Series 2016

MEETING DATE: October 17, 2016

EXECUTIVE SUMMARY: The bonds for the City Sewer Improvement projects in the amount of \$13,900,000 General Obligation bonds, \$1,545,000 Building Authority bonds and \$2,500,000 Michigan Transportation Fund bonds will be issued on 10/17/16. The City has received invoices for agreed upon professional fees relating to the bond rating services from Standard & Poor's Global Ratings in the amount of \$26,550.00. The invoices will be paid out of the bond proceeds received upon closing.

RECOMMENDATION: It is recommended that the City Council approve the payments for bond issuance costs to Standard & Poor's Global Ratings in the amount of \$26,550.00

FISCAL EFFECTS: As stated in this report.

ALTERNATIVES: As suggested by the Council

Respectfully submitted,

Wendy J. Hochstedler
Finance Director

0201

MS. WENDY HOCHSTEDLER
CITY OF SOUTH HAVEN
539 PHOENIX STREET
SOUTH HAVEN MI 49090

Description of Services	Amount
101011 ANALYTICAL SERVICES RENDERED IN CONNECTION WITH: US\$13,900,000 South Haven, Michigan, General Obligation Limited Tax And Refunding Bonds, Series 2016, dated: Date of Delivery, due: October 01, 2041 US\$1,545,000 South Haven Building Authority, Michigan, Building Authority Bonds (South Haven), Series 2016, due: October 01, 2026 [Fee Discounted For Frequent Issuance]	\$15,750.00

FOR INQUIRIES PLEASE CONTACT: KIRAN CHAVALI
COLLECTIONSUSRATINGS@SPGLOBAL.COM
PHONE: 1-800-767-1896 EXT #6
FAX: 1-212-438-5178

For inquiries contact the client services representative listed on this invoice. Do not return it or direct any inquiries about the invoice to credit ratings analysts. S&P Global Ratings maintains a separation of commercial and analytical activities. Please note that our credit ratings analysts are not permitted to communicate, negotiate, arrange or collect credit rating fees.

Please reference invoice or statement number on all checks and wire transfers

This Invoice Due and Payable As Of: 10/11/16

INVOICE TOTAL \$15,750.00 USD

Make Checks Payable To:

S&P Global
Ratings

Standard & Poor's Financial Services, LLC
Federal I.D.: 26- 3740348

Invoice No.: 11317172
Customer No.: 1000101191
Invoice Date: 10/11/16

0201

Billed To:
MS. WENDY HOCHSTEDLER
CITY OF SOUTH HAVEN
539 PHOENIX STREET
SOUTH HAVEN MI 49090

Wire Transfer To:
Please include invoice #
Bank of America
S&P Global Ratings
Account # 12334-02500
ABA # 0260-0959-3
Or E-mail: cashapps@spglobal.com

Remit To:
S&P GLOBAL RATINGS
2542 COLLECTION CENTER DRIVE
CHICAGO, IL 60693

10001011911 11317172 01575000 1 700 10 07 1016 9

TOTAL AMOUNT DUE: \$15,750.00 USD AMOUNT ENCLOSED:
--

0201

MS. WENDY HOCHSTEDLER
CITY OF SOUTH HAVEN
539 PHOENIX STREET
SOUTH HAVEN MI 49090

Description of Services	Amount
101011 ANALYTICAL SERVICES RENDERED IN CONNECTION WITH: US\$2,500,000 South Haven, Michigan, Michigan Transportation Fund Bonds, Series 2016, dated: Date of delivery, due: April 01, 2031	\$10,800.00

FOR INQUIRIES PLEASE CONTACT: KIRAN CHAVALI
COLLECTIONSUSRATINGS@SPGLOBAL.COM
PHONE: 1-800-767-1896 EXT #6
FAX: 1-212-438-5178

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Please reference invoice or statement number on all checks and wire transfers

This Invoice Due and Payable As Of: 10/11/16

INVOICE TOTAL \$10,800.00 USD

Make Checks Payable To:

S&P Global
Ratings

Standard & Poor's Financial Services, LLC
Federal I.D.: 26- 3740348

Invoice No.: 11317174
Customer No.: 1000101191
Invoice Date: 10/11/16

0201

Billed To:
MS. WENDY HOCHSTEDLER
CITY OF SOUTH HAVEN
539 PHOENIX STREET
SOUTH HAVEN MI 49090

Wire Transfer To:
Please include invoice #
Bank of America
S&P Global Ratings
Account # 12334-02500
ABA # 0260-0959-3
Or E-mail: cashapps@spglobal.com

Remit To:
S&P GLOBAL RATINGS
2542 COLLECTION CENTER DRIVE
CHICAGO, IL 60693

10001011911 11317174 01080000 1 700 10 07 1016 3

TOTAL AMOUNT DUE:
\$10,800.00 USD
AMOUNT ENCLOSED:



City of South Haven

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

October 13, 2016

To: City Council
Cc: SHARA Board, W. Hochstedler
From: Brian Dissette, City Manager
Re: SHARP Balance Transfer

The City Council will be asked to consider approval of a transfer of \$35,000 of SHARP funds to the South Haven Area Recreation Authority (SHARA).

SHARA has been working to advance regional recreation projects in the city and South Haven Charter Township. SHARA has maintained its own financial account, which is overseen by the South Haven Public Schools staff, for the past several years. SHARA is now working to construct its first capital improvement at the Pilgrim Haven site, and also has a grant application pending for a planned recreation field project to be located in South Haven Charter Township.

The SHARP funds come from donations made to help advance a regional recreation park. Further, a portion of the funds come from farm lease revenue, which is a result of the purchase of 98 acres of land in Casco Township (which was funded by private donations.)

Staff recommends transferring the SHARP funds to SHARA at the earliest opportunity. Thanks for the time and attention. Please let me know if there are any questions and/or concerns.

**CITY OF SOUTH HAVEN
REQUISITION / PAY REQUEST**

Nº 4682

Vendor Number _____

Date 10-18-16

Vendor: So Haven Recreation Authority
854 Green Street
South Haven, MI 49090

Department _____

PURCHASE ORDER (Will be mailed)		CHECK REQUEST		
Original <input type="checkbox"/>		Regular <input type="checkbox"/>		
Confirming <input type="checkbox"/>		Prepay <input type="checkbox"/>		
BUDGETARY ACCT. # FUND/DEPT./LINE ITEM	QTY.	ITEM	UNIT PRICE	TOTAL
718-002-277-013		Transfer to SHARA		35000.00
COMMENTS: 9-30-16 Bal in SHARP account is \$39,224.50.				

Signature (under \$500) _____ Date _____

Group Leader (\$500 & over
less than \$1000) _____ Date _____

[Signature]

City Manager (\$1000 & over
less than \$15000) _____ Date _____

ACCOUNTING USE ONLY

W. Hochstedler

Recommended by _____ Date _____

Authorized to Pay _____ Date _____

City of South Haven
SHARP Cash Receipts & Expenditures

	Donations	Bank Int or Fee	Expenses	Lease Payment	Applied to Land Purchase	Administrative Assistant	Cash Balance
Nov-14							24,394.14
Dec-14			9,230.00				33,624.14
Jan-15							33,624.14
Feb-15							33,624.14
Mar-15		1.44					33,625.58
Apr-15							33,625.58
May-15							33,625.58
Jun-15							33,625.58
Jul-15	15,000.00			15,000.00			33,625.58
Aug-15							33,625.58
Sep-15		1.56					33,627.14
Oct-15							33,627.14
Nov-15	3,724.00			3,724.00			33,627.14
Dec-15				2,579.49			31,047.65
Jan-16			11,360.00	95.00			42,312.65
Feb-16							42,312.65
Mar-16							42,312.65
Apr-16							42,312.65
May-16							42,312.65
Jun-16	170.00			170.00			42,312.65
Jul-16				3,088.15			39,224.50
Aug-16							39,224.50
Sep-16							39,224.50

Donations	Interest Earnings	Farm Lease	Expenses	Applied to Land Purchase	Administrative Assistant	Cash Balance
775,287.05	1,917.85	20,590.00	325,689.65	424,566.51	8,314.24	39,224.50

Construction Board of Appeals

Regular Meeting Minutes

Wednesday, July 27, 2016
3:00 PM, Conference Room A
City Hall, 539 Phoenix Street



1. Call to Order by Chair Dibble

2. Roll Call

Present: Larry Heinig, Bob Stickland, Mark Dibble
Absent: Ed Morse

Also present: Ross Rogien, Building Official; Butch Kelly, Hearing Officer; Linda Anderson, Zoning and Planning Administrator

3. Approval of Agenda

Motion by Stickland, second by Heinig to approve the July 27, 2015 regular meeting agenda with reversal of the items under new business.

All in favor. Motion carried.

4. Approval of Minutes - July 13, 2016

Motion by Heinig, second by Stickland to approve the July 13, 2016 regular meeting minutes as written.

All in favor. Motion carried.

5. Public Comment

There were none.

6. NEW BUSINESS

a) 416 Humphrey – Demolition Order

Alan Smith, owner of property at 416 Humphrey. Stated he lived there for 24 years and then left the property vacant for personal reasons. Knows it needs a new roof but he got a bid and but could not get a permit for some reason or other. Smith added that he

knows the house is filthy and needs to be cleaned out. "It's structurally sound," Smith said of the house to which Kelly commented, "Other than the back roof," which Smith agreed with. Smith stated that the back porch roof is part of the estimate from the roofing contractor, who Smith said was ready to begin but was held up because he could not get a building permit.

Dibble asked Smith's plans for the house.

Smith enumerated the things that he knows he needs to do: a new roof, structural repairs to the back porch roof, gutting the house (removing all furniture, clothes, etc.) and repair soffit and fascia.

Dibble said the appellant has cleaned up the yard and has a contract to rebuild the back porch and reroof the house, which Dibble saw.

Concern was expressed that Kelly was not able to go in and inspect the interior. Smith said my exact words to Mr. Kelly were, "I'm embarrassed about the condition of the house and I'd rather you not go in." Kelly noted that is correct and added that Smith allowed him to walk around the outside of the house. Smith added that he had bushes removed, trees trimmed, and yard cleaned up.

Stickland questioned Mr. Brush's estimate and the expenditures that he shows need to be done; the amount of money to get everything done that needs to be done. Anderson explained that this is a normal part of the review that is done.

Rogien pointed out that Brush was unable to access the house to inspect the interior systems. Dibble added that Brush is probably using a square footage method to come up with figures. Dibble commented that the house looks pretty square.

As discussion continued regarding the roof and structural repairs, Smith added that there are three layers of shingles on there, so he knows the city wants him to go all the way down to the bare wood and reroof. Smith explained that the dumpster is there, and he is going to have to make a payment on it because he's had it longer than he thought, and his contractor can start as soon as Smith can get the permit.

Dibble asked when Smith thinks the interior can be cleaned up and Smith responded that he plans to put in for vacation for a week and go in there and throw all that away, Mentioned that he has to give his work a two week notice to take time off. Mentioned getting a bid from ServPro or if that is too expensive, do it himself, with the help of his kids.

Stickland pointed out that this is the last stop. "If you don't get it up to code and safe, how can you give us that assurance?"

Smith said the roof will be on by the next two weeks.

Stickland asked why Brush called for all new windows. Smith noted that some of the windows are new double pane windows, which Dibble noted are aluminum clad.

While discussing painting the exterior, Dibble said someone could mask those windows off and spray that. Smith said he got a bid which was \$3,500, which was steep for him.

Dibble reminded that conditions can be added to any motion that is made. Stickland asked about what conditions. Kelly said such as a date to secure the permit and get the roof on by August 31, 2016.

Kelly noted that exterior trim on the older windows needs to be repaired or replaced and Anderson suggested the board make that part of the contingencies.

Stickland asked what happens if we give Smith a finish date and nothing gets done by that time. Anderson responded that the board needs to be specific about what you want him to do. How much work has to be done by August 31, put in that if this is not done the city will go forward with demolition.

Dibble asked Smith whether he can get that done by August 31. Smith explained he has to give two weeks' notice to take time off but he has two weeks leave coming and one day a week off from work; he will scrape the windows himself. Stickland asked if he plans to replace those windows to which Smith responded that he does not plan to replace windows. Dibble noted that any windows with peeling paint will have to be addressed to which Smith noted that if that is deemed necessary he will get that done.

In response to a question about utilities, Smith said he just paid off the utility bill and noted that the water has been turned off so he could repair a pipe.

Motion by Stickland to defer demolition contingent on replacement of the roof, repair and painting of the trim of six windows and rebuilding of the back porch by August 31, 2016.

Smith noted that he couldn't get a permit so he is asking for a permit. Anderson noted Smith did not allow access to the house; that is why the permit was held up. Smith said that the last meeting was June 22 when the Aug 31 was set. Anderson said one thing you can do if you want to give him deadlines, specify when the permit will be pulled, when the roof has to be done, if they miss those steps he defaults.

The board agreed to add to the motion that the permit be obtained by Aug. 1, 2016; roofing completed by Aug. 31, 2016 including repairs to back porch and reroof all; and windows scraped, repaired and painted by September 14, 2016.

The final motion:

Motion by Stickland to defer demolition contingent on a permit being obtained by August 1, 2016; back porch repairs and complete reroof finished by August 31, 2016 and repair and painting of the trim of the six older windows completed by September 14, 2016.

Second by Heinig.

A roll call vote was taken.

Ayes: Heinig, Stickland, Dibble.

Nays: None

Motion carried.

b) 310 Edgell – Demolition Order

Louis Proctor, owner of 310 Edgell, was present.

Dibble asked if owner is working on the house. Proctor has not been working on it recently.

Heinig inquired whether utilities are on to which Proctor responded that the water is not but the electric is.

Discussion followed regarding the electrical panel being off, referencing a photo taken by John Brush as part of his review of the cost of repair of the house. Proctor said that is an old panel; there was a fire and the house has been rewired. Proctor noted that the city inspector was there through all the work.

Dibble pointed out the photograph of dry rot in the floor joist noted by John Brush in his review. Dibble asked about past permits and Rogien stated there has been no permit issued to this property in his time contracting with the city, which began in 2007. Dibble noted that a permit expires in one year regardless.

Proctor said he was having work done on the house but then his contractor died. Since then Proctor has had the house reroofed.

Heinig asked about the condition of the furnace. Proctor said the gas meter is gone. Proctor stated he cannot answer the question about the condition of the furnace but thought the furnace probably would have to be replaced.

Rogien pointed out that people are getting in the house. Proctor responded that people are breaking into the house. Kelly asked if there has been a police report to which Proctor responded there has not. Proctor noted that he has locked up the house and he is getting ready to put a lock on the Bilco © (basement access) door. It was noted that there is no access from the basement to the main floor of the house.

Dibble asked what repairs Proctor plans to do to which Proctor responded flooring, painting, clean out whatever is in there. Dibble asked for a schedule. Proctor said he has no schedule at this time and noted that the wiring, insulation and dry wall is new, then amended that with newer. Discussion ensued regarding the fire, work that was done, whether permits were pulled, whether inspections were made.

Rogien pointed out that the Code Enforcement Officer has sent numerous letters about the house being insecure. In response to a question about how people are accessing the house, Proctor said they broke in the side door and stated that he has deadbolts on all the doors.

Dibble asked about damage, referring to the graffiti. Proctor said he doesn't know who is doing that. He hasn't filed a police report but said the house has been broken into.

Proctor stated he will clean out all the junk, referencing a photo with a bike, a Weber grill and miscellaneous debris. The junk will be put in the junkyard.

In reference to comments about the floor joists condition and the flooring, Proctor said the floors are newer; he does not know about the joists.

Dibble referenced a photo of the electric meter and wiring on the outside of the house, noting that the electrical is installed according to residential code; conduit is not required on residential; and noted that the wire rubbing on the roof is not good. Proctor stated that the city did the electrical, to which Dibble responded that the owner is responsible for the wiring from the meter to the weather head (which includes the area of wiring rubbing on the roof).

Dibble said Proctor not having a plan is a concern. Proctor said he has a plan but the guys he had lined up are not available; one is going to England soon.

Proctor said he's thought about putting in a security system. Proctor said they damaged the door to get in; ripped the casing. Dibble said this looks like a newer door. Anderson explained that the black and white pictures were from 2008 so "newer" is pre-2008.

Stickland repeated that he is concerned about the condition of the floor joists.

Dibble noted that the first issue is whether there is a permit. Anderson went to check when the last permit was issued.

Rogien asked if the gas service is live and Proctor said no. Rogien would like to look at the floor joists with the owner.

Dibble asked about how long a construction project can go on. Rogien explained that 180 days of inactivity means a new permit must be granted.

Stickland asked how long Proctor has owned the property to which Proctor responded that he has owned it for 30 years.

Anderson returned and noted city files indicate that the last permits were pulled in 2004 but do not appear to be finalized. An explanation regarding the city's record keeping system was offered.

Proctor said he is concerned about the issues with the floor joists. Dibble asked what Proctor's schedule is to get it done. Kelly interjected "done" means it needs to be livable. Discussion ensued regarding what has to be done to get an occupancy permit. Between Rogien and Kelly it was explained that there has to be a working kitchen and a working bathroom, utilities and functioning furnace.

Proctor said he needs to look at the flooring before he can decide what needs to be done. Stickland said we can give you until Labor Day to do all the repairs. Proctor asked, "A month to get all that done? It will take a month to get a contractor lined up." Dibble said Proctor is right, contractors are very busy. Anderson said according to the building department record system the fire occurred sometime in 2004; that was 12 years ago.

Dibble commented that “the board is not going to give you 12 more years to finish it. The building official needs to look at the floor joists with you. Do you have the time and money to complete this in a timely fashion?”

Heinig said we need to set some deadlines. Secure the building by Friday. Kelly asked how many police calls there have been on the property. Anderson stated she does not have access to those records but knows there have been multiple times. In response to a question from Kelly, Proctor said he does not have insurance on it because he was turned down by the insurance company due to the house being unoccupied.

Discussion turned again to setting a schedule. Anderson said, “We have to have dates set.” Dibble noted that the appellant might not be able to line up a contractor in two months. After discussion the following motion was put forward:

Motion by Heinig, second by Stickland that the building at 310 Edgell be secured by Friday, July 29; that inspection of mechanical systems and floor joists be done by Friday July 29 and that any repairs required be done by November 1st 2016. A permit will need to be taken out for all work deemed necessary based on the building official inspection today. The house will need to have operable heat, water and electrical; an operable kitchen and bathroom. Evidence of approval following inspections of plumbing, mechanical and electrical are conditions necessary for the required occupancy permit to be issued.

All in favor. Motion carried.

Anderson explained that if it is not deemed economical to repair the house, it is cheaper to demolish it yourself than have the city do it due to possible attorney and administrative fees.

Anderson said next we will have 312 Edgell, which is next door to this one. Noticing has taken place to both the last addresses on file for the original owner, then to the bank which had repossessed it. The hearing officer gave a deadline for demolition of Aug 5, 2016 and if that passes without the owner demolishing the house, Anderson would like to set up a meeting for Wednesday, September 14, 2016 at 3:00 p.m. Anderson will see if she can establish a quorum for that date and will get information out to the Construction Appeal Board.

7. Adjourn

Motion by Stickland, second by Heinig to adjourn at 4:02 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Downtown Development Authority

Regular Meeting Minutes

Wednesday, August 3, 2016
Noon, Council Chambers



City of South Haven

MISSION STATEMENT: The Downtown Development Authority (DDA) is to be a leader in helping to fulfill the City of South Haven Municipal Plan; through planning, funding, and development of projects within the DDA District which promote, encourage and contribute to the overall economic growth and development of the community.

1. Call to Order by Burr at noon.

2. Roll Call

Present: John Braun (12:20 p.m.), Chris Campbell, Sue Frederick, Jim Marcoux, Sally Newton (12:03 p.m.), Kevin Whiteford, Bob Burr
Absent: Scott Maxwell, Andrea Olson

3. Approval of Agenda

Motion by Marcoux, second by Frederick to approve the August 3, 2016 regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – March 2, 2016 Regular Meeting Minutes and March 15, 2016 Special Meeting Minutes

Motion by Whiteford, second by Marcoux to approve the March 2, 2016 Regular Meeting minutes and March 15, 2016 Special Meeting minutes as written.

All in favor. Motion carried.

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

There were none.

6. Update of downtown sculpture project – SHCA Executive Director Thea

Thea Grigsby, South Haven Center for the Arts (SHCA) Director, explained that the Art on the Town Committee was formed to support the empty plinths in the downtown. Introduced Lynn Winkel, who is on the board at SHCA and SHOUT. Listed the committee members and noted they are all volunteers.

Grigsby noted that South Haven has been considered an art town in the past; in 1994 S.H. were ranked in 100 best art towns but dropped off that in 1997. Explaining that art and cultural travel is a big thing now, Grigsby stated that the SHCA would like to help get the city back in the ratings again.

Grigsby explained that the committee chose a theme; South Haven - people, places and things - noting that an entry can be representational or non-representational. The committee did their homework; did research, did interviews, visited other cities and towns and learned that you can buy or rent an entire project. Noted that the size of South Haven limits the scope of things we can do but does not limit the creativity. The committee's methodology took two threads: 1.) Buy ready-made (SHOUT has volunteered but want to have input on the art piece chosen) and 2.) Grow our own with emerging sculptors and local talent. Grigsby noted it would be a shame if someone didn't have a piece available that fit the theme or couldn't compete because they do not have the material. The hope is to launch a contest/competition.

Grigsby added that the SHCA comes to the DDA with issues of funding; the committee can't do it alone. Grigsby spoke of a couple of funding possibilities; the NEA town grants and the Musser grants, which are for small rural community art development. Noted that grants are difficult to get unless we have something really unique and wonderful, which is how the Grow Our Own part of the program came to be.

Grigsby noted, "We are asking the DDA to invest \$5,000 for us to seed five artists, chosen through an RFP (Request for Proposal) which we will send out to as many artists locally we can find; we hope to reach 500 artists in a 60 mile radius, to award \$1,000 to each artist for supplies and then to find sponsors for them, such as SHOUT, Rotary or downtown businesses. Grigsby explained the SHCA also has a conflict of interest because SHCA constantly has to do our own fundraising. Grigsby has agreed to do all the grant writing for the project. The committee is very strong and thoughtful in thinking beyond just the sculptures this project entails, considering murals, art bike racks and art benches. Grigsby's hope is that the DDA can support the committee to help get it started.

Marcoux asked for clarification of how the \$5,000 being requested will be used to which Grigsby responded, "We received money from the Community Foundation to use to start the project. We will use the \$5,000 as seed stipends for 5 artists so they can use it to fund the start of the project. We are then going to match the artist that is chosen with a sponsor to help complete the project. We don't want the artist to have a free-for-all, we're mindful of decorum, but want to have a level of creativity and uniqueness to South Haven, so we're proud of it and to push us back into the art culture."

Burr commented that he thinks there are twelve designated sites for art to eventually be placed in the downtown, noting, "The infrastructure is in place and we are waiting for a sculpture to come forward."

In response, Newton noted that the plinths are round and the seating plinths are square. Discussion ensued regarding where the designated sites are and whether there are just two that will support sculptures. Newton said the plinths are small, diameter wise which limits entries to small based sculptures. It was noted that the SHCA is trying to keep it open to

where sculptures could be placed, noting, “in the downtown, and certainly down the road, maybe we could use other locations around the community.”

Burr asked if there is a timeline for when they will have the first sculpture. Grigsby stated that the hope is to have one to unveil at Harvest Fest, but also noted that she thinks that will be a little tight. Burr asked when Harvest Fest is, to which Grigsby noted it is in October but added, “We think we have one or two people who are ready to go, but we’re behind, because we had hoped to meet with you in July.”

Marcoux asked, “You are going to get an RFP out, bids back and a sculpture by Harvest Fest?” Grigsby explained that the committee will not put something forth unless we find something perfect, adding, “We hope to launch one in October, so people don’t think we’re not doing it. We want to go slow and be right and inclusive; there are so many issues that are really important.”

Campbell asked about scheduling and how long artists will have to complete projects, to which Grigsby responded that there is a schedule, but we did not meet in July as planned, adding, “If things aren’t ready by this fall they will definitely be in place next spring. It’s not going to drag on.”

Whiteford asked whether there will be five people; what if you only find two qualified sculptors.

Burr asked if the committee plans to have five sculptures by next tourist season to which Thea responded, “That’s the goal.” Winkel added, “Without money it has been difficult. The competition will have judges; if none of the entries work we won’t choose them. We’ve been in cities around the country and all do it a different way. In a lot of cases, businesses end up purchasing them. Some can be done as memorials. We have to get started, and that’s what we are looking for. It will be an ongoing thing and we will be adding to it.”

Whiteford stated that the DDA is here, according to our mission statement, to promote the overall economic growth and development of the community and added that the types of things being promoted here would be beneficial for economic growth, but timing and scheduling are good questions.

Newton explained that the local piece has been important to us. “Literally, we could, as a committee, have a fundraiser and buy a bunch of art. We could have that done in six months, but it’s important to us to have local involvement in this. We want to use local/regional sculptors to do the pieces. From the beginning we weren’t ready to give that up. The whole mentoring program, trying to give some 17-year old student at South Haven schools a place to explore this thing they are interested in, takes a lot more work than just going sculpture shopping.”

Grigsby noted that this committee is all volunteers; they have worked really hard on it and added that when the RFPs come in, the art center will show all the pieces that come in, so everything is open.

Davidson asked if this will have to go before City Council, whether the design of the sculptures will have to be approved by council. Burr responded that he does not think council is qualified to judge sculptures.

Burr asked if there were any other questions or comments and hearing none called for a motion.

Motion by Marcoux that the DDA contribute \$5,000 toward the South Haven Center for the Arts downtown art project. Second by Frederick.

All in favor. Motion carried.

Braun noted he is abstaining because he was late coming into the discussion.

7. Update of *SoHoliday Lights* - James Leppa, Committee Co-Chair

Davidson introduced James Leppa, to update the board regarding efforts toward lighting the downtown.

Starting in January, he began devising a plan to do downtown lights, determining the number of light poles, number of trees to decorate to attract more people and create a more viable economy in the winter months. "I am a downtown merchant so that is very important to me."

Leppa noted that the city requires LED and provides the electricity.

Leppa noted that he is co-chairing with Sara VanAshe, a local interior designer; that they connected in April and have been working on this together. She is handling corporate donations and Leppa has been working with downtown merchants and residents. Leppa explained that an initial goal of raising \$20,000; as of today, in the light fund, there is \$4,100, from private donations from local merchants and residents, and donation jars around town.

Leppa stated he is asking the DDA to allocate \$5,000 to the holiday light fund and wants to stress it is not just the holiday lights; it would include a year-round installation, like St. Joe and Saugatuck have. Trees would be wrapped downtown and would be maintained and taken care of every two years. Light poles would be wrapped in November and taken down in February. Leppa is asking that the DDA allocate the money to purchase the lights needed.

In response to a question, Leppa noted that the lights would go downtown. There are 138 light poles to wrap with lights for the holiday season and 80 viable trees that could be wrapped downtown that have electric nearby. This includes Huron to Water Street and Kalamazoo to Broadway. Leppa noted that some merchants felt left out in years past because lights were not placed in certain areas; Leppa's plan is to include all of the central business district and in sequential years, continue to grow, develop areas into the parks, city hall's tree and any other trees that come into the downtown through future development.

Leppa proposes to purchase lights through Wintergreen Corp; they provide lights to communities that are rated for 100,000 hours of lights. Even at twenty-four hours a day that

is at least 10 years of use with proper installation and maintenance. Planning three light strands per pole and sixteen to twenty-four strands per tree, Leppa noted the lights he proposes have a co-axial plug so one can put them together and still maintain the brightness. Leppa spoke about the cost of light strands and power cords and explained the way they work. Leppa said in speaking with Brian Dissette, he said the city would look into supplying a utility truck so that would not have to be part of the cost. He and his partner volunteer their time and work with a crew of volunteers – free labor, so all of the money can be used for lights. They will be deemed city property and treated as such.

Marcoux asked Leppa what he meant about permanent lights and ones you are going to put up and take down; Leppa responded the light poles would be wrapped with lights for holidays and the lights would remain in the trees year round. Due to the cost, next year the group wants to add garlands for the poles.

Marcoux asked if the city will accommodate storing the lights. Davidson said the city has in the past.

Marcoux said regarding the last lighting program, it went from regular lights to LED lights and asked if there are no supplies that can be re-used from previous years. Leppa responded, “We have LED snowflakes; I do not know where the lights are from last year, or what they are.” Marcoux noted he does not know of the quality, whether they are the same quality Leppa has been talking about to which Leppa responded that some of them were duct taped together and he did not like the way that looked; last year zip ties were used and will continue to do so.

Braun commented that the lights that were purchased were not wired for U.S. power so they had to be cut and jerry-rigged. Leppa pointed out that the lights he is talking about do fit the electrical requirements of the city and added that the previous lights were from overseas; he was looking for a wholesale commercial grade lighting company from whom replacements in case of a problem could be readily available without a time lag.

Campbell asked whether Leppa had a sample and Leppa responded that he has ordered samples and will have samples at their booth at Blueberry Festival.

Burr pointed out that the city abandoned the tree lighting due to problems with the trees growing around the lights; the new downtown streetscape was designed to have lights on poles only; this would be a change in policy that Burr does not think will be accepted readily.

Leppa agreed it is a shift and that Davidson had told him about no lights in trees. He noted one concern was whether or not, with the wind tunnel of Phoenix, lights could be secured, as the majority of the problem with lights in the trees was with that. Leppa has looked into how the trees can be securely done, explaining that there is an adaptor, a co-axial arm that has eight different adaptors so lights can be secured more securely to the tree, which is why maintenance would be done on tree lights every two years. Leppa noted that a lot of the businesses around Phoenix that he spoke to did like the lights in trees.

Marcoux commented that he liked everything Leppa has said, noting, “You’ve done your homework. If other cities are doing it, and you have a plan to accommodate the pruning of the trees, let this guy go, what that’s going to do to the town is huge, if it can be

accommodated. You have worked very hard and have all the answers and I commend you for what you've done."

Leppa said he started looking into this in December; how other cities were doing it and the way to make sure the lights are secure. "If this is the one project I take care of every year, I will happily do that. I am at enough planning and council meetings, if I see things come up that will necessitate maintenance, I will be ready to do the maintenance."

Davidson noted that the city had the most problems with maintenance in the past. Marcoux said technologically there are vehicles for making that more accommodating for tree maintenance. Leppa pointed out that if a LED lights goes out it does not affect the other lights in the strand; they are screwed together. Also, lights would not be in small branches, where they could break, but on heavier branches of the tree; if they need to be pruned, unscrew the strand and accommodate the tree maintenance.

Burr said another issue is that city crews were not to be used to put up the lights; the city was paying journeyman electrician rates to get the lights hung. Leppa noted that he has not requested using city workers, only that it was a possibility that city trucks could be used. If it has to be done using a ladder, Leppa is willing to do that. "If the city cannot donate a truck, we'll allocate money for it."

Whiteford said he googled and in the last ten minutes he can see that there are some companies in Michigan, but stated Leppa has done his homework; if it is Georgia that is the best quality that's fine. Some of these companies are installers. Whiteford did not know what that would cost, but it's something to get a quote on; maybe corporate sponsors can help with that. Leppa noted they are reaching out to Albemarle; if their employees donate, Albemarle will match it. "We do need to concentrate," Whiteford said, "The downtown businesses should be most involved . . . but it will benefit the whole community." Leppa added there are a lot of different emotions with the downtown merchants – they want to see it improved and there are questions due to problems in the past. That's why we ordered samples so people can see what they are getting." Leppa said he has been in every single store on Phoenix at least three times.

Braun noted that this needs to be a community-wide initiative; the downtown benefits, but as a community we have a center and for the whole community needs to support it.

Marcoux feels this is set apart from what was done before; first of all, we have a "godfather." "What Leppa is talking about is what I'd consider a solution, a long-term solution. Something the community can take pride in on an ongoing basis. We won't have to wonder what they're doing this year."

Braun said the price Leppa got was crazy good; most other wholesalers are looking at \$20 plus for strands.

Whiteford noted that out of the sites he has seen in the last ten minutes, Wintergreen seems to be one of the better ones.

Motion by Marcoux that the DDA board grant SoHaliday Lighting and James Leppa and his group \$5,000 to allocate for a downtown lighting program. Second by Newton.

All in favor. Motion carried.

8. General Comments

There were none.

9. Adjourn

Motion by Newton, second by Whiteford to adjourn at 12:57 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

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

**Tuesday, September 6, 2016
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: Dr. Robert Herrera, Mr. Dana Getman, Mr. Ross Stein

Absent: Mr. Mark McClendon, Mr. Dennis Fitzgibbon

Guests: Mr. Brian Dissette, City Manager, City of South Haven
Mr. Tony McGhee, Abonmarche Engineering

3. Approval of Meeting Minutes:

March 22, 2016 Board Meeting: Motion by Getman, seconded by Fitzgibbon to approve the minutes as presented. All in favor, motion carried.

4. Approval of Agenda:

Motion by Fitzgibbon, seconded by Getman to approve the agenda of the September 6, 2016 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 \$118,299.61.

Motion by Getman, seconded by Herrera 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 \$39,224.50.

- c) The board was presented the following invoices for approval:

- a. Abonmarche invoice #113661: \$1,243.00
- b. Abonmarche invoice #113662: \$1,690.50
- c. Dickinson Wright invoice #1095089: \$228.00

Motion by Herrera, seconded by Getman to approve the SHARA invoices, as presented. All in favor, motion carried.

7. SHARA Board was asked consider approval of a lease agreement between the Southwest Michigan Land Conservancy (SWMLC) and the South Haven Area Recreation Authority (SHARA) for use of the property at 17449 77th Street, South Haven, MI 49090, commonly referred to as the Pilgrim Haven natural area.

Dissette provided a summary of the lease agreement and negotiation process to the SHARA board. Dissette noted that the initial term of the lease is twenty (20) years. Dissette went on to explain the following terms: the lease provides an automatic renewal, provided that SHARA is not in default of its obligations under the lease. After the initial 20 year term, the lease then is renewed for successive three (3) year terms, unless either party sends written notice to end the agreement.

The fee for the lease is \$1.00 for the initial 20 year term, and \$1.00 for the automatic renewals. The lease requires that SHARA provide liability insurance for the area (and the proposed improvements) with a policy of not less than \$5 million in total liability insurance. The lease notes that if SHARA decides to provide comparable or better coverage, it shall first submit to SWMLC the proposed replacement insurance in order for SWMLC to concur with the proposed alternate policy.

The lease agreement allows SHARA to use the property in a lawful manner, for the purpose of developing, constructing, maintaining and operating the site as a natural area consistent with preservation of the site. The parties recognize the planned improvements will alter the current natural characteristics of portions of the property in order to enhance its accessibility for public use as provided in the previously recognized documents and they also acknowledge anticipated sources of funding for those planned improvements require that portions of the property be accessible to the public for seasonal uses.

Motion by Getman, seconded by Herrera to open approve the lease agreement with SWMLC and SHARA for use of the Pilgrim Haven natural area. All in favor, motion carried.

8. Staff member comments:

No comments

9. Board member comments:

No comments

10. Adjourn

Motion by Getman, seconded by Herrera to adjourn the meeting. All in favor, motion carried. The meeting was adjourned at 3:30 p.m.

Respectfully submitted by,

Brian Dissette
City Manager, City of South Haven

Planning Commission

Regular Meeting Minutes Thursday, September 8, 2016 7:00 p.m., Council Chambers



City of South Haven

1. Call to Order by Heinig at 7:00 p.m.

2. Roll Call

Present: Bill Fries, Suzanne Loafman, Judy Stimson, Larry Heinig
Absent: John Frost, Steve Miles, Dave Paull

3. Approval of Agenda

Motion by Gruber, second by Stimson to approve the September 8, 2016 Regular Meeting agenda as presented.

Heinig noted that 132 North Shore is no longer on the agenda due to submission of a revised drawing which still needs to be reviewed by staff. Heinig stated anyone here who is interested in speaking on this project will be able to do so during Item 5 on the agenda "Interested Citizens in the Audience Will be Heard on Items Not on the Agenda" and pointed out that since the plan has changed, their comments may not be pertinent to the current proposed project.

Heinig called the vote.

All in favor. Motion carried.

4. Approval of Minutes – July 14, 2016

Motion by Stimson, second by Fries to approve the July 14, 2016 Regular Meeting minutes as written.

All in favor. Motion carried.

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

Donna Payerle, North Shore Drive. Current president of Parkshores Condominiums. Spoke about supporting short term rentals in the city; concerns about construction at 132 Northshore which will greatly affect her condominium; occupancy and number of bedrooms and impact on the neighborhood.

Kay Davis, Parkshores 32-year owner. Asked the Planning Commission to consider the Parkshores residents in their deliberations; the size of the proposed project; owner-occupied versus rental occupied; congestion; noise and other issues.

Gary Chesla, Parkshores 22-year owner. Spoke about the letter sent to Linda Anderson by Parkshores residents and was assured it had been received and planners had received copies of it. Spoke about the necessity of a landscape buffer to control people from entering the condo property.

Elaine Herbert, Owner of 140 Northshore Drive. Spoke about the proposed project being a tenement hotel; the lack of and need for Planning Commission oversight and site plan review for things built next to homes in residential neighborhoods and drainage issues. Spoke about a residence being constructed on Park Avenue; parking “nose to butt” in the proposed driveway with no maneuverability and demanded a stop work order on this house.

Pat Gaston, 97 Superior Street. Spoke about a house being constructed on Park Avenue and urged Planning Commissioners to drive down Park Avenue and look at this house; whether there is space for a driveway; whether the driveway would lead to a drop-off at the rear of the property.

Phil Roehm, no present local address but is next on the agenda for 95 Willow Court, a single family homestead where he plans to live. Spoke about opposing what the developer is trying to do in the North Shore Drive neighborhood; his observations that this developer rents his properties to multiple families; urged the Planning Commission to put some holds on what is going on in this neighborhood; rental without care for special needs and fire suppression.

6. New Business – Site Plan Reviews

a) 95 Willow Court

Anderson introduced this site plan review, noting Mr. Roehm is planning to build a new home at 95 Willow Court. The lot is small for the RM-1 (Multiple Family Residential) zoning district and thus front, side and rear variances were granted by the Zoning Board of Appeals. Because the house will be in the RM-1 zoning district and will redevelop the parcel, a Planning Commission site plan review is required.

Mr. Roehm’s plans comply with all zoning requirements of Zoning Ordinance sections 1403 and 1404 including compatibility in size and style with other residences in the immediate area. Since the property is located in the Waters Edge Condominiums, a letter was required and received from the association approving the plans.

Anderson noted that Zoning Ordinance section 406 requires that all single family residential structures with more than three bedrooms need a review by the city engineer. Since this proposed house has only three bedrooms, no such review is needed.

Anderson recommended approval of the site plan.
Heinig asked if commissioners had any questions.

Gruber asked what kind of crafts are intended for the craft room, noting he will be asked. Mrs. Roehm – knitting, sewing, quilting, want a place for my sewing machine where I don't have to have it tucked away.

Elaine Herbert. Requested that the commission and Gruber ask Mr. Burnett that same question when he comes before them next month.

Motion by Stimson, second by Peterson to approve the proposed 95 Willow Court residence as designed, planned and presented.

All in favor. Motion carried.

7. Old Business – Forward Proposed Nonconforming Ordinance #1901 to city council

Anderson noted this is an ordinance amendment to just the first section of Article XIX. This was a very confusing section mixing various nonconformities together. After the hearing held in June 2016 the commissioners decided to meet again due to concern about use of the word *discontinued* in the draft. In order for this to go on to City Council, we have an attached amendment and resolution.

Motion by Gruber, second by Peterson to adopt the resolution and send it on to City Council,

All in favor. Motion carries

Heinig noted that he overlooked excusing the absent commissioners who had notified that they would be unable to attend.

Motion by Peterson, second by Gruber to excuse John Frost, Steve Miles and Dave Paull.

All in favor. Motion carried.

8. Other Business – Review of Proposed Fishing Platform

Anderson explained why this review has come before the Planning Commission.

Gruber asked whether we have funding for this. Anderson noted the grant and matching funds by the city as shown in the agenda packet.

Peterson asked whether anyone is here to answer his question about the u-shaped things in the drainage ditch. Kate Hosier, assistant city manager, suggested these may already be in place.

Motion by Peterson, second by Stimson to approve the fishing platform and bank stabilization project

All in favor. Motion carried.

9. Commissioner Comments

Peterson: Welcomed new member, Suzanne Loafman

Stimson: Welcomed Suzanne

Gruber: Welcomed Suzanne and thanked those who wrote and spoke tonight

Fries: Welcome to Suzanne

Loafman: Thanked commission for the welcomes and stated she is glad to be here.

Heinig: Suggested with Master Plan review coming up it would be a good idea for the commissioners to look up the existing Master Plan and familiarize themselves with it.

10. Adjourn

Motion by Gruber, second by Loafman to adjourn at 7:31 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Local Development Finance Authority

Regular Meeting Minutes

Monday, September 19, 2016
4:00 p.m., Council Chambers
South Haven City Hall



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

2. Roll Call

Present: Laura Bos, Tom Erdmann, Tom Fleming, Robert Herrera, Andy Klavins, Stephanie Timmer, Chris Valentine

Absent: Art Bolt, Barbara Craig, Eugen Gawreliuk, Mike Henry

Also present: Brian Dissette, City Manager; Jack McCloughan, Economic Development Director

3. Approval of Agenda

Motion by Klavins, second by Timmer to approve the September 19, 2016 Regular Meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – August 8, 2016

Motion by Klavins, second by Erdmann to approve the September 19, 2016 Regular Meeting minutes as written.

All in favor. Motion carried.

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

None at this time.

6. Financial Report

Hosier reviewed the Financial Report.

Discussion ensued regarding cash flow.

Motion by Erdmann, second by Klavins to accept the Financial Report as presented.

All in favor. Motion carried.

7. Contribution to Capital Projects

Brian Dissette, City Manager. Spoke about LDFA making cash contributions on an annual basis to ongoing capital projects. The importance to the LDFA is very simple. The Indian Grove Pump Station and the main pump station, to be built, are going to be or are used by all the businesses in LDFAs 1, 2 and 3.

Dissette explained that the benefits will be real and significant should the LDFA make an annual cash contribution of \$50,000 per year. On a monthly basis fewer dollars would have to be spent by businesses. Dissette explained how that would affect retention and how similar benefits occur for residents (city, part-time and full-time; outside the city) all through water and sewer with savings per household, this is very real.

Dissette noted that while he is asking the LDFA to lend support to capital projects, if you support this today we will be moving on to the DDA for a similar request.

Dissette and Hosier have been talking with Mr. Bolt who wants the city to retain what we have. In talks with Albemarle, hundreds of local jobs and thousands of utility payments will be retained. We will still have the ability to grow the LDFA through buying up currently private land or by creation of an LDFA #4. Dissette noted, "We are out of land, LDFAs 1, 2 and 3 are full. We need to ensure that we continue to see investment and development of private jobs."

Dissette asked, "Can you afford \$50,000, \$75,000 or \$100,000? Yes. And I'm hoping the DDA will match what this board does."

Klavins asked if the LDFA does \$100,000, will the DDA do \$100,000 to which Dissette responded, "Yes, that is where I will start. Albemarle has made a decision to stay here, and I'm sure our utilities were actively examined during that decision making process. We have provided them with highly reliable water and highly reliable electric. Without a doubt utility costs are being factored in when these decisions are made."

Valentine asked how Dissette proposes to structure this; what comes out of each LDFA? Dissette pointed to the break-out in the packet. Discussion ensued regarding where the funds will be taken from, with Dissette saying \$75,000 will be taken out of LDFA 1 and \$25,000 out of LDFA 3. It was noted that LDFA 2 does not have much to offer. LDFA 3 is receiving the benefit of the main pump station; the bulk of the work is impacting LDFA 1.

Valentine asked if this is in addition to whatever LDFA would be doing. Dissette said the special assessments were brought to all of the businesses in LDFA 1. If this were to happen we would zero out the special assessments for all businesses in LDFA 1.

Erdmann questioned how we could make a \$100,000 contribution yearly. Dissette spoke about annual revenues, and overhead costs we are billing to the LDFAs. Valentine commented about the assumption of growth.

Dissette noted there is no assumption of growth, however we do have positive cash flow and the ability to meet the 25-year cash contribution with the assumption you don't have businesses closing.

Discussion ensued regarding increases in taxable value. Dissette said all businesses in all LDFAs have a cash value and the ability to increase in value. Since approximately 1990 this city has seen overall value increasing. Some businesses have closed so there is declining value there.

Valentine and Dissette discussed businesses staying at the same value as they are now with Dissette noting that some of the businesses have very low taxable value because they are being used as storage.

Valentine is in agreement with the idea while a little fuzzy about how it is structured.

Dissette: "You are looking at LDFAs and, what is more important, creating a new LDFA or assisting with utility costs for the existing businesses." Klavins said, "Take care of what you have and with a match from DDA we will be getting double the dollar value." Dissette said anything we can do to try to control the increase in water/sewer costs will be a benefit to the overall community.

Motion by Klavins, to commit the \$100,000 annually for proposed sewer and water improvements in the LDFAs. Second by Erdmann.

Valentine asked if there was discussion of the motion. Hearing none she called the vote.

All in favor. Motion carried.

Discussion ensued regarding the individual LDFA resolutions being approved. It was decided to make a motion for each resolution.

Motion by Klavins to approve Resolution #2016-01, a resolution recommending a fourth amendment to the development plan and tax increment financing plan (LDFA #1) to the City Council of the City of South Haven. Second by Erdmann.

All in favor. Motion carried.

Motion by Erdmann to approve Resolution #2016-02, a resolution recommending a fourth amendment to the development plan and tax increment financing plan (LDFA #2) to the City Council of the City of South Haven. Second by Klavins.

All in favor. Motion carried.

Motion by Klavins to approve Resolution #2016-03, a resolution recommending a second amendment to the development plan and tax increment financing plan (LDFA #3) to the City Council of the City of South Haven. Second by Timmer.

All in favor. Motion carried.

By consensus the first motion above was modified and replaced with the following language:

Motion by Klavins to commit the \$100,000 annually for the life of the borrowing - \$75,000 from LDFA #1 and \$25,000 from LDFA # 3. Second by Erdmann.

All in favor. Motion carried.

8. General Comments

Jack McCloughan updated the board on economic development.

9. Adjourn

Motion by Klavins, second by Erdmann to adjourn at 4:30 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary



Agenda Item 7

ORV Local Operation Consideration

Background Information:

The City Council will be asked to consider an ordinance amendment introduction which, if approved, would allow for the continued operation of off road vehicles (ORVs) on public streets.

Over the past 12 months, the city has allowed for the usage of ORVs on public streets. At the time of the ordinance adoption, the Council inserted a “sunset” provision which automatically ends the ORV allowance, unless the Council considers an ordinance amendment which allows the usage to continue.

In the fall of 2015, the City Council actively reviewed and approved an ordinance which allowed for the seasonal usage of golf carts on public streets. That approval came after a local citizen had completed the purchase of what was intended to be a “street legal” golf cart. The cart was reviewed, inspected, and approved by the South Haven Police Department (SHPD.) When the golf cart’s owner attempted to secure registration for the cart from the Michigan Secretary of State’s office, the owner was informed that the State of Michigan was no longer allowing privately owned golf carts to be registered for on street usage, but local units of government could grant the golf cart allowance.

Ultimately, the ordinance approval addressed the State of Michigan’s handling of local citizenry’s golf cart operation requests. However, the ordinance approved by the City Council did not address ORV operation and usage on public streets. The city’s staff operates a number of ORV units as part of operations at the Department of Public Works, SHPD and South Haven Area Emergency Services. Further, the VanDerZee Motorplex is a local business which is located within the city, which sells and equips ORV units for private citizens’ usage. For many years the business has sold ORV units with “street legal” certification. That certification was achieved through ORV equipment upgrades, inspection by officials from the State of Michigan, and final approval from the Michigan Secretary of State’s office. As with the golf cart ruling, the State of Michigan has announced that ORV units will no longer be licensed by that department and considered for on-street usage by the State of Michigan. As a result, the City Council opted to adopt an ordinance which allowed for local on-street operation of ORV units.

During the 2016 summer season, the city observed numerous ORV units operating on city streets. During that time period, the SHPD issued one (1) ticket to an ORV operator. That ticket was issued for operating the unit on an improper street (Business Loop 196, Phoenix Street.) Enclosed is correspondence from the SHPD which addresses the ORVs which operated during the past season.

The ordinance, as adopted, provides the following regulations for the operation of an ORV:

Except as set forth herein or otherwise provided by law, an individual may operate an ORV on city streets subject to the following restrictions:

(1) ORVs may be operated from May 1 to October 31 during the hours of 6:00 a.m. to 9:00 p.m., and from November 1 to April 30 during the hours of 8:00 a.m. to 5:00 p.m.

(2) No person under 12 years of age shall operate an ORV.

(3) A person under the age of 18 years of age shall not operate an ORV unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to Part 811 of the Michigan Natural Resources and Protection Act or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. These requirements are in addition to any applicable requirements of state law in MCL 324.81129, as may be subsequently amended.

(4) All ORV operators 18 years of age or older shall have in their immediate possession a valid driver license.

(5) A person shall not operate an ORV at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the street. In no event shall a person operate an ORV at a rate of speed greater than is reasonable and proper, or in a careless manner, having due regard for conditions then existing.

(6) Unless the person possesses a valid driver license pursuant to MCL 257.25, as amended, a person shall not operate an ORV if the ORV is registered as a motor vehicle and either is more than 65 inches wide or has three (3) wheels.

(7) ORVs shall travel single file except that an ORV may travel abreast of another ORV when it is overtaking or passing, or being overtaken and passed by, another ORV.

(8) ORVs shall display a lighted headlight and lighted taillight at all times.

(9) A person shall operate an ORV with the flow of traffic on the far right of the maintained portion of the street, in a manner that does not interfere with traffic on the street.

(10) Operation of ORVs is prohibited in all cemeteries in the City.

(11) Operation of ORVs is prohibited on all beaches, sidewalks, and other pathways not specifically designed for motor vehicle use. This prohibition shall not apply to agents of the City, or other law enforcement personnel in the performance of their official duties.

(12) A person shall not transport any passenger in or upon an ORV unless the manufacturing standards for the vehicle make provisions for transporting passengers.

(13) A person shall not operate an ORV unless the vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a brake light, brighter than the taillight, visible from behind the vehicle when the brake is activated, if the vehicle is operated

during the hours of 1/2 hour after sunset and 1/2 hour before sunrise; and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.

(14) An individual shall not operate an ORV unless the vehicle is equipped with a Roll-Over Protective Structure (“ROPS”) as that term is defined in the Occupational Safety and Health Administration regulations.

(15) An individual who is operating or is a passenger on an ORV shall wear a crash helmet and protective eyewear that are approved by the United States Department of Transportation. This subsection does not apply to an individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds United States Department of Transportation standards for a crash helmet.

(16) An ORV shall not be operated on any state trunk line right-of-way, except that the operator of a vehicle may cross a street, county road, or highway, other than a limited access highway, at right angles, for the purpose of getting from one area to another, if the operation can be done safely. The operator shall bring the vehicle to a complete stop before proceeding across a street, county road, or highway, and shall yield the right-of-way to oncoming traffic.

Please note that the ORV ordinance included a sunset provision, similar to the one enacted with the golf cart allowance ordinance, which rescinds the allowance to operate ORVs on city streets, after one year from the date of adoption, if the City Council does not reauthorize the allowance.

Should the City Council wish to proceed with the continued ORV allowance, which allows the use of ORV units on the city’s streets, the Council should consider the introduction of the ordinance amendment as presented, which will allow the ongoing usage of ORVs on city streets and strikes the sunset provision.

Recommendation:

The City Council should consider a motion to introduce an ordinance amendment which, if approved, would allow for the continued operation of off road vehicles (ORV) on public streets.

Support Material:

DRAFT Ordinance Amendment; ORV Ordinance
SHPD ORV Correspondence
ORV Operation Area Map



City of South Haven

POLICE DEPARTMENT

90 Blue Star Highway, Suite 1 • South Haven, Michigan 49090
Telephone (269) 637-5151 • Fax (269) 637-9346

Natalie Thompson
Acting Chief of Police

To: City Manager Brian Dissette

From: Natalie Thompson, Acting Chief of Police

Re: ORV operation in the city

After checking with City Hall, there has only been one citation issued this summer for ORV operation. This was written by Officer Wildey for operation of an ORV on Blue Star Hwy. An issue that arose out of this was that a fee schedule had not been adopted, with the ordinance only citing a “fine of up to \$500.00”. After consulting with Attorney Manning he pointed out that the fee schedule can either be defaulted to the City Ordinance 1-16 (g)(1)a. which is already in place for Municipal Civil Infraction being \$50.00. The other option pointed out by Manning was to add the ORV Ordinance to the list of “otherwise noted ordinances” in section 1-16 (g)(1) c., which would make compound fines for repeat offences.

Another issue which arose, which is not a fault of the ordinance, was residents in the 800 block of Phoenix were told by the dealership when they bought their ORV that they were OK to operate on that section of Phoenix because “the police won’t stop you for that”. Beside the fact that this was bad advice on the part of the dealership, it does create an issue for those who live on the restricted roads wanting to operate an ORV. I’m not sure if it is possible being that this is state trunk line, but maybe an amendment that an ORV can be operated on the restricted roadway to get from a residence to an unrestricted roadway by most direct route only.

Other than the one citation, no other enforcement actions were taken and there were no reported accidents involving ORVs.

Please let me know if you would like any further information,

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 74, ARTICLE I, OF THE CODE OF
ORDINANCES BY ADDING SECTION 74-15 TO ALLOW AND REGULATE THE USE
OF ORVs ON CITY STREETS.

The City of South Haven Ordains:

SECTION 1

Amendment. That Chapter 74, Article I, of the Code of Ordinances, City of South Haven, Michigan, is amended to add section 74-15 as follows:

Sec. 74-15. OPERATION OF ORVs.

(a) Definitions. As used in this Section:

- (1) "ATV" means a vehicle with 3 or more wheels that is designed for off-road use, has low-pressure tires, has a seat designed to be straddled by the rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.
- (2) "Operate" means to ride in or on, and be in actual physical control of, the operation of an ORV.
- (3) "Operator" means an individual who operates or is in actual physical control of the operation of an ORV.
- (4) "ORV" or, unless the context implies a different meaning, "Vehicle," means a motor-driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes a side-saddle 4-wheel vehicle or other means of transportation deriving motive power from a source other than muscle or wind. ORV or vehicle does not include a golf cart, registered snowmobile, a multi-track or multi-wheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel or 6-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft, as the term(s) are defined pursuant to section 81101 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 *et seq.*
- (5) "Street" means a city major street or city local street as described in section 9 or 1951 PA 51, MCL 247.659, or a segment thereof.

(b) Except as set forth herein or otherwise provided by law, an individual may operate an ORV on city streets subject to the following restrictions:

- (1) ORVs may be operated from May 1 to October 31 during the hours of 6:00 a.m. to 9:00 p.m., and from November 1 to April 30 during the hours of 8:00 a.m. to 5:00 p.m.
- (2) No person under 12 years of age shall operate an ORV.

- (3) A person under the age of 18 years of age shall not operate an ORV unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to Part 811 of the Michigan Natural Resources and Protection Act or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. These requirements are in addition to any applicable requirements of state law in MCL 324.81129, as may be subsequently amended.
- (4) All ORV operators 18 years of age or older shall have in their immediate possession a valid driver license.
- (5) A person shall not operate an ORV at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the street. In no event shall a person operate an ORV at a rate of speed greater than is reasonable and proper, or in a careless manner, having due regard for conditions then existing.
- (6) Unless the person possesses a valid driver license pursuant to MCL 257.25, as amended, a person shall not operate an ORV if the ORV is registered as a motor vehicle and either is more than 65 inches wide or has three (3) wheels.
- (7) ORVs shall travel single file except that an ORV may travel abreast of another ORV when it is overtaking or passing, or being overtaken and passed by, another ORV.
- (8) ORVs shall display a lighted headlight and lighted taillight at all times.
- (9) A person shall operate an ORV with the flow of traffic on the far right of the maintained portion of the street, in a manner that does not interfere with traffic on the street.
- (10) Operation of ORVs is prohibited in all cemeteries in the City.
- (11) Operation of ORVs is prohibited on all beaches, sidewalks, and other pathways not specifically designed for motor vehicle use. This prohibition shall not apply to agents of the City, or other law enforcement personnel in the performance of their official duties.
- (12) A person shall not transport any passenger in or upon an ORV unless the manufacturing standards for the vehicle make provisions for transporting passengers.
- (13) A person shall not operate an ORV unless the vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a brake light, brighter than the taillight, visible from behind the vehicle when the brake is activated, if the vehicle is operated during the hours of 1/2 hour after sunset and 1/2 hour before sunrise; and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- (14) An individual shall not operate an ORV unless the vehicle is equipped with a Roll-Over Protective Structure ("ROPS") as that term is defined in the Occupational Safety and Health Administration regulations.

- (15) An individual who is operating or is a passenger on an ORV shall wear a crash helmet and protective eyewear that are approved by the United States department of transportation. This subsection does not apply to an individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds United States department of transportation standards for a crash helmet.
- (16) An ORV shall not be operated on any state trunk line right-of-way, except that the operator of a vehicle may cross a street, county road, or highway, other than a limited access highway, at right angles, for the purpose of getting from one area to another, if the operation can be done in safety. The operator shall bring the vehicle to a complete stop before proceeding across a street, county road, or highway, and shall yield the right-of-way to oncoming traffic.
- (c) An ORV shall not be operated within the City unless and until the ORV is licensed in accordance with all applicable state licensing requirements and unless and until the ORV has all equipment required under applicable state law.
- (d) A person operating an ORV within the City shall comply with all applicable federal, local, and state regulations, including but not limited to the provisions of Part 811 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.81101 *et seq.*, as may be subsequently amended.
- (e) A person who violates this ordinance is responsible for a civil infraction and subject to a fine of not more than \$500.00.
- (f) In addition to the fine provided for herein, a court shall order violators of this ordinance to pay the cost of repairing any damage to the environment, a street, county road, or highway, or public property as a result of the violation pursuant to MCL 324.81131(17).
- (g) The City Treasurer shall deposit fines and damages collected for violations of this ordinance into a fund to be designated as the "ORV Fund." City council shall appropriate revenue in the ORV Fund as follows:
 - (1) Fifty percent to the City of South Haven Police Department for ORV enforcement and training.
 - (2) Fifty percent to the City of South Haven Public Works Department to be used for repairing damage to streets and the environment that may have been caused by ORVs and for posting signs indicating ORV speed limits or indicating whether streets are open or closed to the operation of ORVs under this ordinance.

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, Travis Sullivan, 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.

Travis Sullivan, City Clerk